

# 1: The Unbearable Lightness of Full Participation in a Global Context: WSIS and Civil Society Participation

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## Introduction

Global politics remained up until a few decades ago a restricted area, which was mainly accessible to nation states, and more specifically to the dominant superpowers at that time in history. This has gradually changed and ‘new’ actors have emerged on the global scene. One concrete manifestation of this is that states and international institutions have adopted a so-called ‘multi-stakeholder approach’<sup>1</sup> to global and regional governance, involving more and more business – as well as civil society-actors. The rhetoric that surround these alleged inclusionary practices tend to make use of a very fluid signifier: participation. It is now claimed more and more that civil society, as well as business actors, are ‘participating’ in the global political processes that build future societies. This chapter asserts that these rhetorics are discursive reductions of the plurality of meanings that are embedded in the notion of participation. By confronting these rhetorics on participation with the organizational practices related to a world summit, more specifically the World Summit on the Information Society (WSIS) and its preparatory meetings called PrepComs, we will be able to show that a specific and reductionist definition of participation is produced, which excludes the possibility of a series of more balanced power relations. This analysis illustrates at the same time the problems encountered when (optimistically unprepared) introducing the notion of participation in processes of regional or global governance. It will also show that power remains an important concept that often gets obscured or masked. By making these implicit and explicit power mechanisms visible this chapter would like to contribute towards the evaluation of participatory practices within global settings.

We will be focussing foremost on civil society and its role within the WSIS process.<sup>2</sup> Civil society is a notion that has seen its respectability increased in academic, as well as policy discourses. After the fall of the Berlin Wall, Eastern European civil society organizations received recognition for their role in the democratization of Eastern Europe. And new (and old) social movements in the West were (again) seen as carriers of life, sub- or identity politics. Like many of these concepts the exact meaning of civil society is of course contested. Without going too much into this debate, we adopt a Gramscian perspective in this regard, making an analytical distinction between the state, the market and civil society, as a relatively independent non-profit sphere in between market and state, where

(organized) citizens interact. This does, however, not mean that we see civil society as one singular actor. Civil society is diverse in its structures, going from grass roots to regional or international civil society organizations. It is also diverse in its ideological orientations, going from extremely conservative to radically progressive. While this chapter addresses the power mechanisms at play *between* civil society actors, states and international organizations in terms of access and participation to the WSIS process, the power relations and mechanisms *within* civil society, states and international organizations are unavoidably black boxed for analytical reasons, without however denying their existence. Furthermore, it has to be noted that speaking of a 'global' civil society is still contested and questions can and should be raised concerning the representativeness of civil society actors active within a global context (including the WSIS).

Before addressing the notion of participation and power and applying this to the case of the WSIS, we need to place consultation of and participation by civil society actors in an historical perspective.

### **Historical Contextualization of the Participatory Trajectory**

One of the concrete results of the globalization processes from the 1990s onwards, was the recognition that nation states were no longer the only players on the international stage (Rosenau, 1990; Zacher, 1992; Sassen, 1999). Civil society actors as well as business actors have manifested themselves increasingly as legitimate actors in processes of global governance. At the same time the number of issues requiring global solutions also increased and became more prominent on the political agendas of citizens, civil society organizations and (some) governments (Urry, 2003; Held, et. al, 1999: 49–52; Beck, 1996). Examples of such issues are child labour, ecology, terrorism, crime, mobility, migration or human rights. In this regard we can also refer to the emergence of transnational notions of citizenship (Van Steenbergen, 1994; Bauböck, 1994; Hauben, 1995; Hutchings & Dannreuther, 1999; Sassen, 2002). This does, however, not mean that transnational issues or transnational networks as such are a totally new phenomenon as Boli and Thomas (1997: 176) have shown in their historical analysis of non-governmental organizations. In this regard there can also be referred to the Socialist International or the Suffragette movement (Geary, 1989; French, 2003). But it is fair to say that the scope and degree of cosmopolitanism has drastically increased in recent decades (Vertovec & Cohen, 2002).

Another observation relates to a crisis of institutional legitimization, be it on the level of the nation state or international/regional organizations. States are caught between the possible and the desired: they have to operate within strict budgetary and legal frameworks, international obligations and co-operative regimes and are at the same time confronted with citizens' high demands, national interests and cultural specificities. International organizations partially build on the legitimacy of their member states, but the more the representative democratic system at the national level is being questioned and debated, the more difficult it has become for international institutions to solely rely on state representatives to formulate policies. In a world of multi-level governance, international organizations also desperately need democratic legitimization in their own right (Schild, 2001), which is often of a highly questionable nature.

The recent rise in (global) political discourses of notions such as multi-stakeholder governance also has to be seen against the backdrop of theoretical efforts to extend the democratic principles to the realm of global politics. In this regard there can be referred to David Held's conceptualization of cosmopolitan democracy and to its 'realist' critical responses (Held, 1995/1997; Hutchings & Dannreuther, 1999; Saward, 2000; Patomäki, 2003). Ideas like the instalment of a democratic world parliament and government, as put forward by Held, are burdened with so many constraints that it is highly questionable whether they will materialise in the foreseeable future or indeed ever, given the complexity of the world system and the lack of – or defuncts in – democracy in many national contexts. Patomäki (2003: 371) points to many of these constraints and argues for the conceptualization of a global democracy '*in contextual and processual terms, by revising social frameworks of meanings and practices by means of cumulative but contingent and revisable reforms, also to induce learning and openness to change, in the context of cultivating trust and solidarity*', rather than a closed linear process towards cosmopolitan democracy. From Patomäki's perspective, multi-stakeholder processes are a step in a learning process of all actors involved to build trust and to gradually reform and democratise international politics.

International institutions such as the EU and the UN look increasingly to civil society and business actors to legitimise policies that can build on the broadest support possible from the different actors involved in the complex game of governance. In this regard business actors have become crucial partners, as nation states are no longer active economic actors and are restricted budget-wise by the international financial markets or regional agreements such as the European Monetary Union. At a rhetorical level, civil society is then perceived as representing the local grass roots-level, specific interest groups, transnational social movements, counterbalancing the dominance of corporate actors and still, to a large extent, also of state representatives.

Forging links with civil society organizations has for many years also been a strategy of UN institutions in order to increase transparency and accountability when taking global initiatives. In fact, the consultation of civil society is even embedded in the 1945 Charter of the UN. Article 71 of the UN Charter states:

*The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.* (UN, 1945)

Several UN General Assembly and Economic and Social Council (ECOSOC) resolutions have deepened and formalized this relationship further in the past decades. The most important ones are the UN Resolution 1968/1296 and ECOSOC Resolution 1996/31,<sup>3</sup> establishing a solid legal framework for the partnership between civil society and the UN. Concrete examples of this growing degree of involvement of civil society can be found in development policies (Smillie et. al, 1999; Weiss, 1998), but also in the growing participation of civil society actors in world summits<sup>4</sup> (UN, 2001b).

By involving civil society, international – as well as national – institutions try to re-establish their legitimacy as operating in the interest of all and being democratically accountable, at least at the rhetorical level. The question is how this multi-stakeholder approach using participatory discourses materialises in a real life context where vested interests are at play, as well as processes of change. Before we come to this it remains important to (re-)articulate the notion of participation.

## What is Participation?

Participation is an ideologically loaded and highly contested notion. For instance Pateman (1970: 1) remarks: *'the widespread use of the term [...] has tended to mean that any precise, meaningful content has almost disappeared; 'participation' is used to refer to a wide variety of different situations by different people'*. Different strategies have been developed to cope with this signifiatory diversity, most of which construct categorization systems. As the illustrations below will show, the element that supports the construction of these systems is the degree to which power is equally distributed among the participants. For this reason, the key concept of power will be addressed in a second part.

## Constructing Participation as 'Real'

This widespread use (or the floating) of (the signifier) participation has firstly prompted the construction of categorising systems based on the combination of different concepts. In the context of the UNESCO debates about a 'New World Information and Communication Order' (NWICO)<sup>5</sup> the distinction between access and participation was introduced. While their definition of access stressed the availability of opportunities to choose relevant programs and to have a means of feedback, participation implied *'a higher level of public involvement [...] in the production process and also in the management and planning of communication systems.'* (Seraes, 1999: 85) Within communication studies, attempts have been made to introduce the notion of interaction as an intermediary layer between access and participation (Grevisse & Carpentier, 2004). From a policy studies perspective, complex typologies have been developed to tackle all variations in meaning – see for instance Arnstein's ladder of citizen participation (1969). More useful in this context is the OECD's (2001) three-stage model, which distinguishes information dissemination and consultation from active participation.

Other authors have aimed to construct hierarchically ordered systems of meaning, in which specific forms of participation are described as 'complete', 'real' and 'authentic', while other forms of participation are described as 'partial', 'fake' and 'pseudo'. An example of the introduction of the difference between complete and partial participation can be found in Pateman's (1970) book *Democratic Theory and Participation*. The two definitions of participation that she introduces are of 'partial' and 'full' participation. Partial participation is defined as: *'a process in which two or more parties influence each other in the making of decisions but the final power to decide rests with one party only'* (Pateman, 1970: 70 – our emphasis), while full participation is seen as *'a process where each individual member of a decision-making body has equal power to determine the outcome of decisions.'* (Pateman, 1970: 71 – our emphasis) Other terms have been used to construct a

hierarchically ordered system within the definitions of participation on the basis of the real–unreal dichotomy. In the field of so-called ‘political participation’, for example, Verba (1961: 220–221) indicates the existence of ‘pseudo-participation’, in which the emphasis is not on creating a situation in which participation is possible, but on creating the feeling that participation is possible. An alternative name, which is among others used by Strauss (1998: 18), is ‘manipulative participation’.<sup>6</sup> An example of an author working within the tradition of participatory communication who uses terms as ‘genuine’ and ‘authentic’ participation is Servaes. In *Communication for development* (1999) he writes that this ‘real’ form of participation has to be seen as participation ‘*[that] directly addresses power and its distribution in society. It touches the very core of power relationships.*’ (Servaes, 1999: 198 – our emphasis) The concept of power is in other words again central to the definition of ‘real’ participation. White (1994: 17) also emphasises this central link between power and participation:

*it appears that power and control are pivotal subconcepts which contribute to both understanding the diversity of expectations and anticipated out-comes of people’s participation.* (our emphasis)

## Power

If power is granted this crucial role in the definitional play, the need arises to elaborate further the meaning of the notion of power. In order to achieve this, we can make good use of the defining frameworks developed by Giddens and Foucault. Both authors stress that power relations are mobile and multidirectional. Moreover they both claim that their interpretations of power do not exclude domination or non-egalitarian distributions of power within existing structures. From a different perspective this implies that the level of participation, the degree to which decision-making power is equally distributed and the access to the resources of a certain system are constantly (re-)negotiated.

Both authors provide room for human agency: in his dialectics of control Giddens (1979: 91) distinguishes between the transformative capacity of power – treating power in terms of the conduct of agents, exercising their free will – on the one hand, and domination – treating power as a structural quality – on the other. This distinction allows us to isolate two components of power: transformation or generation (often seen as positive) on the one hand, and domination or restriction (often seen as negative) on the other. In his analytics of power, Foucault (1978: 95) also clearly states that power relations are intentional and based upon a diversity of strategies, thus granting subjects their agencies.

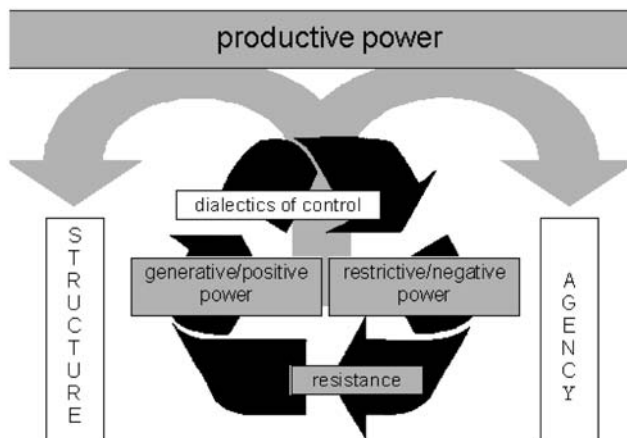
At the same time Foucault (1978: 95) emphasizes that power relations are also ‘*non-subjective*’. Power becomes anonymous, as the overall effect escapes the actor’s will, calculation and intention: ‘*people know what they do; they frequently know why they do what they do; but what they don’t know is what what they do does*’ (Foucault quoted by Dreyfus and Rabinow (1983: 187)). Through the dialectics of control, different strategies of different actors produce specific (temporally) stable outcomes, which can be seen as the end result or overall effect of the negation between those strategies and actors. The emphasis on the overall effect that

supersedes individual strategies (and agencies) allows Foucault to foreground the productive aspects of power and to claim that power is inherently neither positive nor negative (Hollway, 1984: 237). As generative/positive and restrictive/negative aspects of power both imply the production of knowledge, discourse and subjects, productivity should be considered the third component of power.<sup>7</sup>

Based on a Foucauldian perspective one last component is added to the model. Resistance to power is considered by Foucault to be an integral part of the exercise of power. (Kendall and Wickham, 1999: 50) Processes engaged in the management of voices and bodies, confessional and disciplinary technologies will take place, but they can and will be resisted. As Hunt and Wickham (1994: 83) argue:

*Power and resistance are together the governance machine of society, but only in the sense that together they contribute to the truism that 'things never quite work', not in the conspiratorial sense that resistance serves to make power work perfectly.*

Figure 1: Foucault's and Giddens' views on power combined



By using this model both the more localized and the more generalized power practices can be taken into account. This also allows us to bypass some of the problems that complicate the use of the notion of participation. Instead of almost unavoidably having to put an exclusive focus on the degree of structuralized participation, this theoretical framework emphasises the importance of localized and fluid (micro)power practices and strategies without ignoring the overall (political) structure. Firstly, this approach also allows stressing the importance of the outcome of this specific combination of generative and restrictive (or repressive) power mechanisms. The overall effect – the discourses, identities and definitions that were produced – will have their impact on future processes. By building on the analysis of the dialectics of control, we moreover argue here that the comparison of the generative and restrictive (or repressive) power mechanisms allows establishing the depth and quality of civil society participation in the WSIS process.

Following Foucault and Giddens we fully realise the existence of unequal power relations, and only use the notion of full participation as a democratic imaginary or utopia. This type of ‘not-place’ and ‘never-to-be-place’ provides this chapter with an ultimate anchoring point, which will always remain an empty place. Despite the impossibility of its actual realization in social praxis, its phantasmagoric realization serves as the breeding grounds for civil society’s attempts oriented towards democratization. As the French writer Samuel Beckett of Irish decent once eloquently formulated it<sup>8</sup> ‘*Ever tried. Ever failed. Never mind. Try again. Fail better.*’ In social practice we remain confronted with persistent power imbalances, but the social imaginary of full participation can be applied to legitimate (and understand) our plea for the maximization of generative and the minimization of restrictive power mechanisms.

In what follows this model of productive, generative and restrictive power mechanisms and the resistance they provoke, will be applied to the WSIS process. In order to do so a distinction will be made between the level of access/consultation to the process and the level of participation to the process, whereby the latter refers to the capacity to change or influence process-related outcomes.

### **Access and Participation in the WSIS and its Preparatory Process**

In view of its longstanding partnership with NGOs the UN considered the involvement and participation of civil society in the World Summit on the Information Society (WSIS) to be paramount. UN Resolution 56/183 encouraged:

*intergovernmental organizations, including international and regional institutions, non-governmental organizations, civil society and the private sector to contribute to, and actively participate in the intergovernmental preparatory process of the Summit and the Summit itself.* (UN, 2001a: 2)

In this regard, the Executive Secretariat of the WSIS created a Civil Society Division team that was given the task ‘*to facilitate the full participation of civil society in the preparatory process leading up to the Summit*’ (our emphasis). The WSIS is also one of the first summits where ICTs are being used extensively to facilitate the interaction between the UN institutions and civil society actors, be they transnational, national or local. It is also the first world summit where civil society has been involved in the preparatory process from the very beginning. In many ways the WSIS was presented as a model for the new multi-stakeholder approach followed by the UN. As elaborated before, the notion of power is considered the crucial defining element in the discussion on participation. In this section we will analyse and compare both the generative and restrictive power mechanisms, as well as acts of resistance that are at play within (and also outside) the WSIS process. Moreover the overarching signifier participation will be split into two segments: access/consultation and participation. This distinction is important, as it allows highlighting the difference between being able to attend and observe the process (access), having one’s opinions heard (consultation) and actually being able to influence the outcome of the process (participation).

In order to do so we will use several methodologies, which will allow us to get the broadest possible overview.<sup>9</sup> First of all, a quantitative data analysis of the

attendance and accreditation lists provided by the ITU of the different PrepComs and the summit itself will allow us to assess access in detail. Despite the high degree of detail of these lists, using them also makes us dependent upon the registration process and its margins of error. Secondly, desk research of the WSIS-related websites, official documents/resolutions, as well as evaluation documents drawn up by key civil society actors will allow us to analyse civil society consultation and participation. Finally, in view of validating our research, a number of key persons<sup>10</sup> were invited to comment upon a draft version of this chapter.

### **Generative/Positive Power Mechanisms**

In this first part, the first component of the theoretical model on participation and power is analysed. Here our analysis thus focuses on the generative aspects of civil society's role at the WSIS, both at the level of access and consultation, and at the level of participation.

### ***Physical Access to the PrepComs and Summit***

The WSIS is one of the first world summits where civil society was given extensive access to the preparatory process and to be present at the meetings.<sup>11</sup> In this context 'being present' refers to being able to access the meetings and being given limited speaking rights. As such, civil society is being recognized as a legitimate actor to be consulted on specific issues and to provide feedback allowing for a dialogue between civil society, state actors and the UN to take place.

During the summit and the build-up to it, the number of members from civil society, as well as civil society organizations (CSOs<sup>12</sup>) present, was quite high and grew steadily from PrepCom1 to the WSIS-03 in Geneva (cf. figure 2). There were 178 civil society members from 102 CSOs that attended the PrepCom1 meeting, which dealt primarily with procedural issues. About half of these organizations, however, did not attend PrepCom2 in Paris, which was held a year later. Nevertheless, at PrepCom2, 344 members from 176 CSOs were present. Here also some 70 organizations that attended PrepCom2 did not attend PrepCom3. At PrepCom 3, a decisive moment in the agenda-setting process and the drafting of the final declaration, the number of members from civil society increased to some 500 from 224 CSOs. The outflow from PrepCom3 to the WSIS was much lower, namely about 45 organizations. At the summit itself attendance of civil society rose to about 3200 members<sup>13</sup> from 453 CSOs.

Figure 2: Inflow, outflow and re-inflow of active CSOs<sup>14</sup> in the PrepComs and WSIS-03

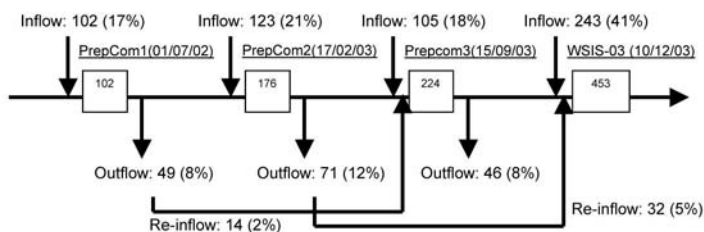


Figure 2 and table 1 also show that the re-inflow of CSOs did occur, although it remained rather limited. Fourteen CSOs attended PrepCom1, were absent at PrepCom2, but did attend PrepCom3 and 32 CSOs were not present at PrepCom1 and PrepCom3, but did attend PrepCom2 and the summit itself. Besides this, table 1 also shows that some 75% of the active CSOs were present at WSIS-03 in Geneva, which is quite high. The fact that some 25% of the CSOs that were active within the WSIS PrepCom process did not attend the WSIS itself in Geneva may have many reasons. It is, however, difficult to assess at this stage what these reasons were, but it could be that some organizations felt disillusioned with the process and/or did not have enough resources to remain actively involved. The data, however, also show that a big proportion of active CSOs only became involved at a late stage in the process. For some 40% of active CSO organizations the summit itself was the first time they were visibly involved in the process and only 7% of active CSOs attended all PrepComs as well as the summit itself. But, at the same time, the data reveal that very active organizations tended to remain involved throughout the process. Only 2% of active CSOs disengaged from the process, although they had attended PrepCom2 and 3 (presence at PrepCom1 is disregarded).

Table 1: Re-inflow & degree of attendance in PrepComs and WSIS 2003 in Geneva

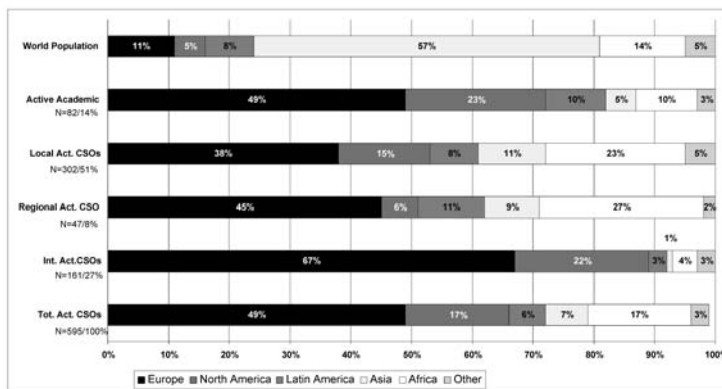
PrepCom1	PrepCom2	PrepCom3	WSIS-03	#ORGs	%act-CSO		
+	+	+	+	40	7%	Present at all PrepComs and WSIS03	
	+	+	-	12	2%	Present at PrepCom2 and 3, but not at WSIS03	
-	-	+	+	74	12%	Not present at PrepCom1&2, but present at PrepCom3 & WSIS03	
-	-	-	+	230	39%	Not present at PrepComs, but present at WSIS03	
				*	453	76%	Present at WSIS03
<b>Total</b>				595	100%		

Legend: +: Present -: Not present \*: Presence disregarding previous meetings

The analysis of attendance in terms of the distribution over the different continents and the type of CSO, provides us with another angle (cf. fig. 3). From a generative point of view, it has to be noted that attendance from African CSOs in the WSIS process was quite high, accounting for almost 20% of active CSOs. Also

noteworthy is the high attendance of academics in the WSIS process, about 15% of the active CSOs. Furthermore, it can also be asserted that attendance by local CSOs largely outweighs the presence of international and regional CSOs, more than 50% of active CSOs are locally based. This is a positive sign in terms of representing specific local contexts and concerns.

Figure 3: Regional distribution of CSOs by type of CSO<sup>15</sup>



The ITU also held five regional meetings.<sup>16</sup> Attendance in these regional meetings was quite high. For example, more than 1700 participants<sup>17</sup> were present at the regional meeting in Bamako and as such it can be suggested that this helped in lowering the threshold for access to the WSIS process. Each regional meeting resulted in a declaration highlighting the demands and concerns of that particular region and also produced several documents.<sup>18</sup> In the case of the Bamako regional meeting, UNESCO, together with the Executive Secretariat, also organized a consultation round with African CSOs, which was subsequently reported in a document that can be found on the website of the Bamako meeting.

### Virtual Access to the PrepComs and Summit

In addition to the access granted to CSO and the resulting 'offline' consultation rounds, the ITU Executive Secretariat developed an online platform specifically directed at involving, amongst others, civil society actors in the WSIS preparation process.

Accredited entities were encouraged to submit written contributions to the Executive Secretariat, who would then post them on the WSIS website and thus make them available for consultation. As such (accredited) CSOs could provide input for the summit declaration and the draft plan of action to be discussed in the preparatory process and to be voted by the member states in Geneva, mid-December 2003. As PrepCom1 dealt with procedural issues it is not surprising that especially during PrepCom2 and PrepCom3 many organizations contributed to the process (cf. table 2). During PrepCom2 the civil society organizations were very active, which amongst others is exemplified by the relatively high number of organizations (75/214=35%) that submitted a document vis-à-vis those organizations that were active during PrepCom2.<sup>19</sup> During PrepCom3 this

percentage dropped slightly to 27%. By making the distinction between CSOs that introduced their own document and CSOs that co-signed documents with other organizations it is possible to make an assessment of the degree of networking. This is especially relevant for PrepCom2 where two-thirds of CSOs that submitted a document did this together with other organizations. It should be noted that during PrepCom2 negotiations started concerning the agenda and themes for the final declaration and that this explains the high degree of networking and documents being produced.

Table 2: Written contributions submitted to the preparatory process

	PrepCom1	PrepCom2	PrepCom3
#CSOs <sup>20</sup> that submitted their own document (a)	2	29	51
#CSOs that co-signed a document (b)	15	46	19
#CSOs with their own or co-signed document (c=a+b)	17	75	70
#CSOs with doc that did not attend PrepCom (d)	0	38	29
#CSOs attending PrepCom (e)	102	176	227
#CSOs active within PrepCom (f=d+e)	102	214	256
%CSO with doc of #CSOs active within Prepcom (g=c/f)	17%	35%	27%

Besides the written contributions, all the interventions made by heads of states, ministers, private sector representatives and civil society members during the plenary sessions of WSIS-03 in Geneva were recorded, webcasted, and have been archived on the ITU site for everyone to view and listen to. Also the press conferences were webcasted as well as archived. In general terms it can be asserted that the ITU has been very open in publishing contributions to the WSIS process and making them available for all to read, view, or listen. Upon demand of the Civil Society Caucus the critical alternative civil society declaration *Shaping Information Societies for Human Needs* (Civil Society Plenary, 2003) was also posted alongside the official declaration on the official WSIS website.<sup>21</sup>

The civil society caucuses also extensively used a number of mailing lists as a powerful tool to discuss issues and common strategies regarding the WSIS and shaping the agenda. In addition to these mailing lists to which civil society members could subscribe they also developed a virtual '*WSIS Civil Society Meeting Point*'<sup>22</sup> giving access to the mailing lists, addresses and those responsible for co-ordinating the different caucuses. This proved to be very successful and is still active in the run-up to the second phase of the WSIS in Tunis.

### **Participation**

In this part we examine not so much the physical presence – the access to the process – nor the resulting consultation rounds but rather the rules that apply to structure the presence and its generative effects on the participation of civil society in the formal process. Besides this, there are also generative mechanisms at play on an informal level in terms of, for instance, networking.

The formal rules making the participation of CSO in world summits possible are based on the ECOSOC 1996/31 resolution passed by the 49<sup>th</sup> plenary meeting

in July 1996. This resolution serves as a general guideline defining the consultative relationship between civil society and the UN. Part VII of the resolution deals specifically with what they called the '*participation of non-governmental organizations in international conferences convened by the UN and their preparatory process*'. Besides the conditions for accreditation, which relates more to access, civil society actors are given some rights in the ECOSOC resolution.

*51. The non-governmental organizations accredited to the international conference may be given, in accordance with established United Nations practice and at the discretion of the chairperson and the consent of the body concerned, an opportunity to briefly address the preparatory committee and the conference in plenary meetings and their subsidiary bodies.*

*52. Non-governmental organizations accredited to the conference may make written presentations during the preparatory process in the official languages of the United Nations as they deem appropriate. Those written presentations shall not be issued as official documents except in accordance with United Nations rules of procedure. (ECOSOC, 1996/31)*

The above-mentioned resolution is, however, a frame of reference and each summit can decide upon other modalities for participation going beyond 1996/31. The rules of procedure being adopted by each world summit define the nature of civil society involvement and govern the participation of civil society actors within the preparatory process, as well as the summit itself. Rule 55 of the WSIS rules of procedure, adopted during the 1<sup>st</sup> PrepCom (July 2002), relates to the participation of non-state actors, including CSOs.

#### *Rule 55*

*Representatives of non-governmental organizations, civil society and business sector entities*

*1. Non-governmental organizations, civil society and business sector entities accredited to participate in the Committee may designate representatives to sit as observers at public meetings of the Preparatory Committee and its subcommittees.*

*2. Upon the invitation of the presiding officer of the body concerned and subject to the approval of that body, such observers may make oral statements on questions in which they have special competence. If the number of requests to speak is too large, the non-governmental organizations, civil society and business sector entities shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons. (WSIS, 2002a)*

Another document called *Arrangements for Participation*, jointly published with the rules of procedure, calls upon accredited NGOs and business-sector entities '*to actively participate in the intergovernmental preparatory process and the Summit as observers*' (WSIS, 2002a). Furthermore, it also encourages NGOs and business-sector entities to submit written contributions and pledges to post these on a website and to distribute the executive summaries to member-state representatives and other interested parties.

Besides the formal rules allowing CSO to be present and to present their points of view, there are also clear signs that summits also play an important role in terms of informal processes (maybe more so than formal) and network practices (Padovani, 2004a). Bridges (2004) refers to this when evaluating the WSIS process:

*Simply by bringing so many stakeholder to the same place, WSIS helped stimulate partnerships. [...] Though this type of international collaboration is not reflected in the official paper trail, WSIS helped facilitate ground-level connection that will bring ICTs to a more prominent place on the world stage.*

Opening up the preparatory process and world summits to civil society, has generated its own dynamic in terms of informal contacts, mailing lists and lobbying efforts. Although the real impact of civil society on the formal level is qualified as rather low by many CSO representatives, most agree on the big success the summit was in terms of networking amongst civil society organizations and activists. This will not necessarily show in the documents or the institutional level of analysis but has to be placed in a long-term perspective (Ó Siochrú, 2004b).

Summits such as the WSIS are also instrumental as learning experiences for civil society. In order to be taken seriously at a global level, civil society has to tackle criticisms by governments relating to a lack of representativity and the inability to speak with a 'co-ordinated voice' (Kleinwächter, 2004: 1). By issuing an alternative declaration stating its own distinct positions, as well as by having some impact on the formal agenda, the civil society caucus has shown that civil society as an actor in processes of global governance is growing in its new role.

Lastly, some states have also been creative in order to allow civil society actors not only access to the process (as observers), but also enabled their participation in the process. Germany and Canada, for example, incorporated civil society representatives in their official 'state' delegations that attended the WSIS. As such they undermined the formal – and fairly strict – rules, and incorporated civil society within the formal structure of an official delegation.

### **Restrictive/Negative Power Mechanisms**

In the second part of our analyses we return to the second component of the theoretical model on participation and power: the restrictive aspects of power. When analysing the restrictive or negative power mechanisms at the level of practices, the same distinction between physical access, virtual access and participation is made.

#### ***Physical Access***

Although UN resolution 56/183 was quite ambitious in wanting to involve civil society, diplomatic pressures to limit the scope and extent of civil society involvement were also at play. Contrary to countries like Germany and Canada, many 'repressive' or at least authoritarian countries were not so keen on opening up a world summit to civil society. Governments like Pakistan and China made it very clear that they, and not the (often opposition) CSOs, represent their citizens (Hamelink, 2003; Toner, 2003). Besides the reluctance of some countries to involve civil society, other countries were not so keen on the WSIS as such for ideological

and political reasons. When George Bush Jr. came to office, the US largely abandoned its digital divide discourses and policies developed by Clinton and Gore. Furthermore, the current US administration is, generally speaking, less interested in committing itself to international summits and agreements (cf. Kyoto Agreement).

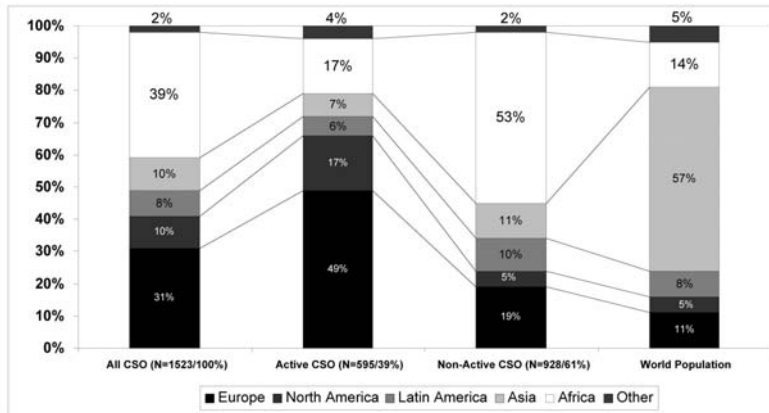
There are, however, a number of other restrictive mechanisms that limit the CSOs' access to the process. In a discussion paper, *Civil Society Participation in the WSIS*, drafted by Seán Ó Siochrú and Bruce Girard (2002: 7–8) in order to prepare the WSIS process – a number of constraints to the access of civil society are enumerated. (1) Firstly, they identify a lack of structural funds and resources in order to allow civil society representatives to participate and attend the preparatory meetings and/or summit. (2) Secondly, this leads to a geographical imbalance. CSOs from poorer countries of the world are often '*unable to have their voice heard effectively*' and are increasingly dependent on big 'intermediary' civil society organizations to represent them and their constituencies. (3) Thirdly, the authors also refer to the poor presence of women.

The mechanisms Ó Siochrú and Girard describe result in processes of exclusion and the restriction of access of CSOs that find themselves in a less advantaged situation. But these differences are not only related to the more structural elements (such as the political-economic geography). Differences in access are also constructed on the basis of being categorized as part of civil society itself. The access of CSOs is firstly regulated through a system of accreditations, whereby the Executive Secretariat and the member states control the gate. Gaining entry through the first gate is followed by a series of other forms of management (related to categorization, conflation, separation and surveillance) that further construct the difference between civil society and state actors and that limit the CSOs' abilities.

### ***Excluding the Distant***

Although the attendance of the African CSOs was deemed to be relatively high from a generative perspective, Western European civil society actors are still predominantly present. The reasons for this are of course complex and multiple. Our data for example suggests that almost all CSOs from Africa active within WSIS are quite young organizations (end of the 1990s, beginning of 2000). This confirms work on the recent wave of democratic reforms in Africa (Bratton & Van de Walle, 1997). Although difficult to prove within this research design it is conceivable that a lack of resources and experience in terms of global governance play a constraining role. This might explain the gap between the large proportion of African CSOs that showed an interest in the WSIS process and those who actually were able to attend. From all CSOs who have showed an interest in the WSIS process, some 40% came from Africa. Their share drops to 17% when only those CSOs that have been active within the WSIS process are taken into account (cf. fig. 4). Asia, on the other hand, is clearly under-represented. Human rights violations and the many rather authoritarian regimes in Asia could be one explanation for having a negative impact on civil society attendance from that region of the world. The dominance of Western languages, such as English, French and Spanish might also play a constraining role in this regard.

Figure 4: Regional distribution of active and non-active CSOs



European – and to a lesser extent also North American – dominance also shows in the number of participants per organization<sup>23</sup> (cf. table 3). Most European and North American CSOs have three or two participants per CSOs, while most African CSOs present at WSIS-03, only have one participant. Latin America and Asia are in between with a median of two participants per participating CSOs. The fact that Geneva is one of the most expensive cities in Europe in terms of accommodation and cost of living and that travel costs from poorer regions in the world are generally speaking much higher might also explain why the number of participants from these regions is much lower.

Table 3: Average # of participants per civil society organization for WSIS-03 in Geneva

	Total	West Europe	East Europe	North America	Latin America	Southern SSAfrica	Arab World	Asia	Oceania	Unknown
# of CSO-participants	3205 (100%)	1977 (62%)	26 (1%)	599 (19%)	86 (3%)	204 (6%)	165 (5%)	138 (4%)	4 (<1%)	6 (<1%)
# of CSO	462 (100%)	208 (45%)	8 (2%)	85 (18%)	32 (7%)	54 (6%)	35 (5%)	33 (4%)	3 (<1%)	4 (<1%)
Average # Participants/CSO	6,9	9,5/7,1 <sup>24</sup>	3,3	7,0	2,8	3,7/3 <sup>25</sup>	4,7	4,1	1,0	-
Median # Participant/CSO	2	3	3	2	2	1	3	2	1	-

This also shows that despite the rhetorics of time–space implosions, 24h/7days-communication and increased mobility, major spatial constraints are still at play.

### **Management through Accreditation: The First Gate**

As in each summit, access to the preparatory committees, as well as the summit itself, is dependent on getting an accreditation by the PrepCom of the summit. In essence there are two gatekeepers. The Executive Secretariat, in conjunction with the UN Non-governmental Liaison Service, evaluated applications and gave a

recommendation to the PrepCom who then took a decision. It is however not very clear what precise criteria were applied in this evaluation. In a document relating to the accreditation process drawn up before PrepCom1 it is stated very generally that:

*The Executive Secretariat will review the relevance of the work of the applicants on the basis of their background and involvement in information society issues. (WSIS, 2002b)*

The Executive Secretariat will communicate its recommendations to the member states two weeks before the PrepCom. Member states can ask the Executive Secretariat for additional information and if they deem that not all conditions are met or that there is insufficient information, the PrepCom can defer its decision until its next meeting. It has to be remembered in this regard that civil society actors are only observers within the PrepCom and that it is the member states that decide (also with regard to accreditation). Furthermore, the provisions for appeal and the obligation for the Executive Secretariat to communicate the reasons for a negative recommendation to the concerned CSO, as foreseen in ECOSOC resolution 1996/31 (paragraph 46–47), is not mentioned at all in the WSIS arrangements for accreditation.

A notable example of an organization that was excluded from attending PrepCom3 and the summit was Reporters without Borders (Hudson, 2003). Reporters without Borders reacted by setting up a pirate radio station in order to protest against their exclusion and against a number of police activities during the summit (cf. 4.3). Before that the organization Human Rights in China was also excluded from the process without being given a reason why (HRIC, 2003). These two cases led to a bitter reaction from Meryem Marzouki, the co-ordinator of the WSIS human rights in the information society caucus:

*A summit on the information society that allows the participation of governments that systematically censors medias and violates human rights but that doesn't allow the participation of some of the leading international groups defending those rights makes no sense. (WSIS civil society media and human rights caucuses, 2003)*

### **Management through Categorization, Conflation, Separation and Surveillance: The Second Gate**

The ITU set up the Civil Society Division team in order to mediate between civil society on the one hand and ITU and organising committee on the other, but also to facilitate the involvement of civil society in the preparatory process. Although the signifier 'facilitation' might have a generative connotation, it also proved to be restrictive in its operation. Examples that could be found within the WSIS process are management through (1) categorization & conflation, (2) separation and (3) security, surveillance.

(1) Civil society subdivided itself in different caucuses and working groups.<sup>26</sup> This allowed for discussions and debates within civil society to be conducted in a more efficient and productive way. However, due to this categorization the Civil

Society Division team, set up by the ITU, was also able to assert itself as an interlocutor between civil society and states, instead of providing neutral administrative support.

Also noteworthy in this regard is the fact that local authorities<sup>27</sup> have been granted the status of civil society actors, while they are in fact state actors in stricto sensu (Padovani, 2004b). Also business (related) actors such as the World Economic Forum or the International Chamber of Commerce were often referred to as civil society actors. This (intentional or unintentional) conflation of what constitutes civil society in fact also weakens its position.

(2) The second restrictive practice with regard to management of the process is the spatial and physical separation between official delegations and civil society participants. As such, space is also restricting at a micro-level and not only in terms of physical distance. Already during PrepCom1, where procedural issues were discussed, this proved to be a major disappointment for many civil society activists, as Alan Toner (2003: 10) asserts:

*NGO participants discovered that while decisions on procedural form were to be discussed in the ITU building (where Pakistan and China were doing their utmost to have participation limited strictly to state-actors), they themselves were to be quarantined across the road where a programme of discussions had been scheduled for them by the Civil Society Directorate.*

This spatial separation between civil society actors and state actors also occurred to a lesser extent during the conference itself with separate restaurants, toilets, bars and sleeping arrangements for civil society participants and for state representatives. However, the summit venue itself was shared which (in theory) allowed for interaction between the different stakeholders.

(3) The third restrictive practice relates to security and how technology could (has) be(en) used to infringe the privacy of summit participants by processing information about their whereabouts during the summit (Hudson, 2003). Panganiban and Bendrath (2004) also condemned this in their evaluation:

*The name badges produced for every summit participant at registration included a radio frequency identification (RFID) chip. The personal data of the participants, including the photograph, was stored on a central database, and the times when and where they left or entered the summit venue were also recorded. There was no privacy policy available, and nobody could or would tell us what happens to the data after the summit.*

We are not claiming here that privacy infringements have actually taken place, but it remains improper to issue participants with a name badge that has a tracking device in it, without telling them beforehand and without adopting a transparent privacy policy. When the researchers who discovered the presence of RFID chips in the name badges, asked the organisers what has been done with the data or for how long the data will be stored, they did not get any answer from the ITU (Hudson, 2003).

Some 2,000 military and 700 policemen also protected the summit. Security was

very tight, with several 'checkpoints'. Security staff also screened leaflets and made a selection based on content, as reported by Sasha Costanza-Chock, a media activist active within the Campaign for Communication Rights (CRIS), quoted on [dailysummit.net](http://dailysummit.net):

*To inform the people, we do not have to go through metal detectors and checkpoints every 200 feet! We do not want to be in a space of controlled information, where they held me up yesterday and divided my papers and leaflets into two piles. The ones I could take in and the ones I couldn't.* (Constanza-Chock quoted in Obayu, 2003)

### **Virtual Access**

ICTs are increasingly part of the global governance process as a facilitator for interaction and exchange of ideas between the UN and civil society actors, as well as amongst civil society actors in terms of networking and developing a common language (Cammaerts & Van Audenhove, 2003). Nevertheless, a tendency of overemphasising the role and impact of technology on this process can be perceived. The Internet is undoubtedly a powerful tool in many ways, but it is not the driving force of social change.

With regard to virtual access there are also a number of constraints that need to be taken into account. First of all there is the digital divide, precisely one of the most important issues raised by the WSIS, and the problems related to the unequal distribution of access to infrastructure, and to the lack of sufficient skills required to use the Internet and to process the overload of information. These problems necessitate a critical assessment of the access to the WSIS process through virtual means. As a study by O'Donnell (2003) showed, the digital divide is as real for citizens, as it is for CSOs. Especially organizations in poorer regions of the world have difficulties in terms of capabilities and access.

Besides this more general problem, the process of introducing a document also induces a number of restrictions. First of all, only accredited CSOs may submit documents. Secondly, the rules of procedure also stipulate that statements will be posted on the WSIS site, *'provided that a statement [...] is related to the work of the Preparatory Committee and is on a subject in which the non-governmental organization or the business sector entity has a special competence.'* (WSIS, 2002a: rule 57). This is quite vague and it is also not known if contributions have been refused or not. In any case, control resides with the Executive Secretariat. Also, the sheer number of documents to be found on the ITU site makes it very difficult (and painstakingly slow) to navigate through them. Besides this, very little effort has been put in synthesising the comments and contributions made by the different actors.

The WSIS-ITU sites also provided very little (or no) possibilities for interaction and discussion among citizens or civil society actors for that matter. The UNESCO forum for civil society was an exception to this, but although exposure was high, active engagement by civil society was rather low, making it an easy target for criticisms relating to representativity (cf. UNESCO, 2003).

## **Participation**

Unfortunately, the WSIS process was not as open as projected in the official rhetoric and the opportunity to experiment with innovative co-decision mechanisms was not taken up. First of all, it has to be reiterated that the formal rules do not give civil society actors rights to vote in the preparatory process or the summit. The states still hold the negotiating role and the right to vote, as indicated in the ECOSOC 1996/31 resolution:

*18. [...] the arrangements for consultation should not be such as to accord to non-governmental organizations the same rights of participation as are accorded to States not members of the Council and to the specialized agencies brought into relationship with the United Nations.*

*[...]*

*50. In recognition of the intergovernmental nature of the conference and its preparatory process, active participation of non-governmental organizations therein, while welcome, does not entail a negotiating role. (ECOSOC, 1996/31)*

Rule 55 in the formal rules of procedures for the WSIS, drawn up during PrepCom1, also clearly stated that civil society actors may designate representatives ‘to sit as observers at **public meetings** of the preparatory committee and its subcommittees’ (WSIS, 2002a – our emphasis). In the ECOSOC resolution there is, however, no mention of limiting participation to public meetings. Ó Siochrú (2002: 1) pointed out that an earlier draft of the rules of procedure was much more open in this regard. It stated that representatives could sit as observers ‘in the deliberations of the Preparatory Committee, and, as appropriate, any other subcommittee on questions within the scope of their activities’. According to Ó Siochrú this ‘stronger option’ was dropped after ‘sustained opposition’ by some member states. Participation was reduced to the role of partial observer with the right to submit written contributions and with very restricted speaking rights.

Besides the formal rules restricting co-decision roles of civil society actors there are also more subtle restrictive practices at play. For example, the Civil Society Caucuses had set up an internal voting procedure, using its mailing lists, to select the representative of civil society to speak in the opening plenary. As such Lynne Muthoni Wanyeki from FEMNET (Kenya) and Carlos Afonso from RITS (Brazil) were suggested to the ITU by the Civil Society Caucus, but the ITU appointed Kicki Nordstrom, president of the World Blind Union instead.<sup>28</sup> Panganiban and Bendrath (2003) criticized this move by the ITU in their evaluation of the summit:

*We had selected our speakers in a fairly transparent and democratic manner before the summit. Then somebody in the ITU just took the list and arbitrarily picked and dropped people. We neither know who took this decision, nor why. But it denied civil society its right to choose who speaks on its behalf and brings its points across. This was especially clear in the opening ceremony. The selected speaker from the World Blind Union was nice, but had not participated actively in overall civil society discussions and therefore did not make our points. She even had been under pressure*

*from the ITU secretariat to include specific sentences in her speech. Oh, and by the way: This was even against the rules of procedure.*

Those that did get the opportunity to voice the concerns and priorities of civil society actors found themselves with a very small audience (Sreberny, 2004: 195).

### **Resistance Against Restrictive Practices**

Restrictive power mechanisms always induce and fuel different forms of resistance to these practices, which is the third component of the theoretical model on participation and power. Resistance manifested itself both within and outside the formal process. Here we will focus on resistance by the different stakeholders within the formal WSIS process, for more on resistance outside the formal process we can refer to the '*WSIS?We Seize!*' event organized by the Geneva03,<sup>29</sup> a collective of some 50 dissident CSOs. They organized five days of alternative events and actions. Besides this, one – rather marginal – demonstration was held against the WSIS, corporate control of information and in support of community media. It was organized on the last day of the WSIS (12/12/03) by an activist group called Collectif de résistance au SMSI (2003a; 2003b). They launched their appeal for action on the site of Indymedia–Switzerland. Only a mere 50 people showed up and were subsequently arrested or ordered to disperse by the more numerous security forces and police who were waiting for them. In effect, demonstrations were banned during the WSIS.

### **Resistance by Civil Society Actors**

The ITU and the WSIS Executive Secretariat have supported and encouraged all actors within the WSIS process to stage side events in the fringes of or in conjunction with the formal process. In doing so other voices were generated and many governments, business actors and civil society organizations took this opportunity to organise such a side event, be it a symposium, a panel discussion, a forum, a seminar, a presentation or even concerts or exhibitions. In total 274 side events were set up.<sup>30</sup> Almost half of them were organized by civil society organizations. These can, of course, not all be labelled as resistance, but nevertheless many of these events used the forum of the WSIS to voice alternative discourses. For example, the *World Forum on Communication Rights* (11/12/03) organized by the campaign for communication rights (CRIS) attracted more than 600 participants. Another example was the *Community Media Forum* (12/12/03), organized by ALER, AMARC, Bread for All, CAMECO, Swiss Catholic Lenten Fund and the WSIS Community Media Caucus. Under the heading *WSIS?We Seize!* some 50 dissident CSOs also joined forces within the Geneva03 collective. They organized five days of alternative events and actions outside the formal setting of the WSIS.

Civil society did, of course, also resist many of the above-mentioned restrictive practices within the formal context of the WSIS. By denouncing them in the first place, but also in more subtle ways, for example by bending the rules. There is evidence of a struggle between states concerning the degree of involvement of civil society. Wolfgang Kleinwächter, an academic who has been from the very beginning a very close observer of the WSIS, gives an account of several instances where the

minimalist Rule 55 was partially undermined and bent slightly to allow more participation by civil society.

*The idea was, that governments, if they start negotiations on a certain paragraph, would interrupt formally the negotiations and invite observers to make a statement to the point. Such 'stop-and-go-negotiations' would de jure not change the character of inter-governmental negotiations, but could bring de facto innovative input and transparency to the process. (Kleinwächter, 2004: 1)*

The publication of an alternative declaration by the Civil Society Plenary (2003), is also clearly an act of resistance. In this regard it should be noted that also the Youth Caucus, the Swiss CS Contact Group, the Indigenous and the Disabilities Caucus issued alternative declarations, introducing different perspectives and thereby also voicing their dissent towards the official declaration agreed upon by governments at the WSIS in Geneva.

The maturation of civil society as an active and efficient actor in global or regional governance is of course also threatening as many CSOs challenge the dominant discourses and policies that many states and business actors put forward. Some argue that without civil society as an active and engaging 'observer' within the process, the declaration would have been 'even' less sensitive towards citizens' needs (Kleinwächter, 2004). In this regard it is disturbing to see indications that (some) states and business actors have disengaged from the summit (cf. next points). Others are less optimistic and see the official process as a stalemate, a consolidation of the market-driven approach of the Information Society notion and a rejection to consider alternative paradigms (Ó Siochrú, 2004a).

### **Resistance by Business Actors**

During the PrepComs the number of written contributions by business sector actors, as well as their attendance could be qualified as rather low. In total some 125 companies, consultant firms or organizations representing corporate actors were active during the WSIS process. As table 4 shows business actors have not been very active in formulating their vision on the World information society within the (formal) PrepCom process. Their absence might be seen as a form of resistance towards possible changes.

It is, however, not unlikely that transnational corporations have other means available to get their views across, through lobbying governments directly or through the operations of so-called umbrella organizations. For example, many contributions from the business sector were produced by the Co-ordinating Committee of Business Interlocutors (CCBI) created by the International Chamber of Commerce (ICC) in order to '*mobilize and co-ordinate the involvement of the worldwide business community in the processes leading to and culminating in the Summit*' (ICC, 2003). Another important actor representing industry interests was ETNO, the European Telecom Network Operators.

Table 4: Participation of business sector actors and representatives

	PREPCOM1	PREPCOM2	PREPCOM3	WSIS-03
#Private Actors with Documents	4	7	6	-
#Private Actors Present	25	32	16	99
#Participants from Private Sector	35	61	30	513

Individual companies were much more reluctant to express themselves or be present at the meetings with their senior executives, let alone commit themselves to anything. Only 28 CEOs attended WSIS-03 in Geneva.<sup>31</sup> The senior management from Microsoft did not show up, nor many CEOs from major telecom operators or computer-hardware producers. The only ‘big’ industry players, within the information technology sector, who did send their CEO to the WSIS were Eutelsat (France), Nokia (Finland), Oracle (US), Fujitsu (Japan), Siemens (Germany) and Vodafone (UK).

### Resistance by States

Firstly, we can refer to the resistance of some states against increasing the role of civil society, which was voiced within the formal process and already mentioned above. Secondly, the turnout of heads of state and/or prime ministers at the WSIS-03 in Geneva was also quite meagre. As James Cowling (2003) asserts:

*the combination of heads of state (many from the developing world) and lesser political figures from the rich countries was revealing: it was hard to avoid the impression that the latter took WSIS less seriously than the former.*

This also shows in our data. The US delegation, for example, was as big as that of Gabon (66 delegates). From the 176 states present at the WSIS-03, only 42 countries did send their (vice-)president or prime minister. Western heads of states were almost totally absent. Only Switzerland, being the host, France, Austria and Ireland were represented by their head of state or prime minister. Moreover, table 5 shows that contrary to Western European or North American reluctance, African countries, as well as the Eastern European countries with their emerging capitalist economies were very keen on sending their head of state to the WSIS. The number of Asian countries represented by a head of state or prime minister was also relatively high compared to the number of Asian CSOs that attended the WSIS.

Table 5: Number of countries that were represented by (vice-)president and/or prime minister subdivided by region

Regions:	#Countries	%	Regions:	#Countries	%
Western Europe	4	10%	Asia	5	12%
Eastern Europe	8	19%	Oceania	1	2%
North America	0	0%	Middle East	3	7%
Middle America	2	5%	North Africa	3	7%
Caribbean	0	0%	Sub-Sahara Africa	13	31%
South America	0	0%	Southern Africa	3	7%
TOTAL:		42 Countries (100%)			

Finally, resistance by states did not only show in the low attendance by heads of state, but also in comments and statements relating to the official declaration. David Gross, the US ambassador who represented the US administration in the preparatory process, was quoted on Daily Summit as stating: *'These are important documents, although they are not legally binding, [...] they are important expressions of political will.'* Furthermore, he reduced the scope of WSIS to technological issues and framed it as a political summit: *'It would be incorrect to see a political summit as a way to decide technological issues'* (Gross quoted in Malvern, 2003). The highest US representative at the summit, Bush's senior science and technical advisor, John Marburger III, emphasized the need for *'supporting technological innovation'*, but did not mention the digital divide once during his plenary speech (Swift, 2003). This is problematic as these comments and statements undermined the whole effort of the summit and devaluated the reached consensus as formulated in the final declaration.

Resistance by states thus takes two contradictory stances. On the one hand by asserting that the WSIS deals with non-political, technological and economical matters, which implies that from a liberal perspective the state(s) should not intervene. On the other hand it is stated that the WSIS is 'not political enough', whereby the political is defined in a minimalist state-centred way, excluding civil society. From both perspectives civil society's role is discredited. The former interpretation excludes civil society, as the market is supposed to regulate itself and the latter interpretation excludes civil society because it is considered 'not-representative', and thus not politically legitimate.

## Conclusion

The process of the WSIS, seen as a dialectics of control where generative, restrictive and resisting power mechanisms are at play, has 'produced' a series of outcomes. Following our Foucauldian perspective (which resulted in the inclusion of the fourth component in our theoretical model: production) these outcomes are the result of the unique combination of strategies and power games of all actors involved, without remaining blind for their embeddedness in clearly unequal power structures. Next to the more material output, such as the documents, the summit has also produced (new or perpetuated) inter-actor relationships, patterns of behaviour and discourses on participation.

It goes without saying that access to the WSIS was high and facilitated by several generative practices. To a lesser extent this can also be asserted about the consultation of civil society, by letting CSOs voice their concerns (mainly through written contributions). Also, if we put the WSIS in an historical framework and compare it with other summits, substantial advances were made (Selian, 2004; Raboy, 2004). At the same time, however, we have to conclude that the ambitious rhetoric of 'full' participation has not materialized. Even the partial participation (using Pateman's vocabulary) of civil society at the summit remains problematic, as the alternative declaration and the frustration among many civil society actors show. At most we can speak of a consultative process. By extensively using the notion of (full) participation, as well as the notion of *'citizenship in the information age'* (EU, 2002: 12), when, in fact, consultation and dialogue is meant, international organizations are on the one hand giving civil society a voice

(generative power) but limit and restrain at the same time the impact of civil society (restrictive power). In contrast to this implicitly reductionist notion of participation being used by international organizations, we prefer to maintain a clear (as possible) distinction between access, interaction, consultation and participation, all embedded within the constant need to maximise the equalization of power relations (without ever reaching this 'ideal power situation', to paraphrase Habermas). This concurs with a more realist-step-by-step-approach towards making global governance processes more democratic.

From that perspective it can be concluded that summit negotiations aiming to reach a more globalized consensus are changing and shifting slowly towards increased – albeit informal – presence and consultation of civil society 'observers' within the (preparatory) processes of world summits. By fully taking up the opportunities given within the formal framework, by constantly moving the signposts of restrictions, by bending the rules, and by (at least more or less) speaking with a co-ordinated voice, the civil society caucus of the WSIS has asserted itself as a more mature partner in global governance. In this regard it is important to stress that the real outcome for civil society was not so much the formal process, on which it had a rather limited impact (Fücks, 2003; Dany, 2004), but the informal process of networking and mediation within civil society (Padovani, 2004a). It is especially here, but also in other ways, that the productive nature of the complex interplay between generative, restrictive and resistance practices shows itself most clearly.

However, if the rhetorics of increased participation (until now happily detached from its more radical meaning by international organizations and their member states) are to be fulfilled in the future, these international institutions should, amongst other actions, review the formal and legal rules that structure civil society 'participation', allowing for more equity, interaction and especially more moments of co-decisionship. Even more importantly, an in-depth reflection and consensus-building is required on the articulation of new definitions of two key components of democracy: participation and representation. These new definitions imply the broadening of participation beyond the limits of consultation, and the broadening of representation beyond the borders of political legitimacy through popular vote. Civil society from its part cannot ignore the learning opportunities offered by the experiences of the WSIS and needs to produce '*a new quality of balanced and substantial "positions" and "negotiable language"*', thereby '*challenging governments*' to give substantial answers, making the whole process more transparent (Kleinwächter, 2004: 2). Furthermore, if the rhetoric of a global 'bottom-up' policy process is to be considered genuine, the civil society caucus, as well as international institutions, need to devise strategies in order to include more CSOs from Asia and Africa. It remains to be seen, however, if the second phase of the WSIS, which will take place in Tunis in 2005, will allow for more of this type of 'real' civil society participation in the new preparatory processes and the 2005 summit. Many civil society activists have already voiced their concerns on whether they will be allowed to participate freely and exert their right of free speech (cf. Civil Society Plenary, 2003: 21).

Finally, the observed disengagement and disinterest by some Western states and some business actors, partly resisting to the increasing number and influence of

the dissident and critical voices emanated by civil society and to the demand of many developing countries for a digital fund, is a potential weakness in the multi-stakeholder approach. The realization of any action plan will require financial, as well as legal and political efforts from states (especially Western states), but also from the private sector since budgetary constraints limit (to some extent) the possibilities of states to act. If this trend continues, a clear danger arises that the WSIS as well as other summits (despite the UN's efforts to rethink civil society participation<sup>32</sup>) will end in an NWICO/UNESCO scenario of very ambitious goals and critical assessments, but no political – nor economical – will to actually turn even the watered-down declaration into a political reality.

## Notes

- 1 This refers to a multi-centred world system where states are no longer the sole actors or stakeholders, but international organizations, business and civil society also play their role in global or regional governance. For more on this see Rosenau (1990); Hemmati (2002).
- 2 This analysis focuses on WSIS-03, the first phase of the WSIS; in 2005 the second phase will be held in Tunis.
- 3 The ECOSOC resolution is a review of the UN resolution.
- 4 At the Conference on Environment and Development in Rio de Janeiro (Brazil, 3–14/06/1992) some 2,400 representatives of non-governmental organizations (NGOs) were present and about 1,400 NGOs were accredited, 17,000 people attended the parallel NGO Forum. At the 4th World Conference on Women in Beijing (China, 4–15/09/1995) 5,000 representatives from civil society were present, some 2,100 civil society organizations were accredited and about 30,000 individuals participated in the independent NGO forum (Stakeholder Forum, 2002). At the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban (South Africa, 31/08–07/09/2001) some 1,300 NGOs were accredited (WCAR, 2001). Alongside the official conference an NGO forum was held in which 8,000 CS representatives from almost 3,000 CSOs participated (UN, 2001c: annex-v).
- 5 Or New International Information Order (NIIO).
- 6 The well-known rhyme, which according to myth appeared sometime around the beginning of the seventies on a Paris wall, also takes advantage of this dichotomy between 'real' and 'fake' participation: '*Je participe, tu participes, il participe, nous participons, vous participez, ils profitent.*' (Verba & Nie, 1987: 0).
- 7 Not all authors agree upon the distinction between the Foucauldian concept of productive power and the Giddens concept of generative power. We here follow the interpretation Torfing (1999: 165) proposes: '*Foucault aims to escape the choice between "power over" and "power to" by claiming that power is neither an empowerment, potentiality or capacity [generative power], nor a relation of domination [repressive power].*'
- 8 In order not to do history too much injustice: Samuel Beckett wrote these often quoted sentences in relation to art and not democracy unrealized.

- 9 This objective legitimises the use of both qualitative and quantitative methodologies. The theoretical framework used in this paper allows us to avoid any post-positivistic tendencies in the use of quantitative methods.
- 10 We would like to thank Robin Mansell, Cees Hamelink, Claudia Padovani, Seán Ó Siochrú, as well as the OII WSIS seminar participants and two anonymous reviewers for their very useful comments.
- 11 Three preparatory meetings or PrepComs were held in Geneva (PrepCom1, 01–05/07/02; PrepCom2, 17–28/02/03; PrepCom3, 15–26/09/03, 10–14/11/03 & 05–09/12/03) and one intersessional meeting in Paris (15–18 July 2003).
- 12 When speaking of Civil Society Organizations (CSOs) we mean those organizations that are independent from market and state, as such we adopt a Gramscian approach to the civil society notion (Cohen & Arato, 1990: ix). Thus, in the data-file we filtered out business actors and local authorities that were included in the lists of attending civil society organizations.
- 13 On a total of 10,808 participants.
- 14 By ‘Active CSOs’ we mean organizations that have been actively involved in the WSIS process, by participating in the PrepCom-meetings, the summit itself, and/or by submitting a document to the ITU-WSIS website. We do however acknowledge that being present at meetings or summit does not per se mean that organizations were very active in the process itself.
- 15 Other relates to Middle East, Oceania & Unknown (the same applies for figure 3).
- 16 Bamako (Mali, 5–30 May 2002), Bucharest (Romania, 7–9 November 2002), Tokyo (Japan, 13–15 January 2003), Bávaro (Dominican Republic, 29–31 January 2003), and Beirut (Lebanon, 4–6 February 2003).
- 17 Refers to the total number of participants. It was, however, not possible to distinguish between CSO and official (state) representatives.
- 18 For Bamako, see <http://www.wsis2005.org/bamako2002/documents.html> (last accessed 26/01/2005).
- 19 Again, by ‘being active’ we mean submitting a document and/or attending the PrepCom-meeting.
- 20 Data was collected from the ITU-WSIS website and is dependent on correct registration of attendance.
- 21 <http://www.itu.int/wsis/>
- 22 <http://www.wsis-cs.org/>

- 23 Due to single organizations with a very high number of participants, a correction was made for Europe and for Africa.
- 24 World Electronic Media Forum, based in Switzerland, does skew the results for Europe considerably, as they had 507 participants at the WSIS2003. For the average number of participants we made the calculations with WEMF included and excluded.
- 25 APC, based in South Africa, does skew the results of Africa as they had 47 participants to WSIS2003. For the average number of participants we made the calculations with APC included and excluded.
- 26 See <http://www.wsis-cs.org/> for a full list (last accessed 26/01/2005).
- 27 As stated before we decided to disregard the local authorities in our data on CSOs.
- 28 For a full list of the CS speakers see URL: <http://mail.fsfeurope.org/pipermail/wsis-euc/2003-December/000157.html> (last accessed 26/01/2005).
- 29 For more on this see URL: <http://www.geneva03.org/> (last accessed 26/01/2005).
- 30 For a full list see URL: <http://www.wsis-online.net/event/events-list?showall=t> (last accessed 26/01/2005).
- 31 For a full list see: <http://businessatwsis.net/realindex.php> (last accessed 26/01/2005).
- 32 cf. Secretary-General's Panel of Eminent Persons on Civil Society and UN Relationships, URL: <http://www.un.org/reform/panel.htm> (last accessed 26/01/2005).

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