

Beyond Idealism and Realism: Canadian NGO/Government Relations during the negotiation of the FCTC

INTRODUCTION

In 2005, the first global public health treaty came into force under the World Health Organization (WHO) system. That treaty – the Framework Convention on Tobacco Control (FCTC) – began as an idea drawn from international law, became a resolution by the WHO in 1996, and between 1999 and 2003 was negotiated into a tangible reality.¹ The FCTC was a culmination of years of governmental negotiations, industry challenges and non-governmental organization (NGO) advocacy. NGO involvement in the development and negotiation of the FCTC set another precedent within the WHO system which was reflected in changes to the WHO constitution governing NGO-WHO relations in 2002; a first in the constitution's 60 year history.²

The heightened presence of NGOs during the development and negotiation of the FCTC is not surprising given the current landscape of NGO involvement in global affairs. As Holzcheiter³ asserts, one thing is clear: NGOs have shaken up the state-centric notion of global governance. NGOs have become regular participants in the development of tools for global governance.⁴ Amidst cries for enhanced accountability within the global health governance system generally, and the WHO specifically,⁵ some have considered NGOs as the 'vanguard' of the voice of a global civil society.⁶ Matthews⁷ (p. 53) notes that NGOs have been "...able to push around even the largest governments," a view consistent with the 'idealist' representation of NGOs' contribution to governance as advocates functioning autonomously from government.^{8,9} However, as the NGO role is finding new breadth on the global stage, others contend that the current international system "overlooks or underestimates the richness of NGO activities, politics and contributions to social policy dialogue" (p. 23).⁹ The richness of NGO activities extends beyond their traditional activism to mobilize human and material resources to influence dialogue through agenda-setting¹² and includes their ability to inject scientific and other forms of information into policy dialogue.^{8,10,11}

This richness has led some scholars to deconstruct the idealist notion of NGO involvement in global affairs. Gordenker and Weiss (p. 23)¹³ assert, "...if statist denial of their relevance is untenable, the age of uncritical, liberal or radical, endorsement of ... NGOs as being powerful and unquestionably a force of good, is also over: in this sense the 'romance has ended'." Clifford Bob¹⁴ argues that much of the attention that NGOs draw to particular issues is motivated by factors outside of the realm of altruism. This questions the nature of what defines an NGO, particularly in relation to core attributes that once characterized them, e.g., autonomy, self-determination, and civil society representation.⁸ Challengers have pointed to the different funding sources from which NGOs draw,¹⁵ the degree to which some NGOs perpetuate structural inequities in health systems,¹⁶ and the often interdependent relationship between NGOs, governments and industry.^{17,18}

In pointing to the ability of NGOs to structure global politics and economics, Higgott and colleagues suggest that, although many NGOs receive funding from civil society, many receive funding from state and private sources.¹⁹ The sponsorship of NGOs by the state has fuelled a 'realist' interpretation of NGOs as "front organizations thinly disguising the interests of particular states" (p. 3).⁶ Bob (p. 38) argues further that it is not just state

interests that NGOs often represent but their own interests for self-preservation within a “Darwinian marketplace where legions of groups vie for scarce attention, sympathy, and money.”¹⁴ Loewenson highlights a number of risks posed to the WHO by involving NGOs in global policy development, including questions of NGO representativeness, state-NGO blurring and varying levels of accountability.¹⁵

Using the case of Canadian involvement in the negotiation of the FCTC, we argue that neither the idealist nor the realist conceptualizations sufficiently characterize the complexity reflected in the relationship between Canadian NGOs and the Canadian government in this context. We discuss the ways in which Canadian NGOs were both independent from, and dependent on, the Canadian government during negotiations and the ways in which government and NGOs converged/diverged during the negotiation process. We conclude by suggesting that the relationship between NGOs and governments -- and the degree of organizational learning -- arise from the interactional context.

METHODS

We derived our findings from two types of data sources: interviews and documents. In-depth interviews were conducted with 18 participants from both the Canadian government and NGO sectors involved in the development and negotiation of the FCTC. Participant sampling involved purposive inclusion of those who had participated directly in the negotiations, and snowball sampling was used to include those participants who were recommended by others for their involvement in the FCTC process. Eleven participants represented the NGO sector while seven were from government. Data were also collected from 34 documents that addressed the involvement of Canadian NGOs with the FCTC. Data were collated and analyzed using NVivo8²⁰ software to identify salient themes.

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