

## Interdisciplinary Programmes

Academic year 2019-2020

### Global Governance and Regulation: Actors and Processes

#### IA095 - Autumn - 6 ECTS

Thursday 12h15 - 14h00

### Course Description

As global interdependence has expanded, structures of international and transnational governance have become ever more complex. This course provides an introduction to governance institutions, structures, and forms and the actors and processes engaged in them. It situates global governance historically by tracing earlier attempts at regulating global affairs, and it analyzes different contemporary settings for regulation, ranging from formal international organizations and courts to transnational governance initiatives, informal forms of governance, and multi-stakeholder initiatives involving both public and private actors. It explores the ways in which these different fora establish and maintain authority, their varying relations with governments and transnational actors, and the challenges they face from competing institutions, political mobilizations, domestic political processes, as well as litigation. The governance of different issue domains (possibly including trade, health, the internet, the environment, and security) will be explored over time, and the course will conclude with a comparison and critique of different governance forms.

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#### > PROFESSOR

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## Syllabus

This course is intended as a broad introduction to, and survey of, the extensive literature on the institutions of global governance and international organizations. It does not assume prior knowledge of International Relations or Political Science, though some background knowledge of recent history, international institutions, and current events will be useful. It will draw heavily on examples from the UN

system, and while It will concentrate on literatures from International Relations and Political Science, it will also assign readings from International History, Law, Economics, and Sociology.

The course will begin with a general discussion of the meaning of governance, as well as a discussion of its normative aspects. Alternative historical forms of governance will next be considered, as a way to put in perspective contemporary forms and potential directions of governance and regulation at the global level. Special sessions will be devoted to the subjects of international organizations and international law (with particular attention to UN institutions), followed by a consideration of different forms of contemporary governance, most involving some combination of public and private actors. There is extraordinary variation in the way different issue domains are governed and regulated in the contemporary international system, so the final section of the course will be devoted to detailed exploration of the governance of issues like global health, trade, the environment, and the Internet. Drawing on the Graduate Institute's wealth of research and policy engagement in these domains, special guest interviews will present this diversity. The last session will be devoted to a comparative analysis of different forms of governance in different issue domains.

### **Course Requirements**

This is an introductory course and based on lectures, but it will be taught in an interactive manner, and its success depends on students being well prepared for each session. During the course, students will be required to write two short papers of up to **1000 words** each. The first will be a conventional academic essay, on a topic considered in a particular class session, due on **28 October**. The second, a more policy-oriented position paper, will be due on **25 November**. Students will receive feedback on these essays from the Teaching Assistants. There will also be a take-home, open-book final exam in which students will be asked to apply the knowledge acquired throughout the course. The exam will be administered during the afternoon of the final class session on **19 December**.

The final grade for the course will be based on the grades of the two essays (20% each) and the final exam (60%).

Assignments should meet the standards outlined in the **Institute's Internal Guidelines Governing Citation of Sources and Plagiarism**. If you are not certain about citing sources etc., please do not hesitate to ask for guidance.

All assignments must be submitted via **Moodle** unless otherwise specified.

### **Attendance and Absences**

Two absences are allowed, for any reason. Beyond that, you must provide adequate evidence that justifies your absence. In the event that you know beforehand that you will miss class and it's justifiable (e.g. medical, academic), please contact one of the Teaching Assistants ahead of time and provide adequate information.

### **Readings**

Since the course does not use a particular textbook, the required readings (articles and book chapters) will be available on Moodle. Students are encouraged to explore the optional literature suggested beyond the required readings for most sessions; it is only through engaging with scholarship and practical materials on your own initiative that you will develop your own understanding and assessment of global governance.

Good introductory textbooks on different aspects of the course are:

Thomas Weiss and Riorden Wilkinson (eds.). *International Organization and Global Governance*, Routledge (2013) | Call numbers **341.12 HEIA 102439**

Margaret Karns, Karen Mingst and Kendall Stiles. *International Organizations: The Politics and Processes of Global Governance*, Lynne Rienner (2015) | Call numbers: **341.12 HEIA 110282**

Cali Basak. *International Law for International Relations*, OUP Oxford (2010) | Call numbers: **341 HEIA 8149**

**Detailed reading assignments for each session are indicated below.**

### **Course Session Structure and Reading Assignments:**

#### **1. Introduction | 19 September**

Following a general overview of the course, this session introduces the themes and framework of the course. We will start by considering questions about the actors, institutions and processes that play a role in international governance and the ways in which they are connected with the domestic sphere and societal structures. In preparation for the session, please think about a policy field and identify the actors that are relevant for the formulation and implementation of policy. How do domestic and international, private and public actors relate? Who are the influential players? How effective are the institutions involved?

#### **Required Readings**

**\*\*No required readings for the first session\*\***

#### **Optional Readings**

David Held. "The Diffusion of Authority", in Thomas G. Weiss and Riorden Wilkinson (eds.). *International Organization and Global Governance*. Routledge (2013). Chapter 4, pp. 60-72 | Call numbers: **341.12 HEIA 102439**

Saskia Sassen, "Neither Global nor National: Novel Assemblages of Territory, Authority and Rights", *Ethics & Global Politics*, Vol 1, No 1–2 (2008) pp. 61–79.

Thomas G. Weiss *Global Governance: Why? What? Whither?* Cambridge: Polity Press (2016) Chapter 2, pp. 90-126 | Call numbers: **327(003) HEIA 99259**

#### **2. The Concept of Global Governance | 26 September**

In this session, we will explore the meaning of governance at the global level. We will pay particular attention to the different understandings of the relation of global institutions with national governments. How does the legal form of international institutions compare to political realities? Are international institutions handmaidens of their most powerful member states? Are they merely fora for the conduct of inter-state politics? Or do they enjoy a certain degree of autonomy or even authority – and over whom?

#### **Required Readings**

John Mearsheimer, "The False Promise of International Institutions", *International Security* (1994) Vol 9, No 3, pp. 5-14 and 47-49.

Stephen D. Krasner "Structural Causes and Regime Consequences: Regimes as Intervening Variables" in Krasner Stephen D (ed), *International Regimes*, Chapter 1, pp. 1-21. Ithaca: Cornell University Press (1983) | Call numbers: **327(003) HEIA 60760**

James N. Rosenau. "Governance, Order and Change in World Politics" in James N. Rosenau and Ernst-Otto Czempiel (eds.), *Governance without Government: Order and Change in World Politics*, Chapter 1, pp. 1-29. Cambridge: Cambridge University Press (1992) | Call numbers: **327(050) HEIA 7674/20**

### Optional Readings

Thomas Biersteker, "Global Governance" in Robert Rotberg (ed.) *On Governance: National and International Dimensions of Measuring Governance Effectiveness*, Waterloo Ontario: CIGI (2015) | Call numbers: **320.4 HEIA 112323**

Thomas Biersteker, "Global Security Governance" in Cavelti Myriam Dunn and Balzacq Thierry (eds.) *Routledge Handbook of Security Studies*, New York and London: Routledge Publishers (2017) | Call numbers: **355(035) HEIA 115465**

Claus Offe . "Governance: An 'Empty Signifier'?" *Constellations* (2009), Vol 16, No 4, pp. 550–62.

### 3. Global governance: Historical Forms | 3 October

This session will look at the path of international governance over the course of the past two centuries. This is particularly relevant today, as some contend that we may be returning to 19th-century forms of geopolitics in global governance. It will consider different ways in which actors have sought to achieve order in the relationships between different political entities. What traces have these left in contemporary structures? What were the images of international society they were built upon?

#### Required Readings

Holsti Kal, "Governance without government: polyarchy in nineteenth-century European international politics", in Rosenau James N and Czempiel Ernst-Otto (eds.), *Governance without Government: Order and Change in World Politics*, Chapter 2, pp. 30-55 Cambridge: Cambridge University Press (1992) | Call numbers: **327(050) HEIA 7674/20**

Woodrow Wilson, "The Fourteen Points Speech," 1918. Available here: <https://sourcebooks.fordham.edu/mod/1918wilson.asp>

Mazower Mark. *Governing the World: The History of an Idea, 1815 to the Present*. Penguin, 2012, Chapter 5, pp 116-136 | Call numbers: **341.1 HEIA 91146**

#### Optional Readings

Alvarez, José E. "International Organizations: Then and Now", *The American Journal of International Law*, Vol 100, No 2 (2006), pp. 324-347

Brailsford Henry Noel, *The War of Steel and Gold*, Chapter 1, pp. 9-46 (1916). Available here: <https://net.lib.byu.edu/estu/wwi/comment/Brailsford/AP01.htm>

### 4. International Organizations | 10 October

Formal international organizations, such as the United Nations, the World Bank, or the WHO, are the most emblematic representations of international governance. In this session, we will try to understand better how they are created and structured, who wields influence in them and how, and what place they have in today's ever more complex constellations of governance. We will also ask: to whom are they, and should they be, accountable?

#### Required Readings

Ikenberry G John. After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars. Princeton University Press, 2001, Chapter 6, pp. 163-214 | Call numbers: **327.5 HEIA 26448**

Barnett N Michael and Finnemore Martha. "The Politics, Power, and Pathologies of International Organizations", *International Organization*, Vol 53, No 4 (1999), pp. 699–732.

Guzman Andrew. "International Organizations and the Frankenstein Problem", *European Journal of International Law* Vol 24, No. 4 (2013), pp. 999–1025.

### Optional Readings

Karns P Margaret, Karen A Mingst, and Kendall W Stiles. *International Organizations: The Politics and Processes of Global Governance* (Third Edition), Lynne Rienner (2015) Chapter 4 | Call numbers: **341.12 HEIA 110282**

Koremenos Barbara, Lipson Charles and Snidal Duncan. "The Rational Design of International Institutions", *International Organization*, Vol 5, No 4 (2001), pp. 761–799.

Johnson Tana. *Organizational Progeny: Why Governments Are Losing Control Over the Proliferating Structures of Global Governance*. Oxford University Press, 2014 | Call numbers: **327(003) HEIA 104477**

Cannon Cecilia and Biersteker Thomas, "International Organizations" in Anheier K Helmut and Baums Theodor (eds.), *Advances in Corporate Governance: Comparative Perspectives*, Oxford: Oxford University Press (forthcoming 2019)

## 5. International Law as Governance | 17 October

International law is a central form of governance beyond the state. In this session, we explore its basic structures and functions. How does it delineate the spheres of individual states? How does it make cooperation possible? What are its strengths and weaknesses? The primary focus will be on multilateral treaties and the ways in which they are made, interpreted and implemented. We will use the recent dispute between Australia and Japan over whaling in the Antarctic as a case study to approach these questions.

### Required Readings

Sands Philippe. *America and the Lawless World: Making and Breaking Global Rules*. Viking (2005) Chapter 1, pp. 13-34 | Call numbers: **341(73) HEIA 34316**

Scott V Shirley. *International Law in World Politics: An Introduction*. USA: Lynne Rienner (2010) Chapter 1, pp. 1-18 | Call numbers: **341 HEIA 66646**

International Court of Justice, Whaling in the Antarctic (Australia v. Japan: New Zealand intervening), Judgment of 31 March 2014 – read:

- [the summary](#), pp. 1-12
- [an excerpt of the judgment](#), pp. 246-260
- the International Convention on the Regulation of Whaling & paras. 6 & 7 of the Schedule, both here: <http://www.icj-cij.org/en/case/148/judgments>

### Optional Readings

Reus-Smit Christian. "The Politics of International Law", in Reus-Smit Christian (ed.) *The Politics of International Law* (2004) Cambridge University Press (2004), Chapter 2, pp.14-44 | Call numbers: **327(050) HEIA 7674/96**

Goldstein Judith, Miles Kahler, Keohane O Robert and Slaughter Anne-Marie (eds.). *Legalization and World Politics*. Cambridge Mass: MIT Press (2000) – *International Organization*, Vol 54, N. 3, Special Issue.

Benvenisti Eyal. *The Law of Global Governance*. The Hague (2014) | Call numbers: **341.1 HEIA 104776**

Dunoff L Jeffrey and Pollack A Mark (eds.). *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*. Cambridge University Press (2012) | Call numbers: **341 HEIA 92952**

## **6. Transnational Governance Networks | 24 October (UN Day)**

In the last decades, transnational governance networks have arisen in many issue areas as a more informal and flexible alternative to traditional international organizations. We will inquire into their promise and limitations, and especially into the conditions under which they may be effective in regulating or coordinating regulation. We will also ask what constituencies they respond to, and who exercises political control over them.

### **Required Readings**

Slaughter Anne Marie. *A New World Order*. Princeton: Princeton University Press (2004) Introduction, pp. 1-35 | Call numbers: **327(003) HEIA 32682**

Keck Margaret and Sikkink Kathryn. *Activists Beyond Borders: Advocacy Networks in International Politics*, New York: Cornell University Press (1998) Chapter 1, pp. 1-38 | Call numbers: **322.4 HEIA 195078**

Carpenter R Charli. "Governing the global agenda: 'gatekeepers' and 'issue adoption' in transnational advocacy networks." in Avant D Deborah, Finnemore Martha and Sell K Susan (eds.). *Who Governs the Globe?* Cambridge University Press (2010), Chapter 8, pp. 202-237 | Call numbers: **327(050) HEIA 7674/114**

Tallberg Jonas, Sommerer Thomas, Squatrito Theresa and Christer Jönsson. "Explaining the Transnational Design of International Organizations." *International Organization*, Vol 68, No 4 (2014) pp. 741–774

### **Optional Readings**

Cannon Cecilia. "How much influence do NGOs really wield? A method for isolating influence in processes of normative change" Unpublished paper presented at the PSIG Seminar on Governance, The Graduate Institute, November 2013

Raustiala Kal. "The Architecture of International Cooperation: Transgovernmental Networks and the Future of International Law," *Virginia Journal of International Law*, Vol 43, No. 1 (2003), pp 1-92.

Lipson Michael. "Transgovernmental Networks and Nonproliferation: International Security and the Future of Global Governance," *International Journal*, Vol 61, No 1 (Winter 2005-6), pp. 179-198

## **7. Public-Private Partnerships and Multi-Stakeholder Initiatives | 31 October**

As part of the more complex picture of international governance that has emerged in recent years, various forms of private participation in governance initiatives have become prominent. Why are private actors – civil society organizations, business associations, corporations – brought into governance arrangements? How likely are they to contribute to meaningful regulation? And how can we ensure that they are themselves accountable to a broader public?

### **Required Readings**

Liliana Andonova. *Governance Entrepreneurs: International Organizations and the Rise of Global Public-Private Partnerships*. Cambridge University Press (2017), Chapter 5, pp. 145-192 | Call numbers: **341.12 HEIA 120207**

Hall Rodney and Biersteker Thomas. *The Emergence of Private Authority in Global Governance*. Cambridge: Cambridge University Press (2002) Chapters 1: Introduction pp. 3-22 and Chapter 10: Conclusion pp. 203-222 | Call numbers: **327(050) HEIA 7674/85**

Börzel A Tanja and Risse Thomas (2005), "Public-Private Partnerships: Effective and Legitimate Tools of Transnational Governance?", in Grande Edgar and Pauly W Louis. *Complex Sovereignty. Reconstituting Political Authority in the Twenty-first Century*, Toronto: University of Toronto Press (2005), Chapter 9, pp. 195–216 | Call numbers: **327(003) HEIA 55333**

Haufler Virginia. "The Kimberley Process Certification Scheme: An Innovation in Global Governance and Conflict Prevention", *Journal of Business Ethics* (2010), Vol 89, No 22, pp. 403-416.

### **Optional Readings**

Leander Anna. "The Politics of Whitelisting: Regulatory Work and Topologies in Commercial Security." *Environment and Planning D: Society and Space*, Vol 34, No 1 (2016), pp. 48–66.

Jerbi Scott. "Assessing the roles of multi-stakeholder initiatives in advancing the business and human rights agenda" *International Review of the Red Cross*, Vol 94, No 887 (Autumn 2012), pp. 1027-1046

Utting Peter. "Regulating Business via Multistakeholder Initiatives: A Preliminary Assessment". NGLS Development Dossier. Geneva, NGLS/UNRISD (2002), pp. 61-126.

Marques Carlos Jose. "A League of their Own: How Business-led Private Governance Initiatives Achieve Legitimacy", Draft unpublished paper, McGill University, (2013)

Andonova Liliana "Boomerangs to Partnerships? Explaining State Participation in Transnational Partnerships for Sustainability" *Comparative Political Studies*, Vol 47, No 3 (2014), pp. 481-515

Gleckman Harris. "Creating Standards for Multi-Stakeholder Governance", Carnegie Council for Ethics and International Affairs, (2015), Available here: [https://www.carnegiecouncil.org/publications/archive/policy\\_innovations/commentary/0037](https://www.carnegiecouncil.org/publications/archive/policy_innovations/commentary/0037)

Raymond Mark and DeNardis Laura. "Multistakeholderism: Anatomy of an Inchoate Global Institution", *International Theory* Vol 7, No 3 (2015), pp. 572–616.

Casini Lorenzo. "'Down the Rabbit-Hole': The Projection of the Public/private Distinction beyond the State." *International Journal of Constitutional Law*, Vol 12, No. 2 (2014), pp. 402–28

Koenig-Archibugi Mathias and Macdonald Kate. "Accountability-by-proxy in transnational non-state governance", *Governance: An International Journal of Policy, Administration, and Institutions*, Vol 26, No 3 (2013), pp. 499-522

## **8. Transnational New Governance and Orchestration | 7 November**

In a world of multiple sites of governance and a multitude of relevant actors, achieving governance goals increasingly involves finding ways to coordinate their action and bringing them into cooperative relationships. What do such attempts look like? In which issue areas do we find them? And when and where are they effective?

### **Required Readings**

Abbott Kenneth and Snidal Duncan. "Strengthening International Regulation Through Transnational New Governance: Overcoming the Orchestration Deficit", *Vanderbilt Journal of International Law*, Vol 42, No 1 (2009), pp. 1–78.

De Búrca Gráinne, Keohane O Robert and Sabel Charles. "Global Experimentalist Governance", *British Journal of Political Science*, Vol 44, No 3 (2014), pp. 477–486

Stone Diane. "Global Public Policy, Transnational Policy Communities, and Their Networks" *Policy Studies Journal*, Vol 36, No 1 (2008), pp. 19-3

### **Optional Readings**

Papadopoulos Yannis. "Accountability and Multi-Level Governance: More Accountability, Less Democracy?" *West European Politics*, Vol 33, No 5 (2010), pp. 1030–1049.

Biersteker Thomas. "Scholarly Participating in Transnational Policy Networks: Targeted Sanctions" in Bertucci E Mariani and Lowenthal F Abraham (eds.) *Scholars, Policy-Makers and International Affairs* Baltimore and London: Johns Hopkins University Press (2014) | Call numbers: **327(001) HEIA 108319**

Abbott W Kenneth, Genschel Philipp, Snidal Duncan and Zangl Bernhard (eds.) *International Organizations as Orchestrators*. Cambridge University Press (2015) | Call numbers: **341.1 HEIA 108321**

Stone W Randall. *Controlling Institutions: International Organizations and the Global Economy*. Cambridge: Cambridge University Press, 2011 | Call numbers: **341.12 HEIA 75745**

Davis E Kevin, Fisher Angelina, Kingsbury Benedict and Merry Engle Sally Merry (eds.) *Governance by Indicators: Global Power through Classification and Rankings*. Oxford University Press (2012) | Call numbers: **327(003) HEIA 98659**

Eberlein Burkard, Abbott W Kenneth, Black Julia, Meidinger Errol and Wood Stepan. "Transnational Business Governance Interactions: Conceptualization and Framework for Analysis." *Regulation & Governance*, Vol 8, No 1 (2014), pp. 1–21.

## **9. Global Trade Governance | 14 November**

During this session, we will have a guest, Professor Cédric Dupont. The format for the session will be an interview and Professor Biersteker will pose questions to Professor Dupont. The questions will relate to key actors, issues, institutions and processes associated with the governance of global trade.

**Required readings to be assigned.**

## **10. Global Health Governance | 21 November**

During this session, we will have a guest, Dr. Suerie Moon. The format for the session will be an interview and Professor Biersteker will pose questions to Dr. Moon. The questions will relate to key actors, issues, institutions and processes associated with the governance of global health.

**Required readings to be assigned.**

## **11. Global Environmental Governance | 28 November**

During this session, we will have a guest, Professor Liliana Andonova. The format for the session will be an interview and Professor Biersteker will pose questions to Professor Andonova. The questions will relate to key actors, issues, institutions and processes associated with the governance of the global environment.

**Required readings to be assigned.**



## 12. Global Internet Governance | 5 December

During this session, we will have a guest. The format for the session will be an interview and Professor Biersteker will pose questions to our guest. The questions will relate to key actors, issues, institutions and processes associated with the global governance of the Internet.

**Required readings to be assigned.**

## 13. Comparing, Contrasting, and Reflecting Critically on Different Forms of Contemporary Global Governance (12 December)

As global governance has become more influential, it has also come to face more severe challenges. Can it be legitimate for international institutions to make and enforce rules about health care, trade relationships, climate change, and the Internet? Can this be more democratic? In this session, we will compare and contrast the different forms of governance presented in the preceding four sessions and try to understand their strengths and weaknesses, both in society and as a matter of normative judgment.

**Required Readings:**

Dahl A Robert. "Can International Organizations Be Democratic? A Skeptic's View" in Shapiro Ian and Hacker-Cordon Cassiano (eds.). *Democracy's Edges*, Cambridge University Press (1999), Chapter 2 pp. 19–36 | Call numbers: **321.7 HEIA 59898**

Chimni Bhupinder Singh. "International Institutions Today: An Imperial Global State in the Making", *European Journal of International Law*, Vol 15, No 1 (2004), pp. 1–37

Keohane O Robert. "Global Governance and Legitimacy", *Review of International Political Economy* Vol 18, No 1 (2011), pp. 99–109.

**Optional Readings**

Davis W James 2012. "A Critical View of Global Governance", *Swiss Political Science Review*, Vol 18, No 2 (2012), pp. 272-286.

Held David. "Democracy and Globalization", *Global Governance*, Vol 3, No 3 (1997), pp. 251–267.

Moravcsik Andrew. "Is There a 'Democratic Deficit' in World Politics? A Framework for Analysis." *Government and Opposition*, Vol 39, No 2 (2004), pp. 336–363.

Keohane O Robert, Macedo Stephen and Moravcsik Andrew. "Democracy-Enhancing Multilateralism", *International Organization*, Vol 63, No. 1 (2009), pp. 1–31.

Zürn Michael, Binder Martin and Ecker-Ehrhardt Matthias. "International Authority and Its Politicization." *International Theory*, Vol 4, No. 1 (2012), pp. 69–106.

Bernstein Steven and Cashore Benjamin. "Can non-state global governance be legitimate? An analytical framework" *Regulation & Governance*, Vol 1, No 3 (2007), pp. 347-371

Archibugi Daniele, Koenig-Archibugi Mathias and Marchetti Raffaele (eds.) *Global Democracy: Normative and Empirical Perspectives*. Cambridge University Press (2011) | Call numbers: **321.7 HEIA 82183**

Hale Thomas, Held David, and Young Kevin. *Gridlock: Why Global Cooperation is Failing when We Need it Most*. London: Polity Press (2013) | Call numbers: **327(003) HEIA 9512**

Steffek Jens. "The Output Legitimacy of International Organizations and the Global Public Interest." *International Theory*, Vol 7, No 2 (2015), pp. 263–293.

David Kennedy. A World of Struggle: How Power, Law, and Expertise Shape Global Political Economy. Princeton University Press (2016) | Call Numbers: **327(003), HEIA 113494, 327(003) HEIA 122459**

**14. Exam (19 December)**