Janus-faced NGO Participation in Global Governance: Structural Constraints for NGO Influence

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Increasingly, nongovernmental organizations participate in negotiations within international organizations as well as in global working groups and discussion forums. This trend is commonly said to enable the influence of the participating NGOs. Yet this article highlights the negative effects of the high level of NGO participation on the NGOs’ influence. It shows, in the case of the UN World Summit on the Information Society, how the NGOs’ influence is reduced to less relevant issues and how this influence turns out to be highly selective: while the views and demands of a few NGO actors are successful, more diverse views from the broader NGO community become neglected. This suggests greater caution regarding the usual claim that more is necessarily better with regard to NGO participation in global governance. **Keywords:** NGO participation, structural constraints, Internet governance, WSIS.

For those who seek to enable the voice of civil society in international politics, enhancing the parameters of the participation of nongovernmental organizations (NGOs)\(^1\) seems to be the best thing to do. Despite the notes of caution that more and more observers raise about co-optation or instrumentalization, increased NGO participation is still regarded as the best way to secure that civil society has a say in global governance next to states and business organizations. The more NGOs participate, the better they seem to be able to influence the policy outcomes of international negotiations (e.g., by drafting texts of the policy documents or by explaining what they seek to achieve and why). Contrary to that common wisdom, in this article I emphasize some problematic aspects of far-reaching participation regarding the NGOs’ ability to influence policy outcomes in global governance. I suggest that more participation is not necessarily better for the NGOs’ influence; rather, NGO power is limited in specific ways by far-reaching participation rights. This is not to say that more participation means generally less influence. I argue instead that increasingly institutionalized participation in global governance risks modifying and distorting what NGOs are able to achieve in terms of substantive policy outcomes. The Janus face is, for that reason, a good symbol for NGO participation in global governance. **Janus faced** means
first that something is duplicitous and, thus, it signals that NGO participation has good and bad effects at the same time. Janus is also known as the god of beginning who looks with one face to the back and with another face into the future. In this sense, the innovative forms of multistakeholder participation in global governance are models for the future, but at the same time they are very much anchored in and shaped by a seemingly overcome state centricism of international politics.

In analyzing these negative effects of participation, NGO research can learn from the literature on social movements. Social movement literature is aware of the pitfalls of institutionalized participation. It focuses on structural opportunities and constraints for individuals to get involved in contentious politics at the national and international level. Collective action in social movements is motivated or hampered by political opportunity structures (POS). NGOs that participate in international negotiations are already motivated and mobilized, yet their opportunity to make a difference for the policy outcomes also hinges on opportunity structures—the institutional and individual context of their agency. While these aspects have been incorporated in studies on NGO influence, so far their enabling effects on this influence have been dominantly highlighted.

I therefore focus here on structural constraints to NGO agency and influence, referring to the case of the World Summit on the Information Society (WSIS), which provided comparatively favorable conditions for NGO participation within the United Nations. The WSIS shows that NGOs are much more determined and constituted by governance structures than they are able to create or use them. When they participate in international negotiations, NGOs adapt their strategies and professionalize in a way that does not necessarily enhance their influence. Also, conflicts among the NGOs emerge from adaptation and professionalization, and they change the substance of their demands in the negotiations. To account for these group dynamics among NGO actors, it is necessary to differentiate much more than is usually done among individual actors or groups of actors within the broad NGO community in negotiations.

I begin this article by showing how studies on NGO influence have usually highlighted participation as a basic condition for NGO influence. Based on this state of the art, I propose a framework to trace particularly the constraining effects of far-reaching participation rights on the NGOs’ influence. Turning to the empirics, I present the results of a content analysis of WSIS policy documents and NGO statements to demonstrate what, exactly, NGOs were able to achieve in terms of influence on policy outcomes. The results show that their influence was restricted to rather irrelevant issues and was further more selective (i.e., only a few NGO actors with their specific demands were influential). Prepared as such, I relate this irrelevance and selectivity of NGO influence to the specific conditions of NGO participation at the WSIS.
Conditions Shaping NGO Influence: State of the Art

Most empirical studies on NGO participation and influence have focused on those conditions that enabled NGOs to achieve their goals to an extent not expected before. Examples include their central role in banning antipersonnel landmines, the establishment of the International Criminal Court, and achievements in the realm of environmental politics. Puzzled by these successes, studies on NGO influence have usually stressed agential and structural conditions enabling NGO influence. Primarily, the characteristics of the NGOs themselves have been emphasized as being responsible for their successes in achieving political change.

It has often been argued that NGOs need to act wisely in order to be influential. For promising results, they should follow realistic—instead of idealistic—goals strategically and advocate for them in a trustworthy way. Conversely, this means that NGOs are to blame for being unsuccessful when they have lost trustworthiness, for example, by following a hidden agenda or by demanding inconsistent, unrealistic, or unclear things. Their influence furthermore depends on their ability to frame issues in a certain way. For example, in the case of antipersonnel landmines, NGOs were able to influence the policy outcome significantly as they argumentatively connected the landmine issue with the taboo of using chemical and biological weapons (a strategy called grafting). It also helps when NGOs picture a situation in a clearly understandable way, distinguishing evil from good and pointing out how solutions can be easily achieved. The case studies mentioned above have shown how NGOs were able to frame issues, set agendas, and push their demands even against the will of powerful states.

Next to these actor characteristics that enable NGO influence, researchers have stressed that the participation of NGOs in inclusive global governance settings enhances their influence. It is argued that the political status of NGOs has been significantly strengthened through their participation within the UN. Since the establishment of this global institution, the number of NGOs participating in its system has increased exponentially as much as the conditions of their participation ameliorated. Today, NGO participation is to a large degree institutionalized and is acknowledged to bear important functions for the international system as a whole as much as for single states: NGOs are said to greatly contribute, if not enable in the first place, the setting of advocacy agendas and standards; they generate, provide, and distribute expert knowledge; and they facilitate the implementation and ratification of international agreements, to name but a few aspects. The UN world conferences—in particular, the Earth Summit in Rio de Janeiro in 1992—became symbols and experimental grounds for this enhanced political involvement and status of nonstate actors. Since then, the opportunities for participation have widened and deepened in diverse transnational settings (especially, but not restricted to, environmental negotiations) providing the best conditions for NGO influ-
In these kinds of complex negotiations, NGOs can further win influential allies and, thus, increase the spectrum of coalition options. Thereby, the influence of NGOs does not necessarily stand in opposition to the interests of states. On the contrary, as participants in international negotiations, NGOs often serve the interests of states and provide them with important resources such as expertise and trustworthiness. Overall, it is assumed that once NGOs are included in negotiations in an open and transparent way, states will react to the demands of NGOs more willingly, adopting them or at least justifying why they diverge from them.

Yet despite these opportunities arising from participation in diverse global governance settings, it is not suitable to infer the degree of NGOs’ influence simply from the degree of their participation. It is necessary to draw a causal chain from participation to influence in order to reveal whether and how participation actually enhances or constrains influence in various ways and in different settings. Moreover, many shortcomings of realizing the inclusion of NGOs, especially those from the Global South, have been emphasized even for exemplary multistakeholder processes such as the World Commission on Dams, the Forest Stewardship Council, and the Global Reporting Initiative. While these governance processes exert significant influence on Southern stakeholders, their interests are not sufficiently represented. Nora McKeon similarly stresses conflicts between established international nongovernmental organizations (INGOs) from the Global North and peoples’ organizations from the Global South during the World Food Summits in 1996 and 2002. In more general terms, as participants of the 1990s world summits, “civil society actors felt increasingly that they were in serious and growing danger of being co-opted to serve watered-down intergovernmental agendas rather than advancing their own visions and objectives.” In order to observe, in particular, detrimental effects of NGO participation, one needs to focus on exactly who wins and who loses influence. Also, the effects of structural processes within the UN governance process, as much as within the NGO community need to be analyzed much more closely than has been done so far. In a more formalized language, one could say that we need a better integration of how the structural and the agential conditions shaping NGO influence interact in the process of participation.

For that matter, I propose a framework to analyze the effects of external structures and internal structures on the NGOs’ agency and vice versa. External structures are those parts of the structural context that NGOs face from the beginning when they participate in governance processes. These are, for example, the institutionalized and informal terms of NGO participation, laid out in the rules of participation and the rules of procedure, as much as time, venue, and host organization of the negotiations. Further, decisions on the main topic and the initial agenda—although the agenda is in part still negotiable—are external structures. Internal structures are structures inside
the NGO community. These are first the organizational structures among NGO actors such as the rules of procedure; practices like assembling, working face-to-face in working groups, or virtually on e-mail lists; and selecting spokespersons and leaders from their own ranks. Further, more sociopsychological internal structures are the NGOs’ perceptions of their roles within the governance processes, which raise certain normative expectations about their behavior.

With agency, I refer to all acts by NGOs related to the external and internal structures, as agency and structures are interrelated. Concretely, agency comprises acts such as establishing or changing existing organizational structures, using resources, establishing roles and self-perceptions, communicating, and protesting. Agency can even mean consciously neglecting structures.

Only in this integrated way are we able to understand structural constraints in ostensibly favorable forms of participation. Together, the different mutual and interacting processes between external structures, internal structures, and NGO agency help to explain the puzzling empirical observation that high participation at the WSIS did not lead to high influence of NGOs on policy outcomes.

**Limited Influence at the WSIS**

My purpose in this section is to explicate how much influence NGOs had on the WSIS policy outcomes and in what sense this can be evaluated as limited influence. Evaluating influence in terms of success or failure, or high or low influence, is prone to many biases. While NGO studies have long tended to interpret NGO achievements as astonishing successes, some studies (and increasingly so) emphasize failures and limitations—so do I. So, what do I mean by limited influence and how can I judge whether the NGO achievements at the WSIS were, indeed, limited? Evaluating NGO influence is not only a matter of extent, but also of relation and relevancy. Limited influence thus means that NGO influence was limited relative to something else; for example, the influence of other actors or well-founded expectations. Limited influence also means that NGOs mainly achieved influence over the policy outcome on issues that were less relevant to them.

To start with relational arguments, it can be said that NGOs achieved much less than could have been expected at the WSIS for several reasons. The four-year-long negotiation process culminated in two summits, the Geneva summit in 2003 and the Tunis summit in 2005. From the beginning, all stakeholder groups were asked to participate actively in preparing the outcome documents. In Resolution 56/183, the UN General Assembly “encourages other intergovernmental organizations, including international and regional institutions, nongovernmental organizations, civil society and the private sector to contribute to, and actively participate in, the intergovern-
mental preparatory process of the Summit and the Summit itself.”

This invitation to actively participate in a multistakeholder approach is, to a certain extent, routine in many departments of the UN. Yet at the WSIS, this invitation was transferred into institutionalized forms of participation in order to facilitate the active contribution of NGOs to the governance process. This was done, for example, by creating a civil society division of the executive secretariat and a civil society bureau. During the preparatory process, NGOs were further invited to crucial working groups or they were personally and virtually consulted. It is for these reasons that the WSIS can be regarded as one of the most inclusive and open UN world summits that institutionalized the multistakeholder approach and then served as an example for future world summit processes.

Moreover, a high degree of influence was also to be expected due to the summits’ thematic focus. The Internet, in particular, is an issue that is especially conducive to NGO influence. The WSIS also dealt with developmental issues related to the digital divide, seeking to contribute to a better distribution and more adequate use of information and communication technologies, especially in developing countries. This developmental focus makes the WSIS a policy process that touches low rather than high politics, consequently engaging low rather than high levels of state actors—again features that should enable NGOs in influencing policy outcomes. Finally, the negotiations in the WSIS process in many cases focused on questions that required a high degree of technological expertise, especially those related to Internet governance. Internet governance can be defined as the rules and procedures underlying the evolution and use of the Internet. It might be interesting to note here that Internet governance actually had not been well defined before the WSIS took place; one central outcome of the WSIS was to provide the definition. That there is a need to govern the Internet had, however, been widely acknowledged before, as the Internet gained more and more economic, social, and political relevance for states and societies. This was yet another important reason to convene the WSIS. For the task of defining Internet governance and to actually govern it in the future, the expertise of NGOs was needed.

All of these factors together raised the expectation that NGOs would be able to influence the policy outcomes of the WSIS to a high degree. Yet in the end, the outcome of the summits was observed rather reluctantly from the view of NGO scholars and activists. They were even disappointed: “This is the first time that civil society has been formally included as a partner within a United Nations Summit. As the process unfolded, civil society representatives and their concerns and ideas were repeatedly excluded by governments from working groups and plenaries leading to their declaration, ‘Building the Information Society.’” And this is where the relevancy of the achievements played a role. Especially after the first WSIS summit, the par-
ticipating NGO actors found that many aspects relevant to them did not show up in the final declaration or plan of action. Relevance is hereby defined with regard to the frequency with which NGOs referred to an issue and the vehemence with which they promoted it in their policy papers and statements. As a consequence, NGOs did not endorse the official final WSIS declaration, but instead adopted a separate civil society declaration entitled “Shaping Information Societies for Human Needs,” which centered on the human being rather than technology. Overall, while the WSIS’s concrete results were evaluated as a failure, civil society networking has usually been cited as the best outcome of the WSIS. As I will show below, however, the effects of this networking on the NGOs’ influence in terms of policy outcomes can be judged ambivalently.

My content analysis of NGO input and WSIS outcome documents confirms the lack of NGO influence on the WSIS policy outcomes and, in particular, shows the lack of successful relevant claims. The most central and controversial debates of the WSIS negotiations were on communication rights, intellectual property rights (IPR), and Internet governance. On these issues, NGOs tried to bring in their distinct views and demands with the goal to influence the wording of the WSIS outcome documents. In parts, they had even contributed toward bringing these issues high on the agenda of WSIS, which may in itself count as a success in terms of influence. Yet I found that, across different central issues, NGO influence was limited. First, if NGOs were able to influence policy outcomes, it was only on demands that were less relevant to the participating NGOs. Secondly, while NGOs had been able to influence the draft documents in earlier phases of the preparatory conference to a much stronger degree, their influence vanished toward the end of the respective negotiation processes. A third limitation was that NGO influence was highly selective. The demands of less organized or professionalized NGO representatives, especially from the Global South, were mostly neglected.

**Communication Rights**

NGOs started to become engaged in the WSIS process with the call for realizing a communication society as opposed to an information society. This means, basically, taking a human (rights) perspective on many technical issues; that is, focusing on the social and legal implications of using information and communication technologies (ICT). This implies a much broader approach to issues related to information technologies, including issues such as IPR, human rights, and privacy. It means that a broader array of international institutions and nonstate actors are involved, who need to design and coordinate policies together. Related were the NGO demands to promote communication rights or, alternatively, a right to communicate in the WSIS documents in order to ensure that a communication society would be estab-
lished. However, different NGOs disagreed about whether a new right to communicate should be established as a distinct human right—mostly Asian and African NGOs pushed for this more radical option—or whether communication rights should be established as an umbrella term for already existing human rights related to the access to and exchange of information—this was the more dominant position of rather large Western NGOs.

The outcome of the WSIS process on communication rights was paragraph 4 of the WSIS declaration, which reads: “Communication is a fundamental social process, a basic human need and the foundation of all social organization. It is central to the Information Society. Everyone, everywhere should have the opportunity to participate and no one should be excluded from the benefits the Information Society offers.” The wording of this paragraph originated in the Communication Rights in the Information Society (CRIS) Campaign, in which NGOs assembled to promote communication rights or, alternatively, a right to communicate in the information society. Although the WSIS documents cite with this paragraph a contribution of the CRIS Campaign, it cannot be regarded as a success, and gave—indeed—“little reason to rejoice,” as the author of these lines reported afterward.28 This is because these lines substituted a paragraph on communication rights, the promotion of which was the actual demand of the CRIS Campaign. NGOs had demanded from the WSIS process to actively promote “communication rights” as an umbrella concept for human rights related to communication in the information society, such as “the right to privacy, the right to access public information and the public domain of knowledge, and many other universal human rights of specific relevance to information and communication processes.”29 Yet while communication rights were mentioned in earlier drafts of the WSIS declaration, dating from February and July 2003—based on propositions from the Asian regional conference and Brazil—they were not mentioned thereafter in the official documents. Further, Asian and African NGOs, which instead supported the more radical demand to promote a right to communicate as a distinct human right, were even less successful than those that promoted the more moderate version of communication rights as an umbrella term for already existing human rights.

Intellectual Property Rights

NGOs also sought to challenge the existing regime on IPR, with some exceptions. These exceptions were first professional associations of authors and publishers—which, however, strictly speaking are not NGOs—and organizations representing indigenous peoples. The latter argued for protecting the knowledge of indigenous peoples in particular. However, most NGOs assembled their input through the WSIS Working Group on Patents, Copyrights, and Trademarks and agreed that strong protection of intellectual property would not enable, but rather would constrain creativity and innovation.
Accordingly, they felt that WSIS documents should promote the use of free and open source software (FOSS) as well as open access.

Paragraph 42 of the WSIS declaration states:

Intellectual property protection is important to encourage innovation and creativity in the Information Society; similarly, the wide dissemination, diffusion, and sharing of knowledge is important to encourage innovation and creativity. Facilitating meaningful participation by all in intellectual property issues and knowledge sharing through full awareness and capacity building is a fundamental part of an inclusive Information Society.

This paragraph reflects in part the demands of NGOs. They achieved a general shift toward a user or consumer perspective, emphasizing the need for a free flow of information, which is a success in light of the strong emphasis on market considerations and IPR protection in early drafts of the WSIS documents. But at the same time, NGOs were not able to actually challenge the existing IPR regime since the WSIS did not propose any new legislation or concrete measures on how to implement a more user-oriented approach. While NGOs achieved the inclusion of free and open source software as one model among others in the WSIS documents, they clearly had wanted to prioritize the use of this particular software. Yet the WSIS Action Plan 2003 still emphasized “freedom of choice” between FOSS and proprietary software in paragraph 10e. No clear measures were formulated on how to ensure that FOSS would be promoted. Although it had been included in some draft versions, much of the specific policy input NGOs made on FOSS and open access did not feature in the final WSIS documents.

Internet Governance

Internet governance evolved as the most central and contested issue, especially during the second phase of WSIS toward the Tunis summit. NGOs were generally very interested in getting this issue on the agenda and in promoting a broad definition thereof. This means that the Internet should be governed in an open, transparent, and democratic way, involving equally the governments of developing countries and all stakeholder groups. On Internet governance, smaller NGOs and groups of people from developing countries, particularly, sought to challenge practices and politics through the Internet Corporation for Assigned Names and Numbers (ICANN). Serious reform was proposed, including more rights for developing country representatives and less power for the United States.

The WSIS summits in 2003 and 2005 established the Working Group on Internet Governance (WGIG) and the Internet Governance Forum (IGF), respectively. Both are governance structures with a strong multistakeholder character, emphasizing openness, inclusiveness, and transparency as well as equal representation of stakeholder groups and of participants from devel-
oped and developing countries. By participating in the WGIG, some NGOs were able to profoundly influence the outcome of the second WSIS process. Yet again, only a few NGO actors that were active in the WGIG were successful, and they focused quite narrowly on strengthening the role of civil society in Internet governance while not accounting for the broader demands that were related to Internet governance in the first phase. The system with ICANN at its core was not changed; with the IGF, it only got at its side a watchdog that could bark, but not bite.  

The final question involves what accounted for this limited influence. In what ways did the manner of NGO participation at the WSIS summits even contribute to them? Answering this question reveals structural constraints on NGO influence in especially innovative and inclusive governance processes.

**Structural Limits to NGO Influence at the WSIS**

**External Structural Constraints**

First, the external structures, especially the agenda of the host organization, were such that it was extremely difficult to push for the issues that NGOs found most relevant. As an example, the overall thematic focus of the WSIS was opposed to the NGOs’ demands regarding a communication society or a right to communicate. During the first phase, it turned out that the WSIS did not focus so much on the communication society, but instead on the information society. This focus was primarily a result of the International Telecommunication Union (ITU) hosting the WSIS, as opposed to the UN Educational, Scientific and Cultural Organization (UNESCO), for example, which had also been discussed as a possible alternative host or co-organizer. The ITU took a leading role not only in bringing about the WSIS, but also in the organization of the actual negotiation process. This entailed from the beginning an inferior starting position for NGOs. It furthered issues that related to technical aspects of the use of ICT, as opposed to those related to its social or legal implications. In order to advance the policy outcome in that regard, NGOs first had to shift the issue focus with quite some effort. And before they were able to do that, they had to lobby for more inclusion and participation rights, which again “took away from the time needed to advocate for substantive, human-centered approaches to overcoming the development divide.”

In the discussions about a right to communicate as a human right, NGOs were further restricted by a historic debate about a New World Information and Communication Order (NWICO) within UNESCO, which took place in the 1970s. Speaking about and promoting a right to communicate, as some NGO actors wanted, risked reminding the negotiators too offensively of this old debate. Also, NGOs tried “to avoid an unproductive clash of ideologies within civil society” by neglecting discussions about a right to communi-
cate. In the second phase of WSIS, the issue focus centered mainly on Internet governance. This provided some NGO actors with better opportunities for their demands to be included in the policy process and outcome, but the shifting focus further marginalized issues that had initially been relevant for the NGOs.

Another reason NGOs were rather unsuccessful in promoting their central demands was that their access varied and depended on the goodwill of states. For example, most of their access was in discussion forums without any decisionmaking competence such as the IGF. Also, at the end points of the respective negotiation processes, when the final deals on the content and formulations of the policy documents were hammered out, NGOs were easily excluded. This exclusion in the final negotiation phases is common in international negotiations, and is referred to as the “fourth-PrepCom-phenomenon.”35 This exclusion of NGO actors in the end phases, as well as in any discussions that state actors deemed most relevant, was due to the predominantly informal character of NGO participation. The informality of NGO participation is usually regarded as a good thing for the NGOs. On the floor, at dinners, or in the last minutes before important sessions, NGOs are often able to directly approach state negotiators with their evaluations and ideas and, in turn, to get important information from them.36 Yet this informality only reinforces the power of state actors to determine the terms of participation and influence of the NGOs. NGOs remain dependent on states, even in global governance processes that are seemingly as inclusive as the WSIS. This is, without doubt, important in understanding why certain NGO demands become obsolete. Additionally, there are much more subtle dynamics within the NGO community, which also marginalize certain NGO demands. These dynamics hint at the effects of internal structures.

**Internal Structural Constraints**

The effects of internal structures account for the fact that certain NGO claims were disregarded while others prevailed. The selectivity of NGO influence is thus primarily explained by the organizational processes within the WSIS civil society and shifting role perceptions of individual NGO actors. These internal structural processes were exacerbated by the high levels of participation in the WSIS process generally and the WGIG particularly. As a consequence, demands on a plethora of issues by less organized or professional NGO representatives, often from the Global South, were marginalized since civil society actors from developing countries faced the most restrictions on participation. Nevertheless, a few NGO actors were increasingly able to influence policy outcomes, especially on Internet governance. The NGO input zoomed in on this issue as well as on the procedural issues of strengthening civil society participation in future governance processes. The demands of a few NGO actors thus became dominant at the price of others that were marginalized within the NGO community and also within the broader negoti-
ation context. This would have been unproblematic because certain groups of NGOs, which are important for the inclusiveness of the policy outcome, would not have been structurally disadvantaged in participation and influence; yet this is exactly what happened at the WSSIS. Less experienced, often smaller NGOs from the Global South were disadvantaged as compared to well-established, larger NGOs from the Global North with members that were experienced in participating in UN institutions. These exclusion/inclusion processes were an outcome of structural processes among and within NGO actors.

According to the rules of procedure, civil society actors in the WSSIS had to organize themselves in thematic caucuses and so-called families (e.g., on gender, human rights, and Internet governance). This reinforced the pressure to speak with a unified voice and to adapt to bureaucratized procedures. From these caucuses, NGOs selected spokespersons and representatives for certain WSSIS working groups and task forces. Within the external framework, they organized in a bottom-up process: self-organized, often ad hoc due to time pressure, and at times highly informal. There were no “standardized procedures.” In order to work effectively, some took over a leadership role in that process; namely, those that had the most experience as participants of UN world summits and that were most professional. This bottom-up process with its networking effects was certainly a huge—some would say the biggest—success of NGOs at the WSSIS. Yet at the same time, these structures worked best for a small number of like-minded people, mainly from Europe and North America, who acted together in consensus. The process of selecting representatives for the multistakeholder WGIG shows how self-organizational processes made the NGOs’ input and their influence on the policy outcomes more selective.

The WGIG Example
The WGIG was established in 2004 as a multistakeholder group to prepare the policy outcomes on Internet governance. The WGIG was central because Internet governance became the most politically explosive policy issue of the WSSIS, receiving the most scrutiny and media coverage. It is also commonly cited as a best practice example of successful multistakeholder cooperation by the WSSIS organizers and the civil society participants. In the WGIG, the different stakeholder groups were represented equally: “The WGIG comprised 40 members from Governments, private sector and civil society, who all participated on an equal footing and in their personal capacity.”

The members with a civil society background felt that the WGIG provided them with some unprecedented opportunities to influence its final report and, therewith, also the WSSIS policy outcome on Internet governance. This shows that it must have been of utmost importance that those most qualified were selected to represent the NGOs within this working group.
Generally, the members of the WGIG were nominated by the UN Secretary-General. But the NGOs were also asked to choose representatives among their own ranks to participate on equal footing with the other working group members who represented the governmental and business sectors. Swiss diplomat Markus Kummer, who was responsible for setting up the WGIG, also directly asked the co-coordinator Jeanette Hofmann of the Internet Governance Caucus whether she wanted to participate. But she declined in order to coordinate the selection process for civil society representatives. Of the eight civil society representatives on the Working Group on Internet Governance, two were directly proposed by her and three more were endorsed by the Internet Governance Caucus she cochaired. This procedure provoked some displeasure, particularly from NGO actors that were not part of the Internet Governance Caucus. The civil society actors that promoted FOSS felt that they should have a representative in the WGIG, and they questioned whether the Internet Governance Caucus rightfully steered the selection process:

It must be underlined that despite the best efforts of the WGIG secretariat and chair, the question of the representativity of the WGIG remains open, however we are pointing out that this is not due to the United Nation[s] handling of the selection process that we salute both as open and inclusive, but it is the most unfortunate consequence of a non-transparent process, within Civil Society, that shall not be repeated.

Although this criticism suggests that the selection process could be traced back to the deliberate actions of individuals, these actions are also determined and constituted by external structures. The co-coordinator of the Internet Governance Caucus felt the pressure to act in a timely manner and according to the needs of the WGIG chairperson in order to not jeopardize the ability of NGOs to influence the WGIG outcomes. Another analyst concludes that the selection process was also an outcome of the need to speak with a unified voice in the WGIG, but with problematic consequences: “Out of ten CS members, at least three represented the same organization, while several delegates were admitted even though they normally should have entered as part of the private sector. The selection process of the WGIG is without any doubt one of the clearest examples of the hidden pitfalls of the MSP model.”

Yet the WGIG example shows that the internal organizational processes created rifts between different members of civil society. A self-empowered group of NGO actors created the civil society structures through which they could determine what input they gave to the negotiations. And this certainly diverged from the input that others would have provided or liked to see. The focus shifted from substantive to procedural issues: instead of asking for concrete changes such as how multilingual top-level domains could be promoted,
NGOs asked for more participation in future governance processes. Further, other NGO demands either were subsumed under the topic of Internet governance or vanished from the discussions.

These self-organizational processes and changing modes of participation came along with new role perceptions of the NGO actors in the policy process. In the course of the discussions about the centrality of Internet governance and who should speak for whom, NGOs discussed “the very definition or identity of a civil society actor in general and a WGIG member in particular.” The WGIG civil society members increasingly saw themselves as individuals whose expertise was needed, yet they did not necessarily represent a global civil society anymore: “The chair Nitin Desai made a very good start for the whole thing by asking everyone to think of themselves as individuals, to use the personal ‘I’ rather than ‘we.’ Some people started thinking about themselves just as people who were from different stakeholder groups, but did not necessarily represent those stakeholder groups.” Desai hoped that this would “reproduce in the wider community the same sense of engagement, dialogue, understanding, and constructive compromise.” But at the same time, stakeholder roles became blurred. Renata Bloem, then president of the NGO umbrella organization the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations (CoNGO), criticized this development and pledged in this context: “Let’s have it really divided, because we all have different roles.” Distinct stakeholder groups are important for keeping the NGOs’ independence and agency. In turn, next to damaging the fairness of the negotiations and the NGOs’ independence and representation function, the shifting of roles also affected what NGOs were able to achieve in terms of policy outcomes. Those who become experts, and thus more detached from their stakeholder group, are likely to push for the issues that they find most important. The diversity of NGO demands and voices is lost and, thus, denied the opportunity to influence policy outcomes.

Those who felt that their expertise was not required were disappointed. Y. J. Park, civil society actor and once co-coordinator of the Internet Governance Caucus, therefore decided not to act as a civil society representative in the WSIS follow-up process. When accrediting herself for the Internet Governance Forum in Rio de Janeiro and asked to indicate which stakeholder group she belonged to, she chose the option “other” instead of “non-governmental entity.”

**Conclusion**

In this article, I highlighted the shadowy sides of far-reaching NGO participation by spelling out how NGO influence was reduced to less relevant demands and became highly selective in a world summit that stands out regarding its unique realization of the multistakeholder approach. On the
background of existing knowledge, the WSIS is a most likely case for NGO influence since NGOs participated to a degree not seen previously. Yet NGO influence was indeed limited at the WSIS; it was restricted both to issues that were rather irrelevant for the NGOs and to the demands of only an inner circle of NGO participants. Showing how—that is, by which processes—NGO influence has been limited at the WSIS can thus lead to new insights on the effects of extensive NGO participation in global governance.

Structural and agential conditions are interlinked and together affect the NGOs’ influence. Using the example of the WSIS, I showed that there are strong effects from the external structures that account in part for the NGOs’ lack of relevant influence. I further showed how external structures brought about internal structural dynamics that accounted for the marginalization of certain NGO demands. This sheds light on the differences and conflicts among NGO actors as well as their changing role perceptions. For too long, research on NGOs neglected the ways that NGOs change in the course of action as well as the diversity of the NGO community. Future research should thus focus more on how NGOs change and on their diversity, for example, by identifying effects on the NGOs organizational and sociopsychological structures, as is proposed here. It should also focus on the problematic aspects of networking among NGO representatives. While networking is often portrayed as a major success for NGOs even when they are not able to change policies, this study shows that networking reproduces existing power relations among and inequalities between NGO actors. I found the agency of NGOs generally to depend more on structural conditions, even if single NGO actors were able to play out considerable agency (i.e., they were able to shape in particular the organizational structures within the NGO community). Still, even those with more agency power were less able to shape the external structural conditions of their actions.

Now, what does this study of the WSIS tell us about political practice? So far, NGO actors have tried to promote their institutionalized participation in governance structures and to ask for ever more participation rights in the UN as well as other international organizations. However, my conclusions suggest that becoming highly included in governance processes, as “NGO diplomats,” might not be the best strategy for NGOs that are interested in influencing policy outcomes in an inclusive and representative way. This is reinforced by evidence from the analysis of other policy processes that showed similar effects in institutional structures or NGO self-organization (e.g., when NGOs sought to promote women’s rights in the United Nations).47 A solution to problems related to far-reaching participation could be to work on more legitimate procedures of civil society organization. An alternative could also be to promote a two-pronged approach that combines activities within negotiation processes with protests outside. The question, however, is how to link the insiders with the outsiders so that both can work together on common issues. Finally, a
good understanding of the structural constraints that NGOs potentially face might enable the marginalized parts of civil society in particular to regain agency.

Notes

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1. The term NGOs is used here for nonprofit-oriented organizations that are independent from states. This includes a variety of organizations, from large international nongovernmental organizations to grassroots organizations or networks of academics, which were all accredited as NGO entities at the World Summit on the Information Society. Since the UN also accredited some business organizations as NGO entities, I filtered them out. When referring to the whole group of NGO actors, I use the term civil society synonymously, again according to UN terminology. A good overview on NGO terminology within the UN can be found in Nora McKeon, The United Nations and Civil Society: Legitimating Global Governance—Whose Voice? (London: Zed Books, 2009), pp. 11–16.


20. For the distinction between external structures and internal structures, see Rob Stones, *Structuration Theory* (Basingstoke: Palgrave, 2005), pp. 84, 45.


30. WSIS Declaration of Principles, 12 December 2003, par. 13b; WSIS Tunis Agenda for the Information Society, 18 November 2005, pars. 72–73.