

**Global Governance**  
**Kennedy School of Government ISP 103**  
**Harvard Law School 37850A**  
**Spring 2008**

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### **Course Description**

This course has two aims: to provide an overview of the main institutions and practices involved in the process of global governance, and to highlight the growing role of private actors alongside states and intergovernmental organizations in shaping key dimensions of global governance.

Once upon a time, the notion of governance at the international level—had it been used at all—would have been synonymous with balance-of-power politics coupled with a thin overlay of international law that was limited to regulating diplomatic representation, treaty making, and the rules of war. In the nineteenth century, as a byproduct of the industrial revolution, states created international technical agencies to facilitate cross-border communication and transportation. General-purpose international organizations—the League of Nations and United Nations—were established in the wake of the shocks and dislocation caused by the two world wars. Increasingly dense networks of international regimes and organizations in security policy, trade, monetary relations, environment, human rights and other areas have flourished since World War II, as have international courts and tribunals. Finally, actors for which the territorial state is not the cardinal organizing principle—including transnational corporations and civil society organizations—not only have emerged as global players in their own right, but they also play roles that once would have been considered the sole prerogatives of states. These shifts are hardly uncontested: some of their features face resistance and the reaffirmation of sovereignty from all the major powers.

The course is divided into three sections. The first summarizes the core architectural elements of the post-World War II system of global governance. The second analyzes key policy functions performed by global governance institutions and processes. And the third examines the emergence of private authority in global governance, focused on multinational corporations and civil society organizations, including the dynamic interplay between them in relation to the protection of human rights.

## **Approach**

This course provides a conceptual framework and empirical illustrations intended to help understand these changes in global governance. It is a “context” course, not a “how to” course: it is intended to help understand the changing institutional setting within which international policymaking takes place. Students will not pick up concrete tools or skills they can readily apply on their next job. But they will gain a deeper appreciation of how core aspects of global governance function today, how they are changing, and how to maneuver strategically in this new terrain. The course combines lectures, cases, class discussion, and student presentations.

## **Prerequisites**

This should not be your first course in international relations. While there are no specific prerequisites, the course does assume prior exposure to the study of international relations, organization or law.

## **Grading**

1. Students are expected to have done the readings in advance of class and be prepared to discuss them, including cold calls. This counts for 15% of the final grade.

2. Students also will have three project assignments. To benefit from having a cumulative experience, you are encouraged to stay with one subject throughout, but doing so is not required. (This sounds more complicated than it is. Additional information will be provided once the size and composition of the class are known.)

(i) A short research paper (2,000 words) “mapping” the current state of play in some global challenge that interests you (for example, nuclear non-proliferation, the protection of labor rights, climate change, HIV/AIDS—a list of examples will be provided). This will be due in class on February 20 in hard copy, and in electronic form on the protected part of the class web page (due date is February 27 for students in first two group presentations—see below). This will count for 20% of final grade.

(ii) A group presentation examining specific instances of one of the global governance functions included in Section III of the course, drawing on the substantive issue you addressed in your first papers. This counts for 15 % of final grade.

(iii) A final “think piece” paper (no more than 5,000 words) that assesses how some specific aspect of the emergence of private authority at the global level could make the challenge you are focusing on easier or more difficult to manage, and how you would propose to take advantage of the opportunity or respond to the constraint. This paper is due before 5 pm on Monday, May 5, 2008, in hard copy at the instructor’s office, and in electronic form on the protected part of the class web page. This is 40 % of final grade.

## Required Readings

There is no required text. All of the journal articles are available online through the Harvard Library. Two versions of the course pack are available at the KSG Course Materials Office: a partial version including only the readings that are not available online; and a complete version of all readings except website links. All readings (except website links) are also on reserve at the KSG Library.

### *I. Global Governance: Who Needs It?*

A brief introduction to some of the analytical and political issues concerning the challenges of global governance.

#### **Jan 30:**

Keohane & Nye, "Introduction," in Donahue & Nye, *Governance in a Globalizing World*.

#### **Feb 4:**

Bolton, "Should We Take Global Governance Seriously?" *Chicago Journal of International Law*, 1 (Fall 2000);

Ruggie, "Doctrinal Unilateralism and its Limits," in Forsythe, McMahon, and Wedeman, *American Foreign Policy in a Globalized World*, chap. 1.

### *II. The Postwar Architecture*

A brief overview of the core institutional elements in the post-World War II system of global governance.

#### **Feb 6 & 11:**

Ruggie, "Multilateralism: The Anatomy of an Institution," *International Organization*, 46 (1992);

UN, "About the United Nations," [www.un.org/aboutun/index.html](http://www.un.org/aboutun/index.html);

WTO, "What is the WTO?"

[www.wto.org/english/thewto\\_e/whatis\\_e/whatis\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/whatis_e.htm);

IMF, "What is the International Monetary Fund?"

[www.imf.org/external/pubs/ft/exrp/what.htm](http://www.imf.org/external/pubs/ft/exrp/what.htm);

World Bank, "Working for a World Free of Poverty,"

[www.siteresources.worldbank.org/EXTABOUTUS/Resources/wbgroupbrochure.pdf](http://www.siteresources.worldbank.org/EXTABOUTUS/Resources/wbgroupbrochure.pdf);

World Trade Organization, "What is the WTO?"

[http://www.wto.org/english/thewto\\_e/whatis\\_e/whatis\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/whatis_e.htm);

#### **Feb 13:**

Rochester, *Between Peril & Promise: The Politics of International Law*, chap 3;

International Court of Justice, "How the Court Works," available online at

<http://www.icj-cij.org/court/index.php?p1=1&p2=6>.

**[Feb 18: Academic Holiday]**

**Feb 20:**

Keohane & Nye,” The Club Model of Multilateral Cooperation and Problems of Democratic Legitimacy,” in Porter, et al, *Efficiency, Equity, Legitimacy: The Multilateral Trading System at the Millennium*, chap. 12.

Slaughter, “Disaggregated Sovereignty: Towards the Public Accountability of Global Governance Networks,” *Government & Opposition*, 39 (Spring 2004).

**III. What Does Global Governance Do?**

Because virtually all areas of international activity are affected to some degree by global governance institutions and processes, it is not possible to include detailed issue-by-issue descriptions and analyses. Therefore, this section of the course examines a spectrum of key global governance functions, drawing illustrations from a cross-section of issue areas. Readings will be supplemented by graded group presentations on specific substantive topics.

**Feb 25: Issue Framing.** *How new issues are conceived and make it onto the global policy agenda.*

Haas, “UN Conferences and Constructivist Governance of the Environment,” *Global Governance*, 8 (January 2002);

Mitchell, Clark & Cash, “Information and Influence,” in Mitchell, Clark & Cash, *Global Environmental Assessment*, chap. 11.

**Feb 27: Capacity Building.** *The roles of global institutions in building national capacity.*

Jolly, “Global Development Goals: The United Nations Experience,” *Journal of Human Development*, 5 (March 2004);

Barnett, Kim, O’Donnell and Sitea, “Peacebuilding: What Is in a Name?” *Global Governance*, 13 (January 2007).

**March 3: Norm Creation.** *How international norms are generated and disseminated.*

Evans, “When is it Right to Fight?” *Survival*, 46 (Autumn 2004);

Hoge, “Intervention, Hailed as a Concept, is Shunned in Practice”, *New York Times*, January 20, 2008

Santa-Cruz, “Constitutional Structures, Sovereignty, and the Emergence of Norms: The Case of International Election Monitoring,” *International Organization*, 59 (Summer 2005).

**March 5: Standard Setting.** *How global standards are established, implemented and monitored.*

Donnelly, *Universal Human Rights in Theory and Practice*, 2<sup>nd</sup> ed, chap 8;  
Dunn, “Viewpoint: On Proliferation Watch—Some Reflections on the Past Quarter Century,” *Nonproliferation Review* (Spring-Summer 1998).

**March 10 & 12: Dispute Settlement.** *The role of global mechanisms in resolving disputes among states.*

Iida, “Is WTO Dispute Settlement Effective?” *Global Governance*, 10 (April 2004);  
Doyle & Sambanis, “The UN Record on Peacekeeping Operations,” *International Journal*, 62 (Summer 2007);  
Satzler, “Explaining Decreased Use of International Courts—The Case of the ICJ,” *Review of Law & Economics*, 3 (January 2007).

**March 17 & 19: Enforcement.** *How international enforcement works.*

Morton & Singh, “The International Legal Regime on Genocide,” *Journal of Genocide Studies*, 5 (No 1, 2003);  
Chesterman & Pouligny, “Are Sanctions Meant to Work?” *Global Governance*, 9 (October 2003);  
Thompson, “Coercion Through IOs: The Security Council and the Logic of Information Transmission,” *International Organization*, 60 (Winter 2006);  
Hafner-Burton, “Trading Human Rights: How Preferential Trade Agreements Influence Government Repression,” *International Organization*, 59 (Summer 2005).

**[March 24-30 Spring Break]**

#### ***IV. New Governance Modalities***

An overview of the growing importance of non-state actors in governing global activities, and some of the opportunities as well as regulatory challenges posed by this development.

#### **Private Authority**

**March 31:**

Stone Sweet, “The New *Lex Mercatoria* and Transnational Governance,” *Journal of European Public Policy*, 13 (August 2006);

Mattli, “Public and Private Governance in Setting International Standards,” in Kahler & Lake, *Governance in a Global Economy*, chap. 8.

**April 2:**

Van Harten, "Private Authority and Transnational Governance: The Contours of the International System of Investor Protection," *Review of International Political Economy*, 12 (October 2005);

Avant, "The Emerging Market for Private Military Services and the Problems of Regulation," in Chesterman & Lehnhart, *From Mercenaries to Markets*, chap. 10.

**Transnational Networks**

**April 7:**

Reimann, "A View from the Top: International Norms, Politics, and the Growth of NGOs," *International Studies Quarterly*, 50 (No 1, 2006);

Simeant, "What is Going Global? The Internationalization of French NGOs 'Without Borders'," *Review of International Political Economy*, 12 (December 2005).

**April 9:**

Scott, "Oxfam America: Becoming a Global Campaign Organization," Kennedy School Case # C16-04-1738.0.

**Corporate Social Responsibility**

**April 14:**

Koenig-Archibugi, "Transnational Corporations and Public Accountability," *Government & Opposition*, 39 (Spring 2004);

Zadek, "The Path to Corporate Responsibility," *Harvard Business Review*, 125 (December 2004);

"Just Good Business," *The Economist*, January 19, 2008, available at [http://www.economist.com/specialreports/displaystory.cfm?story\\_id=10491055](http://www.economist.com/specialreports/displaystory.cfm?story_id=10491055).

**Business & Human Rights**

**April 16:**

Omeje, "Petrobusiness and Security Threats in the Niger Delta, Nigeria," *Current Sociology*, 54 (May 2006);

Voluntary Principles on Security and Human Rights, at <http://www.voluntaryprinciples.org/>;

Olsson, "Diamonds are a Rebel's Best Friend," *The World Economy*, 29 (September 2006);

Kimberley Process, at <http://www.kimberleyprocess.com:8080/site/>;

Gill & Reilly, "The Tenuous Hold of China Inc. in Africa," *The Washington Quarterly*, 30 (Summer 2007).

**April 21:**

Joseph, *Corporations and Transnational Human Rights Litigation*, chap. 2;

Shamir, "Between Self-Regulation and the Alien Tort Claims Act," *Law & Society Review*, 39 (No 4, 2004).

**April 23:**

Weissbrodt and Kruger, "Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights," *American Journal of International Law*, 97 (October 2003).

"Joint views of the IOE and ICC on the draft "Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights," <http://www.reports-and-materials.org/IOE-ICC-views-UN-norms-March-2004.doc>;

Pitts, "Response to IOE/ICC Concerns Regarding the UN Norms for Business," <http://www.reports-and-materials.org/Pitts-Response-to-IOE-ICC-March-2004.doc>.

**April 28:**

Ruggie, "Business and Human Rights: The Evolving International Agenda," *American Journal of International Law*, 101 (October 2007);

"Interview Transcript: Louise Arbour," *Financial Times*, 8 January 2008, <http://www.ft.com/cms/s/0/720d1cc2-b6f3-11dc-aa38-0000779fd2ac.html>.

***V. Back to the Future?***

Some geopolitical and ideological changes that may affect future global governance.

**April 30:**

Drezner, "The New New World Order," *Foreign Affairs*, 86 (March/April 2007);

Rodrik, "How to Save Globalization from its Cheerleaders,"

<http://ksghome.harvard.edu/~drodrik/Saving%20globalization.pdf>.