

LEGITIMATE ACTIVISM:
THE USE OF ACCREDITATION TO STRENGTHEN THE LEGAL
PERSONALITY OF THE NGO COMMUNITY IN THE WORLD ORDER

by

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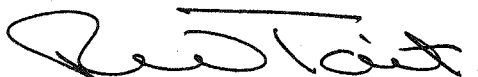
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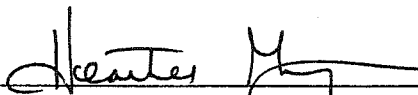
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Abstract

The international non-governmental organization (INGO) community should develop their own system of accreditation for members. INGOs do not have a stable institutional position in the world order, and this hurts their capacity and effectiveness.

INGOs are organized parts of global civil society, and often act as agents of the public in the absence of any other organized presence. This representation is legitimate to some, reviled by others, and in no area universally accepted. In fact, the INGO community has an identity, wields power, and is subject to the same criticisms normally levelled at states. Yet the community has no legal personality.

The power INGOs wield lies in their ability to condition belief, not on capacity to punish or reward. As such, their role in the world order is limited to agenda-setting, trying to influence policy-making, helping implement actions, and monitoring decisions after the fact.

Accreditation builds legitimacy by establishing standards of management and behaviour. It could help institutionalize the INGO community into a predictable segment of the world order. Each segment of the world order would benefit from such an accreditation system. It would augment the 'legitimacy power' of individual INGOs, and further the interests of the INGO community as a whole. This would, in turn, improve the community's capacity to meet goals, while still allowing the community to determine its own identity.

Table of Contents

Table of Contents	iii
Acknowledgments	iv
Glossary	v
Acronyms	vi
Chapter 1: Introduction	1
Context	1
Definition of Key Terms	3
Chapter Reviews	10
Chapter 2: INGOs: Agents of Global Civil Society	14
Perceptions and Criticisms of INGOs	15
Debates Over "Global Civil Society"	18
Controlling INGO Identity	21
History of INGO Identity	22
Current INGO Definitions	26
INGO Identity at the UN	29
The INGO "Community"	31
Chapter 3: INGO Legitimacy is INGO Power	35
Concepts of Power and the INGO Community	35
Exercising Conditioned Power	43
Policy-making	44
Policy-enacting	49
Auditing Policy	52
INGO Community Legitimacy	55
Lack of Legitimacy as an Obstacle to Power	61
Conclusion	63
Chapter 4: Accreditation Legitimizes	65
Accreditation in the Private Segment	66
Current Accreditation for INGOs	69
Gerreffi's Typology of Accreditation	71
Accreditation Enhances Legitimacy	75
Accreditation Enhances 'Community'	78
Accreditation Brings Ownership of Identity	79
Accreditation Provides Foundation for Legal Personality ..	80
Conclusion	82
Chapter 5: Conclusions and Findings	83
Second Party Accreditation and INGO Criticisms	84
Theoretical Benefits of Accreditation	86
Practical Obstacles to Accreditation	88
Conclusion	92
Bibliography	94

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Thanks also to Edward, Jacques Brel, Wes Cherry and Mr. Poppadopoulos, with luck to Mr. Gorsky.

Glossary

1st Party certification. An assurance of internal compliance with standards set by an organization.

2nd Party certification. An assurance of compliance with standards set through consensus by an industry's professional association.

3rd Party certification. An assurance of compliance with standards determined by an external consultant.

4th Party certification. An assurance of compliance with standards set by government or other authority.

certification. In terms of accreditation, these two terms mean the same thing: conformity with an external set of agreed upon standards, which has been audited by an external auditor

compliance. In terms of accreditation, the act of voluntarily conforming to an external set of agreed upon standards, without being externally audited.

Global civil society. Groups and organizations, both formal and informal, which act independently of the state and market to promote diverse interests in society.

Inglehartian political culture. A specific and structurally systematic way of sharing in political life.

mundane political culture. An inclusive way of sharing in political life.

INGO. International Non-governmental organization - a term referring one of a large variety of non-state, non-market organizations. They are generally understood to non-profit in motive and concerned with bringing citizens' concerns into international fora. These organizations address issues such as: world peace, human rights, pollution, and women's rights.

Acronyms

- APC.** The Association for Progressive Computing (INGO).
- CBIO.** Central Bureau of International Organizations (INGO).
- CI.** Conservation International (INGO).
- COGG.** Commission on Global Governance
- ECOSOC.** The United Nations Economic and Social Council.
- FII.** The Federation of International Institutions.
- ICO.** Independent citizen's organizations - a more accurate term for the group of organizations described as INGOs.
- ICRC.** International Committee for the Red Cross (INGO).
- INCPO.** The International Classification of Non-Profit Organizations is a frequently used structural/functional system of categorizing non-profit organizations.
- INGO.** International Non-governmental Organization.
- INTRAC.** International INGO Training and Research Centre.
- MAI.** Multilateral Agreement on Investment.
- NSI.** North-South Institute, a Canadian research organization in the field of international relations (INGO).
- OECD.** Organisation for Economic Cooperation and Development.
- TNC.** Transnational Corporation.
- UIA.** The Union of International Associations (INGO).
- WTO.** The World Trade Organization.

Chapter 1: Introduction

This thesis will argue that, by creating and joining their own accredited association, the community of international non-governmental organizations (INGOs) could help stabilize their role in the world order. This is a desirable goal for the INGO community because it would improve the ability of INGOs to accomplish their goals.

The problem of attempting to argue such a point is that the concepts associated with many of the terms used above are themselves ambiguous and controversial. Even if there was a common understanding of 'INGO', is there truly a 'community' of INGOs? If so, what would be implied by 'stabilizing' their role? Should INGOs be given any power to accomplish their goals? Would accreditation truly give INGOs more power?

This chapter establishes the framework for the thesis argument by addressing these ambiguities. The chapter establishes a conceptual framework by defining key terms. Then the chapter summarizes the questions addressed in subsequent chapters, and anticipates conclusions that will be drawn from the answers to these questions.

Context

At the end of the twentieth and in the first years of the twenty-first century, global affairs have become increasingly tied to the needs and desires of the

individual. The general trends responsible for this re-orientation have been:

- the proliferation of information and telecommunication¹
- the spread of capitalism and democracy²
- globalisation and tribalism³
- theory-based interest in concepts of identity⁴

The average global citizen today has much more knowledge of global affairs, and potential impact on global affairs, than at any earlier time in history.

The framework for the current system of global affairs, relevant to this thesis, was established in 1648. This period is important because the world was not considered in international terms until the emergence of states, and 1648 is widely accepted, with the Treaty of Westphalia, as the most recognizable milestone for today's concept of

¹ Frederick, Howard. 1993. Global Communication and International Relations, Wadsworth Publishing. Belmont, CA. pp. 10-12.

² Little, Richard. 1995. "The Triumph of Capitalism". International Relations Theory Today, Pennsylvania State University Press. University Park, PA. pp. 62-89.

³ Barber, Benjamin. 1996. Jihad vs. McWorld: How Globalism and Tribalism are Reshaping the World, Random House. Toronto, ON.

⁴ Anderson, Benedict. 1992. Imagined Communities: Reflections on the Origin and Spread of Nationalism, Versen. New York, NY.

the geographically bound state⁵. This was the critical paradigm shift, as it institutionalized a means for political cultures to relate to one another in the world.

The establishment of this international system marked a historical starting point, and is used in this thesis to set the context for defining critical concepts. The six terms which are key to this thesis are reviewed and defined. These are: the "world order", "global civil society", "INGOs", "power", "legitimacy", and "accreditation".

Definition of Key Terms

The phrase "world order" refers to the complex structure of relations between actors in international affairs. It is simplified in this thesis to mean the relations between states, global civil society, and the market⁶.

⁵ For discussions on the importance of the Treaty of Westphalia, see, for example: Zacher, Mark W. 1992. "The Decaying Pillars of the Westphalian Temple: Implications for International Order and Governance", J. Rosenau and E.-O. Czempiel (eds), Governance without Government: Order and Change in World Politics. Cambridge University Press. Cambridge. UK. p. 58. , and Archer, Clive. 1992. International Organizations, Routledge. New York, NY. pp. 4-5.

⁶ This breakdown is used frequently in considering global affairs. For an example, See: World Bank PovertyNet.home 2001. "Civil Society and Social Capital". Website: <http://www.worldbank.org/poverty/scapital/civill1.htm>

In this model, the state holds special status, because it is globally recognized as representing its citizens, and doing so under the authority of the rules prevailing in that particular geographic area. While some non-state actors pretend to work under the authority of the public, there are few actors outside the state that can claim to legitimately represent their stakeholders⁷.

The segment of the world order referred to by the term "global civil society" is determined in this thesis solely by contrast to the state and market segments. A detailed discussion of the reasons for this follows in chapter two, addressing the philosophical bases for the ambiguous uses of the term in academic literature. Generally, though, this thesis follows the simple concept of world order articulated by Harry Blair⁸.

Blair dissects the world order into state and non-state segments, and breaks down the non-state segment further, separating organizations with primarily private interests from those with public interests. The distinction

⁷ Cameron articulates this particularly well regarding the claims of INGOs that their inclusion in the Ottawa process made it more 'representative'. See: Cameron, Max. 1999. "Global Civil Society and the Ottawa Process: Lessons from the Movement to Ban Anti-Personnel Mines". Canadian Foreign Policy, Fall 1999, Vol. 7, No. 1. p. 99.

⁸ Blair, Harry. 1997. "Donors, Democratisation and Civil Society: Relating Theory to Practice". ". NGOs, States and Donors: Too Close for Comfort?, Ed. David Hulme and Michael Edwards, Save the Children Fund, New York, NY. p. 25.

between the public and private segments is clearer when one considers organizations as groups of individuals involved in group decision-making. Where that group is motivated to generate benefit solely for the group (e.g. corporations, proprietorships), they are considered in this thesis to fall within the private segment. Where the group is motivated to produce benefits that are not specific to that group, they are considered in this thesis to be in the public segment (e.g. INGOs).

Figure 1 depicts the view of world order used in this thesis, with global civil society broken into organized and unorganized parts. The former is represented by "INGOs", the latter referred to by the term "the public".

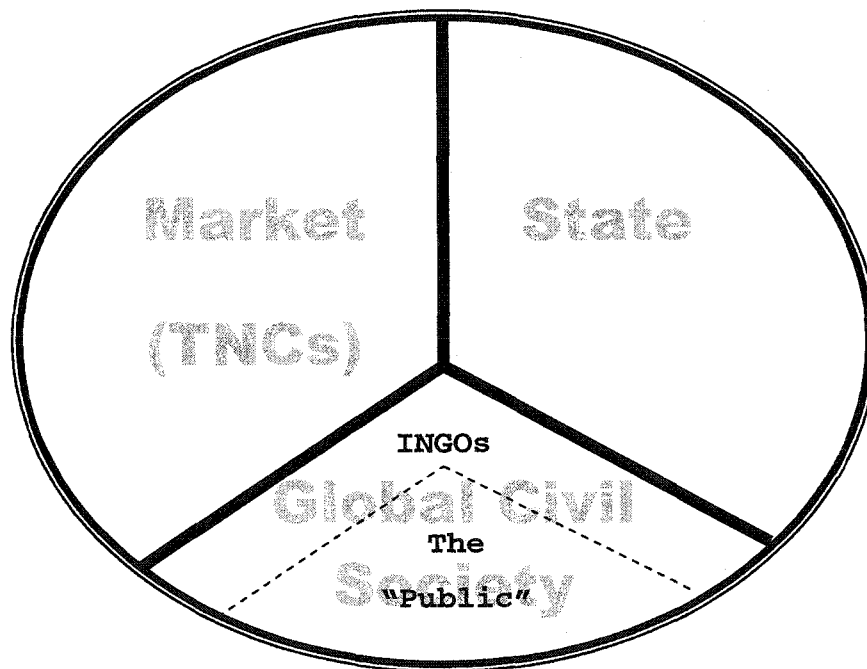


Figure 1: A simplified view of the world order

The definition of this term, "INGOs", is controversial, involves a wide range of interpretations, and depends on the body of literature selected and the intent of the definer. These ambiguities are dealt with in detail in chapter two. For the purposes of this thesis, the organizations considered "INGOs" have the following minimal set of descriptive qualifications:

- They have goals, objectives and actions (in short, an ideology), independent of those of other people, organizations, or segments of the world order.
- They are not a part of the market segment of the world order. The goal of the organization is not to make profit beyond the costs of operations.
- They are not a part of the state segment of the world order. The organization is not a state government, is not controlled by the state, and does not have a mandate determined by the state.
- They deal with concerns which are of an international nature.
- They frequently claim, or are perceived to be acting on behalf of "the public".

Within global civil society, there are two relationships between the public and INGOs. These are relationships of

internal and external accountability⁹. First, INGOs are made of individuals who are citizen members of the public. As such, any given INGO has the purposes of a select group of the public as its guiding purpose; thus, an INGO's organizational structure must have a system of internal accountability to its members. Second, the INGO frequently functions as an agent of the public in the absence of any other representative.

It is the power relationships between different segments of the world order which are more useful in determining if accreditations will help or hinder INGOs. However, as the term "power" can itself be interpreted in a variety of ways, it is critically analysed in depth for this thesis.

Social scientist Max Weber offered a useful definition of the term "power". Simply put, power is "the possibility of imposing one's will upon the behaviour of other persons."¹⁰ This definition was adopted by social scientist John Kenneth Galbraith for his seminal treatise on the nature of power¹¹. The usage is further confirmed

⁹ Kelleher, David. 1996. Grabbing the Tiger by the Tail: NGOs Learning for Organizational Change. Canadian Council for International Cooperation. Ottawa, ON. pp. 4-8.

¹⁰ Weber, Max. 1954. Max Weber on Law in Economy and Society, Ed. M. Rheinstein. Transl. Edward Shils and M. Rheinstein. 1925. Harvard University Press. Cambridge, MA. p. 323.

¹¹ Galbraith, John Kenneth. 1983. The Anatomy of Power, Houghton-Mifflin. Boston, MA. p. 2.

by Kenneth Boulding¹², though he simplified it to: "the ability to get what one wants" in the case of the individual, or the "the ability to achieve common ends" in the case of groups.

Both Boulding and Galbraith, the Quaker radical and the conservative economist respectively, analyse power by breaking it into three general categories. These categories are discussed in more detail in chapter three, and are contrasted with concepts of influence.

The difference between influence and power is determined by legitimacy. Where an individual or organization has power derived from an authority, they are said to have 'legitimate power'. This is unlike influence, in that influence is seen as tactics to achieving an end, where power is seen as the ability to bring about an end¹³. The challenge with locating the concept of 'legitimate power' in the world order is that it is anarchic by nature. There is no authority to legitimate outside generally accepted standards, and these can themselves be influenced.

¹² Boulding, Kenneth. 1989. Three Faces of Power, Sage Publications. Newbury Park, CA. p. 15.

¹³ Though work contrasting influence and power is still limited, a précis of current research is provided in: Yukl, Gary. 2000. "Use Power Effectively". The Blackwell Handbook of Principles of Organizational Behavior. Ed. Edwin Locke. Blackwell Publishers. Malden, USA. pp. 241-249.

These terms are all brought together to discuss the most important concept for this thesis: accreditation. Though the history and context of the term are analysed in detail in chapter four, those discussions can be simplified to accreditation being a means for establishing or enhancing legitimacy.

"Accreditation" is not a new concept; it is a common English language term. Simply defined, it is used to gain belief or influence for a group, attribute a thing to a person, or credit a person with a thing, or to guarantee quality¹⁴. Broadly, this thesis is concerned with using accreditation as a verifiable means of ensuring the credibility of organizations.

As explained in chapter four, the accreditation of an organization is meant to refer to the systematic review of an organization's attributes against a set of prior-established standards¹⁵.

¹⁴ 1989. The Concise Oxford Dictionary. Oxford University Press. Toronto, Canada. p. 7.

¹⁵ This mirrors the process used to assess conformity by ISO, the International Organization for Standardization. They use conformity assessments to check an organization against "documented agreements containing ... precise criteria to be used consistently as rules, guidelines, or definitions of characteristics, to ensure that ... processes and services are fit for their purpose."
Website:
<http://www.iso.org/iso/en/aboutiso/introduction/index.html>

With these definitions as context, the next three chapters will address: the nature of the INGO community; INGO legitimacy, influence and power; and how accreditation builds legitimacy. A brief summary of the topics covered in each chapter follows.

Chapter Reviews

Chapter two identifies the community of INGOs within the public segment of the world order. Their current position is precarious, relying as it does on the shifting support of the public or the state segment.

In the pursuit of what it means to 'stabilize the role of INGOs', chapter two asks what it means to be a part of global civil society: Where does the term "civil society" come from, and what are the assumptions about its use? Who considers INGOs a part of civil society, and why? By whose authority do INGOs claim to be legitimate players in the world order? Are INGOs always perceived to be good, benevolent representatives of the public? Who determines the nature of an INGO? Is there a community of INGOs?

In fact, chapter two shows that the INGO does not have a legitimate role in the world order. An INGO community does exist, but the term 'INGO' is only descriptive, and does not currently have a broad enough meaning to be useful in distinguishing between organizations.

Chapter three addresses the actual roles INGOs play on a practical basis. It looks in further depth into concepts

of power, and analyses INGO use of power in current settings. This chapter asks philosophical questions about the role of INGOs in the world order. Which segments of the world order consider which INGOs legitimate under which circumstances? What power do INGOs wield? How do INGOs wield their power? In what fora are INGOs effective at wielding power? What factors make an INGO legitimate?

In particular, concepts of power analysed in this chapter help identify the importance of 'legitimate power' in allowing INGOs to be effective in pursuing their goals. This 'legitimate power' is compared with 'condign', 'compensatory', and 'conditioning' power, to specifically show how INGOs wield influence in the world order.

Chapter four shows that a process of accreditation augments legitimacy for members so accredited. After giving a brief review of the common historical context for accreditation, this chapter lays out the challenges of accreditation. In summary, would any form of accreditation be truly useful for the INGO community? Would the arena for discussion be any more valuable than currently existing systems? Would the legal personality thus created be beneficial to the work of INGOs? Could the power of INGOs be augmented with accreditation? What value would accreditation of INGOs hold for the public, the market, the state?

Whether beneficial or not, the establishment of a professional association is a challenge on its own. Is

the creation of such an association for INGOs truly feasible? Could INGOs agree on standards for accreditation? Do INGOs appear and disappear too quickly for an accreditation system to be worthwhile?

Reviewing literature on the development of credible accreditation practices shows that accreditation would create a legitimating process which would allow the INGO community to augment its legal personality in the world order.

Chapter five reviews the arguments presented, in terms of theoretical and practical issues. The practical obstacles to accreditation are significant, including: the lack of a current identity for the INGO community, and the difficulty in demonstrating the benefit of accreditation.

The main benefit, however, is shown to be even more significant: an accredited INGO community would have increased legitimacy in the eyes of the public, the market, and the states. This, in turn, implies that accreditation would enhance the legitimacy, and thus the 'legitimate power' that allows INGOs to effectively pursue their varied goals.

At the same time, accreditation would address important criticisms the INGO community faces from organizations in every segment of the world order. Among these criticisms are: unwanted policy imposition, lack of accountability, ignorance of wider implications of their actions, the

disenfranchisement of stakeholders, and even the undermining of sovereignty.

These are key challenges to the INGO community; the ability to satisfy, or even ameliorate these perceptions would be important to all segments of the world order. Chapter two more thoroughly reviews each criticism, and places the INGO community more succinctly in its role as the organized agents within global civil society.

Chapter 2: INGOs: Agents of Global Civil Society

In order to understand chapter three's discussion of the uses of INGO power, this chapter will look at the definitions of global civil society and INGOs.

Whether exalted or scorned, INGOs have played an increasingly noticeable role in the shaping of global issues. However, as there is no enduring, accepted definition for the term, the identity of an INGO depends on the person defining it, and the purpose for which a definition was created. How can any group maintain legitimacy with an unstable identity? This chapter reviews the reasons for various definitions, and details why the broad definition for INGOs, given in chapter one, has been adopted.

First, however, this chapter details how INGOs fit into the public segment of the world order, introduced in chapter one as 'global civil society'. For this thesis, global civil society was defined by contrast to the state segment and private segment. Within the public segment, however, lie important debates over the nature of global civil society. Many of these arguments are germane to the issue of the power wielded by INGOs. In particular, the definition one accepts for global civil society informs whether INGOs are considered a subset, or the very definition of the term.

As such, this chapter first critically reviews the range of definitions in use, and shows that placing INGOs within global civil society as an organizing force is

much more reflective of reality than considering INGOs as the entirety of global civil society. This will serve as a prelude to defining the INGO, which allows a discussion of who does and does not consider INGOs part of global civil society, their reasons for doing so, and the reason it is valuable to stabilize a single view of the INGO place in the world order.

Perceptions and Criticisms of INGOs

An undefined 'INGO community' is credited for the wide range of impact that INGO work accomplishes. The work attributed to this community covers a wide range of positive and negative, understated and exaggerated images. Reviewing academic literature for the beneficial work of INGOs, for instance, would appear to show that INGOs can be critical players in the world order:

- INGOs transfer and implement 13% (US\$8.3 billion) of the world's development aid¹⁶,
- INGOs mediate and help resolve international conflicts¹⁷,
- INGOs broker international pollution-control deals¹⁸,

¹⁶ Donini, Antonio. 1996. "The Bureaucracy and the Free Spirits: Stagnation and Innovation in the Relationship Between the UN and INGOs," INGOs, the UN and Global Governance Ed. Weiss, Gordenker. p. 88.

¹⁷ Mahlawi, Farouk. 1993. "New Conflicts, New Challenges," Journal of International Affairs 46, 2. p. 392.

¹⁸ Haas, Peter. 1994. "Do Regimes Matter?" International Organization: a reader Ed. Kratochwil, Mansfield. p.137.

- INGOs redefine the meaning of human rights¹⁹
- INGOs act to bring about the decommission of nuclear reactors, broker cease-fires in civil wars, and publicize human rights abuses of repressive regimes²⁰

Conversely, a review of the literature highlighting the problems with INGOs show that their work is not without valid criticism:

- INGOs are a vocal minority that imposes its policy preferences on the majority²¹,
- With no legal personality in the world order, INGOs have no accountability for their actions and cannot be bound to agreements²²,
- As they have a narrow focus, INGOs ignore the wider implications of their actions on the public²³,

¹⁹ Connors, Jane. 1996. "NGOs and the Human Rights of Women at the United Nations," The Conscience of the World Ed. Peter Willetts. p. 147.

²⁰ Knickerbocker, Brad. 2000. "Nongovernmental Organizations are fighting - and winning - social, political battles" Christian Science Monitor Service. p. 1.

²¹ Stanbury, W.T. 2000. Environmental Groups and the International Conflict Over the Forests of British Columbia, 1990 to 2000. SFU-UBC Centre for the Study of Government and Business. Vancouver, BC. p. 355.

²² Spiro, Peter. 2002. "Accounting for INGOs". Chicago Journal of International Law. Vol. 3. No. 1. Spring, 2002. p. 168.

²³ Stanbury review this in the context of the internationalization of the forestry dispute by various environmental groups in British Columbia. See: Stanbury, W.T. 2000. Environmental Groups and the International Conflict Over the Forests of British Columbia, 1990 to 2000. SFU-UBC Centre for the Study of Government and Business. Vancouver, BC. pp. 325-329.

- In the very act of delivering their services, INGOs can disenfranchise citizens,²⁴
- The work of INGOs undermines sovereignty²⁵

These important criticisms are the challenges which a system of INGO accreditation could ameliorate. Their impact on INGO legitimacy is related in chapter three. Note in these criticisms that, even while the 'good' accomplished by the work of INGOs may be under debate, their capacity to have impact is not. Whether they are regarded as 'good' or 'bad' factors by a given segment of the world order, in the 21st century, their potential to effect change is not denied by even their strongest critics.

An individual INGO can be recognized by all segments of the world order as capable of effecting change. The next section shows, however, that their power to effect change is predicated on acting as agents for global civil society.

²⁴ Wood argues for this in the case of delivery of services in developing countries that supplants service delivery by the state. See Wood, Geof. 1997. "States Without Citizens: The Problem of the Franchise State". NGOs, States and Donors: Too Close for Comfort?, Ed. David Hulme and Michael Edwards, Save the Children Fund, New York, NY.

²⁵ Stanbury, W.T. 2000. Environmental Groups and the International Conflict Over the Forests of British Columbia, 1990 to 2000. SFU-UBC Centre for the Study of Government and Business. Vancouver, BC. pp. 362-363.

Debates Over "Global Civil Society"

This section critically assesses definitions of global civil society to help identify the agendas behind different uses of the term. This section starts by reviewing the origins of the term 'civil society', and why it was first coined. To resolve why the term has become so ambiguous, the reasons for the practical definition adopted by the Commission on Global Governance(COGG), will be contrasted with the reasons for the definition adopted by Canada's North-South Institute (NSI). It will be shown that the NSI definition provides a more general, accurate picture of global civil society because, like the definition adopted by this thesis, it explains the importance of defining global civil society by contrast to state and the market.

The historical roots of the term 'civil society' give a valuable starting point to understanding the current use of the term. English philosopher John Locke is credited with developing the concepts associated with modern use of the term²⁶. He used the term 'civil society' to refer to all the social transactions that did not involve the state. Locke only saw value in government insofar as it helped civil society in the pursuit of its goals. He saw civil society as "a defence of human society at the

national level against the power of the state and the inequalities of the marketplace"²⁷.

In Civil Society: The Development Solution?, the NSI applies Locke's "civil society" to a definition of "global civil society"²⁸. In seeking to explain state definitions of global civil society, the NSI launches into a critical and historical analysis of the use of the term. Most usefully, the NSI demonstrates three facets of the concept of civil society:

- **as a structure:** like the structure adopted in this thesis, NSI first explains organized civil society as a building, with organizations serving as the building's constituent bricks. Using this model, the bricks which constitute civil society would simply be all those which were not in the state, or the private sector. This implies that the INGO is distinct in that its makeup is not organized on the principle of gaining political power, or private gain.

²⁶ North-South Institute. 1996. Civil Society: The Development Solution?. Website: http://www.nsi-ins.ca/ensi/civil_society/papers/paper.html

²⁷ Frederick, Howard. 1993. Global Communication and International Relations, Wadsworth Publishing. Belmont, CA. p. 270.

²⁸ North-South Institute. 1996. Civil Society: The Development Solution?. Website: http://www.nsi-ins.ca/ensi/civil_society/papers/paper.html

- **as relations:** NSI's second model for civil society explains that the mortar which would hold the bricks together in such a metaphoric building would be the relations between organizations. Using this view, the focus of attention shifts to relations between segments of the world order.
- **in terms of environment:** there is a very specific enabling environment which civil society requires in order to function effectively. This includes the right to associate, a democratic political system, and a culture of association, among other things.²⁹

The NSI's agenda in analysing definitions of the term is to determine why use of the term in practice is different than established understandings. To do this, the NSI reviewed the definitions used by some forty practitioners, to discover that the term excites interest because of its promise to provide "effective, credible, and equitable agents [other than the state or market]"³⁰. The NSI explains that this very excitement leads to oversimplification and misuse of the term.

The same oversimplification was made by the Commission on Global Governance, in their 1995 book, Our Global

²⁹ Ibid.

³⁰ Ibid.

Neighbourhood³¹. As an independent, top-level group of international relations academics and diplomats, COGG tasked itself to present a modern, 'enlightened' vision of the system of world affairs. The Commission held that while the citizens of the globe are the most important units of analysis, INGOs are the best expression of that 'global civil society'³².

It obscures the important facets of Locke's definition of "civil society" to include business, yet that is precisely what COGG does. They include "business and the professions"³³ in their definition of global civil society. This structure serves to define civil society wholly by contrast to the state. This does clarify distinctions between the state and non-state actors to the obfuscation of the differences between different non-state actors. As shown in the section below, some of the motivating factors of INGOs are critically different from those of the market, and inform the very identity of the INGO.

Controlling INGO Identity

This section will explore the variety of definitions for the term "INGO", and explain how each is tailored to

³¹ Commission on Global Governance. 1995. Our Global Neighbourhood, Oxford University Press. Oxford, UK.

³² Ibid. p. 254.

³³ Ibid. p. 32.

support a chosen definition of identity in the world order. First, a practical modern history of INGOs shows the context for the discussion of definition. Second, a panel of experts shows that definitions serve only the purposes of the definer. Third, the UN's registration system for INGOs³⁴ is reviewed, and shown to be a clear example of an opportunity for the imposition of bias.

History of INGO Identity

The term 'INGO' has been applied to a wide variety of organizations. The Union of International Associations (UIA) currently records some 25,000 organization which meets its qualifications for status as an INGO³⁵. The terms of reference for the UIA's definitions of INGOs is under the authority of the UN's Economic and Social Council. Definitions which are given through the UN are addressed later in a subsequent section.

The value of the UIA database is that it considers a very broad range of organizations to be INGOs. Their concept of an INGO groups together Amnesty International and the James Bond 007 International Fan Club, Solar Cookers

³⁴ The United Nations calls their registration system an 'accreditation', but it does not meet the stringency suggested in chapter four, so the term 'registration' has been substituted here.

³⁵ The UIA's website can be found at <http://www.uia.org>. Their database of international organizations is accessible over the web, and contains detailed information on the thousands of organizations profiled.

International and Greenpeace³⁶. Why should one definition cover such a wide range of interest groups? The answer to this question is found in the history of the term itself.

Historically, groups known as INGOs have progressed from their relative inability to organize and thus to form shared goals. The movements of the past decades, discussed earlier, have had enormous impact on INGOs. The past two decades, in particular, have seen the distribution of free, easy-to-use software for connecting through the Internet, as the World Wide Web was created. This technology has ultimately given INGOs, and all of global civil society a very inexpensive, global system for networking.

The end of the Cold War also brought more notice to INGOs. On one hand, as ideological barriers broke down, there were new opportunities for cooperation between the INGO community, the state and international bureaucrats. The United Nations, for example, became considerably more receptive to INGO participation in its decision-making processes³⁷. On the other hand, the increased role that INGOs were seen as demanding for themselves generated

³⁶ These entries were found in the UIA online database of International Organizations with research time donated by the UIA in the summer of 2001.

³⁷ Gordenker, Leon. Weiss, Thomas G. 1996. "Pluralizing Global Governance". INGOs, the UN and Global Governance, Ed. Thomas G. Weiss, Leon Gordenker. Lynne Reinner. Boulder, CO. p. 24.

antipathy from states. In many cases, state representatives felt reluctant to tolerate INGOs in any international power politics³⁸.

In the midst of these mutually exclusive perceptions, the United Nations used the 1990s as a period for re-aligning its priorities and setting new agendas. A series of world conferences were convened throughout the decade, with the well-noted goal of determining what the main concerns of the world order would be for the future.

INGOs prepared and participated in nineteen of these world conferences, and whether welcomed, tolerated or shunned, they achieved a previously unreached level of influence in helping set the goals of the UN³⁹. This was all achieved despite the fact that INGOs have no formal power; indeed, they have no more than a consultative role in UN proceedings.

During these conferences, the INGO community organized fora which were termed "counter-conferences". These were frequently loud, public events. They were often funded, at least indirectly, by the United Nations. The

³⁸ Cameron, Max. 1999. "Global Civil Society and the Ottawa Process: Lessons from the Movement to Ban Anti-Personnel Mines". Canadian Foreign Policy, Fall 1999, Vol. 7, No. 1. p. 86.

³⁹ United Nations General Assembly. 2001. Reference Document on the participation of civil society in United Nations Conferences and special sessions of the General Assembly during the 1990s, Office of the President of the Millennium Assembly. United Nations. New York, NY. p. 2.

frequency of these fora has led to a standard practice at the United Nations that conference secretariats inform INGOs (which constitute only a portion of global civil society) about the role global civil society is to play at a given conference⁴⁰.

According to INGO specialist, Dr. David Hulme, the prominence of INGOs at world conferences generally takes media coverage away from the official events. The counter-conferences are more interesting to the public, and are seen as more relevant (by the media and the public) to the content of the conference than the administrative meetings of diplomats⁴¹.

It has further become established practice that the UN's NGO-Liaison Office provides briefings for the INGO community one to two days before the start of the conference, and that space is set aside for INGOs to give and receive these briefings⁴².

Though the role INGOs have come to play is that of the tacit, if not explicitly understood, representatives of global civil society, this is not a legal identity for them. To be clear, this is a role obliquely given by the UN, and stands only in the absence of any other

⁴⁰ Ibid, p. 6.

⁴¹ Hulme, David. Edwards, Michael. 1997. "NGOs, States and Donors: an overview". INGOs, States and Donors: Too Close for Comfort? Save the Children Fund. New York, NY. p. 5.

⁴² Ibid.

organized, credible agents. Further, even a formal acknowledgment by the UN, that INGOs represented all global civil society, (which has never occurred) would far from imply that all other segments of the world order would concur.

The role of INGOs in the world order is historically unstable. They represent global civil society in the absence of any other agent, but their place is controversial and many states have been uncomfortable with their inclusion in world conferences.

The INGO community has no history of a formal legal personality. In the absence of a recognized institution and standing in the world order, INGOs can be defined in any way one desires. In the next section, modern academic interpretations of the INGO show that the INGO community still has no global definition.

Current INGO Definitions

Defining the INGO, in the absence of a formally accepted meaning to the term, is an exercise in subjective judgement. While each definition may serve to stabilize the identity of the INGO community within the world order, each also serves a set of concealed philosophical assumptions about the role of global civil society in the world order.

The point of creating a simple concept to define an organic entity like an INGO is itself NOT an objective

exercise. In 1997, expert members of the Internet list server of the Academic Council of the United Nations System were asked for their perspectives on a broad-based definition of the INGO. The responses offered by these international relations scholars confirm that definitions clarify only in that they help limit concepts of reality. Dr. Kendall Stiles, a researcher at Loyola University in Chicago, went beyond practice, straight into theory when he cautioned against general definitions for the INGO. He simply stated that the very theory underlying the construction of a definition would inform its nature. He counselled that the INGO could not be defined without a theoretical structure informing the definition. He showed this by pointing out that the definition would be different depending on whether the INGO was being considered, for instance, as a legal construct, or as a member of civil society⁴³.

Dr. Edwin Smith, a law professor at the University of Southern California, was concerned that the definition of the INGO also lay in the basis for the definition. He affirmed that "definitions derived for the purpose of answering a particular question may not have any relevance for answers to other questions"⁴⁴. He stated

⁴³ Stiles, Kendall. 1996. "Re: INGO Definition Outside IGOs". Online posting. ACUNS-IO Listserver. 20 May 1996. Website: <http://www.yale.edu/acuns/listserver>.

⁴⁴ Smith, Edwin. 1996. "Re: INGO Definition Outside IGOs". Online posting. ACUNS-IO Listserver. 21 May 1996. Website: <http://www.yale.edu/acuns/listserver>.

that the universal definition of the INGO would be pointless without some governing purpose ("Trying to determine a general definition may be an interesting but trivial exercise unless there is specific purpose to give the effort meaning"). He pointed out that every definition should be context dependent ("... the most useful course might be to caveat all definitions with a characterization of the purpose for which the definition was derived.")

UN staff member Gian Luca Burci agreed with Smith's interpretation, and suggested further that a universal definition of the INGO would be pointless given the dynamic change that is ongoing in the INGO community. He then gave examples of definitions that are used at the UN: in the Economic and Social Council (ECOSOC), INGOs can only gain admittance if they have not-for-profit status, while this status is irrelevant for organizations making requests for exemption from economic sanctions⁴⁵.

The experts concluded that definitions served the interests of the definer. It is the intent of this section to show that it is in the interests of the INGO community to create their own definition, and thus control their identity. For proof of this concept, one need look no further than the biases implicit in the UN's definition of an INGO.

INGO Identity at the UN

The UN is an intergovernmental body, which serves as both an arena for diplomats (representing states) to meet, and as an actor in its own right in international affairs.

As such, many non-state actors seek admittance to the UN, with the aim of influencing either the diplomats, or the direction of their debate.

To meet this demand, the UN has developed a process for determining which groups should be allowed access to UN facilities and officials (and the concomitant ability to influence the agenda).

It is instructive to note that the first three criteria an organization must meet to be considered an INGO in the eyes of the United Nations are blatantly pro-U.N.:

1. The organization shall be concerned with matters falling within the competence of the [United Nations] Economic and Social Council and its subsidiary bodies.
2. The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of the Charter of the United Nations.

⁴⁵ Burci, Gian Luca. "Re: INGO Definition Outside IGOs". Online posting. ACUNS-IO Listserver. 22 May 1996.
<http://www.yale.edu/acuns/listserver>.

3. The organization shall undertake to support the work of the United Nations and to promote knowledge of its principles and activities, in accordance with its own aims and purposes and the nature and scope of its competence and activities.⁴⁶

In practice, these three clauses are not controversial. The lack of controversy is reasonable, given that the Charter of the United Nations reflects principles which are public in nature, and thus coincide with the principles of INGOs. By contrast, if the UN were an avid proponent of the exploitation of child labour, clauses like those above might serve to exclude a lot more organizations from recognition as INGOs.

This definition is accepted and maintained at the discretion of the members of the UN. In similar circumstances, that discretion has been used for much more exclusionary purposes.

For example, at the 1995 Fourth World Conference on Women in Beijing, China, the UN refused to allow access to Tibetan INGOs⁴⁷. The rules for attending the conference

⁴⁶ United Nations Economic and Social Council. 1996. "Consultative relationship between the United Nations and non-governmental organizations". United Nations Economic and Social Council Resolution No. 1996/31. New York, NY. p. 1.

⁴⁷ Yuthok, Kunzang. 1995. "Tibetan INGO's Accreditation to United Nations Women's Conference in Beijing". World Tibet Network News, Website: http://www.tibet.ca/wtnarchive/1995/6/25_3.html

were enforced against eleven INGOs, which happened to have pro-Tibet agendas (an agenda strongly disavowed by the host state of China). One of the rules of registration for the conference was that all attending INGOs had to be incorporated in China. This gave China a valid rule which officials could subjectively enforce as a means of excluding undesirable INGOs.

Enforcement of these types of rules is at the discretion of the conveners. In 1992, for example, Maurice Strong, the organizer of the Earth Summit in Rio de Janeiro, allowed access to all INGOs that applied.

The lack of a bias-free definition does not imply that an INGO community exists. There is a thriving, self-aware community of INGOs, which is unaware that it cannot be defined. The next section describes that community of INGOs. It is important to identify this community, because its existence shows that there is a real body to which an accreditation system could be applied.

The INGO "Community"

INGOs, while diverse in scope and nature, have enough in common normatively to be an informal "community". This section looks at different concepts that are associated with the term "community", and the relevance of these concepts to INGOs.

The nature of 'community' is cross-disciplinary, but tends to focus on sociological or psychological aspects.

The concepts of community offered by political science professor Dr. Richard Merelman serve as useful tools to categorize types of communities.

Dr. Merelman contextualizes a discussion of community in terms of political culture⁴⁸. Merelman developed this categorization to theorize on changing conceptualizations of stability in U.S. culture, but the conceptual tools are also useful in understanding the types of dynamics which characterize community among INGOs. Merelman breaks communities into two categories: Inglehartian political culture, which is critical and dynamic, and mundane political culture, which seeks commonalities⁴⁹.

First, what he terms 'Inglehartian political culture' is a specific and structurally systematic type of community. By transmitting widely shared attitudes through generations, it relies on empirically observable phenomena, and is thus consistent in different social contexts. In such a culture, people "strive to explain terms and share definitions"⁵⁰.

Second, what Merelman terms 'mundane political culture' is an inclusive way of sharing in a community. Concepts used in the community are not analyzed and may have

⁴⁸ Merelman, Richard. 1998. "The Mundane Experience of Political Culture". Political Communication, Oct-Dec 98, Vol. 15, No. 4, p. 515.

⁴⁹ Ibid, p. 530.

⁵⁰ Ibid, p. 523.

different associations to different people in the same setting. It is meant to be comforting and inclusive. It allows discourse about a topic to continue without the obstacle of ensuring that everyone has the same interpretation of the object under discussion.

These two concepts are useful in understanding the types of actions that occur within communities, and thus help identify groupings that constitute communities. For example, if the INGO community is actively Inglehartian, they would only develop a shared purpose once a common aim had been debated and agreed upon. If the INGO community were more mundane, then the shared meanings would be less credible, as their purpose would be to create a sense of community.

For example, attending the 1993 World Conference on Human Rights as a representative of the United Nations Association in Canada, I was struck by how quickly an emotional connection allowed INGOs with very different agendas to present the community of INGOs as a united front. At the same time, the state representatives were engaging in critical debate to establish a community based on Inglehartian principles. While practical points of funding, preparation and familiarity played a role in the nature of each community, the disparity between the two was obvious⁵¹. To even the least experienced of

⁵¹ Frizzell, Garth. 1993. Personal Observation, United Nations World Conference on Human Rights. Vienna,

observers, the methods by which the INGOs achieved community bounded as they were by time and urgency, appeared to be more mundane, and emotionally driven than the measured discussions of the diplomats in the formal conference.

The exercise of understanding these contrasting concepts of community helps highlight the attributes of community held by the INGO community in the world order. This is an important pursuit for the INGO community; the scarcity of historical recognition of this community's influence on world affairs stems in part from a lack of identity for the community.

In his analysis of power, Dr. Kenneth E. Boulding recognized the relatively unheralded importance INGOs have played, and described it as "perhaps one of the most spectacular developments of the twentieth century, although it has happened so quickly that it is seldom noticed."⁵²

Chapter three shows that this lack of identity, and lack recognition, reduces the INGO community's potential for power, from a conditioning power to a tactical influence.

Austria. June 14-25, 1993.

⁵² Boulding, Kenneth. 1989. Three Faces of Power, Newbury Park, CA. p. 244.

Chapter 3: INGO Legitimacy is INGO Power

The goals of the INGO community make impact in the world order, but this does not come through wielding overt power. Rather, INGO community is made through the practice of tactical influence. Thus, their power relates to their perceived legitimacy by those over whom they wish to exert power.⁵³

First, this chapter categorizes the types of power used in the world order, and shows how INGOs have a special ability to wield conditioned power (as distinct from condign or compensatory power). With this as a framework, the chapter shows the obstacles to power that the INGO community faces in the current world order: lack of institutionalization preventing control of identity and the concomitant lack of legitimacy.

Concepts of Power and the INGO Community

The critical analysis of the term 'power' in the world order is a major topic in international relations literature. From introductory texts⁵⁴ to advanced papers,

⁵³ The classic study which first identified legitimate, referent, reward, coercive and expert power, see: French, J. Raven, B. 1959. "The Bases of Social Power". Studies in Social Power. Ed. D. Cartwright. Ann Arbor, USA. Institute for Social Research.

⁵⁴ For an example of an introductory text in International Relations, see Dougherty, James. Pfaltzgraff Jr., Robert. 1990. Contending Theories of International Relations: a comprehensive survey, HarperCollins. New York, NY.

the discussion of the nature of power has been a constant issue in the discipline. A traditional interpretation of the goals of the entire discipline of International Relations could be said to be an attempt to understand what power is and how to maintain its balance⁵⁵.

To clearly understand the different options available in a definition of power, chapter one compared Kenneth Boulding's radical definition of power with that offered by conservative John Kenneth Galbraith. Generally, they analysed power as shown in figure 2.

Segment	Galbraith Term	Boulding Term
State	Condign Power	Destructive Power
Market	Compensatory Power	Productive Power
Global Civil Society	Conditioning Power	Integrative Power

Figure 2: Galbraith, Boulding Categories of Power

This thesis adopts their shared choice of categorization, but for the sake of simplicity, uses the terminology suggested by Galbraith: condign, compensatory and conditioning power.

What Galbraith termed 'condign power' is the ability of one person or group to force the other to change their behaviour against their will. Galbraith explains condign

⁵⁵ Ibid. pp. 30-35.

power in discreet terms, assuming that the threat of violence is more powerful than violence itself. He says that the exercise of condign power lets one "...win submission by inflicting or threatening appropriately adverse consequences"⁵⁶.

While Boulding has a similar category, he is more blunt in describing 'destructive power' (his term for condign power) as the potential to threaten (implicitly or explicitly) or destroy someone or something⁵⁷.

In the world order detailed earlier, it is the state segment which holds this condign power. This is the ability to coerce a person or organization against her or its will.

By its nature, condign power must be backed up by the ability to enforce threats, and at the global level, only states have that power (though this ideal is increasingly compromised by mercenary groups like "Executive Outcomes" and "Combat Force"⁵⁸). Though obvious arguments could be made for the ability of terrorist organizations to wield condign power, this thesis is only interested in the use

⁵⁶ Galbraith, John Kenneth. 1983. The Anatomy of Power, Houghton-Mifflin. Boston, MA. p. 5.

⁵⁷ Boulding, Kenneth. 1989. Three Faces of Power, Sage Publications. Newbury Park, CA.

⁵⁸ For more discussion on the rise of the private sector mercenary organization, see: Brayton, Steven. 2002. "Outsourcing war: Mercenaries and

of condign power within the formal structure of the world order. This thesis considers condign power only in the context of states.

By contrast, compensatory power is the ability of a person or group to bring about behavioural changes in another person or group through reward. Galbraith points out that in the modern context:

the most important expression of compensatory power is... the payment of money for services rendered, which is to say for submission to the economic or personal purposes of others.⁵⁹

Boulding's 'productive power' has a similar theme. He describes it as the potential to get what one wants through exchange⁶⁰. Interestingly enough, Boulding's definition suggests much less coercion than Galbraith's. This is because Boulding has associated the coercive side of power with his 'destructive power'.

Galbraith's description is much more useful to this thesis, as it more clearly correlates to the real-life presence of TNCs and financial flows, private factors which influence the world order tremendously. Where

the Privatization of peacekeeping". Journal of International Affairs. New York, NY.

⁵⁹ Galbraith, John Kenneth. 1983. The Anatomy of Power, Houghton-Mifflin. Boston, MA. p. 5.

⁶⁰ Boulding, Kenneth. 1989. Three Faces of Power, Sage Publications. Newbury Park, CA.

Boulding's definition is talking about a process,
Galbraith's is categorizing specific acts of power.

For the INGO community, the dangerous implication of compensatory power is in its coercive ability to change the mission and *raison d'être* of individual INGOs. As shown later in this chapter, INGO legitimacy and power is predicated on their pursuit of public-oriented goals. Whether compensatory power, in its exercise, changes these goals or not in a given case, the perception of its coercive effect can detract from the perceived independence of an INGO, and thus make it appear less legitimate.

The impact of compensatory power on the programs of the INGO community is a key issue to the INGO community⁶¹, dealing with the topic of whether the INGO community is compromised by the influence of compensation by states.

As seen in the history of the development of the INGO community, the relationship between the state segment, the private segment and INGOs is changing and evolving over time. Amidst this change, the INGO community's challenge is to maintain and enhance its credibility to other segments of the world order as a valid agent for

⁶¹ For example, the INGO 'Save the Children', is a strong supporter of different measures of INGO accountability. For its analysis of the impact of state funding on INGOs, see, for instance: Hulme, David. Edwards, Michael. 1997. INGOs, States and Donors: too close for comfort? Save the Children Fund. New York, NY.

global civil society. Maintaining an image of having a "special relationship with the poor"⁶², and a "special connection at the local level"⁶³ is accurate, but in order to leverage this aspect for legitimating, the INGO community would need to adopt specified norms, determined in an Inglehartian manner by the INGO community itself. A code of ethics, for example, would be one implementation of such an objective standard.

A state's legitimacy is sanctioned through their governing authority, and the private organization by nature of ownership. There is no concomitant mandate by the public to the INGO community. The INGO community exercises their power in the absence of mandate. In order to wield what power they can, INGOs must establish trust by presenting a credible organization, determine their identity, and ensure that the other players in the world order recognize them. The conversion of their influence into power lies in this establishment of legitimacy.

INGO power is predicated on establishing that the organization is a legitimate, credible player in the world order. To understand INGO power, one must understand the third category of power, which works to

⁶² Ibid. p. 3.

⁶³ Brown, L. David. 1992. "Sowing Self-Sufficiency: non-governmental organizations as development catalysts". Harvard International Review, Fall92, Vol. 15, Issue 1. p. 19.

legitimize organizations, and inculcate their missions. Conditioned power is exercised by changing attitudes, behaviour and belief. By contrast, it is a much more subtle type of power, but much more encompassing than the previous two categories. It causes a person or organization to submit to one's will without recognizing that they have submitted. It involves convincing others that it is right and proper to follow a new or different course of action⁶⁴.

Again, Boulding bundles some coercion into a category. His 'integrative power' describes the potential to get others to act in order to please you⁶⁵. Boulding describes this power as the ability to create relationships.

The most important attributes required to develop and maintain conditioned power, according to Galbraith, is the ability to organize⁶⁶. Accordingly, the process which leads from organization to institutionalization builds much more power and legitimacy than the sum power of the individuals in the community.

⁶⁴ Galbraith, John Kenneth. 1983. The Anatomy of Power, Houghton-Mifflin. Boston, MA. p. 6.

⁶⁵ Boulding, Kenneth. 1989. Three Faces of Power, Sage Publications. Newbury Park, CA.

⁶⁶ Galbraith, John Kenneth. 1983. The Anatomy of Power, Houghton-Mifflin. Boston, MA. pp. 6-7.

The actual act of organization is considered to be one of the key defining strengths of members of the INGO community. The World Bank has been very involved in encouraging INGO participation in its policy development. They feel that INGOs draw significant legitimacy from civil society:

The organizational capacity that comes to life through INGOs and becomes engaged in development action represents its fundamental strategic resource and crucial contribution⁶⁷.

This direct connection to global civil society gives INGOs an initial sense of legitimacy from the public they serve, which in turn is the basis of INGO conditioned power.

Part of the reason that the World Bank opened its doors to the INGO community in the 1990s was because of high profile pressure from a group of 150 INGOs⁶⁸. The fact that half the bank's lending projects have some form of INGO participation stems from the political power which the INGO wields simply by lending their legitimacy through approving or rejecting public and political support. The willing support of the INGO community, and their broad dismantling of that opposition would arguably

⁶⁷ Cernea, Michael. 1988. Nongovernmental Organizations and Local Development, World Bank. Washington, DC. p. 8.

⁶⁸ Simmons, P.J. 1998. "Learning to Live With INGOs", Foreign Policy, Fall 98 Issue 112. p. 85.

have been much more difficult to accomplish through the application of condign or compensatory power.

INGOs can be put in unique situations that suggest their capacity to manipulate or assist constitutes condign or compensatory power. For example, with all states polarized by the downfall of the Soviet regime in Russia in 1990, the Italian INGO *Comunita di Saint 'Egidio* was the only actor that could pull off hosting informal meetings of warring factions in Mozambique⁶⁹.

One way members of the INGO community effect change in the world order is by influencing the workings of the inter-state apparatus. In short, when policy is being made at inter-state fora, INGOs may have fairly direct influence on all aspects of the process.

Exercising Conditioned Power

The practical exercise of power in the world order involves policy-making, policy-enacting, and auditing. Following these three steps leads one from the initial idea, to determining a formal policy, taking action on the policy, then confirming that the action taken was in accordance with the policy.

⁶⁹ Ibid. p. 86.

It is important to note here that the context for exercising power at the global level is one with no central authority. The United Nations is simply an arena for players to meet; its founding principles ensure that a state actor cannot be compelled through condign power. Except under very specific conditions, the UN charter prohibits states from impinging on another state's sovereignty.

Outside the UN, however, the global policy-makers in the state segment operate in a system where 'might makes right'. The only power which is exercised is done so on the basis of the power which actors have themselves collected. With this as a framework, INGOs can wield their conditioned power to an extent bounded only by the constant reminder that states are the holders of condign power.

Policy-making

The act of making global policy should be broken into two phases: the determining of agendas, then the determining of policy. This is important, because the setting of an agenda is the single proactive event which initiates and guides the entire process. Actual policy-making is relatively reactionary and follows a very fixed process, regardless of the venue.

Throughout post-Westphalian history, INGOs have exercised their greatest power as agenda-setters. In the 1800s, it was INGOs like the British and Foreign Anti-Slavery

Society, and the Anglo-Oriental Society for the Suppression of the Opium Trade which drove governments to take action. Indeed it was the INGO community which was largely responsible for ensuring that the United Nations charter included language on Human Rights⁷⁰.

In the current world order, the INGO community tends to be the main source of new issues when global policy-makers are setting their agendas. This is a natural role for INGOs for three reasons: INGOs are, in part, created to address the issues which governments ignore; modern governments are designed to tackle short-term issues; and INGOs by their nature have branches in many countries, and are aware of issues which are not pertinent to national governments⁷¹.

The first of these issues informs the very identity of the members of the INGO community, and should be taken into consideration in any attempt to define organizations that are or are not INGOs.

A major reason for the existence of INGOs is that people come together in independent groups

⁷⁰ Simmons, P.J. 1998. "Learning to Live With INGOs", Foreign Policy, Fall 98 Issue 112. p. 85.

⁷¹ Willetts, Peter. 1996. "Consultative Status for INGOs at the United Nations". The Conscience of the World, Ed. Peter Willetts. The Brookings Institution, Washington, DC. p. 46.

to promote some type of activity that is not being undertaken by governments.⁷²

As discussed below, expertise and organization on a topic develop with growth of any community which has been formed for a specific purpose. The strength of purpose can be even stronger in cases where an INGO was formed not to address a new issue, but to combat decisions made by states or corporations.

The second reason that INGOs are uniquely powerful in setting the global agenda for political action is that government is structured in a way to respond to the most critical short-term issues first. Often, long-term issues will be overlooked unless INGOs are available to highlight the concern.

Peter Willets, the Brookings Institution researcher who analyses INGOs by comparing them to pressure groups, points out that state governments are more in the business of responding to events than they are of setting the agenda⁷³. The INGO community brings the issue to the global table, and the state representatives take on the task of finding a context to deal with the issue.

The third facet of the world order which makes INGOs credible agents for agenda-setting is the fact that

⁷² Ibid.

⁷³ Ibid.

nations naturally have national interest as their guiding mission. By contrast, an individual INGO only begins to earn the credibility and respect which lend it power, when it has the public issue itself as a guiding interest.

In order to make the most use of their role, it is useful for INGOs to have branches in many countries, (for example, Greenpeace has offices in 53 countries around the world, and Amnesty International has offices in 162 states and territories) and to have a professional means for dealing with the media⁷⁴. The branches help give INGOs the credibility to bring issues to the table. Media savvy gives INGOs the power to use global news and communications systems as an alternate means of getting an issue onto the global agenda.

In addition to an individual INGO having branches in more than one country, the INGO community can network together to bring more of global civil society into the process of agenda setting. When an issue is highlighted through the INGO community network, an enormous amount of attention can be brought to bear on one specific issue area.

⁷⁴ Ibid.

The action of convening these types of networks is itself powerful. First, this so-called 'swarm effect',⁷⁵ can be organized simply using the modern Internet and telecommunications techniques to disseminate information. The resulting impact can be hard for governments to deal with. Second, the actual process of building such a network further enhances the institutionalization that is vital to legitimating the INGO community, in the eyes of global civil society, private interests and states.

Once an issue has been initially brought to the table, the INGO community still has impact on the issues. The community can mobilize support or opposition to an agenda item. As explained later when discussing legitimacy, the work of the INGO community completely stopped the discussions of the World Trade Organization (WTO) in Seattle in 2001.

Conversely, the INGO community often offers assistance in getting an agenda item expedited. If INGOs have enough expertise in their ranks, they sometimes will even draft research reports or wording for the policy under negotiation⁷⁶. During the 1997 negotiations in Ottawa to ban landmines, the INGO community mobilized 350

⁷⁵ "The Non-governmental Order: Will INGOs Democratise, or Merely Disrupt, Global Governance". The Economist. 12/11/99. Vol. 353, Issue 8149. p. 22.

⁷⁶ Willetts, Peter. 1996. "Consultative Status for INGOs at the United Nations". The Conscience of the World, Ed. Peter Willetts. The Brookings Institution, Washington, DC. p. 48.

organizations, and initiated a professional media campaign (which included Superman® and Batman® comic books). Through a variety of fortunate events, and the proactive work of states, the campaign initiated by INGOs became a fast-track treaty, adopted within 14 months⁷⁷. To reiterate, it was states that adopted the ban, but it was the INGO community which brought the item to the states' agenda, and helped keep pressure on states to keep the process moving forward.

INGOs are a significant force for bringing forward items for the global agenda. The INGO community uses its credibility to raise the issues that have no other means to be brought up. INGOs play an instrumental role in the agenda-setting phase for making policy in the world order.

Policy-enacting

INGOs may or may not influence the actual implementation of a policy. The impact will depend on the specific issue, and the context surrounding the issue. For instance, if the issue is of tremendous interest to state governments, the private segment or to the rest of global civil society, sufficient political will should have been developed to ensure that the policy is enacted as

⁷⁷ Simmons, P.J. 1998. "Learning to Live With INGOs", Foreign Policy, Fall 98 Issue 112. p. 83.

expected⁷⁸, without further pressure from the INGO community.

INGOs can play an enormous role in the implementation of many facets of international policy, particularly when it involves the distribution of humanitarian aid. In fact, the INGO community is recognized as being able to perform many of the tasks of United Nations agencies, in particular, much better than the agency could do itself⁷⁹. While a good indicator of how INGOs derive their credibility, being a service provider reflects a different role for INGOs to play in the world order.

When INGOs are delivering services, they become, in effect, the contracted representatives of donors. The specifications determined in operational policies are conveyed to INGOs, but by the time the policies reach them, the time for negotiating and changing those policies is long past. In short, when INGOs take on the role of service provider, they serve the needs of those who define policy.

⁷⁸ Willets, Peter. 1996. "Consultative Status for INGOs at the United Nations". The Conscience of the World, Ed. Peter Willetts. The Brookings Institution, Washington, DC. p. 47.

⁷⁹ Drake, Christine. 1994. "The United Nations and INGOs: future roles". Reordering the World: geopolitical perspectives on the 21st century, Eds. George Demko. William B. Wood. Westview Press. Boulder, CO. p. 265.

Furthermore, as Willets points out, governments will often contract out to INGOs when the operations to be carried out are undesirable for the state⁸⁰. If the state wants to distance itself from a particular policy like sex education, INGOs can be the ideal vehicle for service delivery.

Thus, outsourcing these controversial political services effectively allows the state to distance itself from politically challenging issues, while making the INGO community the focus of any discord. These cases make effective counterpoint to some of the criticisms noted in chapter two, specifically that INGOs impose their policy preferences and that they undermine sovereignty. At worst, the offloading of undesirable responsibilities from state to INGOs shows that INGOs can be as much the victim of such tactics as they are the abusers.

It is important for INGOs to be as involved as possible in influencing and changing policy before it is determined. When that work has been completed, the last role INGOs play is in ensuring that states carry out the policies which have been developed at the global level.

⁸⁰ Willets, Peter. 1996. "Consultative Status for INGOs at the United Nations". The Conscience of the World, Ed. Peter Willetts. The Brookings Institution, Washington, DC. p. 48.

Auditing Policy

The audit function, which is a mechanism of ensuring that states live up to promises made in the heat of global negotiations, is frustrating, painstaking, and at times annoying. INGOs wishing to monitor compliance with global promises must be very observant and reactive to the results that occur following global conferences.

As Willets notes, once INGOs have noticed that governments have not fulfilled obligations, the next step is to use public persuasion to encourage the state to comply. This actually involves the global equivalent of a shaming ritual. INGOs will purposefully try to embarrass government officials into complying with obligations⁸¹.

Public embarrassment is one of the ways that the INGO community exerts power on state government. The technique is based in conditioned power, as INGOs specifically seek to re-educate global civil society. Embarrassment campaigns differ from propaganda in that the former are most effective when they are most factual, while the latter is about intentional deceit of the public.

As an example, delegates representing the state segment met in September of 1997 to frame the Convention on the

⁸¹ Ibid.

Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction (the so-called 'Ottawa Process'). During the discussions, INGO representatives were forthright in telling states that their positions were contradictory, even when it embarrassed the state representative⁸².

INGOs also help set up the verification schemes which ensure that agreements are met. INGOs may even have the best technical experts to design compliance processes⁸³. In the particular case of environmental policy development, while it is ultimately a political decision to determine which threshold levels are used in policy, it is the technical expert who can explain the implications of different thresholds⁸⁴.

When the INGO community does not participate in the process, and even opposes the passage of policy

⁸² Cameron, Max. 1999. "Global Civil Society and the Ottawa Process: Lessons from the Movement to Ban Anti-Personnel Mines". Canadian Foreign Policy, Fall 1999, Vol. 7, No. 1. p. 92.

⁸³ The Mediterranean Action Plan, for instance, was an INGO comprised of technical experts in pollution, from various Mediterranean states. For a review of their work, see:
Haas, Peter. 1994. "Do Regimes Matter? Epistemic Communities and Mediterranean Pollution Control". International Organization: a reader, Ed. Friedrich Kratochwil. E. Mansfield. HarperCollins College Publishers. New York, NY.

⁸⁴ Weintraub, Bernard. 1992. "Science, International Environmental Regulation, and the Precautionary Principle: Setting Standards and Defining Terms" New York University Environmental Law Journal, New York University. New York. NY. p. 9.

altogether, they have power to mobilize a great deal of opposition. INGOs will even oppose the state with demonstrations or other confrontational tactics⁸⁵.

Resistance to the state is explicitly noted. Some members of the INGO community call for INGOs to stand on their morals if they feel their government is not acting in accordance with principles. Charles Elliot, former head of a Christian INGO, calls on INGOs to question the legitimacy of governments to ensure that they do not "collude with the morally unacceptable."⁸⁶ He furthers this argument by giving a series of methods by which INGOs can measure the legitimacy of the government. In so doing, he shows that state legitimacy should be questioned as much as INGO legitimacy.

In summary, INGOs have the capacity to influence global decisions. They contribute to setting the agenda for global affairs. During global negotiations, the INGO can wield influence on the direction of debate. After policy has been determined, INGOs often are chosen to implement the policy, and when policy has been implemented, the INGO community is often the only watchdog to ensure that states comply with policy or that policy is carried out.

⁸⁵ Livernash, Robert. 1992. "The Growing Influence of INGOs in the Developing World". Environment, (June 1992) vol. 34, no. 5. p. 14.

⁸⁶ Elliot, Charles. 1995. "A new challenge for the INGO sector". Conrad Groebel Review, Vol. 13. No 3. p. 251.

It is noteworthy that the positions of influence accorded INGOs in the previous section come from neither authority, nor institutionalized power. INGOs 'power' is exercised through influence, and the level of power is connected to ability to influence. In turn then, credibility and the appearance of legitimacy play a key role in INGO power.

INGO Community Legitimacy

Whether it is accurate or not to assume that INGOs are legitimate representatives of global civil society in some sense or another, they are often portrayed and perceived as such. The goal of this thesis is to show that the INGO community can institutionalize their perceived legitimacy and construct a more solid identity in the world order through accreditation.

Before seeking this new identity, however, this section investigates the common assumptions about current INGO community legitimacy. Are INGOs truly "the most effective voices for the concerns of ordinary people in the international arena"⁸⁷? With no authorization from the stakeholders they purport to represent, can INGOs truly be said to be representative of global civil society?

⁸⁷ Global Policy Forum. 2002. "NGOs". Website: <http://www.globalpolicy.org/ngos/index.htm>

Regardless of any true authorization by the public to speak on their behalf, INGOs are often portrayed as such by the media. For instance, during the 2001 WTO meeting in Seattle, protesting INGOs were dubbed by the Economist magazine as "civil society"⁸⁸.

This is by no means a universally held view. For example, the Canadian Security Intelligence Service, reporting on the same WTO meetings, spoke of INGOs as manipulators of the public, not as global civil society:

One of the more impressive innovations has been the method of organizing, arranging and directing the operational and administrative activities ... without the obvious influence of central authority, command or control.⁸⁹

Calling INGOs legitimate representatives of global civil society is a subjective judgment call. No INGO could fully represent all interests of society. Rather, they are, by nature, tied to specific issues, and within their purview, can become experts.

In the case where INGOs are perceived as experts within their domain, they are often perceived as credible

⁸⁸ The influential periodical, The Economist was one medium that so dubbed the protestors. See: "The Non-governmental Order: Will INGOs Democratise, or Merely Disrupt, Global Governance". The Economist. 12/11/99. Vol. 353, Issue 8149, p. 20.

⁸⁹ Canadian Security Intelligence Service. 2000. "Anti-Globalization - A Spreading Phenomenon" Perspectives. Report #2000/08. p. 7

representatives of global civil society. This does not lend the expert INGOs credibility to everyone. INGOs are largely non-democratic organizations catering to a specific goal. Their credible role is not as an authority, but rather in that "they can bring publicity to certain issues, raise public awareness about what is being done, bridge the knowledge gap between international negotiators and real world conditions, and push for accountability by public officials" ⁹⁰. In short, INGOs operate without authority in the current world order, but their credibility in the eyes of some affords them the capacity to make international issues their business.

To understand better the relationship between influence, legitimacy, and power, it is useful to consider more socially constructed concepts of power. The five categories of social power relate to the concepts of power discussed above, but are useful in that they distinguish between influence and power⁹¹.

⁹⁰ Cameron, Max. 1999. "Global Civil Society and the Ottawa Process: Lessons from the Movement to Ban Anti-Personnel Mines". Canadian Foreign Policy, Fall 1999, Vol. 7, No. 1. p. 96.

⁹¹ For a summary review, see, for example, Fincham. R. Rhodes. P. 1999. Principles of Organizational Behaviour. Oxford University Press, UK. p. 441.

Legitimacy is seen in the social power literature as being conferred by an authority⁹². This retains the problems discussed in chapter one; the world order has no central authority.

'Influence behaviour', or 'influence tactics', is similar to wielding power, in that a specific goal is sought. Unlike condign or compensatory power, however, influence tactics compel through convincing⁹³. They are, in short, a subset of the conditioning power described in chapter two.

For this thesis, legitimacy is considered in this sense, to be only attainable when targets confer it upon an agent. Once legitimacy is attained, an INGO is able to continue exerting influence, but can also exert power in other forms.

The field of organizational theory adds to the concepts of power previously noted. Galbraith and Boulding's triad of power types (condign, compensatory and conditioning) is augmented in organizational theory by the addition of 'legitimate power'. This is explained as having its basis in "the agreement by members of an

⁹² Ibid.

⁹³ Ibid. p. 444.

organization to comply with rules and legitimate requests in return for the benefits of membership" ⁹⁴.

Legitimate power sets boundaries for authority; such a set of boundaries is needed in the segment of the world order where the INGO community resides. In the absence of any other authority, the INGO community can create its own legitimating structure, and manage its identity in the process.

With this understanding of the difference between authority, legitimacy, power and influence, one can identify INGOs by contrast to the other sectors of the world order. The next section turns to differences between the public segment, the private segment, and the state segment of the world order.

Generally, where the state holds condign and compensatory power over its citizens, the market holds compensatory power. To remain in the global civil society segment, the INGO community's defining mission cannot be the accumulation of condign or compensatory power. These types of power certainly assist any organization in achieving its goals, but they can never become the overriding goals of an INGO, lest it be considered to be outside of the global civil society segment.

⁹⁴ Yukl, Gary. 2000. "Use Power Effectively". The Blackwell Handbook of Principles of Organizational

Political parties are good examples of organizations which seek power, and thus cannot be considered INGOs. Similarly, corporations seek profit, over and above their operating costs, and thus are not considered INGOs.

The distinction between profit and non-profit motive is contentious. Currently, for example, INGOs deliver more aid through service work than all the branches of the United Nations put together⁹⁵. Yet these INGOs are not seen as market forces. The reason for this that INGOs do not seek to profit from the services they provide, over and above their operating costs.

It is a natural function of the world order that INGOs change their goals and missions to maintain funding for their institutions. Indeed, for INGOs to fulfill their role, they must seek causes or services which meet the interests of the public. As an issue is resolved, it is natural for an INGO to focus on a new issue, if only to maintain the advantages of organization and professionalism created by the funding for the previous cause or service.

Thus, when INGOs are placed in the world order in a position that has them filling structural needs, their

Behavior. Ed. Edwin Locke. Blackwell Publishers. Malden, USA. pp. 242-243.

⁹⁵ "The Non-governmental Order: Will NGOs Democratise, or Merely Disrupt, Global Governance". The Economist. 12/11/99. Vol. 353, Issue 8149, p. 20.

credibility should not be challenged for seeking causes that fund their institution. In such a case, they are, rather, meeting market needs, and fulfilling their structural role. This applies to the extent that they do not seek funding over and above their operating costs.

This discussion has shown that INGOs hold a role as legitimate actors in the world order. They represent the public, if only in the absence of any other organization. INGOs are hampered in their ability to perform as representatives of the public, however. This powerlessness is related back, as is shown in the next section, to the INGO community's lack of legitimacy.

Lack of Legitimacy as an Obstacle to Power

When the credibility of an individual INGO is called into question, it hurts the capacity of the entire community. Since the conditioned power INGOs wield is predicated on their portrayal and perception as legitimate agents of global civil society, questions of credibility are very harmful to the community. The types of actions which are particularly harmful to INGO credibility are those which question the INGOs' respect for sovereignty, and more damagingly, question whether INGOs act on behalf of the public.

The question of respect for sovereignty poses difficulties to the INGO community. When INGO policy conflicts with the law of a sovereign country (on such

issues as women's rights, whaling, or racism), INGOs are put into the difficult position of having to choose whether or not to respect state laws. When INGOs ignore this, they are defying sovereignty rules. For example, Rwanda and Uganda have instituted INGO registration policies because INGOs frequently neglected to notify state officials when doing work in their country. Moreover, some of these INGOs engaged in national political acts⁹⁶. When organizations circumvent sovereignty, thus acting outside the rules of the international order, they pretend to a legitimacy which is the province of the state. As such, they call into question the precarious credibility of the INGO community.

Similarly, but on a more blunt and provocative scale, the actions of individuals within INGOs can call into question the validity of the entire community. In 2001, a scandal swept the INGO community, as it was determined that there was a significant pattern among INGO workers in West Africa, showing many had engaged in food-for-sex extortion.⁹⁷ The immediate and powerful response of the INGO community to sanction individuals demonstrated the seriousness of the issue for the individuals affected.

⁹⁶ Yaansah, Eddie Adiin. Harrell-Bond, Barbara. 2000. "Regulating the Non-governmental Sector: the Dilemma". Website: <http://www.globalpolicy.org/ngos/role/globalact/state/2000/1121.htm>

On a more callous level, however, it showed that the INGO community is desperately quick to quell scandals that impugn the credibility of the organization. Had Save the Children been slow to respond to the allegations of abuse, their credibility would have been destroyed, and they would have been rendered ineffective in activities among segments of the world order. (in that case, it was determined that the aid workers responsible were local employees of the UN⁹⁸).

Conclusion

The INGO community has impact on global affairs. To understand how this impact is realized, this chapter critically analysed the very concepts of power and legitimacy.

INGOs wield a conditioning power. That is, individual INGOs cannot force compliance with their goals through force, and rarely have the compensatory power to compel compliance. Instead, INGOs have the power to influence belief and attitude.

The ability to wield conditioned power has been shown to be only available to those deemed legitimate to wield such a power. This legitimacy, is the key to conditioned

⁹⁷ "Major INGO Groups Moves[sic] to Protect Children From Abuse". Reuters. 3/4/2002.

⁹⁸ "UN Investigating Sex-for-Aid Charges". AfricaOnline. February 28, 2002. Website:
<http://www.africaonline.com/site/Articles/1,3,45952.jsp>

power, and thus to any impact which the INGO community wields in global affairs.

In short, this chapter followed the concepts of power backwards to show that legitimacy lends an air of authority, and authority (or credibility) underpins the ability of INGOs to wield conditioned power. This applies in relations between INGOs and any segment of the world order.

Thus, in order to wield the influence that the community has, it needs legitimacy and authority. Yet the INGO community faces obstacles because of their lack of institutionalized legitimacy. Chapter four explains what accreditation is, and demonstrates how the adoption of an accreditation system by INGOs will help them surmount these obstacles, and provide a valid means for accountability and legitimacy.

Chapter 4: Accreditation Legitimizes

The points argued in this chapter show that accreditation is a very worthwhile goal for the Inglehartian and mundane INGO community⁹⁹. There are four key reasons that indicate that accreditation should be sought after by the INGO community: legitimacy, awareness of community to external groups, ownership of identity, and the establishment of a legal personality.

First, accreditation enhances the legitimacy of the accredited body. For INGOs, it will be shown that this means that the other segments of the world order would afford the INGO community more credibility, legitimacy and power if INGOs instated a system of accreditation.

Second, the process of developing a system of accreditation requires precisely defined boundaries for the group being accredited. These defined boundaries clarify and reinforce an internal understanding of community. The INGO community would then benefit, because the sense of community they already enjoy would become more defined to other segments of the world order.

Third, a system of accreditation maintained by the INGO community itself would give the community a measure of

⁹⁹ This thesis does not wish to propose criteria which the INGO community should adopt for an accreditation system. Indeed, it is an important message of the thesis that this determination should be done by the INGO community itself. However, among the organizational attributes which might be considered are: service delivery, governance, management practice, finances, etc...

control over the boundaries of its own membership. With any formal authority conferring status, INGOs would claim ownership over their own identity.

Fourth, the INGO community would benefit from having an accreditation process because it would give them a stronger legal personality in the world order. Other segments would know the limits of accountability for INGOs, and could count on INGOs to be more responsible for their policy calls. As a result INGOs would be more of a known quantity in global affairs.

Before addressing each of these claims, the next section reviews the concepts underlying the term 'accreditation', and shows why the processes used by international organizations for registering INGOs should not be considered accreditation, even when they are termed such.

Accreditation in the Private Segment

Accreditation is a process that is frequently applied to organizations in the private, or market segment of the world order. A brief look at the evolution of the term shows that it went from a product quality concept to a focus on standardization of management processes. While the earlier process may have been irrelevant to organizations in global civil society, the latter, it is argued, is extremely relevant.

The term 'accreditation' is not new; it is well entrenched in the English language. It is defined as

gaining belief or influence for, attributing a thing to a person, or crediting a person with a thing, or having guaranteed quality¹⁰⁰. Particularly in the 1950s, this notion of guaranteeing quality came to be associated with accreditation. This came as a result of the industrial emphasis in the 1950s, on the development of the discipline of Total Quality Management (TQM).

The focus of early efforts at TQM was on the predictable development of high quality products. W. Edwards Deming, the acknowledged pioneer of the discipline, saw quality as a "predictable degree of uniformity and dependability"¹⁰¹. Philip Crosby, another pioneer in the field, refined the concept of quality to "conformance to requirements, not 'goodness'"¹⁰². He saw no degrees of quality; Crosby's notion of quality was that it is an attribute of a thing or process, which is "determined by comparison with agreed and fully understood requirements."¹⁰³

This latter concept is important for taking the concept from the private to the public segment of the world order. Accreditation involves the comparison of existing

¹⁰⁰ 1989. The Concise Oxford Dictionary. Oxford University Press. Toronto, Canada. p. 7.

¹⁰¹ Ross, Joel E. 1999. Total Quality Management: Text, Cases and Readings. CRC Press LLC. Boca Raton, USA. p. 5.

¹⁰² Ibid. p. 8.

¹⁰³ Crosby, Phillip. 1979. Quality is Free. McGraw-Hill. New York, USA.

criteria to agreed-upon standards of quality. The measured attribute should fall within a determined set of standards in order to be considered of 'quality'.

In the 1990s and into the 21st century, the emphasis for accreditation in the private segment of the world order has moved to TQM in administration, management and work processes. An accreditation process compares many attributes against agreed-upon standards. Accreditation is issued once it has been shown that standards have been met. This process of comparing all attributes is known as checking for 'conformity assessment',¹⁰⁴. Groups like the International Accreditation Forum (IAF) exist to ensure that conformity assessments can be made by groups that are both qualified to perform the assessments, and are not in conflict of interest.

A process of professional accreditation would be different from the processes with which INGOs are currently familiar. The process called "accreditation", by the UN and other bodies, involves the tabulation and submission of information like the following:

- Organization Name
- Address, Phone, Fax, Email
- Contact Name
- Year of establishment
- Description of Membership
- Purpose of Organization

¹⁰⁴ "What is the IAF?", International Accreditation Forum. 2001. Website: <http://www.iaf.nu/>

- Programmes and Activities
- Membership of the Governing Body
- Financial Statements¹⁰⁵

It is the goal of this system to enumerate information about INGOs for a conference. Using this as a substitute for proper accreditation means that no conformity assessments are done (as indeed, there are no standards against which to judge). It does not provide a means for determining much about the identity of the INGO, which is to say, the quality it exhibits when comparing it with standards for conformity assessment.

Conformity assessment standards which are determined by outside bodies (as well as the UN process described above), are based on the values of the accrediting body. The next section of this chapter reviews the four methods by which standards can be set, and shows that the INGO community should adopt a second party accreditation system.

Current Accreditation for INGOs

There are several processes of accreditation available to INGOs in the world today, but each is limited to a

¹⁰⁵ United Nations Conference on Human Settlements. 1996. "Participation of Non-governmental Organizations (NGOs) in the Conference and the Meetings of its Preparatory Committee: Application for Accreditation". United Nations Habitat II Documentation. Nairobi, Kenya.

specific constituency. Clearly, if one of these were not so limited, a global accreditation system would already have been established. A brief summary of these systems follows, along with the criticisms which prevent the system from being adopted globally.

In terms of subject area, the processes used by Interaction and by INTRAC have been mentioned already. Interaction has a very keen accreditation process, but is focused on United States-based INGOs. Similarly, the Canadian Council for International Cooperation focuses on Canadian INGOs, but has a keen set of standards.

At the international level, several voluntary accreditation boards have been formed. These included the Accrediting Bureau for Charities, in London, UK, and the International Committee on Fund-Raising Organizations in Brussels¹⁰⁶. Both organizations focus on information dissemination and codes of conduct, and do not have broad acceptance or membership.

The main distinction between these organizations and the accreditation proposed by this thesis is that the goal of each existing accreditation process revolves around ensuring the legitimacy of the organization in the eyes of a particular state government. This only addresses one small part of the world order which could be affected by

¹⁰⁶ Chamberlain, Randall. 2002. Regulating Civil Society: The Philippine Council for NGO Certification. Philippine Council for NGO Certification. See Website: <http://www.pcnc.com.ph/pcnc/CivilSoc.PDF>

an accreditation scheme. Indeed, each of these schemes is hampered by a lack of importance that is placed on the question of "whom" the accreditation system is serving. Should INGOs be accredited to please the state, the public, the private interests, or others? This question is best answered by breaking the types of accreditation into four distinct types, as is shown next.

Gerreffi's Typology of Accreditation

A common categorization system for accreditation is based on the identity of the body determining standards. Gary Gerreffi offers the most detailed current analysis of accreditation systems aimed at organizations within the world order. Gerreffi categorizes accreditation systems by whether they are created by the organization being accredited (first party), professional associations (second party), external auditing groups (third party) or state government (fourth party). Simply put, it is shown that the second party process is the only one that would be of value to the INGO community.

First party accreditation refers to systems developed and administered by the entity being accredited. It is "the most common variety, whereby a firm develops its own rules, and reports on compliance"¹⁰⁷. The credibility of

¹⁰⁷ Gerreffi, Gary. Garcia-Johnson, Ronie. Sasser, Erika. 2001. "The INGO-Industrial Complex". Foreign Policy, (Jul-Aug). Website:

the process is mostly internal, as the standards used in developing the accreditation process can easily be adapted to match the strengths of the body being accredited. In this way, first party accreditation is a way of organizations casting a self-fulfilling prophecy of legitimacy and quality.

If each INGO were to develop its own accreditation system, there would be relatively few benefits derived for the INGO community as a whole, or for the individual INGOs. First, any enhanced legitimacy would only be internal. Second, there would be no improvement in the sense of INGO community, as the boundaries of the accreditation would be a single INGO. Third, there would be no greater awareness of the community of INGOs, as the community of INGOs would not be the focus. Fourth, there is no connection between the development of innumerable different internal standards, and the establishment of a legal personality for the group.

By contrast, second party accreditation relies on the creation of professional organizations to act as certification bodies. Indeed, this type of accreditation "involves an industry or trade association fashioning a code of conduct and implementing reporting mechanisms"¹⁰⁸.

http://www.foreignpolicy.com/issue_julyaug_2001/gereffi.html

¹⁰⁸ Ibid.

The major benefit of second party accreditation is that it leverages the association's technical knowledge of a subject area into a credible set of standards. By applying those standards rigorously through conformity assessments, the organizations so accredited implicitly accept the value of the accreditation system.

First, the legitimacy of the community is enhanced, because members can show the standards by which membership in the community is decided. Second, the boundaries of identity are clarified, and the ability to change those boundaries is put in the hands of the community. Third, the awareness of members of the community to others segments of the world is enhanced, because awareness of the community as a whole is enhanced. Fourth, the basis for a legal personality is established, because there is an institutionalization of the concept of the INGO.

Third party accreditation is performed by an external expert. Ironically, in current world order, third party accreditation often takes the form of an INGO assessing a private (market segment) organization. "Third party certification involves an external group, often an INGO, imposing its rules and compliance methods onto a particular firm or industry"¹⁰⁹.

¹⁰⁹ Gerreffi, Gary. Garcia-Johnson, Ronie. Sasser, Erika. 2001. "The INGO-Industrial Complex". Foreign Policy,

INGOs sometimes serve as the professional and technically proficient external bodies, which can offer accreditation to industry. This is not to say that all INGOs have the technical capacity to create standards. Rather, it is only to note that INGOs may, under specific political and time-bound conditions, be the only organization with the skill, desire or position to perform such tasks.

Third party accreditation is inappropriate as a system for accrediting organizations as INGOs. First, the legitimacy of the standards developed would depend on the legitimacy of the professional external body developing and testing the accreditation. Second, the identity of the INGO community would be determined outside of the control of the INGO community. While this might build awareness of the strength of the community, the flexibility of the standards over time, as different experts determined different standards, would hinder the establishment of a legal personality, rather than help.

The most important premise underlying fourth party accreditation is the acceptance of the authority of some member of the state segment. "Fourth party certification involves government or multilateral agencies"¹¹⁰.

(Jul-Aug). Website:
http://www.foreignpolicy.com/issue_julyaug_2001/gereffi.html

¹¹⁰ Gerreffi, Gary. Garcia-Johnson, Ronie. Sasser, Erika. 2001. "The INGO-Industrial Complex". Foreign Policy,

For example, many TNCs accept the United Nations as an authority on environmental, labour, and human rights principles. In some work with the UN, for example, TNCs submit updates of their progress to the United Nations, which detail the work the TNC has done to conform to standards determined by the United Nations itself¹¹¹.

A fourth party accreditation system for the INGO community would echo the current status quo. In short, there would be little change from the existing lack of standards. As has been shown, the reasoning behind the development of the United Nations INGO 'accreditation system' is biased, and does not address even basic issues of professionalism in management and administration.

Pursuing a second-party accreditation system would be difficult for the INGO community. Yet it is worthwhile. As explained in the next sections, such an association and process would enhance the INGO community's legitimacy, community, identity and legal personality.

Accreditation Enhances Legitimacy

The main purpose of accreditation is to establish that an organization or individual meets accepted standards of competence in their activities. Generally, though, the

(Jul-Aug). Website:
http://www.foreignpolicy.com/issue_julyaug_2001/gereffi.html

¹¹¹ Ibid.

benefits of accreditation can be summarized into two categories: internal quality assurance, and thus, external perception of higher quality¹¹². Indeed, this latter benefit, of opening doors to otherwise closed business is cited¹¹³ as the strongest benefit business firms derive from undergoing the process of accreditation.

The implementation of an accreditation system ensures greater internal accountability for any organization. In the public segment, for individual INGOs, a monitored measure of accreditation would force a more Inglehartian approach to involvement. One great hindrance to the legitimacy of the INGO community has been that many of its members have not rigorously ensured an internally accountable system of representation.

Internally, the maintenance of membership of individual INGOs is suspect, because of the passive role they play in determining the goals and mission of the INGO. The membership of an INGO is frequently assumed to be that of passive members, seeking an involvement that does not require more than paying annual membership rates¹¹⁴. In

¹¹² Gavin, P.M. Dick. 2000. "ISO 9000 certification benefits: reality or myth?". The TQM Magazine. Vol. 12 Issue 6. p. 366.

¹¹³ Ibid. p. 369.

¹¹⁴ Spiro, Peter. 2002. "Accounting for INGOs". Chicago Journal of International Law. Vol. 3. No. 1. Spring, 2002. p. 163.

such a milieu, it is unlikely that the complete organizational agenda will be reviewed. On top of this, INGO leaders are given a great deal of power within their organization:

NGO executive directorates have membership and other funds at their disposal, with few strings attached, and can claim to speak for thousands, sometimes millions of members who as a practical matter exercise little scrutiny of their representatives¹¹⁵.

In areas perceived to be shortcomings, a second party accreditation system could require a more Inglehartian approach to community, if the concerns of members outside the INGO community were truly vital to the functioning of the INGO community.

Instituting a system of agreed-upon standards for internal accountability and management would thus address one of the major perceived shortcomings of the governance of members of the INGO community.

It would undesirable for the INGO community to use the UN to determine or monitor such an accreditation system, because the UN is itself an interested party. The legitimacy of systems of accreditation governed by the UN would be more suspect, and thus less credible, than one governed by the INGO community itself.

¹¹⁵ Ibid.

Accreditation Enhances 'Community'

A second internal benefit deriving from the implementation of INGO accreditation would be the improved sense of community. By engaging in the act of developing agreed-upon standards for membership, INGOS would better know what it means to be an INGO.

The very debate over standards for accreditation within a group is healthy. It is the only means of assuring that a community is fully aware and in control of its nature. Further, such discussions stimulate formal research, and provide the only means for a field to achieve professional status¹¹⁶.

The concept of community among organizations is distinct from that among individuals. To achieve a sense of community among organizations, there must first be consistency among the organizations themselves. By metaphor, it would be difficult to establish a sense of community in a transient area, or among people with multiple-personality disorder. The consistency assured by accreditation provides the foundation of consistency from which a formal sense of community can be established.

¹¹⁶ Ray, Charles M. McCoy, Ranyd. 2000. "Why certification in information systems?" Information Technology, Learning, and Performance Journal. Spring. Organizational Research Association. pp. 1-3.

Accreditation Brings Ownership of Identity

Accreditation gives the accrediting body the power to determine what is 'inside' and 'outside'. This allows the accrediting body to determine identity.

The INGO community has been concerned with its identity for some time. As INGO profile has increased, the lack of common rules of conduct and professional management has become more glaring. In some cases, this has led to the destruction of hard-won legitimacy, when INGOs were associated with offensive and sanctioned behaviour. The alleged cases of child abuse in West Africa demonstrate the importance of INGOs knowing which groups are inside and outside of the community of INGOs. In that case, it was determined not to be an INGO failing, but this could be determined by contrast to the state representatives who were inflicting the abuse¹¹⁷. In cases of an organization assuming the manner of an INGO, it would have been extremely difficult for the INGO community to distance itself from the behaviour.

When the INGO community cannot control the identity of its own membership in any consistent, agreed-upon manner, the existence of that community is threatened. Where INGOs, through malice or negligence, have allowed their representatives to sully the reputation of the entire

¹¹⁷ "Major INGO Groups Moves to Protect Children From Abuse". Reuters. 3/4/2002.

community by association, the whole community loses credibility.

On a higher level, the lack of consistency offers opportunities for authors hostile to the INGO community to group them with undesirable elements. For example, Moises Naim has casually noted that the Al Qaeda terrorist network is an INGO¹¹⁸. Without an identity governed by the INGO community itself, it is hard to refute his claim.

Accreditation Provides Foundation for Legal Personality

The state, TNCs and the international bureaucrats would benefit from efforts of the INGO community to institute a system of accreditation. Such a system would address the main problem with the current standards-free definition of the INGO: if they wielded power in international decision-making relative to their credibility among some sectors of the public, INGOs could be an enormously destabilizing force in the world order.

INGOs can use the current world order to advance their own agendas, without having accountability for their influence or for the results of agreements they help broker. Though INGOs like the World Wildlife Federation and the International Olympic Committee hold enormous power in specific situations, their participation in

¹¹⁸ Naim, Moises. 2002. "Al Qaeda, the INGO." Foreign Policy. Iss. 129. p. 100.

international dialogue is neither institutionalized, nor legally recognized. Formal participation is, in fact, prohibited because INGOs have no legal personality¹¹⁹.

Since there is no legal personality, and INGOs are informal players, they are only bound to the business rules of the world order insofar as it affects their legitimacy in the eyes of other player. For instance, if INGOs only like certain parts of environmental agreements, they can reject the other sections, and only support particular portions. In short, without a legal personality, INGOs do not have the rights, nor the responsibilities of other international actors¹²⁰.

In the past, this issue meant that global civil society in general has been simply shut out of the dealings of the world order. In a practical sense, however, INGOs now exercise many of the powers they would wield if such "rights" were accorded to them. They currently lack, however, the associated "responsibilities" that would come with the formal enactment of legal personality. The accreditation process would be a very valuable foundation for the development of an international legal personality for INGOs.

¹¹⁹ Spiro, Peter. 2002. "Accounting for INGOs". Chicago Journal of International Law. Vol. 3. No. 1. Spring, 2002. p. 168.

¹²⁰ Ibid. p. 169.

Conclusion

This chapter has shown where the concepts behind accreditation come from, and has shown why a second party system of accreditation is the most appropriate type for INGOs.

Further, it is clear that there are many theoretical benefits which the INGO community would derive from the implementation of such a system. Among these are: enhancement to legitimacy, community, identity, and the establishment of a foundation for creating a legal personality.

Chapter 5: Conclusions and Findings

The goal of the discipline of International Studies is to create ever better understandings of the world of global affairs. To do so, theories are created and constantly tested. These comprehensive set of expectations and beliefs always have a *raison d'être*. In abstracting reality, each theory simplify a particular area of interest. For example, neorealism focuses only on the relative power of states, Marxism highlights social issues (in particular those related to economics and class), and feminist theory examines gender issues.

Over time, issues rise or decrease in importance, social factors change, and so dominant theories must be challenged. The must be tested and retested, not only to show their robustness, but to show their relevance.

This thesis shows one such challenge to existing dominant theory, in particular neorealism. In not accounting for the INGO, or accounting for it in terms of the state, neorealism cannot adequately explain a force in global affairs which is having increasing impact on the global stage.

This thesis has been important because the acceptance of the need for the INGO community to develop a system of second party accreditation implies the acceptance that INGOs can develop a legal personality on their own terms. Further, an identity so created institutionalizes the legitimacy, and thus the authority and power of the INGO

community as a whole. This self-realized identity has no place in the neorealist lens, and thus poses a significant challenge to the dominant theory in use in international relations today.

The main challenges to legitimacy of the INGO community lie in the challenges to INGOs themselves, as related in chapter two. A system of second party accreditation, as explained in chapter four, would address each of the five criticisms, as shown below.

Second Party Accreditation and INGO Criticisms

The main criticisms of INGOs revolve around a perceived lack of accountability. INGOs are criticized as being unaccountable to the state in that they are said to be able to renege on agreements. They are called unaccountable to civil society by misrepresenting the public in political work, or disenfranchising the public in service work. These three accountability criticisms are addressed in turn.

First, INGOs are criticized by state representatives as irrelevant for not having the legal personality to be bound to agreements. This is an argument which truly begs the question. To reword the criticism, viewing INGOs through a lens which renders them legal non-entities, INGOs are not seen as able to be legal entities.

In the case where INGOs had the foundation upon which to build a legal personality, they would have a basis for recognition, acceptance, and thus accountability. The second party accreditation system would provide such a basis.

Second, if, as criticized, INGOs are a vocal minority imposing their will on the majority, then a system of second party accreditation would serve as a check on the power of that INGO. This criticism suggests that INGOs have a great deal of power, which can be wielded not only in the absence of known public preference, but in spite of it. As has been explained, INGOs derive any conditioning power they enjoy from a legitimacy bestowed by the public.

Assuming, however, that INGOs had such a power, the case for second party accreditation would be strengthened, from the perspective of any segment. An accrediting body would serve as a check on the influence of any single INGO, and would be desirable from the perspective of state, market and civil society.

Does the service work of INGOs disenfranchise citizens? Assuming for a moment that INGO work does, it would again be in the interest of the public to push for second party accreditation. The system would serve as an optional path for seeking remedies from INGOs in the absence of any other mediating group.

INGOs are also criticized for undermining sovereignty. Sovereignty is a concept that seems critical to states because it enshrines the existence and rights of states. INGOs at times may indeed challenge the very concept of sovereignty. A second party accreditation system would serve as a means to moderate and focus these challenges.

Second party accreditation thus addresses the major criticisms of INGOs, and helps moderate the perceived excesses. In the least, such an accrediting body would provide a self-governing means of accountability for the public and the state to question the INGO community.

This chapter concludes the thesis by reviewing the benefits of accreditation in terms of identity, community, legitimacy, and legal personality. The chapter closes by looking at potential obstacles to accreditation for INGOs, and looks forward to further research which could be done on the topic.

Theoretical Benefits of Accreditation

The benefits of accreditation reviewed in chapter four could be achieved among members of the INGO community. This section reviews the definitions developed for this thesis, and show the benefits of identity, community, legitimacy, and legal personality.

INGOs are distinct from state and private enterprise. While all three segments of the world order may overlap in the means by which they attain their goals, each is

unique enough that global civil society can be clearly distinguished from private enterprise, and both can be seen to be clearly different from the state segment. Organizations fit into the state segment if they have overriding authority which is recognized by their constituents.

Organizations without this authority are considered non-state actors, of which there are organizations with private (market segment) and those with public (global civil society segment) goals.

Within global civil society, there is the disorganized public and the organized public. The organized public is the INGO community. By virtue of this segment having no other organized agents to represent it, the INGO community frequently falls into the role of being an agent working on behalf of global civil society.

Unfortunately, the community of INGOs is an anarchic, anomalous mass of organizations which frequently changes. Further, this mass has no globally accepted set of standards for membership. As such, global civil society as represented by INGOs has inconsistent approaches, responses, identity and personality.

In practice, INGOs take on roles ranging from agenda-setting, enacting global policy, or auditing policy implementations. These roles vary from issue to issue, INGO to INGO, and time to time. Certain specific INGOs

may maintain a consistent, credible role in any of those three processes, but the community as a whole cannot be said to be so consistent.

The group of INGOs is an identifiable community, but there are no standards which define what groups are inside and outside of that community. Accreditation would provide this definition, and second party accreditation would allow INGOs to determine those boundaries themselves. An enhanced sense of community, as discussed in chapter four, allows for greater credibility, legitimacy. For the INGO community, this would mean the latent potential to create a legal personality in the world order.

The process of accreditation evolved in the private segment of the world order, but has matured to a point where it would be a useful process to ensure consistency among and between organizations in the public segment.

Practical Obstacles to Accreditation

Practically speaking, the major problem to developing an accreditation system for INGOs is the lack of any current association which could provide the technical expertise to develop and enforce standards, and would have credibility among the members of the INGO community.

Within the INGO community, two INGOs developed first party accreditation systems. By setting up these rules for their members, groups like the INGO Training and Research Centre (INTRAC), and Interaction sought to establish a sense of added legitimacy among their members. Where INTRAC operates as a non-profit consulting agency, Interaction is a federation of US-based humanitarian INGOs.

INTRAC focuses on a business approach to improving INGO methods, impact and management capacity. Though not an accrediting body *per se*, INTRAC offers services to other INGOs to improve their professionalism.

By contrast, Interaction is a humanitarian aid-focused membership organization for US-based INGOs. Its strength is in the meticulous set of standards developed for membership in organization. Though not billed as a certification system, its 'PVO standards' are comprehensive¹²¹, and relate to both the professionalism of the organization, and the ethical standards by which its member INGOs carry out their activities.

Indeed, the single, largest obstacle to the professional second party accreditation of INGOs would lie in the ability of the INGO community to organize itself into a

¹²¹ McClymont, Mary. Interaction. 2001. Interaction Private Voluntary Organization (PVO) Standards, Website: <http://www.interaction.org/pvostandards/mission.html>

stable, institutionalized organization which could police itself.

This problem has been surmounted by other professional associations, such as doctors, engineers and others. Doctors have developed a meticulous, widely credible system of accreditation. While implementations of the medical profession's accreditation system vary from region to region, they all stringently guarantee adherence to a fixed set of standards.

More importantly, however, the legitimacy that medical professionals derive from their system of accreditation allows them to become the instruments of power by which the state enacts subject-specific legislation. In short, doctors in the medical establishment, short of any egregious shortcoming, are generally governed by regulations determined by one or another professional association of doctors.

More importantly, the power of the medical establishment in society is so conditioned, that many governments have accepted legal codes which puts the discretion of the medical professional (for issues like privacy and public safety) over the condign or compensatory power of the governing body.

As mentioned before, there is no formal existing association of INGOs which represents the entire scope of the INGO community. While private groups of INGOs (e.g.

INTRAC, Interaction) do exist, and wide INGO membership can be found in international organizations, neither of these groups represents the full spectrum of the INGO community.

Second, since the nature of INGOs is to be subject-specific, the development of any broad system of accreditation might be impossible to achieve. Any given solution might be deemed to have inappropriate emphasis by sub-groups of the INGO community. Indeed, it would be a challenge to develop a broad set of principles and rules for the entire community which did NOT have inappropriate emphasis when applied to individual members of the INGO community. Any such set of rules could be argued to benefit one individual or group more than another.

The community of INGOs changes frequently. As they cannot have a profit motive, they are inherently vulnerable to budget constraints. When money is unavailable, INGOs can simply disappear. Moreover, INGOs reflect the current concerns of global civil society. As the concerns change, different INGOs will form and disband.

Finally, the biggest obstacle to developing such a system of accreditation would be the cost of creating the system. Members of the INGO community are, by their nature, not connected to reliable revenue flows for organizational development. The institutional costs of developing and maintaining an effective system of

accreditation, plus monitoring and policing such a system, might be very high.

Conclusion

The theoretical benefits of accreditation for the INGO community are large, and meet the goals inherent in INGOs. In summary, an accreditation system would allow INGOs to be better able to meet their goals, and to operate in a consistent environment. This would also be desirable for other segments of the world order, and for global civil society in general.

The state and market would have a more reliable, accountable counterpart in an INGO community. An accredited INGO community, with a legal personality, would become a predictable part of the development of global policy.

The public would have a known quantity as an avenue for accountability. In the event that an INGO transgressed boundaries of accreditation, the larger community would have power to ostracize the INGO, thus reducing its capacity from legitimate power to tactical influence.

The INGO community itself would have control over the boundaries of membership, and could take a more institutionalized power role in the world order. The extent to which such a body was welcomed by states would

be concomitant with the legitimacy which the accreditation process built; in other words, if an effective, credible accreditation process was widely adopted, the INGO community would be more likely to be recognized than it is currently.

There are many practical obstacles to establishing a second party accreditation process for INGOs. Still, the benefits which accreditation brings make it worthwhile to address energy to surmounting those obstacles.

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