

Global Governance

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Abstract

This paper seeks to examine the voids in the international system of global governance. It focusses on creating or reforming global institutions, and to engage more effectively new transnational actors from the civil society and the private sector. The paper argues that effective global governance cannot be attained without ensuring effective international cooperation which is the basis to protect and promote shared interests and common values. The paper explores the key processes that has led to the development of the concept of global governance and the global administrative law, the challenges posed to it, how it affects the political environment and the future prospects of global governance. The paper begins by stating the various factors of development and the challenges that were posed to international governance that led to its growth and development, including technological revolution, globalization and the end of the Cold War. It then dwells upon four major areas of global governance which are related to finance, security, environmental concerns and issues of human rights. In the next section, the paper highlights challenges to global governance. This is followed by a discussion on the principles for effective global governance which relate to coherent pluralism, transformed multilateralism and accountability. The paper concludes by suggesting that there is a need to ensure mutual cooperation and peaceful coexistence of all possible factors.

Introduction

The term *governance*, has been used by scholars, to signify the conduct of co-dependent relations in the absence of a predominant political authority, such as in the international system. It includes the institutions, procedures, policies, norms and initiatives through which states and the populace try to bring more certainty, constancy, and order to their responses to challenges in the international sphere.

The usage of the term global governance has mainly increased after the early 1990s. In the context of global governance, this paper seeks to look into the loopholes or the voids in the international system for the management of intricate issues and to engage its stakeholders on practical solutions for the problems collectively, at an international stage. It pays specific attention to informing successful multilateral negotiations on creating or reforming global institutions, and to engaging more effectively new transnational actors from the civil society and the private sector of the economies. In its rudimentary sense, the term *global governance* is said to represent to a world society or system,¹ however the concept is used to define the increasingly controlled nature of multinational relations.²

Effective and efficient global governance cannot be attained without ensuring effective international cooperation. International cooperation is the means to protect and promote shared interests and common values and to reduce the negatives or the susceptibilities generated by increased interdependence. It is also a legal obligation as has been stated in the UN Charter. In 1945, the member States of the United Nations recognized the significance of 'international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.'³

Thomas Weiss has defined global governance as:

*The efforts to try and bring and reliable solutions to political and social problems which are beyond the capacity of a state to address individually. Global governance suggests an absence of a dominant authority, and the necessity to collaborate so as to ensure cooperation among governments and others who seek to encourage common practices and goals while addressing international issues.*⁴

Global governance, in comparison, does show substantial resemblance to the regional or the national systems of governance. Global governance, however, is specifically symbolized by the need for greater cooperation and collaboration among states, governments and non-governmental factors to counter the problem of limited resources, i.e., new and developing

demands on the one hand and reduction and depletion of resources on the other. Thus, due to its pervasive nature, governance can be said to be a general phenomenon.

One of the major reasons for undertaking a study on the subject matter of global governance in the 21st century is because of the drastic changes in primarily, the political, social, economic and environmental spheres. One such pressing issue is the climate change negotiations at a global scale. Collective action needs to be taken so as to reduce emissions of greenhouse gases, changing climate conditions, develop new technologies and secure the associated monetary resources.

The paper therefore looks into the key processes that led to the development of the concept of global governance and the global administrative law, the challenges posed to it, how it affects the political environment and the future prospects of global governance.

Factors of Development

The need for a new cosmopolitan democracy with specific governance arrangement built on ideals of pluralism, democracy, social equality and sustainability was expressed after the end of Cold War era.

Thus, the challenges that were posed to international governance that led to its growth and development are technological revolution, globalization and the end of the Cold War.

Technological Revolution: The revolution in information, communication and transportation technologies is multi- dimensional, that is to say that: *first*, the volume of information and correspondence improved in quantitative and qualitative terms; *secondly*, confines of time and space gradually crossed, thus improving relations between places and the populace; *thirdly*, prevailing data and communication technologies more efficiently linked and connected.⁵

As a result, transaction costs were reduced, time lag minimized. At the same time, communication among various factors, across the nations, was simplified. This would enable, for instance, factors of the civil society to shape up international associations, to make collective statements, and to formulate collective policies as regards to subjects of common appeal, thereby exercising influence on global political courses. By giving way to the public dialogue to people across nations, the internet is contributing to the creation of more egalitarian international relations thereby having a democratizing effect in the sense of giving stage to distinct opinions of individuals in international processes.⁶

Another aspect is the *skill revolution*. Skill revolution refers to the stage where people have become “significantly more capable to assess where they fit in international affairs and how their behaviour can be condensed into important shared consequences.”⁷

Globalization: It can be defined in two ways. In its narrow sense, it can be defined as “*tendency towards international economic integration, liberalization and financial deregulation beyond the sovereignty of the territorial state.*”⁸

It thus denotes a continuous process of increasing cross-border economic flows. However, in a broader sense, the term globalization is not restricted to the system of cross-border economic transactions but, it refers to the extension of cross-border societal exchanges and transactions in a wide range of areas other than economic such as communication and culture and security.⁹ It is believed to have emerged as the direct consequence of the development of European culture across and into the nations by the colonializing schemes introduced, exploitation and cultural imperialism. Subsequently, daily activities are gradually influenced by events happening in different parts of the world and, on the other hand, local actions and decisions of the most significant factors may have extensive impact even at an international level. The subject of globalization refers to such procedures as an erosion of institutionalized borders, a new understanding of the world as a whole, increased global and regional interdependencies, and enhanced growth of financial activity that covers regional and national political courses.

End of the Cold War: The main problems of international politics in the cold war period, which was a war for hegemony between the USA and the Soviet, were imbalanced cooperation between West and the East at best and conflict brinkmanship at worst, and the significantly limited area of action of most international bodies, especially the United Nations.

This led to increased involvement of non-state actors in global affairs leading to globalization that represented fundamentally shifting relations of power, speeding up national economies’

Areas of Global Governance

In this section, the four areas of governance will be discussed. They are related to finance, security, environmental concerns and issues of human rights:

Finance: This was first identified by the philosopher Pascal Lamy at three levels: national, regional and global. He compares the three areas with the states of mass where he holds that the national level is comparable to solid state, regional the liquid while the international scale is comparable to gaseous state. He therefore states that the purpose of global governance, in the present day, is to move upwards, from gaseous to solid state.

The economic aspect most closely represents this solid state due to the binding laws of the World Trade Organization and the Bretton Woods twins, World Bank and IMF, that provide financial and technical assistance to developing nations. The issues that arise due to the political pressure that is to be tackled by global financial governance can be handled collectively by creating informal governance structures such as the G-20, EU or ASEAN, so that a discussion and dialogue on policy measures can be carried out on a global scale.

Security: The United Nations Security Council is the most sizeable manifestation of international power in this realm though the emerging powers have expressed discontent in this regard, for want of representation and participation like there is in the General Assembly.

A key feature of global governance, since the end of World War II, has been the cooperation in matters relating to security that is threatened by transatlantic relations. The North Atlantic Treaty Organization (NATO) was established as a result of common security concerns between the sides of the Atlantic, as a response to perceived Soviet expansionism during the Cold War. It was however not just the alignment of their shared security concerns that bound the transatlantic allies together, but also the shared values. The United States and European states came out as the key global players advocating for human rights, rule of law and democracy when the threat of the Soviet had ebbed.

Even today the global security governance suffers from institutional weakness and is marked by substantial diversity. At the apex is the UN Security Council. It however, suffers from chronic joint action problems and its validity and standing is increasingly challenged. The development of institutions, in recent times, at the regional levels with goals of security in the past few years implies that regionalism is on the increase in global governance relating to security. None of the security bodies at a regional level, however, have even come closer to the collective security obligations to which member states of NATO commit to. Security governance thus remains mostly a national concern and shows only a little sign of it becoming globalized, in the real sense.

Environmental Concerns: In the environmental sphere, global governance or multilateralism is arguably the weakest of all the four areas. Even though the problem here has been identified and acknowledged, no concrete steps have been taken in this regard so as to ensure significant progress and development of global environmental governance. Such a mechanism was sought to be created and should have had come as an outcome of the world summit of 2005 on the reform of UN Charter but it continues to remain on paper without any meaningful progress.

One international organization which has taken charge in the environmental sphere of global governance is the European Union. The European Union also showed leadership in the development of the Kyoto Protocol and took substantive environmental policy steps domestically that established it as a leader in the field.

Environmental protection and climate change issues, of the realms of global governance, are of great significance. This is also an area where the United States of America and European nations wield great influence and power. Developing nations find the issues relating to the protection of environment to not be cost effective and not in alignment with their goals of economic development. Moreover, efficient governance systems seem unlikely to arise out of creating a new traditional or multilateral organization that tries to implement solutions in the individual states.

Human Rights: Another important realm of global governance is human rights. In this regard

International Criminal Court (ICC) emerges at the top as it has focused on codifying the rules and is responsible for the enforcements. However, one of the reasons behind its failure, as is argued, is that its existence risks and discourages the member states to engage in activities that may promote human rights and welfare.

However, an important concern in the realm of human rights exists with regard to the universality and acceptability of the Western principles governing the rights of man. In major portions of the globe, there exists significant opposition to such beliefs as the *equality of sexes* – as seen in Africa, Pakistan and even in India, or as to recognition of individual liberties such as freedom of speech or expression. Whatever measures the developed states such as the UK or the US adopt in order to further the compliance of human rights globally, these efforts must result to the warning that “attempts to shift and change this rapidly towards the implementation of international norms undermine the importance of agreement and the need for self-enforcement on which most global legal regulations will continue to be based.”¹⁰

Challenges to Global Governance

The global and international institutions that emerged after the World War II do not highlight the monetary and political veracities of the modern world. The end of colonialization, rise of international markets, the increasing mutual dependence and internationalism, the global economic crisis, global warming and climate change require accountable and efficient international organizations. This has brought to the attention, the existence of formal and informal global governance organizations, such as the World Bank, IMF, United Nations Security Council, G8 and other governance counterparts. Each of them represents the past supremacy of European states and of the States therefore should be changed and corrected to symbolize the new balance of the global structure. The world is observing a geopolitical change where countries such as Indonesia, India and Brazil are the emerging powers.

Leading global organizations have not yet adjusted to these shifts. Gradual growth, alone, cannot deal with wider issues such as nuclear proliferation, population explosion, climate change and economic stability. The fundamental issue of global governance is to deal with the geopolitical changes while providing solution to transborder issues. No link between the distribution of decision-making authority in global organizations and the division of power in the world exists. These emerging powers, after entering the international framework and markets find it difficult to get used to the fact that the developed states wield the power and are motivated by self-interest.

Another challenge maintains that the global governance set up has become the real position of authority and power. There exist various issues in the ambit of multinational policy that requires immediate global governance, that is, the challenge modelled by terrorism and network of terrorists, increase and growth in the nuclear power of the states, depleting natural resources, continuing poverty, water and food crisis, climate change and environmental issues. These are global in scope and need solutions that can be applied at a global scale. Thus, the authority and power should not remain vested in some states and there needs to be coexistence, cooperation, and coordination between all the states, among governments and other non-state actors as well. Thirdly, several challenges are being faced and problems have emerged such as the polarization and environmental changes that are threatening the entire idea of humanity. The fundamental social tension is seen in the simultaneous emergence of polarization and a booming economy. We have witnessed in the last few decades that the polarization has increased in the US, a leading economy of the world. One of the outcomes of this development is that the top 10 percent of households receive more than 50 percent of the total income. Such a situation of widespread inequality has given rise to an entirely new societal crisis, especially in the developing nations.

It can, therefore, be said that the growth and development of global institutions to ensure global response lags behind the rise of the problems of collective actions. Thus, there is a mutually undermining gap between legitimacy or authority and effectiveness, thereby defeating the purpose and objectives of United Nations and making it an ineffective body for creation, implementation and enforcement of collectively adopted resolutions and decisions. Still, the critical issues in global politics cannot be corrected in the absence of these institutions and it

Principles for Effective Global Governance

A few major principles for nurturing more effective global governance are: coherent pluralism, transformed multilateralism and accountability.

Coherent Pluralism: It is a system based on the view that inclusive and formal multilateralism was the only process to try and ensure collective global action. It was based on the assumption that norms have standard and universal applicability while a de facto monetary interest was vested in such global organizations over a specific policy matter. With the passage of time, however, and the emergence of new challenges, nations created varied systems of governance that deviate from this model due to its risks of exclusion, duplication and inter-agency competition. The challenge is to ensure that pluralism works for rather than against the collective good.

Transformed Multilateralism: Efficient global governance will have to recognize the ideas, powers and the interests that is brought in by them if it is aimed to promote and widen its reach in the global sphere and give result to effective collective action at an international level. Two elements must exist for transforming multilateral institutions. First includes to bring these into line with modern-day political power such as to provide them with authority and second is that they are supposed to have the power, information and expertise to negotiate and enable efficiency.

Accountability: Accountability exists in the sense to control and limit the exercise of public power. It is represented by three main elements. Firstly, *constitutional accountability*: Every international organization arises and is made out of a treaty which sets a circumscribing limit as to the powers that have been delegated to it by the signatories or the member states. Second, *political accountability*: The powers of international institutions should be in check and its accountability must be ensured. This can be done by various types of regulatory methods that are needed to be set so as to ensure that these organizations reasonably serve the parties and, ultimately, the wide populace represented by them. Third feature is the *monetary accountability*: States need to check, oversee and supervise the budgets that are prepared by them.

Conclusion

International bodies are beneficial for dominant and emerging powers alike. Making global governance steer forward requires a greater degree of social, political, economic and cultural variation in its operational environment and discourse among the existing powers and the emerging powers. Even the most developed and powerful nations will not be able to achieve security by themselves. Every state, and also certain non-state factors, are faced with similar handicaps and benefits. The efficiency of global institutions and bodies which establishes good governance at the regional and global levels include the developing roles of the NGOs, IGOs, rules, norms, other state and non-state factors and different constituents of global governance. Thus, there exists a need to ensure mutual cooperation and peaceful coexistence of all such factors responsible.

United Nations Security Council's policymaking methods may be faulty and imperfect, but are controlled by and subject to global oversight and therefore are to be preferred over unilateral measures. It is unlikely that a member state considers withdrawing its association from the United Nations even when its activities seem to not be in line with the nation's interests.

There exists a requirement for global governance as there is a need for peaceful coexistence and stability. Issues like upholding global peace and harmony, multilateral exchange and economic development, technical and functional cooperation, human rights, guarding the environment and utilization of resources—all require collective efforts to ensure regularity, stability and order among nations. These difficulties cannot be tackled individually with desired efficiency.

In order to ensure that an international administrative action is executed effectively, it must be built upon a unity of action and object in the global sphere. For such an act to be operative, it must ensure that there exists an equilibrium as against the conflicting interests among many nations that constitute the global community and exclude prioritizing the objects of

The existence and importance of these global institutions are dependent on their ability to adapt to the changes and acclimatize also to the nature and standard of governance. International institutions should identify and include non-state factors on the basis of the standards that will help ensure its efficiency and legitimacy.

Another vital aspect on which the future of global governance will be dependent upon is the approach that is to be adopted by the US. The US has put in great efforts to establish the institutional framework of the world order. It has benefited enormously because of this framework and set up, that has helped to legitimize the worldwide dominance of the US in world affairs.

In actuality, good performance is not so easy to attain because there exist some limits to which these organizations can operate in the modern times. The duty of evaluating the efficiency is among the key challenges in the making of public policy irrespective of it being at a global, regional or a national level of law, governance and politics. There exists a need for better measures to be adopted jointly to lead the multinational system which would ensure better sustainable and equitable results.

International organizations should be capable of addressing contemporary and modern challenges effectively in an unblemished manner. They must realize that modern prospective and potential challenges ask for greater elasticity and adaptability in drafting and adopting resolutions. E-governance has turned out to be a feasible means to address developmental challenges and threats posed because people are empowered and thus find enablement by having access to information. There are certain fundamental principles for an organization to achieve and fulfil—its objectives of human development, accountability, and legitimacy of global governance. These international bodies, then, will get to act as negotiators on various subjects that may arise. Global governance is not an incident that has or can take place by force at a particular time period. It is a pervasive and an ongoing development spanning over several years, thereby, acquiring new form, meaning and momentum.

Endnotes

¹ Mihaly, *The Future of Global Governance: Managing Risk and Change in the International System*

² Lawrence, *What Is Global Governance?*

³ UN Charter, 1945 art. III.

⁴ Thomas Weiss, *Pluralizing Global Governance: Analytical Approaches and Dimensions.*

⁵ Frissen, *The Virtual State: Postmodernisation, Information and Public Administration*

⁶ Shapiro, *The Internet* (1999).

⁷ Rosenau, J., *Changing Capacities of Citizens*

⁸ Higgott, *After Triumphalism: The Limits of Liberalisation in Asia and Latin America*

⁹ Zürn, *Democratic Governance Beyond the Nation-State. The EU and Other International Institutions*

¹⁰ Hurrell, *On Global Order. Power, Values and the Constitution of International Society* (2007).