12

Dilemmas in Global Governance

What Makes Global Governance Different?

Global governance issues defy easy categorization. Trafficking in women and children, like the older problems of piracy and slavery, may be economically motivated, but it violates core human rights norms. The issue of refugees is an issue of human rights, but the problem is closely linked to the dynamics of failed states and ethnic conflicts, civil wars, deepening poverty, and government weakness. Climate change and loss of rainforest biodiversity are fundamentally environmental issues, yet any action or inaction has critical economic and political ramifications. Issues of human development not only are economic issues, but also have social and political ramifications. HIV/AIDS and Ebola are not just health issues, but also humanitarian problems that threaten economic and social development in the world's poorest regions and hence are threats to human security. There are no neat categories, even though traditional IGOs are often organized as if there were.

The conventional strategies of adding responsibilities to already-existing organizations and of creating new IGOs to address new dimensions of problems have each been used. For example, in the early 1990s, when the UN first undertook peacebuilding responsibilities and election monitoring, both were handled by the Departments of Political Affairs and Peacekeeping Operations. By 1992, the Electoral Assistance Unit was created; only in 2006 were the Peacebuilding Commission and the Department of Field Support established. With HIV/AIDS, the World Health Organization took the lead, but gradually other UN agencies became involved as the multifaceted nature of the problem became evident: UNICEF to address mother-to-child transmission; the UNDP as high mortality affected national development agendas; UNESCO, the World Bank, and ILO as labor and employment were affected. What began as a health issue became a security issue when the UN Security Council adopted the topic.

States and IGOs are no longer the only important actors in dealing with these international problems. Civil society, NGOs, transnational advocacy networks, and social movements demand inclusion in governance efforts across a range of different issues. Expert groups and epistemic communities are essential for the knowledge and expertise they can provide. Private corporations have become increasingly important partners and suppliers of resources that governments and IGOs are less able to provide, resulting in a variety of public-private partnerships as discussed throughout the book.

Proliferation of actors has generated much controversy about the roles of states in global governance. Certainly states remain key actors in traditional IGOs, where they hold the purse strings and where dominant states (or coalitions) tend to control agendas, as seen in the international financial and security institutions. With respect to threats to peace and security, states have always assumed a controlling position and continue to do so. Yet even in security issues, as noted in Chapter 7, emerging norms of human security make responsibility to protect people a new expectation of statehood.

The proliferation of nonstate actors has unquestionably diminished the power of states to shape international policy outcomes. The concepts of sustainable development and human rights challenge sovereignty and the principle of nonintervention. Still, major powers such as the United States, Russia, and China, among others, may resist having their power and sovereignty undermined across a broad range of issues. The puzzle for students of global governance is how much importance to accord to states versus nonstate actors and how much authority is delegated to each.

Finally, there is no single model of global governance to fit all issues and policy problems, just as there is no single structure of global governance but a multitude of approaches that do not fit together in an elegant way. As Stewart Patrick (2014b: 59) predicts, "The future will see not the renovation or the construction of a glistening new international architecture but rather the continued spread of an unattractive but adaptable multilateral sprawl that delivers a partial measure of international cooperation through a welter of informal arrangements and piecemeal approaches."

Groups of actors coalesce in various ways over time to confront new governance challenges. Not only do such coalitions shift, as evidenced by the emergence of the G-20 during the 2008–2009 global financial crisis, but the proliferation of other actors relevant to various issues has led to new partnerships in global governance that blur the boundaries between public and private actors and between domestic and international actors. The Global Compact on Corporate Responsibility illustrates such a partnership approach among the UN, multinational corporations, and NGOs, as do the multistakeholder World Commission on Dams and multistakeholder Forest Stewardship Council, discussed in Chapter 11.

For human development, discussed in Chapter 9, there are multiple and strong development institutions at both the international and the regional level that provide the foundation for governance, but depend on state cooperation and increasingly delegate delivery of development aid to NGOs. In international finance, financial markets and networks make private actors central to governance, limiting the authority and control of states and even of the International Monetary Fund. NGO coalitions, too, have shown their influence, whether by organizing on behalf of disabled people or uniting to save an endangered species. For peace and security, there is enhanced collaboration among and between the UN and regional organizations as well as ad hoc contact and friends groups and the multinational anti-piracy maritime force, as discussed in Chapter 7. That has challenged the secretariats of the UN and many regional organizations to improve ways of structuring cooperation and partnerships.

Another approach to new governance challenges is more targeted initiatives, limited to a very specific problem and involving only the most relevant actors. Both private and private-public governance schemes provide relevant examples, including bond-rating agencies, the ISO 14001, and the Financial Action Task Force.

Sometimes the various constituencies have such different interests that one governance approach may be impractical. Internet governance is a case in point, where interests are sharply differentiated among governments, private businesses, and traditional Net users, making any universal regulatory framework impractical. States want some degree of control to protect citizens and in the interest of national security. Private businesses need rules of property, currency, and enforcement to advance their commercial interests. NGOs are concerned with access and privacy issues. One governance institution cannot meet the needs of all—and certainly no existing IGO can do so.

The result is several different governance approaches. Private companies working with states, the UN, and the International Telecommunication Union have taken steps to narrow the digital divide among states, for example. Since 1998, the Internet Corporation for Assigned Names and Numbers (ICANN), a group of California-based private actors (under contract from the US Department of Commerce until 2014), has allocated domain names, established rules for reallocation of names, and set regulations for selling domain names. Regulating specific activities on the Internet remains largely a state responsibility (for example, China's "Great Firewall"), but to deal with use of the Internet for illegal activities like online money laundering requires both state and international governance such as through the Financial Action Task Force. And in Western countries, private companies such as Symantec and Intel, with their technological expertise, have been

primary actors in developing firewalls and encryption to protect online transmissions.

To enhance legitimacy with multiple stakeholders, the Internet Governance Forum (IGF), convened for the first time in 2006, is now the focal point for initiatives relating to Internet governance. This multistakeholder process is an open forum of all public and private actors organized around informal workshops on relevant Internet issues. Though the IGF is not a decisionmaking body itself, its recommendations are taken to relevant bodies such as the ITU. The IGF is now viewed as the venue for discussing all aspects of Internet governance. It convenes annually, with working groups addressing specific issues. Participants include government officials, academics, civil society members, and any interested parties. While a small permanent secretariat is based at the UN's Geneva headquarters, actual authority is dispersed to other entities, including ICANN and the FATF among others. Yet inherent tensions remain, for as Debora Spar (1999: 47) reminded us many years ago, "on the Internet, some degree of anarchy is acceptable, even desirable. In fact, many users came to cyberspace precisely because of its anarchy, its anonymity, its secretiveness, and lack of rules." No one model of global governance is likely to work across all issues.

If James Rosenau (1995: 13) is right that global governance constitutes "systems of rule at all levels of human activity—from the family to the international organization—in which the pursuit of goals through exercise of control has transnational repercussions," then we need to be prepared for much more complex, multilayered, and crosscutting processes and interactions that are constantly changing. There is no global supranational authority now, any more than there was in 1945 when the UN was founded. But realistically, what can the various actors in global governance do well? What can they not do in terms of meeting the challenges of global governance?

What Can Global Governance Actors Do?

Actors in global governance can perform many tasks quite well. We identify six areas where these actors have made significant contributions to global governance.

Developing New Ideas

The United Nations, as discussed in Chapter 4, has traditionally been described as the center of global governance. The United Nations Intellectual History Project concludes in its final volume with a list of ideas that are among the UN's most significant contributions (Jolly, Emmerij, and Weiss 2009). These ideas have come from member states, from the UN Secretariat and major bodies, as well as from NGOs, experts, and consult-

ants. UN bodies have provided forums for debate; Secretariat officials and experts have promoted adoption of policy ideas; member states and NGOs have implemented or tested ideas and policies at the country level, and provided resources for implementing, monitoring progress, and sometimes burying ideas.

Among the ideas advanced by the UN is *peacekeeping,* the idea that the military personnel, police, and civilians from states acting on behalf of the international community could insert themselves into conflict situations. It represents an institutional innovation that was not explicit in the UN Charter. The UN has also been instrumental in expanding the very concept of security from state security to *human security.* Humans, too, need to be secure, from violence, from economic deprivation, from poverty, infectious diseases, human rights violations by states, and environmental degradation, as illustrated in Chapters 7, 9, 10, and 11.

In the area of economic development, the UN has benefited from the creativity of innovative economists who have at one time or another been employed by the UN or served as consultants and who have contributed to key UN ideas. *Sustainability,* as enunciated in the General Assembly–commissioned Brundtland Report discussed in Chapter 9, clearly showed that economic development cannot occur without assurances that resources will not be exploited and that unintended consequences will be considered, and showed that resource uses need to be managed for future generations. As a result, the UN and other development institutions began to weigh development needs with environmental imperatives. And just as security has been redefined as human security, development too has been reconceived as *human development*. This idea represents a sea change in thinking, from traditional economic theory that measured development in terms of growth in a state's GNP over time and in comparison to that of other states. Thinking about human development led to the Millennium Development Goals and is continuing to evolve in the search for the Sustainable Development Goals for the next decade.

While universalizing *human rights for all* represents a key normative idea for which the UN deserves major credit, NGOs, in particular, played an important role in getting protections into the UN Charter, and they continue to play critical roles in the promotion and monitoring of human rights for all vulnerable people. On several issues, the UN alone did not act independently or even initiate discussion. In enhancing the status of women and in espousing the relationship between the environment and development, key Northern states and NGOs played that role. Likewise, in universalizing human rights such as protection of LGBT rights, key NGOs acted, taking their demands to both sympathetic states and various UN bodies.

The idea of microfinance, supplying small amounts of financial assistance to individuals and groups who are unable to access resources through

regular banking systems, emerged from the Grameen Bank experience, an idea that has been subsequently adopted and modified by other nonprofit groups as well as by for-profit banks and even the World Bank. Some ideas like microfinance have been mainstreamed and taken hold; others have not.

Filling Knowledge Gaps, Gathering Data

Translating ideas into agenda items requires collection of data, both to highlight problem areas and to identify data that need to be collected. In the early years, the UN and the Bretton Woods institutions played a key role in helping states gather basic data, reflecting the experience of dominant states and the methods of liberal economists located in the international economic institutions.

As new issues emerged, new kinds of data needed to be collected. We did not know whether economic development affected everyone equally, as liberal economists predicted, until data were collected comparing women and men on various development indicators. If protection of women from violence includes abuses in both the public sphere and the private sphere, then data on the latter need to be collected. Yet sometimes the data are too controversial, either because a particular activity such as violence in the home, terrorism, or corruption lacks an agreed definition, or because such data may implicate member states for not preventing the activity or even actively promoting it, or because it may offend cultural norms. But after Transparency International introduced corruption indices, for example, the door was opened for gathering some cross-national statistics that reflect, even obliquely, the costs of corruption.

Sometimes it is an epistemic community that is most responsible for initiating data-collection activities. Environmental scientists based in different institutions stressed the need for collecting baseline data so that environmental change could better be assessed. Now all the major environmental organizations—public, private, international, regional, and local—collect such data. Yet as the response to the climate change data has illustrated, this does not mean that there is immediate agreement on what the data mean or what policies need to be implemented, especially over the long term. In the case of climate change, it took almost twenty years for the scientific community to reach consensus on the link between human activity and changes evident in the data.

Thus, we now have a variety of indicators and data that help us to link numbers to the ideas and enable us to set goals, another key contribution of global governance actors.

Setting, Promoting, and Monitoring Goals

Virtually all global governance actors set and promote goals. Among IGOs, the UN is often criticized as a forum for declarations that make no differ-

ence and for setting goals, like eliminating extreme poverty worldwide, that are impossible to meet. Yet one of the surprising conclusions from the UN Intellectual History Project is the importance of UN goal-setting. Indeed, setting targets for economic and social development is seen as a "singular UN achievement" (Jolly, Emmerij, and Weiss 2009: 43). Some fifty economic and social goals in all, beginning with the First Development Decade in 1960 and including the MDGs for poverty reduction, have been set and promoted. The MDGs have been accompanied by systematic monitoring and reporting on an annual basis, a process that states have accepted. The long list of human rights treaties negotiated under UN auspices established the normative foundation for global human rights for all. The UN has established international machinery for their promotion through the office of the UNHCHR, as well as mechanisms for monitoring states' human rights records and compliance with treaties, as discussed in Chapter 10. In the area of health, the "Health for All" goals in the late 1970s moved the WHO and other health actors to focus on improving the state health infrastructure to meet the goals. In short, goals have provided a focus "for mobilizing interests, especially the interests of NGOs, and for generating pressures for action" (Jolly, Emmerij, and Weiss 2009: 44).

Agenda-Setting in International Arenas

Few doubt the value of the UN as a general forum, and particularly the General Assembly as a voice of the "peoples of the world," enabling member states to raise and act on new issues, thereby setting agendas for the UN itself, for other IGOs, for NGOs, and for states themselves. No one has any doubts about the forum's value over time for promoting self-determination and decolonization; for calling attention to apartheid and pressuring South Africa to change; for negotiating the comprehensive Law of the Sea Convention and recognizing the unique position of small island states in the global climate change debate; or for putting on the agenda the rights of the disabled, migrant workers, and LGBT community. In virtually all cases, years of hard work occurred before the agenda was accepted.

Certainly in the eyes of some, the UN as a forum has been abused, such as when majorities repeatedly linked Zionism with racism in General Assembly resolutions. Yet for others such as the Palestinians, the forum provided the venue in 2012 for recognition of Palestine and its admission as a nonmember observer state. When the Security Council was blocked by Russian and Chinese vetoes from referring the Syrian government to the International Criminal Court in 2014 for its massive crimes against its own citizens, the General Assembly could at least serve as a forum to mobilize global sentiment on that crisis. Thus, the value of having a place where issues can be raised, resolutions can be put forward, and consensus built or votes taken is to serve both agenda-setting and tension-releasing functions

for the international community. No other IGO or global governance venue can substitute for the UN's agenda-setting potential and its forum function.

Yet the emergence of more IGOs has provided more forums—whether it be the World Bank, one of the regional multilateral development banks, the recently created China-led Asian Infrastructure Investment Bank, or the Latin American Development Bank. These provide opportunities for states and nonstate actors to forum-shop, as discussed in Chapter 1. Thus, for states with labor issues, the ILO, the WTO, and the EU are all potential venues. Environmental issues may find sympathetic voices in UNEP, the World Bank, or major NGOs. Intellectual property issues may find a forum in the WTO's TRIPS or the World Intellectual Property Organization. And the growth of foundations and NGOs with technical expertise and resources has meant that urgent health issues may find forums in specialized bureaucracies like the US Centers for Disease Control, the WHO, NGOs such as International Partners in Health or Doctors Without Borders, or foundations like the Gates Foundation.

Ability to Adapt and Reform

If organizations do not adapt or change, they lose their relevance, decline, or die. Despite the arduous process for UN Charter reform requiring the concurrence of the P-5, the UN has found other ways to adapt to changing circumstances: creating new bodies such as the Office of the High Commissioner for Human Rights or the Peacebuilding Commission or bringing all UN development agencies and programs together in the field. Where it has failed to reform, particularly with Security Council membership, the legitimacy of the organization has been substantially challenged, since it does not adequately represent the world today. The international financial institutions, however, have made some accommodations to rising economic powers, giving them more of a voting voice, albeit stymied for the time being by domestic politics in the United States. Nevertheless, for many, and especially for emerging powers, those changes do not go far enough and new forums, such as the AIIB and BRICS New Development Bank, may be created.

Regional organizations have often successfully shifted focus with changes in the international setting, national interests, and new actors. Some examples include the EU's evolution from an economic union to a political and nascent security community; the SCO's shift from a security organization to one concerned with expanding trade and economic ties; and the OAU/AU transition from its anticolonial underpinnings to a positive agenda in support of regional security and democratization. In the words of one analyst, regional organizations are "giving universal membership bodies a run for their money," leading to the discussion in Chapter 7 of how to

"harmonize and complement the UN system rather than undermine it" (Patrick 2014b: 65).

Innovation: New Varieties of Governance

In the first decades after World War II, neither the United Nations system nor the Bretton Woods institutions recognized how other actors might be mobilized to enhance their own programs. UN funding came from state assessments and voluntary contributions. Funding for World Bank projects and projects emanating from bilateral lending institutions went directly to governments. Private corporations' resources were harnessed on behalf of international goals and programs only in the 1980s.

Several key trends resulted in changes to the traditional model. Funding was too limited to meet global needs; MNCs were recognized as key sources of international capital to be harnessed not regulated; programs aimed at local communities required local expertise, and NGOs were better positioned on the ground. Even in international peacekeeping operations, the UN and regional organizations have learned the value of involving locals on the ground.

New varieties of global governance have grown: partnerships, networks, private governance, rule-based governance, and public-private partnerships. Yet these are not all the same. Some have been granted significant autonomy and authority by states through formal or informal agreements. Institutions having such authority can "make legally binding decisions on matters relating to a state's domestic jurisdiction, even if those decisions are contrary to a state's own policies and preferences" (Cooper et al. 2008: 505). Others involve both public actors (global and regional IGOs) and private actors (NGOs, MNCs, and foundations), as illustrated by the examples of UNAIDS and the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Such partnerships are essential for augmenting financial resources and marshalling expertise; in providing broader participation from donors; and for improving "buy-in" and, hence, legitimacy for recipient states and individuals. Others have not been granted such authority, do not have such broad participation, and struggle to define the limits of their actions.

Still, much as these innovations in global governance seem to have made a difference, the evidence is still anecdotal and circumstantial. It appears as if "learning" has taken place as constructivists suggest. Lessons learned from one actor are often diffused to others. States have learned from the success of NGOs in framing issues for public consumption and using the Internet and social media to create networks, mobilize support, organize advocacy campaigns, and get issues such as landmines, cluster munitions, child soldiers, violence against women, or species-loss onto the international agenda. They have accepted the need for intensive on-site

inspections for arms control, monitoring compliance with sanctions, and explicit efforts to promote human and gender security, and have established the mechanisms for such activities.

International development institutions have learned from NGO experiences that reaching out to people in local communities, to those affected, and involving them in the planning and execution of projects, will lead to greater project success. Some IGOs have learned that decisions are better if they are taken at the lowest possible level, based on the EU's experience with subsidiarity. Thus the poverty reduction programs tied to IMF debt relief have called for local groups to propose development projects best suited to the locale. The Global Fund also calls for local initiatives and local accountability. Partnerships and multistakeholder initiatives provide a venue for learning to occur. But learning may not occur and some tasks required by global governance issues may not be possible.

What Global Governance Actors Cannot Do

Global governance actors are unable at this point, either singularly or together, to do at least five tasks well. As John Ruggie reminds us, "international organizations remain anchored in the state system. . . . Their role in actual enforcement remains tightly constrained by states" (quoted in Weiss and Thakur 2010: xvii). Indeed, it is in the area of enforcement where global governance falls short.

Enforcement

The UN and other IGOs can generally only make recommendations. As Thomas Weiss and Ramesh Thakur (2010: 21) acknowledge, "no ways exist to enforce decisions and no mechanisms exist to compel states to comply with decisions." There is no international executive with an international military at its disposal; there is no international legislature; there is no international judiciary with compulsory jurisdiction. The European Union is a prominent exception in those areas of common policies where sovereignty has been delegated to the EU and where the decisions of the EU Court of Justice are directly enforceable in member states. But even in the EU, policy areas such as foreign policy remain intergovernmental and require unanimous approval from member states.

The UN Security Council, under Chapter VII, clearly can authorize sanctions and coercive military action if the P-5 concur (or do not exercise their vetoes). Although sanctions have been extensively used since the Cold War's end, military enforcement action is still rare, despite the greater use of Chapter VII authority in mandates for peace operations, as discussed in Chapter 7. Even if there is consensus on some type of enforcement, it may be for a relatively brief period of time and member states may not back up

that commitment with sufficient resources to ensure success. With sanctions, the possibility of cheating is always present and the longer they are in place, the greater the possibility of leakage. For military enforcement, a clear lesson of the early post–Cold War years is that the UN must rely on major powers, on a coalition of the willing, or on NATO with its military alliance capabilities for joint action. States simply are unwilling to grant the UN direct control over the types of military resources necessary for major coercive action. They are also very often reluctant to see the UN intervene in some situations—sometimes because of their own national interests, be they economic or political, as one would predict from a realist view of what IGOs can do.

In March 2015 as the Syrian civil war entered its fifth year, the UN's own reputation and that of the Security Council in particular was clearly suffering. A political solution continued to elude the UN's third special envoy; despite Council authorization to deliver food and medicine, aid agencies continued to be stymied; and a litany of torture, rape, executions, bombing of civilian targets, and displacement continued with no one held accountable. Jan Egeland, former UN relief coordinator noted, "I fear the Syrian war will become one of the darkest chapters in the history of the United Nations. . . . The organization was founded on the ruins of World War II precisely to avoid conflicts like this one engulfing a whole region" (Sengupta 2015b: A4).

Still, other "softer" forms of enforcement are possible in other contexts. In economic issues, both "carrots" and "sticks" can be utilized—carrots meaning financial rewards for taking certain mandated actions, and sticks meaning the withholding of aid for failure to meet demands, as both the IMF and World Bank have done. But strict conditionality was not always imposed as agreements were renegotiated and conditions modified over time.

In human rights, enforcement has included bringing individuals to justice under the ICC or ad hoc courts. For the most part, however, to punish state noncompliance, various actors must rely on "naming and shaming." If accompanied by strong domestic measures for compliance from NGOs, then that may be effective. On other issues, however, publicly naming and shaming states for noncompliance may not yield the desired results, especially when the target does not care about its reputation for following the rules.

When international enforcement is pitted against the national interests of a great power, then none of the global governance actors may be able to respond without endangering international peace and security. Consider the case of China's challenge to the UN Law of the Sea Convention. The treaty was concluded in 1982, came into effect in 1994, and was ratified by China in 1996. It establishes legal boundaries for the territorial sea, the exclusive

economic zone, and support for the principle of open and free navigation. China's extensive claims in the South China Sea are not compatible with the treaty and overlap the claims of five other states in the region (Brunei, Indonesia, Malaysia, the Philippines, and Vietnam, as well as Taiwan). In 2014, the Philippines, with US support, filed a claim with the International Tribunal for the Law of the Sea to settle the dispute by arbitration. China has refused to participate, continues to violate key principles, and is constructing new land forms, airstrips, and other facilities on disputed reefs and islets to bolster its claims. Yet, is the United States, which has not ratified the treaty, ready to enforce the principles and support its allies in the region as well as its own interests? If China continues to thwart the international legal regime, no other country is capable of enforcement. Such are the limitations of global governance in the realist world.

Reacting Quickly in a Crisis

Virtually none of the global governance actors, save a few powerful states, have the administrative, logistical, or financial resources to react rapidly in crisis situations. Major natural disasters such as Typhoon Haiyan (2013) are a test of rapid response. The UN humanitarian relief system and relief NGOs including the ICRC responded, but much of the work was carried out by the US military, which has the capacity (and willingness) to undertake rapid responses in almost all areas of the world. In contrast, China was roundly criticized in 2013 when it failed to provide much financial assistance or to send its hospital ship to the Philippines after Typhoon Haiyan.

The rapid acceleration of the Ebola outbreak from a health threat in isolated West African locales to a full-blown international emergency tested the capacity of health governance actors to respond rapidly in 2014. There are no NATO-like health troops! The WHO was designed to establish guidelines to stop the spread of communicable diseases and provide limited technical assistance, as discussed in Chapter 3. Its mandate has expanded to include noncommunicable diseases and health lifestyle issues, while its budget has been cut in recent years, necessitating cuts that actually split the duties of the pandemic-response department at headquarters. NGOs like Doctors Without Borders are designed to respond rapidly in a crisis like the Ebola outbreak, but never on such a scale and with the number of trained medical volunteers needed. And even the most developed states like the United States did not have the procedures, protocols, or equipment to react rapidly in the crisis and took weeks to provide assistance. If Ebola is serving as a "test of multilateralism," as Jan Eliasson, deputy secretary-general of the UN asserted, the system is failing. Neither the WHO nor governments are in charge (quoted in Patrick 2014a). Therefore, as discussed in Chapter 9, WHO reform is critical if global health governance actors are going to be better prepared for the next health emergency.

Responses to human-made humanitarian crises are also hamstrung due to the inability to ramp up operations in a short period of time. As many times as the UNHCR and partner NGOs have responded to refugee crises, they have been overwhelmed in their Middle East operations since 2011, especially with the huge numbers of refugees and displaced persons in the Syrian civil war as well as following the 2014 ISIS advances in Syria and Iraq, as discussed in Chapters 7 and 10.

Similar limitations are true when the need for a rapid international military response is needed. As emphasized in Chapter 7, multilateral military interventions, be they organized under the UN, under NATO, or under the EU, require time: time to get the consent of the P-5 in the case of the UN, or the approval of NATO or EU member states; time to organize the dedicated military units from member states; time to transport troops and equipment to the crisis area. France was able to intervene rapidly as the situation deteriorated in Côte d'Ivoire, Mali, and Niger in recent years. French troops served as a stopgap measure until AU/ECOWAS forces were mobilized and deployed. Often in such situations, the US military provides transport and logistical support. Time does not stand still in crisis situations.

Managing Large, Long-Term Projects on Behalf of Broad Goals

Many of *the actions* needed for global governance initiatives, whether they be sanctioning, peacebuilding, statebuilding, or economic development, demand long-term commitments. The IAEA's role in the nuclear nonproliferation regime illustrates this well, as discussed in Chapter 7. Inspections must be done at periodic intervals indefinitely, with particular vigilance in those instances where states such as Iran or North Korea are suspected of developing weapons programs. Complex multidimensional peace operations with large numbers of personnel and varied responsibilities—keeping the peace, organizing elections, rebuilding the local police, creating a new judicial system, stimulating economic development, and even serving as an interim government—require a long-term commitment.

Economic development and especially human development are even longer-term undertakings that the UN was never designed to address. As noted in Chapter 9, both the UN and the World Bank changed approaches over time, making it impossible to evaluate whether they had any positive effect in the long term. The reality is that no one knows precisely how to achieve development—what combination of factors and steps will yield positive results in each unique setting. Those commitments to activities requiring years demand that member states not waiver from their commitments; that a steady stream of the "right" kind of resources be provided; that those receiving the aid put the funds to good use and manage the programs to achieve their objectives. Even then, the problem remains of how

to define success. And, if many different instruments are employed, how do we know what has worked? It may take years for institutional changes to show actual results.

Coordinating the Activities of a Variety of Agencies

With all global governance innovations, multiple actors are involved. In the late 1990s, Jessica Mathews (1997: 61) wrote of "the new medievalism" to capture the variety of arrangements and authorities operating without a clear hierarchy, much as characterized the Middle Ages. Whether the needs are long-term or in a crisis, all initiatives require coordination among various actors, agencies, funds, and programs. Yet as numerous UN staff and NGOs have remarked, "Everyone is for coordination but nobody wants to be coordinated" (quoted in Weiss 2009: 81). This has been a chronic problem, as seen in ECOSOC's long-term inability to coordinate the multiple, overlapping UN economic and social programs and agencies discussed in Chapter 4. It can also be seen in the problems of uncoordinated responses to complex humanitarian crises. Weiss (2012: 14) refers to the "spaghetti junction" of the UN organizational chart (see Figure 4.2) and suggests that it creates either "productive clashes over institutional turf and competition for resources, or paralysis. . . [rather than] more integrated, mutually reinforcing, and collaborative partnerships among the various moving parts of the United Nations." The proliferation of regional trade agreements discussed in Chapter 8, with many states belonging to several agreements, each with different rules and regulations, is another example where coordination is needed but too often lacking.

The Struggle to Deal with the Dark Side Within States

As discussed in Chapter 1, global governance threats are now transnational, but the roots of many threats are within states. Many states with weak governments lack the capacity to meet these problems, while other states lack the willingness to address them. The transnational movement of illicit drugs, people, and money requires actions within states to enforce laws and monitor borders. While the EU under its criminal justice procedures has established a structure to deal with this "dark side" and provides funds to improve the capacity of states, some of the most affected states (even within the EU) are overwhelmed and enforcement efforts lag far behind, as the January 2015 terrorist attack in Paris made clear. Still other states are unwilling to address the problem, as their own authorities may be complicit and corrupt or because they are afraid of the negative repercussions from domestic constituencies as illustrated by the Nigerian government's failure to address the attacks by Boko Haram in 2014 and 2015.

The rise of ISIS well illustrates the problem: a group funded by illegal seizures of oil wells and bank assets and occupying large swaths of territory

and major cities; a crippled Iraqi government and military struggling to respond effectively because of sectarian conflicts; a Syrian government, viewed by many as a terrorist regime in itself, caught in a long civil war and fighting for its survival; the international community, personified by the UN Security Council, unable to agree on multilateral action.

Challenges for the Future

The challenges of legitimacy, accountability, effectiveness, and leadership are found in all governance arrangements. Absent any single structure or set of structures, there can be no single standard for legitimacy or accountability, no single set of prescriptions for enhancing democratic representation of civil society in international institutions and policymaking processes, no single standard for measuring effectiveness, and no agreed-upon algorithm for leadership. These challenges arise at two levels: individual actors in global governance need to be legitimate, accountable, and effective; and global governance generally must be legitimate, accountable, and effective, having positive impacts on people's lives, improving living standards, while meeting standards of equity, fairness, and justice. These are dilemmas for global governance more broadly.

The Challenge of Legitimacy

To be accepted as legitimate by the international community, various structures and processes of global governance must accommodate the participation of civil society in some fashion, since one of the distinctive characteristics of global governance is ensuring that various actors have a voice. The challenge of democratizing and therefore legitimizing global governance structures is not just one of having access to formal procedures, but also one of having "the broadest possible participation on a global scale," writes Fred Dallmayr (2002: 154–155). Widening or globalizing political participation, he continues, also contributes to "fostering of a genuine sense of global or cosmopolitan justice," and the "democratic process is the best means for changing conditions of injustice and promoting justice." Hence, legitimacy depends in large part on the diversity and breadth of support for various elements of global governance.

Participation gives people a sense of ownership and a stake in outcomes of policymaking. An important part of the story of this book is how nongovernmental organizations and other civil society actors have broadened participation in particular institutions and how newer global governance arrangements have expanded participation to the local level. In peacekeeping, this means being cognizant of how operations affect local conditions and people, as well as of unintended side effects such as skewing local economies and employment structures or undermining traditional

gender relations. In development, this means listening to local needs; in human rights, this means activating local networks; in health governance, this requires bringing in those populations most affected. And, multilayered governance approaches provide multiple venues for participation by transnational actors.

Given the global norm of democratic governance, however, an additional aspect of the legitimacy challenge is that individual actors must be democratized. This is a particular challenge because globalization has undermined some aspects of liberal democracy in states, and UN targeted sanctions, for example, have been shown to unintentionally strengthen authoritarian rule. States that are not currently democratic will face continuing pressures for political change, as will IGOs and NGOs that are perceived to suffer from "democratic deficits," including the European Union, the international financial institutions, and even NGOs themselves who may only represent self-selected elites, as discussed in Chapter 6. Calling for the abolition of organizations judged undemocratic does not solve the problem. Rather, an approach that systematically examines "where, to what extent, and which international organizations are undemocratic, with the aim to derive a nuanced assessment of their level of democracy and recommendations for improvements," is needed (Zweifel 2006: 14). Incremental changes to the structure will not do.

To be considered legitimate, global governance cannot be seen as a US, Western, or liberal economic project that is only compatible with the power and preferences of the United States, large Western-based multinational corporations, Northern NGOs, and Western-trained experts. Nor can it be considered an activity that the United States can control. International institutions, be they the United Nations, the International Monetary Fund, the Global Environmental Facility, or Human Rights Watch, cannot be controlled by the preferences of a dominant state if they are to remain legitimate in a globalized world. The UN Security Council maintains its legitimacy indefinitely even if there is no revision of its membership. As Ngaire Woods (1999: 43) reminds us, "A symmetry of power must exist within the institution because it is unlikely to endure over time if powerful states or groups of states can simply flout the rules." In addition, global governance must represent wider liberal, social, and political values like those that human security, human development, poverty alleviation, and sustainable development embody.

Finally, global governance will not be widely regarded as legitimate unless its pieces combat the gross inequalities of power, wealth, and knowledge in today's world. These inequalities have profound implications for promoting justice in the international community. Democratization requires accountability. Legitimacy and justice also require effectiveness.

The Challenge of Accountability

Who watches the governors? Who is accountable, to whom, for what, and by what mechanism are critical questions for global (and other) governors (Avant, Finnemore, and Sell 2010a: 363–364). In a perfectly functioning democracy, the people, through electoral processes, provide a semblance of accountability, but that will never be possible at the international level. Thus, accountability must be built into global governance in different ways, as discussed in Chapter 1 and in the work of Ruth Grant and Robert Keohane (2005). One of those is by enhancing the transparency of decision-making within institutions. States' own accountability and transparency have been significantly enhanced through requirements for reporting the status of human rights or trade-law implementation of counterterrorism activities and of on-site weapons inspections, as well as by the vigilance of NGO monitoring. While IGOs must inform members of activities and decisions, as well as the grounds on which decisions are taken, closed IMF or Security Council meetings and consensus decisionmaking often limit accountability, because there is no published record of activity and states' positions. The P-5, the WTO's Quadrilateral Group, the G-7, and other exclusive group consultations exclude large numbers of other interested actors. Unanimous voting, while probably the best way to ensure accountability, proved impractical as a decisionmaking procedure for international collective action in the League of Nations. Yet as Woods (1999: 45) warns, "Accountability needs to reflect [*sic*] not just in formal representation but equally in decisionmaking procedures and rules and also in the implementation of decisions."

Improving accountability in international actors has been difficult, but steps have been taken in the right direction. The UN itself has developed many forms of budgetary control to improve its accountability to the major contributors. The World Bank's Inspection Panel investigates allegations by NGOs, states, and private actors who assert that the Bank is not following its own procedures. One study found, in fact, that accountability mechanisms were first developed by the IGOs with larger budgets (UN), where principal members contributed large portions of the budget (UN, World Bank), decision processes involved majority rule or weighted voting (UN, World Bank, IMF), and member states had strong democratic norms (EU). Once the first ones were established, however, they spread rapidly by processes of diffusion across IGOs that interacted with one another. This may explain why even states lacking domestic oversight provisions "have nevertheless adopted such mechanisms in IGOs" (Grigorescu 2010: 884).

Ensuring the accountability of NGOs is also important because their numbers and reach can be extensive and their organizational structure can often be obscure. Often it is assumed that NGOs are more accountable to

people in general, yet they rarely, in fact, have internal democratic mechanisms for the selection of officers, and many might better be seen as elite groups rather than representative groups. In few cases are there mechanisms to guarantee the transparency of their actions, especially to those most affected by their work or on whose behalf they make claims. One mechanism of NGO accountability is money. Since NGOs depend on private contributions, if they are perceived as not responsive to their donors, contributions will likely diminish and they will be unable to function.

MNCs and international business coalitions are difficult to make accountable to the international community. The FATF and OECD regulations on bribery of foreign officials are two effective examples. NGOs like Corporate Accountability International and Transparency International provide accountability for the private business sector, using publicity and public pressure to ensure accountability for a broader constituency.

Lack of transparency in some situations is an essential ingredient for ensuring that participants in decisionmaking can reach decisions without the outside political pressures that openness would make impossible. The dual challenge for making global governance accountable is one of balancing the needs for transparency and openness with the need for efficacy.

The Challenge of Effectiveness

Good global governance needs to be effective, actually addressing and sometimes resolving global governance problems. Has human security been enhanced? Has human development been improved? Has extreme poverty been alleviated? Are more human rights being respected for more people? Has environmental degradation been curbed and steps been taken that will slow climate change? Amartya Sen (2001) puts it in broader terms: "The central issue, directly, or indirectly, is inequality: between peoples as well as between nations. The relevant inequalities include disparities in affluence, but also gross asymmetries in political, social, and economic power. A crucial question concerns the sharing of potential gains from globalization between rich and poor countries, and between different groups within countries." These disparities have critical ramifications, as a UN panel warned several months before the 9/11 attacks: "In the global village, someone else's poverty very soon becomes one's own problem: of lack of markets for one's products, illegal immigration, pollution, contagious disease, insecurity, fanaticism, terrorism" (UN 2001: 3). Addressing inequality effectively becomes imperative not only for reasons of global security, but also for reasons of equity, fairness, and justice.

The Dilemma of Leadership: Bringing States Back In?

None of these challenges can be effectively met without leadership. Is it possible to have diffusion of power and leaders coming from diverse

sources, as described in Chapter 1? Or perhaps, is it time to bring states back into our thinking about global governance? Domestic political factors will always put limits on state leaders—be they the failure of the United States to approve changes in IMF quotas, the "culture of reticence" that has constricted German and Japanese use of force in peace operations, or China's need for energy to support its continuing economic growth even when it conflicts with addressing climate change.

Following World War II, the United States provided the vision and the resources to create the postwar liberal order based on the UN system, the Bretton Woods institutions, and the rule of law. Can the United States today as a superpower in relative decline provide the necessary leadership when it has so often thwarted international rules over the years, acted without UN Security Council authorization in Iraq in 2003, failed to ratify key human rights treaties, and reinterpreted other conventions in its own national interest? The United States itself is now so significantly hampered by domestic political divisions and government paralysis that it is hard to imagine it providing much leadership for elements of global governance. Furthermore, US leadership sometimes comes with the risk of undermining the legitimacy of global governance. Yet, absent US willingness and ability to lead in some areas and to bear the material and nonmaterial costs, effectiveness is often jeopardized.

Can China play a leadership role? This would be an "about face" from its record in the 1980s and 1990s of playing a low-key role, showing "little interest in, or respect for the norms, principles, and even rules of the international organizations it joined" (Kent 2007: 63). There is increasing evidence of China's "selective multilateralism," in its relationship to ASEAN and its initiatives in the SCO and with the BRICS, as discussed in Chapter 5. There is also clear evidence since 2013 of China's assertiveness as a rising power, its flouting of the law of the sea, and its thwarting of efforts to impose standards of good governance and sustainability in development aid and investment. Its leadership role in the creation of new international economic and financial institutions such as the Asian Infrastructure Investment Bank and the New Development Bank clearly challenges the dominance of the Bretton Woods institutions and the United States.

And what about the EU—could it play a more decisive leadership role in global governance? Although economic integration continues to proceed, the eurozone crisis gives us pause about considering an expanded EU role while reduced military expenditures by member states limit the EU's ability to mount significant military operations. Strains within the EU over immigration and even over its supranational character—witness recent election results in several EU countries and the United Kingdom's planned 2017 vote on membership—inevitably undercut its ability to function as a

unitary entity. Certainly, the EU has aspirations to be a normative great power, promoting a set of core values, but outside the EU it is not necessarily seen that way, as Russia's hostile reaction to the EU-Ukraine agreement in 2013–2014 showed (Bengtsson and Elgstrom 2012). And while the EU boasts of providing over half of the world's humanitarian assistance, its slow response to the Ebola outbreak tarnished that positive image. Influencing the thinking of others and promoting values like peace, human rights, and democracy may not be enough. Diplomatic and economic instruments may not be sufficient. There are times when hard military power matters!

The reality is that in today's world, no single state or other actor will dominate or provide leadership in the manner in which the United States did after World War II. Leadership will come from many quarters—from individual states (large and small or middle-sized) or new "Gs"; from NGOs, especially transnational advocacy groups; from public-private partnerships; from corporations; and perhaps even from prominent individuals. As Deborah Avant, Martha Finnemore, and Susan Sell (2010a: 357) argue, there are multiple authorities in global politics that "draw their authority from expertise, morality, competence, and other sources that are independent of the state." It may be that a more robust, universal-membership body will replace the UN, as Thomas Weiss (2014b) suggests, should a global crisis of sufficient magnitude provide the impetus. He and others would go even further by arguing that good global governance can only come from world government. Yet we should note, in closing this account of global governance, the words of Inis Claude (1988: 108) many years ago: "Multilateralism has no magic that transforms states or enables them to create composite entities better endowed than themselves with political virtue." In short, there is no assurance that any particular form of global governance is or will be inherently "good," and any assessment surely depends on the purposes it serves, its effectiveness in making a real difference, and who benefits.

Suggested Further Reading

Dingwerth, Klaus. (2007) *The New Transnationalism: Transnational Governance and Democratic Legitimacy.* New York: Palgrave Macmillan.

Koppell, Jonathan G. S. (2011) *World Rule: Accountability, Legitimacy, and the Design of Global Governance*. Chicago: University of Chicago Press.

Weiss, Thomas G. (2012) *What's Wrong with the United Nations and How to Fix It.* 2nd ed. Cambridge: Polity.

———. (2014) *Governing the World? Addressing "Problems Without Passports."* Boulder: Paradigm.

Zweifel, Thomas D. (2006) *International Organizations and Democracy: Accountability, Politics, and Power.* Boulder: Lynne Rienner.