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Institutional change, organizational restructuring and new kinds of social actors in a globalizing world

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Transnational institution-building in the United Nations

Abstract

This paper contributes to research on transnational institution-building by looking at the United Nations as a vehicle of transnationalization. It looks at the emergence of the multi-stakeholder approach in United Nations conferences and summits as exemplifying the stakeholder model of governance. The multi-stakeholder approach reflects the “new pro-NGO international norm” (Reimann 2006: 46), which puts pressure on the UN (and other international organizations) to include non-state actors in its social and economic work. Its adoption at the World Summit on the Information Society (2003, 2005) is considered an unprecedented mechanism in global governance. Yet, putting the multi-stakeholder approach of this Summit into historical perspective, the paper shows that its emergence is the cumulative effect of non-state actor involvement in the UN over the last three or four decades in which processes of institutional entrepreneurship were instrumental. Despite the UN’s centralized core, which reflects the interests of its member states, it is therefore also significant for transnational institution-building.

Introduction

The proliferation of multi-stakeholder initiatives and standard-setting is a much discussed phenomenon in transnational institution-building (e.g., Biersteker & Hall, 2002; Botzem & Hofmann, 2008; Haufler, 2003; Tamm Halström & Boström, 2009). In this stakeholder model or “post-sovereign hybrid form” of governance (Bäckstrand 2006: 493), multiple actors negotiate collectively on regulatory arrangements for the provision of stability in the globalizing economy. Multi-stakeholder initiatives bring actors from diverse social spheres, like NGOs, corporations, governments, international organizations, and scientific communities together and are a means to accommodate competing interests in policy-making. A characteristic feature of these initiatives is that the traditional hierarchical relationship between government actors as ‘subjects of control’ and private or civil society actors as ‘objects of control’ is diminishing (Schäferhoff et al., 2009). With states as only one type of actor among others, the logic of work in the stakeholder model of governance is not external control but rather self-discipline (Djelic & Quack, 2008). If standards and principles or other forms of ‘soft law’ ensue, they complement rather than replace the outcomes of sovereign-based decision-making.

The apparent shift from public to private forms of governance, the rise of private authority, and the subsequent de-centering of regulation figure prominently on the research agendas of political and social scientists (e.g., Hall & Biersteker, 2002; Pattberg, 2005; Scott, 2004). There is general understanding that the state participates in its own transformation and is “increasingly embedded in complex constellations of actors” (Djelic & Sahlin-Andersson, 2006a: 9). A ‘shadow of hierarchy’ determines transnational institution-building in multi-stakeholder initiatives (Botzem & Hofmann, 2008) with boundaries between public and private actors at the blurring end of the continuum (Knill & Lehmkuhl, 2002). The notion of purely private forms of governance is therefore of limited relevance (Falkner, 2003). An emerging topic of research in this area is attention for the ways in which state-based actors play “key roles in creating and negotiating global orders”, including multi-stakeholder initiatives as the future form of international cooperation moving beyond traditional nation-state multilateralism (Bartley, 2007: 310). This focus includes states, but even more so the arenas in which they coordinate their policies – i.e., international intergovernmental organizations.

This paper looks at the hallmark of institutional design in international relations – the United Nations (Viola & Snidal, 2008) – as a crucial platform for the rise of the stakeholder model of governance. The UN was originally set up as the primary international arena for governments to make decisions on collective action for international peace and security, but evolved into a world organization in which the supremacy of the nation-state in deliberations on subjects from poverty to peace and security, from disputed borders to women’s rights to the protection of fish in the sea is challenged (Arts, 2003; Friedman et al., 2005; Thakur & Weiss, 2009). Institutionalization of participatory arrangements for non-state actors in the UN is indicative of this process. The paper’s argument goes that there is a long path in the UN which facilitated the mushrooming of multi-stakeholder initiatives in the “world ‘in between’ nation states” (Djelic & Quack, 2008: 301). This path is located in the UN’s social and economic work. The principal organ to coordinate this work in the UN is the Economic and Social Council (ECOSOC). It consists of 54 member states that are elected to serve a three-year term, is overseen by the General Assembly, and monitors the various commissions and committees, the eleven programs and funds like the United Nations Development Program or the World Food Program, and the specialized agencies, such as the International Labor Organization or the World Bank.

To raise awareness for global problems like environmental degradation, financing for development or human rights, and to promote the idea that these problems do not have to be met with passive resignation, ECOSOC convenes global conferences and summits; among others the Rio de Janeiro ‘Earth Summit’ (1992) or the Millennium Summit (New York, 2000), and more recently, the two-part World Summit on the Information Society (Geneva, 2003 and Tunis, 2005). Beyond their ability to generate global norms (Bernstein 2000), UN global conferences are crucial for the emergence of the stakeholder model of governance; they offer resources, opportunities and incentives for non-state actors to form around transnational politics (Tarrow, 2001). This paper looks into their history to analyze the rise of the stakeholder model of governance in the UN over the last four decades in order to better understand the ways in which this model is deeply embedded in, or even co-opted, by the system of intergovernmental regimes based on sovereign power (Conca, 2006). Thus, despite the UN’s centralized core, which reflects the interests of its member states, it is also the breeding ground for the mushrooming of multi-stakeholder initiatives and – under certain circumstances – significant for transnational rule-making.

Multi-stakeholder Initiatives and Transnational Institution-building

There is an intimate relationship between multi-stakeholder initiatives on the one hand and the creation of institutions in the transnational world on the other. Pattberg and Dingwerth (2009: 7), for instance, look at the former as transnational rule-making organizations and argue that there is “something akin to a standard model around which the *design, rhetoric, and process* of transnational rule-making organizations converge”. Analysis of thirteen cases from forest certification schemes, corporate social responsibility codes of conduct and dam building standards shows that the stakeholder model of governance rests (a) on a division of labor between a board of directors, a permanent secretariat and a larger stakeholder body (design); (b) strong emphasis on inclusiveness, transparency, accountability and deliberation (rhetoric); which (c) translates into participatory elements such as public comments periods, regional stakeholder consultations or expert deliberations (process).

The great contribution of Pattberg and Dingwerth’s study is to offer a model according to which the work of many of the present initiatives aimed at codifying, monitoring and certifying firms’ compliance with labor, environmental or human rights standards of accountability can be assessed. Comparison of the Forest Stewardship Council with the Pan European Forest Council, for instance, illustrates that multi-stakeholder standard-setting can be rather restrictive in the range of ‘good’ or ‘appropriate’ stakeholders, while “it is not always clear that [the standards] are truly multi-stakeholder in their operations” (Fransen & Kolk, 2007: 678). Monitoring systems in which the different stakeholders can participate to perform the role of watchdog jointly are the minority in the 22 standards for responsible business behavior analyzed by Fransen and Kolk (2007). In three out of four cases firms prefer to hire professional audit companies rather than engage critics of business behavior among NGOs and/or trade unions to co-perform the function of watchdog.

Bäckstrand (2006) argues that participation of different stakeholders in multi-stakeholder initiatives is symbolic, with advanced industrialized countries, international secretariats, private sector representatives and NGOs from the North dominating the playing field (see also Schäferhoff et al., 2009). Accordingly, challenges have to be met like substantive participation of the various stakeholders or transparency of methods and findings, for multi-stakeholder standards to deliver on their potential of opening up and strengthening regulatory systems beyond the nation state with new voices and mechanisms for comprehensive monitoring (O’Rourke, 2006). These critical accounts of multi-stakeholder initiatives thus

reveal that the transnational world is permeated by a view of democracy that emphasizes dialogue and deliberation (Djelic & Sahlin-Andersson 2006b). Multi-stakeholder initiatives are mushrooming because of a widely perceived legitimacy crisis of intergovernmental organizations (Falkner, 2003; Martens, 2007). They have normative appeal (Pattberg & Dingwerth, 2009) and are “promoted as the solution to deadlocked intergovernmental negotiations, to ineffective treaties and overly bureaucratic international organizations, to power-based policies, corrupt elites and many other real or perceived current problems of the sustainability transition” (Biermann et al., 2007: 239).

That multi-stakeholder initiatives proliferate despite their shortcomings is puzzling. Their normative appeal is certainly part of the explanation. What is missing in the accounts mentioned above, however, is attention for the process of norm generation that led to engagement of different stakeholders in decision-finding as a standard of appropriate behavior in the subsequent rise of a rule-based (rather than act-based) understanding of governance beyond the nation-state. In this paper, the history of UN global conferences is the starting point for research into this process of norm generation. These conferences generate and institutionalize norms which have become the basis for international law and practice (Bernstein, 2000), including the “pro-NGO international norm” which puts pressure on state actors to include non-state actors in policy-making and implementation processes. They are important arenas in which experimenting with stakeholder participation gained prominence (Bäckstrand, 2006).

Situating the origin of the stakeholder model of governance in the UN brings the “first and obvious scenario for institution-building in the transnational arena” (Djelic & Quack, 2008: 309) to the fore and shows that its rise is not about a withering away of the state. Quite to the contrary, public and private actors are perpetually wrestling for recognition of their competence, autonomy and authority when it comes to creating stability in the transnational world (Hofmann & Botzem, 2008). This interplay seems to be part and parcel of the emergent stakeholder model of governance.

Institutional Entrepreneurship and Change

The emergence of the multi-stakeholder approach in UN global conferences is a history of subtle changes in the participatory arrangements for non-state actors. The subtlety of these changes may nurture the impression that the wheel of participation is reinvented each time a

global conference is convened in the UN (Selian, 2004). They illustrate the UN's robustness against exogenously determined desires and capabilities (March & Olsen, 1998), and reliance on conventions, standard operating procedures and habits to play a significant role in international policy-planning (Young & Zürn, 2006). Hence, rise of the stakeholder model of governance has only partly to do with the intentional redirection of institutions or creation of new ones by state actors to achieve joint gains and better solve common problems as suggested by scholarship in international relations (e.g., Keohane 1984). That adoption of the multi-stakeholder approach at the World Summit on the Information Society (WSIS) is an "unprecedented" and innovative mechanism for political access of non-state actors to decision-making bodies and agenda-setting arenas in the UN (Nanz & Steffek, 2008: 25; see also Dany, 2008) does not answer the question where it comes from. Portrayal of the summit as a critical juncture in "executive multilateralism" (Kleinwächter, 2005; Raboy, 2004), according to which state actors coordinate their countries' policies internationally with little control of the national parliament and away from public scrutiny (Zürn, 2004), suffers from focusing the WSIS as a single event in global politics, lacking attention for the organizational field with its extant practices in which it is situated.

To embed the WSIS case in its history and provide a framework for the rise of the stakeholder model of governance in the UN, exploration of the "institutional entrepreneurship" notion is useful. The idea behind this notion is to reintroduce agency in the new institutionalism of organization sociology, and ask about the actors who "break away from scripted patterns of behaviour" (Dorado, 2005: 388) in order to create institutions (Lawrence & Suddaby, 2006). It is rooted in DiMaggio's (1988) interest in "institutional entrepreneurs": organized and calculative actors with sufficient resources who envision new institutions to realize their interests, and who are central to institutional processes. Attention for the ways in which organizational behavior reflects socially constructed, taken-for-granted aspects of appropriate conduct (Meyer & Rowan, 1977; March & Olsen, 1989; Scott, 2001) translates into a perspective on agency that can perhaps best be described in terms of Seo and Creed's (2002) "paradox of embedded agency". This paradox is based on the puzzle that actors become tempted to impose change upon institutions by which they are constrained. The premise is that institutions cannot be changed by will as actors and interests are themselves institutionally constituted.

The paradox of embedded agency has fuelled the debate on institutional entrepreneurship in institutional theory. Greenwood and Suddaby (2006), for instance, highlight that consideration of institutional entrepreneurship calls for understanding how agency qualifies institutional determinism: “Actors become motivated and enabled to impose change upon institutions by which they are constrained” if they are “peripheral organizational players” (2006: 28, 29). According to this view, the new kinds of actors in global politics – representatives from civil society and the private sector – can be conceived as the fringe actors in the intergovernmental negotiations of UN conferences. They may take the bottom-up road and operate through mimetic and normative pressure because they do not have the means to realize interests that they value highly through coercion or sanction from above (see Djelic & Quack, 2003). Moreover, experience of institutional contradictions like efforts to increase the democratic deficit of international institutions with an inclusive rhetoric that are decoupled from final decision-making can motivate the new, peripheral actors to envision practical action for change. It moves them “from unreflective participation in institutional reproduction to imaginative critique of existing arrangements to practical action for change” (Seo & Creed, 2002: 231).

Hypothesis 1: Opening the door of global conferences for non-state actors facilitates institutional entrepreneurship processes. These actors are peripheral players in the organizational field of UN conferences who are motivated to bring about change.

Beyond properties and positions of individual actors in institutional entrepreneurship, the process itself is perhaps more important for understanding the rise of the stakeholder model of governance within the spatially dispersed and heterogeneous activities of the UN’s global conferences. Institutional entrepreneurship is about resource-full actors in this context of upheaval and change, but it also about vested interests and power relations. The *process* of institutional entrepreneurship surfaces both, the proponents of change and their opponents who may engage in some form of counter-framing (Maguire & Hardy, 2006). It highlights the potential “messiness” of institutional entrepreneurship processes and accounts for the possibility that outcomes are likely which do not reflect the intentions of the actors involved, pointing “to the potentially unintended effects of behaviours in complex social processes and to the consequent emergent qualities of institutional schemes” (Djelic & Quack, 2003: 9). What is described by some as a “somber conclusion” – namely that multi-stakeholder initiatives for the advancement of sustainable development have only very limited effect on

regulation, implementation and participation deficits (Biermann et al., 2007: 256) – is evidence for this paper’s perspective that the origins of these schemes cannot be read backward of their espoused functions or features (Bartley, 2007; Thelen, 2003).

Attention for different actors, their interests and relationships goes hand in hand with an understanding of emergent institutions as settlements of conflict rather than solutions to a collective action problem (Bartley, 2007). In UN conferences, there are contests over legitimate participation among state and non-state actors, and representatives of international secretariats. These are not only about the framing of global problems that require governance beyond the nation-state but also about the form of arrangements that guide decision making about global norms and feasible strategies for problem solving (Dany, 2008; Mueller et al., 2007). Emergence of the stakeholder model of governance may therefore rest on a micro-level interplay of interests, power, and cognition that trickles up to agency if, for instance, an agenda is set that others believe to be in their own interest, alliances are being built to allow for negotiating blocs, and incentive structures are devised to ensure commitment (Wijen & Ansari, 2006).

Such contentious processes of reinterpretation, recombination and ‘bricolage’ are constituted by established rules and beliefs (Djelic & Quack, 2008), and so rely on skills and resources that are themselves constituted by institutions (Lawrence & Suddaby, 2006). This implies that emergence of the stakeholder model of governance and its institutionalization in the UN is likely to take shape as “conversion” or “layering”. These notions are introduced by Thelen (2003) to make sense of institutional change that is gradual but transformative and which cannot be traced to clearly identifiable single ruptures (see also Streeck & Thelen, 2005). Conversion indicates that institutions may be redirected to new purposes or to fit the interests of new actors coming in, whereas layering is characteristic of changes in which new institutional arrangements are layered upon pre-existing ones like the introduction of new programs alongside politically established ones. Conceptualizing processes of institutional entrepreneurship as a means to effect gradual but transformative change means that reinterpretation of established arrangements or extant practices, contestation of their purposes and sponsorship of amendments and additions is instrumental (Djelic & Quack, 2007).

Hypothesis 2: Processes of institutional entrepreneurship in UN global conferences are contested among the variety of actors from governments, international secretariats, the private sector and civil society. They take shape in spatially dispersed and heterogeneous activities and are likely to effect gradual but transformative change.

Studying processes of institutional entrepreneurship with forms of institutional work

Lawrence and Suddaby (2006) have identified a range of different forms of “institutional work” that are useful to analyze the encompassing process of institutional entrepreneurship in UN global conferences with greater precision than indicated in the two lead hypotheses as formulated above. The notion of institutional work brings together studies that are written in the spirit of DiMaggio’s (1988) argument for institutional entrepreneurs and Oliver’s (1991, 1992) point that institutional theory was lacking attention for the strategic behaviors of organizations that may effect a delegitimation of taken-for-granted prescriptions of conduct. Institutional work represents “the broad category of purposive action aimed at creating, maintaining and disrupting institutions” (Lawrence & Suddaby, 2006: 216).

Work done on institutional entrepreneurship is associated with the creation of institutions. Lawrence and Suddaby weave the different threads together with identification of in total nine forms of institutional work that highlight what institutional entrepreneurs do to form novel arrangements. For the end of this study, a selected number of them are brought together with forms of institutional work that maintain or reproduce sets of extant practices (see the table below). The suggestion is that looking at both – the creation and maintenance of institutions – brings out the paradox of embedded agency that is pertinent to processes of institutional entrepreneurship. Institutional work that is associated with the disruption of institutions, however, is not considered relevant for the present case. The new actors in UN global conferences have presumably neither the means nor an interest in undermining the established way of going about summitry.

Forms of institutional work		Definition
Creation	Advocacy	The mobilization of political and regulatory support through direct and deliberate techniques of social suasion (lobbying, promoting agendas, proposing or attacking legislation)
	Defining	The construction of rule systems that confer status or identity, define boundaries of membership or create hierarchies within a field
	Mimicry	Associating new practices with existing sets of taken-for-granted practices, technologies and rules in order to ease adoption
	Theorizing	The development and specification of abstract categories and the elaboration of chains of cause and effect
Maintenance	Enabling work	The creation of rules that facilitate, supplement and support institutions, such as the creation of authorizing agents or diverting resources
	Mythologizing	Preserving the normative underpinnings of an institution by creating and sustaining myths regarding its history
	Embedding and routinizing	Actively infusing the normative foundations of an institution into the participants' day to day routines and organizational practices

Table: Forms of institutional work in entrepreneurship processes (adapted from Lawrence & Suddaby, 2006: 221, 230)

“Advocacy” of interest associations and social movements, and “defining” through formalized standards and certification processes are political activities for the creation of institutions. The actors involved either influence the perception of institutional rules or create constitutive rules that enable institutional action. Compared to “mimicry” and “theorizing”, these activities have far greater potential to lead to novel constructions of institutions. The latter forms of institutional work do not aim at reconstruction of rules systems but rather lead to extension or elaboration of existing institutions – through new entrants in a field that associate new practices with established ways of doing and through naming of these new practices so that they can become part the abstract meaning system. Creation of institutions is likely to be met with resistance among those actors who are served by existing sets of arrangements. Institutions are reproduced and established norms and belief systems maintained if rules are created that facilitate them (“enabling work”), the past becomes more important than the present through mythologizing history (“mythologizing”), or efforts are

made to infuse the (new) participants' experiences with the normative foundations of an institution. Together, these forms of institutional work maintain existing arrangements and effect persistence in the context of upheaval.

To operationalize the institutional entrepreneurship notion with the forms of institutional work as indicated above brings the overall process into picture and helps to explore its theoretical implications, namely how institutional entrepreneurship effects gradual but transformative change. This change may be fuelled by 'bricolage' in the sense that efforts to link stakeholder practices with intergovernmental negotiations are not (or rarely) created from scratch. Though stripping away from the naturalizing effects of taken-for-grantedness, the intention is not to invoke too much heroic imagery of institutional entrepreneurs in the UN.

Institutional Entrepreneurship in the History of UN Global Conferences

Studying the emergence of the stakeholder model in UN global conferences follows the temporal distinction that is often made in research on these events (e.g., Emmerij et al., 2001; Messner & Nuscheler, 1996; Schechter, 2005). Mapping the process of institutional entrepreneurship in UN conferences along these lines, a distinction is made between the early conferences of the 1970s and 1980s, those that were organized after the end of the Cold War, and the WSIS to exemplify the recent conferences of the beginning Millennium. The participatory arrangements for non-state actor involvement in the UN over the last four decades are at the centre of the empirical analysis. It is based on secondary sources.¹ The aim is, first of all, to look at the emergence of conventions and practices that have become relatively self-reproducing and understand how the field of UN global conferences solidified; secondly, to shed light on the participatory arrangements for non-state actors and how they evolved over time; and finally, to analyze the ways in which the different forms of institutional work were instrumental in the overall process of entrepreneurship. The concluding part of this paper summarizes the major findings to these research questions and shows that the UN's significance for transnational institution-building is far from intentional.

¹ These sources are biased toward research on an emerging global civil society and transnational advocacy networks. Studies that look at private actors in the UN are much more rare.

Early UN conferences: extant logics emerge and solidify

Starting with the Stockholm conference on the Human Environment (1972) and the World Food Conference of Rome (1974), an organizational field of UN global conferences emerged in the 1970s and solidified in the 1980s. In these early years of global conference diplomacy, expansion of the single events across the preparation, decision-making, and implementation stages has become typical and is sustained (Rittberger, 1983; Willets, 1989):

- In conference *preparation*, a series of regional and global meetings take place to develop a framework for negotiation, provide a draft agenda, approve the rules of procedure, and often prepare first drafts of the final conference documents. This stage is of utmost importance for the success or failure of global conference diplomacy, and it represents a major arena for non-state actor involvement.
- *Decision making* is traditionally the exclusive province of governments. It takes shape in closed working groups with the plenary as the main formal element of conference decision making. Governments lay out their views and negotiating postures in plenary sessions but cannot deliberate at this level.
- Historically, *implementation* of conference documents has been more of a formal target than practical reality. The early UN conferences in particular lack the ability and the resources to prescribe policies and measures.

The early conferences on the environment, human rights, racism or renewable sources of energy have become the breeding ground for the stakeholder model of governance in the UN. The “rock” on which this evolution is based is Article 71 of the UN Charter which states that the Economic and Social Council (ECOSOC) “may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence” (Willets, 2000). Article 71 is used to inform intergovernmental negotiations with views and perspectives of non-state actors in consultative status with ECOSOC.² It made

² NGOs are consulted by ECOSOC if they are non-profit, voluntary, formal, non-violent, non-political organizations whose objectives are the promotion of development and social goals. The consultative arrangements with NGOs differentiate between ‘general’ organizations that are concerned with most activities of the Council, ‘special’ organizations that have a particular competence in a distinctive field, and ‘roster’ organizations with no general or special consultative status but considered to make valuable contributions upon request of the Council or its subsidiary bodies. The notion of suitable access is ambiguous. In the early 1970s, when the UN started to organize global conferences, it meant that NGOs would not have equal status with governments in any UN forum but could assist the world organization on social and economic questions. Gaining consultative status with the UN requires a lengthy application process with the NGO Section of the UN

possible (or *enabled*) the view that UN global conferences are institutionalized efforts of global problem-solving (Rittberger, 1983). Accordingly and at a formal level, the General Assembly resolutions convening a conference went hand in hand with invitations for non-state actors who were recognized as having consultative status with ECOSOC to participate in the conferences (Willets, 1989). They participated mainly in the preparatory stage where the issues to be dealt with were defined and options for collective action surveyed, but had only very limited direct access to the multiparty negotiations of participating states in decision making on conference documents (Rittberger, 1983).³

Non-state actors did not access the conferences in their own right. It became only possible to participate in the conferences themselves if they were members of their governments' delegations or if consulted as experts of international organizations. Non-state actors were involved in national delegations because they had become electorally or politically significant and to support their governments' positions in negotiations (Taylor, 1989). At the World Food Conferences in Rome (1974), for instance, there were about 150 NGOs with an official status in the conference process (Weiss & Jordan, 1976). A "Rome pattern" emerged with a "thorough mixing of NGO representatives with official delegates in lounges, corridors, bars and facilities" (ibid: 134). This kind of lobbying activity may have helped the NGOs involved to influence governmental positions and preferences, but there is "conspiracy of silence [regarding this situation] to maintain the fiction that 'sovereign' governments control their delegates and that secretariats and NGOs are 'non-political'" (Willets, 1989: 47). Thus, *mythologizing* is at work at the early conferences to preserve the normative underpinning of the UN as an arena for governments to take decisions on global issues.

Whereas advocacy of governmental delegations can be considered the primary aim of non-state actors in global conferences, endorsement of Article 71 has also led to institutional work

Department of Economic and Social Affairs. Beyond a demonstrable interest in items on the UN agenda, a given NGO needs to have a democratic constitution, recognised standing, act independent of governments and show transparency of financial resources (Willets, 1999).

³ According to Rittberger (1983), one of the most prominent techniques to accomplish multiparty negotiations in the face of conference size and complexity is the formation of coalitions among state actors and negotiation through group representatives. Negotiation postures can be developed which combine preferences of group members "in a set of maximum common demands and minimum common concessions" (ibid: 177). In the 1970s and 1980s, these groups were states with developed market economies, states with centrally planned economies, the developing countries or 'Group of 77', and China. With the end of the Cold War, the rise of the European Union as a global player in international negotiations, the Soviet's bloc collapse and the US acclaimed status as the major superpower in the world, group constellations have obviously changed.

that created so-called “parallel events” (*mimicry*). Dettler de Lupis (1989), for instance, argues that a lot of important non-governmental activity was going on in parallel with the first mega conference on the environment in Stockholm (1972) which influenced attitudes and goal setting of state actors in the conference. To facilitate communication and networking among non-state actors, daily conference newspapers were edited, produced and financed by NGOs. The Stockholm conference “pioneered a pattern for future conferences in that some NGOs were invited to participate as observers at the conference but many more attended simultaneous, parallel activities” (Emmerij et al., 2001: 89). Similarly, the experience of the World Food Conference was suggesting: non-state actors could influence the course of events if they took advantage of their opportunities and were organizing themselves accordingly (Weiss & Jordan, 1976). Yet, participants of parallel events were frequently frustrated about the limited impact of this practice. There was “a sense of alienation among concerned non-governmental actors which may indicate a legitimation problem of global conference diplomacy” (Rittberger, 1983: 176).

The intersection of enabling institutional work with a conference pattern and mythologizing of its conduct on the one hand and advocacy and mimicry among non-state actors on the other has drawn a clear boundary between governmental and non-governmental activity in the early UN conferences. This was perhaps exacerbated in the face of structural conditions like the Cold War and ideological predilections between US and Soviet and/or Chinese delegates or the Arab-Israeli conflict during the 1980s. More often than not it seemed that structural conditions in the context of conferences diverted attention away from issues like racism, affordable energy or discrimination of women that had been the reason for convening these conferences in the first place (Schechter 2005). Against this backdrop, reaching agreement about either the nature of the problem or the set of solutions was not feasible. The salience of structural constraints in global conference diplomacy during the 1980s thus indicates that conferences “were by no means always positive in the sense that they reflected states’ determination to do something. Sometimes they were regarded as a way of avoiding action in the context of particular problems” (Taylor 1989: 9).

UN global conferences were declining in the mid-late 1980s with the last significant conference being convened in Nairobi in 1985 to conclude the decade for women. Attention was focusing on the implosion of the Soviet Union, the evaporation of state socialism as attractive competitor to capitalism, the unleashing of long-standing ethnic conflicts and the

rise of civil unrest and war in Eastern and Central Europe (Schechter, 2005). When the 1980s were fading into the 1990s, hopes were rising that the end of the Cold War was possible. This set the stage for the global conferences of the 1990s. After the fall of the Berlin Wall, UN conferences were gaining momentum as institutional responses to the need for governance in a globalized economy (Messner & Nuscheler, 1996). A lot of them returned to the topics of earlier conferences like environment, human rights or urban settlement. While the conferences were being on hold in the late 1980s, the problems that had given rise to them were not.

UN conferences of the 1990s: accelerated entrepreneurship and the “fourth PrepCom phenomenon”

Expansion of observer rights for non-state actors has become a significant characteristic of UN conferences since the Earth Summit in Rio, as the Fourth World Conference on Women in Beijing in 1995 or the International Conference on Financing for Development in Monterrey in 2002 illustrate (Schechter, 2005). When ECOSOC relaxed the criteria for accreditation in the early 1990s an official status was conferred to non-state actors, thereby *defining* sets of membership roles with distinct rights at UN conferences. Different from previous conferences, non-state actors gained direct access to the conferences themselves (rather than being sidelined in parallel/unofficial forums) and were now allowed to make suggestions and comments in conference plenary.

The ECOSOC reform of the relations with stakeholders from business and society from 1996 increased transparency and enabled the involvement of a greater variety of NGOs through the expansion of criteria for achieving consultative status with the Economic and Social Council (Martens, 1998). The ECOSOC Resolution 1996/31 spelled out that non-state actors are consulted “to secure expert information or advice from organizations having special competence” and to “represent important elements of public opinion” (Res. 1996/31, Part IX). But it also maintained the tradition that the arrangements for consultation are by no means to be equated with rights of participation in the deliberations of the Council (Pleuger & Fitschen, 2003).⁴

The ECOSOC reform followed the dramatic increase of accredited non-state actors at earlier conferences. Additional rules were created to sustain global conference diplomacy in the face

⁴ See also: [<http://www.un.org/documents/ecosoc/res/1996/eres1996-31.htm>] (accessed March 2, 2009)

of new actors coming in (*defining – enabling*). In the Earth Summit of Rio de Janeiro (1992), any substantive claim on the environment and development made them eligible for accreditation (Haas et al. 1992). About 17.000 people were taking part in the parallel forums of the Earth Summit and 2.400 representatives of NGOs were active in the conference itself; 30.000 individuals attended the parallel events at the 4th conference on women in Beijing (1995) and more than 5.000 were official participants of the conference itself; the 2nd conference on human settlement in Istanbul (Habitat II) (1996) illustrates a similar pattern with 8.000 people attending the parallel forums and a large number of NGO representatives active in the conference itself.⁵ This development pressed governments to overcome conference fatigue. It has led some observers to believe that non-state actors were challenging the monopolization of global affairs by states and gained an essential role in global politics (Emmerij et al., 2001; Friedman et al., 2005):

„Not only did the numbers of NGO participation increase dramatically over two decades, but so did the variety of ways in which they were allowed to participate. Governments at the earlier conferences could virtually ignore the presence of NGOs ... By the 1990s, this was no longer possible, especially as NGOs were allowed to freely observe and lobby many governmental sessions.” (Friedman et al., 2005: 159)

An important rationale for inclusion of non-state actors in UN conferences is their salience for the attainment of policy goals as stated in declarations, plans of action and conventions.⁶ Non-state actors may contribute to closing the gap between conference rhetoric and reality, which results from lack of coercive capacity and reliance on voluntary compliance. In Rio at the Earth Summit, for instance, non-state actors were strong promoters of the idea to make the notion of sustainable development work and shaped to a large extent one of its final products, Agenda 21. In Beijing at the women’s conference non-state actors influenced the content of the action plans in terms of gender mainstreaming and played an important role in holding their governments accountable for promises made at the conference (Emmerij et al., 2001). Moreover, during the 1990s governments came to recognize non-state actors not only for their role to help implement conference outcomes but also for their views and expertise on the

⁵ All numbers are taken from an overview of UN world conferences between 1972 and 2000 in Emmerij et al. (2001: 82-87).

⁶ A United Nations report of June 1999 on the accomplishment of the 1990s conferences, for instance, states that participation of NGOs, citizens, academics and businesspeople in both the official and unofficial meetings is encouraged to better implement the policies being discussed and ensure effective follow-up. See [<http://www.un.org/News/facts/confercs.htm>] (accessed May 25, 2010).

issues to be addressed. With the awareness rising that interdependent problems were growing that countries could not solve alone, the expectation emerged that non-state actors may facilitate will-formation and interest accommodation because of their expertise of items on the agenda (Messner & Nuscheler, 1996). *Defining* rules for non-state actor participation thus went hand in hand with elaboration of the typical conference pattern from the early years, which already contained the seeds of informing intergovernmental negotiations with views and perspectives from non-state actors.

Moving towards the centre in global conference diplomacy

The official accreditation of non-state actors for the first time at the Earth Summit shaped the climate for inter-state dialogue and interest accommodation in subsequent conferences significantly (Kreibich, 1998). Their presence has challenged the rigid rituals of international diplomacy and made them a subject of public scrutiny (Martens, 1998). This may be partly a result of non-state actors' increased ability to do *advocacy* work. It rests on the expansion of "repertoires" among civil society actors in particular to lobby the official conference proceedings and to engage in networking with peers from NGOs, academia and transnational advocacy networks (Clark et al., 1998: 13 ff.). They started building coalitions through a caucus system, participated early on in the conference process, sought contact with the media or became members of national delegations in meetings of governmental working groups (with the right to observe rather than speak). Doing so was a balancing act between effectively contributing to the formal intergovernmental negotiations while remaining true to their constituencies and goals, and to remain diverse yet able to communicate among each other (Haas et al., 1992).

Once they were designated members of UN global conferences, expansion of their repertoires helped non-state actors to move beyond their peripheral role in global conference diplomacy. Successful mobilization of political and regulatory support is evident at the Istanbul conference on urban settlement (Habitat II). Despite or perhaps because of conference fatigue, like in the mid-late 1980s – most heads of government and state did not attend the conference, including those of the Western countries (Siebold, 1996) – a mix of *defining* and *advocacy* moved non-state actors not only geographically⁷ but also politically towards the centre of the

⁷ At the 4th women's conference in Beijing, the parallel events took place in Huairou, 60 km from the official conference venue and insulated from the public (Klingebl, 1996).

governmental negotiations. “Habitat II was the first UN world conference whose machinery included a platform for representatives of civil society” (Emmerij et al., 2001: 109) to directly communicate their views and play an official part in the formulation of the conference outcomes, obviously without a right to vote. The so-called “committee 2” was introduced to organize deliberations between government delegates on the one hand and representatives from NGOs and local governments on the other (Siebold, 1996).

This outcome of institutional entrepreneurship in UN conferences, however, cannot sufficiently be understood without looking at the forms of counter-framing with regard to non-state actor inclusion. A sense of ownership of the policy process that leads to the endorsement of global norms among a variety of actors may have been facilitated during the 1990s, but this sense is far from being carved into stone. It seems to be a typical phenomenon of UN global conferences that the wheel of participation is reinvented each time and that non-state actors have to fight continuously to maintain and extend their right to participate (Selian, 2004; Willets, 1989). Although arrangements for non-state actors have become an established tradition during the 1990s that is difficult to abandon, there is *no embedding* and codification in the formal rules of procedure (see, e.g., Clark et al., 1998; Weiss & Jordan, 1976; Willets, 1989).

States are therefore eager to *preserve* the normative underpinnings of ‘their’ UN and tend to respond to the upheavals of participatory arrangements for non-state actors with behavior that least impose upon their sovereignty (Coglianese, 2000). A vivid example is the “fourth PrepCom phenomenon” that was found by Clark et al. (1998) in their research on UN conferences of the 1990s. “PrepCom” is the shortcut for Preparatory Committee of a given conference. This committee consists of government delegates and representatives of international organizations to accomplish the preparatory work of conferences in which the groundwork for decision-making is laid. The preparatory process of the conferences, in which the wording of the final documents is usually the focus of intense politicking, is also the major arena of contention over inclusion of non-state actors. During the final stages of drafting the conference documents “grudging government inclusion of NGOs changed to exclusion” (ibid: 17).

Recent developments in UN conferences: institutionalization of multi-stakeholder practice

The intention to organize the more recent World Summit on Sustainable Development (WSSD) in Johannesburg (2002) and the World Summit on the Information Society (WSIS) as multi-stakeholder events reflects the legacy of previous conferences. In the decade between the Earth Summit and the WSSD, stakeholding practices have become linked with formal intergovernmental decision-making and negotiation arenas in the UN's social and economic work (Bäckstrand, 2006). The Johannesburg Summit institutionalized the multi-stakeholder approach with "type 2" partnerships. The idea is that responsibility for implementing conference action plans rests not solely on governments but also on partners from NGOs and the private sector. These partnerships, however, are met with suspicion among NGOs, who criticize them as "marketing ploys" or attempts to "greenwash" corporate activities (Seyfang, 2003). Evidence shows that corporate activity is low and very little money for implementation is coming from other sources than from governments (Hale & Mauzerall, 2004).

The WSIS and its follow-up is a crucial part of the dynamic trend that moved UN conferences towards endorsement of the multi-stakeholder approach (Selian, 2004). Different from the WSSD, the Information Society Summit was officially labeled a multi-stakeholder event when the UN General Assembly called for it in 2002 (GA Resolution 56/183). Given the first time that non-state actors were formally invited to participate actively in the intergovernmental preparatory process of the Summit and in the Summit itself, studies on the WSIS were tempted to treat it as a critical juncture in executive multilateralism. The multi-stakeholder approach implied for some that overall problem solving capacity could be improved, and societal participation and control increased (Dany, 2008, Mueller et al., 2007). The WSIS symbol of a flower with four petals around the dot, representing governments, international organizations, private sector and civil society actors, reflects the commitment to the multi-stakeholder approach.

Deciding on the multi-stakeholder approach, however, was much easier said than done. The argumentative input of societal actors in WSIS was hardly met with responsiveness among the participating states, which was true in particular towards the end of the negotiations: "state power, the time in the negotiation process and the character of the issues discussed seemed to outweigh a deliberative policy process" (Dany, 2008: 68). For many observers, WSIS was not so much a success in substantive terms but is nonetheless considered an innovation with regard to process. WSIS presents a "meaningful exercise in global governance" (Mueller et

al., 2007: 293). It has put the issue of information and communication firmly on the global agenda and has also opened a space in which to explore new ways of dealing with global issues (Raboy, 2004). WSIS has further institutionalized the multi-stakeholder approach in UN summitry despite prevalence of the fourth PrepCom phenomenon. The perceived newness of this approach in the UN system may be an important reason why a broadened range of creative forms of institutional work shaped this process.

The creation of a bottom-up structure at WSIS

Despite the fact that the multi-stakeholder approach was around for some time in UN summitry, it was treated as a new phenomenon at the WSIS and an abstract category that had be filled with life. The International Telecommunications Union (ITU) was the UN organization in charge of coordinating the WSIS. It had no experience with organizing such events and did not see an explicit role of civil society in the summit process (Raboy, 2004). The ITU coped with the multi-stakeholder mandate through *mimicry*. It associated the intention to organize the WSIS as a multi-stakeholder event with a top-down civil society structure which was recognized by the UN bureaucracy, and set up a Civil Society Bureau with in total 21 “families” of NGOs (Mueller et al., 2007). Civil society actors did not feel comfortable with this way of bringing the stakeholding principle into the intergovernmental negotiations. They perceived the families to be rather arbitrarily chosen in order to make procedural and logistical matters work and were ready to do *advocacy*. Civil society at the WSIS considered the Summit “as an opportunity they had been waiting for, a forum in which a diverse set of civil society actors could converge and interact, to learn from each other and from others, and to begin to mobilize trans-nationally around these issues” (Ó Siocrú, 2004: 210).

Civil society actors complemented the top-down structure with the construction of a bottom-up-structure that conferred identity to their activities in the summit (*defining*). They sought to reconcile the great heterogeneity of the different groups involved with mechanisms and forums that operate at different levels and for different functional purposes. Coordination of activities from bottom-up was mainly effected with two organs: the “Civil Society Plenary” and the “Content and Themes Group”. The Plenary was open to all civil society participants at WSIS and held the role of ultimate civil society authority in the overall process. It oversaw the deliberations of some 20 thematic working groups and caucuses like the patent, copyright and trademark working group, the Internet governance working group, the community media

caucus, the gender caucus or the human rights caucus. The Content and Themes Group reported to the Plenary of civil society and was tightly linked to the intergovernmental summit process. It was working to accomplish the deadlines imposed by the official timetable with common positions that could feed into the intergovernmental negotiations. Being able to do so is considered an accomplishment (Kleinwächter, 2005).

The bottom-up structure facilitated coordinated action of civil society actors in the summit and helped them to develop their own version of the Information Society notion (*theorizing*). Elaboration of this notion was fuelled by the “Campaign for Communication Rights in the Information Society” (CRIS) and the entrepreneurial efforts its proponents undertook to form a transnational advocacy network (Mueller et al., 2007). The campaign levied a broader picture of the Information Society by asking who owns and controls information and can use it most effectively for goal achievement (Ó Siocrú, 2004). It challenged the narrow definition of the Information Society that was postulated by the ITU. This definition was essentially about the spread and infrastructure of information and communication technologies, pursued through a global process of liberalization and privatization in which governments create the suitable political and regulatory environment. The “second conceptual strand” on the Information Society at WSIS, as Ó Siocrú (2004) calls it, stressed the importance of communication for the Information Society, which includes issues as diverse as Internet surveillance, concentration of media ownership, commercial censorship, and intellectual property rights.

However, the narrow definition of the Information Society prevailed in the official Summit Declaration when it was endorsed in Geneva by the participating heads of state and government (Ó Siocrú 2004). The bottom-up structure that *enabled* civil society to contribute meaningfully to the official process led eventually to its withdrawal from the official process at the end of the first part, just before the meeting in Geneva in November 2003. At this stage, civil society announced that it would stop giving input into the intergovernmental documents to underscore its dissatisfaction with the endorsement of a lowest common denominator among governments. It launched its own declaration on the “Information and Communication

Societies”, emphasizing the commitment to human rights, social justice and an inclusive and sustainable Information Society.⁸

Multi-stakeholder practice and transnational rule-making

Civil society’s bottom-up structure at the WSIS is associated with what is referred to as the “unwritten rules” of the Summit or “WSIS practice”.⁹ The written rules are the “rules of procedure” which governments decide on at the beginning of each global conference. They *enable* the multi-party negotiations and deliberations of these events and *define*, among others, the representation of delegations and their credentials, the powers of the president and the other presiding officers or chairs, coordination through the secretariat, procedures for opening the summit, conduct of business and decision-making, and the rights of so-called other participants and observers including international organizations, private sector and civil society actors. The latter entails criteria and principles for creating relationships with non-state actors, the accreditation process as a prerogative of member states and the opportunities for non-state actors to speak. Usually the regulatory frameworks of previous UN summits and conferences serve as a template for the rules of procedure.¹⁰ Governments and the WSIS secretariat drew in particular on the rules of procedure of the WSSD and of the International Conference on Financing for Development (2002) (Dany, 2008).

WSIS practice *mimicked* the formalized rules and included the opportunity to make written contributions to the drafting of summit text, to speak during the PrepComs and make oral inputs, and after initial hesitations to be present in working groups and informal open-ended meetings.

“The idea was that governments if they start negotiations on a certain paragraph interrupt formally the negotiations and invite observers to make statements to the point. Such ‘stop-and-go-negotiations’ would *de jure* not change the character of intergovernmental negotiations, but could bring *de facto* input and transparency to the process.” (Kleinwächter, 2005: 111)

⁸ See “Civil Society Summit Declaration: Shaping Information Societies for Human Needs”, Geneva, December 12 2003, [<http://www.worldsummit2003.org/>] (accessed March 23, 2009)

⁹ See report on “The multi-stakeholder participation in WSIS and its written and unwritten rules” [<http://www.itu.int/wsis/basic/multistakeholder.html>] (accessed March 25, 2009)

¹⁰ See the report prepared by the Office of the President of the Millennium Assembly (2001) [<http://www.un.org/ga/president/55/speech/civilsociety1.htm>] (accessed March 25, 2009)

With these practices the vacuum was filled which existed in the WSIS rules of procedure. They lacked specificity regarding the modalities of participation. This lack created room for manoeuvre in the interpretation and use of the rules of procedure to be further elaborated in the face of the summit's multi-stakeholder mandate. A number of national delegations (e.g. Germany, Canada, and Denmark) were drawing on a familiar conference practice and incorporated civil society actors when conference text was hammered out (Cammaerts & Carpentier, 2005). Discontent among civil society actors with exclusion from intergovernmental negotiations met with sympathy among governments who had taken the line that non-state actors may comment and suggests at the level of working groups. This process triggered the introduction of the "5 minutes to 8 rule" in WSIS (Hofmann, 2003), which entailed that non-state actors were allowed to contribute slightly before the beginning of the working groups after which they had to leave the room.¹¹ Depending on the chair, it was respected in some working groups but ignored in others.

At the WSIS, establishment of the stakeholder model of governance featured most clearly in the discussions on Internet governance. In the second part of the summit, which would end with the meeting in Tunis in November 2005, the debate shifted to the initial concerns for financing mechanisms, which could bridge the digital divide, and the reorganization of Internet governance. But only in the discussion on Internet governance, governments took the usual road for conflict resolution and formed a working group. Interestingly, this routine was combined with the multi-stakeholder experience of the summit (*mimicry*) in order to reach some kind of agreement among firmly entrenched and diametrically opposed positions of nation-state control over the network infrastructure (Hofman, 2007).

"In short, the USA and the EU favored regulation of the Internet, meaning the existing system with a reformed Internet Corporation for Assigned Names and Numbers (ICANN) as the main regulatory body; China and other developing countries, such as South Africa and Brazil, would have liked to see the International Telecommunication Union in charge, thus favoring multilateral governmental leadership; business actors opposed any governmental influence on the Internet and argued for self-regulation; civil society, for its parts, promoted the decentralization of responsibility." (Dany 2008: 62)

¹¹ Yet not all of the non-state actors were leaving the room after the five minutes. Some of them stayed because of their membership in national delegations. When they started to report directly out of the room via the Internet, however, they were again excluded from the working groups (Dany, 2008).

That Internet governance moved center stage at the WSIS is surprising as some argue that governments had taken a hands-off attitude towards regulation of communication and information technologies in the past (Spar, 1999). This is correct in the sense that the majority of governments have done so. A single government – the United States – however, developed a unitary system for the administration of Internet addresses and domain names with the semi-private Internet Corporation for Assigned Names and Numbers (ICANN), which it controls through the Department of Commerce (Knill & Lehmkuhl, 2002). Without this system a smooth and stable running of the Internet is not possible. At stake at the WSIS was therefore no less than a dominant national model for the provision of a global public good.

As the Internet expanded and became increasingly vital for the national economies around the world, the domain name system was politicized and the solution under the control of the US government contested. When the WSIS turned into an arena of contention about the most suitable form of governance for the Internet, governments in the end agreed to disagree and formed the Working Group on Internet Governance (WGIG), which later transformed into the Internet Governance Forum (IGF). The IGF is a temporary UN body, in which representatives of governments, civil society, the private sector, academia and technical groups interact more or less equally to make recommendations on the future regulation of the Internet (Botzem & Hofmann, 2008). Some even argue that civil society actors dominated the substantive output (Mueller et al., 2007). It was set up to hold the US model for the administration of domain names accountable to a broader public outside the US.

Beyond this mandate, the WGIG paved “the way for a new UN process, the Internet Governance Forum, which has in turn institutionalized MuSH [Multi-Stakeholder] Governance and kept alive many of the caucuses and thematic groups of WSIS civil society” (Mueller et al. 2007: 292). As an arena for deliberations on a “regulative idea in flux” for Internet governance – going beyond domain names and Internet protocols to include intellectual property rights, consumer and data protection, and cyber crime as core issues of Internet governance (Hofmann, 2007) – the IGF shows that the multi-stakeholder process is deeply *embedded* in and infused by the administrative hierarchy and intergovernmental politics of the UN system (Mueller, *forthcoming*). It *mimics* the Commission on Sustainable Development (see Raboy 2004), which was created in the aftermath of the Earth Summit in 1993 and has made the multi-stakeholder approach a cornerstone of its work (Bäckstrand, 2006). Yet, the IGF may also go beyond the CSD, namely if it banks on its potential to create

transnational rules for the world-wide web, whose administration, copyright standards and content regulation have demonstrably exceeded the authority of a single government. Thus, lacking congruence of problem structure and regulatory structure, and contestation over a national model, seem pertinent for transnational regulation to emerge in the UN.

Conclusion

The United Nations convenes regularly global conferences on the environment, human rights and settlements, or more recently, the Information Society as a means to achieve sustainable development and the Millennium Development Goals. They reflect the world organization's 'can do mentality' – global issues have to be met with joint action – but are often little more than international forums for the signing of previously agreed upon conventions and 'talk shops' which produce symbolic commitments. The conclusion could stop here if a state-centered view would dominate evaluation of the UN's global conferences. Escaping from this view, however, is the fact that these events are an important playing field for the state to participate in its own transformation.

As this paper indicates, UN global conferences facilitated the establishment of multi-stakeholder initiatives as *the* model of governance to address the lack of regulatory capacity at the global level. But different from what is implied with a "view from the top", namely that "ultimately it is the decision of states and politics among states that determine which opportunities are opened [to non-state actors] and which remain closed" (Reimann, 2006: 26), emergence of the stakeholder model of governance in the UN is the cumulative effect of dispersed activities among various groups of actors. Emergence of this "post-sovereign hybrid" form of governance (Bäckstrand, 2006) in the UN has added amendments to the typical unfolding of global conference diplomacy through layering. Opening the door of global conference diplomacy to the new kinds of social actors from the private sector and civil society went hand in hand with a questioning of its normative foundations, contestation of established arrangements and association of new practices with taken-for-granted aspects of going about UN summitry.

On the one hand, the conventional conference pattern was saved from the past. As such, the single events themselves are only the last stage of a prolonged period of deliberation and negotiation of intense preparatory phases where final text is hammered out and disputes are addressed. Like many of its predecessors, the Information Society Summit stopped mainly at

the level of words and ideas. On the other hand, however, the tried and tested procedures of global conference diplomacy have become subject of public scrutiny over time and accountability was increased. UN conferences have changed from predominantly functional events of multilateral policymaking into more public oriented events of global norm setting (Brühl & Rosert, 2008). Institutions to involve stakeholders from civil society and the private sector in decision-making were created in the face of extant practices.

Consistent with the paradox of embedded agency, a spiraling movement between maintaining and creative forms of institutional work underlies emergence of the stakeholder model of governance in the UN (see Lawrence & Suddaby, 2006). The overall picture that appears from analysis of the empirical evidence is that creative forms of institutional work alone do not explain its rise and establishment as the appropriate way to go for summitry. The starting point is rather a mythologizing of the UN as the primary arena for its member states to coordinate their policies internationally that is further cemented with use of Article 71 of the UN Charter. In the early years of global conferences, non-state actors played the game of ‘informed’ intergovernmental negotiations with advocacy and networking in parallel events. The clear boundary that was drawn between the governmental and non-governmental activities at UN global conferences, however, made it increasingly difficult to legitimize these events as institutionalized efforts of global problem-solving.

When ECOSOC relaxed the criteria for accreditation of non-state actors to participate at UN conferences in the early 1990s, followed by a reform in 1996 according to which they were viewed as “experts” and “important elements of public opinion” whose consultation is necessary, expansion of repertoires for advocacy among non-state actors followed, but was met with states’ response to preserve the normative underpinnings of ‘their’ UN. From the early conferences of the 1970s to the conferences of the 1990s, the spiraling movement thus went from mythologizing to advocacy of government delegation, mimicry of the official process with parallel events and defining of new rules, back to mythologizing of the UN as the primary arena for intergovernmental negotiations.

Yet, the stakeholder principle gained prominence in UN circles over the 1990s. This is true in particular with regard to the sustainability politics of the Commission on Sustainable Development which has made the multi-stakeholder approach a cornerstone of efforts to implement Agenda 21. The follow-up to the Earth Summit, the World Summit on Sustainable Development in Johannesburg institutionalized this approach with “Type 2” partnerships for

further implementation of the ‘mega-environment summit’ outcomes. At the Information Society Summit, convened shortly after the WSSD, the stakeholding principle had entered the resolution text of the General Assembly, which called for the Summit to be organized as a multi-stakeholder event. It is difficult to conceive of this move without the creative forms of institutional work of the 1990s. Interestingly, however, drawing on established ways of going about summitry was pertinent to make the multi-stakeholder mandate work. Therefore, a bottom-up and top-down approach to the stakeholding principle co-evolved at the WSIS. Reinterpretation of established regulations, like flexible use of rules of procedure indicates, and association of new practices with the taken-for-granted aspects of UN summitry, like enactment of WSIS practice in a follow-up forum to resolve the entrenched positions among nation states on the future regulation of the Internet, fueled this co-evolution.

In this particular area, problem structure and regulatory structure lack congruence, and a national model of globally applicable domain names and Internet protocols is contested. With the arrangements (the multi-stakeholder forum) and normative underpinnings (endorsement of the stakeholding principle) in place, the likelihood is that transnational rules will be made in the UN. Future research on the Rio+20 conference in 2012 will tell whether the stakeholder model further spreads in the UN. Currently the sense is that the UN promotes a transnational world order, not necessarily intentionally but rather as a result of the spiraling movement between different groups of actors, including governments, international secretariats, and private sector and civil society actors. Because this movement is deeply embedded in a state-based system, political struggle and wrestling for recognition of authority – rather than problem-solving – seems crucial for transnational institution-building in the UN.

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