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Civil Society Participation in Multi-Stakeholder Processes:
in between realism and utopia

Bart Cammaerts[1]

Short Bio:

Dr. Bart Cammaerts (b.cammaerts@lse.ac.uk) is lecturer at the Media and Communication Department of the London School of Economics and Political Science (LSE). He teaches on the relationship between media, communication, democracy and citizenship. His research interests include alternative media, use of media by social movements and activists, e-democracy and internet-use in multi-stakeholder processes. He chairs the communication and democracy section of the European Communiation Research and Education Association (ECREA). This chapter is the result of a Marie-Curie Fellowship, granted under the European Community Programme *"Improving Human Research Potential and Socio-Economic Knowledge"*.

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1. INTRODUCTION

As the legitimisation of international organisations, as well as other institutions, is being questioned more and more, these institutions are trying to find new ways by which to involve non-state stakeholders—citizens, civil society actors or organised citizens, and private actors—in their decision-making processes. Recent examples of such so-called multi-stakeholder processes are the UN World Summit on the Information Society (WSIS) and the Convention on the Future of Europe, set-up to design a European constitution. Both the WSIS and the Convention were presented as a new step in making global or regional policy processes more democratic, transparent and participatory (including the use of the Internet to facilitate participation).

While on the one hand some propagate a vision of a developing cosmopolitan democracy or the introduction of democratic principles at a global level, more realist authors on the other hand criticise this utopian notion and argue for a more step-by-step approach towards democratising politics beyond the nation state. When analysing current global or regional political processes it becomes apparent, however, that the latter more realist perspective is more in tune with what is actually happening on the ground. At present, civil society actors are only given access to the process, they are in effect mere observers with limited speaking-rights and are not allowed to fully (or partially for that matter) participate in decision-making processes. Several explicit or implicit restrictive power-mechanisms are at play to contain civil society activism and their genuine or 'full' participation (Cammaerts & Carpentier, 2005).
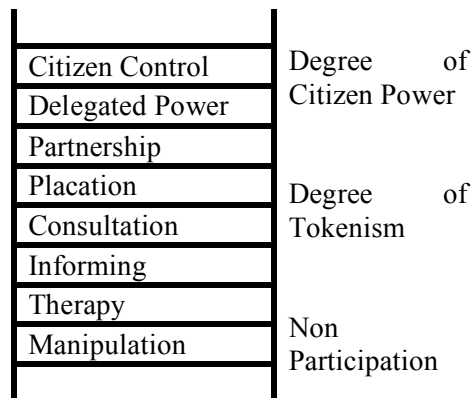
While the use of the Internet is promoted as an interactive means to facilitate participation of citizens and civil society organisations in a policy-process, it can at the same time be perceived as a way to give citizens and civil society the impression that they can contribute, while not much is being done with their contributions. But there is also evidence of a greater openness towards civil society actors, some minor successes in terms of influence and above all increased capacities of civil society to co-ordinate its action and develop a consistent counter-discourse (cf. the alternative civil society declaration introducing a human-centred social vision of the Information society). This chapter will therefore argue that both positions, realist and utopian, are needed in order to move the signposts beyond what is 'realistically' possible and to strive for more participatory, inclusive and democratic changes in global, as well as regional governance.

To make this case, this chapter will analyse the rules that govern civil society participation in policy-processes and how the so-called multi-stakeholder approach is implemented and will also draw upon some of the results of two surveys directed at civil society organisations (CSOs) that participated in the WSIS-process or in the Convention on the Future of Europe.

2. PARTICIPATION AND POWER: KEY-NOTIONS FOR MULTI-STAKEHOLDER PROCESSES

Participation is, as is the case of so many of these terms, a contested notion[2]. Some years ago Pateman (1972: 1) referred to the elusiveness of this notion: '*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*'. The WSIS civil society bureau, responsible for co-ordinating the relationship between civil society and the ITU, used the term *'full participation'* in describing its facilitating or enabling task. Turning to Pateman (1972: 71) again, she defines full-participation as: '*a process where each individual member of a decision-making body has equal power to determine the outcome of decisions.*' Arnstein's (1969) ladder of citizen participation differentiates this stance in relation to policy contexts and identified different layers going from non-participation over tokenism to citizen power (Fig 1.).

Figure 1: Ladder of Citizen Participation (Arnstein, 1969)

Citizen Control	Degree of Citizen Power
Delegated Power	
Partnership	
Placation	Degree of Tokenism
Consultation	
Informing	
Therapy	Non Participation
Manipulation	

These different layers also show that degrees of participation can be identified, which leads some authors to distinguish between 'real' or 'full' and 'partial' participation (Pateman, 1972: 70), 'pseudo'-participation (Verba, 1961: 220-221) or 'manipulative' participation (Strauss, 1998: 18), thereby acknowledging and indicating the subtle differences between enabling an actor to potentially influence, but not to decide upon things—as Pateman conveys with partial participation, as well as Arnstein with tokenism, and giving an actor the impression or feeling that s/he can influence and participate, without actually delivering—as Verba and Strauss capture with their respective notions.

Important in this regard is to identify how participation is shaped and power exercised within policy- or decision making processes. In general terms two aspects should be taken into account here. Firstly, the rules of procedure, stating how the different actors are involved in the process, what their rights are and what the limits of their participation are. Secondly, there is the much less tangible level of the informal powermechanisms and relations. On both levels, formal and informal, subtle or less subtle, restrictive powermechanisms, as well as productive powermechanisms, are at work. The former limit 'full' participation, the latter allow for some form of participation, at best partial participation, to take place. The interplay of the formal and informal processes determines the degree of participation. While the formal rules of procedure are usually quite strict, on an informal level and in praxis those strict rules

tend to bend, thereby moving the signposts and leading to the potential transformation of input into impact. (Cammaerts & Carpentier, 2005). Turning input into genuine influence, certainly within an international or transnational context, also requires building networks and seeking broad support.

Furthermore, in analysing multi-stakeholder processes a distinction needs to be made between 'access' to the formal process and 'participation' within the formal process. Giving CSOs access to the process is in itself not enough for that process to be truly participatory. As Pateman indicated full participation refers to equity and to being able to genuinely influence outcomes. To a certain degree this ideal situation of equally distributed power can be seen as the utopian end of the spectrum. Actors who take this normative stance frequently use notions such as fake or manipulative participation. From a realist perspective, the other end, power is unequally distributed between those who have and those who have not, between those who know and those who know not, between those who enforce and those who resist. Also, some goals are preferred above others and some actors, institutions or individuals get privileged above others (Haugaard, 1997). From this perspective, the theoretical normative position of equal distribution of power has never existed and it remains very questionable whether this utopian non-place will even be reached. Exerting power is, however, not merely a prerogative of the mighty and 'power'ful, as the *'dialectics of control'* (Giddens, 1984: 15) shows us. Power-relations are, as Davis (1991: 70) recalls, *'always reciprocal, involving some degree of autonomy and dependence in both directions'*. As such, they are as much productive—fuelled also by resistance, as restrictive. The so-called power-less can resist, can 'exploit' the weaknesses of the dominant actor, can develop counter-hegemonic strategies as a broad range of different actors with different ideological backgrounds, political aims, and political strategies are doing day in and day out.

This chapter argues that both positions, the normative and the pragmatic are in fact complementary from the perspective of fostering social change and the struggles to achieve it. While the latter will fight for change step-by-step within the structural constraints, the latter focuses on the constraints and keeps the pressure on for further steps to be taken.

3. CIVIL SOCIETY AND MULTI-STAKEHOLDER GOVERNANCE

It is fair to say that nation states are no longer the only players on the international stage (Rosenau, 1990; Held & McGrew, 2000). Civil society, as well as market actors, have manifested themselves increasingly as active actors in processes of global governance. At the same time the number of issues requiring global or at least international solutions have become more prominent on the political agendas of citizens, CSOs and (some) governments (Urry, 2003; Held, et al., 1999: 49-52). Examples of such issues are: child labour, ecology, security, mobility, migration or human rights. In this regard, the emergence of transnational notions of citizenship are also relevant (Bauböck, 1994; Hutchings & Dannreuther, 1999; Sassen, 2002). However, this does not mean that transnational issues or transnational networks as such are a totally new phenomenon (Boli & Thomas, 1997: 176; Geary, 1989). Nor does it mean that the national or the level of the nation state has become irrelevant or less important. For example, in terms of global or regional co-operation and rules,

implementation and in many cases enforcement is still dependent on national consensus and the adoption of international engagements by national parliaments.

Another observation relates to a crisis of institutions, be it the nation state or international/regional organisations. The former are caught between a strict budgetary framework and high demands by its citizens, trying to reconcile national interests and cultural specificities with international obligations and co-operative regimes. The latter are often facing criticisms aimed at their (questionable) democratic legitimisation, in combination with accusations of having their own (neo-liberal) agenda. However, this crisis in the legitimisation of (international) institutions cannot be separated from the crisis of liberal representative democracy within nation states (Dalton & Wattenberg, 2000. Regarding the latter can be referred to political disengagement by large parts of the population, distrust in politics generally, lower voter turnout, the rise of populist and neo-fascist parties, etc. The more the representative democratic system at the national level is being questioned and challenged, the more difficult it has become for international institutions to rely solely on state representatives to formulate policies (Mathews, 1997). Institutions such as the EU and the UN look to civil society and business actors—amongst others—to legitimise policies that can be built on the broadest support possible from the different actors involved in the complex game of multi-stakeholder governance. Hemmati (2002: 2) defines ideal-type multi-stakeholder processes as *'processes which aim to bring together all major stakeholders in a new form of communication, decision-finding (and possibly decision-making) on a particular issue.'*. He also points to the importance of equity and accountability, as well as to the need for the presence of democratic principles such as transparency and participation.

The recent rise in political discourses of the multi-stakeholder notion has to also be seen against the backdrop of theoretical efforts to extend democratic principles beyond the confinements of the nation state. In this regard, we can refer to David Held's Kantian and somewhat idealistic conceptualisation of cosmopolitan democracy and to its realist critical responses (Held, 1997; Hutchings & Dannreuther, 1999; Saward, 2000; Patomäki, 2003). While in themselves worthwhile to strive for, as an ideal, 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 defects in—democracy in many national contexts. Patomäki (2003: 371) points to many of these constraints and argues for the conceptualisation 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 then a closed linear process towards cosmopolitan democracy. From Patomäki's perspective multi-stakeholder processes are steps in a learning process of all actors involved in building trust and in gradually reforming and democratising international politics.

Three main actors or stakeholders[3] can be identified at an international level. Firstly, states of course, who remain the main and dominant actors. Secondly, business actors who have become crucial partners, as nation states are no longer active economic actors and are restricted in their actions by the international financial markets or regional agreements such as the European Monetary Union. Finally, there are civil society actors, who are perceived as representing the local, grass-root level, including

specific interest groups and transnational social movements, and also as counterbalancing the dominance of corporate actors and of state representatives. This chapter focuses on civil society, defined here as a non-profit sphere with relative autonomy from state and market in which citizens organise and communicate in terms of social and political goals. This is in line with a Gramscian view on the relationship between state, market, civil society and citizens whereby civil society is conceptualised as having a relative autonomy from state and market (Cohen & Arato, 1992: ix) . This does not mean, however, that civil society is seen as a singular and consensual actor. It is diverse in its structures—from grass roots to regional or international CSOs—and also diverse in its ideological orientations—from extremely conservative and reactionist to radically progressive or revolutionary. As such, it needs to be acknowledged that power relations and tensions also exist within civil society itself. Furthermore, civil society is not ammensurate with NGOs, rather NGOs are part of civil society.

Forging links with CSOs has for many years been an explicit strategy of UN institutions in order to increase transparency and accountability when taking global initiatives. In fact, consulting 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 UN Economic and Social Council (ECOSOC) resolutions have deepened and formalised this relationship further. The most important ones are the UN Resolution 1968/1296 and ECOSOC Resolution 1996/31, the latter being a review of the former, establishing a solid legal framework for 'partnership' between civil society and the UN institutions. Concrete examples of the multi-stakeholder approach can be found in development policies (see Smillie, et al., 1999), and also in the growing participation of non-state actors in World Summits sponsored by the UN (UN, 2001b).

In the 1990s the concept of civic dialogue also emerged within European political discourses (European Commission, 1997). This should be seen as a reaction to criticisms of a democratic deficit at the European level. The attempts to build a supra-national state are perceived by many of European citizens to be mainly an economic project, fostering liberalisation and a neo-liberal agenda. The many protests of recent years directed at international organisations, including the EU, prompted the political elite to adopt a more collaborative attitude towards civil society in order to strengthen the former's legitimacy. The result was a discussion paper called 'The Commission and non-governmental organisations: building a stronger partnership' (European Commission, 2000), and in a subsequent White Paper on European Governance considerable attention was given to 'involving' civil society and the introduction of a *'reinforced culture of consultation and dialogue'* (European Commission, 2001: 16).

The remainder of this chapter will focus on how these participatory discourses materialise in a real life context where vested interests of the different actors are at play

and structural constraints are made explicit. How are consultation processes assessed by civil society actors? Which rules enable, but at the same time restrict civil society participation?

4. CIVIL SOCIETY 'PARTICIPATION' IN THE WSIS & THE CONVENTION

In view of its longstanding partnership with NGOs, the UN considered the involvement and participation of civil society in its World Summit on the Information Society (WSIS) to be paramount.. Besides stating the intention *'to address the whole range of relevant issues related to the information society'*, the UN Resolution 56/183 encouraged:

> *"intergovernmental organisations, including international and regional institutions, non-governmental organisations, 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: 1-2)

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"* (emphasis added). 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 and, as such, it represents a first step in putting the more participatory policy discourses into practice. In many ways the WSIS was presented as a model for the new multi-stakeholder approach followed by the UN.

At a European level of governance, the participatory discourses stating to involve civil society are also increasingly being put into practice. The Laeken Declaration on the future of Europe, which formed the legal basis for the Convention set-up to discuss the future of Europe and draft a constitutional document, stated that an online forum would be developed:

> *"In order for the debate to be broadly based and involve all citizens, a Forum will be opened for organisations representing civil society (the social partners, the business world, non-governmental organisations, academia, etc.). It will take the form of a structured network of organisations receiving regular information on the Convention's proceedings. Their contributions will serve as input into the debate. Such organisations may be heard or consulted on specific topics in accordance with arrangements to be established by the Praesidium."* (European Council, 2001)

This quote also shows that a very broad definition of civil society was adopted, including business actors. It also shows that the European leaders were careful in choosing their wording. The notion of participation, for example, is not used at all in the Laeken Declaration. However, the EU-Commission is more straightforward in stressing that *"the full participation of civil society and other interested parties in the preparation of policy has a real impact on the quality and effectiveness of policy"* (European Commission, 2005: 11 – emphasis added).

The following section assesses the implementation of these participatory discourses in view of the WSIS and the Convention process. We will do this by analysing the rules of procedure adopted to structure civil society 'participation' as well as the results of a survey directed at CSOs active within the WSIS and the Convention[4]. The survey was designed to provide respondents with the opportunity to substantiate certain questions and as such the results can also give qualitative insights.

4.1 Rules of procedure

All multi-stakeholder processes are guided, structured and limited by rules that are partly based on legal precedents and guidelines specifically drawn-up to fit the kind of consultation at hand. Crucial in this regard is that such rules of procedure are both productive, in that they allow consultation to take place, giving certain rights to civil society actors, and restrictive, in that they limit the degree of participation. Another feature of such rules is that they are usually set by those that hold power and are not a subject for negotiation between the different stakeholders.

WSIS

The formal rules making the 'participation' of CSOs in World Summits possible are based on the ECOSOC 1996/31 resolution passed by the 49th plenary meeting in July 1996. This resolution serves as a general guideline defining the consultative relationship between civil society and the UN. 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 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 1st of 3 Preparatory Committees (July 2002), relates to the participation of non-state actors, including CSOs.

> *"Rule 55*
>
> *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 <u>accredited</u> civil society and business sector entities *"to actively participate in the intergovernmental preparatory process and the Summit as observers"* (WSIS, 2002a). Furthermore, it also encourages non-state actors to submit written contributions and pledges to post these on a Web site and to distribute the

executive summaries to Member State representatives and other interested parties. In accordance with this the ITU Executive Secretariat developed an online platform specifically directed at involving, among others, civil society actors in the WSIS preparatory process.

Convention

In Europe there is a long legacy of consulting social partners in the framework of the welfare state. However, the notion of civil society only appeared recently in European political discourse. The 2001 Treaty of Nice adapted article 257 to include *'organised civil society'* in the Economic and Social Committee. It also called on the European institutions to start *'wide-ranging discussions with all interested parties: representatives of national parliaments and all those reflecting public opinion, namely political, economic and university circles, representatives of civil society, etc.'* on the future of Europe. The definition of civil society adopted by the European institutions is, however, still contentious. Due to the tradition of dialogue with social partners such as labour unions and employers' organisations, business actors are often included within the definition of civil society. This inclusion is problematic as it makes consensus building within civil society near-impossible due to the very different interests and ideologies of non-profit organisations on the one hand and business actors on the other. What is called civil society from a Gramscian perspective is coined by the Commission as Voluntary Organisations or NGOs (European Commission, 1997/2000).

Besides these mentionings in the Nice treaty and in communications by the Commission, there is little legal ground for the consultation of civil society actors in formal decision-making processes at an EU-level. Instead many *ad hoc* arrangements are made to give civil society actors access to the EU at different levels. The 2001 White Paper on European Governance mentions the existence of nearly 700 consultative bodies within the EU institutions, but again includes purely business consultations such as 'business test panels'. Smismans (2002: 11) is right in stating that:

> *"There is a tension between, on the one hand, the Commission's tendency to define civil society so broadly that all sorts of participatory and consultative fora could be considered as sources of legitimacy and, on the other hand, its proposals to institutionalise contacts with civil society, which seem primarily focused on the NGO sector"*

The Convention on the future of Europe adopted a document that defines the rules of how to proceed. It foresees the establishment of an online forum where civil society actors are invited to publish their contributions and citizens can interact and discuss the issues at hand. Article 9 point 2 of the Convention Working Methods stated that: *"The conditions under which the Forum's contributions will be forwarded to the Convention, and the conditions under which participants in the Forum may be heard shall be determined by the Praesidium."* (Convention Praesidium, 2003). It is clear that by this statement the Praesidium gives itself total control. Besides this, the note 'The Convention and Civil Society' also calls for a plenary session of the Convention devoted to civil society. This was held on the 24th and 25th of June 2002 and chaired by Jean-Luc Dehaene, one of the vice-presidents of the Convention and the former Belgian Prime Minister. The civil society plenary session of the Convention attracted 678 participants from about 500 organisations.

Although still problematic in many ways, the Convention process can be described as the most inclusive attempt by the European institutions at treaty-making. In the past European treaties were negotiated only by heads of states in secluded environments, far removed from citizens and everyday life. But in the end it is the so-called Inter-Governmental Conference (IGC) bringing together prime ministers, a chancellor (Germany) and a president (France), that decides on the final texts.

Assessment

Although both the WSIS and the Convention foresaw instances where civil society could voice their concerns directly, a heavy emphasis was put on introducing contributions to the debate through the Internet. The Internet is thereby seen as an efficient and productive way to facilitate participation and the involvement of civil society in the policy process. However, besides the obvious constraint of the digital divide, which also applies to CSOs (O'Donnell, 2003), the use of the Internet in view of multi-stakeholder processes is in many ways problematic. First of all, in both cases control over the Web site and what goes on it rests with the organising institution, be it the Convention Praesidium or the ITU. Secondly, the vast amount of contributions makes it very difficult (and painstakingly slow) for interested parties to read and digest the input. Some effort was put into synthesising the comments and contributions made by the different actors, especially in the Convention process, but 'participants' are not given feedback as to whether their written remarks or recommendations were taken up or not and why. Finally, the use of the Internet in a formal policy context can easily be seen as a way to give the impression that citizens or CSOs can participate, while not much is being done with their contributions. In order to avoid the criticism of being little more than window-dressing, Internet-use in relation to formal policy processes should be embedded in a democratic and civic culture that allows for transforming input into impact.

The mediating and facilitating functions of the Internet relate more to access than to participation. The Internet has been an important tool with regard to making (written) contributions from civil society 'accessible' to governments, officials, other CSOs, and citizens. But the actual decision-making takes place during the 'offline' preparatory meetings or in the case of the Convention through lobbying official delegates to the Convention and not on or through the Internet. In this regard it is important to, again, make the distinction between civil society being allowed to voice their concerns and ideas within a formal policy setting and civil society actors as democratic partners within a framework of co-decision, interaction and equity.

The notion of full participation in the official discourses of both the UN and the EU clearly has a very different meaning than that expressed by democratic and participatory theories. What is meant is access, consultation and perhaps—in some instances—dialogue, but certainly not (full) participation within a participatory democratic framework.

4.2 Quantitative & Qualitative Evaluation of the WSIS- & Convention Process

The survey respondents were asked to evaluate respectively the WSIS or the Convention through a combination of closed and open-ended questions relating to their involvement in the respective processes, their networking practices and the use of the

Internet in that regard. The answers to open-ended questions proved most relevant as it allowed respondents to substantiate their evaluation of the process and the outcomes. It also allowed us to use the data in a qualitative way.

WSIS

Some 45% of respondents considered the WSIS a success or somewhat of a success in terms of the outcomes, namely the official WSIS-declaration adopted in Geneva in 2003 and the action plan stating how the declaration will be implemented (cf. Table 1).

Table 1: Was the WSIS a success in terms of the outcomes?

Absolutely, yes	5% (N=3)
More or less	39% (N=21)
Neutral	15% (N=8)
Overall, it was a disappointment	30% (N=16)
It was not a success at all	11% (N=6)

With regard to the qualitative assessment, the general feeling could be described as follows: given the complexity of the issues and the broadness of the theme (cf. Information Society) it is already a minor success that there is a declaration and an action plan at all. To quote one respondent: *'Taking into account the complexity of the operation, we couldn't do better without confrontation'* (R-38, m - translation by the author). Many respondents also differentiated their verdict between the declaration on the one hand and the action plan on the other, being very sceptical with regard to concrete implementation of the latter. One respondent mentioned: *'Specificities are missing regarding how to implement the Action Plan and with which resources.'* (R-21, m - translation by the author). There was, however, also a substantial group of respondents who were truly dissatisfied about either the declaration or the action plan. They claim that the fundamental questions have not been addressed or that certain issues are totally missing in the document. One respondent referred to the old NWICO[5] debate, which remained unresolved after the WSIS: *'We consider that the fundamental debate (between freedom of information and the right to communicate) that made the NWICO fail, was not addressed at all'* (R-50, m - translation by the author). Another respondent criticised the lack of any reference to communication *'as the basis of social relations'* and no strong position about the *'participatory and open and transparent dimension of knowledge societies'* (R-51, f).

A distinction can be made between respondents who adopted a realist stance and feel that a worse outcome was avoided and more idealist respondents who felt that the essential issues were not addressed. Some respondents also referred to the alternative civil society declaration, which was agreed upon by the civil society caucus and published almost simultaneously with the official UN-declaration, as the more important outcome of the conference: *'it was about as successful as we expected - not much in it. The real focus was the Civil Society Declaration'* (R-16, m). This response highlights the importance of the WSIS in terms of a window of opportunity for civil society networking and consensus-building.

Respondents were also asked to evaluate the WSIS consultation process and the involvement of their organisation in that process. This resulted in a similar polarisation. One respondent remarked: *'I am very happy with the outcomes we*

succeeded to have. (...) Without our efforts, we faced the risks that youth would not have been mentioned in the documents' (R-3, m). Another stated that the consultation process was a *'very good approach'* (R-12, f). Others were positive, but also realistic as to the outcomes: *'Very significant effort leading to modest outcomes which we were content although not ecstatic about'* (R-48, m). However, many respondents were also highly critical of the participatory rhetoric relating to the so-called multi-stakeholder process: *'It remained far behind the expressed innovative approach to the summit (process tri-partite [referring to the 3 main actors or parties involved]); Civil Society in various regards was treated as a fig leaf'* (R-26, m) or *'The consultation process itself was largely a disaster, and Civil Society was not brought in as a "partner" in the way described by the ITU'* (R-49, f).
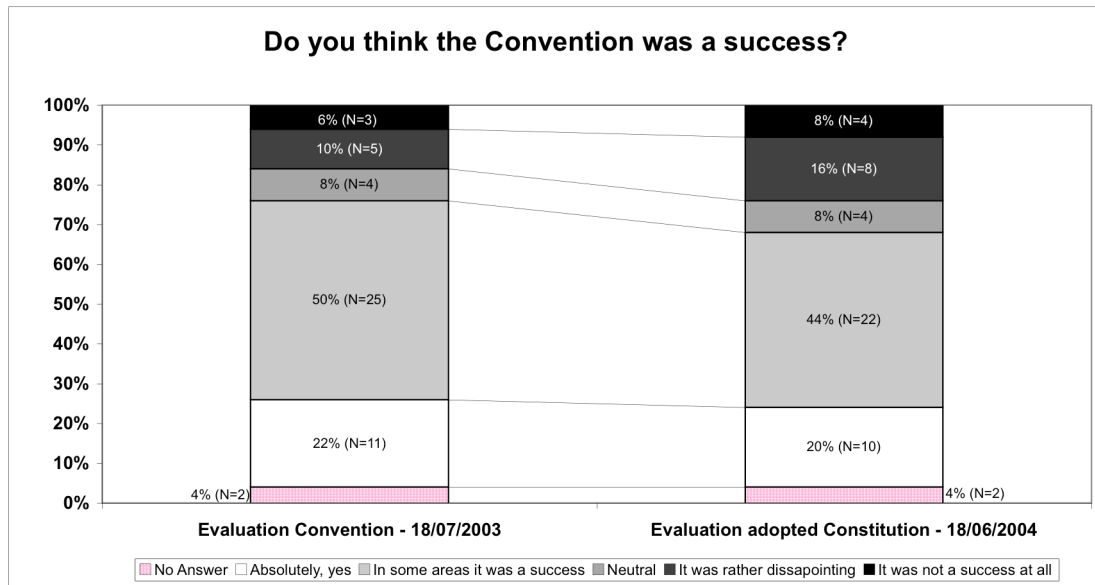
In line with these remarks another respondent dismissed the dominance of states within the process, especially during the final stage of negotiations when finalising the declaration and action plan: *'Closed government working groups excluded us from what we had been informed would be open meetings for us to take part.'* (R-36, m). This shows the tension that exists within civil society between a feeling of broken promises and frustration with the process and more realistic views, such as this respondent who stated that: *'because the WSIS is a government summit, it is only normal that states have the last word. I think representatives from civil society are overly optimistic about their decisional weight.'* (R-38, m - translation by the author). Other respondents were also critical of civil society itself, especially its fragmentation and its broad array of demands on a number of issues for inclusion in the declaration: *'The fragmentation of the claims made by civil society undermine its capacity to act.'* (R-50, m - translation by the author).

In assessing the outcomes of the WSIS, respondents are torn between a realistic stance and a normative utopian stance on civil society participation. However, both positions agree more or less that civil society did not have a profound impact on the formal process, nor did it shift the existing power balances in a significant way. From a realist perspective this was to be expected. From the utopian perspective the rhetoric's of participation and inclusion fell far short of the raised expectation.

Convention

The draft constitution, the outcome of the Convention, was evaluated fairly positively by most respondents (cf. Figure 2). About 72% (N=36) of respondents thought the Convention was a success in this regard, at least in some areas. Only 16% (N=8) of respondents believed the Convention was rather disappointing or not a success at all regarding the final document.

Figure 2: Evaluation of the outcomes

Respondents were asked to evaluate both the Convention draft constitution and the subsequent final text agreed upon by the IGC during their June 2004 meeting in Brussels. About 10% of respondents shifted from a positive to a negative disposition because of the compromises and the wheeling and dealing between the different Members States prior to reaching agreement on a constitutional treaty.

This is also reflected in some of the remarks respondents made to substantiate their assessment: *"Unfortunately, the IGC reopened the text and changed some aspects. The power struggles in the Council have shown that an open, transparent and representative process like the Convention is much more appropriate for drafting EU treaties"* (R-45, f). But, all in all, most respondents acknowledged that the IGC has not made fundamental changes to the draft constitution, as presented by the Convention. Many also feel that this is precisely the success of the Convention. Because the Convention was able to present a document that could draw upon broad support, it was almost impossible for the Heads of State to radically change the draft-constitution as presented by the Convention. Some respondents also alluded to this agenda-setting power of the Convention: *'The content was largely fixed by the Convention, which is also its success'* (R-12, m - translation by the author).

As was the case with the evaluation of the WSIS, a polarisation regarding the overall assessment of the Convention process could be observed. On the one hand, there are comments like: *"It isn't worthwhile to consult when the views of participants are not taken into account (…) That is not democracy…"* (R-13, m – translation by the author), *"they ask you to send studies, which are not used"* (R-29, m – translation by the author), *"We have been totally ignored and that has disappointed us greatly"* (R-4, m – translation by the author) or *"we have transferred the result of our reflections, but we think they have not served"* (R-11, m –translation by the author). Negative comments relating to content, such as a too pro-European stance or the lack of references in the constitution to animal rights, and not being able to achieve what one wants as an organisation aligned with a negative assessment of the process as such. On the other

hand, there is also positive feedback as these comments indicate: *"We think the Convention-formula has assured a maximum productivity in political terms"* (R-30, m – translation by the author), or *"The process opened new frontiers for our organisation, which, after all, works on a European level with members in many EU (and other) countries"* (R-27, f).

Besides these two opposite positions a third can be identified—those holding a rather mixed view of the consultation process. While acknowledging the positive aspects of it, these respondents also see the constraints and voiced their critical concerns. These more balanced views are often better argued and substantiated than the more negative views described above. Below are two examples of such shaded perspectives:

> *"It is without doubt that the Convention did a lot to develop the awareness of large segments of the civil society of the importance of the European integration. But, in terms of influence, the result was pretty limited on the work of the Convention"* (R-49, f)

> *"The convention has not entered into dialogue enough with civil society. But, regarding our own organisation, it is clear that the Convention has provided a burst for its dynamism"* (R-32, m - translation by the author)

The assessment of the Convention process from a civil society perspective is thus one of a combination of optimism, in some cases even enthusiasm, and pessimism about the lack of real dialogue and the treatment of minority positions. However, from a pragmatic point of view, politics is always about making compromises and striking a balance. As one respondent stated: *'It was a compromise, and as always, a compromise means that you did not get it all.'* (R-46, m).

In many ways, these shaded responses confirm the analysis of Pollak & Slominski (2004) that the convention-model is not perfect, but much more representative and inclusive then an IGC where only Heads of States or Prime Ministers decide.

5. CONCLUSIONS

The results of this study show that the implementation of the participatory discourses regarding democratic processes stationed at a global or international level is deeply flawed. It is even debatable whether the notion partial participation can be used for the WSIS or the Convention process. Tokenism seems more appropriate. Some activists within the WSIS even stated that their role was reduced from active participant, as foreseen in UN Resolution 56/183, to silent observer. The reduction of participation to observer or to posting a contribution on an official Web site is highly problematic as to participate is never an end in itself, but a means to achieve certain goals and objectives. By reducing participation to access, participation is disconnected from the democratic theories that lie at its basis. This may result in disengagement and frustration— especially among grass roots local and national CSOs. This is precisely the opposite of what was intended by involving civil society. Nevertheless, small steps were taken towards more inclusion.

Some actors acknowledge this, others are more critical and consider the whole process as pure window-dressing. This tension between an ethical, utopian approach towards

the democratisation of global governance and a more realist approach, accepting the structural constraints and trying to achieve change from within, has to be seen in a constructive complementary way. Processes of social change are as complex as society itself. It is therefore paramount that struggles for social change are not only waged simultaneously at different levels of political behaviour, but also at different levels of governance: local, national, regional, global. This is complicated, as it also requires adopting different strategies for different levels and coping with cultural and political differences and tensions when translating a struggle to a local context.

Social change is very much a dialectic process. Revolutionary views and ideals are central—even if they describe a non-place or a never-to-be place, they act as a beacon to keep debate alive and to place social change firmly on the political agenda. The reformist position can use this idealism to make change happen, albeit step-by-step, and influence formal political actors into implementing their promises or changing their positions. As such, the WSIS and the Convention should be seen as a step in a (learning) process for all actors involved towards making a more equitable multi-stakeholder governance a viable reality. But for more steps to be taken, as well as to keep the debate moving, a utopian vision remains crucial. From this perspective Held's normative notion of cosmopolitan democracy is as useful in the struggle for social change as Patomäki's step-by-step open-ended realism.

There is, however, an underlying problem that overshadows the efforts of international/regional institutions, nation states and CSOs alike, to slowly democratise political decision-making beyond the nation state. The negative outcomes of the referenda on the European Constitution in France and the Netherlands, as well as the total lack of attention for, and debate on, the WSIS in many national mainstream public spheres show the inherent weakness of so-called participatory and deliberative political processes such as the Convention and the WSIS. The many citizens who feel frustrated remain unconvinced. Moreover, some have totally disengaged from democratic politics, demonstrating the failure of one of the main reasons to reform political decision making processes at different levels of governance. Such alienation points to an apparent disconnect between the visions and interests of the (ruling) political, economic and cultural elites, including large parts of civil society, and the fears and hopes of many citizens. It will take more then an elaborate Web site and a light form of consultation to overcome this problem. Nevertheless, it remains one of the biggest challenges for present day democratic cultures, be it at a local, national, regional or international level.

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Notes:

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[2] For a more in-depth theoretical analysis of participation among others in relation to the WSIS, see: Cammaerts & Carpentier (2005)

[3] The boundaries between these different stakeholders are often blurred. For example, within the WSIS, lobby organisations of media and communication industries and even local governments were sometimes listed as being part of civil society. In the Convention process local authorities were also considered to be part of civil society.

[4] Based on our minimalist definition of civil society, business actors, as well as local authorities have been filtered out. The invitation to participate in the online surveys was sent to most of the participating civil society organisations in the Futurum forum and in the WSIS-process. Regarding the latter, 522 out of 595 organisations could be reached and of those 10,3% (N=54) responded. In the case of the Convention, 384 of a total of 401 civil society organisations were reached, of which 13% (N=50) responded to the survey. Due to these relatively low

response-rates, which is typical when surveying organisations through the Internet, these results are not statistically representative for the whole of civil society, but rather indicative of the views of civil society participants of the Convention process and of the WSIS-process.

[5] New World Information and Communication Order, see: McBride (1980)