Thinking Differently: CSOs’ alternative contribution to global processes

Jean-Pierre Cassarino

There can be no question that regional consultative processes (RCPs) on migration and development have contributed to opening dialogues between countries of destination, of transit and of origin. The need for enhanced communication between the representatives of these countries has been addressed and policy networks among officials have been created.

At the same time, however, such global consultative processes have, through their repetition, been conducive to the gradual consolidation of top-down schemes of interpretation which have, in turn, unquestionably legitimized a normative construct (the agenda for the management of international migration) reifying the centrality of the state and of its administration and rationalizing its methods and means of implementation.

The rationale for my contribution is not to show how knowledge transfers and channels of communication have been or should be established or structured from regional and inter-regional meetings (involving civil society organizations – CSOs) to more global processes (e.g., RCPs, the GFMD process) which were initially created by states for states. Rather, it starts to raise awareness of the need for a critical approach with regard to 1) the ways in which regional consultative processes are organized and 2) their impact on the production of (a form of) hegemonic knowledge as applied to the international agenda on migration management. Given the hegemony and pervasiveness of the above-mentioned normative construct, this critical approach is, in my opinion, a prerequisite to establishing a genuine and meaningful exchange of ideas between civil society organizations (CSOs), on the one hand, and international organizations and states, on the other.

Then, I will show that the provision of credible information and counter-knowledge are key elements to achieve this. But these elements do not suffice to turn the involvement of CSOs into decisive policy change. Analogous experiences in other policy areas are useful to demonstrate that to overcome subordination to power in its various forms, independence of thinking is necessary to question the expression of hegemonic knowledge. Such experiences are also useful to show that CSOs’ capacity to think out of the box is contingent on their capacity to acquire an authoritative role and provide real alternatives, as well as cogent counter arguments, which may cast doubt on dominant schemes of interpretation and behaviors.
Background: Understanding why and how RCPs generate hegemonic knowledge

The repetition of regional consultative processes (RCPs) has played a crucial role in consolidating the international agenda on migration management over the last ten years or so. We have seen how consultative meetings have been initiated by states for states with a view to defining common orientations and understandings as to how migration flows should be best influenced and controlled “for the good of all”. As mentioned in the global meeting of RCP chairing governments and secretariats that took place in Bangkok in June 2009\(^1\), RCPs are primarily aimed at fostering inter-state cooperation on migration management; hence at developing an inter-state approach that puts national governments at the centre of discussions. State sovereignty remains untouched, not questioned.

Beyond their conflicting sovereign interests, countries of origin and destination share a common objective in the migration management agenda: introducing regulatory mechanisms buttressing their position as legitimate managers of the mobility of their nationals and foreigners. It is precisely this process of repetition which has gradually been conducive to the reinforced (or more visible) centrality of the sovereign state and of its administration in destination countries and sending countries.

Repetition and periodicity have concomitantly contributed to establishing channels of communication and networks of socialisation between participants. In other words, RCPs have been conducive to “informal policy networks” (Lavenex, 2008: 940) and to a kind of intellectual ambience, or a process of socialisation among participants (Thouez & Channac, 2006: 384).

To rephrase Hannah Arendt (2007), repetition is the essential ingredient which gives plausibility to (political) discourses, not because they are founded on true evidence, but because they are repeatedly presented as being so. But the most worrying aspect, for Arendt, lies in the fact that those who give and receive the plausible “truth” may play interchangeable roles. I will come to this issue, based on the hegemony of knowledge, in the next paragraphs.

It is important to understand that RCPs have been, as it were, institutionalized. They establish connections and relationships. Roles and behaviors are defined and performed. Participants are selected and invited in accordance with their supposed relevance to RCP agendas. Incidentally, the mobilization of members of civil society organizations in state-led RCPs has been optional so far, although it has been sometimes encouraged by international organizations which viewed the participation of CSO representatives as a way of enhancing the legitimacy

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\(^1\) See Background Paper for Roundtable 3: Policy and Institutional Coherence and Partnerships, Session 3.2: Regional and Inter-regional Processes and Fora.  
and moral authority of the normative values and guiding principles stemming from RCPs (Tabbush, 2005: 4). In the same vein, “ministries with responsibility for development have not participated in RCPs [on migration]” reflecting the resilient difficulty in integrating migration and development into policy agendas.

Language and hierarchy of priorities

RCPs instil guiding principles which in turn are erected as normative values shaping how international migration should best be administered, regulated and understood.

This normative construct does not only stem from the recurrence of the aforementioned consultations. In addition, the introduction of a lexicon including such words and notions as predictability, sustainability, orderliness, interoperability, quotas, root causes, comprehensiveness, illegal migration, prevention, shared responsibility, joint ownership, balanced approach, temporariness, has also been critical in manufacturing a top-down framework of understanding while reinforcing, at the same time, the managerial centrality of the state.

There is no question that this lexicon, endorsed and used by governmental and intergovernmental agencies, has achieved a terminological hegemony in today’s official discourses and rhetoric as applied to international migration. This has had various implications. Perhaps, the most important one lies in having built a hierarchy of priorities and values aimed at best achieving the objectives set out in the migration management agenda. The above lexicon was of course a prerequisite to giving sense to this hierarchy of priorities, for its main function is to delineate the contours of the issues which should be tackled first and foremost.

As Cox (2006) would put it, this hierarchy of priorities has gradually mystified the accountability of states through a process of consensus formation leading to the identification of top priorities and “perceived exigencies”. For example, the role of the state in protecting its citizens and in defending their rights and privileges has been linked with its capacity to secure its borders and to regulate migration flows. In a similar vein, the mass arrivals of unauthorised migrants, including potential asylum-seekers, has been interpreted as a threat to the integrity of the immigration and asylum systems in most Western countries. Most importantly, the use of such notions as “mixed flows”, “asylum shopping”, “unwanted migrants”, “burden”, “safe third countries” have started to shape more intensively public discourses as well as the actions of governmental institutions while implicitly depicting a negative (if not threatening) perception of the claims of migrants and foreigners in general. The debates on national

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2 See Background Paper for Roundtable 3: Policy and Institutional Coherence and Partnerships, Session 3.2: Regional and Inter-regional Processes and Fora, p. 11.
sovereignty and identity, as well as the growing politicisation of international migration movements heightened by the consolidation and expansion of regional (trading) blocs, may constitute the main factors which have gradually spurred different perceptions of migration and asylum.

As migration and asylum became issues of high politics, national governments have been adamant about the need to protect their own credible ability to respond to perceived threats. The adoption of restrictive laws regarding the conditions of entry and residence of migrants, asylum-seekers and refugees, reinforced border controls, and yearly expulsion quotas constitute just a few examples of states’ political responses. At the same time, the need to protect their credibility in responding to uncertainties might lead to the flexible reinterpretation, if not serious breach, of internationally recognised standards and norms.

The credible ability to respond to perceived threats does not only rest on operable options that are often antonymous to transparency and to the respect of international commitments. It also rests on the subtle denial of moral principles or perhaps on their inadequacy to judge what is right and wrong. There exists an array of examples supporting this argument.

Such a denial does not stem from the ignorance or failure to recognize the moral value of international norms relating to migrants’ rights, asylum and the status of refugees. Rather, it stemmed first and foremost from the prioritization of operable means of implementation aimed at protecting the safety and life of citizens and foreigners. The official rhetoric argues that the border has to be better controlled, if not closed, in order to save the lives of those migrants seeking better living conditions in destination countries. In the same vein, political leaders justify the bilateral cooperation on deportation or readmission of unauthorized migrants – which has reached formidable dimensions over the last ten years – as the best solution to protect the integrity of our immigration and asylum systems, regardless of whether the country of deportation already possesses the capacity to fully respect the fundamental rights and the dignity of the expelled persons (Cambodia, Cuba, Iraq, Libya, and Vietnam are just a few examples). Power is here the official expression of the protection of life and safety (of both citizens and aliens). We understand that it is because of the right to protect life that power is exercised and justified by the same token.

This subtle denial and its ensuing operable means of implementation have gradually contributed to diluting international norms and standards which were viewed as being sound and secure (Weinzierl, 2007). Additionally, the predominant search for operability has altered the understanding of the notion of effectiveness. What is effective has become first and foremost operable, but not necessarily in full compliance with international standards.

Of course, the use of the abovementioned lexicon has been instrumental in turning this prioritization process into a determining option. At the same time,
the production of a subcontracted technical expertise has played a key role in legitimizing a form of top-down knowledge about international migration and, above all, in consolidating states’ hierarchy of priorities. Through the selective allocation of public funds, new institutions have been mobilized. In the field of research on migration, for example, some investigations have been prioritised above others explaining how reality should be understood. In the field of the fight against unauthorized migration, private business concerns and large security corporations have been increasingly subcontracted in the detention system. Today, the production of knowledge about migration issues has become strategic, if not crucial, in political terms. By obstructing any alternative interpretation of a given problem, the production of top-down knowledge does not only pave the way for dealing with the problem, it also strays away from the cause of the problem and subtly justifies a unique technical solution as the necessary evil.

It is rational to resign ourselves to the necessary evil when (we believe) there is no other solution (“we cannot do otherwise”). Conversely, it is irrational to do so when we think and realize that the necessary evil is yoked to the perceived contingencies of specific conditions. It is when we comprehend the strength of such contingencies, when we realise the mechanisms sustaining the hegemonic top-down knowledge that we may question the plausibility of the necessary evil and act differently.

**Thinking differently to act differently**

It is because of the specific conditions analyzed above that I argue that the question is not to reflect on how knowledge transfers and channels of communication should be established from regional and inter-regional meetings to more global processes. This would merely encapsulate the role of CSOs in the reproduction of dominant discourses laid down by states, international organizations and the market.

The question lies, above all, in understanding whether CSOs’ full immersion into global processes, such as the global forum on migration and development, would lead to bottom-up “practices of liberty” (Hofmeyr (citing Foucault), 2006: 221) able to alter the power relations that I described above by the production of a new knowledge analyzing and questioning existing power structures as well as normative schemes of interpretation.³ In other words, what would make CSOs in a position to break the above hierarchy of priorities?

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³ As Benda Hofmeyr rightly stressed, “since the promotion of new subjectivities or subjectivization provides the means to counter subjection, it is not only a matter of ethics, but also at once social, philosophical, and most importantly, political (Hofmeyr, 2006: 217).
The reply to this question lies perhaps in the sense of responsibility that distinguishes the mere cog (“if I had not done it, somebody else could and would have”) (Arendt, 2003: 29) from the actor (“if I had not done it, somebody else could and would not have”). This distinction is timely and relevant, given the pervasiveness of dominant schemes of interpretation as applied to international migration.

It is undoubtedly impossible to generalize about the actions of CSOs, including INGOs, given their highly heterogeneous political institutional and ideological practices. Moreover, I will not limit myself to stressing that the advocacy focus that characterizes the raison d’être of most CSOs implies the meaningful capacity to play an active role (as “actors” as opposed to “cogs”) in the framework of global processes. Actually, the ability to change is first and foremost linked to the ability to think differently and to present new alternatives (which Foucault would refer to as “new subjectivities”). As such, not only is a critical approach to pervasive schemes of interpretation a necessity to CSOs’ survival, but their resistance to power will remain contingent on their ability to express opinions of their own making and solid alternatives. However, this requires authoritative knowledge, among others, as shown by previous experiences in other policy areas.

**Drawing on previous experiences**

Previous experiences have already shown that, in addition to advocacy, the production of a “counter-expertise” (Waters, 2004: 864), based on intellectual rigor and alternative viewpoints, as opposed to hegemonic knowledge, reinforces authoritativeness.

At the same time, however, the provision of such a counter-expertise has to be popularized with a view to raising critical awareness among the widest public and the media. For example, the Mine Ban Treaty was approved in December 1997 in Ottawa as a result of the ability of the International Campaign to Ban Landmines (ICBL) to gradually mobilize like-minded NGOs as well as government representatives (outside the UN arena) through the provision and disclosure of an alternative expertise which raised public awareness.

The political process leading to a ban on landmines in 1997 – often referred to as the “Ottawa Process” – has been subject to various studies. In the framework of this study, it is precisely the pre-Ottawa process that deserves further attention, for it results from the combination of skilful advocacy work, by a core group of
complementary NGOs\textsuperscript{4}, with the ability to create sources of influence and moral persuasion.

The ability to influence others (e.g., government authorities, NGOs, public opinion, and the media) did not simply stem from the collection, production and dissemination of rigorous data and information about the deadly consequences of anti-personnel mines. Richard Price (1998) convincingly explains that the point was not to denounce vocally what military officials already knew, i.e., military armaments kill and mutilate both civilians and the military in various parts of the world. Rather, the strategy which guided the activities of the core group of NGOs was essentially based on the explicit desire to question the military utility of mines through proven evidence and to put mine proponents in the situation to publicly defend what previously required no justification.

Before achieving this, the wide mobilization of organizations and individuals was but one factor which contributed to placing momentum on the landmines problem. The 1993 creation of the ICBL (by the abovementioned core group of NGOs) was also critical in framing a solid identity discourse based on counter-knowledge. Instead of focusing its action on security issues, which are traditionally monopolized by the state, the ICBL focused on humanitarian issues linked with the use of landmines and their lasting consequences. This contributed to stigmatizing the use of landmines, above all, when proponents of the ban were repeatedly making connections between landmines and biological weapons “which are shunned by the world” (Price, 1998: 629). In other words, the ICBL did much more than questioning “what most countries regarded as an essential part of the military arsenal” (English, 1998: 123), it skillfully created a (humanitarian) challenge and proposed ad hoc solutions to take action while appropriating “an area of activity that has been all-too-well monopolized by states” (Price, 1998: 638).

Additionally, the direct involvement of the International Committee of the Red Cross (ICRC) as well as its reputation as a neutral humanitarian organization were instrumental in bringing to the same table military experts, government representatives and the ICBL to talk about the utility of landmines. These recurrent events generated a form of moral persuasion regarding the pro-ban cause which gradually acquired legitimacy and a high profile.

Nonetheless, humanitarian concerns would never have acquired more importance than security ones without a core group of like-minded actors who decided to pool their network of information in order to question hegemonic knowledge (and its dominant lexicon) as applied to the use of landmines. Probably, the postulate that may have guided the advocacy work was (and is):

\textsuperscript{4} Six NGOs formed the core group during the early 1990s: Handicap International, Vietnam Veterans of America Foundation, Human Rights Watch, Physicians for Human Rights, Mines Advisory Group, and Medico International. This group would become part of the ICBL in 1993.
We can teach you and the world that persisting in using landmines is no longer justifiable given its evidenced humanitarian damages and highly questionable security utility.

Stigmatization of the use and production of landmines, added to the humanitarian concerns raised by the proponents of the ban, contributed to building a critical path which gradually gained momentum through the organization of numerous initiatives at state, regional and global levels⁵. These initiatives, which culminated in the organization of the October 1996 Ottawa Declaration, would not have been consistent without opposing a strong counter-knowledge as well as real alternatives that were “taught” to others.

There is no question that persuasion took place gradually, through the repetition of informal meetings mobilizing a core group of selected members from mine-affected countries and countries supporting the ban because of their traditional support for arms control and disarmament⁶. At the same time, however, what generated a “sense of common purpose” (Lawson et al., 1998: 168) was that the exchange of information and resources among members of the core group has been conducive to specific patterns of identification which have made their involvement meaningful⁷. Their dissent made sense to members because it was understood by others as a genuine form of dissent, based on humanitarian principles that prevailed over security-oriented military objectives. This may explain why members of the core group, and their followers by the same token, were not and could not be “portrayed (and perhaps dismissed) by states as peace advocacy groups perpetually seeking world disarmament” (Price, 1998: 632).

The identity discourse focusing on superior humanitarian concerns conveyed new referents and delimited the boundaries of the network. They gradually were conducive to a self-image, a form of respectable distinctiveness.

What I personally view as a clever move in the pre-Ottawa process lies in the capacity of the ICBL and ICRC alike to introduce and defend these new referents and, above all, to place a humanitarian issue on state agendas. Several authoritative expert studies, commissioned by ICRC (Lawson et al., 1998: 165), questioned the military effectiveness of landmines and the validity of official reports. Other studies showed that the costs of mine clearance and victim assistance were colossal and would jeopardize, in the long term, peace-building

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⁵ For a thorough analysis of these numerous events, see Cameron et al. (1998).
⁶ Afghanistan, Angola, Cambodia, Mozambique, and Zimbabwe. Later, a small group of countries (Canada, Norway, Belgium, Austria, Switzerland, Ireland, Mexico, South Africa, the Philippines, Germany and the Netherlands) agreed to meet with the ICBL and ICRC and to take an active part in the first formal meeting of the Ottawa process which took place in February 1997. “The group recognized that global reach would be key to the achievement of the ban, and thus the core group members would have a role to play in bringing along their own subregional and regional communities” (Lawson et al. 1998: 166-167). In other words, converts, at national and regional levels, were needed.
⁷ As Russell Hardin would point out, “one of the most important ways information affects groups is in giving group members an understanding of their common interests” (Hardin, 1995: 55).
and reconstruction if no action was taken urgently. This generated strong divisions among military experts and commanders regarding the utility of anti-personnel mines.

To increase public and political awareness of the humanitarian issue, the mobilization of mine-affected countries constituted a logical priority. However, it was also a tactical option that the supporters of the ban adopted in order to give more thrust to the Ottawa process and to make low- and medium-power countries join the pro-ban cause. Additionally, other important political and religious figures joined the cause and ensured the international press coverage of the humanitarian crisis, and contributed to giving more impetus to take political action at higher levels.

All these actions turned the use and production of landmines into a fundamentally humanitarian issue that needed to be tackled urgently. Conversely, the reference to military security arguments was no longer acceptable, nor legitimate, to credibly solve the crisis (Hanrieder, 2007). Also, denying that something was morally wrong became impossible.

Another clever move lies in having produced data and reports regarding the production and use of landmines as applied to each country. This individual approach was important not only in terms of selective advocacy work, but also in terms of ad hoc alternatives. Moreover, addressing each state individually was perhaps a strategy aimed at teaching its own representatives how to take responsible political action to tackle the humanitarian crisis. In other words, this approach was not based on standard and impersonal statements addressed to “states”, “governments”, “international organizations”, and the “international community”. For each country, problems were identified or documented, questions were asked (intelligently), and solutions were taught accordingly against a humanitarian background.

Lessons learnt

Beyond its own specificities, what kind of lessons can be drawn from the abovementioned case study?

The first lesson may be that the all-pervasiveness of top-down knowledge does not give cause to fatalism and powerlessness. The recognition of its existence and normative impact on discourses and practices, the identification of a hierarchy of priorities reifying the centrality of the state and legitimizing its means of implementation, and the awareness that the ability to change is linked to the ability to think differently all constitute significant and positive steps towards a new consciousness based on doubts, and above all, on solid alternatives.

The second lesson lies in the fact that CSOs’ impact and influence can be enhanced through the provision of rigorous counter-expertise and counter-
arguments that critically question dominant schemes of interpretation. The ability to do so is, however, contingent on the critical understanding of the mechanisms sustaining power knowledge dynamics and on the ability to structure discourses and initiatives with cogent counterarguments, notions, and referents. Only then can the plausibility of official truths be questioned with factual truths which are then translated into sound and rational truths. Without this process of translation, the provision of counter-knowledge would only be considered as mere opinions that can be easily dismissed while being exposed to the hostility of critics and adversaries. We understand from the ICBL case study that this challenge did exist at a certain stage. At the same time, we realize that it could be overcome, not simply because knowledge was produced independently, but because knowledge was used to convince adversaries and followers alike. In other words, knowledge was not disseminated to inform only, it was skillfully used to invite interlocutors (e.g., government representatives, military experts, NGOs) to think beyond prejudice and commonplace ideas. Uncomfortable questions were asked with a view to diverting interlocutors’ attention from what they viewed as a necessary evil. Of course, the success of this method (which draws on maieutics) depended on the extent to which the supporters of the ban believed there was a latent or dormant truth in the minds of their interlocutors. Additionally, the point was not to denounce the consequences of the use of landmines. From its inception, the ICBL and its members were aware that the mere disclosure of tragic facts would have led to no action or that it would have even tended towards the paradoxical acceptance of things as they were. The point was to use knowledge with a view to instilling a top-priority humanitarian issue in the minds of the interlocutors by showing the real problems and their respective solutions.

The third lesson pertains to the precise moment when intense interactions with government representatives and officials took place. The decision to form a coalition, i.e., the ICBL, was crucial to speak with one voice and to embark upon organized discussions out of the UN arena. Importantly, the formation of the coalition restructured the patterns of interactions with decision-makers and favored the emergence of a “political opportunity structure” (Marchetti & Tocci, 2009: 214) during which special interventions could be adopted and specific counterevidence could be delivered. The coalition created the right conditions and the right moment (i.e., kairos) to interact with state actors on an equal basis. Circumstances were changed: justification could be demanded. I believe this point is highly relevant when it comes to understanding whether CSOs are ready to develop channels of communication in the framework of state-led RCPs on migration. Forming a coalition mobilizing like-minded and complementary CSOs concerned with migration and development issues is a prerequisite to developing such channels of communication, for the coalition would create the right conditions and the timeliness to speak with one voice and to interact with government representatives and international organizations on an equal basis.
RCPs dealing with migration, directly or indirectly, have been legion since the 1990s. Perhaps as a result of their proliferation, their policy relevance and duplication are being increasingly questioned, heightening the need for an “evaluation of each RCP’s achievements and impacts in the fields of migration and development”. This evaluation will take place, although scepticism was expressed by participants in the aforementioned June 2009 global meeting in Bangkok regarding the need for an evaluation. Skeptics argued that each RCP is unique and non binding in its nature, making the evaluation process difficult. Their argument may hold true. However, there is no question that RCPs on migration have generated so far high expectations from governments in countries of destination transit and origin as well as from civil society actors. The latter expect that RCPs will contribute to the achievement of “the Millennium Development Goals, full employment and decent work” and that inter-state dialogue and exchanges will encourage major countries of origin, transit and destination to “ratify and enforce core UN human rights treaties providing for equal treatment and the protection of migrants”. These expectations, quoted above, are part of the key recommendations formulated in the 2008 CSD-GFMD in Manila. The question lies in understanding whether such expectations will be met concretely. This challenge cannot be overlooked, for it will affect the impact and credibility of RCPs in the long term.

At the same time, the evaluation process that RCPs are undergoing may give CSOs an opportunity to act more proactively and prominently. As the ICBL case study showed, CSOs’ ability to influence others lies at the intersection of knowledge production, identity discourse, independence of thinking, collective action, the expression of authoritative counterarguments and referents, and finally persuasion through interaction with key interlocutors (i.e., not only decision-makers). There is, perhaps, another element that needs to be stressed: the capacity to influence is contingent on a sense of responsibility and disinterestedness. Disinterestedness refers to the need to transcend one’s own interests. This constitutes a prerequisite to combining with other actors sharing the same consciousness and utopia. This also represents a great challenge facing most CSOs in their current interaction with states and international organizations.

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References


