

# DETERMINING AND BUILDING LEGITIMACY OF GLOBAL SOLUTION NETWORKS

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**The paramount challenge for Global Solution Networks (GSNs) is to achieve sufficient influence to be perceived as legitimate players in their respective arenas.**

This paper explores organizational models of legitimacy and evaluates the legitimacy criteria that challenge these new networks. Case studies test the extent to which the criteria are both apparent and supportive of the network's legitimacy. The conclusion offers a new model of legitimacy that can be used by a GSN to accelerate its development and acceptance.

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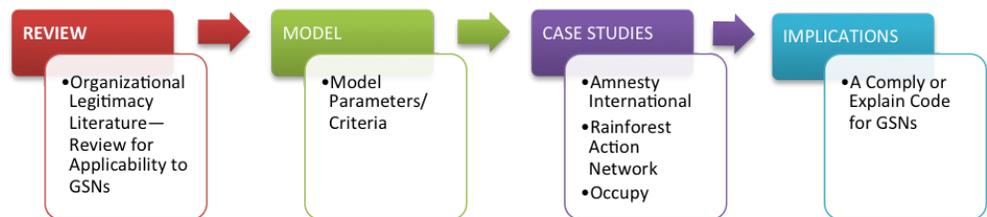


## The Idea in Brief

Global Solution Networks (GSNs) are networked, transnational and often diverse groups of stakeholders working together on problem solving or conflict resolution. They can take many forms and draw their knowledge, resources and support from many areas including government, the private sector, individuals, scholars or NGOs, each bringing their expertise to bear on an issue of common interest. Unlike governments, which wield the power of coercion, GSNs usually use ‘soft power’ to achieve their objectives.<sup>1</sup>

The paramount challenge for GSNs is to achieve sufficient influence to be perceived as legitimate players in their respective arenas. To date, little work has been done to analyze the factors that determine legitimacy of GSNs, or to look at the relationship between the attainment of legitimacy and possessing enough influence to achieve desired outcomes.

This paper explores organizational models of legitimacy and evaluates potential legitimacy criteria relevant to GSNs, testing with case studies the extent to which the criteria are both apparent and supportive of the GSN’s legitimacy. The paper concludes with a new model of legitimacy and explains how GSNs can adopt it. This framework can be used to analyze and evaluate existing GSNs. It can also be used by a GSN to accelerate its development and acceptance.



Towards a new model of legitimacy

## Legitimacy in Flux

The increasingly global nature of issues such as climate change, economic upheaval, or human rights, and the mobilization of citizens around issues and causes beyond their own national borders, creates new methods of expression and action. In addition, global interdependence resulting from trade in goods, services and labor across traditional boundaries has sped the transmission of good phenomena, such as better corporate governance practices, and improved health-care solutions. Unfortunately, it has also contributed to the rise of bad phenomena, including the

transmission of a financial crisis across borders, and exploitation of undocumented workers. Traditional decision-making organizations and processes, such as bilateral or multilateral negotiations among states or the activities of national financial regulators, have not kept pace with this internationalization. They have also failed to keep pace with the proliferation of stakeholder groups that exert influence in the global arena. This lag has resulted in a decline in the productive capacity of international institutional arrangements since the post World War II creation of the United Nations and the Bretton Woods institutions.

## Global Solution Networks – a Taxonomy

In his 2012 paper, “Global Solution Networks,” Don Tapscott describes the potential that is opened by the effective use of nine (later expanded to ten) different network types<sup>2</sup>. Each type has elements that can be brought to bear on problem solution and conflict resolution.

- Knowledge networks develop new thinking, to solve global problems, but keep their emphasis on idea generation not on advocacy.
- Operational and delivery networks deliver change, and supplement or bypass traditional models.
- Policy networks include non-government actors in developing government policy.
- Advocacy Networks change the agenda or policy of government, corporations or others.
- Watchdog Networks scrutinize institution to ensure good behavior
- Platforms on which other networks can organize.
- Standards Networks are developing standards and technical specifications outside state systems.
- Governance Networks are non-government with the right and responsibility for non-institutional global governance.
- Networked Institutions provide knowledge generation, advocacy and policy, delivery of solutions.
- Diaspora Networks pursue problem solving through kinship and ethnicity connections.



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GSNs are gaining influence in a growing number of domains even though they lack the usual mechanisms of authority, representation and legitimacy that accompany elected institutions. If the potential of GSNs is to be fully realized, the issue of legitimacy needs to be better understood. Do these networks lack legitimacy because they were not democratically elected? In whose interests do they act? To whom are they accountable?

Of course, GSNs may achieve their objectives without establishing traditional legitimacy. But there is an important value judgment that presumes that legitimacy is a good thing, comparable to believing in the importance of representation, accountability and transparency in government. This value judgment creates strong incentives to attain legitimacy, since greater legitimacy may confer greater effectiveness. The hypothesis is that GSNs perceived as legitimate are more likely to be accepted as valid interlocutors by companies, governments and non-governmental organizations (NGOs), giving them a wider influence and better access to decision makers. This perception permits them to wield authority when trying to change behaviors through methods of persuasion. Legitimacy helps them establish the ‘soft power’ needed to achieve their aims more expeditiously and with higher acceptance.

Anton Vedder, an Associate Professor of Ethics and Law in the Faculty of Law of Tilburg University, argues that, for NGOs, an extension of this argument is equally important. His thesis states that as NGOs grow in power, “power implies responsibility and readiness to legitimate one’s role.”<sup>3</sup> Such could equally be argued for GSNs. This suggests an interesting interaction where legitimacy enables power and power can, in turn, encourage a search for legitimacy.

## Which Models of Legitimacy are Relevant to GSNs?

There is a long history of political theory on legitimacy that underlies any discussion of the subject within GSNs, but it puts an emphasis on the relationship between the governed and the government. The nature of these new networks together with the absence of sovereignty or any explicitly represented population means that the discussion requires a slightly different approach.<sup>4</sup>

In particular, three distinguishing characteristics of GSNs need to be considered:

- fluid boundaries and composition,
- sometimes self-selecting membership and constituencies, and



*“The challenge for GSNs is to find ways to strengthen their institutional capacities and contribute more meaningfully to global problem solving without losing their autonomy, popular base and capacity for change.”*

- an emphasis on ‘soft’ power or influence rather than traditional power.

With this context, the traditional literature on political legitimacy becomes less relevant. The literature on organizational legitimacy, which is defined as “a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions,”<sup>5</sup> is far more pertinent, particularly as it is applied to corporations and NGOs.

An NGO seeks legitimacy in order to gain permission for certain activities, such as lobbying on behalf of a constituency or being a partner in dispute resolution negotiations.<sup>6</sup> Within the context of a GSN, the issue becomes whether legitimacy is a route to effectiveness. When a GSN needs to earn the trust of others, legitimacy may indeed be a power resource, but there are many instances of powerful GSNs that lack legitimacy. In some instances, there may be a trade-offs between legitimacy and power. Legitimacy comes down to being perceived as having permission to act on behalf of a constituency regarding a specific issue or set of issues. It suggests that the relevant actors have consented to delegate power, authority or influence.

In some cases a GSN acts solely on the presumption that it has the broadest public interest in mind. In the international arena, defining the broadest public interest within the context of moral and cultural pluralism becomes difficult, as it requires the identification of commonly held values and interests at the global level. Civic activists, for example, may feel they speak for the public good, but the reality is that most advocacy networks are focused on their own agendas and are not always interested in balancing different visions of the public good. They often ignore the essential role the market plays in providing much of the wealth and growth of strong societies. Having a role in setting a broader agenda on the international stage arguably carries with it a requirement to think and act beyond the self-interest of members of a GSN.

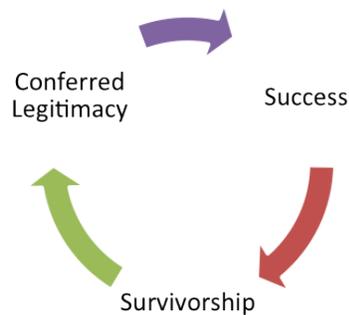
The philosophical literature on global legitimacy is very much in its initial stages,<sup>7</sup> making this an entirely appropriate time to consider the subject through the lens of emerging GSNs. NGOs (and similarly GSNs,) can be seen as the privatization of public power.<sup>8</sup> The direct engagement of unelected institutions in shaping policies and organization agendas, in addition to exerting influence across borders, leads to questions about the legitimacy of their influence. On one hand, GSNs could become major hubs for citizen engagement and help find solutions to intractable problems in an increasingly networked world. On the other hand, the challenge for GSNs is to find ways to strengthen their institutional capacities and contribute more meaningfully to global problem solving without losing their autonomy, popular base and capacity for change.

This is particularly true to the extent that expanded global influence has not been matched with concomitant accountability or constituent representation. Are the stakeholders representative or largely from developed nations and powerful themselves? NGOs with the greatest resources and most effective



tactics, as opposed to the most popular support, might exercise undue influence on organization agendas and policies. Lack of formal accountability to the general public, stakeholders or the market, can inadvertently permit a variety of ills and poor practices from corruption to cronyism to non-transparent financial practices.

Lisa Jordan of the Bank Information Center in Washington D.C. and Peter van Tuijl of the Netherlands Organization for International Development Cooperation suggest, “The hallmark of an NGO which fully embraces the concept of political responsibility is its capacity to sustain coherence and consistency between the goals it professes and the manner in which it pursues them.”<sup>9</sup> Vedder considers a procedural approach, i.e. evidence of certain standards of governance and transparency that convey legitimacy,<sup>10</sup> while Vivien Collingwood of Oxford University argues for a more utilitarian approach that would judge NGOs by their outcomes and the effectiveness of their actions. So we return to a circular argument: does power give rise to legitimacy or legitimacy to power?<sup>11</sup>



Virtual circle of legitimacy

Legitimacy, like beauty, appears to be to a large extent in the eye of the beholder— whether for nation states or NGOs—particularly once the international dimension is added. The perception of a country, an organization or an institution as legitimate often varies as a function of the perspective of the observer. To claim legitimacy is to make a statement about the ‘rightness’ of something. This implies agreement with the standards by which rightness is measured and behavior is evaluated. Indeed, legitimacy has as much to do with perception as it does with principles. What might appear to one individual to be legitimate behavior could well be inexcusable in the eyes of another, particularly when evaluating the most value-laden criteria, those that are referred to as substantial criteria in the literature.

Mark Raymond is a Post-Doctoral Fellow at the Center for International Governance Innovation. He argues that when it comes to legitimacy there is a vital cross-cultural issue. “Modern international practices of rule-making have grown out of the European system (or ‘society’ in English School terms) of states. The problem is that the international system is experiencing procedural pressures arising out of the fact that many emerging powers



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have very different traditions of collective rule-making and rule interpretation that do not look entirely like the Western tradition rooted largely in notions of diplomacy and international law.” So even if newly networked forms are in many ways consistent with modern international practices of rule making, they may be deeply illegitimate according to the practices of rule making in local cultural traditions. Says Raymond, “Thus, we should expect continued confusion about the legitimacy of such forms. We should also likely expect networks in other areas of the globe to look different (and operate differently) than networks originating in primarily Western cultural contexts.”<sup>12</sup>

As an example of different perceptions of legitimacy, consider the International Monetary Fund (IMF). Many would deem the organization legitimate based on:

- the coming together of member nation states to create it,
- its governance,
- its historical track record, and
- its effectiveness in the co-opting of academics and (NGOs).

However, many would argue against its legitimacy given that its voting rights are no longer proportionate to the world’s division of economic power, and it imposes conditions on its lending practices based largely on western economic theory.

To date, GSNs have proven extremely effective at mobilizing users on single issues. They have also been effective at mobilizing ‘coalitions of the willing’ on multiple issues. Their ability to help shape government programs or platforms is only just beginning to be felt. While these networks could provide an effective counterbalance against the purchase of influence, in their worst incarnations GSNs could instead be a route to the purchase of influence or access. In some cases the legitimacy of these movements is open to question for a number of reasons including: the anonymity of the participants, the possibility of stuffing the virtual ballot box, and the determination of appropriate constituency boundaries.

The review of the NGO literature on legitimacy together with a brief look at definitions of organizational legitimacy has helped describe the issue using both objective, or procedural, and value-laden, or substantial criteria. The latter can be particularly contentious in an international, multicultural environment. The next section will address the use of a combination of largely procedural criteria to consider how to evaluate the legitimacy of GSNs.



# Catalogue of Parameters Determining Legitimacy in GSNs

Future progress requires clear identification of the factors that determine the legitimacy of GSNs. This section considers a catalogue of factors gleaned from both political and organizational theory on legitimacy, which will then be analyzed through cases to try to determine their relevance in establishing and maintaining legitimacy.

One possible starting point is the framework that already exists for NGOs in the eligibility requirements for consultative status with the United Nations:

*“To be eligible for consultative status, an NGO must have been in existence (officially registered with the appropriate government authorities as an NGO/non-profit) for at least two years, must have an established headquarters, a democratically adopted constitution, authority to speak for its members, a representative structure, appropriate mechanisms of accountability and democratic and transparent decision-making processes. The basic resources of the organization must be derived in the main part from contributions of the national affiliates or other components or from individual members.”<sup>13</sup>*

While a useful first step, the UN criteria do not work well for GSNs for the following reasons:

- They are binary; an NGO is either accepted or not. For GSNs many criteria will vary both according to their purpose and organizational structure, and through time.
- As the UN derives its legitimacy from member governments, it requires the same of NGOs. To the extent that GSNs may exist precisely to challenge governments, requiring official endorsement would dramatically limit the ability of GSNs to form.
- Given the virtual nature of many GSNs, an established headquarters is not practical.
- Given the vast array of organizational structures, and in some cases the large number of anonymous members among GSNs, requiring a democratically adopted constitution, while perhaps desirable, may not be feasible.

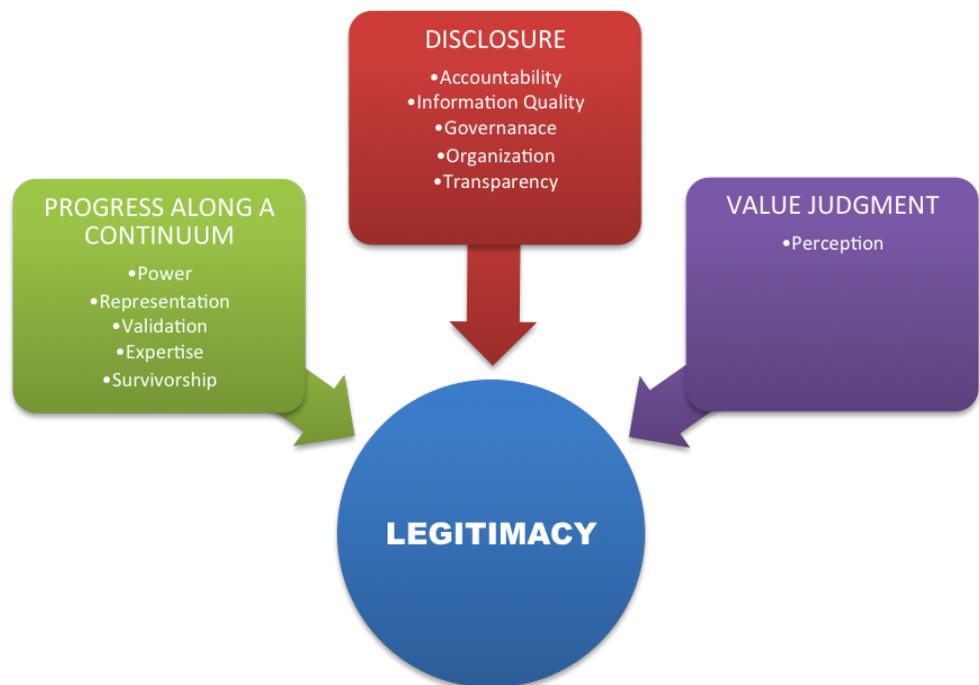
For these reasons, these criteria are not completely relevant or adequate for GSNs. However, they demonstrate the utility of some kind of criteria as



well as the value of a framework that can be adapted to new structures and deliver a spectrum of outcomes as a GSN evolves from creation to maturity.

## Categories for Evaluating Legitimacy of GSNs

The following list of possible criteria is not exhaustive and successful GSNs will not need to meet all of these criteria. Depending upon the objectives of the GSN, some of these may be irrelevant, and others may be unattainable. Indeed some may meet several criteria and not pursue others. Some may add to their adoption of measures as they evolve, increasing their legitimacy with work and time. It may be that the most relevant categories vary either in line with the objectives of the GSN or its type. The measures, which are described briefly below, can be grouped into three categories:



Categories for GSN legitimacy parameters.

### Progress Along a Continuum

**Power:** GSNs can have power, if not formal state power. They cannot enact laws or arrest violators. They cannot raise taxes to finance a big project or intervene militarily in a crisis. Citizens have not elected the GSN members through a democratic process. However, to the extent that GSNs are judged by their achievements and their influence, they can have considerable soft, persuasive power and in some cases they deliver tangible services and

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outcomes that touch the lives of millions of people. This can be measured in their perceived influence, voice, and effectiveness.

For power measured as influence, the World Economic Forum (WEF), a networked institution, is a prime example. However power alone, as in the political literature, is insufficient for legitimacy, as critics might argue against the legitimacy of the WEF in spite of its wide influence, due to the nature of its financial support.

**Representation:** Conferred legitimacy depends on the legitimacy of the members and stakeholders, and the extent to which they are valid interlocutors for a certain sector of the concerned population. The greater the representation of all parties with an interest, the more likely a GSN will be perceived as legitimate. It is also important that voices in opposition to the positions of the stakeholders have a place to express their views, in order to demonstrate that dissenting outlooks have been considered.

To use examples from the world of financial regulation, the International Organization of Securities Commissions (IOSCO) gets representation right by stating clearly in its name who is represented, and also by making certain that almost any interested party can participate as an observer or submit comments on their consultations. The G20 and Financial Stability Board (FSB) have a more difficult time claiming their legitimacy to recommend policies or rules for all countries and regulators since non-member states have not been explicitly asked to grant authority to these two bodies.

**Validation or ‘conferred legitimacy’:** Related to representation is the willingness of others to affiliate with a GSN. A start-up GSN will strive to establish legitimacy through association with other organizations that have already gained legitimacy by virtue of their work, their success, or sometimes simply their longevity. Members or involved experts with valued standing and expertise also confer legitimacy, though it is important that such involvement is active and that those members are not just ‘lending their good name.’ For a good example, see the case study on Amnesty International below. GSNs created by high profile individuals who can draw in other high profile members and experts are another example of conferred legitimacy.

**Expertise:** Both the GSN and a significant proportion of its members should have demonstrable expertise in the issue they are trying to address. This criteria can be achieved with the credentials of its membership, its involved experts, its staff, or by seeking out specific skills where needed. Many of the forums that govern the Internet, as well as The Global Reporting Initiative (GRI), which creates sustainability reporting guidelines, are examples of expertise driving legitimacy.

**Survivorship:** The durability of a GSN and its ongoing efforts at working towards success in its mission and objectives confers survivorship. GSNs that withstand the test of time by demonstrating their utility and adapting to change are most likely to be perceived as legitimate. The Amnesty International case below provides a clear example of survivorship.



“ A demonstrated matching of stated aims and methods with outcomes contributes to establishing both credibility and legitimacy.”

## Disclosure

**Accountability:** Accountability is necessary at two levels at least. Within the GSN, there must be a clear and regular reckoning that the actual behaviors and practices of the GSN and its members are consistent with the intended operating practices and goals. To the outside world (see transparency below) a demonstrated matching of stated aims and methods with outcomes contributes to establishing both credibility and legitimacy. An example taken from the organizational legitimacy research as it applies to corporations is the move toward corporate sustainability reporting whereby companies publish detailed reports on a variety of social and environmental performance measures. By doing so, these companies agree to be held accountable to a wider spectrum of stakeholders.

**Information veracity and authenticity:** In traditional media, editors and journalist ethics, with greater or lesser success, provide filters and fact checking that permit readers to decide whether to believe what they are reading. Alternatively, readers choose a news source that shares their prejudices. Both are still possible within GSNs, but a reputation for producing bona fide and reliable information is certainly a mark of legitimacy. The sometimes inaccurate or incomplete information and footage published by Wikileaks had a damaging effect on its legitimacy before the appearance of any of the other issues leading to its fall from grace.

**Governance:** There is no one model for governance of a GSN; methods will necessarily differ based on which of the ten network types<sup>14</sup> are under consideration; whether the GSN is single-issue or ongoing; and the underlying organizational structure of the GSN. Whatever the structure, methods of decision-making and governance should be explicit, publicly available and validated by practice.

**Organizational structure:** Intimately linked to governance, many GSNs adopt a self-organized and non-hierarchical structure. No one organizational model need be perceived as optimal or desirable but the structure will affect the governance of the organization. Therefore, it will be useful to have a parameter that demonstrates where a GSN fits on the spectrum of hierarchy versus self-organization. Is it a loose, voluntary and highly distributed? Or is it a permanent organization/network with a clear structure and management? Again, whatever the structure, it should be explicitly stated, and capable of being validated by practice.

**Transparency:** The single most important step to accountability starts with transparency. This includes making the information on a GSN's mission, its governance, its decision-making and its funding and finances publicly available and current.

## Value Judgment

**Perception:** For a GSN to have authority to speak, act and affect policy in its area of expertise, there must be a perception by those in a position to



“ A look at its website demonstrates an attention to its constituencies, with clear, detailed resolutions for its Extraordinary General Meeting, a clear constitution and statutes, a vision, mission and core values statement, financial reports and structure and governance.”

grant such permission that it is a legitimate actor. The IMF example above demonstrates this, as do the explicit UN criteria for NGO acceptance for consultative status. It's not necessary that everyone or even a majority deem a GSN legitimate, but in the case of the IMF, a majority of the shareholding governments and those using their funding must recognize it for legitimacy to be deemed to exist.

## Case Studies

This section will test the parameters listed above on three case studies of GSNs that had varying degrees of success in establishing legitimacy. One demonstrates a clear example of 'getting it right' particularly through a virtual circle of success begetting survivorship, permitting increasing conferred legitimacy that, in turn, increased the chances for success and survivorship. This is the story of Amnesty International, a watchdog network that has existed for more than fifty years. The Occupy movement and the Rainforest Action Network (RAN), present more nuanced successes that help to demonstrate the need for criteria to be aligned with the GSN's own objectives and organizational structure.

### Case 1: Amnesty International

Amnesty International is in many ways the poster child for demonstrable, if not uncontested, legitimacy. Founded in London almost 52 years ago, it is now present in 61 countries with over 3 million members. Its objective is clear—'to protect people when their rights are denied and end discrimination, persecution and harassment'—and has remained constant over time, even as the scope has been broadened. Among other accomplishments, it has drawn attention to and worked for the release of prisoners of conscience around the world. It has also worked to end the death penalty wherever it is still in place.

As early as 1964, only three years after its foundation, Amnesty was given consultative status at the United Nations, its first significant instance of conferred legitimacy. It went on to receive the same from the Council of Europe in 1965 and from UNESCO in 1969. In 1966, governments began using Amnesty's reports. In 1977, the organization received the Nobel Peace Prize, followed by the UN Human Rights prize in 1978, perhaps the ultimate honors in its area of expertise.

A look at its website <http://www.amnesty.org.uk> demonstrates an attention to its constituencies, with clear, detailed resolutions for its Extraordinary General Meeting, a clear constitution and statutes, a vision, mission and core values statement, financial reports and structure and governance. All are easy to find, easy to access and easy to understand. It is run by an International Executive Committee with local 'sections' in many countries. Members vote on policy as drafted by staff.

The screenshot shows the Amnesty.org.uk website. At the top, there is a logo and the URL 'amnesty.org.uk'. Navigation links include 'Donate', 'Join us', 'Jobs', 'N.Ireland', 'Scotland', 'Wales', and 'Cymru'. A search bar and 'Go!' button are present, along with links for 'Site map', 'FAQ', 'Library', 'Search', and 'Text only'. The main navigation bar includes 'HOME', 'OUR WORK', 'TAKE ACTION', 'NEWS & EVENTS', 'BLOGS', and 'MY RESOURCES'. The main content area features a large image of a person in a hooded jacket, followed by the article 'Protect lives at the gate of Europe'. Below this are several promotional boxes: 'JOIN US', 'AMNESTY SHOP', 'TAKE ACTION', 'OUR PURPOSE', and 'AMNESTY IN YOUR AREA'. There are also links for 'Email the Greek authorities now', 'Iran: Imprisoned blogger Hossein Ronaghi Maleki', 'Tasers', and 'Cartoons'. A 'MYAMNESTY' section offers login and register options. A 'QUICK LINKS' dropdown menu is visible, and a map of the UK is shown in the 'AMNESTY IN YOUR AREA' section.

Amnesty International has a sophisticated, yet highly transparent governance structure.<sup>15</sup>

Amnesty is not without its critics. While it claims it refuses any government funding, there are records of donations from the UK’s Department for International Development (Dfid), and from the European Commission (EC). Unsurprisingly, it is regularly criticized by governments for one-sided reporting and other offenses, and has faced accusations on the use of donations to pay staff.

## Case 2. The Rainforest Action Network

The Rainforest Action Network<sup>14</sup> (RAN) is a US-based advocacy group founded in 1985 with a mission to reduce the number of rainforest trees being cut down for sale to North American consumers. This well-organized network has been able to exert considerable pressure on the forestry industry. Part of RAN’s success can be attributed to its decision not to appeal to governments to intervene with import restrictions on ‘old growth’ lumber when it wanted to eliminate rainforest destruction. Instead, it took its fight to the marketplace.

Facing an entire industry value chain extending from loggers to homebuilders, RAN singled out Home Depot—the largest retailer of old growth lumber at the time. It was 1997 when RAN initially contacted Home Depot executives to request that they stop selling products containing rainforest lumber. Home Depot declined, claiming it was impossible to track the wood sources of its 50,000 products. So RAN stepped up its campaign. By RAN’s estimates it mobilized a network of 30,000 members and 150



partner organizations around the world, including indigenous groups, human rights and environmental organizations, small businesses, local politicians, and high-profile celebrities, all of which bolstered their cause.

Two years of hard campaigning included anti-Home Depot websites, full-page ads in The New York Times, and synchronized storefront picketing across North America. Home Depot faced mounting negative publicity and growing local resistance to new store locations. Persistent pressure from local business and citizen coalitions helped RAN convince municipal councils in small cities such as Madison, WI and Longmont, CO to delay approval for new store construction in their communities until Home Depot developed a response to the old growth-free campaign.<sup>17</sup> In 1999, Home Depot signed a landmark agreement with RAN, committing the company to phasing out old growth lumber from its product lines by 2002. Home Depot’s suppliers are currently working with environmental and forestry groups in the Forest Stewardship Council (FSC) to certify that its wood products are not taken from endangered areas. Furthermore, Home Depot now boasts proudly on its website that it works diligently to educate itself and its suppliers about forestry issues.

The screenshot shows the Rainforest Action Network (RAN) website layout. On the left, under 'LEARN MORE', there are links for 'Forests | Energy | Challenging Corporations | All'. Below this is the 'About RAN' section, which includes a photo of a man with a megaphone and text stating that RAN believes a sustainable world can be created in our lifetime. It also mentions that RAN has won dozens of landmark environmental commitments from major corporations like Citibank, Home Depot, and Goldman Sachs. Below 'About RAN' are sections for 'Forests' (with a photo of a forest) and 'Energy' (with a photo of wind turbines). On the right, under 'ABOUT RAN', there is a descriptive paragraph about RAN's campaigns and a 'More »' link. Below that is the 'DONATE' section with two buttons: 'Donate' (red) and 'Give Monthly' (green). At the bottom right, there is a 'What our supporters are saying' section featuring a photo of Lara and Gar Truppelli and a testimonial about their 25th anniversary party for RAN.

Rainforest Action Network, a global advocacy network focused on forest conservation.<sup>16</sup>

Home Depot’s reversal was significant. Home Depot had to balance its own financial interests (Can we afford more bad publicity? How will customers and investors react? How much will it cost to certify our products as old-growth-free?). It also had to consider the interests of its suppliers (that would be forced to comply with the new certification scheme to remain



a Home Depot supplier). Additionally, it had to weigh the interests of the broader industry that would feel the repercussions of Home Depot's decision (not only other home improvement chains, but all supply chain participants ranging from product manufacturers to the forestry companies). Finally, it had to consider societal interest in rainforest conservation as represented by RAN (which is a contentious issue in itself in so far the public has differing views on where forest conservation stacks up against other priorities such as job creation). Indeed, when Home Depot decided to go with the FSC certification program over the industry-preferred Sustainable Forestry Initiative (SFI), it dealt a major blow to the industry groups who hoped for the adoption of the less stringent SFI program.<sup>18</sup>

Looking specifically at some of the parameters in the section above, RAN is explicit in its mission statement, and clear and audited on its finances and sources of funding. RAN's staffing and Board of Directors are listed on its website, but there is no statement on the site as to how decisions are made. The site allows users to express support for RAN campaigns, but there is no evident explanation of decision-making, or of how issues are chosen or disputes resolved. Nor does RAN accept any obligation to represent or formally weigh the interests of parties (particularly corporate interests) that may depend on the forestry industry for their livelihoods, although RAN does argue that its advocacy for sustainable forestry practices is more consistent with the long-term economic interests of forestry-dependent communities.

### Case 3. The Occupy Movement

The Occupy movement, an advocacy network, was a product of a public outpouring of frustration following the global financial crisis of 2007-09, most notably after the significant publicity given to the increasing discrepancy in income between the top 1% of many western countries' populations and the rest of the citizens of those countries. Local groups often have different foci, but among the movement's prime concerns was the claim that large corporations and the global financial system control the world in a way that disproportionately benefits a minority, undermines democracy, and is unstable.<sup>19</sup> The first protests were held in May 2011 by Spanish *Indignados*. This was followed by major events on Wall Street and in London. By October 2011 there had been 95 protests in 82 countries.

Considering the enormous spontaneous uprising in 2011 and significant popular support, it is important to ask why the turnout for the first anniversary rallies was so small, and why we hear almost nothing about Occupy two years later? Did Occupy meet the legitimacy parameters and still not reach wider success? Is legitimacy a necessary but insufficient condition for success of a GSN, or was Occupy not perceived as legitimate, causing it to stumble?

Ironically, part of Occupy's challenge is to make progress while sticking strictly to its principles of participatory democracy. It is consciously unorganized and un-hierarchical, in an effort to 'crowd source' its priorities and actions. Reaching a consensus on policy in such a forum is difficult and



time-consuming. As evidence, some members would argue that producing policy itself is counterproductive for the Occupy movement; because doing so legitimizes the very power structures the movement seeks to challenge.<sup>21</sup>



Occupy invigorated public debate about inequality, then faded from view.<sup>20</sup>

Occupy used the website [www.occupytoday.org](http://www.occupytoday.org) to help the various local Occupy efforts to find common resources, messaging, and ideas. They were clearly technologically savvy and highly networked. Not only was there information on the site but also the ability for micro groups to securely 'chat,' and also features that helped people organize, such as a ride board to the first anniversary celebrations on Wall Street, or ways to meet up with people who share concerns, and toolkits to help local groups organize.

While the website also had a mission, values and funding statement, there was no evidential support that these principles were applied in practice. Indeed governance would have been almost antithetical to the movement. Due to its consciously anti-hierarchical approach, Occupy, which called itself an affinity group, had trouble creating strong ties. This also made it difficult to have spokespersons and recognized experts.

In terms of media airtime in its prime, Occupy missed an opportunity to state a case clearly, and secure an enduring platform to effect change. While well-known individuals and academics lent their names to the movement in an attempt to confer legitimacy, some members actively sought anonymity. Few organizations supported Occupy, and many actively opposed both what Occupy stood for and its methods. The private sector



“*Occupy makes a particularly fascinating case study on how to apply legitimacy criteria to a GSN that consciously rejects existing societal organizational frameworks.*”

largely opposed Occupy’s endeavors. In London and New York, local government strongly opposed Occupy and used the police and the courts to disperse the physical occupations. However, it must be recognized that it was largely a spontaneous movement, and that many Occupy members would view the entire concept of legitimacy and somehow measuring it to be contrary to their conscious rejection of conformity to established hierarchies and power orders.

Occupy makes a particularly fascinating case study on how to apply legitimacy criteria to a GSN that consciously rejects existing societal organizational frameworks. The assessment of Occupy’s success varies based on the criteria for success that are used. Occupy raised awareness of the growing wealth differential between the 1% and the rest of the world and made it a political issue. They effectively changed the narrative around the financial crisis. Moreover, Occupy rose and fell by the principles it enunciated. However, it can also be perceived as a failure to the extent that its very reason for being and lack of organizational structure mitigated against its own long-term existence, and by the fact that the situation they highlighted was unchanged. Different actors will perceive not only its relative success, but also Occupy’s legitimacy differently. This illustrates why binary criteria are unworkable, and the difficulty of any value-laden definition in an international context where views on these values may differ markedly.

## Analysis: Determining GSN Legitimacy in Practice

### Do the Parameters of Legitimacy Actually Determine Legitimacy in Practice?

The case of Amnesty International demonstrates that both survivorship and conferred legitimacy are critical components in establishing its legitimacy. It sticks to its core mission and values, is held accountable for those values and, in addition to broad membership, it enlists highly qualified ‘names’ to join the movement and the International Executive Committee. Moreover, Amnesty had an organizational structure adapted to its global network. The International Executive Committee of recognized experts acted as a steering committee that helped Amnesty to be recognized for its expertise and sped conferred legitimacy. The well-adapted organizational structure helped it adhere to its tenets of representation and democratic decision-making. However, it is difficult to know how much of this is causal to Amnesty’s legitimacy and how much of it appears successful ex post facto because it is seen through the lens of survivorship.

Critics of Amnesty underline two particular issues with our concept of legitimacy. First, as mentioned above, the substantive definition of legitimacy is value-laden and therefore ‘in the eye of the beholder.’ While most progressives would believe in and adhere to Amnesty’s mission, many



“ *Survivorship may not make sense as a legitimacy test for those GSNs with a finite mission and purpose.* ”

governments would argue that Amnesty is not legitimate as a function of the way it is constituted, the inability of governments to influence policy or outcomes, and the fact that it is representative only insofar as there are no limits on who can ‘opt in.’

As demonstrated in the example of Amnesty’s government funding controversy, the second lesson from Amnesty is that any organization purporting to set high standards will be held to them. Observers are likely to view any breach more harshly than in organizations with less lofty ideals. This is not to suggest that GSNs should not aim high. Rather, it is vital both that the resources exist to live up to the standards set, and that the controls and governance are in place to ensure this occurs.

Given the current pace of formation of GSNs and the urgency of their missions, the time it took for Amnesty International to build legitimacy appears daunting. However, Amnesty achieved significant legitimacy, in particular conferred legitimacy, within the first ten years of its existence. For a new GSN living in ‘Google time,’ even ten years seems a lifetime. Must it always take so long? It is important to consider whether there are ways to jumpstart the process. In such a world, there is a need for a way to quickly validate a GSN’s bona fides.

The Rainforest Action Network (RAN) has become a bit of a poster child for advocacy networks, due largely to its successful efforts at changing corporate behavior. As a result, it is one of the most studied and written about networks to date.<sup>22</sup> In the case of RAN, results-based success drives its legitimacy, which in turn has given it survivorship. The clarity and focus with which its organization has held to its stated mission has played a large role in its ongoing success. It also has a host of celebrity supporters that provide conferred legitimacy.

In spite of the successes of both Amnesty and RAN, survivorship may not make sense as a legitimacy test for those GSNs with a finite mission and purpose. If they succeed at their stated aims and disappear when no longer needed, their accomplishments should be seen as a mark of their legitimacy. The global effort to eradicate smallpox is an example of an organizational structure that largely met its goals and disbanded. This suggests that legitimacy will occur in a variety of ways, depending on the nature of the GSN.

Amnesty was helped by having a clear representation process for decision-making. There are several possible ways to do this: through electronic voting, polling, representative democracy among chapters of the organization, or leadership decision-making. Such processes need to be adapted to both the purpose and the structure of the GSN. While clarity on how decisions are made might be expected to be crucial, the lack of transparency about RAN’s decision-making on issues, policies and disputes does not appear to limit its effectiveness. It is possible that the volume of its successes outweighs the need to meet this particular criterion. Similarly, a requirement for RAN to represent the interest of a more diverse set of stakeholders in the debate over forestry practices would run contrary to



its effectiveness as an advocate for sustainability and conservation. In any case, RAN would argue that the opposing sides are already sufficiently represented and that it is the job of governments, not advocacy networks, to mediate competing interests in society.

Another way to jumpstart legitimacy is to purchase it. Some GSNs are founded or funded by beneficent donors, whose funding speeds the accomplishment of their goals, and whose funds attract those who can confer legitimacy to the GSN. But in such cases transparency is particularly important. The GSN must identify sources and uses of funds, whether personal gain is involved, and name members and leadership. Absent such transparency, in a worst case, a GSN can rapidly be presumed to be peddling influence.

It is important to recognize that certain processes may be more useful in some situations than others, such as when time is limited or clarity is required. It is here that the Occupy movement struggled. However noble the movement's efforts at genuine democracy, the live town halls had real difficulties creating consensus and action points, particularly in the 24/7 live news world in which we live.

## Lost Voices in the Developing World

None of these cases considers a separate, yet vital issue: The voice of the unrepresented. Amnesty speaks for the prisoners, RAN speaks for environmentalists, and Occupy claimed to speak for the 99%, but many, particularly those in the developing world, would argue they were speaking from a relatively privileged base for a relatively privileged audience. Those doing the judging are either outside observers or those who opt in to these networks. How does legitimacy deal with the need to include and involve the underrepresented people whom GSNs so often purport to be helping? How can GSNs broaden participation?

Access to the Internet remains difficult in the poorest nations, further disenfranchising the world's poorest from having a say in global issues. There is a real digital divide between those with Internet access and those without. It is difficult for a GSN to be either truly representative or truly legitimate so long as such a gap exists. The onrush of mobile access is beginning to narrow the gap. The Web for Civic Engagement campaign by the World Wide Web Foundation is also working to help resolve this issue. Absent universal access to the Internet, is it sufficient that there is proxy participation via NGOs and coalitions of emerging market constituencies that claim to speak for these constituencies in lieu of 'direct democracy'? In the short-term, the proxy representation of these voices by NGOs, that are themselves deemed legitimate in their representation of these interests, seems the simplest answer.

In the longer-term, a more direct solution is needed. Currently Ushahidi ([www.usahidi.com](http://www.usahidi.com)) works as a platform to reach a broader community, specifically targeted at the underrepresented. Many microfinance and crowd-



sourcing organizations are trying to find ways to directly involve the users of funds with the donors. Broadening such efforts and finding ways to get direct representation in existing GSNs is an important next step.

## Implications for Network Leaders

The cases and analysis above demonstrate that legitimacy is not binary, but is rather a continuum of good practice. They also demonstrate that the route to legitimacy may vary depending on the GSN's objectives. The Occupy case and even Amnesty suggests that legitimacy is certainly not a one-size-fits-all set of criteria.

Since observers, commentators and GSN members perceive the legitimacy of certain GSNs differently, it may make more sense to define a measurement of legitimacy such that GSNs, their stakeholders and members, and outside observers can evaluate a GSN against a standard metric. Even if they arrive at somewhat different conclusions, it provides a basis for discussion and comparison and gives the GSN itself a benchmark against which to consider its own progress

## A New Model of Legitimacy

Working from the case studies, it is clear that there are several distinct categories of parameters:

**Disclosure-based categories** include transparency, governance, accountability and information veracity and authenticity. To the extent that transparency includes clear, honest and regular reporting to the public, it supports all of the other parameters and makes it easier for all parties to take a view on the GSN's legitimacy.

Justice Louis Brandeis said, "Sunlight is the best of disinfectants." Clear definition of the mission, clear process and exposition, and measurement of results all go a long way toward this transparency. So, too, does clarity on funding and sponsorship.

**Value judgment-based categories:** Parameters such as perception and power are both value-laden and difficult to measure objectively, though they are critical to the gaining of legitimacy. Power can only be validated by proven successes, and it is easier to evaluate objectively through an outside third party than internally. Power and perception are clearly outcomes that contribute to legitimacy.



“ Legitimacy is a continuum and not binary, as there may well be varying degrees of legitimacy for various purposes and constituencies.”

**Categories that progress along a continuum:** Parameters such as validation, representation and expertise can be measured on a scale, but are not binary. Such a measurement could be either absolute or relative to other GSNs.

Parameters can also be differentiated by those within a GSN's control such as mission, information quality, expertise and transparency, and those beyond a GSN's direct control such as conferred legitimacy and perception.

Having recognized that the route to legitimacy will differ by GSN, do the different types in Tapscott's GSN taxonomy need substantively different routes to achieve legitimacy?<sup>23</sup> The differences among them appear insufficient to warrant ten separate models, but clear variants have begun to appear which suggest differences in emphasis among the criteria rather than separate criteria for each type of network. Below are three examples of appropriate differences in emphasis:

- Single purpose GSNs which disappear when their mission is accomplished would de-emphasize survivorship
- GSNs with a founding, funding sponsor would speed conferred legitimacy, and be able to purchase expertise
- Broad based GSNs such as Amnesty International need to ensure a governance model that gives membership a clear voice in order for members to continue to participate and the representation route to legitimacy to be used.

It is important to underline that legitimacy is a continuum and not binary, as there may well be varying degrees of legitimacy for various purposes and constituencies. These definitions will evolve through practice.

Practices could be reinforced and fortified if the parameters were brought together in a comply-or-explain code. This would be a code of best practice. GSNs would publicly explain the principles they choose to adhere to, or explain when they would not or could not.

## Three Imperatives for Disclosure: A Comply or Explain Code for GSNs

GSNs do and should have obligations, notably to transparency of objectives, decision-making, articulation of vested interests, and funding. This code permits GSNs, their stakeholders, and outside observers to clearly evaluate a GSN's principles and its behaviors with respect to those principles. It resembles to a certain extent the International NGO Charter of Accountability, created in 2005, to which NGOs can choose to become signatories.<sup>24</sup> This charter is binary, like the UN criteria referenced earlier. An NGO either agrees with it and signs, or disagrees and doesn't sign. A comply-or-explain code permits more room for differing values and practices.



Each GSN should publicly record at its founding how it proposes to operate. It should then regularly report the degree to which it complies with its founding principles, note any changes in those principles, and explain any variations from these principles.

The information GSNs should publicly provide includes, but is not necessarily limited to the following key categories:

**Governance and accountability.** Information on governance and accountability should provide an explanation of the GSN's processes and governance to ensure the network operates within its mission. At minimum, GSNs should provide a clear statement of principles, but they could also include explicit constitutional documents<sup>25</sup> stating their objectives and their methodology for achieving intended objectives.

Pertinent information may vary by network type. Knowledge networks could include a statement of their editorial guidelines; who controls the content; how information sources are validated; and how decisions are made about content, for example. Or an operational and delivery network could issue a statement regarding its refusal to condone or support violence or coercion to meet its ends, or on its willingness or unwillingness to accept funding from certain sources.

**Participants, stakeholders, advisors and funders.** GSNs should provide an explanation of the intended and actual stakeholders and how the GSN addresses the representation issue in influence and decision-making. This should include an explicit identification of any specific sponsors, whether commercial, governmental or NGO.

GSNs should not only explain where the funding is coming from, but also how it is used. Regular reports on the sources and uses of funds should be publicly available. In certain cases, it would be pertinent to release information about a GSN's claim to expertise. This is the GSN equivalent of references and could include biographies of relevant staff, experts and outside consultants, including details of their applicable experience and expertise.

**Outcomes and impact.** Just as public corporations are accountable to shareholders for financial results and governments are accountable to the electorate for delivering on promises, GSNs should be held accountable for delivering on their mission as measured by the concrete outcomes they generate.

At minimum, GSNs should include a list of accomplishments and milestones since inception. For example, an advocacy network would include a list of significant victories; the numbers of people mobilized; and specific policies and actors that have been materially influenced. GSNs should strive to produce a robust analysis of their impact on the issues they are trying to affect, with detailed metrics and data to back up the conclusions.



## The Power of Oversight

There would be value in some third party validation for review of such information. Such an auditing organization, which itself would look like a GSN, would permit users to recognize a trusted organization in much the way spam filters determine a lower level of on-line legitimacy, and charity aggregators validate the use of funds by the charities they watch. A quality mark from such a third party would be a very good way for new GSNs to jump-start their legitimacy.

It remains an open issue whether such assessment would be an absolute measure against a benchmark of best practice or a measure relative to other GSNs. A third party evaluator would provide both fact-based comparisons and judgments against the following criteria:

- The reality of the GSN's activities and methods and governance relative to its expressed mission, purpose, and principles.
- A transparency score that would indicate the timeliness and visibility of their disclosure of pertinent information to stakeholders.
- The veracity and authenticity of information presented by the GSN determined through sampling.
- If possible, some objective assessment and measurement of the output, results and influence of the GSN, perhaps done by a panel of expert referees.

The proven successes, even absent full legitimacy, demonstrate the potential GSNs have to match cross-border constituencies with cross-border issues in a way that local and national politics cannot. It also shows the ways in which GSNs break down barriers across communities and countries to build constituencies that adapt and act as a counterweight to increasingly globalized corporate activity and political activism.

## Conclusion

This paper has looked at ways of conveying legitimacy through the utilitarian, or outcomes-based approach; the procedural approach that relies on the evidence of certain standards; and a values-based approach, which becomes increasingly difficult to employ as the GSN's audience increases in heterogeneity.

Using case studies, it has become clear that there is no one-size-fits-all solution for legitimacy of GSNs. Rather, there is likely to be a continuum of good practice that can be adapted to both the nature and structure of the GSN. This, together with the perception of outsiders interacting with the GSN



(a government, corporate, NGO or individual), with all their personal values and judgment-laden perceptions of the moral value of the organization and its aims, will shape the perception of legitimacy.

To ease both the process for the GSN and for those evaluating it, the three approaches—outcome-based, procedural-based and values-based—have been combined to create a list of possible parameters that were then distilled into a set of criteria that can be used as a benchmark of good practice.

Such a benchmark could help existing GSNs to gain legitimacy and new GSNs to accelerate the acquisition of legitimacy. It could also help potential members, funders and counterparties as a relatively quick and easy tool to evaluate a GSN, particularly when modified to suit those actors' own values.

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**Global Solution Networks** is a landmark study of the potential of global web-based and mobile networks for cooperation, problem solving and governance. This project is a deliverable of the research program, offered through the Martin Prosperity Institute at the Rotman School of Management, University of Toronto.

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Ten Types of Global Solution Networks

