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Mission Impossible? Defining Nongovernmental Organisations

Kerstin Martens

This paper provides a synopsis of current interpretations of the term "nongovernmental organisation" (NGO). Although NGOs have become recognised actors in international affairs, particularly over the last decade, it has not yet been clearly defined what the term NGO encompasses. It is argued that two major tracks of NGO interpretations can be distinguished: the juridical approach, and the sociological perspective. In juridical studies, the emphasis is placed on the legal status of NGOs in the national context and their implications for international law. Sociological works, instead, are based on studies of societal actors, and try to capture the term while examining more specifically the composition and functions of NGOs in the transnational arena. Acknowledging both tracks, the paper concludes with a comprehensive definition of the term NGO.

KEYWORDS: NGOs; Voluntary Organisations; Transnational relations; International Law.

INTRODUCTION[1]

The term "nongovernmental organisation" (NGO) is a post-World War II expression which was initially coined by the United Nations (UN). When the UN Charter was adopted in 1945, it was stipulated in Article 71 that NGOs could be accredited to the UN for consulting purposes. Thus, scholars first mainly applied the term NGOs only when referring to those societal actors which are (because of UN criteria) international bodies and engage within the UN context. In recent decades, especially since the 1980s, the term NGO has also become popular for societal actors of all sorts engaged outside the UN framework,

[1] Special thanks to three anonymous Voluntas reviewers and their helpful comments on an earlier version of this paper.

internationally and nationally, **(← p. 271)** and has indeed been increasingly adopted more broadly by academics as well as by activists themselves.

Before the dissemination of the word "NGOs" became solidified through UN practice, authors also employed other expressions. For example, they referred to "private organisations" (White 1933) or "international pressure groups" (Meynaud 1961; Willetts 1982). The League of Nations, for example, used the expression "voluntary agencies" or "volas" (Ziegler 1998: 26). Today, though, the term NGO (and its respective equivalent) is the prominent word in most languages. For example, French scholars refer to the French equivalent "organisations non governementales" or its abbreviation "ONG". In the German context, the situation is more complicated. The official German translation of the 1945 Charter text had been "nicht-staatliche Organisationen". However, according to current standards, this term is now seen as being too broad, as it encompasses other actors that are not NGOs, for example, multinational companies or national liberation organisations. The term that is most widely applied now is "Nichtregierungsorganisationen" (with usage of the English acronym "NGO" also being fairly common).

Although they are not a recent phenomenon, NGOs have lately increasingly attracted attention in academic research. In particular over the last decade, NGOs were recognized as significant players in world affairs. From an international relations perspective, for example, scholars have examined the conditions under which nonstate actors have an impact on world politics (Keck & Sikkink 1998a; Risse-Kappen 1995). In sociological studies, too, approaches to societal actors have been extended to the international sphere to analyse the impact of transnational social movements (della Porta et al 1999; Princen & Finger 1994a; Smith et al 1997).

Remarkably, despite the increasing interest and the growing literature on the issue, NGOs have not yet sufficiently been defined. Although the body of academic work is continuously expanding on the subject, NGOs remain *terra incognita*; the term NGO has become a commonly accepted phrase within the academic world, but it is unclear what this phrase actually encompasses. In fact, many studies fail to offer any definition of the term NGO as if the components and the understanding of the phrase are

common knowledge. A more detailed look at the current body of NGO works, however, reveals the diverse and sometimes even contradicting interpretations of the term. Either way, it makes comparisons of single NGO studies difficult, if not impossible.

In this paper, the term NGO – and some semantic alternatives – are explored in more detail to approximate a definition of NGOs. Because NGOs recently attracted most attention as important actors on the global stage, the emphasis in this paper is on providing an overview on the application of the term NGOs in studies with an international perspective. And following older traditions of differentiation in international relations, two major tracks of NGO interpretations are distinguished: the juridical approach and the sociological perspective (Feraru 1974: 32). In juridical studies, the emphasis is placed on the legal status of NGOs **(← p. 272)** in the national context and their implications for international law. Sociological works, instead, are based on studies of societal actors, and try to capture the term while examining more specifically the composition and functions of NGOs.

JURIDICAL APPROACHES

Since the beginning of the 1990s, NGOs have been heavily involved in the formulation and implementation of international laws and norms. Most important, NGOs take part during all stages of the negotiation processes at global conferences; they seek to influence governmental representatives through informal lobbying for example, but they also sit themselves as experts in official drafting committees (Levering 1997; Schmider 1994; Schoener 1997; Shelton 1994; Stairs & Taylor 1992). Notably, in the field of human rights protection, NGOs have been identified as contributing to the advancement of international standards. Human rights NGOs have continuously gathered information on human rights abuses and put forward proposals on the development and the implementation of human rights law. For example, experts from Amnesty International were participating during the establishment and writing processes of the *Convention of the Abolition of Torture* (Cook 1996) and the drafting of the *Convention of the Rights of the Child* (Cantwell 1990). Similarly, in the field of environmental protection, NGO input on advancing international standards to protect the environment has been of much import (Sands 1992). Moreover, states

also make international commitments regarding NGOs: for example, the United States has to allow transit for the representatives of NGOs under the Headquarters Agreement in Article 71 UN Charter. For all these reasons, one would expect international legal standards for NGOs; however, despite this increasing involvement of NGOs in processes of global politics, it has yet not been clearly identified what characterizes an NGO in legal terms.

THE UN CONTEXT

Although Article 71 provides a way for NGOs to enter the UN system, it does not define the term precisely. The UN Charter provided only for the ECOSOC (Economic and Social Council) to *consult* with NGOs for specific purposes when the latter deal with matters falling under the competence of the UN. According to the UN, NGOs are primarily understood as being international bodies, because the Article explicitly states that national NGOs are only considered under special circumstances. (The annex in Article 71 allows for the accreditation of national NGOs under special circumstance; however, it did not find wide application; Seary 1996.) In accordance with Article 71, subsequent resolutions have set out in detail how interaction between the two types of organisations is regulated. However, these resolutions on the consultative relationship between the UN and these NGOs **(← p. 273)** focus more on the principles and objectives of this relationship than providing a precise definition of the characteristics of NGOs.

In the current Resolution 1996/31, which has governed the consultative relationship since 1996, some general requirements on NGOs are laid down[2]. In brief, these requirements are an established headquarters, an executive organ and officer, a democratically adopted constitution (providing for the determination of policy by a representative body), an authority to speak for the members, and financial independence from governmental bodies.

Furthermore, the UN requires NGOs to fulfil some criteria which remain vaguely specified, such as “international standing”, “independent

[2] For recent studies on the consultative status, see Willetts (2000) and Aston (2001).

governance", and "geographical affiliation". For example, NGOs are required to have a recognized standing within the particular field of their competence, be of a representative character, and represent larger sections of the population. In terms of composition, NGOs may also, however, include members designated by governments – if this does not interfere with the free expression of the organisation's view.

In contrast to earlier resolutions, in the current resolution the term NGO also refers to organisations at the national, regional, and international levels— resolutions before 1996 (similar to Article 71) considered only international NGOs. However, despite the broadening of the term to societal actors on other levels than the international one, the UN fails to deliver more precise content for characterising NGOs. And the term NGOs remains, as Archer has noted earlier (1983: 303): "an awkwardly negative title coined by the United Nations to describe a vast range of international and national citizens organisations, trade unions, voluntary associations, research institutes, public policy centres, private government agencies, business and trade associations, foundations, and charitable endeavours".

Nonetheless, Article 71 UN Charter has become a guide for many other intergovernmental organisations both within and outside the UN system (Fozein-Kwanke 1986: 243; Merle 1988: 401). For example, the Organisation for Security and Cooperation in Europe (OSCE) took it as a model for their relationship to non-governmental actors (Brett 1994; Grönick 1993). In sum, the UN created a term to encompass its societal consultant, which found widespread application, but leaves open its content. To what extent, though, has international law filled this gap?

THE INTERNATIONAL LAW CONTEXT

As a body of law between different geographically defined nations, states set up conventions and treaties to regulate and define important relations in the international arena. NGOs, however, have not yet been recognised by states as having a legal international personality. Despite several attempts since the beginning of the twentieth century to define NGOs and to codify their legal status, there is as yet no **(← p. 274)** widely adopted international convention on the nature and law of NGOs. Instead, international law can generally be said to use UN criteria for NGOs (Charnovitz

1997: 186). Only the Red Cross takes up a special position in international law as an organism *sui generis* (Charnovitz 1997: 188; White 1933: 265).

Particularly in the French context, international lawyers and social scientists have placed great emphasis on developing an international codification of NGO status for several decades (Beigbeder 1992: 9; Bettati & Dupuy 1986: 278). The discussion on the legal personality of NGOs can be traced back to attempts made as early as 1910 when statements about the codification of the status and the personality of NGOs in the international context were made: at a session in Paris the Institut de Droit International brought forward a draft convention on NGOs. Others followed at another session in Madrid in 1911 (Charnovitz 1997: 189). In 1912, a first treaty draft on the international legal personality of NGOs was further developed (von Weiss 1980: 395).

In 1923, the Institut prepared a draft treaty on the legal status of international associations. Basic principles for "non-profit private organisations" were to have an international purpose and membership from different countries. In this treaty these associations were defined as "groups of persons or associations, voluntarily created on private initiative, which perform, without seeking profits, an international activity of general interest, and do not come exclusively under national order" (Bastid 2000; own translation). It also provided for an international registration office for associations (which later became the Union of International Associations) and the right of appeal to the Permanent Court of International Justice – the predecessor of the International Court of Justice. However, government support for this proposal was not forthcoming and the treaty never came into force (Charnovitz 1997: 189). Several other attempts at NGO treaties failed during their planning phase because of the lack of consent of states (Beigbeder 1992:16–17)[3].
As a result, NGOs are obliged to accept national legislation. In the Western world, the right to societal organisation can be linked back to basic civil rights such as free association and freedom of speech. Because of these basic rights, people can form common organisations to

[3] For more details on these attempts, see Lador-Lederer (1968) and Smith (2000).

express their views to the public or their dissatisfaction with governmental policies. National laws on associations, however, differ from country to country, and therefore NGO status varies too whereby recognition, rights, and duties depend on the respective national conditions. In particular, national juridical systems differ in terms of tax regulations for societal associations and the criteria to be officially recognised by the respective state. For example, Great Britain and the United States have an advantageous charity law for societal associations, whereas most countries do not allow for these differences in taxes. Other examples include the following: it is compulsory for NGOs to be registered in the United Kingdom (unless it is a club), whereas the German right to be an "eingetragener Verein" is optional; in Denmark, France, Ireland, **(← p. 275)** the Netherlands, and the United Kingdom, all inhabitants have the right to form associations, but in most other countries this right is reserved for citizens; and in France, only registered organisations have the right to bring legal proceedings to court, whereas in Germany, Great Britain, Denmark, and Italy, official registration as a societal organisation is not required for this purpose (Fontaine 2000; Salamon 1999).

Because of multiple legal situations, problems arise for NGOs in the international sphere. For example, there can be difficulties when the activity of an NGO transcends the borders of "its" national state of origin. An internationally operating NGO with branches in several states, would fall under different national systems of law, depending on the respective jurisdiction of the country in which a branch is located. At the same time, NGOs cannot evade national jurisdiction when they are aiming at participating at the international level, because some International Governmental Organisations (IGOs) require a certain legal status of an NGO when applying for "consultative status" (Rechenberg 1986: 617).

Only Belgian law recognises internationally operating NGOs as having a "preferential status" (Merle 2000) – even when their headquarters are located outside Belgium (Ghils 1992: 419). The Belgian model of 1919 is *still* the most important text in the law of NGOs (Merle 2000; Union of International Associations 2000). In Article 8 it is stated that "International associations with their registered office abroad which are governed by a foreign law… may in Belgium… exercise the rights accruing from

their national status. It is not essential that the administration shall include at least one Belgian member". In practice, this means that, for example, Belgian branches of Amnesty International with its headquarters in London falls under British law, whereas the Belgian section of the Fédération Internationale des Droits de l'Homme based in Paris has to fulfil French requirements.

However, even Belgian law is unsatisfactory, because it only recognizes the particular national laws under which an international NGO falls (Merle 1986: 163). Such a single-country decision to place NGOs under the law of another country, however, is not an international agreement on the status of NGOs. As Merle (2000) argues, "The unilateral granting of preferential status, even if combined with facilities to NGOs established in other countries, solves only part of the problem of the functioning of NGOs. In the most developed version … national legislation can go so far as to recognise, within the national territory, the validity of activities whose origin is outside their frontiers but it cannot and will never be able, without the consent of foreign states, to control those same activities beyond the limits of national territory."

Within the international law context, limited progress in the codification of NGO personality has recently been made on a regional level. The European Convention on the Recognition of the Legal Personality of International Non- Governmental Organisations can be considered an international agreement on NGOs. It provides for the general recognition of the legal personality of an NGO **(← p. 276)** in any state party to the convention. This convention was set up in 1986 and came into force in 1991, when the required minimum of three countries had signed it. Today, eight countries are party to the Convention. However, the European Convention simply follows Belgian law and recognizes the national law of the respective state in which the NGOs has its headquarters. The main difference, however, is that "every INGO carries it with its identity and its status without having to request new recognition from the various countries on its activities" (Merle 1995: 328). Thus, NGOs must have been established under the internal law of one of the states party to this convention, and it must have its statutory office in the territory of one of the state parties as well as the central headquarters (Article 1). The Convention is limited to international NGOs, defined by an "aim of international utility,"

being active in at least two states (Article 1). As such, the European Convention takes up the conditions and the constraints of Belgian national law on NGOs.

In short, juridical approaches base their interpretation of internationally operating NGOs on UN recognition and the national acknowledgment of NGOs. The UN has set up some rather unspecified criteria for NGOs that focus on their composition and reputation. In international law only limited progress has been made to define NGOs sufficiently. Instead of developing a body of criteria for NGOs, international law focuses on the status of NGOs under national jurisdiction.

SOCIOLOGICAL PERSPECTIVES

There is no agreed-upon common NGO definition in sociological studies. And in fact, the term NGO has been criticized for its negative connotations and inaccuracy – especially as it was structured from the point of view of governments and gained its boundaries in reference to them as "nongovernmental." In some countries, the term NGO is even translated as "against the government". In Chinese, for example, NGO is translated as "anti-government" (Brett 1995: 96; Wiseberg 1993: 7). Therefore, some authors have argued that the term NGO should be substituted by a more "positive" label (Weyers 1980: 228) – and Judge (1995) has suggested that if the acronym "NGO" cannot be abandoned, it should be given new "positive" content: NGO could therefore stand for "Necessary to Governance Organisation".

Most tellingly, the term NGO has been criticised for being the "rubbish bin" or "catch-all word" for everything that is simply not governmental (Furtak 1997: 21; Rucht 1996: 31). Princen and Finger (1994b: 6) have explained why it is so complicated to pin down typical characteristics for NGOs: "The difficulty of characterising the entire phenomenon results in large part from the tremendous diversity found in the global NGO community. That diversity derives from differences in size, duration, range and scope of activities, ideologies, cultural background, organisational culture, and legal status". **(← p. 277)** Not surprisingly, some scholars have already stated with resignation that

there is simply no such thing as the "typical NGO" (Beigbeder 1992: 7; Willetts 1996: 9). As a result of such criticism, others have introduced alternative expressions with which the term NGOs has frequently been challenged. In particular, in the Anglo-American literature, many other terms – often with a normative perspective – can be found (many of which have been primarily employed within the national context and later adopted for the international sphere). Most of these terms, however, mainly highlight one specific characteristic of NGOs only, or one special type of NGO, or they are not of a more significant level of precision. Examples of alternative terms include the following: major group; pressure group; interest group; private voluntary organisation; independent voluntary sector; civil society; third sector organisations; grassroots organisation; activist organisation; non-profit body; and professional, voluntary, and citizens organisations (Archer 1983: 303; Gordenker & Weiss 1996: 18; Willetts 1996: 5).

In what follows, sociological propositions on NGOs are explored in more detail through unpacking the terms single components: N-G-O. In addition, the criteria of the Union of International Associations (UIA) will be taken into account in this section, as they are widely recognized in academia and often taken as a basis for definition[4].

THE "NON" IN NONGOVERNMENTAL ORGANISATION

Sociological approaches to NGOs mainly define them by referring to what NGOs are not. For example Lador-Lederer (1963: 60) notes that "the NGOs are *non*-governmental, *non*-profit-making, *not*-uninational". Similarly, Willetts (1996: 5) declares after an extensive discussion of NGO attributes that NGOs are "any non-profit-making, non-violent, organised group of people who are not seeking governmental office."

[4] The UIA was founded in 1907 and is located in Brussels. The primary goal of the UIA is to collect information on organisations of all kinds. It provides the world's largest data set on international organisations and distributes and updates this through its annual *Yearbook of International Organisations*. Scholars from different countries and backgrounds have referred to the UIA criteria for a long time as the fundamental criteria for NGOs (Bettati & Dupuy1986; Feld 1979; Feraru 1974; Pouligny-Morgant 1996: 611). Notably, many recent studies apply UIA data or use UIA criteria for the selection of NGOs (Keck & Sikkink 1998a; Smith 1997). Also in the context of the UN, the UIA yearbooks have a high reputation; since 1955, the ECOSOC takes the yearbooks as the basis for NGO accreditation (Ziegler 1998: 25).

NGOs are very often referred to as *non-profit making* entities (Mawlawski 1993: 392; Weiss 1996: 437). This attribute seeks to draw a line between NGOs and other non-state actors, such as multinational companies, whose primary aim is the pursuit of profit. NGOs, instead, are interested in advancing their designated objectives, such as the interests of their members or universal claims (Schoener 1997: 538). NGOs activists combine their skills, means, and energies **(← p. 278)** in the service of shared ideals (Mawlawski 1993: 392). They are also seeking to influence governmental actors, such as states or IGOs, or to implement policies in their field of concern. The money they make with publications, fund raising, and selling is used to pay for staff and activities to support their aims and goals more effectively.

In this context, NGOs have often also been described as having non-lucrative claims and being non-professionalized societal groups. Specifically, in the Anglo-Saxon literature, they have often been referred to as "voluntary organisations", in which people engage for idealist purposes and "good" causes in their free time (Pouligny-Morgant 1996: 211). The growing professionalism of these organisations, however, has gradually changed this picture. In recent years, this has filtered down to NGO definitions. As a result, some authors now refer to NGOs as non-profit but professionalized groups. This means in short that many NGOs today maintain a paid and permanent staff, and activists have certain abilities which are specifically needed for their work in the NGO, such as journalistic experience or fund-raising skills (Clarke 1998: 36; Keck & Sikkink 1998b: 218).

It has also been maintained that the *nonviolent character* of NGOs distinguishes them from groups that use force to achieve their aims. In particular, this attribute is intended to exclude terrorists, national guerrilla or liberation organisations, and organised crime – such as the Irish Republican Army, the Palestinian Liberation Organisation, or the mafia – as other non-state actors from the definition of NGOs (Uvin & Weiss 1998,-: 213; Willetts 1996). For Rosenau, their non-violent character is the major attribute distinguishing NGOs from other non-state actors: "The only exclusion [from NGOs] is that of organisations which openly reject the legitimacy of the political process and

advocate or engage in violence" (Rosenau 1998). This attribute, however, leaves open whether groups that do not reject the political system as such, but sometimes use violence as a means for their aims are included in the category of NGOs? For example, animal protectors often employ violence to free animals. In addition, even many well-established NGOs often act on the borderline of illegality.

As mentioned earlier, the term NGOs initially referred to *nonuninational* organisations (Gounelle 1996: 148; Union of International Associations 2002). Following the application of the term NGOs in the UN Charter, NGOs were primarily understood as being international organisations, whereas national fractions were indicated with specific attribute such as "national NGO". In academic literature, however, the term NGO has been used in a variety of ways, and now there is some uncertainty about whether NGOs should genuinely refer to international organisations only. Some, in fact, do not specifically indicate any distinction between national and international bodies, rather they use NGOs as an umbrella term for all kinds of societal actors on all levels (Mawlawski 1993: 392; Schoener 1997: 538).

Most scholars who work in the field of international relations continue interpreting the term NGO as referring to international societal actors. For Russett, for **(← p. 279)** example, NGOs are organisations which cut across national boundaries (Russett 1996: 67). For Rosenau, NGOs are *per definitionem* "transnational organisations" whose activity goes beyond borders (Rosenau 1998). In works on NGOs with a national focus, instead, it is the opposite: NGOs are primarily understood as national actors and, in fact, NGOs with a radius of activity beyond the national domain need to be specifically indicated with labels such as "international" or "regional". However in this context, the implications of "international" are controversial. For some, it means that their members must be from more than one country (Willetts 1996: 5); others require that an international NGO must act in different countries (Gounelle 1996: 148). The UIA, in fact, demands both these conditions (Union of International Associations 2002).

THE "GOVERNMENTAL" IN NONGOVERNMENTAL ORGANISATION

Most important, governments or governmental components are excluded from the definition of NGOs. NGOs are generally understood as being organisations that do not include governmental representatives. NGOs are made up of individuals or national groups (which contain only individuals) and not official representatives of national governments (Russett 1996: 67). Therefore some authors tend to describe NGOs as "private organisations" because they include individuals, or collectives of private persons only (Mawlawski 1993: 392; Pouligny-Morgant 1996: 211). The UIA in this respect takes a more liberal approach. It demands that membership must also be made up of individuals or collective entities and must be open to any appropriate qualified individual or entity in the organisation's area of operation; it also allows government components as members but demands that NGOs must be free of the influence of others (Union of International Associations 2002). These so-called "hybrid organisations" are usually counted as NGOs or quasi-NGOs as long as they determine their own program independently of the influence of the government member(s) (Willetts 1996). Exceptions are only those NGOs which are specifically set up by states for a precise purpose and are state instruments.

Furthermore, NGOs must not be dependent significantly on governments for financial and moral support (Rosenau 1998). They may receive financial contributions from governmental sources, but only to a limited extent so that they are capable of maintaining themselves in case governmental contributions are withdrawn. However, there are limits to this. For example, many NGOs become increasingly dependent on government when they accept governmental funding and become subcontracted by official institutions for specific purposes. As a result, many organisations rely on contributions from state institutions as one of their major sources of income. This is particularly true for organisations that provide services and often take over responsibilities that had previously been with the state. In this context, scholars have often questioned the independence of NGOs from **(← p. 280)** governments when relying on official funds. In this respect, criticism has been particularly strong in the development sector (Edwards & Hulme 1996).

In addition, NGOs are also understood as not seeking governmental

power. This attribute excludes political parties or organised political groups from the notion of NGOs – as these organisations aim at taking over or sharing in government. Moreover, they neither wish nor are they able to direct society or require support directly (Weiss 1996: 437). Uvin and Weiss (1998: 213) therefore add the attribute "non-political" to NGOs in the sense that they are "not primarily interested in promoting candidates for political office".

THE "ORGANISATION" IN NONGOVERNMENTAL ORGANISATION

The criterion "organisation" distinguishes NGOs from spontaneous forces or movements (Merle 1988: 388). In particular, NGOs are distinct from other forms of collective action with less permanent organisational structure, such as public protests. The organisational attribute characterizes NGOs as having at least a basic organisational structure, such as permanent members, offices, or financial income. NGOs are thus formal institutions with self-governing constitutional arrangements (Uvin & Weiss 1998: 213; Weiss 1996: 437). They are therefore not *ad hoc* entities, but they are marked by a certain durability (Gordenker & Weiss 1996:18). The UIA, in this respect, demands that a constitution must provide for a permanent headquarters and make provisions for the members; in addition, officers should be rotated among the various member countries in such a way as to prevent control of the organisation by one national group (Union of International Associations 2002). In the classic study by White (1933: 29), he describes the organisational structures of NGOs as follows: "Private international organisations have some sort of central office, secretariat, or headquarters, even if it be only the office of the president and has no permanent location. Many private international organisations have permanent committees or commissions for study or activity purposes. Some have other governing, executive, or administrative organs which cannot be classified as conferences, meetings, governing bodies, or executive committees".

However, many NGOs have their roots in the social movement domain, as formerly unstable groups which have gradually developed permanent structures. On the international level, these organisations have

been referred to as transnational social movement organisations which are – among other attributes – characterised by some formal structure (Kriesberg 1997: 12; Smith 1997: 42). Lately, in this context some authors follow the juridical approach and refer to the status of NGOs under domestic jurisdiction and require a legal status in at least one country (Clarke 1998; Keck & Sikkink 1998b; Uvin & Weiss 1998: 213).

Altogether then, sociological academic works have developed a couple of characteristics to circumscribe NGOs. In addition, the term has also been further **(← p. 281)** developed and interpretations have slightly changed over time. In particular in recent years, as NGOs have increasingly become subjects of academic research, scholars have turned to refine some aspects concerning the nature of NGOs. Ironically, while the UN introduced a "negative" term (*non*governmental organisations) solely to encompass a variety of actors, most sociological approaches similarly circumscribe NGOs by applying a "method of disqualification": they tend to emphasise what is excluded from the NGO sector rather than elaborating "positive" characteristics of NGOs.

CONCLUSION

In sum, following the juridical and sociological accounts, a comprehensive definition of NGOs can be advanced which includes all relevant ideal–typical characteristics, namely, *NGOs are formal (professionalised) independent societal organisations whose primary aim is to promote common goals at the national or the international level*.

NGOs are *societal actors* because they originate from the private sphere. Their members are individuals, or local, regional, national branches of an association (which, again, are composed of individuals) – and usually do not (or only to a limited extent) include official members, such as governments, governmental representatives, or governmental institutions. NGOs *promote common goals* because they work for the promotion of public goods, from which their members profit and/or the public gains. NGOs can be *professionalised*

because they may have paid staff with specifically trained skills, but they are not profit-oriented. NGOs are *independent* because they are primarily sponsored by membership fees and private donations. They may receive financial funding from official institutions, but only to a limited extent, so that they are not under the control of governmental institutions. NGOs are *formal organisations* because NGOs have – at the least – a minimal organisational structure which allows them to provide for continuous work. This includes a headquarters, permanent staff, and constitution (and also a distinct recognised legal status in at least one state).

In sum, the connotation of the term NGO has evolved in many ways since its introduction by the UN in 1945 for international bodies engaging within the UN context. It has found widespread application ever since whereby its usage varied and its content has been broadened. Some controversy remains about the genuine radius of NGO activity. Originally, the term referred to societal actors with an international scope of activity. The UIA continues to demand that NGOs need to be internationally operating organisations; sociological approaches, instead, are not clear about this and use the term for both national and international organisations. However, taking into account that even the UN now interprets the term NGO as referring to national, regional, as well as international actors, the initial interpretation of NGOs as "international" organisations may today be seen as anachronistic. **(← p. 282)**

This leads us to conclude that many NGOs today operate within the *national* sphere only; *international* NGOs, however, are composed of members from at least two countries in which no country is dominant and they also exercise their activity in more than one country.

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