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NGO credibility as private or public good? A governance perspective on how to improve NGO advocacy in public discourse

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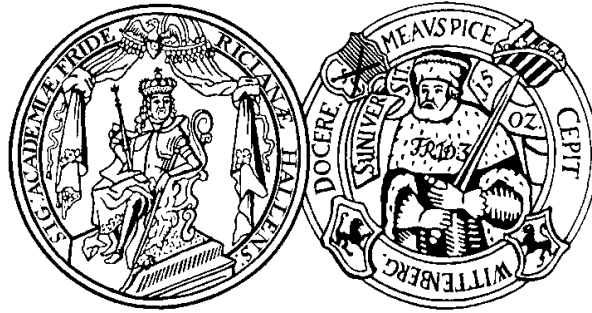
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Kurzfassung

Das Forschungsfeld der Wirtschafts- und Unternehmensethik beschäftigt sich zunehmend mit Nichtregierungsorganisationen (Non-Governmental Organizations, NGOs), mit den Beziehungen zwischen Unternehmen und NGOs sowie mit der gesellschaftlichen Advocacy-Funktion von NGOs als Interessenvertretung marginalisierter Gruppen. Allerdings fehlt es bisher an Ansätzen, wie die kollektive Glaubwürdigkeit des zivilgesellschaftlichen Sektors durch eine qualitative Verbesserung der Diskursbeiträge von NGOs gefördert werden kann. Um diese Lücke zu füllen, entwickeln wir konzeptionelle Reformüberlegungen, die auf der Governance-Ebene ansetzen, um die Glaubwürdigkeit („Accountability“) von NGOs zu erhöhen. Basierend auf der Unterscheidung, ob die Glaubwürdigkeit von NGOs den Charakter eines privaten oder eines öffentlichen Gutes aufweist, können wir zeigen, dass eine ‚semantische Verwirrung‘ funktionale Lösungsansätze zur Stärkung der kollektiven Glaubwürdigkeit des zivilgesellschaftlichen Sektors erschwert. Wir verdeutlichen die praktische Relevanz unserer Argumentation an Hand einer Fallstudie der weltweiten Governance-Initiative „INGO-Accountability Charter“ und werten hierzu fünf Experteninterviews mit Repräsentanten von Mitgliedsorganisationen aus.

Schlüsselbegriffe: *Business-NGO-Beziehungen, NGO Accountability, Öffentliche Diskurse, Governance, Ordonomik*

Abstract

Though research in the field of business and society is increasingly involved with the sector of Non-Governmental Organizations (NGOs) and their advocacy function, in particular in relation to business corporations, the literature remains largely silent on how feasible reforms can help establish public trust in and credibility of NGOs by improving the quality and reliability of their contributions to real-life public discourses. In an effort to fill this gap, we argue that fostering the collective credibility of NGO advocacy requires focusing on the level of *governance* of NGO accountability. Based on a fundamental conceptual distinction between a private-goods dimension and a public-goods dimension of NGO accountability, we can show that semantic confusion can complicate functional solutions to establish collective NGO credibility and public trust. We illustrate our argument with a case study of a worldwide governance initiative in this sector, the „INGO-Accountability Charter“, including qualitative-empirical results on five expert interviews with representatives of NGO member organizations.

Key Words: *Business-NGO Relations, NGO Accountability, Public Discourse, Governance, Ordonomics*

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Introduction

Traditionally, non-governmental organizations (henceforth: NGOs) are perceived as critics of society, calling for reforms to correct maldevelopments, especially in business and politics. However, recent decades have witnessed NGOs to become themselves the object of fundamental criticism. This criticism is not only expressed with regard to the embezzlement of donor funds, corruption, sexual harassment or child abuse (Gibelman and Gelman 2001), but increasingly also to a deception of the public in NGO advocacy activities (Pies and Will 2014).

Research in the field of business and society, business ethics and management science is increasingly involved with NGO activism, including a lively debate about the relation of NGOs to the larger society, also in relation to corporations (cf., for an overview Kourula and Laasonen 2010). Though business and society scholars deserve merit for putting NGO advocacy high on the agenda of academic discussions, research in this field remains largely silent on how feasible structural reforms can help establish public trust in and credibility of NGOs by improving the quality and reliability of their contributions to real-life public discourses.

Against this backdrop, the article's main claim is that improving the quality of NGO contributions to public discourses requires focusing on the level of governance of NGO accountability. Based on a fundamental conceptual distinction between a private-goods dimension and a public-goods dimension of accountability for NGO advocacy, we can show that semantic confusion can complicate functional solutions to maintain collective NGO credibility and public trust.

We develop this argument in four steps: Step one (section 1) reviews the business and society literature on NGO advocacy. Here, we show that the literature has a blind spot in the rules of the game of (public) discourse, which negatively affects feasible governance reforms that help improve the incentive structures discourse participants face in the political and public arena. Step two (section 2) provides a governance perspective on NGO advocacy. Here, we develop the basic conceptual distinction between a private-goods dimension and a public-goods dimension of NGO accountability, each requiring fundamentally different governance mechanisms for solving relevant problems. Step three (section 3) presents a case study of the „INGO-Accountability Charter“ as the worldwide most ambitious self-regulation initiative to improve governance procedures in the sector of civil society. Here, we document and explain the qualitative-empirical results of five expert interviews among NGOs participating in the INGO Accountability Charter, revealing that a semantic confusion complicates a governance solution required to maintain collective NGO credibility and public trust. Step four (section 4) concludes and summarizes our contributions to the academic literature and to improving NGO practice.

1. Review: NGO Advocacy in the literature on business and society

In recent years, research in the field of business and society, business ethics and management science is increasingly involved with NGOs (for an overview cf. Kourula and Laasonen 2010). One of the major reasons is surely the growing importance of NGO activism for corporate value creation and corporate success, especially in the fields of climate change, energy and water supply, labor and health standards, food security or poverty alleviation (cf. Valentinov et al. 2013). Yet business-relevant NGO activities are not confined to NGO-business partnerships (Baur and Schmitz 2012), for example in multi-stakeholder initiatives in which NGOs provide advice and other services such as monitoring or project delivery (Zeyen et al. 2014). They also include public advocacy functions (henceforth: NGO advocacy). This means that NGOs provide a voice for societal and environmental interests which otherwise would remain only insufficiently represented or even unheard in political or public discourses.

Reviewing NGO-related research contributions to the field of business and society, we conclude that the literature features a gap in the governance aspects of NGO contributions to public discourses (NGO advocacy), in particular related to the problem of establishing collective credibility and public trust.¹ We hold this gap to be a serious shortcoming of current research because it constitutes a major obstacle for a more constructive public role of NGOs, also in relation to business corporations. We illustrate this gap in the following three steps: First ((1)), we review the contributions provided by proponents of deliberative democracy. Second ((2)), we analyze the literature that has criticized this deliberative notion of NGO activism, including both the rational-choice and the empirical literature on deliberative action. Third ((3)), we identify a research gap with regard to the institutional governance of NGO advocacy, i.e. the need for regulation and self-regulation of NGOs.

((1)) Among others, scholars of deliberative democracy deserve merit for putting NGO advocacy high on the agenda of academic discussions in the field of business and society, business ethics and management sciences (cf., e.g., Palazzo and Scherer 2006, Baur and Palazzo 2011, Baur and Arenas 2012, Baur and Schmitz 2012, Scherer et al. 2012, Mena and Palazzo 2012, Baur and Arenas, 2014). Based on the Habermasian concept of deliberative democracy (Habermas, 1996), deliberative scholars conceptualize civil society organizations as counterparts of business organizations. In this literature, NGOs are viewed as organizations capable of restricting the power exhibited by profit-oriented companies, thereby contributing to the legitimacy of corporate action (Palazzo and Scherer, 2006). As a prominent example, Scherer et al. (2013, p. 495) argue:

“Deliberative democracy is conceptualized as a set of procedural rules aiming at controlling administrative power through discursive processes with civil society [...]. Applied to organizations, potentially autocratic decision making by one particular group (managers or shareholders) is replaced by broad democratic deliberation, avoiding unfair outcomes and safeguarding the legitimacy of corporate action by moral discourse”.

¹ In an often-cited meta-study, Kourula and Laasonen (2010) review almost a hundred NGO-related articles in the literature on business and society, management and international relations. Yet, they could find no article focusing on the governance problem to maintain collective credibility and public trust in NGO advocacy, let alone could they form a distinct category for this in their investigations, which consist of “(a) Activism and NGO influence, (b) dyadic partnership (NGO–business), (c) cross-sector partnership (NGO–business–government), (d) global governance and standardization, (e) national-level governance, and (f) stakeholder management.” (Kourula and Laasonen 2010, p. 35 and 41, table 2).

Seen from the perspective of deliberative democracy, civil society organizations differ fundamentally from corporations with respect to the distinct form of organizational behavior. While companies are primarily seen as rational actors using the force of strategic action, NGOs are conceptualized as actors who follow a communicative logic. According to Habermas (1976, p. 32 et passim), strategic action can be distinguished from communicative action by differentiating between two action logics whose underlying means-end scheme is appreciably different. Strategic action follows a competitive logic of rational antagonists who aim at influencing (or even manipulating) their opponents. Habermas (1976, p. 117) puts it the following way:

“I shall speak of strategic action in the case of competing opponents insofar as they are determined by the intention of influencing each other's decisions in a purposive-rational way, that is, in a way oriented only to each's own success.”

On the other hand, communicative action refers to the shared norms of reciprocity in the speech action, which comply with universal rules such as truth, correctness, and truthfulness. Habermas (1976; p. 2-3, italics in original) spells out:

“I shall develop the thesis that anyone acting communicatively must, in performing any speech action, raise universal validity claims and suppose that they can be vindicated. Insofar as he wants to participate in a process of reaching understanding, he cannot avoid raising the following—and indeed precisely the following—validity claims: a) *uttering* something understandably; b) giving *something* to understand; c) making *himself* thereby understandable; and d) coming to an understanding *with another person*.”

Following Habermas' distinction between a strategic and a communicative logic, Palazzo (2002; p. 62) elaborates on the assignment of organizations to the two distinct societal spheres—“system” and “lebenswelt.” While corporations follow strategic rationality and, thus, form part of the system, civil society organizations unequivocally belong to the sphere of communicative logic in the lebenswelt. In addition, Palazzo makes it quite clear that there is no way to see corporations as part of the communicative logic of the lebenswelt.

When spelling out the distinct role of NGOs in the “lebenswelt” in more detail, Baur and Palazzo (2011, p. 539) highlight the potential of civil society organizations to be the “representatives of the common good.” To realize their (full) potential, however, NGOs choose “consensual over conflict-oriented behavior,” with consensual behavior referring to the “primary intention ... to achieve mutual understanding and, if possible, mutual agreement”. In contrast, the authors view bargaining as a conflict-laden process “which actors enter with the goal of promoting their self-interests” (Baur and Palazzo 2011, p. 594). They thus hold the view that NGOs typically follow the “ideal typical discursive behavior” and that therefore NGOs are, in principle, willing to “argumentatively clarify [their] claims and to prove that [their] demands are not grounded in particular interests but rather in public interests” (Baur and Palazzo 2011, p. 591).

The approach of deliberative democracy views NGOs as organizations that strictly follow a communicative logic. In regard of real-life practice, however, deliberative scholars are well aware of NGOs performing acts motivated entirely by their organizational self-interest, thus contradicting the ideal action type of the lebenswelt. To counter such empirical objections, Baur and Palazzo (2011) develop an argumentative strategy in four steps:

First, Baur and Palazzo (2011, p. 582) restrict the scope of theory application, which results in the logic of communicative action not to be applied to all *actions* of NGOs but only to the *claims* NGOs raise, e.g., against corporate misbehavior. The scholars emphasize:

“We do not want to argue that NGOs do not have particular interests. A watchdog NGO might, for instance, get more donations as the result of a spectacular campaign against a corporation. However,

our interest here is their legitimacy as partners with regards to universal claims they raise when they target corporations. In this context, NGOs perceive themselves as agents of social transformation which address injustices created by the economic system and corporations as its dominant actors. Therefore, their claims are of a clearly normative kind.”

Second, the criterion for measuring the legitimacy of a specific NGO claim is the universality of its content. Baur and Palazzo (2011, p. 588) explain:

“Substantive definitions of legitimate NGOs judge the content of the mission an NGO represents. However, defining a legitimate NGO depending on its mission is a very delicate task. What norms should guide such a judgment? As we have argued, NGOs do often claim to represent universal values. Thus, one substantive criterion for judging the legitimacy of an NGO's claim relates to the universality of the claim.”

However, adequately judging the universality of a specific NGO claim based on its content might be a difficult task in practice. Therefore, in a third step Baur and Palazzo (2011, p. 588) recognize that the universality criterion is by its very nature equivocal:

“Yet, [...] it is very difficult to think of substantive guidelines that hold NGOs accountable for serving the public good Substantive criteria are thus not an appropriate measure for unequivocally capturing the specific moral legitimacy of NGOs.”

Although Baur and Palazzo (2011, p. 595) believe that procedural criteria are better suited to determine the legitimacy of NGO's normative claims, they do not follow this line of argumentation. Instead, in their fourth step they look out for criteria capable of maintaining the legitimacy of non-discursive, i.e. strategic, NGO behavior. Remarkably, Baur and Palazzo (2011, p. 592) conceptualize strategic action as an *ultima ratio* behavior of NGOs:

“As a rough guideline, one could thus state that a legitimate partner NGO only exercises non-discursive behaviour as 'ultima ratio.' With respect to their behavior towards companies this means: if companies are absolutely unwilling to enter a dialogue with NGOs or if they base their whole interaction on power, NGOs are allowed to leave the path of deliberation and deploy not discursive methods without losing their moral legitimacy.”

((2)) The approach of deliberative democracy is subject to vital criticism, particularly from (a) rational-choice theory and (b) empirical (deliberation) research. This critical literature explicitly or implicitly focuses on the deliberative notion of NGO advocacy, and it provides disillusioning results with regard to the prospects of implementing deliberative ideals of NGO activity into real-life practice.

(a) Rational-choice scholars paint a particularly bleak picture of the hopes to realize the normative ideals of deliberative democracy in real-life practice. According to e.g. Pincione and Tesón (2006, pp. 14, 18), the idea to cure the sclerotic symptoms of modern democracies with ever-amplified political deliberation is illusionary *a priori*. In fact, rational-choice scholars fear that a general amplification of political deliberation will inevitably result in *discourse failure* due to the incentive structures discourse participants, including civil society organizations, face in the political arena of modern democracies (Pincione and Tesón 2006, p. 18).

According to Pincione and Tesón (2006, pp. 13-21), three factors contribute to discourse failure: (i) the rational ignorance of the general public in most societally relevant issues, (ii) the posturing of politicians and (iii) the existence of wide redistributive state powers governed by majority rule. Pincione und Tesón (2006, p. 18) elaborate on the idea of discourse failure as follows:

“Discourse failure ... results from the combination of the incentive of politicians and lobbyists to spread inaccurate views, the high cost for members of the public to check the credentials of easily available views and the possibility for politicians to access the redistributive apparatus of the modern state.”

Pincione und Tesón (2006, p. 17) use the notion of “*discourse failure*” as a generic term denoting the public display of political positions that are traceable to truth-insensitive processes,” with truth-insensitivity referring to a process “that disregards the best available reason, understood as those that define the status quo in the relevant reliable scholarly disciplines.” The media, however, is part of the problem as citizens’ rational ignorance leads not only political actors but also the media to “feed the public with deficient information” that “fits vivid theories that the public holds by default” (Pincione und Tesón 2006, pp. 84 and 86). In sum, their argument sheds light on the threat that political actors and lobbyists can easily manipulate public discourses to gain private benefits at the expense of the larger society. Thus, they also believe that only a radical reduction of options for politicians and pressure groups alike to extract economic rents at the expense of the general public will prevent discourse failure. As a result, their analysis culminates in a proposal of “enlarging markets and reducing politics”, including the radical idea to drop the mechanisms of redistribution in modern democracies altogether (Pincione und Tesón, 2006, p. viii).

Though Pincione and Tesón’s (2006) analysis clearly focuses on a different problem, primarily addressing political actors such as politicians or lobbyists, we believe that their discourse failure approach nevertheless has a lot to offer for the debate on the public role of NGOs. More specifically, we argue that Pincione and Tesón’s (2006) criticism serves as a theoretical warning against the hopes that NGOs are, by definition, pure promoters of the common good. Three arguments are particularly important:

- When participating in public discourses, civil society actors face pretty much the same incentive structures as politicians or lobbyists. Also NGOs are confronted with rationally ignorant citizens who do not refrain from political judgment and who are, therefore, likely to form simple and potentially mistaken beliefs at low cost.
- Thus, quite similar to politicians and lobbyists, NGOs might also be tempted to spread spurious political views that fit well with the ideological tendencies that are popular among citizens. This means that NGOs might use so-called “white lies” (Erat and Gneezy 2012) that unintentionally lead to discourse failure (Will and Pies 2014), resulting in private organizational benefits for NGOs, including benefits for their followers and donors, at the expense of society at large.
- In addition, NGOs might intentionally take advantage of citizens’ tendency to misdiagnose social problems. In this case, they consciously try to manipulate public discourses with the aim of gaining private organizational benefits, including benefits for their followers and donors, at the expense of society at large.
- Viewed from a rational-choice perspective, strategic, manipulative behavior of NGOs in public discourses might not be the exception from the rule or an “ultima ratio” strategy. Instead, it is expected to be a phenomenon of everyday life. Given a deficient institutional order, which provides adverse incentives for all discourse participants, even NGOs will have difficulty in complying with the standard of always telling the truth.

(b) If one takes a rational-choice perspective, it does not come as a surprise that real-life (public) discourses do not seem to work as presumed (or hoped) by deliberative scholars (cf., e.g., Röttger 2014, Fuchs 2014). In contrast, available empirical evidence seems to fit much better with the predictions of rational-choice critics.

Empirical scholars face difficulties to operationalize the ambitious concept of deliberative democracy for empirical research (Fuchs 2014, p. 198). One of the problems is that *arguing* is difficult to distinguish from *bargaining* in real-life discourses

(Holzinger 2001), because, as Bächtiger and Tschentscher (2007, p. 8) put it quite vividly, researchers would need to be able to read people's minds to get a definite idea of whether speakers really say what they mean. Even Habermas (2007, p. 421) acknowledges that the attitude of discourse participants is opaque in general.

Despite these difficulties, empirical deliberation research developed a sophisticated indicator—the “discursive quality index (DQI)” (Steenberg et. al 2003)—to measure the quality real-life discourses, transforming the ideals of Habermasian discourse into four dimensions of discourse quality (cf. Bächtiger and Tschentscher 2007): (i) rationality of reasoning, (ii) common good orientation, (iii) respect for other discourse participants, and (iv) constructive (policy) proposals. Based on this operationalization, empirical research on the discursive quality of real-life deliberation yields the following results:

- In a comparative empirical study, Bächtiger and Tschentscher (2007, p. 15) analyze institutionalized political discourses (i.e. plenary and committee debates in parliaments on the federal, regional or municipal level) in Switzerland, Great Britain, Germany and the United States. However, the evidence provided here is mixed: While political debates on federal and regional levels yield low DQI-levels in all countries, high DQI-levels are only reported for Switzerland, and only on a municipal level.
- Research on deliberation in business-NGO interactions is primarily based on case study research. Analyzing the famous case of Greenpeace's campaign against Shell's decision to sink the oil storage platform Brent Spar in the Atlantic Ocean, Klaus (2009, p. 63) documents a low DQI-level for Greenpeace's discursive behavior. On a municipal level, Holzinger's (2001) case study of a mediation process in the run-up to the construction of a waste incineration plant in Germany (Neuss, North Rhine-Westphalia) reports equally low levels of discourse quality.
- High DQI-levels are only reported in the artificial institutional setting of academic research. As an example, Fishkin (1995) as well as Sunstein (2003) show that citizen's consultations in the context of academic field experiments yield high DQI-levels.

Empirical research provides an even poorer image of the *discursive quality of public media debates*. In analogy to Pincione and Tesón (2006), the sociology of mass media analyzes the stage-like construction of public reality as resulting from strategic action of rational media entrepreneurs competing for public attention (Röttger et. al. 2009). Two recent studies seem to confirm this picture as they reveal a media bias leading to low discourse quality in public policy debates:

- Swinnen (2011) as well as Swinnen et al. (2011) argue that a media bias puts NGOs under pressure to take up striking and, in particular, negative news that fit well with the perception patterns of average citizens. The authors document grossly oversimplified and therefore misleading NGO contributions to international debates on food security: In the years before 2006, Swinnen (2011, p. 1) observes among NGOs a “widely shared view ... that low food prices were a curse to developing countries.” In 2006–2008 food prices rose sharply and altered the main political message NGOs communicated the general public. Swinnen (2011, p. 1) observes that a “majority of analyses and reports in 2008 and 2009 state that high food prices have a devastating effect on developing countries”.
- A more recent study seems to confirm the significance of power in competitive media debates. In a systematic print media analysis, Marx (2014, p. 49) reveals the media debate on global food security in Germany in the period 2007 – 2013

to be dominated by only a few NGOs from the global north including, e.g., Welthungerhilfe (German Agro Action), OXFAM, FIAN and Misereor, while voices of the global south—i.e. those advocating the people negatively affected by food insecurity—have been rarely represented in the print media.

In sum, empirical research provides at best mixed evidence on the discourse quality of real-life deliberation. By far most studies report on low levels of discourse quality, whereas high levels have only been reported in particular, highly institutionalized settings such as in non-public city council consultations in Switzerland or in academic contexts.

((3)) Against this backdrop, the literature reviewed in this section reveals a symmetric, yet reversed problem. On the one hand, the deliberative approach to NGO activism provides an ambitious normative analysis. Yet this normative analysis remains weak when it comes to proposals for improving the quality of real-life discourses with participating NGOs, because in this literature positive theory and empirical conditions only play a subordinate role. To reduce the gatekeeping power, manipulation and competition in mass media discourses, Habermas (1992, pp. 45, and 455-457) focuses on professional codes of ethics in media practice and on the curative effects of disruptive, attention mobilizing events², while Palazzo and Scherer (2006, p. 30) are placing their hopes on the “internet with its democratizing effect.” Yet other authors remain generally skeptical about the prospects of successfully *regulating* NGO advocacy (cf. Baur and Palazzo 2011). Baur and Arenas (2014, p. 13) go a step further and praise the romantic ideal of an “unorganized, wild public sphere,” in which there is no “parliamentarian (nor quasi-parliamentarian) decision-making institution” and therefore a lack of “democratic governance structures.” In line with the critical strand of deliberative democracy (cf., e.g., Grodnik 2005, p. 398), Baur and Arenas (2014, p. 13) even seem to believe that unregulated discourses are “free from organizational corruption, compulsion, and power relations,” and are, thus, “better equipped to make social diagnoses that are rational and perspicacious.” Indeed, this is a remarkable statement in light of the results of empirical research, which tell quite another story and lead to the insight that deliberation, if at all, seems to work better in institutionalized settings.³

On the other hand, rational-choice scholars such as Pincione and Tesón (2006) provide a powerful positive analysis, whose application to NGO participation in public discourses seems to be much more in line with empirical results. Yet, for obvious reasons, their approach remains weak on the level of normative analysis when it comes to proposals to improve the quality of real-life discourses. Though Pincione und Tesón (2006, p. 183) acknowledge that deliberation can be a valuable practice—albeit, they think, not in the institutional setting of majority rule and redistributive power—, their policy recommendation to cut back the redistributive power of democratic states is neither realistic nor effective. What is missing here is an institutional reform proposal that effectively addresses the problem of enhancing public discourse, especially by improving the quality and reliability of NGO contributions.

² One must see clearly, however, that Habermas (1992, p. 45, and 455-457) is primarily concerned about the manipulating effects exercised by media players. According to Habermas, it is the media that distorts the quality of discourses, not civil society. According to his understanding, power in mass media prevents the common-good-orientation of civil society from coming into full effect.

³ Even more surprisingly, Baur and Arenas (2014, p. 13) view the “exchange between an NGO and a corporation ... in the conflict between Greenpeace and Shell on the sinking of the oil platform Brent Spar” as a „prototypical example ... for the unorganized, ‘wild’ public sphere,“ apparently ignoring the devastating quality of Greenpeace’s discourse contributions as documented by empirical research (cf. Klaus 2009).

Against this backdrop, our literature review underscores that both the deliberative and the rational-choice perspective have a blind spot with regard to the rules of the game of (public) discourse. What is missing in these literatures is a perspective that systematically focuses the level of discourse governance, and which provides orientation for reforms capable of improving the incentive structures discourse participants face in the political and public arena. We will present such a governance perspective in the following section.

II. Self-Regulation to Improve Civil Society Advocacy: A Governance Perspective

As shown above, the rational-choice literature on political deliberation provides no elaborate guidance on how to overcome discourse failure in real-life practice. Nevertheless, it can be interpreted as paving the way for functional reforms. Yet doing so requires a governance perspective such as that developed by Williamson (2009; p. 456) who argues that „governance is the means by which to infuse order, thereby to mitigate conflict and realize mutual gain.“

Taking a governance perspective allows reinterpreting Pincione und Tesón's (2006, p. 187) criticism that the deliberative claim of “sincerity would not be necessary if the social rules for acceptance or rejection of positions were truth-sensitive....” In light of a governance perspective, their argument reads as a plea for institutional reforms to overcome interaction problems, emphasizing that changing the “social rules” of (public) discourses could help improve the incentives for discourse participants to engage in responsible advocacy. Governance reforms, however, need not to be externally imposed upon NGOs (e.g. by state law), but can also evolve as a form of voluntary self-regulation from within civil society, which is an argument well appreciated in NGO practice (cf. Hammer et al. 2010, p. 4).

In recent years, the literature on business ethics, business and society as well as management sciences has witnessed a variety of rational-choice based contributions to the debate on corporate citizenship, tri-sectoral partnerships, and the political role of corporations, which analyze the societal role of business firms from an “ordonomic” governance perspective (cf. Hielscher et al. 2014; Pies et al. 2009, 2010, 2014). In this paper, we take this “ordonomic research program”, and in particular its idea of self-regulation, as the conceptual basis for our governance, which we apply to the distinct interaction problems in civil society advocacy (for an ordonomic approach to NGO advocacy cf. Valentinov et al. 2012, 2015).

In an effort to identify the governance problems of civil society advocacy, we, first ((1)) review the governance challenges in the civil society sector that the literature discusses under the notion of “NGO accountability.” Second ((2)), following the rational-choice perspective of “ordonomics”, we reconstruct the interaction problems in civil society as a two distinct problems of NGO accountability. In particular, we distinguish a private-good aspect and a public-good aspect of NGO accountability.

((1)) The literature on public administration discusses the governance problems in civil society primarily under the notion of NGO accountability. The primary focus is on those civil society organizations that exhibit an influence on political discourses, especially on a global level, and which, thus, have a potential to contribute to the “democratic validity of governance” (cf. Crack 2011, p. 3). In this literature, accountability is understood as a “principle of reciprocity,” which suggest that NGOs “actively respond to feedback from all concerned parties” (Crack 2011, p. 16; cf. also Slim 2002).

The specific interest of the literature on NGO accountability can be explained by the global development of civil society within the last 25 years. In the beginning of 1990s, international NGOs (INGOs) increasingly became the object of criticism for mismanagement, questionable practices in fundraising, and also for corruptive behavior and misinformation of the general public (Cavill und Sohail 2007, p. 233; Crack 2011, p. 5). Yet, the resulting legitimacy crisis was only one reason for an increasing demand for ‘stronger’ NGO accountability. Another reason can be seen in NGOs becoming increasingly powerful actors in criticizing the accountability of political actors and business firms (Hortsch 2010, p. 129), thereby influencing public discourse via agenda setting (Hammer et al. 2010, p. 1). Not surprisingly, NGOs experienced a serious criticism of their own conduct, leading to public questions regarding their own accountability.⁴ Thus, first wave NGO accountability can be interpreted as a defensive strategy (Crack 2013, p. 813).⁵

Against this backdrop, Crack (2011, p. 12) distinguishes three “waves” of INGO accountability: (i) The first wave (“accountability for good governance”) served the “strategic needs to placate governments and donors to protect their autonomy from external regulation and maintain their funding base“ (Crack 2013, p. 813), using monitoring mechanisms that had been successfully tested and implemented in the private sector. INGO Accountability thus focused primarily on professional management, compliance and transparency with respect to donation and funding, addressing primarily donors, political authorities and commissioning agents as stakeholders (Crack 2011, p. 12). (ii) The second wave (“accountability to mission”) focused INGO accountability as an encompassing communication strategy to satisfy the demands and needs of a larger stakeholder environment, including NGO personnel and “primary stakeholders”, i.e. the beneficiaries of NGO advocacy (Crack 2013, p. 816). Thus, in addition to complying with accountability standards, the second wave puts an emphasis on organizational procedures capable of securing the organization’s integrity to deliver its mission (Cavill and Sohail 2007, p. 234). (iii) For the third wave of accountability still to come, the literature identifies a need for NGOs to “foster an accountability culture based on *deep critical self-reflection* about the extent to which the organisation’s practices are congruent with the mission; and to promote *transformation in discourse and behaviour* accordingly” (Crack 2011, p. 13).

((2)) The development of NGO accountability reveals two distinct types of interaction problems. In the first interaction problem, NGO accountability assumes the form of a private good. In the second interaction problem, however, NGO accountability assumes a public goods character. Following the rational-choice perspective of “ordonomics” as developed by Pies et al. (2009, p. 385 et seq.), we reconstruct both interaction problems as two distinct forms of social dilemma situations, which require distinctively different governance mechanisms—i.e. in ordonomic terms, adequate commitments—as a solution.

(a) *NGO accountability as a private good*: The first problem can be interpreted as a vertical relationship between an NGO and its stakeholders such as donors, government bodies, commissioning agents, NGO staff or beneficiaries. In this interaction, NGO

⁴ Interestingly, “One World Trust” concluded in a study that many organizations that had been criticized over the years by leading INGOs such as the Worldbank, the IMF or Royal Dutch Shell could prove a higher level of accountability than INGOs such as Greenpeace or various fair-trade-label organizations (Crack 2011, p. 1).

⁵ Crack (2013, p. 813): “This reactive approach may appear to promote organizational survival, but it paradoxically undermines the most important component of INGO accountability: the primacy of those closest to their mission.”

accountability assumes the form of a private good if being accountable towards stakeholders yields private (i.e. rival and excludable) benefits for NGOs. These private benefits result from stakeholders' specific investments (Williamson 1985), and these stakeholders expect NGO accountability in return: Donors invest valuable funds and demand transparency about their expenditure; government bodies grant tax exemption privileges to NGOs but impose restriction on political activities in return; external agents commission an NGO to carry out a specific project and require evidence of performance; personnel and member organizations invest their personal or organizational integrity and demand delivery of mission; and beneficiaries allow NGOs to advocate their interests and require that NGOs do accordingly (Crack 2011, p. 7 et seq.).

Following Pies et al.'s (2009, p. 383 et seq.) game-theoretic rational-choice framework, the private-goods aspect of NGO accountability can be analyzed as a one-sided social dilemma between an NGO and a stakeholder, which is characterized by the possibility of asymmetric exploitation. We refer to this dilemma as the "NGO accountability dilemma" (Figure 1a): The stakeholder can choose between the strategy to "invest" and "not to invest" into the interaction with the NGO. The NGO can choose between being "accountable" and "not being accountable," i.e. the NGO can decide whether to exploit or not to exploit the investment made by the stakeholder. The ordinal pay-offs indicate the result of each player's individual cost-benefit analysis, with high numbers representing a high net benefit (comprising both monetary and non-monetary terms).

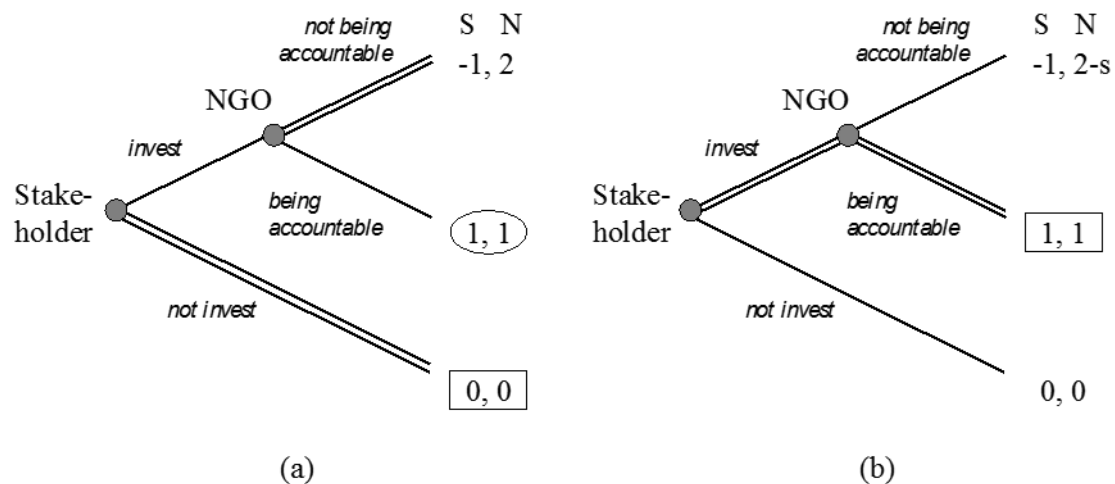


Figure 1: The NGO Accountability Dilemma

Assuming rational actors, this game can be solved by backward induction.⁶ If stakeholder invested specifically, it would be in the NGO's interest to not be accountable and to exploit the specific investment ($2 > 1$). Yet anticipating the NGO being unaccountable, the stakeholder will decide not to invest ($0 > -1$). This game leads to the equilibrium result (0,0), which is suboptimal for both players. Both could profit if the stakeholder invested and if the NGO did not exploit this investment, which would result in a Pareto-superior strategy combination (1,1). The actual outcome of this game is collectively self-damaging because both players would prefer (1,1) over (0,0).

⁶ When using the term "rationality," we refer to Gary Becker's (1992, p. 37, italics in original) understanding of the "economic approach to analyze social issues that range beyond those usually considered by economists." In his approach, actors "maximize welfare as they conceive it, whether they be selfish, altruistic, loyal, spiteful, or masochistic." – Yet the idea of self-interested NGOs is not alien to the literature on public administration.

Figure 1b assumes that the NGO employs a governance mechanism in form of a sanction, s , that is strong enough to support a credible commitment. The promise not to exploit the stakeholder's investment thus becomes trustworthy. The sanction is strong enough only if the strategy "not being accountable" loses its potential attractiveness, i.e. if the condition holds that $2 - s < 1$. As a consequence, the NGO will lose its interest in exploiting its stakeholder. Anticipating this change of incentives for the NGO, the stakeholder will go ahead with the investment. The new equilibrium (1,1) is Pareto-superior. Here, an individual self-binding commitment of the NGO is a win-win strategy.

The literature on public administration documents various forms of *individual* self-regulation that aim at governance reforms for the "NGO accountability dilemma." With regard to first wave reforms in NGO accountability, Crack (2011, p. 12) gives account of NGOs introducing self-commitment strategies vis-à-vis (i) donors to report annually on how NGOs used donors' funds, (ii) commissioning agents to report regularly on the progress of a commissioned project, and (iii) governance bodies to document that NGOs conform to the requirements of legal accountability.

Related sanctions—represented by " s " in Fig. 1b—are observed to be strong, ranging from the cancellation of future commissions, a complete withdrawal of funds as well as fines or the denial of a registered status as tax privileged NGOs (Crack 2011, p. 12).

Second wave governance mechanisms, especially their potential to effectively *sanction* NGOs misbehavior, seem to be much less effective. In regard of stakeholders such as member organizations and NGO personnel, second wave accountability inspired NGOs to institutionalize democratic procedures and organizational bodies, including "annual general meetings (AGM)" and board elections. From the governance perspective of ordonomics (Pies et al. 2009, p. 389), these mechanisms can be interpreted as functional self-binding commitments of managing directors with the aim of fulfilling the NGO's mission in accordance with the expectations of members and personnel. Yet, as in the case of the so-called "primary stakeholders," governance mechanisms such as social audits or "ALPS" (Accountability Learning and Planning System) perform a much weaker effect of sanctioning NGO misbehavior. Though providing third-party assessment and direct feedback of primary stakeholders, social audits and ALPs remain weak instruments for beneficiaries to effectively influence NGO accountability compared to the powerful sanctioning effect of market or political competition that supports consumers or voters to discipline companies or political actors (Ronald 2010, p. 181).

(b) *NGO accountability as a public good*: A reason for the weak sanctioning effect of second wave governance reforms is the public-goods character of NGO accountability. If NGO accountability assumes the form of a public good, it yields not only private, but also *public* (i.e. non-rival and non-excludable) benefits for others. As a general rule, one can argue that the public-goods character of NGO accountability is negatively correlated with the potential of stakeholders to effectively sanction NGO misrepresentation: For example, dissatisfied beneficiaries of the Christian Blind Mission (CBM) can stand up and declare publically that CBM not adequately represents their interests, thereby strongly affecting CBM's organizational interest of survival. Small farmers of the Global South, however, face much stronger difficulties to get their vital interests represented by NGO food security campaigns in the Global North. Even more serious is the situation with primary constituencies such as 'future generations' or 'endangered species' who are voiceless stakeholders unable to protest against NGO misrepresentation of their interests. Thus, if NGO advocacy is not supported by effective stakeholder sanctions, NGO credibility and integrity to deliver a generally desirable mission assumes the characteristics of a public good. However, individual citizens cannot be expected to solve the corresponding free-

riding problem among NGOs because they typically remain “rationally-ignorant” about these issues and, thus, will not provide effective governance assistance via sanctioning.

Following Pies et al.’s (2009, p. 383 et seq.) game-theoretic rational-choice framework, the public-goods aspect of NGO accountability can be analyzed as a many-sided social dilemma between NGOs, which is characterized by the possibility of symmetric exploitation among members of this sector. We refer to this horizontal interaction problem as the “NGO competition dilemma.”

Figure 2a serves to illustrate the underlying logic with the well-known case of the two-sided prisoners’ dilemma. Two NGOs (NGO 1 and NGO 2) each have the option to “engage in populist campaign” or to refrain from doing so and to lead a “responsible campaign” instead. Assume that, especially in light of a media bias that favors strident communication strategies, a single NGO’s populist campaign helps mobilize the scarce resource of public attention (and, thus, provides access to additional funding) by exaggerating or misrepresenting the needs of its distant beneficiaries or if it otherwise “feeds the spurious and mistaken beliefs” (Pincione and Tesón 2006, p. XX) of the general public. In contrast, assume that a responsible campaign would largely rely on “truth-sensitive” arguments that display the best available evidence in academic discourse to promote the NGO’s mission. The ordinal payoffs indicate how the strategy combinations are valued by each NGO individually. The number before the comma applies to NGO 1; the number after the comma to NGO 2 (Figure 2a).

Campaigning: ...?

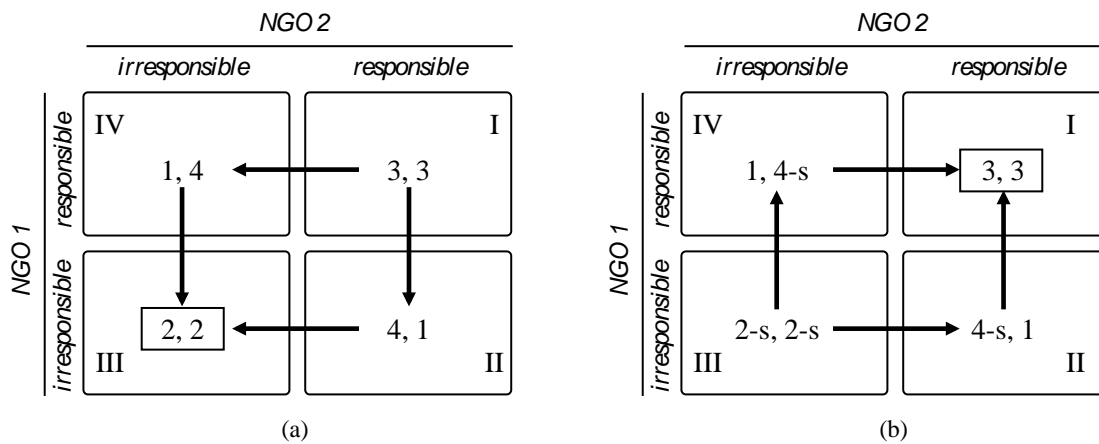


Figure 2: The NGO Competition Dilemma

Assuming rational NGOs, this game can easily be solved. In none of the four cases will the individual benefit calculus induce NGO 1 to engage in responsible campaigns: if NGO 2 leads a populist campaign, it is likewise beneficial for NGO 1 to do the same because, otherwise, it would gain less or even no public attention, with adverse effect for its mission (and its prospects for funding). A comparison between Boxes III and IV shows $2 > 1$. However, if NGO 2 invests in responsible campaigns, NGO 1 is again better off refusing responsible conduct, because populist campaigns yield a comparative advantage in public attention over NGO 2—a comparison between Boxes I and II shows $3 < 4$. As the same logic holds for NGO 2, it becomes obvious that the best strategy for both NGOs is to lead populist campaigns. Yet this strategy combination that results in Box III (Nash equilibrium) is Pareto-inferior compared to Box I. Both NGOs find themselves in a situation of collective self-damage: leading populist campaigns undermines the *collective* creditability and integrity—i.e. the reputational capital—of NGOs as a group in their

efforts to advocate the interests of marginalized groups and other voiceless stakeholders. In addition, it is important to note that NGOs do not intend to achieve this equilibrium; it rather evolves as a non-intended consequence of intentional behavior: It is a systemic result.

It is important to bear in mind that in a many-sided dilemma, an individual self-commitment can never solve the problem of collective self-damage. Starting from the status quo in Box III, a unilateral change of strategy by NGO 2 would lead to NGO 1's worst outcome: the payoff would decline from 2 to 1 (Box IV). Mutual betterment is only possible by shifting from Box III to Box I, which requires a collective self-commitment of both NGOs to simultaneously change strategies (Fig. 2b). A sanction, s , to punish populist campaigns will be effective if it is severe enough to make sure that $4 - s < 3$ and that $2 - s < 1$. Thus, only a *collective* commitment device can overcome the symmetric logic of the "NGO competition dilemma."

Both the literatures on public administration and on NGO practice provide (anecdotal) evidence that the "NGO competition dilemma" is perceived as a problem in NGO advocacy. Here, we only list a few of the references that can be found in the literature:

- Saxer (2009, p. 44) argues that NGOs face difficulties engaging in „rational campaigns for a better world,“ because communication strategies prove particularly successful if they fuel the fears of the public.
- To some extent, the public goods character of NGO accountability is reflected in Crack's (2011, p. 14) observation that NGOs are "fearful of adverse publicity and are tempted to conceal or sanitise evidence of poor performance This form of media management might accord with short-term, instrumental interests, but it nonetheless undermines long-term, strategic interests in enhancing efficiency and impact."
- In a similar vein, of the potential and "self-interest" of NGOs "to curtail the ability of people to speak for themselves" (Slim, 2002: 6) in an effort to survive and expand as an organization.
- Crack (2013, p. 120) documents a dimension of NGO competition related to the public-goods character of NGO accountability: "Ironically," she argues, "INGOs that shield their misdemeanours from the public gaze could profit in comparison with INGOs of greater integrity that are willing to brave the consequences of transparency."
- A former press secretary of Greenpeace Germany provides indirect evidence of competitive pressures on NGOs in the game for public attention. In complaining about what rational-choice scholars coin as "media bias", Koch (2009, pp. 109-110) calls for NGOs not to give in to the misleading Olympic motto of the media to be 'faster, higher, stronger' with regard to their campaign activities.

The literature on public administration only scarcely documents and analyzes *collective* forms of self-regulation that aim at governance reforms for the "NGO competition dilemma." With regard to second wave reforms in NGO accountability, Crack (2011, p. 12) gives account of governance mechanisms for improving "peer accountability" that seem to be directed towards introducing collective self-commitment to overcome problems of collective action among NGOs. By far the most ambitious self-regulation initiative for NGO governance surely is the "INGO Accountability Charter". Yet, with regard to third wave accountability, Crack (2011, p. 13) sees a strong need to "focus on strengthening the institutionalisation of dialogic and peer accountability." This is the focus with which we will scrutinize on the effectiveness of this governance initiative in the following chapter.

III. Case Study: The “INGO Accountability Charter” as a Self-Regulation Initiative

For various reasons, the “INGO Accountability Charter” (henceforth: INGO Charter) is a unique and valuable object for qualitative case study research in NGO governance. First, the initiative was founded by a group of worldwide leading international NGOs. Second, its aim is to develop a global, cross-sectoral as well as encompassing framework for INGOs. Thus, third, the INGO-Charter is clearly the most ambitious and progressive self-regulation initiative worldwide, including an impressive set of governance instruments to ensure compliance with the INGO Charter’s framework. In this section, we will ((1)) shortly present the history and the functioning of the INGO Charter as a governance initiative, present ((2)) the data and the ((3)) method underlying the qualitative case study, containing five semi-structured expert interviews with three member INGOs, one former member INGO and Charter’s secretary, and ((4)), we will present and discuss the results of our analysis.

((1)) *History and Functioning*: The Foundation of the INGO Charter needs to be interpreted in the context of the global development of civil society. Like as the first wave of NGO accountability is seen to be a defensive reaction to NGO mismanagement (Crack 2013, p. 813),⁷ so also is the founding rationale of the INGO Charter rather a defensive approach. The idea was first expressed in 2003 during a workshop of the “International Advocacy Non-Governmental Organizations” (IANGOs) discussing INGO accountability and legitimacy. Finally in 2006, the leading INGOs founded the INGO Charter “as a response to increasing pressure – externally from media, businesses and governments as well as internally from the own organizations – for greater transparency, accountability and effectiveness” (INGO Accountability Charter 2014i). Then, in accordance with second wave reforms, the INGO Accountability Charter incorporated organizational learning processes in their mission-driven definition of accountability as a “process through which an organization actively creates, and formally structures, balanced relationships with its diverse stakeholders, empowering these to hold it to account over its decisions, activities and impacts, with a view to continuously improve the organization’s delivery against its mission” (INGO Accountability Charter 2014i, originally defined by One World Trust 2010, p. 30).

The INGO Charter as a self-regulation initiative specifically tailored to improve the *governance* of the civil society sector builds upon (a) ten principles of INGO accountability, (b) an organizational structure to implement these principles and (c) a complaint handling mechanism to improve the credibility of the member organizations’ accountability.

(a) *Principles and members*: By March 2015, the INGO Charter has 20 members that commit themselves to carry out their mission in accordance with 10 overarching principles, covering the fields of transparency, good governance and professional management (first wave of accountability). In addition, the 10 principles build an encompassing framework that also includes respect of human rights and responsibility towards the natural environment (INGO Accountability Charter 2014g).

(b) *Organizational structure*: The INGO Charter provides, inter alia, four organizational bodies (cf. Figure 3). During the Annual General Meeting (AGM), the Charter’s members elect a Board of Directors (BoD) which takes care of strategic planning and membership issues. The Secretary as the implementing body associated and

⁷ Crack (2013, p. 813): “This reactive approach may appear to promote organizational survival, but it paradoxically undermines the most important component of INGO accountability: the primacy of those closest to their mission.”

subordinated to the BoD has the function of administering strategic planning decisions and other tasks. In addition, the Secretary coordinates a review process of “Accountability Reports”, drafted yearly by member organizations and reviewed by the Independent Review Panel (IRP).

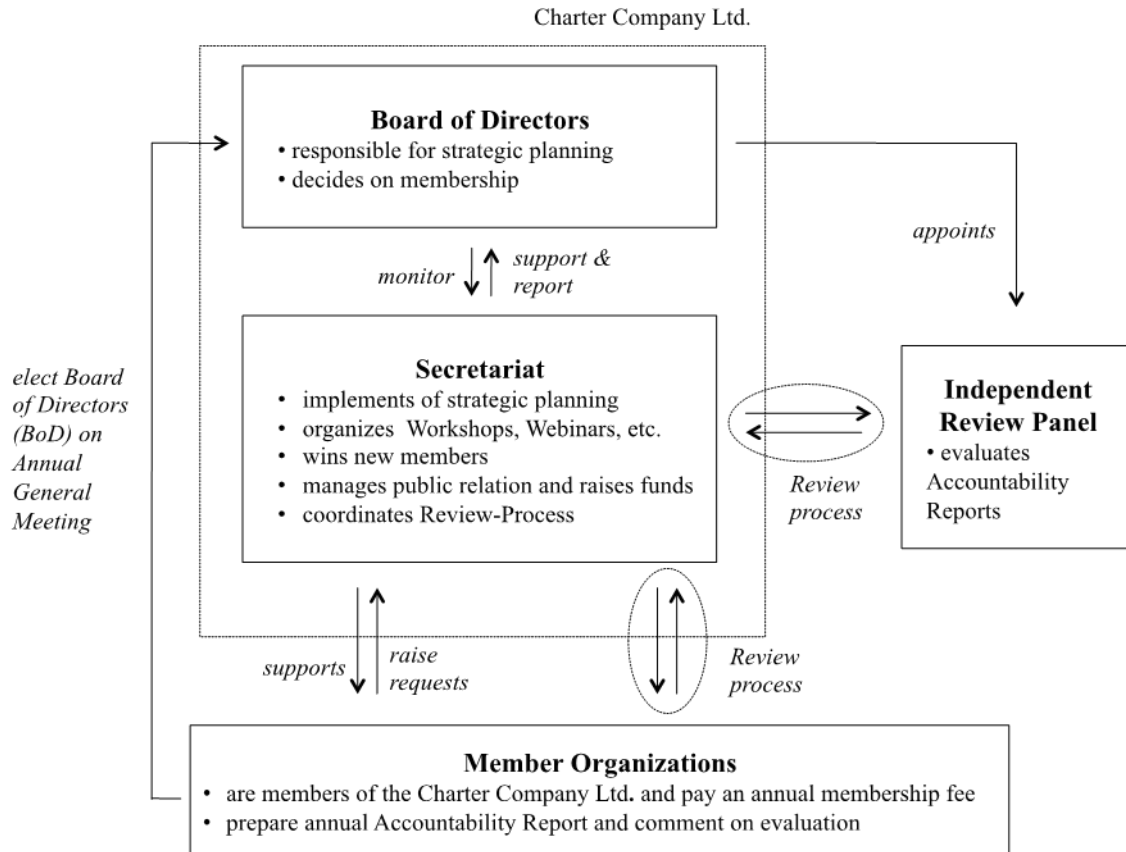


Figure 3: The Organizational Structure of the INGO Accountability Charter

By signing the INGO Charter, members commit themselves to report on compliance with the Charter’s principles, submitting an Accountability Report on an annual basis. The IRP is assigned by the BoD and consists of independent experts who evaluate the Accountability Reports. The assignment of the IRP to experts complies with specific quality standards, preventing conflicts of interest and strengthening the IRP’s autonomy and credibility. As an example, contractual relationships between an IRP member and an organization to be reviewed are a major reason to exclude the expert from the evaluation process (INGO Accountability Charter 2012a). The review process follows a formal procedure coordinated by the Secretary, including member organizations, the BoD and the IRP. After the IRP’s evaluation, member organizations may comment on the evaluation report. Both documents, are then published on the Charter’s website (INGO Accountability Charter 2014a-f).

The Accountability Report is formally structured according to the Global Reporting Initiative (GRI) NGO Sector Supplement 3.0 (Global Reporting Initiative 2014; INGO Accountability Charter 2014h, p. 1). The AR provide detailed information on the organization’s profile, its mission and its most important stakeholders as well as the INGO’s governance and organizational structure. In addition, member organizations are required to report on the effectiveness of measures as well on financial and human resources management, including a chapter exclusively addressing ethical fundraising and communication. In sum, the Accountability Report is characterized by a high degree

of formalization, including many qualitative and quantitative indicators (INGO Accountability Charter 2014h, p. 1).

(c) *Complaint handling mechanism*: By signing the INGO Charter, member organizations first commit to implementing a Complaint Handling Mechanism (CHM) as an organizational procedure of the member NGO to guaranty that complaints are handled according to a formal process. Second, the CHM is a service for external stakeholders whose complaints are not considered or even refused by member organizations. The CHM enables complainants to directly refer to INGO Charter, which then assigns the IRP to investigate into the member organization's compliance with the INGO Charter's principles. Besides publishing the investigation results on the INGO Charter's Website, the BoD can also impose additional sanctions against the member organization (with exclusion as a final step), if the IRP identifies a violation of the Charter's principles (INGO Accountability Charter 2012b, pp. 1–12).

((2)) *Data*: To achieve a deeper understanding of the INGO Charter's governance functions and the underlying interaction problems addressed, we conducted five semi-structural interviews with NGO leader experts, including three member NGOs, one former member NGO and the Charter's secretary (cf. Table 1). The telephone interviews lasted longer than 20 but no longer than 40 minutes. To create an open space for creativity and reflection, the interview guideline defined open questions in five topic areas to ensure a thematic focus, which were communicated beforehand: (i) NGO competition, including distinct levels of competition, (ii) reason and motivation for membership in the INGO Charter, (iii) functioning of the INGO Charter's governance structure, (iv) the INGO Charter's effects on members' internal organizational structure, and (5) possibilities and challenges for future development of the INGO Charter.

NGO Sector (Mission Focus)	Rank of Interviewee	Interview length/ Transcript Pages	Number of Text Units	Share of Text Units to Total Sample	Number of Keywords
Development	President	18 min/ 3 pages	26	12 %	119
Development and Poverty Reduction	National Director	42 min/ 8 pages	82	37 %	309
Environment	Deputy Secretary	19 min/ 3 pages	25	12 %	101
Finance and Environment	Chief Executive Officer	10 min/ 2 pages	15	7 %	80
Secretary of the INGO Accountability Charter	Coordinator	36 min/ 10 pages	69	32 %	262
-		$\Sigma = 125 \text{ min/}$ 26 pages	$\Sigma = 217$	$\Sigma = 100\%$	710 (no double counting)

Table 1: Interviews and Data Set: Overview

((3)) As a method for analyzing the interview data, we used the computer-based method GABEK[®] (German acronym for holistic analysis of complexity). GABEK[®] builds on the theory of linguistic form developed by the Austrian philosopher Zegler (2000), who follows Wittgenstein's hypothesis that the meaning of a word is defined by its use in speech practice (Wittgenstein 1967, p. 35). The advantage of GABEK[®] as a method of qualitative research is its ability to reconstruct the meaning of concepts by revealing connections between dominant semantics which co-occur in speech contexts (Zelger

2000). So far, this method has been successfully used to analyze speech contexts in qualitative-empirical management science (Mueller et al. 2011, Raich et al. 2012, Raich et al. 2014) as well as in qualitative-empirical (corporate) sustainability research (Hielscher and Will 2014, Hielscher et al. 2015, Will et al. 2015).

The method GABEK® is supported by the computer program Windows Relation Analysis (WinRelan®), and it guides qualitative research through three steps (cf. Hielscher and Will 2014, pp. 711 et seq.). We followed these guidelines accordingly:

- **Data structuring:** In the first step, we transcribed the interviews (leaving out the interviewee questions), and divided the resulting text sample into meaningful text units. The defining criterion for a meaningful text unit is exactly one meaningful message. On average, meaningful text units consist of two or three sentences. Table 1 shows that transcribing the expert interviews yielded between 2 and 10 pages per interview (in sum: 26 pages), with a total of 217 text units.
- **Data reduction:** In the second step, we encoded every text unit with keywords, yielding a total number of 710 keywords. Keywords are meta-linguistic components of texts. On average, each text unit is assigned six to nine keywords, and, taken together, all keywords should describe the underlying logic of the meaningful message. To remain as close as possible to the text, the process of coding is supported by WinRelan®, assuring that the results are reproducible by other researchers. In addition, one can choose new keywords to describe meaning, but such need be tagged specifically to differentiate them from original keywords.
- **Data display:** In the third step, we use WinRelan® to generate linguistic nets that reveal connections between keywords in the text sample. Initially, this is a purely statistical result because WinRelan® counts the number of text units on which two keywords appear together at the same time. For example, if a text passage states that “NGO accountability is an instrument to satisfy different stakeholder claims”, a linguistic net would show a connection between the keywords ‘NGO Accountability’ and ‘Stakeholder’ (symbolized by a solid line connecting both keywords). A linguistic net can be extended, however, by investigating into the connections between, e.g., the keyword ‘Stakeholder’ and other keywords such as ‘Donor’ or ‘Staff.’ By moving from keyword to keyword, one can read the linguistic net as the representation of a mental landscape, thereby disclosing patterns of argumentation and also implicit assumptions. Though observers can often contextualize the abstract relation between keywords correctly by intuition, it is still necessary and helpful to refer back to representative text units that exemplify how the interconnected keywords are used in the original text (Zelger 1999, Zelger and Oberprantacher 2002).
- In sum, GABEK can be seen as a valuable tool to understand how member NGOs understand the function of the INGO Charter, what purposes it serves from the viewpoint of member NGOs, and which problems they think the INGO Charter addresses successfully.

((4)) **Results:** Analyzing the interviews with the method GABEK® yields interesting insights into how NGOs define their role as advocates of their stakeholders, the complex net of accountability claims, and their understanding of competition among NGOs. In this section, we explain the results of our analysis in detail, presenting three linguistic nets of the keywords (a) ‘INGO Accountability,’ (b) ‘NGO Advocacy,’ and (c) ‘Competition

among NGOs'. In (d), we summarize our findings with a reference to the governance perspective developed earlier in section 2.

Fig. 4 represents a combined linguistic net of the keywords 'INGO accountability' and 'demand accountability from others' with a factor $n \geq 2$, indicating that, e.g., the keyword 'INGO Accountability' appears on at least two text units together with the keyword and 'develop in dialogue.' Thus, the linguistic net shows the connections of 'INGO Accountability' with all other keywords in our data set for $n \geq 2$.

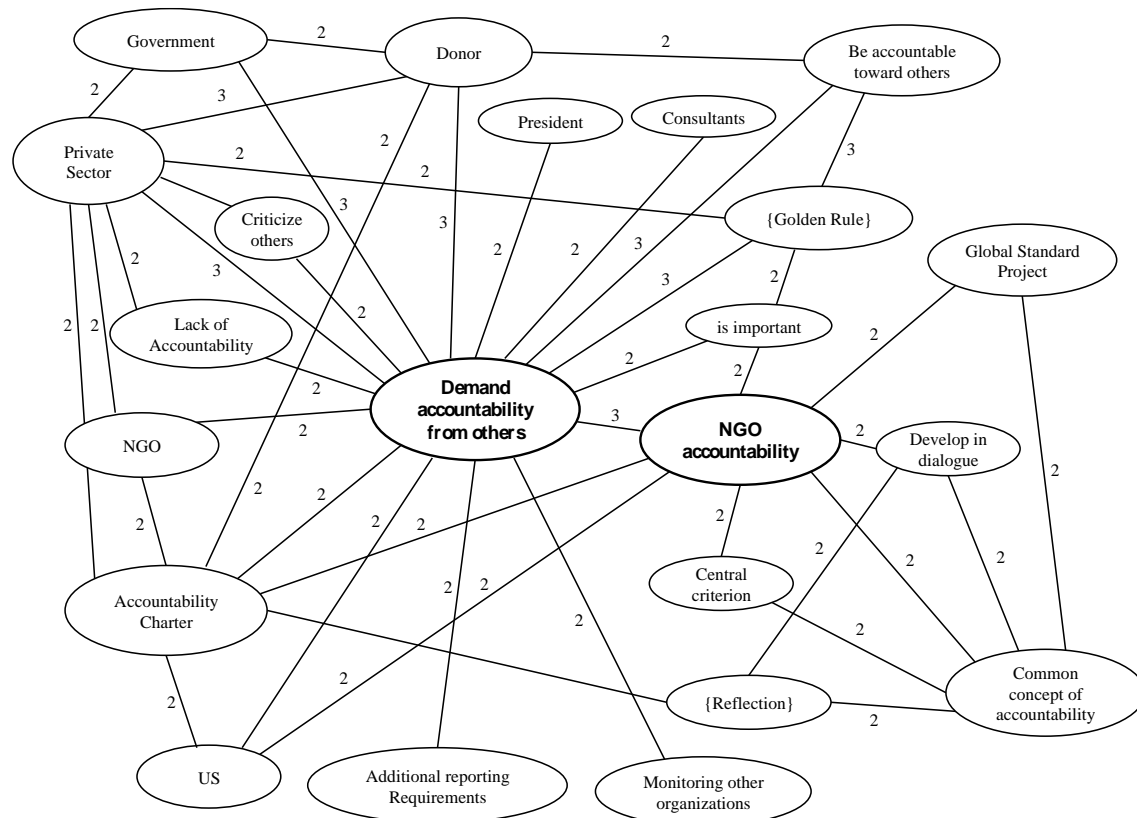


Figure 4: Linguistic Net of the Keyword "NGO Accountability"

Fig. 4 can generate the following insights, which they are of particular interest from a governance perspective on NGO accountability:

- The connections to the keywords 'demand accountability from others' and 'be accountable toward others' reveal that NGO experts face stakeholders such as public donors of private companies that raise reciprocal accountability demands of NGOs. We refer to this often-expressed principle of reciprocity as the 'golden rule' of accountability, which we added as a keyword to the text units, and which seems to help NGOs to legitimate their claims in public discourse. The text units (W9) and (M4) highlight this view:

"Donors and the private sector turned the tables on us to say: 'Instead of criticizing us all the time, why don't you show us how accountable you are'" (W9)

"As I said, [...] organizations calling for accountability of public and private institutions, we felt more credible in doing this [...]. We try to be transparent to demand from others to be transparent" (M4).

- The connection to the keyword ‘reflection’ (= an interpretative keyword we added to text units, and thus put in curly brackets) indicates that NGO experts view the INGO Charter as a learning platform that creates space for thorough reflection where member organizations can openly discuss and develop the concept of INGO Accountability. Accordingly, the text units (P4) and (A2) state:

“[T]he Charter of Accountability has actually played an important role; the NGOs have found a space to get a to know one another better, have created an environment that encourages discussions of issues that we share in common or challenges that were all facing.” (P4)

“I think first of all it helps us to look internally at our accountability practices. So it's a tool to help us think about accountability.” (A2)

Thus, Figure 4 shows that NGO accountability is primarily viewed in its dimension as a private good, with the INGO Charter providing a valuable learning platform to discuss and develop the effectiveness of NGO accountability in this dimension. That accountability is also an important prerequisite increasingly demanded of NGOs to attract future donor funding is also highlighted in the following text unit (A2):

“I think it's about attracting resources to our organization. Donors look at our value added in the whole process from donor to recipient and they want to make sure that [we are] an organization that they can trust and that has the capacity to maintain its accountability standards.” (A2)

(b) Fig. 5 represents the linguistic net of the keyword ‘NGO Advocacy,’ with a factor $n \geq 2$ indicating that, e.g., the keyword ‘advocacy’ appears on at least two text units together with the keyword and ‘evidence based.’

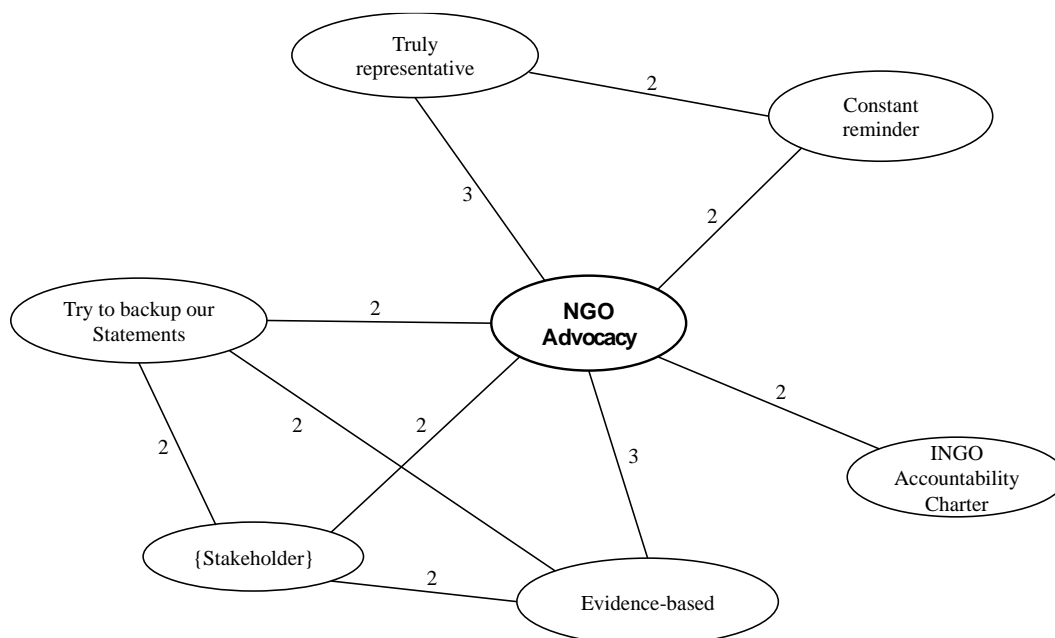


Figure 5: Linguistic Net of the Keyword “NGO Advocacy”

Fig. 5 generates the following insights:

- The connection between the keywords ‘advocacy,’ ‘truly representative,’ and ‘Charter as constant reminder’ indicates that NGO experts view the INGO Charter as a helpful tool to constantly refer their advocacy back to their primary stakeholder (beneficiaries). Accordingly, text unit DMC, (C3) states:

“I think there is always a constant reminder [the Charter] to be truly representative in our advocacy work. In other words to make sure that we are including the voices of the people that we are advocating on behalf of.” (C3)

- The linguistic net shows interconnections between the keywords ‘advocacy,’ ‘backup of statements,’ ‘evidence based,’ and ‘stakeholders,’ but no connection to the INGO Charter on the level of $n \geq 2$. This indicates that NGOs believe that their advocacy work for their stakeholders is evidence based due to of the member organization’s individual efforts, which are not supported by any governance mechanism of the INGO Charter. This interpretation is also supported by the following two text units (Y1) and Z1):

“[W]e don't have any specific rules, beyond basic ethics, for the advocacy practice, but we do have people who promote policy solutions and they work always on an evidence based approach.” (Y1)

“[I]t's not a policy written down, but it's a principle, they check and double check all their data. So whatever they are advocating is evidence based.” (Z1)

Against this backdrop, Figure 5 reveals that although the INGO Charter’s principle is seen as an instrument to “constantly remind” NGOs of responsibly advocacy (INGO Accountability Charter 2005, p. 1), this reminder runs the danger of remaining “cheap talk” because it is not supported by a governance mechanism that provides effective control for responsible advocacy, let alone effective sanctions.

(c) Fig. 6 shows the linguistic net of the keyword ‘competition among NGOs’ (with a factor of $n \geq 2$). This linguistic net is strictly star-shaped, and it draws a heterogeneous and, in part, also contradictory picture of the NGO experts’ understanding of competition among NGOs. The following insights are of specific interest from a governance perspective:

- Keyword connections on the right half of Fig. 6 reveal that NGO experts are well aware of competition among NGOs, and they distinguish various levels of competition including ‘donation,’ ‘funding,’ ‘media space’, ‘public attention’ and ‘ideas and approaches’. With regard to competition, one expert elaborates in detail (text unit X1):

“Yes, financially for donor money. Yes from a brand perspective among the general public, for media space among journalists and within media. And yes, for visibility on the ground, on the field.” (X1)

- Yet, when it comes to an evaluation of competition among NGOs, responses are heterogeneous and also partly contradictory (see left half of the linguistic net in Fig. 6).

- One NGO expert treated competition as an inevitable phenomenon, which results in a *better organizational performance* of NGOs. Text unit (X2) reads as follows:

“Well, I just think, this is reality, so it is not good or bad, it is inevitable. I mean the consequences are that each NGO has to do better “ (X2).

- In a similar vein, another NGO expert focuses exclusively on the *positive effects* of competition on the level of scarce funding resources. Text unit (A5) states:

„I think NGOs compete against each other for scarce resources. We compete for donations at all different levels and I don't see anything wrong with that. It helps us try to be better. It

helps to keep pace with the development scene, so competition, I think, is a healthy thing at the donation level.” (A5).

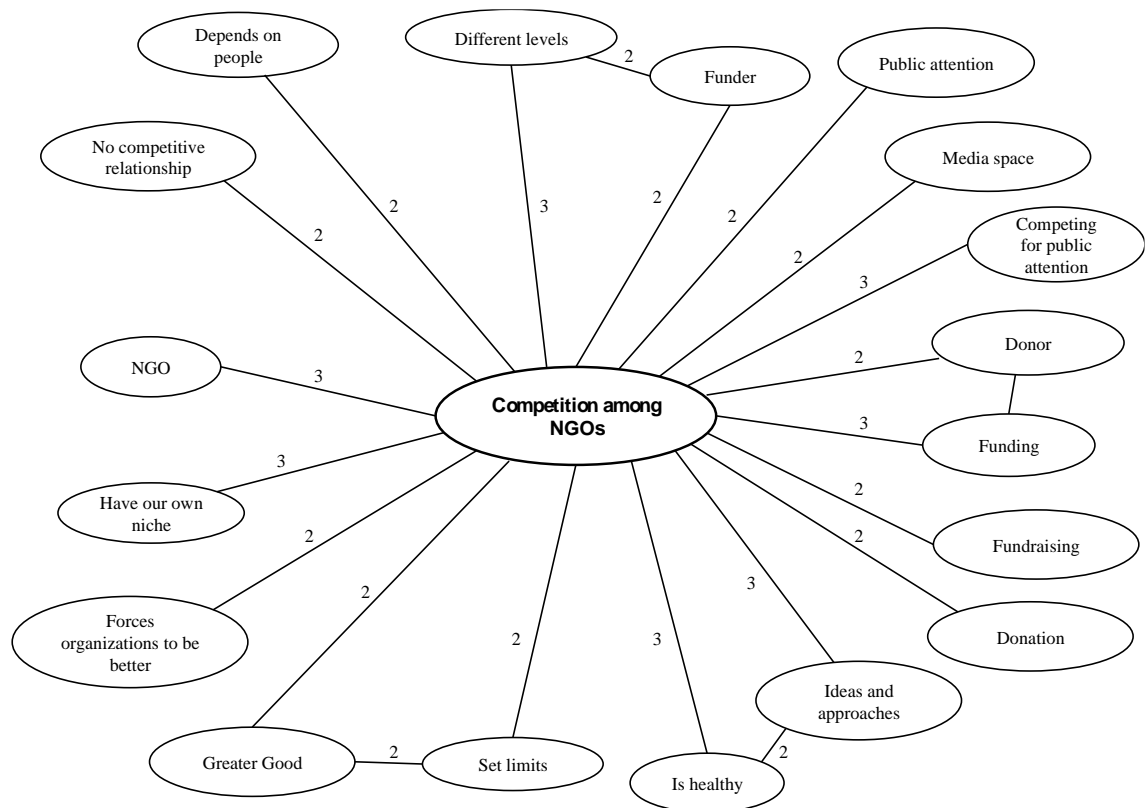


Figure 6: Linguistic Net of the Keyword “Competition among NGOs”

- In contrast, another NGO expert commits himself to the normative statement that NGOs *should not* compete with each other (keyword: ‘should not compete’), obviously focusing only on the negative effects of NGO competitions. This expert refers to competition among NGOs not as a systemic effect, but explains it with the personal character of individuals. The two following text units (N1) and (N3) document this specific line of argumentation:

“I think normal NGOs should not be competing. If there are too many people working on the same issue and that issue need any more attention, then basically you can either support the other NGO or work on something else.” (N1)

“I don't see where competition comes in with NGOs that much. Although I have seen people being competitive I have always found that weird, because I don't; as I say, the goal for us is not to exist as an organization.” (N3).

- One NGO expert distinguishes between two levels of competition – ‘funding’ versus ‘ideas and approaches’ – and concludes that NGO competition is ambiguous. In addition, this expert stresses that NGO competition requires effective *self-regulation* to help promote the greater good. Text units (P1) and (Q9) read as follows:

„[T]hey are both healthy, but, of course, they have negative sides if they are not properly managed” (P1).

“[T]here is still competition, but in the interest of the greater good, leading NGOs put limits on the way we compete and in fact we are now much more likely to work together to achieve our goals” (Q9).

Thus, Figure 6 provides mixed results as to how NGO experts interpret competition among NGOs. Though all experts see competition as a real-life phenomenon, the spectrum of evaluation is wide: There are experts who focus only on the negative effects, but there are also those who only highlight the positive effects. Yet one expert interprets competition as an ambiguous phenomenon whose results depend on the context of competition. Viewed from a governance perspective, this is a particularly important statement because, here, a practitioner sheds light on the idea that the results depend on the rules of the game of competition.

(d) Table 2 summarizes the results of our qualitative case study in light of the governance perspective of orthonomics.

	<i>NGO accountability as private good: One-sided dilemma structure</i>	<i>NGO accountability as public good: Many-sided dilemma structure</i>
Dilemma situation	Accountability Standards are advantageous and help to: <ul style="list-style-type: none"> • attract resources • initiate organizational learning processes • strengthen individual organization's credibility to raise claims in public 	Competition is identified as a phenomenon, and experts <ul style="list-style-type: none"> • identify different levels of competition, but • see either only negative effects or • positive effects NGO competition
Governance Arena 1: Rule-Setting Process	Governance instruments help to “comply and to promote” accountability. Instruments include: <ul style="list-style-type: none"> • Accountability Reports • Complain Handling Mechanisms as potential sanction mechanism (additional incentive to comply with ACC-Standards) • All supported by the threat of first wave stakeholder to withdraw investments 	Governance instruments do not directly address self-regulation of competition. Problems: <ul style="list-style-type: none"> • No elaborated standards for communication in the public sphere, i.e. for ethical campaigning • How measure and evaluate evidence-based public policy? • How sanction free riders, ‘rogue NGOs,’ that violate credibility standards?
Governance Arena 2: Rule-Finding Discourse	Collectively-shared win-win focus of NGO accountability provides <u>semantic orientation</u> : <ul style="list-style-type: none"> • AC is seen as an instrument to identify both the organization's interest in funding and the donor's interest in transparency • INGO Charter creates space for discussion on win-win-oriented rule-reforms in protected environment (non-public) about INGO Accountability practice • concept of accountability is seen as positive sum game based on the “golden rule of accountability” 	Lack of collectively-shared win-win focus of self-regulation of NGO competition provides <u>semantic confusion</u> : <ul style="list-style-type: none"> • NGO experts face difficulties identifying the organization's self-interest and common interest of NGOs as whole group because competition remains a fuzzy concept • Most experts do not see self-regulation of NGO competition in context with the AC, although this idea of self-regulation is already formulated. • Self-regulation of NGO competition is partly seen as negative-sum game

Table 2: Summary of Results

Following the orthonomic approach (cf. Pies et al. 2009; p. 385), one can distinguish between a one-sided and a many-sided dilemma structure on the level of basic interaction. Using this distinction helps identifying two different problems of NGO accountability: (i) NGO accountability that assumes a private good character and (ii) NGO accountability that assumes a public good dimension (horizontal dimension). In addition to the basic arena of interaction, the orthonomic approach distinguishes two separate arenas of

governance. The first governance arena is a rule-setting process that (re-)forms the institutional constraints players face in the basic arena of interaction. The second governance arena is a rule-finding discourse that (re-)forms the informational constraints players face in the first governance arena. Distinguishing these two arenas helps identifying the arena of rule-finding discourses as the exact place where governance reforms related to the private-goods dimension of NGO accountability succeed, and where they fail related to the public-goods character of NGO accountability. In regard of NGO accountability as a private good, a crystal-clear win-win orientation helps identify the common interests in the one-sided social dilemma between the NGOs and their stakeholders. This *semantic orientation* facilitates governance reforms in the first governance arena. Yet, the discourse on NGO accountability as a public good lacks semantic orientation, primarily because NGOs either deny the competitive character of NGO accountability or only view its positive effects. This leads to *semantic confusion*, because NGOs find it difficult to identify and spell out their common interests in governance reforms that help turn dysfunctional competition into functional, i.e. societally beneficial competition.

IV. Discussion of Results and Contribution to Academic Debate

The argument presented in this paper contributes both to ((1)) the practice and ((2)) the theory of NGO accountability in advocacy.

((1)) *Implications for NGO Practice*: Based on the governance perspective of ordonomics, we can identify two different levels for developing further the INGO Accountability Charter's impact on NGO governance:

First, on the governance level of rule setting, our perspective brings greater visibility of the functionality of the INGO Charter's governance instruments. Our perspective highlights that the INGO Charter focuses primarily on the private-goods dimension of accountability, and that yet it has not much to offer for its public-goods dimension. In addition, we can also identify an avenue for promising governance reforms in such interaction problems that require not an individual, but a collective self-commitment of NGOs. In analogy to the second-order Complaint Handling Mechanism (CHM) located within the INGO Charter itself, member NGOs could also appoint a scientific committee to examine whether NGO advocacy is evidence-based measured against the available academic knowledge, and they could equip it with the means to publically announce stakeholder misrepresentation so as to provide effective sanctioning, even ex post.

Second, on the governance level of rule finding, our perspective highlights that functional governance reforms require a crystal-clear win-win orientation. Yet, such win-win orientation first needs a self-understanding of NGOs that does not deny their legitimate self-interests as viable organizations (cf. Crack 2011). We believe that some primarily deliberative tendencies in the literature to tie NGOs down to be pure promoters of the common good eventually do a disservice to NGOs, because it complicates their efforts to see clearly and accept their self-interests as organizations and thus, the ambiguity of their behavior, particularly in competitive public contexts. Yet because self-regulation requires self-awareness, NGOs currently fail in putting the public-goods character of NGO accountability high up the agenda of NGO governance. In analogy to the sharing knowledge on private aspects, the INGO Charter could provide a platform for institutional learning, discussing in particular the public-goods aspects of NGO accountability.

((2)) *Theory Implications*: Based on the governance perspective of ordonomics, we contribute to the three literatures involved in the research on NGO governance:

Deliberative Democracy: A particular strand of the deliberative school features a romantic vision of “wild discourses.” This approach calls NGOs (i) to be reserved about partnering with business corporations (Baur and Schmitz 2012), and (ii) not to violate discourse ideals through institutionalization. Our results, both conceptual and empirical, indicate that (i) accountability is not only part of the problem, because it may lead to weak and co-optation autonomy of NGOs, e.g. by business firms, but it can also be part of the solution, because it helps strengthening autonomy and NGO’s obligation to fulfill their mission through organizational learning. We also show that (ii) claims against the institutionalization of public discourses not only blind out the existing empirical evidence, but also ignore the potential of governance reforms as a tool to improve the discourse quality in deliberation via regulation or self-regulation. In addition, they also neglect the progress made with NGO governance reforms since the 1990s (Crack 2013). Taken seriously, these claims would take NGO accountability backwards in a time before the first wave of NGO accountability.

Rational-choice criticism of political deliberation: The governance perspective presented here constitutes also a valuable contribution to the rational-choice criticism on political deliberation (Pincione and Tesón 2006), because we can show that it is possible to interpret the rational-choice approach constructively so that it can help identify *feasible* reform options to improve discourse quality in society. If one takes a governance perspective to propose options for “piecemeal social engineering” (Popper 1945) based on all NGO’s common interest in self-regulation, there is no need to demand radical societal change, i.e. to finish with redistribution in democracy altogether.

Public administration: We contribute to the literature on public administration the conceptual distinction between a private-good dimension and a public-good dimension of NGO accountability (cf. Crack 2011, 2013), which implies two different underlying social dilemma structures. This conceptual distinction helps analyze the functionality of NGO accountability instruments, highlighting that some tools are valuable in specific interactional contexts, but not in others. Thus, our approach involves a double contribution: It helps (i) identify the problems of semantic orientation in NGO accountability that are currently complicating possible solutions, and (ii), outline the archetypical form of NGO commitment strategies capable of solving the social dilemma in question.

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