



## What is bottom-up about global internet governance?

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### ABSTRACT

This article maintains that the price for inclusion in the World Summit on the Information Society – which finally has been achieved through the Working Group on Internet Governance (WGIG) – has been the erosion of an oppositional civil society within the summit itself. Specifically, it evaluates the development of the WGIG as a manifestation of global neo-corporatism. In doing so, the article addresses recurrent patterns within neo-corporatist policy concertation that is oriented toward satisfying neoliberal economic imperatives. The objective of this article is to provide an analysis of processes by which the diversity of interest representation that was characteristic of the first phase of the WSIS has become condensed into one agenda item focused on internet governance.

### KEY WORDS

gender ■ global policy ■ Internet Corporation for Assigned Names and Numbers (ICANN) ■ internet governance ■ neo-corporatism ■ neoliberalism ■ Working Group on Internet Governance (WGIG) ■ World Summit on the Information Society (WSIS)

### Introduction

During the past 15 years, the United Nations has hosted a series of conferences and summits calling attention to the need for poverty reduction, environmental awareness, human rights, the elimination of racism, and the empowerment of women, indigenous peoples, and youth. At their best, many of these events have worked to increase awareness of both global interconnections and disparities in resources. At their worst, many of these events have produced impressive-sounding declarations that are cast aside and action plans that never reach the implementation stage (Falk, 1998: 323). The World Summit on the Information Society (WSIS) is the most recent of these UN-sponsored

events. At the time of writing, the second phase of the WSIS is underway, with a final meeting to be held in Tunis, Tunisia in November 2005, and so it is not possible to address adequately the question of whether this summit will follow or diverge from the prevailing patterns of past UN events. However, it is possible – even in a context in which the target is a moving one – to attempt a critical evaluation of the formation of the Working Group on Internet Governance (WGIG), which was mandated by the WSIS Declaration of Principles and is arguably one of the few concrete actions to follow from the work performed during the first phase of the WSIS.

Since the inception of the WGIG, numerous entities, including the International Telecommunication Union (ITU), the Conference of Nongovernmental Organizations (CONGO), the UN NGO Liaison Service, members of the Internet Governance Caucus, and members of the WGIG, have reiterated the refrain that the working group represents a ‘best practice’ case for openness, inclusiveness, and transparency, one which models the potential for bottom-up modalities at the UN. Still, the claim to inclusion becomes compromised with the knowledge that, in the end, the manifold concerns that had consumed negotiations during the first phase of the WSIS had been whittled down to two agenda items, internet governance and financing mechanisms, with the former eliciting the most attention among stakeholders. The idea that a Digital Solidarity Fund might invite sufficient support to become viable seems to have evaporated once it became apparent that the proposed initiative enjoyed little support among the nations of the ‘industrialized North’. For all practical purposes, internet governance appears to be the only issue remaining on the official, inter-governmental WSIS table.

This should come as no surprise to anyone who recognized that the WSIS would fall short as a forum for a pluralistic discussion on global communication policies. Notwithstanding the active involvement of advocates for community radio projects, press freedom, cultural diversity, and communication rights, the most powerful stakeholders representing governments, UN agencies, and the private sector had a pre-set, neoliberal agenda focused on ‘harnessing the power’ of new information technologies, particularly the internet, in order to ‘unleash the entrepreneurial spirit’ of peoples in lesser developed countries through ‘e-strategies’, while addressing social needs such as healthcare and education through ‘e-health’ and ‘e-education’ initiatives.<sup>1</sup> As the first phase of the WSIS unfolded, it became clear that, above all else, this was the ‘internet summit’.

In this article, we situate the mission of the WGIG within a larger milieu that illuminates what is happening in respect to global

communication policy in general and internet governance in particular. In the following pages, we place our approach to the WGIG within a theoretical framework which draws from a critique of neo-corporatist policy arrangements that are oriented to satisfying neoliberal economic imperatives. Neo-corporatism is the contemporary version of a long-standing approach to policymaking known as corporatism. As a strategy for policy concertation, corporatism was originally adopted to maintain social equilibrium in the welfare state by welcoming labor unions into cooperative relations with business interests and the state on matters of economic policy-making. Now, this policy strategy has 'gone global' and has been reinvented as a way of mainstreaming civil society into the policy processes of the UN (McLaughlin, 2004).

Our purpose is not to challenge the status of internet governance as a critical issue to address within the context of the WSIS. Rather, it is to move beyond the rhetoric of 'openness and inclusion' that surrounds the WGIG in order to understand how the emphasis on internet governance, and therefore the creation of a working group formed around this issue, has been produced through the complex interplay among mechanisms of inclusion and exclusion that characterizes global neo-corporatist policy concertation.

### **The Working Group on Internet Governance**

On 12 December 2003, during the week of events that marked the conclusion of the first phase of the WSIS, the ITU issued a news release, which, although self-congratulatory about the summit's accomplishments, pointed to two unresolved issues. One of these was the question of how internet governance should be approached, with a primary focus on whether the Internet Corporation for Assigned Names and Numbers (ICANN) or another UN agency – most likely the ITU – should have responsibility for technical management of internet activities such as overseeing the domain naming system (DNS). Governmental negotiations had failed to produce a consensus on matters related to technical and public policy dimensions of internet governance during the first phase of the summit. Therefore, the WSIS Declaration of Principles and Plan of Action requested that Secretary-General Kofi Annan form a Working Group on Internet Governance to facilitate negotiations during the second phase of the summit.

The WGIG was specifically charged with defining 'Internet Governance', identifying relevant public policy issues and developing 'a common understanding of the respective roles and responsibilities of

governments, existing international organizations and other forums as well as the private sector and civil society from both developing and developed countries' (WSIS, 2003). Assigned the task to 'investigate and make proposals for action, as appropriate, on the governance of the internet by 2005', the WGIG's primary deliverable is a report due out in July 2005. The proposal will be presented for 'consideration and appropriate action' at the conclusion of the second phase of the WSIS in Tunis in November 2005 ([www.wgig.org](http://www.wgig.org)).<sup>2</sup>

Consultations regarding the formation of the WGIG commenced in early 2004 and were spread across numerous international fora that were purportedly held in an 'open mode', allowing for wide participation from the tripartite configuration of civil society, governments and private sector entities. Markus Kummer, the Swiss diplomat who was appointed coordinator of the WGIG, voiced his support for an 'open and inclusive' process in which selection of members would be conducted in such a manner that representatives from the triad of governments, civil society, and the private sector would each comprise roughly one-third of the membership. The WGIG secretariat began in July of 2004, chaired by Nitin Desai, special Advisor to the Secretary-General for the WSIS. The WGIG agreed to schedule four 'open and inclusive' meetings oriented to maximizing transparency. Because the WGIG was constituted primarily as a 'fact-finding' working group and not a negotiating body, there was a degree of tentativeness to its discussions from the start. Some discussions have occurred online, while others have taken the form of both closed private sessions and open sessions meant to allow non-members to observe proceedings. In respect to the latter, observers have not been guaranteed speaking privileges.

As a starting point, the WGIG identified as key issues the equitable distribution of resources, access for all, stable and secure functioning of the internet, and multilingualism and content. The first two WGIG meetings, held in November 2004 and February 2005, yielded a preliminary draft structure for its report, identified public policy issues, and produced a concrete timeframe for its work. A series of draft papers were submitted for consideration and are available on the WGIG website. Discussions at WGIG meetings generated several collective observations on internet governance, including that governance cannot be reduced to 'government activities' and internet governance encompasses a wider range of issues than simply internet protocol numbering and domain name administration. Members also agreed that there must be a practical basis for distinguishing between technical and public policy issues. The working group agreed to take up four key issues, which were clustered as follows:

- Issues relating to infrastructural issues and the management of critical internet resources, including administration of the domain name system and IP addresses, administration of the root server system, technical standards, peering and inter-connection, telecommunications infrastructure including innovative and converged technologies, as well as multilingualization
- Issues relating to the use of the internet, including spam, network security, and cybercrime
- Issues which are relevant to the internet, but with impact much wider than the internet, where there are existing organizations responsible for these issues, such as IPR or international trade
- Issues relating to developmental aspects of internet governance, in particular capacity building in developing countries, gender issues and other access concerns (Working Group on Internet Governance, 2004–5).

As the WGIG's issue clusters indicate, the decision was made to take an expansive approach so long as doing so would not render meaningless the definition of 'internet governance' (Peake, 2004). This is in contrast to definitions of internet governance restricted to the workings of ICANN, a subject that is both technical and political but which seems to invite a focus on issues related to technical coordination of the internet via a specific organization. Still, there is no denying that government negotiations on internet governance during the first phase of the summit were centered primarily on ICANN and that the principal item on the agenda of the WGIG would be the administration of the domain name system, IP addresses, and the root server system.

ICANN was a contentious issue throughout the first phase of the WSIS and a main motivation for discussion, as representatives primarily from countries of the global South challenged its role in internet governance. ICANN is a private, nonprofit entity formed under California state law in 1998 after four years of protracted debate over the technical management of internet activities such as the domain naming system (DNS). The specific set of functions assigned to ICANN by the US Department of Commerce's 'memorandum of understanding' gave it the authority to set policy for, and to manage the allocation and assignment of, internet protocol addresses, add new names to the top level of the internet domain name hierarchy, and maintain responsibility for operating root servers that distribute authoritative information about the content of the top level of the domain name space (Mueller, 2002). In choosing who is entitled to a specific domain name and determining

the number of IP addresses made available to particular regions and nations, ICANN has authority over the allocation of a scarce resource within the IPV4 system.<sup>3</sup> ICANN also has the power to authorize the ways in which domain name disputes are resolved through its Uniform Domain Name Dispute Resolution Policy. These arrangements give ICANN a broad authority with far-reaching implications that have become increasingly controversial.

Seen by many in the international community as the province of a small technocratic elite with ties to the US Department of Commerce, ICANN increasingly has come under fire for its lack of transparency and accountability and Western-centric mode of governance. Furthermore, ICANN has generated controversy by its seemingly arbitrary and disproportionate allotment of highly coveted top-level domains (TLD) and internet protocol addresses that seem to privilege developed nations over developing ones. Most recently, ICANN sparked controversy by granting a top level .xxx domain name to an independent company, run by a British businessman, that will make it available for pornographic web content. This topic was cited by WGIG members, especially representatives from developing countries, in calling into question ICANN's legitimacy as an arbiter of culturally sensitive issues.

Building upon earlier discussions, at the third meeting in April 2005, the WGIG focused on 'capacity building' in developing countries and began drafting a questionnaire that sought input as a basis for the development of policy recommendations or proposals for action. This questionnaire focused on four topics: the need for an international forum; the oversight of internet governance and whether ICANN and the Government Advisory Committee (GAC) for ICANN should be replaced or transformed; the function and coordination of existing institutions; and how these processes might be coordinated between national and international decision-making arrangements.

The fourth and last meeting held in June was devoted to evaluating feedback from the questionnaire. According to transcripts from the meeting made available on the WGIG site, several representatives, especially those from the global South, expressed opinions that a new governance body was needed to replace ICANN. Also predictably, WGIG members from the International Chamber of Commerce (ICC) and the Internet Engineering Task Force (IETF), whose representative works for IBM, suggested that the current state of affairs was optimal and that the unique nature of the internet naturally gives rise to a user-driven democracy that was not amenable to centralized regulation. The opinions of representatives from these two organizations reinforce the

position of the United States, whose State Department has released statements which welcome international dialogue and cooperation on matters of internet governance while remaining adamant that ICANN is the indisputably best model for technical management of the domain system.

In prescriptive documents such as 'The United States Approach to the Internet: Guiding Principles for the UN Working Group on Internet Governance' (United States State Department, 2005), the US has advocated an approach that supports private sector leadership in internet development, adopts a market-based framework for internet governance, and offers universal access through private investment and competition. Perhaps ironically, the State Department also warned against adopting overly prescriptive approaches to internet regulation.

#### **Neo-corporatism@wgig.wsis.int**

Despite the stress on internet governance during the second phase of the WSIS, it is important to emphasize that none of the other issues that were addressed during the first phase have gone away. Some civil society organizations whose concerns were not addressed adequately during the earlier phase – groups that focus on issues related to gender, indigenous people, cultural diversity, human rights, and trade – have parted ways with the official process and have pursued dialogue and action in other, generally more open, fora.<sup>4</sup> Other civil society organizations, some of which represent the above-listed interests, have remained tied to the WSIS, but, as Raboy (2005) points out, the various working groups and thematic caucuses now seem more institutionalized and bureaucratized than they were during the first phase.

One trend that seems to be emerging among the remaining WSIS civil society groups is that many interests and issues are being channeled toward questions of internet governance. For example, the WSIS Gender Caucus Statement on Internet Governance, in welcoming the establishment of the WGIG and commending it for its adherence to a multi-stakeholder approach, requests that the WGIG ground its work in a framework based in human rights and development, gender balance, and the fostering of creativity, innovation, linguistic diversity, and social inclusion. The Gender Caucus's call for an approach to internet governance grounded in such a framework is compelling and necessary, and, in addition, it might be considered a well-thought out strategy for the group to assert its relevance during a phase in which internet governance has been identified as particularly germane to governmental negotiations

about the future of the 'information society'. Surely, 'internet governance' is relevant to human development today. However, bolstering a view of internet governance as a singularly important issue risks fortifying the established government and private sector view that access to new information and communication technologies is the panacea for closing the development divide.

This sort of narrow, neoliberal notion of the 'information society' was rejected by civil society stakeholders in their very own declaration. During phase one of the WSIS, a great source of frustration for civil society was that, regardless of its numerous critical interventions, each government draft of the Declaration of Principles and Plan of Action appeared more technocratic and oriented to market-led solutions to development than its predecessor. Finally, civil society agreed to craft its own declaration, 'Shaping Information Societies for Human Needs', which was adopted unanimously by its members during the December 2003 summit (Civil Society Declaration, 2003). The Civil Society Declaration eschews the technological-deterministic notion that overcoming a specifically 'digital' divide is the answer to development: 'The unequal distribution of ICTs and the lack of information access for a large majority of the world's population, often referred to as the digital divide, is in fact a mapping of new asymmetries onto the existing grid of social divides' (Civil Society Declaration, 2003: 7). In addition, the Declaration cautions that traditional broadcast media such as radio and television are often the most efficient means of providing necessary information within developing countries.

Nevertheless, many civil society members who have continued to engage in official WSIS spaces are devoting a majority of their efforts toward carrying on with the governmental agenda, which does not necessarily diverge a great deal from their own respective agendas. Clearly, the majority of civil society activity taking place in connection with the second phase of the WSIS has been oriented to internet governance. Concurrently, many civil society members appear to have developed amnesia in respect to the breadth of what occurred during phase one. This has facilitated a scenario in which the conditions for civil society's concession to the official, predetermined WSIS agenda are already in place.

The risk of civil society's experiencing an erosion of its oppositional edge in the face of assimilation may have been inferred in advance of the WSIS. Despite the discourse of 'the new' that has characterized the official pronouncements made during the WSIS process, we maintain that the summit's multi-stakeholder modalities represent a supranational



version of neo-corporatism. In 2003, the ITU Civil Society Secretariat's web site described the WSIS as a 'Governmental PLUS summit' that will provide the paradigm for 'new governance in the Information Society'. Perhaps more accurately, the mode of policy coordination set into motion by the WSIS is a new reinvention of an older policy scheme known as corporatism. The goal of corporatism traditionally has been to promote social integration and stability within highly advanced capitalist economies by creating cooperative arrangements among a limited set of conflicting social groups (Lehmbruch, 1984). Corporatist approaches have generally been applied to economic policy-making as a bargaining mechanism between the state and leaders of organized interest groups defined in class categories, with labor unions and business associations being the state's key partners in this effort to promote class collaboration and ward off class conflicts which would otherwise challenge national political and economic interests.

Concurrent with the growing influence of civil society organizations throughout the various 1990s UN-sponsored meetings, corporatism has taken on new relevance as the basis for understanding how policy-making procedures have been adjusted to meet the challenge posed by new political actors exercising authority within institutions of global governance. As the influence of labor unions has eroded and the power of groups promoting so-called 'postindustrial' themes such as environmental protection, consumer rights, and women's rights has increased, corporatist states have created bargaining arrangements with the new interest groups as well.<sup>5</sup>

Global neo-corporatism, despite diverging from traditional corporatism in some significant ways, is serving a purpose that is similar to that of the latter, with the UN responding to NGO challenges to international institutions and transnational corporations by promoting cooperative arrangements among international organizations, business, and civil society in an attempt to defuse radical opposition by co-opting more moderate groups (Dryzek, 2000; Offe, 1990; Ottaway, 2001). Liberal constitutionalists and some left-leaning critics are apt to be critical of corporatism, the former because it is an exclusionary approach that circumvents deliberative democracy and elected government and the latter because current neo-corporatist arrangements marginalize the working class and tend to guide progressive causes toward entrapment within the net of capitalist bureaucracies, whether at the national or supranational level.

Conservatives such as Ottaway (2001) take a sceptical, and yet very different, view toward neo-corporatism, suggesting that global neo-corporatist policy arrangements have been forced upon the UN and the

private sector because of demands that are made by civil society organizations making unsubstantiated claims to represent larger constituencies. Following from this, Ottaway suggests that the UN, as a sort of quasi-state, has been co-opted by civil society. In her conception, the corporatist state, or quasi-state represented by the UN, is the head of the body politic because it takes on the task of coordinating and reconciling the interests of the three sectors: the state, the market, and civil society. In contrast, the evolution of the WSIS towards a conclusion in which internet governance has taken center stage reinforces the argument that, within today's tripartite forms of policy concertation, the market has become the head of the body politic (McLaughlin, 2004).

This claim is not meant to suggest that the nation-state has become irrelevant. Rather, it is to maintain that, whether willingly or not, the majority of nation-states have shifted their priorities from meeting the social and economic needs of their various constituencies to satisfying the economic interests of multi-national corporations and wealthy social classes (Keane, 1998: 34). Although the tension between these two sets of priorities weighs heavily upon the UN, it is, after all, an intergovernmental organization that tends to capitulate to the policy positions held by its most powerful member-states.

As O Siochru has argued, by the time that preparations for the WSIS were underway, the ITU had already fallen in line behind the neoliberal banner and had 'swallowed undigested the ideologically-driven claims for the "information society"' (2004: 213). The 'information society' is a label suggesting a brave new world marked by new dynamics and radical breaks with past relations – an ideological assumption connected to earlier post-industrial and neoliberal rhetorics that privilege easily commodified information over communication processes. Fortunately, for those who embrace this view of the 'information society', the dominant discourse about the internet avoids mention of it as a primary site for the development of informationalized capitalism (Dean, 2003; Schiller, 1999). Rather, as Preston (2001: 6) points out, it is more fashionable in our new millennium 'to admire and enthuse over technology and its presumed social or economic benefits'. At a time when it is not practicable for governments to de-link from neoliberal globalization, visions based in technocratic and market-led approaches to development arrive packaged in the language of emancipation. Thus, the ITU Civil Society Secretariat described the WSIS's orientation as 'not technical but related to the advent of a globalized society in which the emancipation of the human being is in part related to the possibilities of communication and exchange of information' (WSIS, 2003).

In announcing the WSIS, the ITU offered a place at the table for all stakeholders with interests in coordinating local, national, regional, and global communication policies in order to overcome the 'digital divide' or 'knowledge gap' between industrialized and less developed countries. Nevertheless, it became apparent early on that, in allegedly offering a venue in which all stakeholders were welcomed, the WSIS process would unfold in such a way that, with few exceptions, everyone would remain in their place. Much of this is due to the fact that the summit was initiated with the impossible proposition that civil society and the private sector would participate on an equal footing with governments, despite the fact that: (1) the UN organization remains state-centric in its decision-making and consensus-seeking negotiation processes; and (2) the majority of its member-states have become instrumentalized by neoliberal economic imperatives.

The first of these confounds the use of neo-corporatist strategies as a way of satisfying the (quasi-) state imperative of legitimation. Neo-corporatism wards off threats to legitimation by bringing into deliberations various constituencies that have the capability to destabilize the political economy. Legitimation is secured when these groups agree to accept the political-economic structures that reinforce the status quo (Dryzek, 2000: 96). Several of the governments that comprise the UN successfully curtailed the full participation of civil society and the private sector by, among other things, preventing attendance at 'closed' governmental plenary sessions in Geneva and shortening civil society and private sector speaking slots at these events to a few minutes. As O Siochru (2004: 214) notes, when compared with governments, 'civil society had a tougher task in bringing the wider issues and the huge range of diverse actors together in a coherent manner during the Preparatory Committee meetings (PrepComs) and the Summit'. Yet, the shared experience of exclusion, as well as the recognition that concerted efforts were needed to expand the summit's discourse beyond the most narrow, neoliberal approaches to 'the information society', propelled disparate civil society groups to work together in a more harmonious manner than what may have been expected otherwise.

Much of civil society was placed in the position of having to devote significant amounts of time to lobbying for inclusion, which took away from the time needed to advocate for substantive, human-centered approaches to overcoming the development divide. Nevertheless, while the recognition that the ITU had reneged on its promissory note provoked a struggle for access to WSIS proceedings, there appears to have been far less consideration devoted to the possibility that there might be costs to be paid for inclusion as well as exclusion.

Drawing from Dryzek's (2000) cogent description of (neo-) corporatism, we wish to focus on the key peril associated with inclusion in current policy deliberations. Although initial multi-stakeholder invitations may be extended in the spirit of pluralistic dialogue, neo-corporatist concertation both begins and ends with passive exclusions that are determined by virtue of which groups satisfy or threaten existing economic imperatives. First and foremost, the imperatives of states – and, by extension, the imperatives of the UN – are oriented to avoiding economic crises and maximizing accumulation. This imperative cannot be satisfied through redistributive policies because they 'frighten the markets' (Dryzek, 2000: 83). Consequently, however much they might satisfy the legitimation imperative, pluralistic approaches eventually corrode into the marginalization of groups whose aims do not coincide with the demands of the neoliberal economic imperative.<sup>6</sup>

It is crucial to point out that such forms of exclusion are not simply imposed upon civil society. Rather, civil society tends to become a partner, although perhaps an irresolute partner, with governments and the private sector inasmuch as it develops internal hierarchical structures that produce a leadership that governments recognize as a partner (Dryzek, 2000: 97). But, because governments depend on corporations to keep the economy afloat through investments, business inexorably occupies a privileged position in policy deliberations (Dryzek, 2000: 18). As such, to qualify for government recognition as negotiating partners, civil society organizations must have accepted, or at least be willing to court, the idea that a 'win-win situation' might result from consultations with both governments and the private sector. In this respect, the WGIG is perhaps the 'dream team' of most governments and the private sector. In order to enjoy the opportunity of participating in the working group, civil society representatives were required to accept the notion that the group is no more than a 'neutral', 'fact-finding' body. In addition, the WGIG is just inclusive enough to fulfill some of the most superficial requirements of representation.

To be sure, the Internet Governance Caucus, as the coordinating body for the civil society's nominations to the WGIG, as well as WGIG chair Markus Kummer, made good faith efforts to build openness, inclusiveness, and transparency into the process of choosing members of the working group. Internet Governance Caucus coordinators reported in June 2004 that Kummer would take a broad view toward internet governance and place high value on the diversity of the membership, attempting to achieve a balance between those representing developing and developed countries and highlighting the need for gender balance

in particular. In addition, he indicated that criteria for inclusion on the WGIG would favor one's having internet governance expertise over a person's occupying a 'high-level' position. Similarly, the Internet Governance Caucus (2004), in its document titled 'Recommendations on the General Structure and Operating Principles for the Working Group on Internet Governance', requested balance in representation between participants from the three sectors that comprised WSIS stakeholders and advocated for both diversity and the requisite experience in internet governance, with particular attention to regional and gender diversity.

At the conclusion of the nomination process, the civil society members who remained involved in the WSIS process could claim some victories in respect to the constitution of the WGIG: nearly all civil society nominees were accepted as members of the group, civil society representatives constituted roughly one-third of the membership of the WGIG, and (however imperfect) something of a balance among the various regions of the world had been achieved. Nevertheless, it is notable that only one-eighth of the 40 members of the WGIG are women, thus emphasizing that the nomination process had failed miserably in fulfilling one of its missions. In its statement made in conjunction with the June 2005 meeting of the WGIG, the Gender Caucus stated that 'we are distressed to find that the large number of papers published to date by the WGIG have only given gender the barest mention' (Gender Caucus, 2005: 1).

But, there is far more to understanding forms of inclusion and exclusion than what might be gauged by calculating percentages and counting the number of times that 'gender balance' is mentioned in a document. Following the first phase of the WSIS, the Gender Caucus reported that the group's main recommendations had been incorporated into the WSIS 'Declaration of Principles and Plan of Action'. Yet, the WSIS Declaration of Principles includes only a few references to women's empowerment, gender equality, opportunities for women, and women and girls as 'special needs' populations. The Plan of Action, adopted by the governments on the same day, features a couple of references to gender equality and inclusion, and, yet, in comparison to the Declaration, includes far more references to women and gender. There are consistent references to gender and/or women and ICT careers, employment opportunities in the IT sector, unleashing women's entrepreneurial skills and enhancing ICT innovation through women's training and capacity-building. There are many references to women as informational labor but no references to educating women so that they might become familiar with the diverse policy approaches to internet governance.

### Conclusion

So, what is bottom-up about internet governance? Despite the self-congratulatory tone of the few missives that have been shared with the rest of civil society by members of the WGIG, the requirement that its members have professional and technical expertise in internet governance guarantees that they are not emissaries representing 'globalization from below'.<sup>7</sup> As with the rest of us who have been able to partake in the WSIS process in Geneva, and now Tunis, the members of the WGIG are more educated and privileged than the majority of members of their respective societies. The seemingly *de facto* requirement that the majority of the WGIG's membership has a grasp on the important, and yet arcane, machinations and language of ICANN not only buttresses the distinction between the WGIG's civil society representatives and 'the bottom', but also hinders communication between internet governance experts and the remnants of civil society that are still hoping to use the WSIS as a forum for eliminating the development divide. In the end, it is at best utopian and at worst a conceit to make claims to represent the barely existent 'globalization from below' (Waterman, 2003).

As of June 2005, the WGIG's reported output has resulted primarily in procedural outcomes relevant to the coordination of the group's efforts to document approaches to internet governance. The WGIG has garnered considerable praise for its accomplishments, notwithstanding the fact that the full content of the group's discussions during closed meetings has not been disclosed, and in the absence of a final report of the group's findings and recommendations. Civil society members – notably those who were on the nominating committee for the WGIG and those who are members of the WGIG – have cited the WGIG as a 'best practice' example in itself and as a model for multi-stakeholder partnership relations in general. In this sense, the group that was mandated to become the most active among WSIS civil society stakeholders now mimics the ways of its sponsoring body, the UN, which prematurely celebrated its victory in respect to the WSIS. This is evidenced by the ITU Civil Society Secretariat's earliest website remarks. More than a year in advance of the conclusion of the first phase of the WSIS, the Secretariat announced that the 'new governance in the Information Society' will be modeled by 'the modalities of [the WSIS's] open process' in which states, intergovernmental institutions, civil society, and the private sector will engage in a 'new dialogue' as partners (Civil Society Secretariat, 2003).<sup>8</sup>

Over two years later, on the date on which we have finished writing this article, and one day prior to that on which the WGIG report is to be completed, the US National Telecommunications and Information Administration (NTIA) has announced that, on the basis of moral and economic imperatives, the US will not relinquish oversight of root server administration to a private or public international body. According to the NTIA report, 'the United States will continue to support market-based approaches and private sector leadership in Internet development broadly' (NTIA, 2005). In the wake of this new development based in the old doctrine of US supremacy, perhaps it is time to think about the ways in which exclusionary mechanisms can benefit democracy by producing an oppositional civil society that does not risk becoming paralyzed through bureaucratization and institutionalization.

#### Notes

- 1 Despite the use of quotation marks, these various 'e-references' are not attributable to any one source. Rather, they are meant to draw attention to technophilic expressions that have become commonplace in UN and other governmental venues – language that, by the way, mimics that of the market.
- 2 This article was written prior to the dissemination of the completed WGIG report. As a result, our focus is on the process by which the WGIG was formed, along with the activities in which the group engaged from its inception until 30 June 2005.
- 3 It should be noted that this 'scarce resource' is artificially scarce. If and when the international community agrees to move to the IPV6 system, potential IP numbers will increase exponentially and negate any risk of scarcity.
- 4 Examples include events sponsored by the Communication Rights in the Information Society (CRIS) campaign and OurMedia/NuestrosMedia, as well as the World Social Forum and Incomunicado 05.
- 5 Streeck (1984), for example, writes that, even prior to its adoption as a policy strategy contained within certain European countries in the 1970s, neo-corporatism was proposed as a model for organized interests within an integrated European polity so as to govern a 'mixed economy'. The forms of policy concertation that characterize the current European Union also are largely corporatist arrangements.
- 6 As Hunold (2001) describes, pluralist and corporatist approaches to policy concertation have become more compatible in contemporary times, whereas, in the past, they have been understood to be competing forms of policymaking.
- 7 Neo-corporatism prizes involvement by those who are able to abide by the rules of technical and professional expertise as a method for avoiding social conflict and disruption (Streeck, 1984).
- 8 For comments on the erasure of political questions from WSIS discourse, see Hamelink (2004).

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