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CIVIL SOCIETY LEGITIMACY
AND NUCLEAR
NON-PROLIFERATION

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ABSTRACT

During recent years, civil society legitimacy has generated a growing interest in scholarly research. The present article therefore proposes four normative criteria, namely, independence, transparency, participation, and inclusion, in order to start assessing civil society legitimacy empirically. It does so by using the non-proliferation regime as a field of inquiry. In this context, four different advocacy NGOs active during the Nuclear Non-Proliferation Treaty's review processes – MPI, IPPNW, WILPF, and the Friedenswerkstatt – are analysed. The results give a fairly good score for CSO legitimacy, but show that what seems to matter most in this regard is the organizational culture, rather than the organizational structure of an organization.

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Civil Society Legitimacy and Nuclear Non-Proliferation

INTRODUCTION

Civil Society Organizations (CSOs) have sparked a growing interest of scholars and practitioners over the past years (see e. g. Steffek, Kissling et al. 2007). After a period of favourable contemplation, however, civil society actions meanwhile meet with increasing criticism. CSOs are perceived as the expression of an emancipatory, even resistant civil society (Cox 1999), or, from an opposite point of view, as servants to (neo)liberal capitalism (for both, see Amoore and Langley 2004; Goonewardena and Rankin 2004), or, even as a postmodern amalgam of various, including religious, groupings (Kaldor 2003; Courville 2006: 272). The more CSOs assume power, and the more successful they are in bringing the issues of democracy, accountability and legitimacy of global institutions onto the international agenda, the more they are questioned by those (governmental/business) actors who suspect that their own sovereignty or power is shrinking or under attack, and the more they are called upon to live up to the standards they themselves demand. Practitioners from all sides as well as scholars strongly criticize CSOs for not doing so (The Economist 2000; Slim 2002: 2) or structurally not being in a position to do so, given their lack of legitimate representativeness (The Economist 2000; Hirsch 2003) (overview in Collingwood and Logister 2005; Reimann 2005). Scandals in the CSO sector severely exacerbate this image (Jordan 2005: 6).

CSOs, but also donors, governments and intergovernmental organizations, such as the African Union (AU)[1], have meanwhile reacted to this criticism and instigated the establishment of diverse types of accountability mechanisms for the not-for-profit sector, ranging from standards and codes of conduct, monitoring, and reporting obligations to certifications and ratings (Bendell 2006: 55 ff.; Blagescu and Lloyd 2006). However, they have concentrated on expertise, effectiveness and good governance, rather than on democracy and legitimacy (Slim 2002). Nevertheless, legitimacy considerations become more and more vital for civil society outside success (see Beisheim and Dingwerth 2007)[2]. In addition, it happens to be increasingly an issue articulated by CSO members from inside. It might be correct, as Lansley (1997: 235-236) argues, that most organizational members do not want to take an active part in management. But if necessary, they

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[1] The AU has recently adopted a Code of Ethics and Conduct for African Civil Societies Organizations.

[2] Beisheim and Dingwerth's study is not based on a deliberative democratic legitimacy, as the present study, but rather on a procedural legitimacy approach. The normatively derived criteria of inclusiveness, deliberativeness, transparency, and accountability are used for the evaluation of their relevance for the success of private transnational governance schemes.

will remind those who run the organization on their behalf of their latent powers. When the Chairwoman of a CSO successfully lobbies governments in favour of *e. g.* the introduction of quotas for women's employment in the UN, whereas this policy is internally disputed, this will certainly generate protest from inside the CSO and will call its legitimacy into question. Moreover, legitimacy in general and democratic legitimacy more particularly also has an intrinsic normative value. This is why academic responses meanwhile encompass normative catalogues and recommendations on democracy, legitimacy and accountability alike (e. g. Lehr-Lehnardt 2005; Jagadananda and Brown 2006).

Elsewhere, I have proposed a normative concept of democratic legitimacy of advocacy CSOs which builds on a deliberative democratic theory approach (Kissling 2007). As to the deliberative approach, Bogason and Musso (2006: 10) rightfully acknowledge that 'network democracy in some ways is not well addressed by the conceptual understanding built in liberal democratic theory, which is the normative basis for representative government in Western countries', whereas deliberative democratic theory 'corrects liberal democratic theory by arguing for greater deliberation and consensus in developing alternatives and making political decisions' (ibid.: 11). I used such a normative deliberative approach as the groundwork for criteria which are meant to empirically assess civil society legitimacy. As Collingwood and Logister (2005: 186) suggest in this context, 'the most interesting avenue for further research lies in combining the normative and empirical approaches'. The criteria suggested in this regard encompass independence, transparency, participation, and inclusion[3]. The present article constitutes the first empirical application and the first assessment of the plausibility of the proposed approach. It uses the non-proliferation regime as a field of inquiry and analyses different advocacy CSOs active during Nuclear Non-Proliferation Treaty's (NPT) review processes. As a result, it intends to state whether the respective CSOs fulfil the legitimacy criteria as suggested and who scores best. More importantly, it aims at generating explanatory hypotheses for the fulfilment of legitimacy criteria of CSOs which can be used for future research. In this context, the organizational structure of a CSO, or the degree of an organization's formal centralization, is employed as a first tentative hypothesis to test civil society performance.

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[3]   Since deliberative democratic theory sets value on an actual reflection of arguments in the debate and decisions of

    an organization, there should be an additional criterion, namely that of responsiveness, which, however, can only

    be examined in a more in-depth, content-analysis based case study; see Nanz and Steffek (2006).

1. A NORMATIVE CONCEPT OPERATING IN REAL-WORLD SETTINGS

The model of deliberative democratic legitimacy asks first and foremost for the inclusion of all possible arguments in order to reach the best informed outcomes. It thereby concentrates on the deliberative settings and the process of decision-making which make free and fair deliberation possible. It is thus about giving voice, not about giving vote (see Kissling 2007). I therefore suggest operationalizing the deliberative democratic legitimacy model for CSOs[4] by using the following catalogue of four normative criteria (see Nanz and Steffek 2006):

(1) independence;

(2) transparency;

(3) participation;

(4) inclusion.

These criteria are meant to be approximated if civil society organizations want to legitimately contribute to global governance and decision-making. They are deduced from research on the (deliberative) legitimacy and democracy of international organizations (IOs) (see Steffek, Kissling et al. 2007) and start from the premise that CSOs should be assessed alongside similar normative legitimacy criteria deliberative democratic theory would apply to international organizations. They thus match an earlier set of surveys on the legitimacy of IOs (Nanz 2002). The term democratic refers to the downward dimension of legitimacy (members, supporters, beneficiaries) here, thus overlooking other (upward/horizontal) stakeholders such as donors, governments, other CSOs, or staff, to whom CSOs are accountable when other dimensions of the concept of legitimacy are considered (see Kissling 2007).

In the following, I attempt to operationalize the selected criteria. *Independence* means, first, that CSOs should not be set up by the state or by intergovernmental institutions (see, for the creation of NGOs by UNESCO, Martens 2001). Second, beyond this observation, political independence can be measured to some extent by financial independence (see once again Martens 2001). Yet, this should be understood in the sense that sponsoring and financing through state or intergovernmental entities and private

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4   I define CSOs as non-governmental, non-profit organizations that have a clearly stated purpose, legal personality (in national law), and pursue their goals in non-violent ways. This definition excludes business and elected representatives, but includes business associations, academic non-profit institutions and associations of office bearers (*e. g.* mayors). It also encompasses those organisations which pursue member-oriented goals rather than the common good, such as social partners, professional associations, religious institutions and the like. In this way, the definition of CSOs is going beyond that of mere non-governmental organizations (NGOs) which are usually defined as pursuing the common good.

business interests should not interfere with the free decision-making power of the organization itself[5]. Only if a certain level of independence from state and business interests is secured can CSOs be perceived as the free and genuine expression of societal self-organization, and as immune to co-optation (see Hirsch 2003; Bichsel 1996: 236-238). Thus, this criterion, as the following one, is also of importance to the public at large. *Transparency* is about disclosing information to anybody interested in the work of the organization in an uncomplicated, clear, comprehensible, and rapid way. Transparency refers to the accessibility of information about the mission of a CSO, its political and management structure, its membership (type and number), its activities (possibly through activities reports), its budget and accounts (through unambiguous financial reports (see Reimann 2005)), its sources of financing, and, if evaluation reports and/or social audit reports as well as complaint mechanisms exist, to the disclosure of those reports and complaint procedures. In addition, information should be available in the most prevalent languages. Members, supporters, or beneficiaries of a CSO also have to be able to *participate* in the activities of an organization, though in a decreasing order. Participatory means encompass (1) consultation procedures (public meetings, hearings, surveys, formal dialogue procedures, and participation and speaking rights in intra-organizational meetings), (2) involvement in policy implementation (in project execution, through recruitment into staff or funding, or in evaluation processes, especially social audits[6]), (3) partaking in negotiations and decision-making on programmatic and financial decisions (downward stakeholder representatives included in Boards, major policy decisions taken by members, veto power of important stakeholders), and (4) conflict resolution procedures (review panels, juries, ombudsmen). Finally, *inclusion* is built on the equality of all citizens and is defined as the involvement of all downward stakeholder voices possibly affected by a policy decision. In contrast to the criterion of participation, it has an enabling, capacity-building and empowering component. Inclusion in the case of civil society organizations takes place at two levels. First, at the level of the global policy field in which a transnational CSO is active, all possibly existing voices should be able to articulate themselves, or, more precisely, all probably disadvantaged groups should be empowered to participate, *e. g.* by granting travel subsidies, organizing meetings to consult with them on the spot and ahead of internal or external

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[5]   Hence, the percentage of funding is not decisive, but rather actual independence in decision-making.

[6]   Social audits are processes "through which an organization assesses, reports and improves upon its social performance and ethical behavior, especially through stakeholder dialogue"; Ebrahim (2003: 822). They combine external auditing processes with internal stakeholder accountability. Since social audits always take in stakeholder dialogues, the question emerges whether downward stakeholders' views are then included in developing or revising goals, ethics, or performance assessment, which is essentially a question of responsiveness.

political meetings, or actively training them in policy field knowledge, negotiation skills, etc. This can only be evaluated at the global level of the policy field to be examined. Yet, it should be pointed out that CSOs, which are all set up to pursue specific goals and purposes, can only be expected to include their clientele or direct constituents, *i. e.* their members, supporters, and beneficiaries, and not indirectly affected populations (for insufficient Southern involvement, see Bichsel 1996; Hudson 2000). Second, at the level of the single civil society organization, we should likewise have a look at whether the organization empowers, in a decreasing manner, those of its members, supporters, and beneficiaries which are less privileged. In addition to the measures already mentioned, this could for example include the provision of information technology to their inaccessible members or partners in the South. In the context of this study, all criteria are valued as commensurable. For the investigation of the different criteria with regard to single CSOs, I used the following data: the basic legal documents of the respective CSO, such as statutes or the Constitution, rules of procedure, and other rules, reports and other documents, the information available through the internet and in print, all supplemented by half-standardized expert interviews of staff of the respective CSOs[7]. Methodologically, I evaluated the information received by hermeneutical interpretation.

2. CSO SELECTION IN A PROLIFERATING NGO WORLD

I propose to assess the above-mentioned catalogue of criteria empirically by analysing the advocacy work of CSOs participating in the Nuclear Non-Proliferation Treaty (NPT) review processes[8]. Earlier research has revealed that in the security field, the participation of civil society is still limited (Carroll 2002). When it happens, as in the case of the NPT Preparatory Committee (PrepCom) meetings and the NPT Review Conferences (RevCons), the contribution of CSOs to the democratic quality of international

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[7] The information hereby received is judged to be reliable. The interview partners were prepared to give reflective, including (self-)critical, answers.

[8] The Nuclear Non-Proliferation Treaty (NPT) is a treaty to regulate the non-proliferation of nuclear weapons, disarmament, and the peaceful use of nuclear energy. It was opened for signature on 1 July 1968 and entered into force on 5 March 1970. There are currently 191 countries party to the treaty, five of which are recognized by the NPT as nuclear weapon states (NWS): France (signed 1992), the People's Republic of China (1992), the Soviet Union (1968; obligations and rights now assumed by Russia), the United Kingdom (1968), and the United States (1968) (the permanent members of the UN Security Council). The four non-parties to the treaty India, Israel, North Korea (which had acceded to the treaty, violated it, and withdrew in 2003), and Pakistan all possess nuclear weapons, but are not bound by the treaty. The NPT was extended indefinitely on 11 May 1995. It operates through five-yearly review conferences, the last having taken place in May 2005, prepared by yearly sessions of a preparatory committee.

decision-making remains slight (Kissling 2008). The reason is that on the part of governments, proactive inclusion of, interaction, and deliberation with civil society (and governmental parties) are replaced by exclusive bargaining among a few governmental actors. This is a situation we seem to encounter whenever high-level strategic interests are at stake and power relationships are tremendously unequal. Moreover, governments eagerly try to reserve final decisions to themselves, keeping as such civil society at bay. This can be labelled an 'intergovernmental core of decision-making' (Kissling 2008; Steffek and Kissling 2006). Nevertheless, civil society has participated officially in nuclear non-proliferation review processes since 1994. CSOs since then have continuously been struggling for more participatory rights and occasions, for being represented, included and heard. When they do so, however, on the grounds that this would increase the legitimacy of international organizations, they have in return to confront, and to admit, questions about their own legitimacy (Nanz and Steffek 2006). We therefore turn to an inquiry of structures and functioning of CSOs involved in the NPT process with a view to their legitimacy under deliberative requirements.

Ideally, the afore-mentioned criteria of legitimacy should be examined through research into a relatively large, representative sample of international advocacy CSOs. The present article is less ambitious. In order to make research manageable, I suggest examining four different international CSOs or CSO networks which can be roughly related to four structurally different types of CSOs. The question I pose in this regard as a first tentative hypothesis is whether official (legal) organizational structure has implications for civil society performance under the pre-selected set of criteria, or whether differences and similarities of CSOs have also other causes, such as organizational culture[9]. The answer to this question can be a first hint at and can generate explanatory hypotheses for future research. However, given the small set of empirical cases to be studied, I will only be able to give first insights to approximate the answer to this question. With regard to the CSO types, research on organizing principles of global (advocacy) associations (Young 1992; Young, Koenig et al. 1999; Anheier and Themudo 2002) revealed that national NGOs had to adapt their organizational structures to the international environment in a significant way. Here, highly differentiated federated structures stand out which appear, as Young puts it, to have the flexibility 'to accommodate the twin demands for national diversity and international coordinated action' (Young 1992: 9; Young, Koenig et al. 1999: 328). Federation furthermore is more and more combined with intense networking structures (Anheier and Themudo 2002). The

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[9] Official organizational structure is the formal structure, including decision-making structure, as laid down in legal documents or otherwise officially stipulated. The actual handling of day-to-day life would be a question of organizational culture.

result of this increasing differentiation is a higher organizational and configurational subdivision of international CSOs and CSO networks vertically from the global to the national level and horizontally from the centre to the outskirts. Yet, this partition into differentiating units has variable consequences with regard to the decision-making structures of the respective associations or networks, often depending on their history of formation, *e. g.* federating upward or downward (Young, Koenig et al. 1999: 328). Using this obvious example of form follows function, Dalferth (2007) developed a model of broad types of CSO and inter-CSO structures which combines the notion of organizational structure with a governance element (slightly different Young, Koenig et al. 1999; Anheier and Themudo 2002)[10]. In the European context, he identified four types of CSO make-ups with more or less centralized (strategic) decision-making powers which can be presented on a centralized-federated continuum:

*Figure 1:   Types of CSO structures on a centralized-federated continuum
(source: Dalferth 2007: 12)*
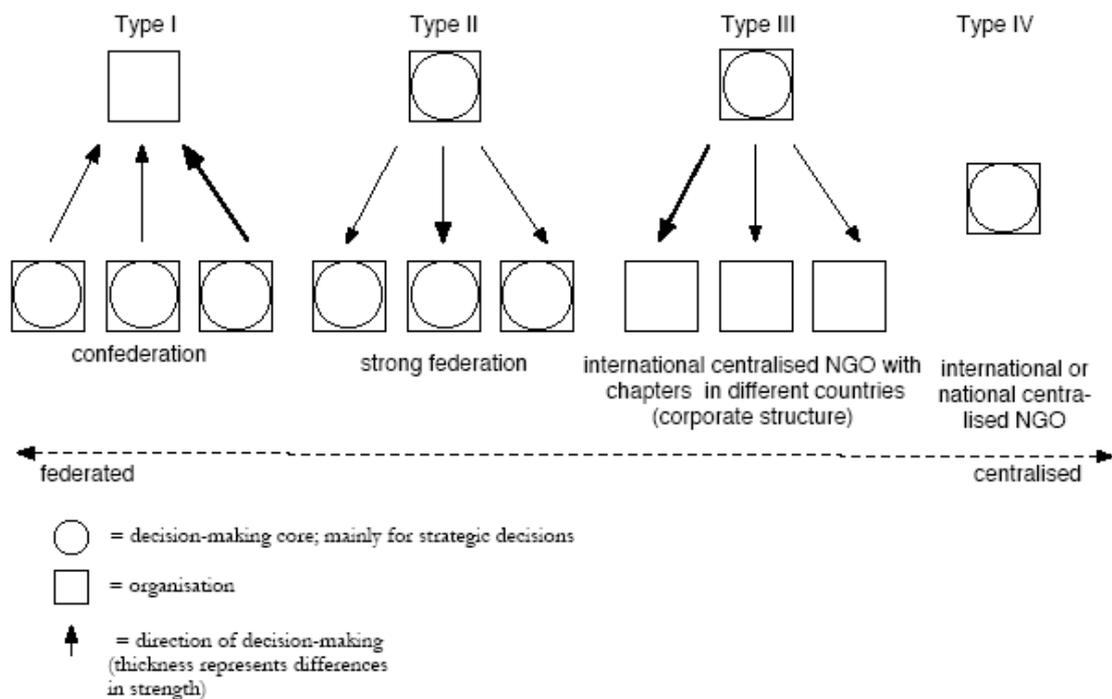
Arguing that the differing power relationships ensuing from the various models might affect questions of independence, transparency, participation, and inclusion in different ways, Dalferth developed a model which is highly germane to our case. He acknowledged that the proposed types are broad categories not only in that there are various

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[10]   Young et al. and Anheier and Themudo distinguish membership organizations from federations with a 'one country section, one vote' governance system. My concept of a (con-)federation includes membership organizations and thus encompasses all those organizations which have units (individual members or organizations) at different levels, but give prominence in or equal decision-making power to its subunits.

mixed forms possible, but also that there are innumerable combinations if we combine CSO structures at different levels (global, regional, local, etc.) which at one of those levels can already consist of one or more of the types described. If we then add to the more formal organizational configurations of single international CSOs their uncountable horizontal networking cooperation, the picture indeed becomes convoluted. Thus, at the international level, we have to take a macro structure of multileveled organizations and reticulate structures into account. Therefore, it might be hard to detect clearcut organizational types globally. Nevertheless, I propose to look first into the work of four different CSOs with fairly distinct organizational structures which might be exemplary for different democratic legitimacy schemes of CSOs working and advocating in the nuclear non-proliferation regime. The case selection was guided by the visibility of CSOs in terms of advocacy work during the 7th nuclear non-proliferation review process, and therefore encompass the following: The Middle Powers Initiative (MPI, confederation), the International Physicians for the Prevention of Nuclear War (IPPNW, strong federation), the Women's International League for Peace and Freedom (WILPF, corporate structure), and the Friedenswerkstatt Mutlangen e. V. in Germany (national centralized structure).

MPI[11] was selected as an example of a loose network confederation whose decision-making core remains with the member organizations. Historically, MPI has developed from national CSOs (see also Dalferth 2007: 10). It is a coalition of eight international advocacy organizations which was set up in 1998 in order to influence and cooperate with the middle power governments united in the New Agenda Coalition (NAC) for nuclear disarmament purposes, but also with a number of NATO States and other like-minded countries. MPI is set up as a programme of the Global Security Institute (GSI), one of its member organizations. *IPPNW*[12] is a strong federation of medical organizations from 59 countries (see also Young 1992: 20). It was founded in 1980 to do research, education, and advocacy relevant to the prevention of nuclear war and was later expanded to include the prevention of all wars. In 1985, it received the Nobel Peace Prize. Membership is formal by affiliation of national and regional medical organizations. In addition, there are individual supporters and 40 student chapters, both without any rights, however[13]. IPPNW has observer status with ECOSOC and the WHO. *WILPF*[14] is an international centralized CSO with chapters in different countries, *i. e.* it has a corporate structure. Founded in 1915 at the international level (see also Dalferth

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[11]   http://www.gsinstitute.org/mpi/index.html, last accessed on 27 September 2008.

[12]   http://www.ippnw.org/; German chapter http://www.ippnw.de/, both last accessed on 27 September 2008.

[13]   For the representation of students in the governing bodies of IPPNW, see, however, below.

[14]   http://www.wilpf.int.ch/; http://www.reachingcriticalwill.org/, both last accessed on 27 September 2008.

2007: 11), it is not a federation of national organizations or bringing together national affiliates, but rather a membership organization with a unitary and centralized structure which concentrates on policy and advocacy. Membership is individual, mostly through 37 National Sections or groups, and formal. WILPF has about 12,000 individual members worldwide. Legally, it is set up in every country differently, sometimes with charitable status (UK), sometimes simply as a recognized organization (CH/F). WILPF has consultative status (category B) with the United Nations Economic and Social Council (ECOSOC, since 1948), United Nations Educational, Scientific and Cultural Organization (UNESCO), and the UN Conference on Trade and Development (UNCTAD), and has special relations with the International Labour Office (ILO), Food and Agriculture Organization (FAO), United Nations Children's Fund (UNICEF), and other organizations and agencies. Finally, the *Friedenswerkstatt Mutlangen e. V.*[15] is a small charitable German grassroots organization set up at the national (local) level and therefore with a centralized organizational structure. The Friedenswerkstatt was selected because of its prominence with regard to the mobilization and inclusion of young people into lobbying work during NPT meetings. It was set up in 1992 in order to organize peace related activities with regard to nuclear disarmament and non-violent conflict resolution as well as to come to terms with its sister organization's past as a peace movement in non-violent opposition to the deployment of Pershing II missiles in Mutlangen in the south of Germany. The organization is mainly active in Germany and has no formal status at the UN. Beside its formal membership of 20 individuals, it has about 60 volunteers (informal members) working for the organization and constituting the deliberate main pillar of its work. We now turn to a closer look on how the four CSOs presented here fare in regard to the single criteria of democratic legitimacy.

3. HOW LEGITIMATE ARE CSOs PARTICIPATING IN THE NPT REVIEW PROCESSES? - FIRST EMPIRICAL FINDINGS

3.1 Independence

How independent are our four organizations from state, and in a sense also from market structures? In fact, in the context of NPT review processes, the dichotomy, within civil society, between arms controllers and abolitionists in the past (Tyson 2004: 60; Johnson 2000), which extends to the nuclear energy field (Schlupp-Hauck 2005; Küpker and Schlupp-Hauck 2006; WILPF 2006), has led some representatives of the second camp, and even some non-aligned diplomats, to reproach others of the first camp to be too close to governmental circles, at the expense of their own goals - and of their legitimacy

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[15] http://www.pressehuette.de/, last accessed on 27 September 2008.

(Burroughs and Cabasso 1999: 465-467; Johnson 2000: 70, 77). In our example, the small local Friedenswerkstatt Mutlangen is least vulnerable to co-optation, immediately followed by IPPNW on a level with WILPF, whereas the confederated network of MPI has to be most careful to keep an independent stance. *MPI* was founded by seven CSOs. However, the initiative came from three individuals one of which, Douglas Roche, was formerly a Canadian Senator and a Canadian Ambassador for Disarmament and through this is still close to governmental circles[16]. Financial independence is hard to assess, since the budget and financial statements are no public information[17]. There are no membership fees and sponsoring happens exclusively through private donations, grants from foundations, etc. for specific projects, and some public funding[18]. Apparently, UN funding and industry contribution do not play a role and there is no single large, dominant donor. Nevertheless, MPI's role and self-perception of its work brings it in a position in which effectiveness has to some extent to be traded against a strong independent stance. It often acts in secrecy and behind closed doors, in order to adapt to the typical diplomatic environment. In sum, it has to keep a vigilant eye on its independence and incorporate hurdles to the danger of co-optation in its working structures.

IPPNW, on the other hand, was founded by two cardiologists from the US and the USSR (and an Australian female paediatrician) without any proximity to power and governments. Its Constitution stipulates non-partisanship towards all national and other governments, prohibits the participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office, and interdicts net earning of IPPNW inuring to the benefit of officers, directors, or other private persons, except for authorized service compensation[19]. Today, about 85 - 95% of its budget consists of private donations and fees paid by affiliates[20]. Very little is raised additionally through grants and special events. Principally, IPPNW receives no government funding, with the

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[16] The same can be said of the carrier organization of MPI, namely, the Global Security Institute which, by foundation, officers, and staff, is close to governmental and business circles and also targets key political decision-makers in its work.

[17] Email response of 20 September 2007. Yet, annual revenues and expenses of GSI as enlisted in broad categories in the US Form 900 can be found on GuideStar; see below.

[18] For the so-called Art. 6 consultations, usually the host government gives some money. *E. g.* for the one of September 2006, the Canadian government paid 20,000 Canadian dollars; interview of 20 September 2007.

[19] Sections 2.1, 2.8, and 2.9 of the Constitution.

[20] See the annual report of 2006 and the US Form 900 accessible through GuideStar, which both enlist annual revenues and expenses in broad categories; see also below. See also Sections 8.1 and 8.2 of the Constitution, III.C. of the Roles and Responsibilities, and 3. as well as the Appendix of the Standards for Affiliation and Responsibility of Affiliates.

exception of a small grant which was approved recently by the Canadian Foreign Affairs Department for the small arms campaign, in order to bring the African and Latin American affiliates together. Additionally, the Constitution sets a limit for donations from major contributors, be they individuals, affiliates, or organizations, of not more than 30% of the IPPNW's preceding year's total income to IPPNW without Board approval[21]. As a result, there is no single major donor. IPPNW favours, besides the provision of expertise, personal links with high-level decision-makers (*e. g.* from Malaysia, Canada, or New Zealand) in order to reach its goals. However, the reason for this is not a strategy of secrecy, but rather IPPNW's goal of professionalism. This approach also extends to the means it uses for contacts which capitalize on social skills. Since the end of the 1990s, it uses the dialogue method as proposed by the Oxford Research Group in its 'Guide to Achieving Change' (2007 (1999)). This method is an approach towards true deliberation in practical work. It favours dialogue over lobbying or mutual monologue. Dialogue is understood to facilitate changes in attitudes and perceptions on both sides, to be achieved through active listening, understanding, and offering information, instead of using persuasion, veiled threats, or moral reasoning, and attainable only in personal and trust relationships. Altogether, IPPNW's focus on its own members and the public at large as well as its rules of conduct keep it at least at some distance to governments (and the UN). Moreover, in close personal relationships, professionalism towards social skills is meant to work as some sort of doorkeeper towards weakening or self-abandonment in personal relationships.

WILPF, similar to IPPNW, demonstrated independence already in its formation. It was founded in 1915 by 1,300 women at the Women's Peace Congress in The Hague in order to stop the escalation of WW I. WILPF has a detailed budget which specifies where the money comes from and where it goes to, also with regard to program money. Of its 600,000 to 1,100,000 Swiss Francs budgetary income, around 60% is met by membership fees and private donations, 20 to 30% by grants from foundations, and 5 to 10% by miscellaneous income, *i. e.* publication sales, subscriptions, participation fees, and interest. In 2006, about 7% was funding from governments, with an increase to about 40% in the projected budget from 2008 until 2011. There is, however, reportedly no single major donor. WILPF, during the last NPT review process, functioned as the NGO Coordinator or focal point which, however, did not result in a contractual relationship with the UN. Nevertheless, WILPF is close to decision-makers, more than IPPNW. Nevertheless, its strategies, like those of IPPNW, correspond to a two-fold role, on the one hand to its role as information provider to the UN and on the other hand to its function as counterweight to industry and member states, especially the nuclear weapon

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[21] See Section 8.3 of the Constitution.

states. It keeps the balance through a strong grassroots approach as demonstrated by its 1st May 2005 anti-nuke protests in New York in advance of the 2005 NPT Review Conference. This finds its expression in high membership accountability through, for example, quantitative and qualitative assessments of its work and the adherence to the 'Aims and Principles' in the Constitution which take a strong social transformative stance aimed at the ultimate goal of establishing 'an international economic order founded on the principles of meeting the needs of all people and not those of profit and privilege'[22]. This 'anti'- or 'fighting'-attitude leads WILPF to rely heavily on moral, but also legal reasoning ('Nuclear weapons are genocidal, suicidal, and ecocidal'), the representation of considerable parts of the population, and on threat potential. Altogether, its slightly closer proximity to decision-makers in formal and strategy-related terms compared to IPPNW is equilibrated through its oppositional stance.

The *Friedenswerkstatt Mutlangen* was founded in opposition to state interests. The charitable organization was established in 1992 because its sister organization set up in 1984 to campaign for the removal of the Pershing II missiles, the Friedens- und Begegnungsstätte Mutlangen, could not obtain charitable status due to its civil disobedience practice. When the missiles were removed in 1988, the income situation of the Friedens- und Begegnungsstätte changed significantly, forcing the organizers, upon the advice of the tax authorities, to found another organization with charitable, but law-abiding status. However, the strong oppositional stance of this new CSO, the Friedenswerkstatt, remained. In the organization's small budget (around 50,000 to 70,000 € per year[23]), membership fees account for only about 0.5 to 1.5% of the revenues, while the main bulk comes from private donations (about 35 to 55%) and grants (more than 40%). Other income is generated through participation fees for events or the sale of material, etc. There is one major donor, namely, the Aktionsgemeinschaft Dienste für den Frieden (Action Committee Service for Peace, AGDF), an umbrella federation of Christian peace organizations with close links to, though structurally independent of, the protestant Church in Germany[24]. However, there is no perception of pressure from the AGDF. The organization's only rule of conduct is a common understanding of what the term 'non-violence' means to the organization and its operations - which is obviously very important in order to draw a distinction between oppositional civil disobedience and anti-state violence. Here, a sense of true deliberation comes in, *i. e.* dialogue procedures based on an understanding of the other's view and solutions to the benefit of all. Altogether, the Friedenswerkstatt's strong membership and supporters' appraisal, together

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[22] § 3 of Part B of the Constitution, called 'Aims and Principles'.

[23] The numbers are those of 2006 and 2005.

[24] It is sponsored by the Church, the state, through collections, membership fees, and donations.

with an organizational culture rooted in the peace movement and in oppositional operations, suffices to keep governments or businesses at bay and to forestall any danger whatsoever of co-optation. A common understanding of non-violent dialogue professionalizes those actions which require direct contact with governments.

3.2   Transparency

How transparent are the four civil society organizations examined? In this category, WILPF comes off best, even though certain strategies prevent 100% transparency. WILPF is immediately followed by IPPNW, and then by the Friedenswerkstatt, whereas MPI turns out last. *MPI* publishes information in English on its mission, projects, events, news, publications, its political and management structure, and the type and number of its membership on its website. The homepage is structured clearly. The statutes as well as evaluation reports, social audit reports, and specific complaint mechanisms are not published, but probably also do not exist. Likewise, according to the comments received, annual reports do not exist either, and financial statements as well as minutes of meetings are not made available to the public[25]. The absence of annual reports is justified by a 'lack of public interest and the amount of time required of our staff since 2002'[26]. This might suggest that the need for transparency is seen, but is conditional on a clear demand from outside the organization. The secrecy about financial statements and minutes can probably be traced back to MPI's working strategies. Reportedly, the members are better informed than the general public, but not as well as diplomats and governments.

IPPNW presents information in English[27] on its mission, projects, events, news, publications, its political and management structure, and its type and number of membership, *i. e.* its 59 affiliates, on its website. The Constitution and other rules, such as the Roles and Responsibilities and the Standards for Affiliation and Responsibility of Affiliates, as well as the annual reports are not published on the website, but can be received upon request. Annual reports are only published irregularly, the last one dating from 2006, and the previous one from 2003. Evaluation reports, social audit reports, and specific complaint mechanisms do not exist. For financial reports, I was referred to the public financial information from GuideStar[28] which makes accessible the typical US

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[25]   Email response of 20 September 2007, though GuideStar (see note 28) states that the Global Security Institute which implements the MPI programme makes its audited financial statements available to the public upon request. Revenues and expenses of GSI (Form 900) can be found on GuideStar.

[26]   Email response of 20 September 2007.

[27]   Which is also the official language; see Section 9.2 of the Constitution.

[28]   www.guidestar.org.

Form 990 for tax exempt status organizations. Here, as well as in the annual report of 2006, revenues and expenses are only stated in general categories. Apart from the detailed budget and audited accounts, I received all information requested fast in a straightforward, clear, and comprehensible way. Members, however, are provided with more information than the public.

WILPF distributes information in English[29] about its mission, projects, events, news, publications, its political and management structure, including paid interns, and also its decisions through its website. Information is usually made available rapidly. WILPF's type of membership can be found out through the Constitution and By-Laws, which are also published on the web, but information about the number of members is missing. All activities reports, the budget and accounts, and evaluation reports in form of Section Reports, can be traced on the homepage with some effort; the sources of finances can be found in the accounts in more precise categories than is usual for annual reports, but mostly without naming single sponsors. All that information, however, is somewhat concealed since there has been an internal struggle within WILPF about how transparent the organization should be and which information should be put on the internet. This was decided in favour of a compromise which stipulated that all information, including activities, financial, and evaluation reports, should be included, but not at a prominent position. An exception is the travel (assistance) policy document which is not accessible to outsiders. Apart from that, also in general, WILPF's website as well as the website of its specific Reaching Critical Will Project is structured in a slightly chaotic manner which makes retrieval of information difficult. Social audit reports and specific complaint mechanisms do not exist. Members receive more information than the general public.

Finally, the *Friedenswerkstatt Mutlangen* presents information in German and English about its mission, projects, events, news, publications, and cooperating partners on its website. The type and number of the CSO's membership as well as its political and management structure are not made public on the homepage. This is not due to a policy of secrecy, but rather to a highly decentralized project responsibility for publicity, which sometimes has the disadvantage of some information omitted. Most of the remaining information, such as the statutes, activities reports, and the accounts, can be received on request. A budget is not prepared, and evaluation reports, social audits, and specific complaint mechanisms do not exist. The sources of financing can only be traced back according to general categories in the accounts. However, the disclosure of information

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[29] Part K.1. of the By-Laws states that '[t]he working language for WILPF shall be English with translation and interpretation in as many languages as feasible'. Colombia, in its Section Report of 2007, complained about not receiving information in Spanish. During high-level meetings, there are usually volunteer Spanish interpreters.

to the public is fairly straightforward, open, and comprehensible. Volunteers and members receive more information than the public.

3.3   Participation

As Lansley (1997: 221) observes, members have in practice extremely little involvement in the policy-making and running of an association. How participatory for members, supporters, and beneficiaries are then the courses of action of our four CSOs? Here, we observe that IPPNW does best, immediately followed by WILPF and the Friedenswerkstatt, whereas MPI performs lowest by far. *MPI*, in its intra-organizational relations, heavily relies on self-sufficiency. Theoretically, strategic decisions are taken by the Board of MPI, the International Steering Committee. However, in practice, they are mainly the choice of one or two persons who are also in charge of the day-to-day decisions. Apart from this, there are no procedures explicitly serving consultation with members. Interaction with individual members takes place *ad hoc*, but on a regular basis. Yet, the implementation of MPI's policy is not members' business; an evaluation of MPI's policy does not take place. Clearly, there is an 'elite' core within MPI which is decisive for policy-making and which also remains responsible for policy implementation. In contrast to member interaction, consultation with beneficiaries is structured pro-actively. Yet, beneficiaries are considered to be upward beneficiaries, namely, diplomats and governments. Thus, there is an imbalance between downward membership and upward beneficiary consultation and participation. This was recently felt clearly by members and has let to an internal discussion between them and the network core of individuals driving the actions of MPI about the question whether member access - as perceived by the core - would really weaken effectiveness or whether MPI - as perceived by some members - would be more effective if it followed its own agenda more rather than diplomats' lines of thought.

IPPNW, by contrast, gives privilege and highest authority to its members, as is clearly laid out in its Constitution. Thus, the International Council, composed of representatives of the affiliates, is the governing body of IPPNW[30]. Members (affiliates) have voting rights, selection rights, nomination (and nominee) rights for Board positions, election, approval and appointment rights[31], and they can submit resolutions[32]. Strategic decisions are taken in the International Council, on which members are consulted in advance, in case there is disagreement in the Executive Committee or in the Board also

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[30]   Section 4.0 of the Constitution, and II.A. and XVI.A. of the Roles and Responsibilities.

[31]   Sections 4.3 - 4.11 and 4.16, and 5.3 of the Constitution, and II.A., II.B., II.D., IV.E., VII.C., XIII.A., and XVII.B.2. of the Roles and Responsibilities.

[32]   Section 4.17 of the Constitution.

afterwards. Day-to-day decisions are determined by the IPPNW Central Office, partly also by the Executive Committee. Yet, member consultation on Central Office activities is considered essential in three specific instances: first, when the Central Office approaches a national government, second, when fundraising is done in an affiliate's area, and third, when a statement affecting an affiliate is to be issued on behalf of IPPNW[33]. Beyond this, communication with affiliates takes place on a frequent basis, although it sometimes remains a one-way flow without the necessary feedback coming from members. Yet, no provisions are made for an evaluation of the activities by members. The importance given to internal discourse is also reflected in many paragraphs in the Constitution and other IPPNW rules which also stipulate specific communication patterns[34]. There clearly exists an awareness of a trade-off between effectiveness and member access within the organization, but priority is given to member access. For example, the IPPNW Dialogues With Decision-Makers are executed by doctors (members), even though they are less trained in dialogue techniques compared to the staff. Nevertheless, sometimes members are unhappy with the way the organization is run. Recently, dissatisfaction with the operation of the Board and a perceived lack of strategy at the international level led to a review process and the 'renewal' of IPPNW. The discussion was probably sparked off by different views about the organizational type of IPPNW: was it a loose confederation of national affiliate members, or a global campaigning organization? The International Campaign to Abolish Nuclear Weapons (ICAN), proposed by one affiliate, now serves as a means to strengthen the latter view. This would refute Young (1992: 26) who postulates that over time, international associations become more decentralised once they have established a formal federal structure. In terms of beneficiaries of its policy, ICAN serves as a means to give some voice to victims of radioactive contamination.

WILPF similarly gives highest authority to its members. However, its individual membership is mediated by National Sections. Thus, the International Congress, composed of International Board members and five or eight delegates elected by each National Section[35], is 'the highest decision-making body of WILPF and the final authority in all matters concerning the organization'[36]. Any other paid-up member of WILPF can

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[33] Sections 2.6 and 8.4 of the Constitution, and XVI.D. of the Roles and Responsibilities.

[34] See Sections 2.7 and 4.13 of the Constitution, and III.D., IV.I., and IV.J., V.C., VII., and VII.A., IX.B. to IX.D., XI.A. to XI.C., XII. A., and XIV.D. of the Roles and Responsibilities, and 4. of the Standards for Affiliation and Responsibility of Affiliates. For the communication patterns used for decision-making, see XVI. of the Roles and Responsibilities.

[35] Part D.1.b) of the Constitution.

[36] Part D.1.a) of the Constitution.

attend the Congress, but without voting rights[37]. That is, voting rights of members, in the International Congress as in the International Board, including election, appointment, and approval rights, are mediated by the representation of National Sections[38]. The same goes for the proposal to amend the Constitution or By-Laws and for nomination rights, which both devolve directly on the National Sections[39]. Strategic decisions are taken by the International Congress which is convened every three years, in between those meetings also by the International Board or the Executive Committee. Members are consulted in advance, also through surveys. The day-to-day decisions are resolved by the Executive Committee, or by the staff. Nevertheless, communication with members takes place on a daily basis. Members are involved in the work of the organization by giving their policy input, implementing projects and campaigns, fundraising, and evaluating WILPF's global work from the local level. They sometimes even lend staff to the international office, as has recently occurred for a staff member from Sweden who worked in Geneva for some time. Yet, feedback sometimes remains low with regard to the information provided by the international Secretariat. Member empowerment is highly significant for WILPF, even though at times, a trade-off between effectiveness and member access is perceived. Altogether, the tools of empowerment, such as training of members, issue briefings, materials, or mentoring, produce remarkable results, for example when local representatives give a speech at international conferences and walk out saying that they will do it again. Nevertheless, there were also occurrences when members were not happy with tactical decisions, *e. g.* with the selection of topics on which WILPF reported. Beyond its own membership, WILPF does not consult with downward beneficiaries or affected populations - the focus on consultation with (likeminded) governments is still too strong and prevents the allocation of more resources to downward stakeholders.

Legally, the *Friedenswerkstatt Mutlangen's* highest authority also accrues to members through the Members' Assembly[40] which takes place every two years and in which members have voting rights. Strategic decisions are taken in the Board, however. Apart from this basic authority of Assembly and Board, decision-making power is delegated on a decentralized basis to projects and the wider community of volunteers. Internal communication takes place without any prescribed patterns. It is perceived to be satisfactory, given the high level of mutual trust and respect between the different groups (Board, project collaborators, and members). Yet, there is definitely a trade-off between

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[37] See Part D.1.c)iv. of the Constitution.

[38] Part D.1.c., D.2.e. to g., and D.3.a. of the Constitution, and Part D.1.b. and c., E.1.a., and J.4. of the By-Laws.

[39] See Part F.1. of the Constitution, and Part I.3.a. of the By-Laws.

[40] See § 8 (3) of the Statute.

this high level of constituency access and delegated responsibility on the one hand and the CSO's effectiveness on the other hand. This is visible in a lack of evaluations, such as simple follow-up meetings, which are called for, but usually not conducted. The Friedenswerkstatt therefore puts an emphasis on working with committed volunteers for project implementation, rather than increasing its membership base. Nevertheless, there have been occasions when members, supporters, or volunteers were dissatisfied with the decisions taken. In such cases, full discussions take place. Other beneficiaries or affected populations are not consulted.

3.4 Inclusion

3.4.1 CSO Community

Last, but not least, how inclusive are the civil society organizations studied? Our focus here is on the empowerment mechanisms in place in the engagement of CSOs with downward stakeholders. In the first instance, we have a look at the global policy field as such and the community of CSOs active in the field. Do CSOs altogether try to proactively include the different interests of their constituency (members, supporters, and beneficiaries) in their global activities; do they enable disadvantaged CSOs from certain regions, political backgrounds, or other underprivileged groups to participate in global policy-making? Are thus all different CSO voices able to articulate themselves at the global level? This might be first and foremost the task of governments and the intergovernmental organization which provides the policy arena for decision-making, but should concern the CSO community as well. As a reference point, we take the last NPT Review Conference which took place in May 2005. First, and more in general, we want to find out how issue diversified the CSO community is which participated in that event. As Atwood states with regard to disarmament NGOs, there is a high degree of specialization among NGOs around one weapon system, but little cross-fertilization with NGOs working in other areas. This would lead, according to him, to costs 'in terms of the evolution of a more holistic and broadly based "security" agenda and the development of a mutually supportive NGO constituency' (Atwood 2002: 7). Indeed, at the 2005 NPT Conference, a large amount of the CSOs were specialized in nuclear policy, either in nuclear weapons, embracing abolitionists and arms controllers alike, or in nuclear energy and non-proliferation. Most of the rest belonged to the broader peace movement or dealt with security issues, including nuclear energy proponents and opponents. Specialists of other weapon systems definitely were somewhat underrepresented. However, given the consequences of nuclear contamination, environment and health figured high on the agenda of participating CSOs. Beyond that, some CSOs, including some religious organizations, also operated under a very broad programme, encompassing additionally human rights, development, trade, social movements, or simply international

affairs. Thus, the CSO community as such is inclined and used to listen to and to include other issues areas and views, even though cross-fertilization of specialists remains underdeveloped.

Second, regarding the empowerment of disadvantaged groups, a reproach often heard in the context of the NPT review processes is that there is a broad nuclear disarmament community which, however, is largely northern in character (Atwood 2002: 7). Thus, the most disadvantaged downward stakeholders certainly are representatives from developing countries, but second also ill or disabled persons, *i. e.* victims of nuclear contamination, especially the atomic survivors (the Hibakusha) suffering from the long-term consequences of the two nuclear attacks on Hiroshima and Nagasaki in 1945, and third women, indigenous peoples, the youth, and other groups. They might all be disadvantaged by a paucity of personnel or financial and other resources and should ideally receive some special empowerment tools in order to voice their concerns. In this regard, looking at the list of participating CSOs of the 2005 RevCon[41], one can have doubts about civil society representativeness and their ability to channel all, including the underprivileged, arguments and concerns into the debate of the NPT review process. With regard to the first category, developing countries CSOs, the participants' list reveals that of the 119 CSOs listed, only three can definitely be traced back having their headquarters in a developing country[42]; the others are located in Europe and North America. This does not mean that all the other CSOs do not represent issues and arguments articulated in other regions of the world. In some cases, CSOs with headquarters in the first world have member organizations or a branch office in the developing world[43]. Moreover, nuclear disarmament might not be an issue which attracts utmost and primary attention in the developing world, where problems such as poverty reduction may stand first. Nevertheless, those CSOs are not less affected by the uses of nuclear power, be it for peaceful or non-peaceful purposes, and might simply structurally not be in a position to devote manpower and finances to these issues. Therefore, an effort should be made by CSOs to directly involve organizations from outside Europe and North America in the civil society participatory proceedings of NPT review processes. With regard to the participation of victims, diseased or disabled people, no figures are available. However, scores of the aging Hibakusha appeared at the 2005 RevCon, even without registering, simply to be

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[41] See http://www.un.org/events/npt2005/NPT-CONF2005-INF2-List%20of%20NGOs.pdf, last accessed on 27 September 2008.

[42] Namely, the Afro-Asian Peoples' Solidarity Organization (Egypt), the Egyptian Council for Foreign Affairs, and the Solidarity for Peace and Reunification of Korea (South Korea).

[43] See *e. g.* the Soka Gakkai International, which has culture centers on many continents; see http://www.sgi.org/about/around_the_world/directory/directory.html, last accessed on 27 September 2008.

strongly present on the spot. Hence, in this limited case, under-representation is not an issue. With regard to women and other potentially marginalized groups (indigenous people, the youth, etc.), likewise no absolute figures are available. Concerning women, gender of CSO representatives is only indicated in the participants' lists of the Prep-Coms, and is in some cases blurred by the indication of titles. Figures for the Second PrepCom, being the only one with clear gender referrals, show a rate of 65 women out of 151 participants, thus a fairly balanced ratio of 43 to 57%. Looking at specific empowerment mechanisms, however, the CSO group as a whole does not possess many means for capacity-building of disadvantaged groups. There is WILPF which, in preparation of meetings, in the past provided information about affordable accommodation regardless of the means available to any requesting person. This included addresses of disarmament activists who were offering home-stays, and a list of affordable housing. Apart from this information service, the CSOs have built networks to help funding of disenfranchised groups. For example, in the past people from the Pacific Islands were brought in to testify on the testing of nuclear weapons issue. Yet, payment is done by different single organizations; no joint travel funds exist at the group level. Moreover, there are no training sessions, or consultation meetings organized in advance on the spot in different regions of the world. Though, those representatives of some groups (victims of radioactive contamination, Hibakusha, indigenous people, the youth) present at meetings are given the possibility to bring up issues such as *e. g.* the subject of uranium mining, and to deliver statements in UN meetings. This happened during the 2005 Review Conference when slots were allocated to these groups as part of the CSO presentations. This content related empowerment in the past was often facilitated by the NGO network Abolition 2000. Besides this, capacity-building and empowerment take exclusively place at the level of individual CSOs.

3.4.2 Single CSOs

Hence, how inclusive and empowering with regard to their members, supporters, and beneficiaries are our four single CSOs? In sum, there is decreasing inclusiveness from the Friedenswerkstatt, to WILPF, IPPNW, and MPI. *MPI* does not devote special attention to disenfranchised groups among its members or beyond its membership, be they from certain world regions, the Hibakusha, women, indigenous, or the youth. Beneficiaries are mainly understood to encompass diplomats and governments, who, however, are not downward stakeholders and are rarely underprivileged, neither in terms of knowledge, nor in terms of financial or material resources.

    IPPNW is especially considerate of its members (affiliates) when it comes to contacts of the Central Office with national governments, statements on behalf of IPPNW, or

fundraising in an affiliate's area[44]. Other positive discrimination and empowerment mechanisms are applied to certain disadvantaged groups among members, for instance young people. Thus, in addition to individual membership rights in affiliates, medical students have the right to be represented on the Board, the Executive Committee, and on each affiliate's delegation to the International Council, with the same rights as other members, including voting rights[45]. Furthermore, an International Student Fund was set up whose funds are distributed as part of the international IPPNW budget, in order 'to aid the development and maintenance of a thriving and energetic International Student Movement. Its intention is to support innovative new projects, fund outstanding individual students if the organization as a whole can profit from this and enable sustainable planning within the student movement. […] While this fund is designed to support student activity all over the world, a strong emphasis will be put on aiding activity and supporting students from the Global South'[46]. At the moment, 3,000 USD per year are allocated for this purpose. Moreover, medical students conduct and take the lead in joint student-IPPNW projects, such as the Nuclear Weapons Inheritance Project. In addition, discussions take place with students from different countries in order to incorporate them into the IPPNW doctors' 'Dialogue With Decision Makers' program. Besides this commitment to the youth, IPPNW is committed to respect gender, age, and geographic balance and diversity[47]. In order to ensure the involvement of its geographically diverse membership, the regions are represented by Vice-Presidents on the Board[48]. Moreover, there is a strong impulse within IPPNW to bring the South in[49] which lacks the financial means for travelling, but also has intractable communication (email) problems. A debate is currently taking place over whether to set up a fund for travel grants for Southern participants to the Board and international meetings. From time to time beneficiaries, such as patients and other victims (indigenous non-members), are given travel grants by affiliates or International IPPNW in order to let them speak out and give testimony to their situation. Victims are given a voice in the ICAN Campaign.

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[44] Sections 2.6 and 8.4 of the Constitution, and XVI.D. of the Roles and Responsibilities.

[45] See Sections 3.1, 4.4, and 4.7 of the Constitution, II.A., II.B., IV.A., and XIV. of the Roles and Responsibilities, and 1. of the Standards for Affiliation and Responsibility of Affiliates. See also the Guidelines of the IPPNW Student Movement, especially 1.5. and 3.1.

[46] Part V. of the Guidelines of the IPPNW Student Movement.

[47] See Section 4.8 of the Constitution, and I.A. and XVII.B.6. of the Roles and Responsibilities.

[48] See especially VII. of the Roles and Responsibilities, but also Sections 4.3, 4.7, 4.9 ff., 5.2 ff., and 7.1 of the Constitution, and II.A., and IV.A. of the Roles and Responsibilities.

[49] This was already observed by Young with regard to IPPNW at the beginning of the 1990s; see Young (1992: 21).

WILPF's core membership consists of members of a disenfranchised group, namely, women, which turns empowerment into a specific issue. The revision of the Constitution and By-Laws in July 2007 led to the introduction of job sharing for Presidency[50]. There is a Travel Fund destined to assist all kinds of disadvantaged members in special circumstances to attend International Congress and Board meetings[51]. The Board decides about grants by reference to mainly two criteria, namely, (1) access to resources, and (2) past history (activity) with the National Section the member belongs to. The latter is determined mainly by the National Section's record of submission of annual reports and of transferral of local membership fees to the international office. However, exceptional circumstances are accounted for. For example, in 2005, there was a funding request by Nepal. After the royal takeover of 1 February 2005, many members were under house arrest and thus, no report could be delivered. WILPF then agreed to pay for tickets if members were able to get out of the country. Furthermore, the young generation among WILPF's membership has recently started to speak out for its own empowerment by founding Young WILPF (YWILPF), which encourages sponsoring and representation of young women in official bodies. More geographical and other diversity has been an important policy issue in 2006 which according to reports was achieved satisfactorily. The discussion entailed changes in Constitution and By-Laws in 2007 which were meant to further strengthen regional (North-South) balance[52] beyond the travel assistance policy. The use of new technology for alternate meetings (video link, skype, etc.) was introduced in the rules only on condition that all sections have access[53]. Lastly, beneficiaries are considered to be part of WILPF's constituency. They are thus not consulted separately.

Finally, the *Friedenswerkstatt Mutlangen* has a broad policy of including members, but especially also supporters. Inclusion takes place in day-to-day work. Thus, responsibility for project implementation is delegated completely to project collaborators and volunteers. As a grassroots organization, the Friedenswerkstatt is the only one of the four CSOs examined with such a strong non-member supporter empowerment approach, which progresses smoothly onto beneficiaries' empowerment. Thus, young people, as self-responsible participants of projects and voluntary supporters of the Friedenswerkstatt, are also seen as the ones who would benefit most from the abolition of nuclear weapons. For this disadvantaged group, many projects are organized, and grants

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[50]   Part D.4.b. of the Constitution; see also Part D.2. of the By-Laws.

[51]   See Part D.3. of the By-Laws; the travel (assistance) policy document is not accessible to outsiders.

[52]   See the newly introduced formulations in Part D.4.c. of the Constitution, and Part D.4. and Part I.3.b. of the By-Laws, which supplemented the pre-existing Part I.2. of the By-Laws.

[53]   Part E.1.m. of the By-Laws.

are sought and disbursed in support of young people. But beneficiaries' empowerment sometimes also goes beyond the circle of people who in some way or the other can still be associated with a supporters' circle. For example, when international delegations were put together in the past, travel grants were sought to include other persons, such as, more recently, two young women from Belarus, a country with which the Friedenswerkstatt has a youth encounter program.

3.5   Discussion of Results

If we now summarize the results of all four criteria, the four CSOs perform as follows:

	Independence	*Transparency*	*Participation*	*Inclusion*
Best	Friedenswerkstatt	WILPF	IPPNW	Friedenswerkstatt
Second	IPPNW/WILPF	IPPNW	WILPF/ Friedenswerkstatt	WILPF
Third		Friedenswerkstatt		IPPNW
Last	MPI	MPI	MPI	MPI

With regard to independence, the small, local but centralized Friedenswerkstatt fares best. This can probably be attributed less to its centralized structure than to its local grassroots anchorage. WILPF, which follows next, similarly has a strong grassroots approach. The Friedenswerkstatt has diverse resources at its disposal and an organizational culture which, by virtue of its oppositional stand, is not prone to governmental appropriation. The confederated MPI, by contrast, does not rely on numerous resources. MPI's example in fact offers an indication of the kind of source that would render CSOs most independent from governmental and other influences, namely, through membership contributions. Yet, the importance of membership fees is not a question of the size of the organization, but rather a basic decision of principle about the dimension of projects, and particularly about the question which financial sources to rely on and how to structure the funding of an organization. Thus, MPI has decided not to draw on membership contributions, but nevertheless to organize costly high-level consultations and journeys, which makes it most vulnerable. IPPNW, on the other hand, mainly relies on membership fees, whereas WILPF, likewise a large organization, has decided to increase the governmental share of its budget to 40% during the next years. While membership fees admittedly constitute a negligible share the Friedenswerkstatt's budget, it does have a large supportership. This enables it to execute activities from the local to the global level in an independent manner. Hence, it can be argued that a CSO whose costs for projects and activities outweigh its membership and supportership income (that is, including donations), and which carries out global programmes perceptible to a high-

level global leadership, conceivably even led by high-level leaders, does and must attract public and/or business sponsoring, and is thus most prone to dependency on public or business interference. A strong grassroots approach, including sponsoring through members and supporters, local organization, and an oppositional positioning work in the other direction. Thus, the vital components in this respect are the financial and activity structures and organizational culture.

As to the criterion of transparency, the Global Accountability Report (Blagescu and Lloyd 2006: 7 f.) found out that the overall scores for transparency of international NGOs (INGOS) are low, even lower than those of intergovernmental organizations (IGOs). In our case, WILPF and IPPNW displayed sufficient transparency. Yet, neither the most federated CSO, namely, MPI, nor the most centralized, *i. e.* the Friedenswerkstatt, were very transparent, though for different reasons. MPI has chosen a secretive policy on strategic grounds, and to make transparency contingent on demand, while the Friedenswerkstatt suffers from the trade-off between policy (not structure!) decentralization and effectiveness. To some extent, transparency also depends on personalities. By contrast, size and networking are not an obstacle to transparency. The two largest organizations, and the ones most involved in networking, WILPF and IPPNW, performed best on the transparency scale. Hence, organizational culture and personalities are more important than organizational structure, size, and networks.

In terms of the third criterion, namely, participation, the first three organizations were very close, while MPI lagged far behind. Even though the Global Accountability Report (Blagescu and Lloyd 2006: 8) stated that regarding participation, INGOs fare better than IGOs in engaging internal members and external stakeholders in decision-making, and that INGOs have the strongest mechanisms for ensuring equitable member control on the executive body, this picture apparently needs differentiation. Internal members are virtually not involved in MPI work; the Friedenswerkstatt gives preference to supporter involvement; WILPF mediates individual member participation through the National Sections, but at the same time exposes itself to evaluation; and only IPPNW shows a high level of proactive member inclusion which is to a high extent legally anchored. The only two organizations which explicitly practise external stakeholder consultations are IPPNW (victims) and MPI (governments). Yet, in the case of MPI, the addressees are external upward stakeholders. Equitable member control of the highest decision-making body is best in IPPNW, more or less theoretical in MPI and in the Friedenswerkstatt, the first being driven mainly by a few individuals in practice, the second giving preference to decentralized decision-making, and only indirect-representative in WILPF. Moreover, MPI, as the most confederated CSO, definitely has an 'elite' core of policy-making. Here, decisions are taken without in-depth consultations with the autonomous units of the confederation. Yet, this is a result of a working struc-

ture which is aligned to goals, specific strategies, the targeted addressees, and to individuals populating the organization, *i. e.* a result of organizational culture, rather than of organizational structure. Nor is size crucial to participation. The large MPI fared much worse than the small Friedenswerkstatt, while IPPNW came off best. Nor does the complexity of operations and a professional approach (Lansley 1997: 223, 236) preclude member involvement, if the willingness to do so is present, as the example of IPPNW shows. Yet, decentralization of work (not of structure) to the local level (Lansley 1997: 223, 236-237) definitely plays a role. The grassroots approaches of WILPF and especially the Friedenswerkstatt have a decentralizing and at the same time empowering component. But this is probably not sufficient. In these cases, it is coupled with a proactive, also legally anchored, participatory approach, rooted in organizational culture.

The last criterion, inclusion, has two dimensions, first, the all-group scope, and second, an analysis at the level of each organization. The all-community results are meagre: whereas issue diversity is guaranteed, with some exceptions in the weapon specialization area, group diversity is less ensured. Developing countries CSOs definitely are underrepresented at NPT meetings, but empowerment mechanisms at the group level only amount to information provision and the expression of opinion of disenfranchised representatives insofar as they are already present at global meetings. It only gives some comfort that governments are even less inclusive. Regarding the single CSOs examined, the two grassroots organizations, the Friedenswerkstatt and WILPF, fare best, while MPI takes the last position in this fourth category too, demonstrating no inclusiveness at all. Nevertheless, even the Friedenswerkstatt, with its unique supporter-beneficiary outreach, could improve on inclusiveness by giving more attention to its own members. WILPF could still better empower the youth and outside beneficiaries, and IPPNW could consult more extensively, and could further facilitate participation from the South. Altogether, inclusiveness depends less on structures or legalization, and more on actual day-to-day practice as part of the organizational culture, which is best represented by a grassroots approach here.

CONCLUSION

As the present analysis shows, the deliberative approach to democracy and the criteria derived herefrom certainly are a good rapprochement to the question of CSO legitimacy, from a normative as well as from an empirical standpoint. They can serve as a guideline for CSOs on how to improve their own legitimacy, especially when questioned by governments or others. From the empirical evaluation of our criteria, which has taken four different CSOs active in the nuclear non-proliferation regime as a reference point, we were able to draw several important conclusions: first, the overall picture of CSO legitimacy is fairly positive in our case, with one exception, namely, MPI.

Transparency, followed by inclusion and participation are the criteria most in need of improvements. Second, federated structures are not necessarily an advantage in terms of democratic legitimacy criteria. Third, structure does not have decisive influence on legitimacy, but organizational culture does. This in turn supersedes the question whether different legitimacy requirements should be asked of different types of CSOs. In line with this result is the effect that a grassroots approach is especially well suited to compliance with respect to three out of the four criteria, namely, independence, participation, and inclusion. Proactive behaviour is particularly favourable for participation and inclusion, but legal anchorage is needed for the former. Independence is best secured by an oppositional standing, by funding primarily through contributions by members and supporters, and by the local organization of projects. A first working hypothesis for further research could therefore be the following: organizational culture (see Schein 2001 (1993): 373-374) and working patterns, including in some instances financial and activity structures, as well as personalities are what matters most for the legitimacy of CSOs. Consequently, the selection of CSOs for future research would have to follow the criterion of organizational culture, *e. g.* by choosing CSOs with a grassroots approach, others which are elite-driven, and still others in between, such as bureaucracy-driven CSOs on the one hand and those giving attention to both levels (= centred CSOs) on the other.

Certainly, the present investigation is a limited one, not only regarding the organizations under scrutiny, but also concerning the elements examined. Thus, issues such as the structure of individual member organizations, organizational culture in practice, *e. g.* the quality of management, including the use of conflict mechanisms and sanctions in cases of mismanagement, but also questions of political opportunity or common custom should be the subject of deeper analysis. Staff interviews should be complemented *e. g.* by member interviews. Nevertheless, organizational culture influences compliance with legitimacy standards even in those instances which at first glance appear to be mere factual decisions, such as finances, activities, or legal rules. Organizational culture is 'a pattern of shared basic assumptions that the group learned as it solved its problems of external adaptation and internal integration, that has worked well enough to be considered valid and therefore, to be taught to new members as the correct way to perceive, think, and feel in relation to those problems' (Schein 2001 (1993): 373-374). Its effects work at group level, but, as Chambers (1996: 241) acknowledges, '[p]olicies, procedures, and organizational cultures are determined by individuals, especially those in positions of power.' And: '[p]olicy, practice, and performance are all outcomes of personal actions. What is done or not done depends on what people choose to do and not to do, and especially on the choices and actions of those with power' (Chambers 1996: 246). Democratic legitimacy hence also has a psychological dimension which is usually overlooked. Deliberative democracy theory generally concentrates on procedures and

procedural justice (see Habermas 1996). It has a tendency to ignore interactional justice, or does not concede a separate quality to it (see Schminke, Ambrose et al. 2000). However, procedures do not work without people. In order to make them work, individual willingness is needed to listen, to learn, and to change perspectives. Or, in the words of Chambers (1996: 243), '[d]emocratic empowerment entails reversals that neutralize forces of dominance and liberate', especially in the North-South context. Thus, a second working hypothesis could be that the democratic legitimacy of CSOs can be enhanced by improving the social skills of individuals, including, where necessary, personal change, which should then translate into observable action. A means to secure this could be organizational support and training.

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