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# Representation Beyond the State: Towards Transnational Democratic Non-state Politics

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**ABSTRACT** *The crises of representative democracy and of state-based politics have been declared many times and ‘participation’ is often advocated as a remedy for the shortcomings of both. While the literature has extensively discussed representative practices in relation to territorial states, we argue in this article that more attention should be paid to the question of representation within transnational social movements striving for a politics that transcends current territorially bounded representative democracy. Analysing the World Social Forum and West African participatory trade policy-making, we find that as transnational social movements aiming at democratic goals deepen their interactions, they can face demanding questions such as: who or what has a right to be made present in a given political process and how is this established? We claim that avoiding the question of representation in transnational non-state-centred politics leaves power too many places to hide.*

**Keywords:** representation, social movements, non-state actors, democracy, alter-globalization

## 1. Introduction

Since the eighteenth and nineteenth centuries’ ‘democratic revolutions’, the holy union between the nation-state and representative democracy is a dominant idea in much of political theory and a messy affair in political practice. Since then, representational practices put in place through electoral mechanisms are widely seen as the chief foundation of the legitimate exercise of political authority. Over recent decades, dissatisfaction with these state-based mechanisms and their policy outcomes has led to increasing experimentation with more participatory forms of collective decision-making. Incipient democratic experimentation can, for example, be found in

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Our names appear in alphabetical order and we wrote the article as equal partners.

various municipal governments, with elements of participatory budgeting practices having spread from Porto Alegre to places like New York and Helsinki.

Such practices are generally thought to be broadly in line with Hanna Pitkin's notion, drawn from Hannah Arendt, that 'genuinely democratic representation' is possible 'where the centralized, large-scale, necessarily abstract representative system is based in a lively, participatory, concrete direct democracy at the local level' (Arendt, 1965; quoted in Pitkin, 2004, p. 340). At the same time, many networks of social movements are building alternative ways of decision-making outside of the realm of the state, which strive towards a politics assumed to be more in line with real democracy. Mobilizations such as Occupy Wall Street or the Spanish Indignad@s emphasized 'horizontal' networks, as opposed to the assumedly more 'vertical' structures of traditional representation. Various activists and movement theorists have announced and celebrated the death of representational politics (see Passavant & Dean, 2004).

Studying civil society actors working for the urban poor in São Paulo, Peter Houtzager and Adrian Gurza Lavalle, however, suggest that claims to political representation are part and parcel of participatory practices. They further observe that in participatory politics, these claims may 'fall well short of the long-established and widely accepted formula for democratic political representation' (Houtzager & Gurza Lavalle, 2010, p. 2). For those who advocate civil society participation as a remedy for the shortcomings of Pitkin's representative system (e.g. Urbinati, 2006), such imperfections raise questions about the ability of participatory practices to deliver on their democratic promise. In response, scholars have started conceptualizing new forms of civil society representation towards the state (for a review see Houtzager & Gurza Lavalle, 2010).

In this article, we analyse two transnational policy contexts to show that within participatory and non-state-centric politics, the ways in which representational practices are handled can evoke tough political questions as to who or what is being made present and how this is to be established. Based on our data, we argue that if the question of representation within social movements and civil society networks is avoided, there is a risk of reproducing existing power structures through silently functioning representational mechanisms. Although our two cases do not cover the full spectrum of participatory politics, we believe, they can further stimulate the debate on representational practices in transnational, non-state-centric policy contexts and their real and potential implications for democratic world politics.<sup>1</sup>

Both cases we study are situated at the transnational level. They are markedly different in policy field, scale, and purpose. Nevertheless, they expose shared characteristics and similar lessons when it comes to the ways in which questions of representation are raised and (un-)resolved. The non-state-based politics of the World Social Forum (WSF) constitutes our first case. We gathered our data in participatory fieldwork in social forum events and participatory observation in the WSF International Council (IC) between 2001 and 2016 (e.g. Teivainen, 2012). Our second case examines joint decision-making practices of state and non-state actors in the negotiations of an international trade agreement between the European Union (EU) and the Economic Community of West African States (ECOWAS). These data were part of a larger study conducted between 2009 and 2011 in Dakar, Brussels and Geneva (Trommer, 2014). In practice, our cases are related because the majority of non-state organizations engaged in the West African process have also participated in the WSF.

We briefly examine relevant theoretical debates on representation in the remainder of this introduction. Sections 2 and 3 provide case studies of the WSF and EU-ECOWAS trade negotiations. In the concluding section, we present theoretical and practical implications of our findings.

Building on the work of Mansbridge (2003), Michael Saward conceptualizes representation as ‘an ongoing process of making and receiving claims’ (2009, p. 2). Andrew Rehfeld argues that ‘political representation . . . results from an audience’s judgment that some individual, rather than some other, stands in for a group in order to perform a specific function’ (2006, p. 2). This literature treats representation as a factual political practice that has no inherent connection to democratic politics. Urbinati (2006) further points out that links between democracy and representation were only established with the writings of Rousseau and Montesquieu. A simple conceptual de-coupling of representation and democracy is, however, insufficient for the type of normative discussion we have in mind. The historical successes of the civil rights or women’s movements demonstrate that marginalized social groups use claims to political representation in order to transform existing social structures and their underlying power relations. The questions of who gets to be represented, and what level of influence a political subject is entitled to, have thus lain at the heart of many key social and political controversies. Among the multiple meanings of representation in political theory, we follow a general definition that makes clear that representation can never be perfect. This impossibility lies in its very meaning as stated by Pitkin (1989, p. 142): ‘making present in some sense what is nevertheless not literally present’.

In world politics, the traditional assumption of a natural alliance between the territorial nation-state and democracy is currently being undone (Markoff, 2013). The scholarship on cosmopolitan democracy questions to what extent dominant notions of citizenship, political community as well as traditional mechanisms of majority rule are effective in assuring that the globalization process does not hollow out democratic political systems (Held, 1999; Linklater, 1998; Archibugi 1998; Näsström, 2003). According to Daniele Archibugi and David Held, the relevant political community has to be located in a cosmopolitan context in order for citizenship to remain an effective vehicle of political agency. They assert:

The term cosmopolitan is used to indicate a model of political organization in which citizens, wherever they are located in the world, have a voice, input and political representation in international affairs, in parallel with and independently of their own government. (Archibugi & Held, 1995, p. 13)

Some scholars argue that voice, input, and political representation need to move away from what Dryzek (2000) calls ‘counting heads’. Building on Habermasian discourse ethics, the basic democratic principle in this perspective is that ‘just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses’ (1992, p. 107). In the concrete debate about democratic deficits in global governance, Steve Charnovitz recommends assessing non-state actors on the basis of their ability to introduce good arguments into political processes. He asserts: ‘in my view, numbers matter when votes are counted but should not matter when ideas are weighed’ (Charnovitz, 2005, p. 36). However, scholarship across the social sciences reveals that ideas and the people that advance them can be disqualified in policy processes simply because they do not fit the language nor the forms of reasoning that dominate a given issue area and its associated expertise (Barnett, 1997; Cohn, 1987; Hannah, Scott, & Trommer, 2016). Even in deliberative processes, the weighing of ideas is seldom an apolitical exercise. Mathias Koenig-Archibugi adds to this knowledge–power conundrum ‘the difficulty of determining empirically when an actor genuinely acts on behalf of another, less powerful actor, instead of simply promoting its own interest and values’ (2010, p. 1145). These are what Saward calls ‘wider interests and new voices representative claims’ that ‘involve a radical deconstruction of our received ideas of what a “constituency” is, and can

very quickly probe the limitations of our conventional vocabularies of representation and enfranchisement' (2009, pp. 12–14).

Notions of radical deconstructions of received ideas on representation transcend the cosmopolitan democracy and global governance literatures. Michael Hardt and Antonio Negri, for example, advocate forms of democracy that are 'non-representative' or 'differently representative' than the traditional mechanisms of state-centred, representative democracy (2004, p. 244). Unfortunately, it is often assumed that Hardt and Negri, along with many anarchist and autonomist authors, simply dismiss all representation. Even if anarchists tend to argue against political representation, it is possible to claim that the kind of delegation that many anarchist traditions have posited as an alternative to representation actually constitutes a different kind of representation. This is also evident in the ways some anarchist scholars distinguish between different kinds of representation. Matthew Wilson analyses the spokespersons of neighbourhood assemblies as true representatives, as opposed to 'appointed decision-makers who decide for themselves how those who voted for them would want to be represented' (2014, pp. 147–148). Also Cohn (2006) has shown that the history of anarchist organizing includes many examples of representational practices and politics. One of us argues elsewhere that anarchists can contribute greatly to debates on global democratic politics. For anarchist principles to have greater impact on debates of global democracy, the dichotomy between participation and representation and the anarchists' traditional lack of attention to global organizing need to be overcome (Teivainen, 2016).

In the absence of institutionalized mechanisms, Houtzager and Gurza Lavalle (2010) invite civil society scholars and activists to focus on 'representatives' subjective commitment to the people they represent'. Their main finding is that 'when [civil society] actors assume the political representation of a constituency, they have little option but to offer a public justification for their status as representatives and make implicit or explicit claims about the basis of their representativeness' (Houtzager & Gurza Lavalle, 2010, p. 4). Our data from two transnational political processes suggest that Houtzager and Gurza Lavalle are too optimistic. Instead, the non-state actors we examine avoid offering justifications, claiming that their actions are based on non-representational mechanisms of participation, which can include reliance on expert knowledge. In normative terms, we agree that representational practices are unavoidable in transnational non-state contexts. In order to democratize these contexts, representational practices, however, need to be given democratic justifications. To elaborate on these claims, we turn to our empirical analyses in the next two sections.

## **2. Representation in Non-State-based Politics: The WSF**

The WSF has grown from its origins in Porto Alegre into a transnational process with various local, national, regional, thematic, and global events. Although never including all movements, especially in the early 2000s, it was often perceived as 'the only game in town' (Wallerstein, 2008, p. xii). The formal responsibilities in organizing the WSF process were at first mostly in the hands of a national coalition, the Brazilian Organizing Committee. To cope with the WSF's global dimension, an IC was established in mid-2001. As the process expanded, the IC took up more responsibilities vis-à-vis the Brazilian Organizing Committee and new organizing committees were formed for social fora held in different parts of the world. The original organizing committee also gradually metamorphosed into a secretariat, with increasing involvement by non-Brazilians but mostly rooted in Brazil.

Part of the enthusiasm around the WSF was due to its novel way of apparently avoiding internal power struggles in its mode of organization. During the first years, its organizers often claimed that as the forum was open to diverse groups, there was no locus of power to be disputed and thus no space for representative concerns. Representation was seen as belonging to the traditional politics of governments and political parties, whereas the WSF was considered a civil society space in which power relations were somehow less present. Only in one aspect, representation was incorporated in the WSF organizational process from the very beginning. Participants in the WSF organizing bodies were representatives of an organization and not simply individual members. Beyond that rule, representation was supposed to be a non-issue.

When the Brazilian initiators of the process were first discussing which organizations should form part of the organizing committee, most questions of representation were explicitly bracketed away. Francisco Whitaker, generally considered one of the two 'founding fathers' of the WSF, has openly defended the principle that representation should not form part of the WSF vocabulary. Reflecting on the founding of the Brazilian Organizing Committee in an interview with us, he described a practical dilemma that taking into account the principle of representation would have implied: 'If we had included the blacks, then why not the indigenous? And if the indigenous, why not the women? And if women, why not the Amnesty International?'<sup>2</sup>

Rather than expressing animosity towards these groups, all of which have participated actively in the forum, Whitaker was contemplating how opening the question of representation might lead to endless debates over who should be represented, thereby politicizing the open space of the WSF and undermining its horizontality. Consequently, the process of constituting the committee was based on the principle of 'operating capacity' rather than 'representation'.<sup>3</sup> Emphasizing operating capacity makes the efficiency of the operation a priority over questions of who the people in charge represent. The efficiency can then be measured in terms of the operation's results, in this case, a successful forum event. This emphasis was strongly present in most initial conceptions of the WSF as an 'open space' in which questions of democratic representation were generally not taken into account.

During the first WSFs, the organization of service provisions was one example of the emphasis on substantive results. Its analysis also makes visible a mechanism through which a 'civil society' initiative is embedded in interactions with governmental representatives. One of the reasons that contributed to organizing the 2001, 2002, and 2003 WSF at Porto Alegre's Catholic University of Rio Grande do Sul was that the Rio Grande do Sul state government arranged the payments to the university bilaterally, as part of the state contribution to the WSF. As a result, the working conditions, environmental concerns, and other issues related to the 'internal' relations of the university almost never became an issue for the organizing committee to deal with. As Gustavo Codas, member of the Brazilian Organizing Committee, described, a part of the organizational responsibilities were effectively delegated to the director of the conventions centre of the Catholic University, João Carlos Gasparin:

Organizing the WSF event at the Catholic University was very convenient. If one needed something to be arranged, one simply told it to professor Gasparin and he took care of everything, and the bill was sent to the state government.<sup>4</sup>

Mayor Raul Pont and Governor Olívio Dutra, both from the Workers' Party PT, had suggested organizing the event at the Catholic University in 2000.<sup>5</sup> The pragmatic justification for continuing in the university, even if, given the event's spectacular growth, other Porto Alegre venues were also used, was that a more self-organized alternative would have taken up too much organizational energy.<sup>6</sup> The convenience of organizing the forum in the university resulted in an

evasion of the political dimension of various 'technical' issues that became seen as neutral and not subject to political debates beyond operating effectiveness.

The avoidance of debates on representation was an element in the WSF's initial success. Members of the initial Brazilian Organizing Committee told us that one of the reasons why they were able to function together relatively effectively was that issues of representation were not made explicit. Even if two groups, the Landless Rural Workers' Movement MST and the Workers' Confederation CUT, were mass movements with large membership basis and others were much smaller groups, the question of numbers was not made into an issue of power differentials in internal decision-making. Despite differences of opinion, for example, when the MST representative voiced concerns about holding the event in the 'bourgeois' Catholic University instead of a venue that would better represent WSF ideals, most decisions were made consensually.

Apart from representative weights linked to membership numbers, there was also the potential issue of representation of political parties. During the emergence of the forum, party sympathies or affiliations of the organizers did not become an openly divisive factor. In Brazil of the early 2000s, the presence of the Workers' Party PT was often so overwhelming in social movement organizations that even its party activists did not feel much need for formal party presence in the process. Nevertheless, the more the WSF has expanded to engage itself to other parts and sectors of the world, the more political questions of representation have become evident in the process (Teivainen, 2007).

The increasingly global scale of the WSF process made the avoidance of representational questions more difficult, but differences in local and national realities also mattered. Comparing the organization of the first WSFs in Brazil with the WSF 2004 in Mumbai helps to illustrate the way the local context had an impact on questions of representation as regards political parties. Compared to PT in Brazil, in India, there was no single party with a similarly dominant role in social movements and other civil society organizations. Most importantly, the Communist Party of India (CPI), the Communist Party of India (Marxist) (CPM) and some tendencies of the Communist Party of India (Marxist-Leninist) (CPI-ML) were all interested in ensuring a presence in the WSF process. Even if the WSF Charter of Principles formally ruled out the direct representation of political parties, each party was closely associated with particular social organizations involved in the forum (Caruso, 2012). The result was a much closer attention to issues of representation between these parties than in Brazil, even if much of the attention was expressed informally in order not to violate the Charter of Principles.<sup>7</sup>

An analysis of the WSF's global expansion more clearly reveals that the avoidance of representation became more difficult over time. Global expansion and increasing applications for IC membership soon made biases in the IC's original composition visible. The IC was gradually facing increasing demands to deal with the perceived lack of representativeness within WSF governance bodies. Based on our participant observation, the growing recognition that more Africans were needed in the IC became a sometimes heated topic of discussion. It was difficult to approach this issue when the Brazilian Organizing Committee's first guidelines stated categorically that the IC 'will not have mechanisms for disputing representation'.<sup>8</sup> The dilemma was how to accept that there were certain geographically defined areas or thematically defined sectors with insufficient presence in the council while at the same time refusing to use the language of representation.

The perceived representation biases were also expressed in relation to sectoral participation. At the beginning of the process, some trade unions deemed that their role was to represent workers vis-à-vis capitalist employers in sites like the World Economic Forum, rather than

getting deeply involved with social organizations that often had an unclear popular mandate. With the growth of the WSF, however, more trade union organizations wanted to have a stronger presence in it. Indigenous organizations were also increasingly interested in IC membership. Even if the WSF principles claim it to be a 'non-confessional' space, some non-Christian religious groups started expressing concerns over the overwhelming presence of Christian organizations in the process.

Dot Keet, of the South African-based Alternative Information and Development Center, expressed the concern of various IC members when characterizing the IC as an 'unelected and not fully representative body' that had become 'an important decision-making body and a de facto political steering committee' for the WSF process (Keet, 2004). As Keet noted, the IC's 'ad hoc composition' had become increasingly anomalous when its political importance grew (2004). The Brazilian Organizing Committee noted the pressures and its position on representation became less rigid. In the 2004 IC meeting held in Passignano, Italy, representation was mentioned more than ever before. The representatives of the Congress of South African Trade Unions (COSATU) presented one possible solution to the mounting concerns of representativity. In their plenary interventions and especially in more informal debates between the official sessions, they often questioned the representativeness of many of the IC member organizations. Their position was that the IC should be restructured so that only 'representative' organizations would take part in its meetings. In this context, 'representative' was almost synonymous with 'mass-based'. The Brazilian Organizing Committee was also referring to the need to work on a 'non-hierarchical representation scheme'.

The COSATU proposal intended dividing the IC into slots of representation for different kinds of organizations. For example, there should be 10 seats for major trade unions, another 10 for women's movements, and similar slots to cover all major sectors of the global civil society that the WSF would aim to represent. There would then be a process to select the most representative organizations, with an open global call for all concerned groups to participate. One of the debated open questions was who would be in charge of the selection process, which resulted in a brief spiral of reflections on the difficulty of ensuring adequate representation for the decision-making implied by the procedure. After Passignano, the proposal was gradually forgotten.

Michael Albert, a representative of ZNet during the IC's first years, presented another proposal to make the WSF more representative based on geographical concerns. Albert's idea was to make the main WSF a delegates' event, with local social forums sending delegates to national and regional forums and these sending their delegates to the global forum. This proposal was never under much discussion in the IC, and Albert also soon left the IC, stating that even if his organization covered more constituents than many other IC members, he felt that his organization was nevertheless not adequately representative to form part of the IC.

In the WSF, there was a shift from a first moment when 'representation' was explicitly defined as irrelevant for its governance towards increasing references to 'non-territorial' and 'different' forms of representation. Even if questions of representation became important, they continued to cause uneasiness. On the one hand, it became increasingly obvious that the organizational model of the WSF did not adequately practise the principles of a democratic world that WSF principles preached. On the other hand, confronting the problem seemed to open a Pandora's Box of underlying questions with no easy solutions in sight. These could be seen as an example of more general paradoxes of democracy. Another example for the paradox is that when a democratic order is established, whoever first decided that 'we the people' should be represented in the decision-making typically did not have a democratically legitimate basis for stating this, because no mechanisms of democratic representation had existed previously.



The lack of attention to questions of representation has prevailed among many radical activists also outside the WSF. In the globalization protest movements, tactics that include direct action and ‘antihierarchical (dis)organisation through loose networks of activists’ have been common (Colás, 2003). According to Alejandro Colás, many activists reject ‘strategic discourses which set medium or long-term political objectives or seek to channel protest into coherent bodies through representative organizations’ (2003, pp. 97–118). Whereas the first part of his claim may not easily apply to the WSF, insufficient attention to issues of representation has been a prevalent characteristic of the globalization protest movements in general and the WSF in particular.

The central argument of Colás is still worth citing at length:

because global capitalism relies on mediating political structures for its own reproduction, struggles for the democratization of global governance would do well to focus on ‘the political’ in its various manifestations as a key site of anti-capitalist contestation and transformation; secondly, if such struggles are to be democratic in their practice as well as in their programme, some conception of representation—a clear answer to the question of who or what is the ‘demos’—is imperative. (2003, p. 103)

We agree with much of the criticism that Colás directs against the ‘flatly unhierarchical anti-politics’ of many globalization protest activists, even if some parts of his article seem to equate political representation too easily with state structures. We should focus on representation also outside the state and reflect on what it can mean in transnational non-state contexts, even if no civil society process exists without connections to various kinds of governmental politics.

Over the years, dilemmas of representation have become more explicit in the WSF and they have been more openly debated in the IC. In early 2013, Francisco Whitaker, who has continued to be a visible participant in the council, made a proposal that expressed his frustration with these debates. He suggested to transform the entire IC structure into a space in which no one would act as representative of any organization. The proposal was inspired by the experience of the newer protest mobilizations such as Occupy Wall Street that reject the principle of representation more thoroughly than the hybrid governance of the WSF that combined organizational representatives with an assumedly non-representational decision-making system. By late 2015, however, the proposal was not gaining ground within the council, and Whitaker told us that it had been a provocation to think beyond the representational logic rather than a political feasible roadmap.<sup>9</sup> Our conclusion remains that rejecting questions of representation altogether is not a feasible, nor a desirable solution for a global process that aims to connect actors from across world.

### **3. Representation in State and Non-State Joint Decision-making: West African Civil Society in Trade Negotiations**

Our second case concerns representation in state and non-state joint decision-making in the context of international trade negotiations. When a West African civil society network that was critical towards the negotiations of a trade agreement between the EU and ECOWAS gained political influence and a participatory role in the negotiation process, questions of the network’s representativity became intermingled with questions of the legitimacy of the knowledge it provided. Members of the network insisted that they were bringing pertinent ideas and forms of expertise to the policy process that would not be represented by any other political actor. Public officials, on the other hand, were concerned that the network members could use their

influential role in the policy process in order to voice their own opinions, rather than representing all opinions held by regional civil society in its entirety.

From 2003 to 2014, the EU and ECOWAS negotiated an Economic Partnership Agreement (EPA) to bring their bilateral trade relations in line with obligations under World Trade Organization (WTO) law. As one of us has extensively analysed elsewhere (see Trommer, 2014), a regional civil society network called *Plateforme des Acteurs de la Société Civile Ouest-Africaine sur l'Accord de Cotonou* (herein: 'the Platform'), composed of fifteen development, anti-poverty, and global social justice organizations, social movements, and trade unions from 11 countries,<sup>10</sup> over time secured a position in ECOWAS' negotiating team. Civil society representatives became entitled to access the policy-making rooms and relevant, including unpublished documentation. They could also speak in internal ECOWAS meetings and at the negotiating table with the EU, raising their role to a rare level of political inclusion in international trade negotiations (Trommer, 2014).

The Platform came to occupy this position in the ECOWAS negotiating team against the initial resistance of ECOWAS officials. The network had evolved during the late 1990s over EU–African development and trade cooperation. In terms of policy preferences, it was opposed to further opening West African economies towards world markets in general and European economic operators in particular, and advocated the strengthening of regional trade ties in West Africa instead. ECOWAS officials felt that they had been mandated by their heads of states to negotiate a free trade deal with the EU. Although the trade policy preferences of the Platform and ECOWAS public officials thus diverged substantially, and their relations were at times conflictual, the Platform pursued three tactics that enabled it to represent West African civil society in ECOWAS' negotiating team. First, supported by political allies in broader EU–African civil society networks, the Platform depicted the EPA as a set of rules that needed to take the region's development needs into account, thus hijacking the process from the seemingly neutral realm of trade technocracy and bringing it onto the contested terrain of development policy. This politicized what according to our interviewees would otherwise have been technical trade negotiations among two international bureaucracies. It further meant that broader good governance norms and standards of behaviour, as well as participatory principles announced in relevant international texts such as the Cotonou Agreement adopted between the EU and the group of African, Caribbean and Pacific countries in 2001 became frames of reference for negotiations. Second, realizing that technical language is the currently privileged vehicle for trade political demands, the Platform activated its transnational networks to produce legal and economic expertise. This helped in countering imbalances in negotiating capacity between ECOWAS and the EU. Third, in efforts to create a sense of solidarity among West African civil society and trade officials that could help them transcend their trade political frictions, the Platform drew on ambiguous collective experiences with internationally led trade policy reform in the post-colonial era and with West African–European trade during colonization (Trommer, 2014).

West African public officials over time accepted the inclusion of the Platform in their trade political deliberations because the added technical capacity and the outspokenness of civil society representatives towards EU public officials during negotiations brought ECOWAS unexpected influence in these asymmetrical trade talks. In 2008, for example, the Platform commissioned a legal study to demonstrate that applicable WTO law did not demand 80% market opening from ECOWAS, a legal interpretation that the EU had insisted on. The episode provides one example for how these civil society representatives influenced EPA negotiations at key junctures in directions that went against the powerful EU's pronounced trade interests (for a detailed analysis, see Trommer, 2011).

For the Platform, the question of representation was initially a non-issue in its participation in EU–ECOWAS trade negotiations. In line with the view that participatory politics are distinct from representative practices, Tetteh Hormekku of Third World Network Ghana asserted in our interview: ‘Civil society is not about representation, we don’t represent anybody’.<sup>11</sup> Instead, the Platform understood participation as a necessary supplement to the representational system. Hormekku explained: ‘[we] are not working on the basis of representation . . . representation is a matter for governments, because they claim to be representative . . . The issue is more participation.’<sup>12</sup> Public officials from ECOWAS and the EU, however, saw representation as central. In their view, representativity meant that civil society representatives would bring as wide an array of societal perspectives on EPA to their attention as possible. One West African trade official asked in our interview: ‘What is [the Platform’s] level of concentration with the grassroots? Are they not only coming with things that represent their own viewpoint?’<sup>13</sup> Another official noted: ‘There is no means of confirming that a given person . . . really has activists behind them.’<sup>14</sup> This was seen as a problem, because

when anybody, be it civil society, the private sector, or even government, proposes a certain approach, we need to ensure that it has been well thought through and that we believe it carries a lot of the majority of the stakeholders that that particular representative represents.<sup>15</sup>

Similarly, EU officials connected the question of representativity with the issue of whose voice was being raised in trade talks. They testified that ‘we know very little about the representativity of the [West African] civil society [representative] . . . Is he representing civil society from the coast, from the Sahel, from agriculture, from industry? . . . On that we have no information at all.’<sup>16</sup> Seen from the other side of the negotiating table, the question was relevant because ‘you might sometimes ask who is negotiating. Is it ECOWAS based on a mandate coming from the state, or is it civil society, or the private sector?’<sup>17</sup> The representativity of the West African civil society representative appeared as relevant, because trade officials took the Platform stance into account. Interestingly, public officials argued that ‘this problem is often raised, but not only for civil society, also for the private sector.’<sup>18</sup> A West African official asserted that all societal voices ‘need to show us that they have a good communicational system that allows them to communicate with the grassroots . . . Otherwise many will continue to think that they simply say what they think themselves.’<sup>19</sup>

In contrast, Platform members argued that they had precisely come to the policy process in order to say what they thought themselves, in the sense of introducing societal concerns with trade policy and alternative developmental arguments that according to their previous experience with international trade negotiations would not have been considered by the two bureaucracies otherwise. They made implicit or explicit reference to human and civil rights discourse as well as fundamental principles of democracy and good governance in order to justify their participation. In this discourse, citizen participation was a quasi-natural right and occurred in a sphere that was distinctly separate from the realm of representation. Edwin Ikhuria from the National Association of Nigerian Traders explained:

If we have reason to think that your policy direction doesn’t better our lives, we have the right to speak up . . . If [our] arguments are right, who we represent doesn’t really matter. . . . So when the question came up . . . we said we represent ourselves. You look at the merit of what we say, rather than who we represent. We’re not a political party.<sup>20</sup>

The statement echoes the theoretical argument that civil society participation should be judged on the basis of the ideas that are raised. El Hadji Diouf, of the Platform’s partner organization,

International Centre for Trade and Sustainable Development, aired this view more clearly when he denounced ‘the classification of arguments based on their origin’ as a ‘fake problem’ in our interview.<sup>21</sup>

However, our data expose problems with a force-of-the-better-argument approach in joint decision-making of state and non-state actors. As one ECOWAS official testified: ‘we [trade officials] only ask [the Platform] “who do you represent” when we disagree with what they’re saying.’<sup>22</sup> In instances where the Platform advanced views that public officials shared, their representativity was never questioned. In West African participatory trade politics, one key political struggle, into which the question of representation was tied, thus concerned the issue of what constituted the ‘better argument’: the view that trade liberalization with the EU would be beneficial to West Africa’s economic development, or the view that West African regional integration was preferable, to which an extensive EPA with the EU would present an obstacle? In this context, Hormeku added:

We are posing the question as issues of representation and participation when in fact what we are doing is a phenomenon of its effectiveness . . . Many civil society organizations . . . don’t understand that . . . The issue is about how to better protect West African governments against the intransigence of the European Commission.<sup>23</sup>

His statement shows that the Platform operated on the assessment that West African institutions had traditionally taken ill-informed economic policy advice from the international community. As a result, they argued, West African trade policy had not benefited West African populations, but other vested interests. For them, participation was a tool to fight what they saw as West African public policy’s failure to adequately represent West African trade interests in the international sphere.

Our data suggest that assessments of appropriateness of certain ideas and forms of knowledge do not occur independently from the social relations that exist among the groups that voice them. The problem becomes easily visible in highly technocratic policy fields like international trade, where expert knowledge typically shields decision-makers from political contestation (Hannah et al., 2016). The various actors engaged in the EPA process did not assess questions of representativity and the value of ideas and knowledge in an apolitical sphere. Ultimately, they all drew on their broader world views, causal beliefs, values, and goals to resolve the question of which actors had a legitimate stake in the negotiations. In this regard, the West African example confirms Steven Bernstein’s argument that

legitimacy must be examined not only from the common perspective of democratic theory, but also from legal and sociological perspectives that may diverge from the democratic normative ideal. Whereas these different conceptions of legitimacy can sometimes push in contradictory directions, the key to legitimate governance is in their convergence. (2005, p. 141)

Similarly, Cheikh Tidiane Dièye from Environment and Development of the Third World (ENDA) in Senegal testified:

legitimacy is of two orders . . . We claim popular legitimacy. But others can also claim it, because there are many organizations . . . but the others do not have technical legitimacy . . . we will not accept that someone sits at the table to say that they represent civil society—which may be true—but that they are incapable of understanding what [trade officials] are talking about. And that all decisions go through, and that people claim civil society was there, but that civil society didn’t understand anything . . . This issue is solved . . . Nobody could attack us on technical legitimacy.<sup>24</sup>

Taoufik Ben Abdallah from ENDA added a reflection that is worth quoting in full:

Citizen participation is a natural right. Constitutions guarantee the right of freedom of association and of participation. Citizen participation provides legitimacy. But there is a debate because there has for a long time been a democratic deficit. There is an ideology which perceives special interests as more legitimate. Then there is also another kind of legitimacy that we don't have, which is representative legitimacy. For a long time, there has been confrontation between the groups about the various types of understanding legitimacy which took place within an overall context of democratic deficit and an ideological bias towards certain types of organizations, notably producers' movements. But it is important to combine the various types of legitimacy instead of continuing to fragment them. This is the importance of political alliances.<sup>25</sup>

In sum, the West African evidence suggests that the question of what constitutes a good idea or a valid argument in transnational, participatory policy practices can be meshed up with the way in which understandings of valid knowledge produce and reproduce existing power structures. Recommending force-of-the-better-argument solutions to resolve representation issues can thus lead to further political problems, particularly in policy fields that are shielded by expert knowledge. Opening the debate on the validity of ideas, and thus on the question what is legitimately being made present in a non-state centred policy process, is a viable political exercise, without which participatory practices are at risk of reproducing (some of) the power structures that they aim to challenge.

#### 4. Conclusion

The goal of our article has been to encourage theoretical engagement with problems of representation in transnational non-state politics. With all their differences, our two cases share similar characteristics in how questions of representation have been applied to and among non-state groups. These characteristics mirror lacking recognition in the literature of problems inherent in representational practices outside of the procedural and institutional frameworks of state-centric representative democracy.

At least five lessons from our analysis provide food for thought for theoretical and practical debates on transnational non-state politics and, potentially, beyond:

- (1) In transnational, non-state-centric politics, avoiding thorny questions of representation can become politically challenged, particularly when political processes expand geographically or actors gain influence. We found that the act of denying the relevance of representation in non-state collective decision-making may hide and reproduce power structures.
- (2) 'Who do you represent' is prominently asked when there is substantial political disagreement. In other words, questions of representation can be posed as proxy questions to determine the legitimacy of a political actor and/or of a standpoint.
- (3) In highly technocratic governance fields, such as international trade, what is a valid argument is typically neither determined from the Archimedean standpoint, nor through deliberative processes. Rather, what constitutes valid knowledge is constrained through hierarchies among truth claims.
- (4) Ideas and actors cannot be readily dissociated in world politics. Instead, hierarchies among truth claims may reproduce power structures among political actors. Hence, Whitaker's, Hormeku's and Dièye's emphasis on effectiveness, rather than representativity, became challenged over time in both cases we have studied.
- (5) In both cases we have analysed, there has been a learning process around the challenges we have identified. In the WSF, the Brazilian Organizing Committee modified its initial anti-

representational guidelines to accept that ‘we need to work on a non-hierarchical representation scheme, different from the traditional one’. Holding the main WSF event of 2004 in India and the further global expansion of the WSF made the questions of representation more visible, but no overall solutions have emerged. In West Africa, the standing of non-state groups was consolidated as the expertise they provided gained traction among trade officials and proved to provide alternatives to the EU position. This development provided political legitimacy in the eyes of other actors, which appeared to be one key issue about their representativity.

Social movement and civil society scholarship has long tended to associate questions of representation directly or indirectly with the state. Focusing on representation in social movement studies does not imply necessarily bringing the state back in, too. Political theory needs to pay systematic attention to the ways in which representative practices are and can be applied in radical democratic politics. Dodging the question of representation in non-state, transnational policy contexts leaves these dimensions unquestioned, and therefore leaves power too many places to hide.

### Disclosure Statement

No potential conflict of interest was reported by the authors.

### Notes

- 1 Some research traces principles and practices of democracy in global social movements, but without a specific focus on questions of representation. See, for example, della Porta (2009).
- 2 Interview with Francisco Whitaker, 16 June 2004, São Paulo.
- 3 *Operatividade* and *representatividade*, Interview with Francisco Whitaker, 16 June 2004, São Paulo.
- 4 Interview with Gustavo Codas, 15 June 2004, São Paulo.
- 5 Interview with Francisco Whitaker, 16 June 2004, São Paulo.
- 6 Interview with Sérgio Haddad, 16 June 2004, São Paulo.
- 7 Personal communication by Nandita Shah in The Hague, 17 November 2003.
- 8 The same document adds that the IC’s representativity results ‘from its ability to take the WSF to the world level, and to give it roots, organicity and continuity’ (International Council, 2001).
- 9 Interview with Francisco Whitaker in São Paulo, 2 November 2013.
- 10 Benin, Burkina-Faso, Côte d’Ivoire, The Gambia, Ghana, Guinea, Mali, Niger, Nigeria, Senegal and Togo.
- 11 Interview with Tetteh Hormeku, 4 August 2009, Dakar.
- 12 Interview with Tetteh Hormeku, 4 August 2009, Dakar.
- 13 Interview with Dominique Fifatin, 20 July 2009, Dakar.
- 14 Interview with Kola Sofola, 21 July 2009, Dakar.
- 15 Interview with Kola Sofola, 21 July 2009, Dakar.
- 16 Interview with Claude Maerten, 15 September 2009, Brussels.
- 17 Interview with Claude Maerten, 15 September 2009, Brussels.
- 18 Interview with Dominique Fifatin, 20.7.2009, Dakar.
- 19 Interview with Dominique Fifatin, 20.7.2009, Dakar.
- 20 Interview with Edwin Ikhuoria, 3.8.2009, Dakar.
- 21 Interview with El Hadji Diouf, 30.9.2009, Geneva.
- 22 Interview with Kola Sofola, 21.7.2009, Dakar.
- 23 Interview with Kola Sofola, 21.7.2009, Dakar.
- 24 Interview with Cheikh Tidiane Dièye, 6.8.2009, Dakar.
- 25 Interview with Taoufik Ben Abdallah, 29.7.2009, Dakar.

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