1. 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. This has prompted states and international institutions to adopt a so-called ‘multi-stakeholder approach’, involving more and more business- as well as civil society- actors. The rhetorics 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 organisational 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.

We will be focussing foremost on civil society and its role within the WSIS-process. 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 organisations received recognition for their role in the democratisation 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 (organised) citizens interact. This does, however, not mean that we see civil society as one singular actor, it is diverse in its structures, going from grass-roots to regional or international civil society organisations. Civil society 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

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1 Bart Cammaerts (b.cammaerts@lse.ac.uk) is a political scientist and media researcher working at Media@LSE, London School of Economics & Political Science, UK. Nico Carpentier (Nico.Carpentier@kubrussel.ac.be) is a media sociologist working at the Communication Studies Departments of the Catholic University of Brussels (KUB) and the Free University of Brussels (VUB), Belgium.

2 This refers to a multi-centered world system where states are no longer the sole actors or stakeholders, but international organisations, business and civil society also play their role in global or regional governance. For more on this see: Rosenau (1990); Hemmati (2002)

3 This analysis focuses on WSIS-03, the first phase of the WSIS, in 2005 the second phase will be held in Tunis.
organisations in terms of access and participation to the WSIS-process, the power relations and mechanisms within civil society, states and international organisations are unavoidably black boxed for analytical reasons, without however denying their existence.

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.

2. Historical contextualisation of the participatory trajectory

One of the concrete results of the globalisation 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 organisations 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 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 (Boli & Thomas, 1997: 176).

Another observation relates to a crisis of institutional legitimation, be it on the level of the nation state or international/regional organisations. 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 high citizens’ demands, national interests and cultural specificities. International organisations 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 organisations also desperately need democratic legitimisation 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 can be referred to David Held’s conceptualisation 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 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 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-root—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 organisations 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 ECOSOC resolutions have deepened and formalised this relationship further in the past decades. The most important ones are the UN Resolution 1968/1296 and ECOSOC Resolution 1996/314, 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 Summits5 (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.

3. What is participation?

4 The ECOSOC resolution is a review of the UN resolution.

5 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 1400 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 organisations 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 1300 NGOs were accredited (WCAR, 2001). Alongside the official conference an NGO-forum was held in which 8.000 CS-representatives from almost 3000 CSOs participated (UN, 2001c: annex-v).
Participation is an ideologically loaded and highly contested notion. For instance Pateman (1972: 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 significatory diversity, most of which construct categorisation 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.

3.1 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)6 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.” (Servaes, 1999: 85) Within communication studies, attempts have been made to introduce the notion of interaction as an intermediary layer between access and participation (Grevisse and 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 (1972) 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, 1972: 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, 1972: 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

6 Or, ‘New International Information Order' (NIIO)
used by Strauss (1998: 18), is ‘manipulative participation’. 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)

3.2 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.

Giddens refers to a 'dialectics of control' to describe the interplay of autonomy and dependence which is at work in any social situation, thus linking the dialectics of control concept to his structuration theory. In formulating the dialectics of control, Giddens distinguishes between the transformative capacity of power - treating power in terms of the conduct of agents, exercising their free will (Walsh, 1998: 33) - on the one hand, and domination - treating power as a structural quality - on the other. (Giddens, 1979: 91-92) According to Giddens, power does not necessarily involve exploitation and coercion, but is also related to freedom and interdependence. As it is part of all social life, it refers to the transformative capacity or the 'capacity to change the world.' (Tucker, 1998: 114) It should be seen as a regular and routine phenomenon, instantiated in social action. (Giddens, 1979: 91) Power relations are also always two-way relations, even if the power of one actor (or party) is limited compared to that of the other. Quite radically, Giddens concludes:

‘An agent who does not participate in the dialectic of control, in a minimal fashion, ceases to be an agent.’ (Giddens, 1979: 149)

From a different angle post-structuralists like Foucault have also pointed out that in the traditional interpretation, power was usually reduced to a negative approach, condemning power as morally 'wrong'. Foucault foregrounds the productive aspects of power, claiming that power is inherently neither positive nor negative. (Hollway, 1984: 237) Instead power produces knowledge, discourse and subjects. Foucault states that power relations are 'intentional and non-subjective'. (Foucault, 1978: 95) Power thus 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 in (Dreyfus and Rabinow, 1983: 187)) This does not mean that the subject is deprived of an active role: subjects are - according to Foucault - active in producing themselves as subjects, in the sense of being subjected to power through discourse.

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7 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)
They provide the bodies on and through which discourse may act. (Kendall and Wickham, 1999: 53)

The other characteristics of power Foucault distinguishes in 'History of sexuality' are quite closely related to Giddens' dialectics of control: power relations are seen as mobile and multidirectional: power is practised and not possessed. (Kendall and Wickham, 1999: 50) Foucault also stresses that power relations are non-equalitarian (Foucault 1978: 94), although domination should not be considered to be the essence of power. On the other hand, resistance to power is considered to be part of the exercise of power. (Kendall and Wickham, 1999: 50) As Hunt and Wickham 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.' (Hunt and Wickham, 1994: 83)

Both Foucault and Giddens have claimed that their interpretations of power do not exclude domination or non-equalitarian distributions of power within existing structures. Positive/generative and negative/repressive/restrictive aspects of power are united in the dialectics of control and form a complex power-game, where power is practised and not possessed. The level of participation, the degree to which decision-making power is equally distributed and access to the resources of a certain system are constantly (re-)negotiated. Processes engaged in the management of voices and bodies, confessional and disciplinary technologies will remain active, but can and will be resisted. As positive/generative and negative/repressive/restrictive aspects of power both imply the production of knowledge, discourse and subjects, productivity should be considered as the third pillar of the analysis of power, thus combining the theoretical views of Foucault and Giddens on this matter. 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.
Not all authors agree upon the distinction between the Foucauldian concept of productive power and the Giddian concept of generative power. Tucker for instance treats both concepts as more or less equal: ‘Giddens sees the primary importance of power in somewhat Foucauldian terms, for power is productive as well as repressive.’ (Tucker, 1998: 114) In this chapter it should be stressed that in the Foucauldian analytics of power, agency and subjectivity are historically constructed (or produced) by discourse, necessitating a distinction between generative power (linked to agency) and productive power (linked to an intentional but unsubjective discourse), following the interpretation Torfing 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].’ (Torfing, 1999: 165)

By using this approach (and interpretation) both the more localised and the more generalised 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 structuralised participation, this theoretical framework emphasises the importance of localised and fluid (micro)power practices and strategies without ignoring the overall (political) structure. By building on the analysis of the dialectics of control, we 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 realisation in social praxis, its phantasmagoric realisation serves as the breeding grounds for civil society’s attempts oriented towards democratisation. As the French writer Samuel Beckett of Irish decent once eloquently formulated it⁸ "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 maximisation of generative and the minimisation of restrictive power mechanisms.

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

4. 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 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: 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 the process (participation).

In order to do so we will use several methodologies. First of all, a quantitative data-analysis of the attendance and accreditation lists provided by the ITU of the different

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⁸ In order to do history not too much injustice: Samuel Beckett wrote these often used sentences in relation to art and not democracy unrealised.
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 give some insights into the generative, restrictive and resistance mechanisms at play in terms of consultation and participation. Finally, in view of validating our research, a number of key-persons\(^9\) were invited to comment upon a draft version of this chapter.

4.1 Generative/Positive power mechanisms

A. 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\(^10\). 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 recognised 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 built-up to it, the number of members from civil society, as well as civil society organisations (CSOs\(^11\)) present, was quite high and grew steadily from PrepCom1 to the WSIS-03 in Geneva (cf. Figure2). 178 civil society members from 102 CSOs attended the PrepCom1 meeting, which dealt primarily with procedural issues. About half of these organisations, 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 organisations 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 organisations. At the Summit itself attendance of civil society rose to about 3200 members\(^12\) from 453 CSOs.

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\(^9\) We would like to thank Robin Mansell, Cees Hamelink, Claudia Padovani and Sean O’Siochru for their very useful comments.

\(^10\) 3 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).

\(^11\) When speaking of Civil Society Organisations (CSOs) we mean those organisations 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 organisations.

\(^12\) On a total of 10,808
Figure 2: Inflow, Outflow and Re-inflow of active CSOs\textsuperscript{13} in the PrepComs and WSIS-03

<table>
<thead>
<tr>
<th>PrepCom1</th>
<th>PrepCom2</th>
<th>PrepCom3</th>
<th>WSIS-03</th>
<th>#ORGs</th>
<th>%act-CSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>40</td>
<td>7%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12</td>
<td>2%</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>+</td>
<td>+</td>
<td>74</td>
<td>12%</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>230</td>
<td>39%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>+</td>
<td>453</td>
<td>76%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td>595</td>
<td>100%</td>
</tr>
</tbody>
</table>

Legend:  
+ Present  
- Not present

\textsuperscript{13} By ‘Active CSOs’ we mean organisations 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 organisations were very active in the process itself.
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 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 is 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

The ITU also held 5 regional meetings. Attendance in these regional meetings was quite high. For example, more then 1700 participants 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. In the case of the Bamako-regional meeting UNESCO together with the Executive Secretariat also organised a consultation round with African CSOs, which was subsequently reported in a document that can be found on the website of the Bamako-meeting.

B. 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

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14 Other relates to Middle East, Oceania & Unknown (the same applies for figure 3)
15 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).
16 Refers to the total number of participants. It was, however, not possible to distinguish between CSO and official (state) representatives.
17 For Bamako, see http://www.wsis2005.org/bamako2002/documents.html
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 this 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 organisations contributed to the process (cf. Table 2). During PrepCom2 the civil society organisations were very active, which amongst others is exemplified by the relatively high number of organisations (75/214=35%) that submitted a document vis-à-vis those organisations that were active during PrepCom2\(^{18}\). During PrepCom3 this percentage dropped slightly to 27%. By making the distinction between CSOs that introduced an own document and CSOs that co-signed documents with other organisations 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 organisations. 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**

<table>
<thead>
<tr>
<th>PrepCom1</th>
<th>PrepCom2</th>
<th>PrepCom3</th>
</tr>
</thead>
<tbody>
<tr>
<td>#CSOs(^{19}) that submitted an own document (a)</td>
<td>2</td>
<td>29</td>
</tr>
<tr>
<td>#CSOs that co-signed a document (b)</td>
<td>15</td>
<td>46</td>
</tr>
<tr>
<td>#CSOs with an own or co-signed document (c=a+b)</td>
<td>17</td>
<td>75</td>
</tr>
<tr>
<td>#CSOs with doc that did not attend PrepCom (d)</td>
<td>0</td>
<td>38</td>
</tr>
<tr>
<td>#CSOs attending PrepCom (e)</td>
<td>102</td>
<td>176</td>
</tr>
<tr>
<td>#CSOs active within PrepCom (f=d+e)</td>
<td>102</td>
<td>214</td>
</tr>
<tr>
<td>%CSO with doc of #CSOs active within Prepcom (g=c/f)</td>
<td>17%</td>
<td>35%</td>
</tr>
</tbody>
</table>

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, webcast, 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, 2003a) was also posted alongside the official declaration on the official WSIS-website\(^{20}\).

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

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\(^{18}\) Again, by ‘being active’ we mean submitting a document and/or attending the PrepCom-meeting

\(^{19}\) Data was collected from the ITU-WSIS website and is dependent on correct registration of participation

\(^{20}\) [http://www.itu.int/wsis/](http://www.itu.int/wsis/)
could subscribe they also developed a virtual ‘WSIS Civil Society Meeting Point’\(^{21}\) giving access to the mailing lists, addresses and those responsible for coordinating 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.

C. 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 networking for example.

The formal rules making the participation of CSO in World Summits possible are based on the ECOSOC 1996/31 resolution passed by the 49\(^{th}\) 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 organisations 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.

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

\[52. \text{Non-governmental organizations accredited to the conference may make written presentations during the preparatory process in the official languages of the United Nations as they deem appropriate. Those written presentations shall not be issued as official documents except in accordance with United Nations rules of procedure.}\] (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\(^{st}\) PrepCom (July 2002), relates to the participation of non-state actors, including CSOs.

\[\text{"Rule 55}
\text{Representatives of non-governmental organizations, civil society and business sector entities}
\text{1. Non-governmental organizations, civil society and business sector entities accredited to participate in the Committee may designate representatives to sit as observers at public meetings of the Preparatory Committee and its subcommittees.}
\text{2. Upon the invitation of the presiding officer of the body concerned and subject to the approval of that body, such observers may make oral statements on questions in which they have special competence. If the number of requests to speak is too large, the non-governmental organizations, civil society and business sector entities shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons."}\] (WSIS, 2002a)

\(^{21}\) http://www.wsis-cs.org/
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 then 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.” (Bridges, 2004)

Opening up the preparatory process and world summits to civil society, has generated an 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 organisations and activists. This will not necessary show in the documents or the institutional level of analysis, but has to be placed in a long-term perspective (O’Siochru, 2004).

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 representatitivity and the inability to speak with a “coordinated 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.

4.2 Restrictive/negative power mechanisms

When analysing restrictive or negative power mechanisms at the level of practices the same distinction between physical access, virtual access and participation can be made.

A. 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. 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 Sean O’Siochru 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 organisations to represent them and their constituencies. (3) Thirdly, the authors also refer to the poor presence of women.

The mechanisms O’Siochru 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 categorised as part of civil society itself. The access of CSOs is firstly regulated through a system of accreditations, whereby the Executive Secretariat and the Members States control the gate. Gaining entry through the first gate is followed by a series of other forms of management (related to categorisation, 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 organisations (end of the 90ies, begin 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.
European—and to a lesser extent also North American—dominance also shows in the number of participants per organisation\textsuperscript{22} (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 might also explain why the number of participants from poorer regions in the world is much lower.

Table 3: Average # of participants per Civil Society Organisation for WSIS-03 in Geneva

<table>
<thead>
<tr>
<th>Total</th>
<th>West-Europe</th>
<th>East-Europe</th>
<th>North-America</th>
<th>Latin America</th>
<th>Southen Africa &amp; SSAfrica</th>
<th>Arab World</th>
<th>Asia</th>
<th>Oceania</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td># of CSO-participants</td>
<td>3205 (100%)</td>
<td>1977 (62%)</td>
<td>26 (1%)</td>
<td>599 (19%)</td>
<td>86 (3%)</td>
<td>204 (6%)</td>
<td>165 (5%)</td>
<td>138 (4%)</td>
<td>4 (&lt;1%)</td>
</tr>
<tr>
<td># of CSO</td>
<td>462 (100%)</td>
<td>208 (45%)</td>
<td>8 (2%)</td>
<td>85 (18%)</td>
<td>32 (7%)</td>
<td>54 (6%)</td>
<td>35 (5%)</td>
<td>33 (4%)</td>
<td>3 (&lt;1%)</td>
</tr>
<tr>
<td>Average # Participants/CSO</td>
<td>6,9</td>
<td>9,5\textsuperscript{23} /7,1\textsuperscript{24}</td>
<td>3,3</td>
<td>7,0</td>
<td>2,8</td>
<td>3,7 /3\textsuperscript{24}</td>
<td>4,7</td>
<td>4,1</td>
<td>1,0</td>
</tr>
<tr>
<td>Median # Participant/CSO</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

Management through accreditation: the first gate

\textsuperscript{22} Due to single organisations with a very high number of participants, a correction was made for Europe and for Africa.

\textsuperscript{23} 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.

\textsuperscript{24} 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.
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 Members 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 organisation 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 organisation ‘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 categorisation, 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 of management through (1) categorisation & conflation, (2) separation, and (3) security, surveillance could be found within the WSIS-process.

(1) Civil society subdivided itself in different caucuses and working-groups\(^\text{25}\). This allowed for discussions and debates within civil society to be conducted in a more

\(^{25}\) See http://www.wsis-cs.org/ for a full list
efficient and productive way. However, due to this categorisation 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 have been granted the status of civil society actors, while they are in fact state actors in stricto senso (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. Already during PrepCom1, where procedural issues were discussed, this proved to be a major disappointment for many civil society activists, as Alan Toner (2003) 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 & 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).

The Summit was also protected by some 2,000 military and 700 policemen. Security was very tight, with several ‘checkpoints’. Security staff also screened leaflets and

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26 As stated before we decided to disregard the local authorities in our data on CSOs.
made a selection based on content, as reported by Sasha Costanza-Chock, a media-activist active within CRIS, quoted on 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 as quoted in Obayu, 2003)

B. 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. The unequal distribution of access to infrastructure, as well as to skills needed to use the Internet and process the overload of information available through electronic networks, makes that access to the WSIS-process through virtual means has to be critically assessed. As a study by Susan O’Donnell (2001) showed, the digital divide is as real for citizens, as it is for CSOs. Especially organisations 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).
C. Participation

In this part we examine the restrictive practices relating to participation in the process.

Unfortunately, the WSIS-process was not as open as projected in the official rhetorics and the opportunity to experiment with innovative co-decision mechanisms was not taken-up. First of all, it has to be re-iterated 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. O’Siochru (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 sub-committee on questions within the scope of their activities”. According to O’Siochru 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 instead27. Panganiban & Bendrath (2003) criticised 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

27 For a full list of the CS-speakers see URL: http://mail.fsfeurope.org/pipermail/wsis-euc/2003-December/000157.html
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).

4.3 Resistance against restrictive practices

Restrictive power mechanisms always induce and fuel different forms of resistance to these practices, which is the core of the productive argument within the dialectics of power-relations. 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 organised by the Geneva03 28, a collective of some 50 dissident CSOs. They organised 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 organised on the last day of the WSIS (12/12/03) by an activist group called ‘Collectif de résistance au SMSI’ (Collectif de Résistance au SMSI, 2003a&b). 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

A. 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 organisations 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 29. Almost half of them were organised by civil society organisations. 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) organised by the campaign for communication rights (CRIS) attracted more then 600 participants. Another example was the Community Media Forum (12/12/03), organised 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 organised 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

28 for more on this see URL: http://www.geneva03.org/
29 for a full list see URL: http://www.wsis-online.net/event/events-list?showall=t
a very close observer of the WSIS, gives an account of several instances where the minimalist Rule 55 was partially undermined and bended 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 (2003a), 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 (O’Siochru, 2004).

B. 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 organisations 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-organisations. 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

<table>
<thead>
<tr>
<th>#private actors with documents</th>
<th>PREPCOM1</th>
<th>PREPCOM2</th>
<th>PREPCOM3</th>
<th>WSIS-O3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Actors present</td>
<td>25</td>
<td>32</td>
<td>16</td>
<td>99</td>
</tr>
<tr>
<td>Participants from Private Sector</td>
<td>35</td>
<td>61</td>
<td>30</td>
<td>513</td>
</tr>
</tbody>
</table>

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 CEO’s attended WSIS-03 in Geneva\(^{30}\). 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).

C. Resistance by states

The turn-out 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 the 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 head 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: # of Countries that were represented by (vice-)president and/or prime minister subdivided by region

<table>
<thead>
<tr>
<th>Regions:</th>
<th>#Countries</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>West-Europe</td>
<td>4</td>
<td>10%</td>
</tr>
<tr>
<td>East-Europe</td>
<td>8</td>
<td>19%</td>
</tr>
<tr>
<td>North America</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Middle America</td>
<td>2</td>
<td>5%</td>
</tr>
<tr>
<td>Caribbean</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>South America</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Asia</td>
<td>5</td>
<td>12%</td>
</tr>
</tbody>
</table>

\(^{30}\) for a full list see: http://businessatwsis.net/realindex.php
<table>
<thead>
<tr>
<th>Region</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oceania</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Middle-East</td>
<td>3</td>
<td>7%</td>
</tr>
<tr>
<td>North Africa</td>
<td>3</td>
<td>7%</td>
</tr>
<tr>
<td>Sub-Sahara Africa</td>
<td>13</td>
<td>31%</td>
</tr>
<tr>
<td>Southern Africa</td>
<td>3</td>
<td>7%</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>42</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

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, emphasised 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.

5. 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, 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 say 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, in letting CSOs voice their concerns (mainly through written contributions). At the same time, however, we have to conclude that the ambitious rhetorics of ‘full’ participation have not materialised. Even the partial participation (using Pateman’s (1972) vocabulary) of civil society at the Summit remains problematic, as the alternative declaration and the frustration among many civil society actors show. 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 organisations 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 organisations, we prefer to maintain a clear (as possible) distinction between access, interaction, consultation and participation, all embedded within the constant need to maximise the equalisation 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 globalised 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, bending the rules, and by (at least more or less) speaking with a coordinated 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 rather 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 organisations 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. 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, the civil society caucus, as well as these international institutions, need to devise strategies in order to include more CSOs from Asia and Africa, if the rhetorics of a global ‘bottom-up’ policy process are to be considered genuine. It remains to be seen however if the second phase of the WSIS, that 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 what call their right of free speech (cf. Civil Society Plenary, 2003a: 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 realisation 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 participation31) will end in a 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.

References:


