The Return of the Public in Global Governance

Edited by Jacqueline Best and Alexandra Gheciu

Copyrighted material

CAMBRIDGE

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Published in the United States of America by Cambridge University Press, New York

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781107052956

© Cambridge University Press 2014

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2014

Printed in the United Kingdom by Clays, St Ives plc

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data
The return of the public in global governance / edited by Jacqueline Best and Alexandra Gheciu.
pages cm
ISBN 978-1-107-05295-6 (Hardback)
1. Globalization–Social aspects. 2. Public interest. 3. International organization. 4. International economic relations. 5. Security, International. 6. International relations. I. Best, Jacqueline, 1970- II. Gheciu, Alexandra.
JZ1318.R485 2014
327.101–dc23 2013046727

ISBN 978-1-107-05295-6 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

The Return of the Public in Global Governance

Many international relations scholars argue that private authority and private actors are playing increasingly prominent roles in global governance. This book focuses on the other side of the equation: the transformation of the public dimension of governance in the era of globalization. It analyzes that transformation, advancing two major claims: first, that the public is beginning to play a more significant role in global governance, and, second, that it takes a rather different form than has traditionally been understood in international relations theory. The authors suggest that unless we transcend conventional wisdom about the public as a distinct sphere, separate from the private domain, we cannot understand the dynamics and consequences of its apparent return. Using examples drawn from international political economy, international security, and environmental governance, they argue that "the public" should be conceptualized as a collection of culturally specific social practices.

JACQUELINE BEST is an Associate Professor in the School of Political Studies at the University of Ottawa. She is author of *Governing Failure: Provisional Expertise and the Transformation of Global Finance for Development* (2014) and *The Limits of Transparency: Ambiguity and the History of International Finance* (2005) and co-editor, with Matthew Paterson, of *Cultural Political Economy* (2010).

ALEXANDRA GHECIU is an Associate Professor at the Graduate School of Public and International Affairs and Associate Director of the Centre for International Policy Studies. Her publications include *NATO in the "New Europe": The Politics of International Socialization after the Cold War* (2005) and *Securing Civilization?* (2008).

defies description" (Washington Post 2010b). Indeed, even those who stand squarely in the middle of it (and who thus have more information and a deeper understanding of it than anyone else) claim that they do not have a precise grasp of it. For example Robert Gates makes "a terrible confession: I can't get a number on how many contractors work for the Office of the Secretary of Defense; not even as a whole" (Washington Post 2010d). Where secrecy is a virtue, this may not seem strange. Cheney sums it up when he explains that contracting has grown because it facilitates "work in the shadows" (quoted in Chesterman 2011: 96). The public/private divide, however, compounds the challenge: it makes enmeshed actors and activities, purposes, and regulations slide out of sight. This elusive character of the secret intelligence hybrid is one of its sources of power.

Elusive/expansive actors and activities

The WP Project's attempt to pin down the actors is a case in point. According to the WP, Top Secret America consists of forty-five governmental organizations that can be broken down into 1,271 subunits and 1,931 companies (not divided into subunits) (Washington Post 2010c). This estimate, however, misrepresents the things it purports to capture. One reason is that enmeshed activities can be classified as either public *or* private *or* both, or they can simply slide out of the picture entirely because the activity in question moved to the private when the public was measured or vice versa. An additional reason for this elusiveness is that the estimate excludes things located outside the divide (namely the formally private or the foreign). Yet, these are often integral to National Intelligence. In the formally private sector (private companies hiring private intelligence agencies), operatives with a background in the state intelligence services make up the bulk of the staffing of the "private" agencies, which do assignments for the state agencies and share their results with the state agencies (Donovan 2011, former employee of Shell Corporate Affairs Security). The same is often the case with foreign agencies. The combination of misrepresentation and exclusion generated by a reliance on the public/private distinction explains why observers and insiders share the impression that the beast they are trying to capture eludes them. Observing these practices through the public/private divide makes it impossible to capture who and what is part of US National Intelligence.

The elusiveness produced by the public/private divide facilitates an expansionary dynamic. By obscuring existing activities and actors, it makes it easier to argue that more projects and activities are needed.

Chesterman, Simon. 2011. *One Nation under Surveillance: A New Social Contract to Defend Freedom without Sacrificing Liberty*. Oxford: Oxford University Press.

Cutler, Claire A. 2003. *Private Power and Global Authority: Transnational Merchant Law in the Global Political Economy*. Cambridge: Cambridge University Press.

De Certeau, Michel. 1984. *The Practice of Everyday Life*. Berkeley, CA: University of California Press.

Dickinson, Laura. 2008. "Accountability of state and non-state actors for human rights abuses in the 'War on Terror'." *Tulsa Journal of Comparative and International Law* **12**: 53.

Donovan, John. 2011. *Inside the Shadowy World of Shell Corporate Security*. http://royaldutchshellplc.com/

Elias, Norbert. 1970. *What is Sociology?* Cambridge: Cambridge University Press.

Fischer-Lescano, Andreas and Gunther Teubner. 2004. "Regime collisions: the vain search for legal unity in the fragmentation of global law." *Michigan Journal of International Law* **25**(4): 999–1045.

Frankel, Christian. 2004. *Virksomhedens Politisering [The Politicization of the Firm]*. Copenhagen: Samfundsliteratur.

Godin, Christian. 1996. "L'hybride entre la puissance et l'effroi." *Uranie* **6**: 37–47.

Graz, Jean-Christophe. 2006. "Hybrids and regulation in the global political economy." *Competition and Change* **20**(2): 230–45.

2008. "Gare aux hybrides: mythes et realités de la gouvernance de la mondialisation." *Etudes internationales* **39**(3): 361–85.

Guzzini, Stefano. 1993. "Structural power: the limits of neorealist power analysis." *International Organization* **47**(3): 443–78.

Habermas, Jürgen 1989. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, Cambridge, MA: MIT Press.

Harvey, Penelope. 1996. *Hybrids of Modernity: Anthropology, the Nation State and the Universal Exhibition*. New York: Routledge.

Kessler, Oliver and Wouter Werner. 2008."Extrajudicial killing as risk management." *Security Dialogue* **39**(2–3): 289–308.

Kierpaul, Ian. 2008. "The rush to bring private military contractors to justice: the mad scramble of congress, lawyers, and law students after Abu Ghraib." *University of Toledo Law Review* **39**(2): 407–35.

Knorr-Cetina, Karin. 2005. "How are global markets global? The architecture of a flow world." In *The Sociology of Financial Markets*, edited by Karin Knorr-Cetina and Alex Preda, pp. 17–37. Oxford: Oxford University Press.

Lacy, Mark. 2008. "Designer security: control society and MoMA's SAFE – design takes on risk." *Security Dialogue* **39**(2–3): 333–57.

Latour, Bruno. 1993. *We Have Never Been Modern*. Cambridge, MA: Harvard University Press.

2005. *Re-Assembling the Social: An Introduction to Actor Network Theory*. Oxford: Oxford University Press.

Leander, Anna. 2002. "Do we really need reflexivity in IPE? Bourdieu's two reasons for answering affirmatively." *Review of International Political Economy* **9**(4): 601–09.