

POLICY AND INTERNATIONAL STUDIES

International Plug 'n Play? Citizen Activism, the Internet, and Global Public Policy

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One of the most dramatic changes in world politics has been the rise to prominence of citizen networks. Among the many factors responsible for their emergence are new communication technologies, and in particular the World-Wide Web. Opinions on the nature and significance of these citizen networks, however, are mixed. Some applaud citizen networks as potential counter-hegemonic forces and expressions of democratic participation. Others see them, on the contrary, as undemocratic and largely destructive. Straddling both of these views is a third argument that suggests “real” communities cannot be sustained on the Internet, hence calling into question the long-term viability of citizen networks as actors on the world political stage. To help push these debates further, this article examines the case of the citizen networks that emerged to lobby against the Multilateral Agreement on Investments, focusing in particular on how the Internet played a part in the opposition movement. The case suggests that, contrary to those who see new media as an obstacle to global citizen networks, the Internet and World-Wide Web greatly facilitated their activities. As a consequence, citizen networks will likely continue to grow and expand, intruding into international policymaking processes. The article concludes by examining several global public policy issues that are raised by this shift in the landscape of world politics that will have to be addressed by practitioners of international relations in years to come.

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Over the course of the twentieth century and accelerating over the past several decades, new information and communication technologies have fueled numerous interrelated globalization processes (Castells, 1996; Deibert, 1997). Arguably one of the most dramatic of these processes has been the flourishing of citizen networks (Lipschutz, 1992; Thiele, 1993). Linked through the Internet across state borders, the tentacles of these citizen networks have begun to infiltrate

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nearly every major international political issue-area, from security to human rights to the governance of the global economy. Although many of the groups that make up these networks predate the advent of the Internet, there has been an explosive growth in their numbers in the past decade coinciding with its widespread popularity.

Opinions on the significance of these citizen networks, however, are divided. Among more optimistic observers, ranging from Gramscians to liberals across the political spectrum, there is a belief that citizen networks have increasing power and authority in world affairs. Gramscians see in citizen networks a potential source of “counter-hegemony” to the unleashing of global market forces and neoliberal economic ideologies (Cox, 1999). For liberals, this type of political activism has become a beacon of hope in the quest to create a mode of political participation linking individuals at the local level to issues of global concern (Falk, 1992, 1995; Mathews, 1997; Archibugi, Held, and Kohler, 1998). For both, they are seen as largely positive expressions of genuine democratic participation in world arenas that for far too long have been monopolized by states and planet-roaming corporations. And it is the Internet that is considered the fuel for such a development.

Others look upon the same phenomenon with more apprehension than enthusiasm. While agreeing that the Internet has sparked the fire of citizen networks, these observers see only the damage being caused by the blaze (Rieff and Clough, 1999). The fear is that rather than a world of democracy, the future holds an increasing logistical nightmare of thousands upon thousands of niche interest groups buzzing around every conceivable international forum where nothing is achieved but endless gridlock. These more conservative observers see a dubious association drawn between citizen networks and “progressive” political ideas—an association that, according to them, is not borne out by the evidence. Not all civil society actors are inherently “good,” so the argument goes, nor do they necessarily share the same ideals. And those who link citizen networks and the Internet with democracy tend to overlook the extent to which there are disparities between information “haves” and “have-nots.” Those with the money and the fast connections, in other words, have the loudest voice. Appointed officials from democratic states, on the other hand, are sideswiped by unelected, nonstate actors. Far from being an *expression* of democracy, Internet-based citizen activism is leading to its positive *ruin*, on a global scale.

Undercutting both of these views, however, is a third line of argument which takes the view that a truly *global* civil society will always be constrained and stunted because “real” communities cannot thrive on the Internet (Breslow, 1997). For example, in an influential study of social movements, Sidney Tarrow (1998) suggests that the collective trust essential to social movements cannot develop without some shared experience through face-to-face contact, a factor that would obviously have constraining implications for Internet activism. One recent study published in the *American Psychologist* went so far as to suggest that extensive Internet use is associated with declines in the size of participants’ social circle, and increases in depression and loneliness (Kraut et al., 1998). Craig Calhoun (1998: 373) has remarked that “relationships forged with the aid of electronic technology may do more to foster ‘categorical identities’ than they do dense, multiplex, and systematic networks of relationships.” If true, such implications would likely limit the long-term potential for the Internet to serve as a medium of global democratic participation and citizen activism, making both of the previous two arguments largely moot.

To help explore the issues raised above, I examine in detail the use of the Internet and World-Wide Web by the citizen networks that coalesced to lobby against the proposed Multilateral Agreement on Investment (MAI), and have existed ever since. This case is instructive for several reasons. First, the issue-area

centers on an agreement at the heart of developments in the international political economy. While numerous, detailed studies of citizen networks have emerged in issue-areas such as human rights, arms control, and the environment, there is very little that has focused directly on global market forces (cf. Sikkink, 1993; Wapner, 1995; Price, 1998). The MAI case is one where a network emerged to lobby against an agreement touching at the heart of economic globalization and the furthering of foreign direct investment—issues strongly endorsed by the most powerful economic actors in the world today. It is, then, a potential “hard case” for those who would argue that citizen networks offer a potential counter-hegemonic force against unbridled capitalism and the interests of large transnational corporations.¹

Second, the case is instructive because the groups opposed to the agreement appear to have “won” a temporary victory, pushing the MAI off of the agenda at the Organization for Economic Cooperation and Development (OECD), the international venue at which the MAI was being negotiated.² Notwithstanding the fact that rules on investment will almost certainly re-appear at a later time in a different guise and forum, the case offers potential lessons on how networks could be used in a campaign directed at a particular forum or treaty, rather than at broad public opinion. And the suggestion that the activists might have been at least partially responsible for pushing the MAI off the agenda at the OECD certainly gives *prima facie* evidence that even in the “hard case” of economic investment rules, the lobbying practices of citizen networks can occasionally succeed.

Third—and most important for this study—the case is instructive because nearly all of the press accounts, some academic studies, and most state and civil society participants in the campaign drew a strong connection between the success of the campaign and the Internet (Kobrin, 1998).³ For example, following its withdrawal from the MAI negotiations the French government noted in its official report that nongovernmental organizations were better organized and informed because of the Internet, and that “the development of the Internet is shaking up the world of negotiations.”⁴ If the evidence supports such strong connections then it is reasonable to assume that as the Internet continues to grow we will see more cases like the anti-MAI lobby. We should also expect a growing and vibrant Internet-based form of global citizen activism in other areas as well. If the evidence suggests a more circumscribed role for the Internet, however, then citizen networks might merely be a passing fad, a sideshow ultimately to be shoved aside when states’ vital interests are at stake.

As I will show below, the Internet did play a vital role in the anti-MAI activism, helping to coordinate strategically information among groups in the network, pressuring politicians, and publicizing anti-MAI views. Although it is almost certain that some type of anti-MAI activism would have emerged without the Internet, it seems reasonable to conclude that the activism would not have been as successful without it. Although the groups that came together to form the anti-MAI network are varied and diverse, the network itself shows signs of persisting indefinitely, turning its gaze to new forums and issue-areas and continuing to use the Internet in ways that evolved out of the anti-MAI campaign. While it would

¹ I say “potential” here because it is debatable whether or not the most powerful economic actors in the world actually endorsed the MAI through the entire negotiating process, as will be discussed in some detail below.

² Again, it is debatable whether or not the civil society networks actually “won” the campaign inasmuch as there are alternative possible explanations, which I will discuss below, that attribute the death of the MAI to non-civil society factors.

³ See, in addition, Peter Morton, “MAI Gets Tangled in the Web,” *Financial Post* (October 1998); and Madeline Drohan, “How the Net Killed the MAI,” *Globe and Mail* (Wednesday, April 29, 1998).

⁴ See Rapport sur l’Accord multilatéral sur l’investissement (AMI), Rapport Interiminaire—Septembre 1998, Government of France, http://www.finances.gouv.fr/pole_ecofin/international/ami0998/ami0998.htm

be misleading to characterize the anti-MAI network as a *community*, it is something more than a coincidental coordination of isolated groups. It has become a durable presence on the Internet, and part of a significant new and vital force in world politics.

Such a transformation in the world political landscape raises several, inter-related global public policy issues that will have to be addressed in the near future by citizen networks, states, and international organizations (Reinicke, 1998). Accordingly, in the latter half of the paper I turn to an exploration of some of the most important of these, including questions of nonstate actor inclusion in international policy processes, the legitimacy and accountability of nongovernmental organizations, and the proper configuration of the Internet for a viable global public sphere. As I will explain below, including citizen networks into the world operating system is no simple "plug 'n play" procedure, but will require a fundamental re-thinking of the architecture of global politics.

The Multilateral Agreement on Investment

The story of the MAI begins in the context of deepening economic integration among developed states through the latter half of the twentieth century. The acceleration of transnational production processes and the concomitant rise in foreign direct investment through this period has pushed issues of domestic economic regulation into the international arena (Berger and Dore, 1996; Keohane and Milner, 1996; Simmons, 1997). Capitalist states, under pressure from domestic firms operating increasingly in foreign jurisdictions, have found themselves having to address more often issues that go beyond cross-border barriers to trade into the very regulation of the domestic sphere. Although the issue has been most acute in the U.S.–Japanese investment relationship, particularly because of perceived Japanese "informal" barriers to investment, it is an issue that has confronted all industrialized and developing countries.

It is out of this context of deepening economic integration that the pressures to develop multilateral rules on investment policies evolved (Brewer and Young, 1995). At the 1995 Halifax summit of the G7, the final communiqué endorsed the idea of negotiating a multilateral framework for investment rules under the auspices of the OECD, and it was hoped the agreement would be completed in two years. The 29-member OECD had been producing policy reports on investment liberalization dating back to 1961, and had been working closely on the issues of a multilateral agreement on investment since at least 1991.⁵ Branded by its critics with more than a little accuracy as a "rich states' club," the OECD was also the forum in which the countries with the largest stake in foreign direct investment were members. And clearly the expectation among G7 ministers was that the smaller 29-member OECD would be able to avoid the collective action problems inherent in the much larger and ideologically diffuse World Trade Organization (WTO), and thus come to a much quicker agreement. Just as clearly was it unforeseen at the time, however, that a different type of collective action problem would emerge with the uninvited participation of hundreds of nongovernmental organizations and activists.

The goals of the proposed MAI can be found most succinctly in a 1995 report to OECD ministers by the *Committee on International Investment and Multinational Enterprises* and the *Committee on Capital Movements and Invisible Transactions*, two specialized OECD committees that set the initial negotiating frame of refer-

⁵ See the OECD Code of Liberalisation of Capital Movements (12 December 1961), found online at: <http://www.oecd.org/daj/investment/jdi/mai/mairap95.htm>. The principle of "national treatment," which would be at the heart of the MAI years later, was first spelled out in detail in the investment area in this document. See Part I, Article 1, section b.

ence.⁶ The report's central argument begins by acknowledging the growth in foreign direct investment, particularly among "newly emerging markets." While applauding this trend, and the liberalization that has occurred to date, the report noted that further growth is still hampered by many government restrictions and regulations, a tendency to resort to unilateral measures to solve them, and the lack of a multilateral framework within which to pursue negotiations. The report suggested that a multilateral agreement on investment would help solve these problems by providing a framework for investment protection, the furthering of liberalization, and effective dispute settlement among members. Finally, the report recommended that the MAI would be a free-standing international treaty open to all OECD members and the European Community, and to accession by non-OECD member countries after its implementation by the former. Following the release of the report, the formal negotiations began at the OECD.

Opinions on the relative merits of the MAI are as plentiful as they are sharply divided. Proponents have argued that the MAI would have helped propel international liberalization and foreign direct investment trends, which they see in a positive light, by making clear a set of multilateral rules and an effective dispute settlement mechanism that could be applied uniformly among signatories. Countering the view put forth by detractors that the MAI would have been a radical departure from existing practices, proponents have pointed to the existing non-discrimination precedents found in GATT and the WTO and in the investment provisions in NAFTA, as well as to the liberalization measures already taken unilaterally or bilaterally by many industrialized states. The MAI would have simply duplicated these principles in a wider, multilateral framework, one that would eventually be open to many more states (see Kobrin, 1998).⁷ Proponents have also argued that beyond nondiscrimination, the MAI would not have *forced* states to behave in a specific way. Each participating country would have retained the right to legislate in whatever way it saw fit to achieve its own national objectives. The nondiscrimination principle simply would have required that such legislation not be biased against foreign, as opposed to domestic, investment. As many industrialized states' economies include large corporations that invest in foreign jurisdictions, the benefits of having such nondiscrimination principles widely entrenched are obvious.

MAI detractors include a wide array of different interest groups—as many as 600 nongovernmental organizations from at least 70 countries by some estimates (Kobrin, 1998)—in areas such as environment, labor, and culture, each with their own set of sectoral criticisms. Common objections, however, centered on several key themes at the forefront of which was the issue of diminished state sovereignty and growing corporate power and rights.⁸ Detractors argued that the MAI was yet another building block in the extension of global economic neoliberalism—an agreement that pushes aside environment, labor, and cultural regulations in favor of big business and transnational capital. Most important, the MAI would have given far too many political rights to corporations over states and citizens. Under the proposed MAI, so the argument goes, corporations would have the right to sue states if they feel that local or national laws discriminate against them. Adding fuel to this fear was the *cause celebre* case of the Ethyl Corporation's suit against the Canadian government—a case that was cited by

⁶ Found online at <http://www.oecd.org/daf/cm/mai/mairap95.htm>

⁷ Stephen Kobrin points out that there were around 1,500 bilateral international investment treaties in existence prior to the MAI negotiations, a fact that would explain both the impetus for developing multilateral rules (to reduce transaction costs) and the argument that the MAI is not a radical departure from existing practice.

⁸ Good background on anti-MAI views can be found on the original MAI-NOT web site, at <http://mai.flora.org/mai-not/>

nearly every MAI detractor. Under existing expropriation and compensation provisions of NAFTA that were to be duplicated in the MAI, the Ethyl Corporation sued the Canadian government over environmental laws that were being debated in the Canadian Parliament that would prohibit interprovincial trade of MMT—a gasoline additive that the Ethyl Corporation produces. Detractors saw the U.S. \$250 million suit, and the ensuing \$13 million settlement and abandonment of the proposed legislation by the Canadian government, as an ominous portent of things to come under MAI.⁹ Thousands of wealthy, litigious corporations would threaten suits against states whenever environmental, labor, or cultural regulations were proposed. The likely outcome, critics believed, would be a “chilling” climate over such regulations for fear that they would provoke costly suits.

The Ethyl suit, and the provisions within the MAI that seem to tilt the balance in favor of corporate interests over state sovereignty, have suggested to many critics above all else an increasing loss of democratic control over economic matters through traditional state structures of political participation. As one joint NGO statement noted, “the intention of the MAI is not to regulate investments but to regulate governments.”¹⁰ For most critics of the MAI, globalization and all that goes with it has become synonymous with an increasing marginalization of citizens’ rights relative to big business and anonymous transnational market forces. Adding to this perception has been the sense among critics that the MAI was being negotiated in secret, without the participation of member states’ deliberative assemblies and the knowledge of its citizens.¹¹ It has been this stark dichotomy between seeming corporate control inherent in the MAI and democratic participation—however inaccurate or accurate the perception may be—that riveted many people’s attention onto the MAI issue and gelled together groups of widely varying interests around a common cause. Clearly, elites who participated in the negotiation process were unprepared for the firestorm of criticism that was unleashed by the MAI.

The negotiating process at the OECD did not run according to the script envisioned by the G7 final communiqué. Rather than finishing in 1997, as originally hoped, from early 1997 onwards—the time at which a draft text of the MAI was acquired by the Council of Canadians and posted to the Internet—the negotiations were dogged by citizen activists, both at Paris and within the countries of the member states involved in the negotiations. By April 1998, it was clear that the MAI was in trouble, with OECD ministers announcing a 5-month moratorium on negotiations so that member states could consult with their citizens.

⁹ See Timothy Pritchard, “Lawsuits are Prompting Calls for Changes to Clause in NAFTA,” *New York Times*, June 19, 1999, p. 2. Demonstrating that the relevant “chapter 11” clause of NAFTA works both ways, the Methanex Corporation of Vancouver, British Columbia, recently launched a \$970 million lawsuit against the United States government seeking damages because California had banned imports of a different gasoline additive, methyl tertiary butyl ether, or MTBE.

¹⁰ Joint NGO Statement on the Multilateral Agreement on Investment (MAI), NGO/OECD Consultation on the MAI, Paris: 27 October 1997. Found online at http://www.corpwatch.org/trac/feature/planet/mai_ngo.html

¹¹ The supposed secrecy of the MAI negotiations is a contentious issue. Critics charge that MAI negotiators were deliberately trying to pull off an agreement without widespread public knowledge, a charge that is buttressed by the fact that when many elected representatives in Canada, the United States, and elsewhere were made aware of the MAI by those opposed, they were furious that they hadn’t been informed by their governments. MAI supporters and those involved in the negotiations counter that the MAI process was no different than other negotiations undertaken in international forums like the OECD in terms of disclosure of information—in other words, business as usual. For sample discussion, see Rosemary Spiers, “Marchi Tries to Demystify Treaty Issues,” *Toronto Star*, October 25, 1997. Roy Jones, the Senior Researcher with the OECD’s Trade Union Advisory Council (TUAC), said that the negotiations were more secretive than usual because the OECD’s Secretary General was not as closely involved as in previous negotiations, and the United States representatives at the OECD made sure drafts did not circulate too widely. According to Jones, even with its close connections to and official standing with the OECD, TUAC had no more access to documents than did any of the NGOs in the anti-MAI coalition. Interview with Roy Jones, Senior Research with the OECD’s Trade Union Advisory Council, July 27, 1999.

The official nail in the coffin of the MAI, however, was the withdrawal of the French government in October 1998 following the release of the Lalumiere Report, a study commissioned by the Jospin government and which was highly critical of both the negotiating process and the content of the MAI. While anti-MAI activists have been satisfied with the short-term victory signaled by the termination of the MAI process at the OECD, they fully expect the issue of multilateral rules on economic investment to continue in a different forum, most likely the WTO.¹²

The Role of the Internet

Initial news reports of the MAI process underlined how the Internet was vital to the success of the citizen networks, a view that is corroborated by virtually everyone who was involved in the process directly. Unfortunately, very little detail is given in these reports beyond noting the geographic reach and speed of the Internet. With an eye to the debates outlined in the introduction, in the following section I examine more closely how the Internet was employed using the following questions as a guide: (1) What role did the Internet play in the activism surrounding the MAI? How did citizen networks employ it? Did it generate an essentially new form of activism, or facilitate older ones? (2) Can we characterize the groups involved in the anti-MAI campaign as a “community”? Are they part of “global civil society”? Or are they simply a set of largely independent groups who came together briefly because of coincidental interests and will now wither away? And (3) Would the campaign have been different and had different results without the Internet?

1. What Role Did the Internet Play in the Activism Surrounding the MAI?

There were three main ways the Internet played a part in the anti-MAI activism. First, the Internet was crucial for communicating information swiftly among members of the anti-MAI lobby—a lobby that was dispersed across several state jurisdictions in both developed and developing countries. The fact that local activists from disparate regions around the world could communicate dense information across several time zones instantly may seem commonplace today, but it is remarkable in light of the extent to which activists of even a decade ago did not enjoy the same benefits. Certainly phones, faxes, and regular mail were employed as a matter of practice among activists for decades and were employed alongside new media in the anti-MAI campaign. But the Internet formed the technological infrastructure of the campaign in ways that older, more traditional media simply could not accommodate.

At the center of the infrastructure was and remain several electronic mailing lists that distribute information among participants worldwide. These lists are the material nerves linking the global anti-MAI campaign. Information from any one of the participants is immediately forwarded to anyone else on the list. In this way, members of the anti-MAI lobby are kept apprised of negotiations, meetings, protests, letter campaigns, editorials, news items, web sites of interest, and general information. The three most significant anti-MAI lists are the STOP-MAI list, run out of Australia, the MAI-Not list run by the Public Citizen’s group of the United States, and the MAI-NOT list run out of Ottawa, Canada, although many other lists contain discussions relating to the MAI as well. On a typical day during the campaign, the traffic on each of the main MAI lists ran at about 30–40 postings a day, with some days the volume increasing relative to current

¹² Interview with Richard Sanders, Australian Stop MAI Coalition, August 17, 1999; and Interview with Neil Watkins, the Preamble Center, Washington, D.C., August 1999.

events.¹³ This volume of postings continues to this day. A typical posting might have a notice of an upcoming event or demonstration, contact information for politicians or other activists, and background information. By providing a form of distributed intelligence, the lists help augment the knowledge, capacity, and responsiveness of the anti-MAI network in a way that telephones or faxes alone cannot.¹⁴

Beyond enhancing the capacity of individual members of the anti-MAI network, however, the Internet also bound individual activists and groups from around the world together more closely into a cohesive force. The specific nature of the relationship that was forged by these disparate groups will be considered in more detail below. What is significant here is the way in which the Internet helped coordinate the day-to-day activities of anti-MAI groups, focusing their attention on common issues simultaneously, and helping to contribute to a sense of common purpose. While interaction among members of the anti-MAI network can be traced back prior to the Internet, the interaction that occurred in the past was much more sporadic and formal. For example, activists in the United States and Canada opposed to the 1988 Free Trade Agreement interacted with each other through faxes, telephone exchanges, letters, and formal conferences. Although these were just as vital links in the anti-MAI campaign, what the Internet did was to add a dense layer of daily interaction to these links, intensifying the bonds between disparate members and fomenting a sense of international commonality. As Maude Barlow of the Council of Canadians noted in the midst of the campaign, "We are in constant contact with our allies in other countries. If a negotiator says something to someone over a glass of wine, we'll have it on the Internet within an hour, all over the world. If we know something that is sensitive to one government, we get it to our ally in that country instantly."¹⁵

Second, the Internet was important in publicizing information about the MAI—and the activists' interpretation of the MAI—to a wider community of Internet users and beyond. The most important component of the Internet in this respect was the various World-Wide Web home pages of the anti-MAI groups, although the lists served an important function here as well. Many anti-MAI sites—such as that of the Preamble Collective, Public Citizen's, the Polaris Institute, and the Council of Canadians—were central "nodes" of information distribution providing updates on the progress of negotiations, secondary interpretations and essays on the MAI and globalization generally, tips on how to become an anti-MAI activist, and notification of speeches and demonstrations. Once again, the Internet proved to have an advantage here over older, more traditional forms of media. By allowing web site creators with little technical expertise to post images, text, graphics, and even audio and video to a global audience, World-Wide Web pages give individuals a sense of broadcasting power—a power that in the past was largely unavailable. Whereas in previous campaigns an activist might have set up an information booth on a university campus, downtown mall, or local place of worship, today activists create "virtual" information booths that have the potential to reach thousands, perhaps millions of people around the world 24 hours a day. Although difficult to tell with certainty, they also seem to confer legitimacy on the information contained in them simply because they are on the Internet—a troublesome prospect to many (Ayres, 1999).

¹³ For example, on the MAI-NOT listserv from Wednesday, May 5, 1999, to Friday, April 9, 1999, there were 597 postings by 57 people. The MAI-NOT listserv had a total of 13,823 postings in the last year, an average of 37 a day. See the statistics on <http://mai.flora.org/>

¹⁴ The Australian STOP MAI coalition set up a list that attracted 400 subscribers. Richard Sanders, who headed up the coalition, said that the list worked as a "network of networks." In other words, the elite of the groups involved in the STOP MAI coalition would pass on information from the list to their own individual grassroots memberships. Interview, August 17, 1999.

¹⁵ As cited in Madeline Drohan, "How the Net Killed the MAI" (see footnote 3).

An important collective dimension to the home pages that increased their overall exposure was the common practice of cross-referencing sites in the anti-MAI campaign. Nearly every home page in the network had a list of links to other sites in the campaign. In many cases, essays and articles from one site would be linked directly from dozens of other sites giving their authors a public exposure that would have been unthinkable without the Internet. For example, a single essay by Tony Clarke, "MAI-Day: The Corporate Rule Treaty," was linked from well over a dozen different sites around the world. The Preamble Collective web site was linked from at least 50 other web sites (Kobrin, 1998). The home pages also served as a repository of information useful for activists and central to the campaign, but too large to distribute over the lists. Most pages included background overviews of the MAI negotiations, and essays about international political economy generally. One home page posted a lengthy survey of Canadian Members of Parliament about their views and knowledge of the MAI. Another home page had a detailed list of addresses, phone, and fax numbers to editorial page editors of major North American newspapers.¹⁶ Most of the sites provided information about the MAI in nontechnical language, including background details on trade and investment issues in sharp contrast to the arcane, specialized language used in the technical papers of the OECD and member states. How much of this was consumed by the "already converted" is unclear, but certainly among the members of the network access to such a large stock of detailed information buttressed the strength and intellectual capacity of the campaign.

A third way the Internet was used was as a tool to put direct pressure on politicians and policymakers in member states. Many anti-MAI sites provided the email addresses of MPs and state representatives.¹⁷ Many included form letters to voice concern about its approval, letters that could be sent with a click of a button.¹⁸ Such a technological capacity may be responsible for the creation of a new type of "armchair activism" where people could get involved in campaigns like the anti-MAI network without even leaving their home or office, thus reducing the physical commitment and/or risks made by participating in traditional demonstrations. One site provided a series of sample city and county resolutions against the MAI, how to go about lobbying local councils to have them adopted, and stories from MAI activists who were successful in doing so.¹⁹ Significantly, many of the resolutions that were successfully passed—through the Berkeley City Council and the Corporation of the City of Mississauga, to give just two examples—contained identical texts supplied by a World-Wide Web site based in Washington, D.C. Other municipalities passed resolutions with only minor modifications to the text. On the lists and web sites, the times and locations where important MAI-related meetings were taking place were announced beforehand so that protests could be coordinated strategically. Even the times and locations where prominent politicians were meeting on topics unrelated directly to the MAI would be announced so that activists could have the chance to protest. Although it is unclear to what extent politicians and policymakers have become "desensitized" to email bombardments and electronic petitions, certainly the con-

¹⁶ See "Media Addresses in North America" found online at <http://mai.flora.org/mai-info/media.htm>

¹⁷ See, for example, the detailed list of Members of the House of Commons of the 36th Parliament, at <http://mai.flora.org/mai-info/mps-list.htm>, and the mailing addresses of the members of the U.S. House of Representatives at <http://mai.flora.org/mai-info/hor-mems.htm>

¹⁸ For an example of a sample letter opposing the MAI to be sent to a representative or senator, see <http://www.citizen.org/pctrade/mai/What%20you/congrs.html>.

For an example of a letter opposing the MAI that could be sent by email to the Australian Parliament directly from the web site, see <http://www.avid.net.au/stopmai/letter/>.

For a sample of Canadian letters to MPs, see <http://mai.flora.org/mai-info/letters.htm#1>

¹⁹ See <http://www.citizen.org/pctrade/mai/What%20you/city.htm>

certed and dogged swarm of attention from around the world had to give some of them pause.

2. *Is the Anti-MAI Network a "Community"?*

Clearly, the Internet has provided the basis for a more vibrant and dense international network of activists. But what is the nature of the relationships between the groups that make up the network? Can we characterize the groups as a "community"? Are they an example of "global civil society"? Getting a complete picture of the overall global anti-MAI network is difficult because the group comprises individuals as well as nongovernmental organizations, some of which have since dropped out of the network since the MAI negotiation process halted. One relatively clear picture of the overall network, however, can be seen in the list of individuals and groups that signed petitions against moving the MAI from the OECD to the WTO.²⁰ Perhaps one of the most striking aspects of this particular petition—apart from its sheer size—is the diversity of the members. There is the GAIA Foundation of the UK alongside the Council of Canadians. There is the *Instituto Brasileiro de Analises Sociais e Economicas* as well as the Sarawak Campaign Committee of Japan. Can such a large group of diverse individuals and activists be considered a "community" in any meaningful sense of the term?²¹

Furthermore, while there were some groups involved in the network that can be categorized as truly *multinational*—the World Wildlife Fund, Greenpeace, and the Third World Network, for example—the vast majority of groups involved in the campaign are *nationally based* organizations (cf. Calhoun, 1998: 382). Groups like the Council of Canadians in Canada, the STOP-MAI coalition in Australia, the Preamble Collective and Public Citizens in the United States, all direct their primary energies to the politics of their country of origin. The links that have been established between the groups are enormously beneficial, to be sure, but the groups themselves have not abandoned their national identity and primary concerns in favor of a global or virtual identity. The anti-MAI network is fundamentally an *international* alliance of transnational and national nongovernmental organizations and activists, rather than a social movement existing solely in cyberspace.

What the Internet has done, however, is to allow the existing nationally based organizations to link together with each other and with multinational organizations. The cross-referencing of the groups on the World-Wide Web, and the continued vibrancy of the lists, thus suggests something much more than mere coincidental interests of disparate national groups. In other words, having been created around the MAI, the network shows definite signs of being sustained into the future. Some of the prominent World-Wide Web sites have now situated their campaign against the MAI into a wider campaign against "corporate rule" or "neoliberalism" generally, alongside new issue-areas. Most are focusing their attention squarely on the WTO, as well as on discussions concerning extending the North American Free Trade Agreement into the Americas. What the Internet has *generated* is indeed a new "species"—a cross-national network of citizen activists linked by electronic mailing lists and World-Wide Web home pages that vibrate with activity, monitoring the global political economy like a virtual watchdog. This network shifts its focus comfortably between the local, the national, and the global, from issues in one national jurisdiction to another, and from

²⁰ Found online at <http://www.citizen.org/pctrade/mai/What%20you/wtosignon.htm>.

²¹ Other "strange bedfellows" include Pat Buchanan's "American Cause" web site, with its links to sites condemning homosexuality and abortion alongside links to the left-wing anti-MAI site of Public Citizen. See http://www.theamericancause.org/index_mai.html.

issue-area to issue-area. So while it is true that the Internet did not *generate* the anti-MAI activism itself, it has done more than simply facilitate activism already in place. Nor certainly has it in any way *impeded* citizen activism, as some of the studies cited earlier suggest it might. On the contrary, it has helped create a new formation on the world political landscape, one that states and international organizations are beginning to realize must be taken seriously.

3. *What If the Internet Were Not Available to the Campaign?*

The three ways the Internet was employed in the campaign suggest that it was an integral component of the activism. But how important was it? Would the campaign have been different and had different results without the Internet? Virtually every activist involved says that the campaign would not have been as effective without the Internet. Whether a campaign would have existed at all is a different question. Certainly a strong case could be made that the forces of liberalization were meeting growing resistance and criticism around the world, especially in light of market shocks in East Asia and elsewhere (see Kobrin, 1998). In the case of the MAI, many felt it simply went too far beyond what was acceptable in terms of trade-offs to state sovereignty and autonomy in the interests of facilitating global commerce. In other words, many people have been increasingly vocal about their opposition to transnational capitalist expansion regardless of where and by what means they have voiced such concerns.

Perhaps the best evidence of the extent to which an anti-MAI network would have emerged can be found in the very nature of the anti-MAI network itself. If the Internet itself spontaneously generated the anti-MAI network, one should have expected a more evenly distributed set of participants from across the Internet corresponding roughly to Internet participant demographics on a country-by-country basis. Although there were groups in the United States—the Preamble Collective and Public Citizens, for example—that were prominent in the anti-MAI network, the relative importance to the network of these participants was nowhere near equivalent to the disproportionate amount of Internet users that are drawn from the United States relative to other countries. Also vital to the campaign were and are groups from Canada, France, New Zealand, Malaysia, and Australia. Groups from these countries who participated in the anti-MAI networks—groups such as the Council of Canadians in Canada or the Third World Network in Malaysia—have had a long history of anticorporate social activism, and their relationships to each other can be traced back years before the MAI. For these groups, opposing the MAI is simply one part of the struggle against neoliberalism and economic globalization that has been ongoing for well over a decade. Not surprisingly, it is groups such as these along with their American counterparts that have been the most important nodes in the network. It is certain, then, that some form of citizen activism would have emerged to lobby against the MAI without the Internet. The way the Internet augmented the power and capacity of the network, however, suggests that it would have been a much different campaign.

Older forms of media, for example, telephone-based networks, would have lacked the technological capacity to allow for the dense networks of information exchange central to the strategic coordination of information. Although form letters and notifications of demonstrations could and have been distributed *en masse* via fax machines, the latter lack the interactivity, responsiveness, and flexibility of computer networks. On lists, for example, information is posted and redistributed, often with comments by participants, such that the same core message may circulate dozens of times through the network modifying and changing as it goes from list to list. Moreover, both telephones and faxes lack the publication capacities of World-Wide Web pages. The only analogous means of

publication prior to the Internet would be hand-distributed flyers and pamphlets and makeshift information booths. The latter are certainly still staples of activism, and featured prominently on many university campuses during the anti-MAI campaign. But with the World-Wide Web, such information is at once given a permanent presence and international reach. If the anti-MAI network emerged prior to the availability of the Internet, it would likely have been at least a more disconnected and sluggish—perhaps even unsuccessful—campaign.

Some have suggested that the focus on the citizen activism and the Internet is mistaken, and that the negotiations would have collapsed regardless of whether or not there was any activism in the first place, Internet or not. The argument rests on the view that the negotiations were mired in problems from the outset because of disagreements among member states over sectoral exemptions from the basic principles of the MAI (Kobrin, 1998). Countries like Canada and France, for example, had strong reservations about applying the national treatment principles to the cultural areas, while the United States was adamantly opposed to exemptions. They also point out that it was the French withdrawal from the negotiations that ultimately killed the MAI at the OECD. If true, such an argument would raise serious questions about the overall potential power of citizen networks and the extent to which the use of the Internet contributed to their success. Short of rerunning the MAI episode without the anti-MAI network to see if it would have collapsed on its own accord, there is no way to find out with complete certainty whether the argument is correct or not.

Perhaps one way to get a handle on this question, however, is to focus on the reactions among member states and international organizations *in the wake* of the MAI. If their impression is that the citizen activism was largely an inconsequential “rain dance” then they would likely not make any substantive changes to the way they go about trade and investment policy and negotiations. If their impression is otherwise, however, they would most likely take steps to adapt to the new force of civil society activism. Fortunately, some time has passed since the collapse of the MAI and we can begin to ascertain what some governments and international organizations are doing vis-à-vis civil society groups. Although an exhaustive survey of all 29 states is beyond the size limitations of this paper, it is instructive to consider some policy responses of some high-profile states and one international organization, the World Trade Organization.

In the United States, the United States Trade Representative (USTR) has made some very modest steps toward disclosure of information and outreach with interested citizen groups, but has generally not altered its fundamental views on the benefits of economic neoliberalism. Citizen groups who had contact with the USTR during and after the MAI negotiations speak of a gradual shift from one of near complete lack of transparency and marginalization of NGOs to more transparency and serious engagement once more publicity surrounding the MAI arose, then to a situation today where the USTR is calling for more transparency in upcoming WTO meetings and is meeting with citizen groups in cities throughout the country to solicit views.²² While some of the citizen groups who have had contact with the USTR view the new disclosure and outreach as little more than window-dressing, it is clear that the USTR believes that at least some change in operating procedures, if not ideology, is required given the new environment of engaged citizen activism.

In Australia, the initial MAI negotiations were handled by the Treasury Department, and were confined to a small number of bureaucrats until anti-MAI activists in the STOP-MAI coalition alerted other members of the government, and in

²² Interview with Neil Watkins, Preamble Collective, August 1999; and interview with Ruth Kaplan, Coordinator, Campaign Against Economic Globalization, Alliance for Democracy, August 16, 1999.

particular the Australian Parliament.²³ Since the collapse of the MAI, the Australian Department of Foreign Affairs and Trade has asked for public input on what the Australian negotiating position should be and is holding public hearings throughout Australia on trade policy. It has also posted a number of background discussion papers on its web site as aids for those participating in the discussions.²⁴

In Canada, the Department of Foreign Affairs and International Trade has gone perhaps the furthest in adopting changes in standard operating procedures. The Department held a “Multistakeholder” meeting with interested business and citizen groups on May 20, 1999, and has constructed a detailed web site, entitled “We Want to Hear From You,” which includes detailed background and discussion papers on trade and investment negotiations on which Canadians are asked to give their views.²⁵ In private conversations with the author, officials from the Canadian Department of Foreign Affairs and International Trade say that the change in attitude, while having roots that reach back prior to the MAI, has been kicked into high gear as a direct result of the MAI experience.

The World Trade Organization has made some deliberate changes in standard operating procedures in the direction of increased transparency and engagement with civil society groups. In July 1998, the former World Trade Organization Director General Renato Ruggiero announced a plan for increased engagement and consultation with civil society groups.²⁶ As part of the plan, NGOs are now being invited to WTO ministerial meetings and symposia, of which more will be said below. The WTO will circulate to member states information provided by NGOs. And a special section of the WTO web page has been created devoted entirely to NGO issues.²⁷

While in none of the cases cited above can it be said that any fundamental re-thinking of the basic trade and investment agenda is being undertaken in the wake of the MAI, standard operating procedures for dealing with citizen networks are undergoing significant transformation. A much greater emphasis has been placed on transparency. There is more of a forthcoming attitude about the release of documents and background papers. Invitations for feedback from the public and civil society groups on official position papers have been prominent. Consultations with interested citizen groups have been held. To be sure, such a transformation in standard operating procedures needs to be treated with a great deal of caution. Many citizen groups are worried that the agenda of states and international organizations is less genuine engagement than it is *co-option*, and most view the new openness as more window-dressing or “show” than a serious shift in the way policy is formulated. These are reservations that need to be taken seriously. But at the same time one should not underestimate the extent to which such a transformation in standard operating procedures, however minimal, can raise expectations, create path-dependencies, and open doors that cannot be shut again. Ultimately, however, such a transformation suggests that at the very least states and international organizations have *perceived* in the wake of the MAI an important change in the power of citizen networks which needs to be addressed. Undertaking a “business-as-usual” position in regard to citizen networks has clearly been viewed as not a viable option—a shift that suggests that the citizen networks did indeed matter.

²³ Interview with Richard Sanders, STOP-MAI Coalition, Australia, August 17, 1999.

²⁴ See “Public Hearings on Future Multilateral Trade Negotiations,” Australia, Department of Foreign Affairs and Trade, found online at <http://www.dfat.gov.au/trade/negotiations/hearings/index.html>

²⁵ See “Consultation with Canadians—We Want to Hear from You,” Canadian Department of Foreign Affairs and International Trade, found online at <http://www.dfait-maeci.gc.ca/tna-nac/consult-e.asp#gazette>

²⁶ See “Ruggiero Announces Enhanced WTO Plan for Cooperation with NGOs,” WTO Press Release/107 (17 July 1998), found online at <http://www.wto.org/wto/new/press107.htm>

²⁷ See <http://www.wto.org/wto/ngo/ngo.htm>

Global Public Policy Implications

The preceding discussion suggests that, while not providing the basis for a "community" in any substantive sense of the term, the Internet has become the substructure for a vibrant international network of citizen activists. It is probably safe to assume that as long as the Internet and World-Wide Web continue to deepen and expand, so too will global citizen networks. As these groups increasingly buzz in and around traditional state structures of political participation, however, a variety of critical public policy issues will have to be addressed by states, international organizations, corporations, and other nonstate actors alike. These public policy questions cut to the core of political debates that reach back to ancient Greece, but now have to be addressed on a global scale (Reinicke, 1998). While not exhaustive, in the following section I outline several of the most important of them.

Who Should Be Included/Excluded in Domestic and International Forums?

Which actors have a right to set the rules of the game? Clearly, given their increasing numbers, power, and visibility, the groups that make up global citizen networks will not be satisfied unless they are included in some fashion in the forums where the rules of the game are deliberated and decided.²⁸ And, as shown above, states and international organizations, to varying degrees, have begun to include these groups. The question of how they should be included will be addressed below. Equally if not more important, however, is the question of exactly who should be included or excluded? Which actors have a right to participate in a particular forum? A state is a state, on the basis of the international recognition of sovereignty. But on what basis does a citizens group acquire the legitimacy to participate? Does Greenpeace or the Business Council on National Issues get a seat at the negotiating table, but not the Grandmothers Against Free Trade or the Vancouver East Side Anarchist League? If so, why not? On what basis? Who is to judge?

One simple solution is simply to throw the doors wide open and allow anyone who has a desire to participate to do so. A prelude to this sort of strategy can be seen in the accreditation process for nongovernmental organizations at several recent multilateral meetings. For example, following Article V.2 of the *Agreement Establishing the World Trade Organization*, which states that the General Council may consult and cooperate with NGOs "concerned with matters related to those of the WTO," the WTO has made arrangements for interested NGOs to attend the plenary sessions and other events of recent annual ministerial conferences.²⁹ Accordingly, a total of 108 NGOs attended the Singapore Ministerial Conference of December 1996. In the 1998 Geneva conference of the following year, the number had risen to 128. For the 1999 Seattle conference, the number exploded to over 700.³⁰

Of course, the obvious problem with this solution is that as the numbers of participants mount, so do the collective action problems. It is difficult enough to reach agreement among hundreds of states, let alone among thousands of NGOs. Short of global gridlock, some hard decisions will have to be made about which

²⁸ It should be emphasized that not all citizen networks want to be included in such forums. Some believe that the most effective strategy is to keep deliberately outside of these processes, on the margins, where they can influence public opinion. And toward the more radical end of the political spectrum there are groups that outright reject the legitimacy of existing international institutions in their present form.

²⁹ See the section, "WTO and NGOs," found on the World Trade Organization website at <http://www.wto.org/wto/ngo/intro.htm>

³⁰ See the 3rd WTO Ministerial Conference web site at http://www.wto.org/wto/seattle/english/ngo_e/ngo_e.htm

groups are allowed in, which are to be left behind, and who should decide (States? NGOs?).

Further complicating matters is the ideological diversity of citizen networks. Largely because of the activities of a few high-profile activist groups, such as Greenpeace and Amnesty International, citizen networks have come to be identified with progressive ideas and the strengthening of democracies, which might make the matter of inclusion more palatable to many. Yet this is very much a misconception. As the analysis above suggests, if there is such a thing as a “global civil society” it is less an homogenous entity than an extreme potpourri of interest groups from around the world. Should there be, to borrow a phrase from American politics, a political litmus test that must be passed before an NGO is admitted into the fold? If so, where is the line drawn? Will the most “extreme” groups be left out? And what is “extreme” anyway? David Rieff and Michael Clough (1999) pose the question the following way:

Why, for example, is the International Campaign to Ban Landmines viewed as an exemplar of civil society instead of, say, the National Rifle Association, which, whatever one thinks of its politics, has at least as good a claim to being an authentic grassroots movement? The UN bitterly resisted having to recognize the NRA as a legitimate NGO. And yet if we think of NGO as a description and not a political position, the NRA obviously qualifies.

As citizen networks multiply, they will also likely diversify, making these issues of ideology in the context of inclusion more weighty and difficult.

Legitimacy and Accountability

However such decisions are made and by whom, they will almost certainly ignite questions of the relative legitimacy and accountability of citizen networks. As P. J. Simmons (1998) puts it, “hailed as the exemplars of grassroots democracy in action, many NGOs are, in fact, decidedly undemocratic and unaccountable to the people they claim to represent.” Including citizen networks in decisionmaking processes will inevitably mean opening up the “black box” of citizen networks to find out whom they represent and where they get their financial support. Standards of transparency and accountability, in other words, are going to be the trade-off for inclusion of citizen networks in international forums. Notwithstanding Simmons’s remarks, however, not all citizen networks are completely unaccountable. Ian Smillie (1997) explains:

NGOs (like most institutions) . . . have multiple accountabilities. They are accountable to their boards and members. This accountability may be weak or strong, as it can be in the private sector. They are accountable to their staff. They are accountable to their donors, both small and large. Failure to please will mean a reduction in income. They are accountable to the media, upon which they rely for much of their publicity. A scandal can be very damaging to image and income They are accountable to their peers, an accountability sometimes expressed in a code of conduct. Such codes exist in the USA, Bangladesh, Kenya, New Zealand, and many other countries. And in most countries there is some sort of government regulatory body to which they also owe a degree of accountability.

In the future, however, such standards of accountability and transparency will have to be regularized and embedded in international norms in order for citizen networks to participate legitimately in international forums.

How Should Citizen Networks Be Included?

The question of which groups get included or excluded is, in turn, bound up with another vital global public policy issue: *how* should citizen networks be included? The Internet and World-Wide Web seem to offer some immediate answers. According to Jurgen Habermas (1989), for the proper functioning of a civil society, citizen access to relevant public information is crucial. Not surprisingly, many governments and international organizations have facilitated NGOs access to public information via postings of official documents, press releases, and even video streaming of meetings and conferences on the World-Wide Web. But access to information alone is not likely enough to satisfy citizen networks, mostly because the information flows in one direction only: *out*. Postings of NGO papers and requests for feedback offer more interactivity, but who will read such submissions and will they affect the actual decisions being made?

While the Internet and World-Wide Web have undoubtedly provided the infrastructure for citizen networks to thrive, and have helped facilitate the exchange of information between states and nonstate actors, it alone will likely never be satisfactory as the sole medium of political deliberation. Increasing bandwidth and talk of electronic commons aside, face-to-face meetings still count. And there are many different types of face-to-face meetings that vary enormously in importance, from merely attending plenary sessions and information briefings to sitting at the negotiating table. Where, if at all, do citizen networks fit into this spectrum?

What Public Policy Issues Need to Be Addressed in the Area of Internet Governance?

Although the Internet may not suffice as the sole medium of political deliberation between states and nonstate actors, it is, as shown above, vital to the circulation of information between the two and to the sustenance of global citizen networks generally. Such importance raises public policy questions about how the Internet should be governed and regulated. One of the great myths of the Internet is that it is a sphere beyond regulation and control (cf. Kelly, 1994). Yet how the Internet is configured, as Lawrence Lessig (1999) has recently shown, can very much influence how it evolves and who benefits by it. Given their reliance on the Internet, citizen networks in particular need to understand how different Internet architectures can favor some groups and social forces over others and how their Internet policy issues may be different from those of states and corporations.

For example, the question of how citizen access to the Internet takes place would certainly be foremost among them. Should citizens have access to the Internet in the same way they have access to cable television (i.e., as a payable service)? Or, considering its importance to citizen networks, should access to the Internet be guaranteed as a universal right? Are there ways in which some forms of Internet access (e.g., cable-modems) facilitate information *consumption* by citizens but constrain their ability to engage in information *production*—the latter being crucial to the publication capacities of citizen networks? How should citizen networks think about the issue of encryption and privacy generally (Kahin and Nesson, 1997)? One could even go further into the specifics of technology and talk about the importance of ensuring “open source” software as a crucial underpinning of the Internet as a medium of open, democratic exchange (cf. Lessig, 1999). Or even the nurturing of multi-user environments as platforms for political deliberations. Together, these Internet policy issues speak to the question of how the Internet should be configured to help support citizen networks in an emerging global public sphere (Crang, 2000; Starr, 2000). They are questions that by their very scope and nature involve not just citizen networks but corporations and states as well.

Conclusions

The case of the MAI offers an instructive example of how the Internet has boosted the responsiveness and capacities of citizen networks. Through the Internet, local activists from around the world were able to consolidate their knowledge, expertise, and resources to build a supra-national campaign. The network's flexibility, speed, and international reach allowed it to intrude on and disrupt the MAI negotiation process primarily by working back through the political processes of member states involved in the negotiations. Although the MAI is likely to move to a new venue under a different guise, the network that emerged to lobby against it has not disappeared. In fact, it has begun to enlarge its ambit. It is likely that wherever such negotiations are held, the anti-MAI network will be in orbit.

The case also strongly suggests that skeptical arguments about the Internet being an unsustainable platform for citizen activists are largely misplaced. While there are many different paths of Internet development, which certainly amplifies the importance of Internet governance issues for citizen networks, the Internet itself does not constrain their activities in any noticeable way. On the contrary, the Internet has boosted the intellectual capacity and interconnections of citizen activists enormously. Moreover, given the interests commercial forces have in enlarging the bandwidth capacity and reach of the Internet, it is likely that yet more positive side-benefits will accrue to citizen networks in the future, such as three-dimensional multi-user environments and video broadcasting capabilities. While the existence of citizen networks will always depend in the first instance on the energy and interests of citizens themselves, the Internet has become absolutely vital to their presence as actors on the world political stage. This means that citizen networks will need to pay much greater attention to how the Internet itself is governed in the future, and not take for granted the ability simply to "plug 'n play."

A more significant issue, however, centers on the legitimacy of civil society networks as participants in world politics—an issue that cuts to the core of who the main "actors" are in world politics. If it were not already clear before the MAI case, it certainly is now, that no international negotiation process of significance will take place without hundreds, even thousands of nongovernmental organizations and activists orbiting alongside. With the Internet as their information infrastructure, these activists have carved out an ethereal nonterritorial space, circulating in and around the traditional political spaces inhabited by states (see Ruggie, 1989). As illustrated above, states and international organizations are beginning to take steps to accommodate citizen networks into the policymaking process, but such moves are not simple. Beyond logistical nightmares, such a profound transformation in the world political landscape raises fundamental questions about the basic structures of political participation and representation. In the future, a great deal of controversy will center on exactly *how* to incorporate NGOs and activists into international and national decision-making processes. The question of *whether* to include them is already moot.

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