Governance Without Politics:
Civil Society, Development and the Postcolonial State

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In the World Summit on Information Society (WSIS), the World Trade Organization (WTO), the G8 Summits and the World Bank, civil society organizations are often held up as the only legitimate institutional actors capable of representing and managing distributional inequities of a highly fractured information society. This paper locates the current role of civil society organizations in a longer history within the academic and policy fields of 'development' communications.　While issues of access are clearly more central for Third World nations, this paper examines the social terrain behind the institutions of policy-making in the postcolonial contexts, specifically addressing debates between Southern and Northern perspectives in debates over the WSIS and the larger parameters of the Information Society.　I argue that the dominant discourse on the digital divide—that between the North and South most generically—is rooted in assumptions about the neutrality of the category of civil society, devoid not just of history but of politics.

Civil Society and Global Governance[1]

> The greater involvement of [civil society organizations] CSOs, and other non-state actors may have stemmed from the specialised technical nature of WSIS and does not necessarily create a precedent for other U.N. processes. Nonetheless, a step has been taken in changing the nature of intergovernmental process. Other global public policy spaces, which require the full involvement of non-state actors in order to shape policy environments that benefit all, could do well to follow the model. For CSOs the specific challenge is to find ways of working on the inside without being diverted from their priorities.

> Association for Progressive Communication (APC) (2006) *Pushing and prodding, goading and handholding: Reflections from the APC at the WSIS*.
> http://rights.apc.org/documents/apc_wsis_reflection_0206.pdf

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In this article, I examine the social history and political formation of civil society participation in the "global information society." In the last decade, questions of representational legitimacy have persistently challenged the authority the of the global governance process, from the European Union and NAFTA to the United Nations and the World Trade Organization.

It is often this gap in representational legitimacy left both by state actors and their corporate counterparts, that civil society organizations operating in multilateral arenas are meant to fill, both in theory and practice (Kaldor, 2003; O'Brien et al, 2000).   In this article, I draw from the case of the World Summit on Information Societies (WSIS) to argue that civil society is not a homogenous bounded category easily translated across politically and historically distinct contexts. I focus on the WSIS, a series of two summits held between 2003 and 2005 hosted by the U.N. body, the International Telecommunications Union (ITU), because it represents a new stage and also mode of global governance of the "information society." Specifically, I am interested in tracing the debate about development in this arena, and assumptions about the "topography of state and civil society" which contrast state power from above against civil society opposition from below (Ferguson, 2006).

As the opening quotation by one of the leading civil society voices in this field suggests, for most of the civil society organizations (CSOs) that actively participated in the long process of summitry involved in the multi-year WSIS, gaining access to the inside of the global governance process was a substantial tangible achievement. While many, like APC above, have recognized the limits of participation in terms of actual policy outcome, they have focused on the precedent set by the new mode of participation with considerable influence of civil society in the particular areas of Internet governance and human rights.[2] Furthermore, communications researchers studying the process have extensively documented the role of civil society within the novel multi-stakeholder process, agreeing for the most part, that the experience of participation fostered new areas of expertise and novel institutional alliances.[3] The presence of a wide range of CSOs was meant to serve as a moral check, both in the multi-stakeholder process through official negotiation and alongside the summit's margins in parallel sessions and through a counter-summit organized in Geneva, but later banned in Tunis. In both phases, the publication of competing *Civil Society Declarations* established an alternate set of principles in contrast to the official documents, and there continues today a vibrant debate both within and more interestingly, beyond the official institutional terrain of U.N. recognized civil society bodies.[4]

Multi-stakeholderism clearly marks a change in the balance of power from the earlier era associated with the New World Information and Communication (NWICO). Anthropologist Akhil Gupta (1997) has argued that that the NWICO period "represented an effort on the part of economically and militarily weaker nations to use the interstate system to consolidate the nation-state" (191). The ambiguities of national state power were a central component of the initial call for redistribution of

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[2] For a range of perspectives assessing the role of CSO participation on WSIS outcome, including by active participants in the process see: http://www.choike.org/nuevo_eng/informes/3660.html

[3] See the special issue of the journal *Global media and Communication* 1 (3) 2005.

[4] For information on WSIS Action Plan implementation from the official civil society perspective see: http://www.wsis-cs.org/

international communications resources by non-aligned nation states thereby opening the door to a stealth campaign against the NWICO vision by the U.S. and the UK, on the grounds of state repression and censorship. False claims of "politicization" and the brazen influence of transnational capital on the international policy-making process have been carefully documented by scholars in the decades between the NWICO and the WSIS eras (Preston and Schiller, 1989; Roach, 1987). However, there has been less academic attention to the contradictory role of the modernizing post-colonial state in the NWICO era (Alhassan, 2004), when passionate demands for redistribution and accountability in the international arena went hand-in-hand with loud silences when it came to gender, ethnic and racial discrimination, and repression of minority communities, workers as well as political dissidents.

As most of the former non-aligned world signed on to the new global terms of trade, often in response to deep fiscal crises, feminists, civil rights organizations and a variety of new social movements began to challenge the role of nation states to represent what is accepted as the public's interest in both the national and transnational institutional contexts. In this way, the proliferation of new social movements questioning the violence of the developmental state coincided with neo-liberal economic reforms, diminishing the capacity of nation states in traditional areas of social policy—education, health, employment and welfare (Chakravartty and Sarikakis, 2006). In the transnational arenas of governance, U.S.-led pressure to shift power in line both with the "Washington Consensus" of the late 20th century and the "Post-Washington Consensus" of the early 21st century, has meant a move away from U.N. organizations toward the trade-oriented venues like the World Trade Organization (WTO) and the ITU. Private firms advocating self-regulation in this period began to provide technical and market expertise while CSOs, mostly in the form of Non Governmental Organizations (NGOs) began taking a lead in delivering social services—a function that was previously limited to state bodies.

NGO participation within the U.N. began in earnest in the 1970s, and then "exploded in the 1990s with the 1992 Earth Summit in Rio de Janeiro"; in 1996, the U.N. formalized the already-existing guidelines spelling out the basis for a "consultative relationship" between "accredited NGOs" and U.N. bodies (Ó Siochrú, 2003: 38). As discussions about the regulation and expansion of the "global information society" progressed, the historically technocratic ITU responded to criticism about the narrow institutional mandate that had previously excluded civil society participation in negotiations. Between 2001 and 2003, a directed campaign by multiple activist groups organizing in the area of communication rights helped pressure the ITU to commission a "civil society division" meant to facilitate the full participation of CSOs in the summitry process.[5] In the end, hundreds of officially recognized CSOs participated in the multi-year WSIS process along with the 191 member states and the more than 650 corporate actors represented by the Coordinating Committee of Business Interlocutors (CBBI).

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[5] For more on the background and detailed history of civil society participation in the ITU and WSIS more specifically, see Raboy and Landry (2005). Following the WSIS, internal debates about civil society participation have yet to find resolution. Currently, the ITU is considering proposals to establish a "High Level Civil Society Advisory Board" and the creation of a specific consultative or observer status for CSOs. See: http://www.itu.int/council/wsis/Working_Group_on_WSIS/Sept-2006/011r1e_wgwsis_final.doc

Against this broad background, this article attempts to locate the current role of civil society organizations in opposition to the state in the longer, contradictory history of communications and development. I examine the social terrain behind the institutions of policy-making in the postcolonial context, as an attempt at a theoretical intervention in the literature on communication and development in the era of global governance. Instead, and in contrast to both the dominant and often the critical discourse on the "digital divide," I argue that we must recognize that the relationship between the state and civil society has a specific history and politics in the South. Mahmood Mamdani, James Ferguson and others have forcefully questioned the relevance of the Hegelian formulation of civil society "sandwiched between the patriarchal family and the universal state" (Mamdani, 1996:14; cf. Ferguson, 2006: 92) in the postcolonial context. It is this vertical topography of power between the state on top versus civil society below that we see in both dominant policy and activist discourses about ICT for development. Moreover, I argue that the model for both transnational and national civil society actors in multilateral arenas are primarily based on Northern models of what we understand as associational life, that cannot simply be undone by reifying "local" communities and organizations in contrast to the "global." The following discussion will help elaborate these arguments as we consider the historically distinctive place of civil society in relation to ICTs, development and the reconfigured nation state.

Civil Society and the Crisis of Representation at the WSIS

If we agree that CSOs, either in principle or in practice, replaced the role of non-aligned nation states in raising ethical concerns in the multilateral forum of global communications governance in the era of the WSIS, it then becomes important to map the historical trajectory of these organizations. For many scholars and researchers, the legacy of the NWICO *MacBride Commission* spurred on a new generation of activists targeting both the national and multilateral policy arenas which challenged the dominant logic of trade-based expansion (Calabrese, 2004). With the dramatic collapse of Communism, civil society actors emerged in the late-1980s and throughout the 1990s, articulating an alternative normative vision for the rules governing the new "information economy." This new generation of activists presented a distinct normative vision about the role of communication in society, and participated in a novel form of "transnational associational life" as an extension of specific kinds of local or national struggles based largely in the "developed" North. The normative vision included the understanding of knowledge as common property, recognizing the distinction between the rights of citizens versus consumers, calling for the regulation of global media concentration, promoting cultural autonomy through exemptions to trade rules in the cultural arena and promoting individual privacy (Hamelink, 1994).

This vision provided a coherent progressive alternative to the narrow emerging neo-liberal vision of the information society. However, it can also be seen as paradigmatic of the "postmaterialist values" associated with new social movements (Offe, 1985) that have become the basis for much of the optimistic analysis of the emergence of a democratic global civil society (Arato and Cohen, 1994; Cox, 1999; Keane, 2001). Colin Sparks (2005) reminds us that the current theoretical resurrection of civil society as fostering democracy from below as expressed by private (capital) interests holding states accountable in the area of communication reform, owes its origins to the political events leading up to the collapse of Communist states in Eastern and Central Europe. While Sparks and other political economists have questioned the "boundedness" or autonomy of civil society, especially from the influence of private capital, the

"emancipatory" potential of progressive associations—community media, women's organizations, human rights organizations, etc.— is taken as the starting point for much of the current discussion about CSOs in the global information economy.[6]

It was such a collation of voluntary organizations initially based in the U.S. and Europe that formed the basis on what would become formalized participation in the WSIS.[7] In 2001, some of these groups formed the Communication Rights for the Information Society (CRIS) campaign, playing a pivotal role in coordinating a civil society voice in the WSIS process, reinforcing the right to communicate as a foundation for debates about social justice:

> Our vision of the Information Society is grounded in the Right to Communicate, as a means to enhance human rights and to strengthen the social, economic and cultural lives of people and communities. The information society that interests us is one that is based on principles of transparency, diversity, participation and social and economic justice, and inspired by equitable gender, cultural and regional perspectives.
> http://www.crisinfo.org.

It is clear from this statement the ways in which progressive organizations like CRIS and others position themselves against the dominant discourse of a privatized and commercialized culture industries and emerging information society. But it is also a fact that they position themselves as bounded civil society organizations, holding state and capital in check which can be traced to Tocquevillian prescriptions for associational life in modern liberal democracies. As International Relations scholars Louise Amoore and Paul Langley (2004) have argued, "For the international organisations in particular, de Tocqueville's conclusions as to the centrality of voluntary associations to a healthy liberal democracy are by and large transposed to the present in their policy prescriptions" (95). In other words, officially-recognized civil society organizations like CRIS and others were in agreement with bureaucrats in multilateral institutions about their legitimate role in democratizing the global governance process.

In practice, the dominant role of some of these organizations resulted in the centralization and bureaucratization of civil society within the WSIS, which became the subject of much heated debate and disagreement *within* civil society. In effect, a civil society "voice" was coordinated from above through the Civil Society Bureau, organized around regional cluster groups as well as "Families and Focal Points."[8] In

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[6] There is a large and growing literature in this area, which we attempted to document in some detail in Chakravartty and Sarikakis (2006), see Chapters 5-7.

[7] These included, among others, the World Association of Community Radio Broadcasters (AMARC) based in Canada, the World Association for Christian Communication (WACC) based in the UK, and the Association for Progressive Communication (APC), a loose network of NGOs that began in the U.S. and the UK.

[8] In keeping with what Amoore and Langley (2004) call a "list-making exercise" (94), the Civil Society Bureau recognized sixteen kinds of voluntary associations around distinct thematic areas, from NGOs, Media and Educational and Academic Research to Indigenous Communities, Trade Unions, People with Disabilities, Youth and Gender (http://www.csbureau.org/contactinformation.htm).

this process, the question of "who counts" as civil society became a central point of contention. It is important to point out that the emphasis on the transformation of values was evident at the onset of this process when CSOs voiced concerns that national representatives to the intergovernmental ITU from authoritarian states like China, Pakistan, Singapore and Tunisia were preventing the accreditation of independent voluntary human rights groups from participating. This concern raised by prominent CSOs was bolstered by the fact that Northern states strongly opposed the Chinese delegation's persistent objection to the inclusion of language in WSIS official documents that would support Universal Declaration of Human Rights principles, including *Article 19* guaranteeing the right to the freedom of expression (Jorgensen and Marzouki, 2005).

Northern state delegates, led most aggressively by the U.S., strategically separated this narrow definition of the "right to communicate" from other redistributive concerns like financing access to affordable telecommunications and ICTs and renegotiating the basis of intellectual property rights in terms of more open access to content in contrast to the best intentions of the CSOs outlined above (Chakravartty and Sarikakis, 2006: 158-159). It is thus not surprising that the *WSIS Declaration of Principles* (2003) reaffirms the right to the freedom of expression, a right that virtually all CSOs, private sector actors and the vast majority of nation states, most importantly nation states from the North, supported vociferously. Leading up to the second phase of the summit, CSOs reinforced their objection to the host Tunisian state's embarrassing record on freedom of information. The Tunisian state's decision to ban a planned parallel Citizen's Summit heightened concerns raised by CSOs on the question of human rights. The U.S. State Department voiced official "concern about Tunisia's restrictions on the broadcast media, restrictions on the activities of nongovernmental organizations and harassment of journalists," while arguing that the U.S.' position on ICANN was a victory against government censorship of the Internet.[9]

Internet Governance was the other substantive area of greatest civil society influence, in addition to the area of human rights. In Tunis, CSOs were backed by the EU against the U.S. in calling for greater democratization of ICANN, a private non-profit organization based in California.[10] This led to the creation of the Internet Governance Forum (IGF), a multi-stakeholder body meant to act as a check to ICANN.[11] In other substantive areas, especially in the priority development areas seen as crucial to meeting the *Millennium Development Goals* that directly linked the alleviation of poverty with access to information resources, there was little agreement between civil society and its "partners" in negotiation. The two most significant areas that were left largely unresolved were intellectual property rights (IPRs) and financing the

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[9] See U.S. State Department Press Release on the Tunis WSIS Meeting:
http://usinfo.state.gov/gi/Archive/2005/Nov/19-134756.html

[10] It is beyond the scope of this paper to delve into the intricacies of the Internet governance issue. For a general overview of the history and issues at stake from the progressive NGO perspective see:
http://www.icannwatch.org/

[11] For two current overviews of the history and politics of the internet governance process leading up to and following WSIS see: Alfonso (2005).
http://wsispapers.choike.org//papers/eng/carlos_internet_governance.pdf and ITfC (2006)
http://itforchange.net/images/stories//a%20development%20agenda%20for%20ig%20-%20itfc.pdf

"bridge" to the digital divide. In these two foundational areas, Northern states were largely successful in reinforcing existing IPRs and keeping meaningful negotiations off the WSIS agenda, although Southern states like Argentina, Brazil, China, India, South Africa, and others argued persistently for the need to rethink the redistributive and developmental impact of laws that favour Northern nations and private firms.[12]

In the area of digital infrastructure, leading up to the Geneva Summit, the Senegalese delegation proposed a "Digital Solidarity Fund" (DSF), which led to fervent opposition from the U.S., the EU and Japan. The U.S. proposed a counter "Digital Freedom Initiative" (DFI) that built upon a pre-existing U.S. Agency for International development (U.S.AID), an African development scheme of promoting "'enabling environments' for the creation of corporate interests in Africa" (Accusoto and Johnson, 2005). Critics have argued that the Digital Solidarity Fund was in essence sidelined as a weak mode of financing dependent on voluntary contributions form the North. The absence of tangible mechanisms to address disparities in access between North and South through the WSIS process has been recognized as a profound failure of WSIS, especially by CSOs based in the South. An overview report on the WSIS published by Choike, described as a portal on Southern civil societies, expressed this sentiment in the following way:

> The gap between what civil society organizations aimed for the second phase of the
> Summit (expressed in civil society's declaration at the end of the WSIS first phase) and
> the real outcomes of the official negotiations is almost as wide as the so-called digital
> divide between the North and the South.
> http://www.choike.org/nuevo_eng/informes/703.html

Many experts saw the lack of meaningful policy intervention in the areas of intellectual property and access to ICTs as the result of the low participation of CSOs from the South. The fact that European and North American organizations dominated civil society discussions was explained by the prohibitive costs of attendance, language of deliberation and requisite "expertise" in ICT-related areas (Carpentier and Servaes, 2006). The series of meetings between the two summits in Geneva and Tunis in 2004-2005 began to reveal some of these fissures between Northern and Southern civil society; as Karen Banks from the APC described how civil society deliberations were "characterized by difference, division, and questions of identity and representation."[13] The "under-representation" of CSOs from the South, especially in contrast to the perceived "over-representation" of heads of state from the developing world, was in this sense rationalized by many experts as exposing the overwhelming power of states actors in the South in

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[12] The lack of progress on this issue within the WSIS framework is in stark contrast to recent shifts within the WTO and the World Intellectual Property Organization (WIPO), where Southern nations with the support of civil society, have critiqued and introduced a series of reforms within these institutions (Shashikant, 2005).

[13] Key figures from the groups centrally involve in the WSIS process like Seán Ó Siochrú from the CRIS campaign and Karen Banks from APC pointed out that questions about the legitimacy of civil society were increasingly raised by U.S.-backed conservative groups challenging the social justice platform on issues like intellectual property rights. See: Banks (2004) and Ó Siochrú (2003).

relation to civil society organizations. Asian and Middle Eastern countries were seen as exemplary of this kind of civil society deficit (Kleinwachter, 2004).

As for differences in perspectives of groups and individuals within civil society, there emerged a sense of frustration expressed most clearly in the regional meetings in the Arab world, Asia, Africa and Latin America, that civil society priorities reflected a Northern bias. The arguments presented in these meetings focused on the prioritization of the civil society agenda. These groups and individuals raised questions about the relevance of a narrow definition of human rights as "freedom of information," as well as concerns about claims that focussed on state power over individual expression as opposed to state obligations to citizens and communities (Chakravartty and Sarikakis, 2006). Exemplifying this distinction is the "development-oriented" focus in creating an information society as spelled out by delegates from Latin American and Caribbean nations participating in the WSIS negotiations in the *Rio Commitment*:[14]

> Our firm conviction that all individuals should take an active part in an information society based on shared knowledge, not only as users of new technologies but also as agents of development and content production. To achieve this, we reaffirm the need for promotion the free flow of ideas and information and the development of a regional and global culture of knowledge sharing.
> Source:
> http://www.cepal.org/socinfo/noticaias/documentosdetrabajo/7/21677/Compromiso_de _Rio_de_Janeiro.pdf

The separation of a development agenda from the narrow claims for freedom of information were heightened by the U.S. state in voicing condemnation over abuses in the Third World given the Bush administration's persistent evasion and violation of universal standards applied to other nations and peoples.[15] Moreover, CSO activists participating in the WSIS process repeatedly questioned the issue of the accountability of civil society within the multi-stakeholder process itself.[16] These critics have raised compelling questions about the centralization and bureaucratization of civil society within the WSIS process, which groups like APC have answered as we saw in the introduction, by continuing to focus on both institutional and grassroots campaigns. This separation of "inside" versus "outside" institutional

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[14] The *Rio Commitment* was a document produced at the regional preparatory meeting of Latin America and the Caribbean (June 2005) during the second phase of the WSIS negotiations emphasizing development-focused objectives and regional co-operation.

[15] See most recent Amnesty International Country Report on the U.S.' which highlights the double-standards in both foreign and domestic policy in the area of human rights violations: http://web.amnesty.org/report2005/usa-summary-eng

[16] This was the thrust of the rationale behind the launching of the innovative *Incommunicado* project as an alternative arena of debate and intervention, which was premised on the idea of "…refusing to allow an organizational incorporation of grassroots or subaltern agendas into the managed consensus being built around the dynamic of an 'international civil (information) society'." This quote comes directly from the website at: http://incommunicado.info/conference For more on this project see Lovink and Zehle (Eds.) (2005).

arenas, or working from both the "top" and the "bottom" fails to capture adequately the contradictions of the very category of civil society.

Within official civil society, those who had been most active in the WSIS process, like Anriette Esterhuysen (2005), the Executive Director of APC, argued that the most significant positive outcome had been the capacity building and networking opportunities for Southern CSOs to influence policy at the national level.   Giving examples from Kenya, the Philippines, South Africa, Senegal and Brazil, Esterhuysen claims that local NGOs are able to draw from the alternative civil society declaration at the WSIS to hold national and local states more accountable. Partnering with local organizations has been the mandate of groups like APC, AMAARC and others that have internationalized their agendas throughout the 1990s and function today as global networks composed of local NGOs.   This strategy of building transnational grassroots networks, illustrates what anthropologist Arturo Escobar conceives of as "post-development" with local grassroots practitioners embedded in a global network that holds states accountable to place-based interests of the marginalized (Escobar, 2001).

This model of local "empowerment" aims to improve the expertise in technical areas and is surely a benefit for a range of Southern organizations having to adapt to the new development prioritization of ICTs in the context of the WSIS. Nevertheless, I would argue that we need to question the pedagogic role of CSOs with the assumption that more training and resources for local organizations in the area of ICTs will inevitably lead to greater public interest intervention modelled after Northern campaigns. This paternalistic understanding of the role of civil society organizations in shaping policy takes for granted the vertical topography of power discussed in the beginning of the article, which pits state institutions (on top) against CSOs (from below) both in the transnational and national arenas.

As Amoore and Langley (2004) have argued in their broader analysis of global civil society organizations, there is a tendency among progressive Northern CSOs ranging from the anti-corporate movement, to labor and human rights and environmental organizations, to gloss over real political differences. They point out that "transnational associational life" is not outside of already existing power relations and "cannot avoid the very exclusions it seeks to oppose" (106). This helps explain the centrality of dissent and opposition within and outside the institutional domain of officially recognized "civil society" actors. Moreover, it helps us see why the voluntarist associational model works when CSOs are opposed to the censorious Chinese state, but is less effective in challenging the rules that govern proprietary software.

Historians and theorists of global integration have increasingly questioned the pedagogic relationship between CSOs from the North providing technical guidance to local civil society groups who are assumed to have organic connections to communities resisting globalization from below. George Yudice reminds us of the "sobering" caution expressed by Brazilian cultural historian Muniz Sodre:

> ...critique may be more useful if it focuses on the relations among the state, the
> consumer market, and civil society, and if it adopts as a given that there is no autonomy
> of civil society from the state and the market. It may continue to be useful to think of
> civil society as the institutionalized terrain of the lifeworld but one that is continuous and

in tension with the state, with legality, with the market and with transnational entities (Yudice, 2004: 185).

I would take from this cautionary insight the lesson to consider more historically the tensions that emerged during the WSIS within civil society. Instead of reading these differences simply on the basis of narrow identity politics between the location, origin or even funding of Southern versus Northern groups, in the next section I consider the particular genealogy of civil society in the South in relation to the history of development communication.

Civil Society, Governance and Politics

Media scholar Clemencia Rodriguez (2000) has written that, "During the 1970s and 1980s, the field of development communication went through a long, and sometimes excruciating, journey toward humility" (147). Overturning the paternalistic paradigm of modernization led to a new call for an emphasis on "nongovernmental civic movements" in line with much of the broader development literature where community participation was meant to act as a check against state excesses and failures (Mody, 2000: 194). The humility referred to by Rodriguez was embodied by a variety of local and transnational efforts in the 1990s of creating and supporting citizens' media, as opposed to national state-operated and commercial media projects.

Simultaneously, in the arenas of global governance, the 1990s also witnessed the stunning absence of humility in the new parallel discourse of development and the rise of the information society. In tracing the origins of ICTD (Information Communications Technologies for Development), Anita Gurumurty and Parminder Jeet Singh (2005) have argued that the G8 initiative in 2000 which led to the Okinawa Charter and the Digital Opportunity Taskforce, was the culmination of nearly a decade of discussions exclusively restricted to Northern states (primarily the U.S. and the EU) about the benefits of the concept of the information society. The *Okinawa Charter* was important in popularizing the problematic notion of the "global digital divide," as well as in asserting the central role of the private sector in remedying the problem and reinforcing the need for the corrective role of civil society in the process.

As I argued in the previous section, CSOs following in the tradition of what Andrew Calabrese has called the "MacBride Legacy" began to play an important role in defining a humanitarian alternative to the techno-determinist mandate of the information society discourse. For instance, the Cultural Environmental Movement based in the U.S. and the Centre for Communication and Human Rights, based in the Netherlands, initiated the Platform for Communication Rights and the People's Communication Charter with the overlapping objectives of democratizing media access and formulating the basis of a 'humanitarian agenda' to challenge the neo-liberal policy framework focused on enhancing trade. Building on this momentum, in 1999 several NGOs involved in media-based activism launched a global civil society initiative entitled Voices 21 (A Global Movement for People's Voices in Media and Communications in the 21st century), which laid out the basic objectives for the new movement targeting the institutions of

communication governance.[17]   As shown above, the emphasis on post-materialist values and moreover the self-definition of these groups as bounded voluntary associations in opposition to state and private interests was apparent in the ultimate negotiations within the multi-stakeholder WSIS process.

It is in this light that we can assess why the legitimacy of officially recognized NGOs was called into question both within and beyond the institutionally bounded space of "official" civil society. Critical scholars studying the relationship between civil society and communications more broadly, remind us of the thin line between private interests and voluntary associations, and are generally cautious about the conflation of NGOs and progressive social movements (Calabrese, 2004; Hamelink, 2004; Sparks, 2006). Clearly, the proliferation of the corporate charity model of development that passes for civil society can be easily contrasted with efforts by more "grassroots" voluntary associations that have advocated for a "humanitarian" alternative to the neo-liberal information economy (Pieterse, 2005). However, the point here is that assumptions about the very boundedness of a separate sphere of civil society influence in the transnational governance arena is itself problematic, not simply because of the growing reach of private interests, but also because of the blurriness between the categories of state and civil society.

As I have shown, common to the current academic and the practitioner discussion on civil society is a Tocquevillian set of assumptions of limited value for critical discussions, especially as we consider the context of the postcolonial world. Principal among these assumptions is the separateness of civil society from both the state and the market. Geographer Gillian Hart, in her study of civil society in post-apartheid South Africa, pithily states that the "emphasis on civil society, typically understood as distinct from the state and the market" is a romanticized version of reality that unites the "New Left" with the "New Right" (Hart, 2002: 45). It is consequently worth returning to the question of the relative absence of civil society participation from the South in the process of WSIS summitry, especially given the phenomenal growth of civil society organizations—especially in the form of the NGO—in developing countries since the 1980s. For instance, geographer Peter Taylor (2004) has mapped the rise of NGOs across global cities in both the North and South and found that the density of transnational NGO presence is significantly higher in global cities like Nairobi, New Delhi, Manila, Mexico City and Beijing, in comparison to the traditional global cities measured by the presence of TNC investment.[18]

While the political orientations and sheer diversity of NGOs in the South should not be seen in simplistic terms, it is vital to recognize that the "NGO-ization" of the political landscape as part and parcel of neo-liberal regulatory reform, with over two decades of multilateral agencies and aid organisations based in the North advising developing countries to promote the "democracy sector" by funding groups within civil society. In contrast to the assumed topography of power in idealized modern liberal

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[17] The Voices 21 initiative identified four areas of action: 1) Access and Accessibility;
2) Right to Communicate; 3) Diversity of Expression; 4) Security and Privacy; 5) Cultural Environment (promoting a culture of peace, solidarity and environmental awareness). For more details see: http://www.comunica.org/v21/statement.htm

[18] Taylor's interpretation of this divergence, in his case demonstrating the greater potential democratization at the national and multilateral levels, is quite separate from the arguments made in this article.

democracies, this represents a clear case of civil society implemented from above as described by political scientist Robert Jenkins (2001):

> Foreign-aid programmes of advanced capitalist 'northern' countries have identified civil society as the key ingredient in promoting 'democratic development' in the economically less-developed states of the 'south'. … Civil society consists of both the associations that make up these 'centres' and the enabling environment that permits them operate freely. It is an arena of public space as well as a set of private actors (252).

Jenkins points out that the emphasis on good governance embraced by development donors tends to purposely conflate social movement criticisms of the violence of the development state with neo-liberal economic orthodoxy. In nations with histories of vibrant social movements often at odds with both powerful state actors and elite private interests, CSOs are encouraged to mobilize behind "free market" reforms that "remove many decisions not only from the purview of the state, but also the political community, democratically constituted or otherwise" (262-263).

In terms of separateness from the market, the point is not that southern CSOs are "polluted" by their contact with international donor agencies. Rather, it is that Southern CSOs are often limited in resources and are therefore dependent on international funders, if they are to have any impact transnational governance forums like WSIS. These constraints on autonomy have to be weighed against the fact that in the two years between Geneva and Tunis, the private sector injected hundreds of millions of dollars into communications for the South through public-private-partnerships (PPPs) whose economic and social impact have yet to be understood. In the few cases of external scrutiny of these projects, researchers have found that "the majority of these resources consist of transfer of equipment and software programmes for education centres in the South, a strategy designed to create loyal new markets" (Accusoto and Johnson, 2005; Mclaughlin, 2005; Pieterse, 2006). It was for this reason that the Tunis summit operated very much as a "trade fair." Representatives from Sun Microsytems, Microsoft, Nokia, among others, touted "success stories" about e-governance and explained their new foray into development as a "win-win" proposition; "Investors are not doing business only for charity…Business must be sustainable. And funds could be cycled to local communities" (Toros, 2005).

The argument forwarded here is not that the private participation in development communication is inherently unethical, but rather that the terms laid out for the PPP projects tend to replicate a technocratic version of the charity model of development, with civil society and state organizations held captive to the structurally limited good will of corporate partners. Research on comparable corporate social responsibility projects in other development-related sectors, ranging from employment and education to the environment, shows that while these efforts can deal with "some of the worst symptoms of maldevelopment" they cannot account for the "key political and economic mechanisms through which transnational corporations undermine the development prospects of poor countries" (Utting, 2005: 375). In other words, the influence of the private sector in the global governance arena is troubling not because of what this means for civil society autonomy—a problematic assumption in the first place—but rather what it means in limiting the range of regulatory "solutions."

In the case of the WSIS, this meant absolute opposition to any kind of tax-based solution to the "digital divide" following a Global Public Goods model of regulation as proposed by some Southern states and CSOs. Furthermore, the greater participation of the private sector ensured that the issue of intellectual property and the "shrinking public domain" was firmly kept off the WSIS agenda. The shift on this issue is evident when we track how in Geneva, open source software was recognized as important if not preferential from the perspective of development by most Southern nation states, but disappeared off the agenda by the Tunis summit. According to IP Watch, Microsoft became an official sponsor of the WSIS Tunis summit, at least partially as a way to intervene in the terms of the IPR debate (Chakravartty and Sarikakis, 2006).

Transnational giants like Microsoft, Cisco along with their Southern corporate counterparts in Asia and Latin America, are playing a growing role in setting the development agenda at the national, regional and local levels, often coordinating their efforts directly with NGOs who provide research and implementation assistance. As a result, the governance of national development has been redefined officially as a shared responsibility between institutional actors spanning private capital, various levels of the state and civil society. This is exemplified in the World Bank's own website which states:

> The breadth and quality of World Bank – civil society relations began to intensify in the mid-1990s when participation action plans were adopted at the regional level and civil society specialists were hired to work in Bank offices worldwide.   Since that time there has been a dramatic increase in the level of interaction and collaboration between the World Bank and a broad range of CSOs worldwide including, community groups, NGOs, labor unions, faith-based organizations, professional associations, and universities. http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/CSO/0,,contentMDK:20093161~pagePK:220503~piPK:220476~theSitePK:228717,00.html

The incorporation of civil society within the official development agenda of organizations like the World Bank demonstrates the tenuousness of separating progressive from politically-tainted NGOs, since their overall role in functioning in lieu of or *as* the state defies political distinctions. The ambivalent relationship between the state and civil society is especially apparent with the "NGO-ization" of politics in the South beginning in the 1980s and intensifying since the mid-1990s. It is precisely for this reason, that postcolonial theorists have turned to the Foucauldian concept of governmentality, where the act of modern government is not the exclusive domain of states from above to society below (Ferguson and Gupta, 2002; Mitchell, 2002). As James Ferguson (2006) argues, this helps us reconceptualize NGOs in the era of neo-liberal development "not as 'below' the state, but as integral parts of a new, transnational apparatus of governmentality" (103). The point made by Ferguson and echoed by scholars of global civil society like Amoore and Langley (2004) is that state and non-state governmentality need to be examined within particular historical contexts setting aside normative assumptions about progressive civil society and moving beyond the compulsion to romanticize the location and/or authenticity of actors within a vertical topography of power.

Going one step further, Partha Chatterjee (2004) has argued that we need to make a distinction between the bureaucratized version of civil society, which is largely captured by urban middle-class elites,

and "political society," because of the inability of the latter category of formal associational life to capture the complex realities of political engagement in postcolonial societies. Chatterjee argues that political society in much of the postcolonial world includes social movements that are often at odds with the narrow development agendas of NGOs, including both formal and informal (spontaneous) movements that animate political struggle outside of electoral and civic politics.[19] Apparent in the examples offered by Chatterjee's discussion of political society—which might mean residents of slums in legal battles over access to electricity, television and telecommunications—are ways in which citizens make claims on the state to provide services. In this sense, better understanding the integral relationship between "vibrant" civil /political society and the postcolonial state is paramount. As Neera Chandhoke (2002) argues forcefully "...vibrant civil societies require strong and stable states as a precondition to their very existence" (51).

Chandhoke along with colleagues who conducted an extensive comparative study of CSOs in Brazil, Mexico and India have concluded that despite variation across national institutional frameworks, by and large civil society organizations in these countries remain committed to claims making aimed at the state around redistributive demands.[20] On the agenda of civil society organizations remain the prosaic questions of access to services, food, land, access to state officials and remunerative employment. Recognizing the centrality of these claims, feminist activists within the WSIS were some of the loudest critics of the "market fundamentalism" inherent in global and national ICT policy where "pro-poor" interventions could only be justified through "pro-market" solutions (George, 2005; Gurumurthy, 2005). In fact, NGOs based in the South with longer institutional experiences in development argued that discussions about ICTs for development had to foreground the role of the nation state —as the only institutional actor capable of funding and coordinating development at this scale. For example, in the case of India, which is seen as a leader in the ICT area, national and regional policy has been focused almost exclusively on export-led growth. Therefore, NGOs like Bangalore-based IT have argued that the domestic IT industry and the urban middle classes would strongly oppose "subsidized telephony for rural areas, policy support for open source software, more open regimes for knowledge and content sharing in digital platforms" (Gurumurthy and Jeet Singh, 2005).

Along the same lines, feminist researchers who have conducted empirical studies of women workers in the South have argued that there is a need for greater state intervention in enabling as well as promoting educational and employment opportunities for women in ICT-related fields—from chip manufacturers, data processors, and call center workers to computer programmers (Ng and Mitter, 2005). Feminist advocates from the South have argued persistently for the need to prioritize productive capacities of ICTs as opposed to the consumption of ICT services in the developing world, especially as they might impact marginalized communities. Feminist economists have conducted extensive empirical

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[19] Although Chatterjee posits a compelling case for the politics that falls outside of "official civil society," whether the distinction between political and civil society is as stark as Chatterjee suggests is open to question. For more see: Chatterjee, Partha (2004)

[20] For an overview of this project see: Harriss, John (2004) "Collective Actors and Popular Representation: Notes on a Comparative Research Project on New Democratic Politics in Latin America and India" http://www.nibr.no/content/download/1726/7547/file/LTP-Hariss-paper.doc

research on employment in ICT-based industries in the South to argue for greater state intervention to improve the "quality and quantity" of jobs for women workers fostering sustainable as opposed to export-led development (Mitter and Ng, 2006).

By invoking politics in this last section, I am arguing that vibrant (or not), civil societies play an ever-important role in both shaping the terms of the politically possible parameters of development and governing, but not necessarily representing marginalized publics. In contrast to the specific trajectory of voluntary associational life that led to transnational organizations like CRIS, APC and others that emerged from the legacy of the NWICO era, NGOs engaged in ICT and development in the South operate within a dramatically different political economic environment. It is in this context that we can make sense of the prominent role of nation states like Argentina and Brazil, among others, to press for meaningful redistributive policies in the transnational governance arena—as evident in the new emphasis on a "development agenda" apparent in the area of intellectual property rights. In the two decades since the transition to democracy in these two specific countries, civil societies emerged demanding democratic process, and later participation in governance.

The potential for progressive outcomes therefore might mean recognizing the nexus between the state and a less bounded understanding of civil society, as is apparent in the remarks by Carlos Afonso (2005), the Director of the Brazilian CSO RITS, when he argues that civil society had greater impact on debates over Brazil's position on Internet Governance in the WSIS was because "The Brazilian government continues to seek a national consensus proposal regarding the future of global Internet governance." [21] Establishing the terms for political alternatives to neo-liberal policy interventions in creating more equitable information societies therefore might be found in the form of state initiatives as is the case of Brazil's *Cultural Points* project. Initiated by Brazil's Minister of Culture, Gilberto Gil, this program is part of the government's Digital Inclusion national initiative, which among other priorities, funds cultural points (multimedia centres for cultural creativity) in low-income areas that can be set up in a private home or through larger organizations—including NGOs, museums, schools or municipal governments.[22] While it is beyond the scope of this article to provide an adequate discussion of the potential and certainly limits of this project, my point in raising such an example is to highlight that the project envisions what appears to be an innovative emphasis on cultural competence in the uses of technology, both in terms of employment generation and education and through an emphasis on creativity or even simply pleasure. The discourse alone therefore distinguishes this program from most of the paternalistic development initiatives offered by both state *and* non-state actors engaged in bridging the "digital divide." I raise this as an interesting possible approach, recognizing the need for empirical scrutiny as well as the legitimate criticisms levelled at the limits of the current administration's participatory policies by Brazilian social movements,[23] but

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[21] It is beyond the scope of this article to offer a longer history and context of these developments. In Chakravartty & Sarkikakis (2006), we provide some more detailed comparison of the nexus between state and civil society in the South.

[22] For more details on the Cultural Points and Living Culture Program from the perspective of the Brazilian Ministry of Culture see: http://www.cultura.gov.br/programas_e_acoes/cultura_viva/index.html

[23] For a wide-ranging current discussion of the Workers' Party administration see Journal of Iberian and Latin American Studies 11 (2), 2005.

contend that such an example reflects the fact that the horizons for the politically possible in the South can be quite distinct.

Conclusion

In this article, I have argued that there is a need to rethink both the historical trajectory as well as our normative assumptions about civil society in current discussions about the global information society. In examining the limits of civil society participation in the multi-stakeholder process of the WSIS, I argued that despite the best of intentions by leading NGO actors, redistributive concerns that were central in the postcolonial context were left largely unaddressed. In line with other critics, I have argued that this was a result of the growing private sector dominance in the global governance process, which limited the capacity of NGOs who offered a "humanitarian" alternative to the dominant neo-liberal policy prescriptions.

The fact that CSOs within the WSIS were able to make claims that were heard about a very narrow definition of human rights but were unable to make a dent in terms of redistributive claims forces us to pay attention to the structural limitations of multi-stakeholderism, as well as the conceptual limitations of a bounded civil society as a universal category. It is ahistorical to assume that NGOs that have in the last two decades played a pivotal role in "sanitizing" social movements in the South are representative of the "people," despite the very real distinction between progressive and technocratic NGOs. I have tried to argue that the concerns about the legitimacy and representation which were raised within the WSIS debates by a range of NGOs and social movements should lead to new questions about the "topography of power" between state institutions "on top" and NGOs on the "bottom."

In contrast to Europe and North America, where many leading CSOs have emerged in public policy debates over media and information as "public interest" or "consumer rights" groups, in post-colonial societies we must pay attention to the murky lines which divide state institutions from civil society, and also to the lines between official civil society and what exists "beyond." In other words, it is simply inadequate to argue that based on the absence of CSOs in the South organizing around ICTs, that the public's interest would be met when there is greater civil society, or more precisely NGO participation, through a multi-stakeholder process. This assumption takes for granted that voluntary associations in the form of NGOs are representatives of public interest in and of themselves, both in the North (which clearly has its own limits) but also more importantly for my argument, in a prescriptive sense, on behalf of nations and societies in the South.

I would instead contend that CSOs working in the area of ICTs and development should be historically situated in relation to the nation state and the complex trajectories of modern capitalism. As we saw in the last section, the "ngo-ization" of politics in much of the postcolonial world forces us to reformulate the taken-for-granted assumptions about both governance and power as flowing only from state institutions, and resistance and empowerment the exclusive domain of civil society. As the much-

vaunted Millennium Development Goals showcase,[24] ICTs have become increasingly integral to both economic and social development agendas, both nationally and transnationally. The neo-liberal transformation of the nation state throughout the developing world has reconfigured state capacity and authority in this context, creating new modes of state and non-state governmentality that require further critical and empirical study. In the follow-up period to the WSIS, we find that there is greater attention to the specificities of the fractured information economies *and* societies and the call for more "South-South" strategic alliances as well as research initiatives along these lines. I would suggest that such efforts might help us provide better maps of both the institutional role of multiple civil societies in transnational and domestic forums, as well as understand the lived experiences of claims making involving both state and non-state actors.

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[24] The Millennium Development Goals (MDGs) were the centerpiece, at least symbolically, of the justification for the WSIS. For more on the role of ICTs in the U.N.'s larger development mandate see: http://www.unicttaskforce.org/mdg/mdgs.html

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