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Volker Rittberger

Global Governance:

From 'Exclusive' Executive Multilateralism to Inclusive,
Multipartite Institutions

**Abteilung für Internationale Beziehungen / Friedens- und Konfliktforschung
Institut für Politikwissenschaft
Eberhard-Karls-Universität Tübingen**

Adresse: Melanchthonstr. 36, D-72074 Tübingen

Telefon: +49 (0)7071 29-78372

Fax: +49 (0)7071 29-2417

E-mail: ifp.irarchive@uni-tuebingen.de

Homepage: <http://www.uni-tuebingen.de/ib>

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Introduction¹

Global Governance in the absence of a world state, based upon the self-imposed compliance with rules, implying global regulatory and (re-)distributive mechanisms, is nearly unimaginable in today's world without the participation of private sector actors (Brühl/Rittberger 2001: 20). In many issue areas of international relations, global governance already is a multipartite process in which, apart from governmental and intergovernmental actors (i.e. public actors), private actors from civil society and the business community ((I)NGOs and transnational corporations) participate. Although the intensity of public-private cooperation and the extent to which private actors are involved in processes of setting global norms and rules and of their implementation vary from issue area to issue area, the fact that private actors today play an important role in generating and monitoring a large number of global norms and rules, and in monitoring the compliance of their addressees with them, cannot be overlooked.

This paper consists of four parts, in which I shall present and discuss the following four propositions concerning the above indicated developments:

1. A trend from institutions of 'exclusive' executive multilateralism towards inclusive, multipartite institutions of global governance can be observed.
2. This trend towards more inclusive institutions of global governance can be captured and analyzed in macro- as well as mesotheoretical terms.
3. These inclusive institutions have the potential to close governance gaps inherent in global governance based on executive multilateral institutions.
4. Inclusive, multipartite institutions of global governance are part of the development towards a 'heterarchical' world order, which is less susceptible to violent conflict.

1 The Trend From Executive Multilateralism Towards Inclusive, Multipartite Institutions of Global Governance

The term 'governance' can be defined – independent of the level on which it takes place – as collective action which claims authority and is aimed at dealing with, and in the best case solving, common problems. More precisely: Governance refers to identifying promising and sustainable approaches to solve societal problems, translating these solutions into rules of conduct, ensuring adherence to

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these rules and, where necessary, adjusting these rules to changing conditions and circumstances (Rittberger et al. 2008: 46; Rittberger 2004: 247-249).

In the era of globalization, the states' autonomous capacity to fulfill governance functions on the global level has been challenged by two major developments (see also section 2.1. in this paper). First, the increase in, and the intensification of, transsovereign problems potentially affecting all political communities require the cooperation of all actors concerned with these problems. Second, non-state actors from the business sector and from civil society are more and more affected by the consequences of these transsovereign problems and have thus become increasingly important as rule makers and 'teachers of norms' (Rittberger et al. 2008: 13). Cooperation between public and private actors aimed at dealing with transsovereign problems and supplying global public goods is thus increasing. This intensification of public-private cooperation is leading to institutional change in the realm of global governance. Therefore, the spectrum of institutional arrangements is no longer adequately captured by the concept of inter-governmental executive multilateralism. Rather, a trend from 'exclusive' executive multilateralism in intergovernmental organizations towards opening a space for non-state actors is leading ultimately towards an 'inclusive' institutionalization of global regulatory or (re-)distributive policy-making. Inclusive, multipartite institutions of global governance are characterized by providing not only public (state and/or inter-state) actors, but also private actors from the business sector and/or actors from civil society with the possibility of membership and by endowing them with formal participation, decision-making and voting rights in the policy-making process.

As a result of the increasing inclusion of non-state actors in international institutions and the resulting institutional change in the realm of global governance, three specific (inter-)organizational structures can be identified in the international system (see Table 1 and Figure 1). It should be noted that these organizational structures developed at different points in time, but not necessarily in a linear manner.

First: In a large number of international organizations 'exclusive' executive multilateralism has been and still is the dominant organizational structure. This 'exclusive' organizational structure is characterized by non-public negotiations and bargaining between national government representatives, which are consciously isolated from public scrutiny or participation. Access to these decision-making processes for non-state actors is only of an informal nature, if it exists at all. Examples of this 'exclusive' executive multilateralism are the *UN-Security Council*, which provides ad-hoc access for non-state actors through the so called 'Arria-Formula', as well as the *International Atomic Energy Agency (IAEA)* or the *G7/G8*.

Form	„Exclusive“ Executive Multilateralism	Advanced Executive Multilateralism	Inclusive Multipartite Institutions
Status of Non- State Actors	Informal Access	Consultative Status	Membership
Examples	UN-Security Council IAEA G7 / G8	UN-ECOSOC ICC World Bank WTO	Global Compact Global Fund UNAIDS UNPFII IGF Kimberley-Process

Table 1: Forms of Horizontally Coordinated Global Governance

Second: Alongside this ‘exclusive’ executive multilateralism, a new feature of intergovernmental organizations has emerged which can be described as ‘open’ or ‘advanced’ executive multilateralism. This organizational feature derives from the charter of the international organization granting non-state actors formal access to deliberative and decision-making bodies. Some international organizations have – as is the case with the *UN Economic and Social Council* by granting (I)NGOs formal consultative status – opened up towards non-state actors and provided them with the opportunity to voice their concerns within, and offer their expertise to, the intergovernmental organs of the organization (Martens 2005: 155f; Staisch 2003; Alger 2002). Nonetheless, states still remain the central actors and gate-keepers, since they decide which non-state actors are granted formal access to the international organization or organ, and under which conditions.

Third: Recently, the emergence of a ‘new’ mode of governance beyond the nation state can be observed: the emergence and rise of global inclusive institutions in which public as well as private actors are endowed with membership and participatory rights. In this (inter-)organizational structure, non-state actors are granted formal participation, decision-making and voting rights in the policy-making process that by far exceed those granted to non-state actors endowed with consultative status in institutions of ‘open’ or ‘advanced’ executive multilateralism.

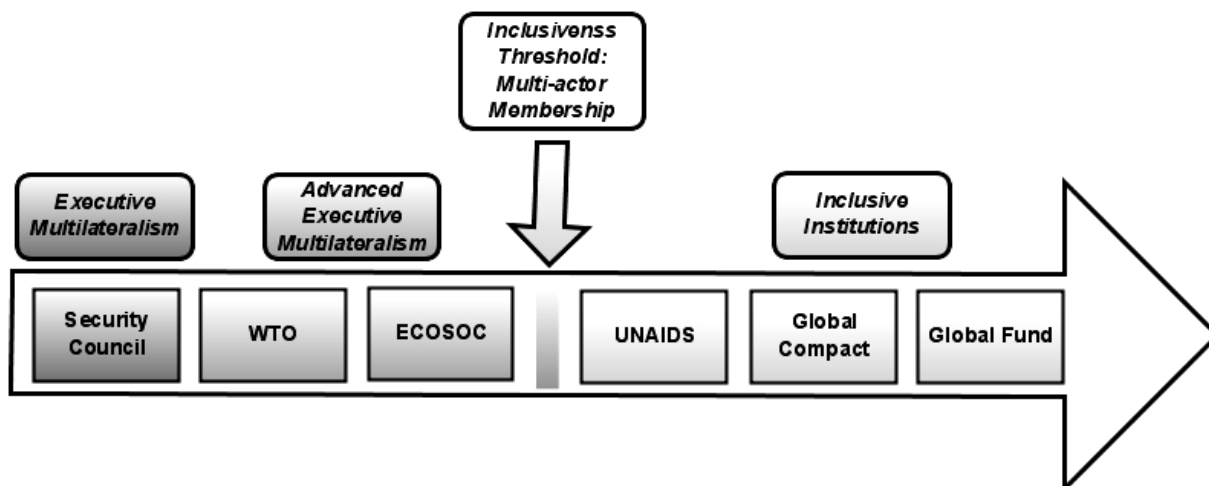


Figure 1: Continuum of Institutional Forms of Horizontally Coordinated Governance

The structure and mode of operation of inclusive global institutions can be illustrated by taking the *Global Fund to Fight AIDS, Tuberculosis and Malaria* (Global Fund) as an example (Huckel Schneider 2007; Edele 2006). The Global Fund is being used as a governance instrument aimed at expanding the resources available worldwide for fighting certain infectious diseases and channeling resources to those regions or locations most in need. After the decision to create the Global Fund was made by the UN General Assembly in June 2001, it took up work in the beginning of 2002. As a joint endeavor of the international community, civil society, the private sector and those affected by the diseases, the Global Fund is based upon the participation of a large variety of actors affected by the problem and by the rule-making and distributive decisions reached for dealing with it. The highest organ of the Global Fund, the Foundation Board, is composed of representatives of developing and donor countries, (I)NGOs and businesses as well as representatives of international organizations (*UNAIDS*, *WHO*, *World Bank Group*). While all groups of actors participate in the debates and the drafting of documents, only the states together with (I)NGOs and business actors are endowed with voting rights.

Inclusive, multipartite institutions of global governance like the Global Fund are no longer an exception to the rule, but can be said to be part of a relatively new trend towards public-private partnerships for global governance in different issue areas of world politics: in this instance, in the issue area of global public health. Tendencies towards global inclusive institutionalization of transsovereign problem-management or -solving can be observed more broadly using empirical examples from all three policy domains of international politics (‘welfare’, ‘security’, ‘system of rule’), albeit to a differing extent.

As regards the policy domain of ‘welfare’ the following institutions can be pointed out: *The Global Fund*; *UNAIDS*; the *Global Alliance for Vaccines and Immunization* (GAVI); or the widely known *Global Compact*, which aims at

making private business actors comply with certain human rights, ecological, labor and social standards as well as with issuing 'communication(s) on progress', i.e. reports on how these commitments are implemented.

In the policy domain of 'system of rule' the *UN Permanent Forum on Indigenous Issues* (UNPFII) can be referred to as an example of inclusiveness, directed towards issues concerning the rights and welfare of indigenous peoples (Thies 2008; Ströbele-Gregor 2004: 23; García-Alix 2003). Also, the *Voluntary Principles on Security and Human Rights* is an initiative in which states (USA, UK, Netherlands, Norway) as well as (I)NGOs and transnational corporations from the extractive industries' sector are represented. It is aimed at monitoring and supporting the compliance with human rights standards especially in those areas in which the participating corporations are conducting business and in which, at the same time, states seemingly lack the capacity or the readiness to uphold the rule of law.

Even in the sovereignty-sensitive policy domain of 'security', the *Kimberley Process Certification Scheme* (Kimberley-Process) for the certification of the origins of raw diamonds, the *Chad Cameroon Oil Pipeline Project* and the *Extractive Industries Transparency Initiative* (EITI) serve as examples of inclusive institutions aimed at dealing with the cross-border effects of 'conflict-economies' (Paes 2005: 67ff; Rittberger 2004a: 26f).

2 Explaining the Emergence and Rise of Inclusive, Multipartite Institutions of Global Governance

The emergence and rise of inclusive, multipartite institutions of global governance can be accounted for, at the macrotheoretical level, by referring to a change of the global systemic context and changing constellations of actors. Mesothetically it can be explained by referring to the interests of, and resources available to, politically potent actors on the global level. Systemic change and changing constellations of actors in world politics create a demand for inclusive institutions of global governance. Explanatory attempts that treat the interests and preferences of, and resources available to, different groups of actors as independent variables complement this systemic approach by adding an agency-centered perspective.

2.1 Change of the Global Systemic Context and Changing Constellations of Actors

Contemporary world politics is marked by fundamental processes of change usually described as globalization or denationalization. As a consequence of these

processes, not only the problem-solving and regulatory or (re-)distributive capacities of individual states, but also those of the intergovernmental organizations set up by them prove to be deficient in the sense of permitting governance gaps to open and to spread (see section 3 on below).

The demand for inclusive institutions of global governance can be traced to two major developments (Rittberger 2006: 46ff): First, globalization has led to the emergence of new transsovereign problems and at the same time to the aggravation of existing ones. Transsovereign problems like world-wide pandemics, global environmental threats or transnational terrorism dominate the global political agenda after the Cold War (Cusimano 2000: 3). They do not only exceed the problem-solving and regulatory or (re-)distributive capacities of individual states, but also those of international intergovernmental organizations, mainly because those responsible for the problem as well as those addressed by the rules aimed at dealing with the problem are themselves transnationally active private entities. Purely intergovernmental international organizations that follow the pattern of executive multilateralism are not suited to deal effectively with complex, transsovereign problems emanating from the activities of private actors. There are recurring deficits concerning the ‘problem-solving effectiveness’ of these organizations.

Second, input-legitimacy deficits deriving from a lack of participatory opportunities in international intergovernmental organizations can be made out: non-state actors are affected, in many ways, by decisions of these organizations, but they are usually not granted adequate participatory rights in these organizations’ policy-making processes. These input-legitimacy deficits of intergovernmental organizations take on an even more dramatic character when confronted with the widening of the spectrum of politically potent actors on the global level and the shifting power relations between them. The ‘new’ actors from civil society and the business sector may serve as adversaries or as cooperation partners in domains formerly dominated by states or inter-state actors. The emergence of inclusive institutions can be seen as a response to the question of how to develop and institutionalize new authority structures involving nation-states, international intergovernmental organizations as well as the business and civil society sectors (Rittberger 2006: 46).

2.2 Agency-centered Explanations

The systemic-functionalist argument that inclusive institutions are created because they are expected to close existing governance gaps cannot fully account for the emergence of these institutions (Edele 2006:12; Benner/Reinicke/Witte 2004: 193-195; Brühl/Liese 2004: 165). The demand for inclusive, multipartite institutions of global governance, which stems from governance gaps immanent in the system of executive multilateralism, does not automatically create a suffi-

cient supply of these institutions (Benner/Reinicke/Witte 2004: 195; Brühl 2003: 167). In order to explain the emergence of specific inclusive institutions, an agency-centered analysis of the interests and preferences of, and the resources available to, public and private actors is necessary. The explanation in this paper will be based upon two major theoretical approaches: resource exchange theory and collective goods theory.

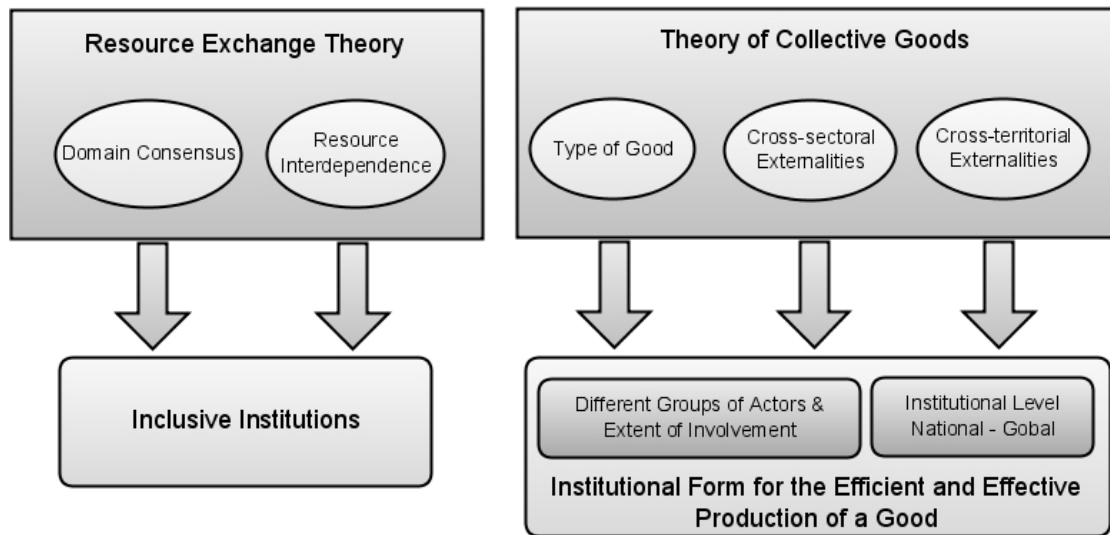


Figure 2: Theoretical Approaches

2.2.1 Resource Exchange Theory

An explanation based on resource exchange theory and dealing with the emergence of inclusive, multipartite institutions posits that these institutions are set up by public and private actors to ‘exchange’ or ‘pool’ their specific material and immaterial resources in order to manage a certain transsovereign problem. The emergence of multipartite modes of coordination and cooperation can then be explained by the motivation of rational actors, resulting from resource deficits, to exchange or pool their specific problem-relevant resources and thus be better off than they would be through unilateral or executive multilateral action (Edele 2006: 49).

From the vantage point of resource exchange theory, two conditions are crucial for the emergence of inclusive institutions of global governance. First, there exists a consensus between and among the various public and private actors that their goals in a given policy domain, and the strategies employed to reach these goals, are compatible, or, in the best case, even complementary. In other words: a so called ‘domain consensus’ is necessary. Second, mutual resource dependence between various public and private actors sharing this domain consensus is held to possess explanatory power for the emergence of inclusive institutions (Edele

2006: 45f; Pfeffer/Salancik 1978): In order to effectively deal with transsovereign problems, institutions of global governance are in need of sufficient access to material, regulative, organizational and epistemic resources. Since the public and private actors referred to above, on their own, do not have all of these resources at their disposal, they have to cooperate in order to effectively deal with transsovereign problems. If all (or at least most) of these actors take part in the policy programming and implementation process and share their resources, they can expect to effectively deal with transsovereign problems. The emergence of inclusive institutions can thus be conceived of as resulting from the exchange of material and immaterial resources between public and private actors: The major resources of business actors are financial means and management expertise. (I)NGOs, in turn, can contribute financial means as well as problem-specific knowledge, and public actors can offer participatory rights in decision-making processes of global governance institutions (Edele 2006: 46 f; Aldrich 1979: ch. 11; Pfeffer/Salancik 1978: ch. 3).

In a nutshell: According to resource exchange theory, inclusive, multipartite institutions of global governance emerge if and when, in a certain policy domain, public and private actors agree on common policy goals and on strategies to achieve them causing these various actors to be mutually dependent on each others' resources in order to reach compatible or even complementary goals.

Resource Exchange Theory and the Case of the Global Fund

Considering the *Global Fund to Fight AIDS, Malaria and Tuberculosis*, a broad consensus can be identified concerning the problem of infectious diseases and the importance of the role played by non-state actors in fighting these diseases. The fundamental compatibility of the goals and activities of private actors with those of public actors has been acknowledged in recent years, especially on the part of public actors. Also, a strong case for resource interdependence between public and private actors can be made out in the case of the Global Fund: a strong dependency of public actors on financial resources, management expertise and specific expert knowledge for designing and implementing effective measures in the fight against infectious diseases is matched by private actors' strong dependency on the resource of full participation in public health decision-making on the global level. Transnational corporations have an interest in this resource because they expect benefits in terms of enhanced reputation and improved access to health markets; (I)NGOs are interested in fully participating in public health decision-making because it will allow them to shape such policies with potentially global impact according to their preferences and values (Huckel Schneider 2007: 11f; Edele 2006: 76ff).

2.2.2 Collective Goods Theory

Whereas resource exchange theory explains the emergence of inclusive, multi-partite institutions based on an analysis of the interests and resources of the actors involved – i.e., it explains the demand for inclusive institutions –, collective goods theory offers insights into the make-up of an institution, i.e. it seeks to determine which actors or groups of actors need to be part of the institution in order for it to be able to effectively and efficiently provide a collective good² (Theiner 2007; Kölliker 2006).

The availability of capabilities necessary to allow for an *efficient* provision of global public goods serves as the point of departure for the search for the actors needed to participate in an institution of global governance that could provide these goods (Kölliker 2006: 208ff). The ‘externalities’, i.e. the positive as well as negative effects of the provision of such goods for outsiders, produce an inefficient resource allocation because supply of, and demand for, a collective good are not balanced. An institution that wants to efficiently produce a certain good has to avoid outsiders to bear the burden of these effects: in other words, it has to internalize both positive and negative externalities (Theiner 2007: 17). Only those institutions in which all actors affected by externalities are included will be capable of producing public goods efficiently.

Externalities can be distinguished according to their territorial and functional reach: cross-border (territorial) externalities of the provision of a good are the effects on actors across borders; cross-sector (functional) externalities refer to effects on social groups – or on a society as a whole – who do not directly take part in the production or consumption of the good. The larger the cross-border and the cross-sector externalities are that accompany the production of a good, the greater are the efficiency problems that result from the good’s production (Theiner 2007: 18; Kölliker 2006: 209f).

Participants or outsiders will exercise pressure to create a new, more efficient institution or to adapt the existing one with a view to reducing its efficiency problems (Theiner 2007: 17). However, this pressure does not necessarily lead to institutional adaptation or innovation as institutional inertia and contrarian interests of outsiders and members may work against adaptation or innovation.

The functional and the territorial reach of externalities determine the design an institution needs to take on in order to efficiently provide collective goods. Collective goods theory departs from the assumption that, in the first instance, goods are produced by private actors in a market environment. Their ability to provide

² Collective goods theory commonly distinguishes between four kinds of goods: Private goods (rival and excludable in consumption), Common goods (rival but not excludable), Club goods (non-rival but excludable), and Public goods (non-rival and non-excludable) (cf. Kölliker 2006). Due to their characteristics, public goods, in general, are not provided by private actors on a market and have thus come to be seen as states’ responsibility (peace, security, stable financial system etc.). A discussion about global governance is thus mainly concerned with the provision of public goods on a global level.

collective goods efficiently decreases to the extent to which cross-sector externalities increase, as coordination gets more difficult the more participants need to be coordinated. In the same manner, the ability of states to produce collective goods decreases inasmuch cross-border externalities increase, as they, too, make coordination more difficult (Theiner 2007: 18; Kölliker 2006: 206ff).

Global inclusive institutions thus appear as an efficient solution for the provision of global public goods with large cross-border and cross-sector externalities assuming, as was pointed out above, that the production of a good is more efficient when more actor groups that are affected by the externalities of the good are included in the good's provision. In other words: the larger the cross-sector externalities of a good, the more public as well as private actors need to be included in order to secure the efficiency of the good's provision (Kaul/Conceicao 2006). Similarly, the larger the cross-border externalities of a good, the higher the level beyond the individual state at which the efficient provision of the good is likely to be achieved. In addition, an institution can produce a good *effectively* only when internal problems of collective action among the members of the institution are solved. The bigger these internal problems concerning the good's provision are, the more are private producers of collective goods dependent on the participation of public actors who are capable of using state authority in order to solve such problems of collective action.

Collective Goods Theory and the Emergence of Inclusive Institutions in the Issue area of 'Internet Governance'

The attempts to control and regulate the uses of the internet (internet governance) can illustrate the contribution of collective goods theory to explaining the emergence of inclusive, multipartite institutions of global governance. As far as the status of the internet as a 'good' can be ascertained, its properties are those of a global public good³ with large cross-sector and cross-border externalities (Theiner 2007: 61). The uses of the internet are – with certain qualifications – of a non-rival nature, and nobody can easily be excluded from them. They do not only exert significant influence on other parts of society, but also across borders. An effective and efficient regulation of the internet can thus only be achieved by transnational institutions with a high degree of inclusiveness (Theiner 2007: 61).

It is noteworthy, however, that a large number of non-inclusive institutions from the private as well as from the public sector attempt to control and regulate parts of the internet. These institutions can only insufficiently deal with the multitude

³ The internet's status as a whole is currently being debated (Theiner 2007: 52ff). Parts of the internet are of a rival nature (e.g. domain names and IP-addresses). Also, Chinese censoring of specific internet sites, or more precisely: the restriction of inner-Chinese connection attempts to specific internet sites, can raise doubts about the non-exclusiveness of the good 'internet'. Nonetheless, the larger 'part' of the internet can be said to be of a non-rival nature. Basically, no one with the necessary equipment can be excluded from using the internet. The (Chinese) filtering of the internet is insufficient and can be avoided relatively easily. All in all, the internet can be seen, with few qualifications, as a global public good.

of problematic aspects of the internet (reaching from infrastructural problems of connectivity to the costly burden of spam and the danger of cybercrime). The assumptions of collective goods theory are thus proven valid: if existing institutions do not enjoy broad enough support from different groups of actors for the provision of the required goods – i.e. if they are not sufficiently inclusive – control and regulation of the internet cannot be efficient and effective (Theiner 2007: 85f).

As mentioned before, pressure to create more effective and efficient institutions of governance is prompted by pertinent shortcomings of the provision of goods. And indeed, in the realm of internet governance a trend towards inclusive, multipartite institutions can be observed more recently, which is expected to lead to better results in regulating the internet. Examples for this trend are the two *World Summits on the Information Society* (WSIS 2003 and 2005), a *Working Group on Internet Governance* (WGIG) created after WSIS 2003 as well as the *Internet Governance Forum* (IGF) established in 2006. Only highly inclusive institutional settings like WSIS, WGIG and especially the IGF are capable of providing adequate regulatory mechanisms for the internet as a whole, as opposed to merely covering fragmented technical aspects of internet governance (Theiner 2007: 89f). These cases of institutional innovation indicate the emergence of an institutional form which acknowledges the necessity to include a wide array of actors in order to reach an adequate (i.e. efficient and effective) regulation of the uses of the internet. In the case of the internet, a transition of global governance arrangements from, by and large, exclusively private institutions like the *Internet Corporation for Assigned Names and Numbers* (ICANN) in the realm of domain names allocation via the co-existence of private and public institutions (e.g. in the fight against spam) to the cooperation of public and private actors has occurred. The development in the issue area of regulating the uses of the internet thus marks a shift in global governance which proceeded in the opposite direction to the inclusion of private actors in institutions formerly dominated by public actors (Rittberger et al. 2008; Theiner 2007: 90f).

3 The Potential of Inclusive, Multipartite Institutions to Close Global Governance Gaps

After having traced the trend from ‘exclusive’ executive multilateralism to inclusive, multipartite institutions of global governance and having examined the causes and conditions of the emergence and rise of these institutions, the question of “does it matter?” arises, i.e. whether this new type of institution is contributing to solving or mitigating two core problems of global governance: Are inclusive institutions capable of closing output-related governance gaps? And: can inclusive institutions contribute to reducing the participatory deficit of global govern-

ance (Woods 2007; Coicaud 2007; Zweifel 2006: 14-18; Keohane and Nye 2003; Nye 2001); is there a potential to close input-related governance gaps?

In the following, the analysis will concentrate on the effects on global governance stemming from the trend towards inclusive, multipartite institutions in different issue areas of international relations. 'Inclusiveness' will thus be treated as the independent variable.

In dealing with transsovereign problems four governance gaps can be distinguished (Kaul et al. 1999: xxvi-xxxiv; Brühl/Rittberger 2001: 21-23; see also Figure 3):

The incongruence between the reach of societal exchanges and transactions and of the transsovereign problems emanating from them, on the one hand, and the reach of political regulations, on the other, brings about, first, a 'jurisdictional gap'. This mismatch between the cross-border nature of transsovereign problems and the often spatial and actor-specific limitations of problem-solving capacities of states and their intergovernmental organizations leads to a lack of effective and legitimate problem management and of its rules-based institutionalization.

Second, the implementation of global policy programs often falls short of agreed-upon goals. This 'operational gap' shows up in many policy domains where governing institutions on the level of individual states and even on the inter-state level lack the scientific-technical knowledge and expertise as well as the political-administrative capacities needed to deal effectively with transsovereign problems.

Third, an 'incentive gap' can be identified. The incentive gap leads to insufficient compliance with inter- or transnational norms and rules. On the global level, there usually exist only limited means to create external incentives for the observance of obligations.

Finally, a 'participatory gap' can be made out. The participatory gap opens up because access for those affected by the problem, and by the rules created for dealing with it, to policy-relevant deliberations and decision-making processes in intergovernmental organizations of the executive-multilateral type is not available or heavily restricted.

The existence of these governance gaps demonstrates that global governance based on institutions of executive multilateralism cannot fulfill important tasks of governance and thus raise questions about the legitimacy of global governance. Basically, two kinds of legitimacy can be distinguished: 'Input' or 'process legitimacy', deriving from the extent and depth of participatory opportunities as well as from the transparency and fairness of policy-making processes, and 'output legitimacy', referring to the performance of political-administrative systems or of institutions of global governance as regards the effective dealing with (transsovereign) problems they are facing.

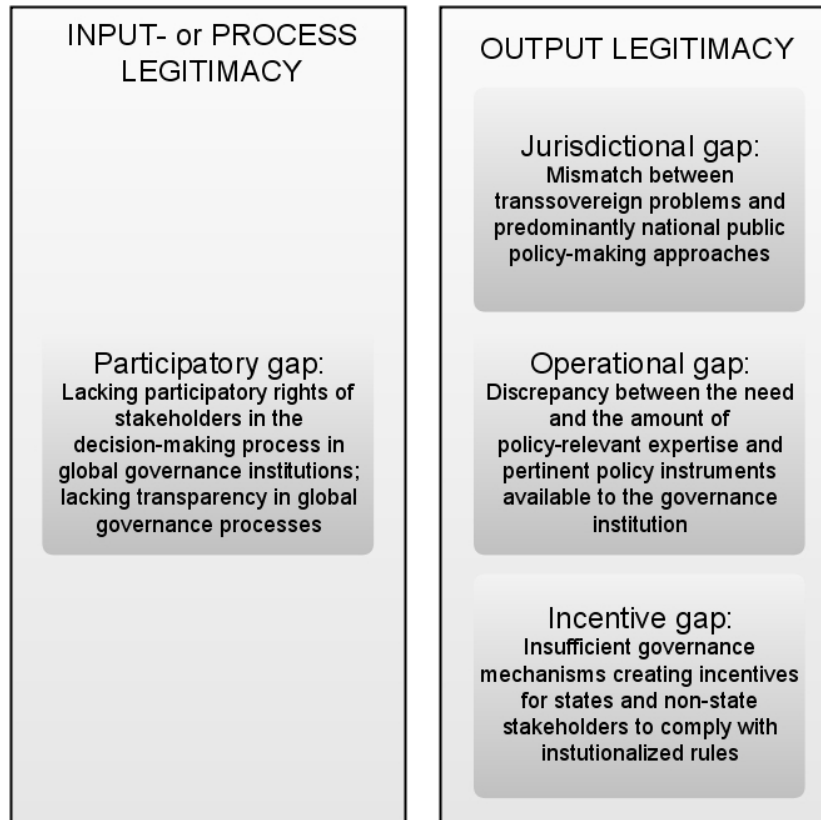


Figure 3: Governance Gaps and Dimensions of Legitimacy

‘Input’ or ‘process legitimacy’ is called into question on the global level when participatory gaps arise. These gaps result from delegating political competencies to the global level and from restricted access for the general public to, as well as the lack of transparency of, authoritative decision-making processes on the global level. The ‘output legitimacy’ of global governance is put at risk by the three other governance gaps mentioned before: the jurisdictional gap, the operational gap, and the incentive gap. Altogether, ‘output legitimacy’ thus primarily refers to the effectiveness of institutions in generating and implementing their policy programs with a view to dealing effectively with problems that confront them (Scharpf 1999).

In the following, it will be argued that inclusive, multipartite institutions of global governance have the potential to close the above mentioned governance gaps on the global level and thus to contribute to reducing the deficits of ‘input’ or ‘process’ as well as of ‘output legitimacy’ inherent in global governance institutionalized in the form of executive multilateralism (Rittberger et al 2008; Rittberger 2006).

Inclusive Institutions contribute to increasing ‘input’ or ‘process legitimacy’ of global governance by allowing for greater participation on the global level by those affected by transsovereign problems and/or by the norms and rules aimed

at solving or mitigating them and thus securing a greater sharing of responsibility between public and private actors. According to the tenets of representative democracy, the inclusion of the above mentioned groups ('stakeholders') in the decision-making processes of governing institutions increases the legitimacy of global governance since every form of democratic rule is based upon the participation of (and thus acceptance by) the norm and rule addressees (Scholte 2002: 285).

Inclusive, multipartite institutions of global governance such as *UNAIDS* and the Global Fund can be cited as examples for a closure of the participatory gap inasmuch they empower not only states and several UN-institutions, but also (I)NGOs, private business actors, and even representatives of those affected by the diseases with formal rights of participation in policy-making.

Skeptics argue that inclusive institutions of global governance can only be as legitimate as the actors themselves who take part in the institution are, and that non-state actors, in particular, often lack legitimacy from within and without (Benner/Reinicke/Witte 2004: 200). However, from the theoretical perspective of pluralism it can be argued that the inclusion of a multitude of non-state actors, representing a wide variety of interests, beliefs and values, is a positive and viable approach toward closing participatory gaps on the global level. The inclusion of actors from civil society and the business sector increases the quantity and quality of interests, belief systems and values represented in the policy-making process and thus reduces the participatory (or 'voice') gap, even if the private actors taking part in this process do not always live up to standards of democratic legitimacy themselves.

The inclusion of actors from civil society and the business sector also positively impacts on the effectiveness of an institution because it leads to an increased readiness to comply with norms and rules. Governance structures and processes which are accorded high 'input' or 'process legitimacy' by the norm addressees can usually expect a higher degree of norm compliance by its norm addressees (Zürn 2005; Franck 1997: 355; Tallberg 2002). This points to a mutual influence between 'input' or 'process legitimacy' and 'output legitimacy': Actors who were themselves involved in the creation of the norms and rules concerning them, and have thus added to their legitimacy, are more likely to comply with these norms and rules created with their participation.

The inclusion of multiple actor groups also contributes to the closure of operational gaps of global governance by increasing the possibility of obtaining useful and precise information for problem identification and diagnosis as well as for adequate policy implementation and the monitoring of norm compliance. Non-state actors can add their capabilities for norm generation and implementation where the resources of state or inter-state actors do not suffice. In this manner non-state actors can contribute their knowledge and expertise, which state actors may lack in specific issue areas, to governance processes and, in addition, contribute to rule and norm generation in their function as norm entrepreneurs as

well as influence decision making processes according to their specific interests, beliefs and values (Finnemore/Sikkink 1998; Finnemore 1993). Last but not least, private actors can contribute to fulfilling governance tasks by providing material resources.

Finally, the implementation of norms and rules can be followed through more effectively by improved monitoring made possible by the participation of transnational civil society actors. These actors often are in a better position to monitor and assess developments internal to states than (external) state actors who are, in the face of the principles of state sovereignty and non-intervention, limited in their options. With the inclusion of non-state actors, the probability that the violation of norms by state actors remains unnoticed and that their violating of norms goes unsanctioned can be reduced, and thus the incentive gap significantly diminished (Zangl/ Zürn 2003: 166; Keck/ Sikkink 1998).

4 The Emergence of a Heterarchical World Order with a Reduced Propensity for Violent Conflict

The creation of inclusive, multipartite institutions of global governance is a constitutive element of an emergent heterarchical world order. This heterarchical world order is marked by the co-existence of states; intergovernmental, international organizations; inclusive, multipartite institutions and private governance institutions aimed at managing transsovereign problems. This co-existence of different institutional forms of global governance does not imply that state and inter-state institutions necessarily lose importance. Rather, they are integral elements of a network of differently constituted institutions of global governance.

Forms of Global Governance	World State / World Government	Hegemony	Horizontal Self-Coordination of States (Executive Multi-lateralism)	Inclusive, Multipartite Institutions of Global Governance
Ordering Principle	Hierarchy	Anarchy	(regulated) Anarchy	Heterarchy

Table 2: Ordering Principles of Global Governance

4.1 Heterarchy as an Emergent World Order

The term ‘heterarchy’ denotes a ‘third’ ordering principle between anarchy and hierarchy. It points to an alternative to mere anarchic self-help systems, on the one hand, and formally or de facto hierarchically structured systems, i.e. a world state or hegemonic or even imperial rule, on the other (Holsti 1992: 56f). The concept of heterarchy is meant to describe the existence of an increasingly dense network of institutions of global governance, created and maintained by public and private actors, and aimed at the rules-based collective management of transsovereign problems through horizontal policy coordination and cooperation where different groups of actors (states, intergovernmental organizations, civil society organizations, transnational corporations/ private sector actors) are sensitive to each other’s values and interests and dependent on one another to achieve collective goals.

The peculiarities of a heterarchical world order consist, *inter alia*, in the horizontal generation and implementation of norms and rules – which is not bound to a vertical, top-down policy process. Instead, its institutional framework is flexible enough to allow for a range of innovative institutional approaches toward dealing with transsovereign problems of a varying nature. Thus, different problem-solving processes are designed and activated according to situational needs in a given issue area.

A heterarchical order is based on the activities and problem-solving capacities of a variety of public and private actors and utilizes their respective resource endowments. Leadership is exercised by those actors who are, or are perceived to be, best suited to deal with a certain issue. Formally, the different actors are largely independent from one another, but find themselves within a system of complex interdependence. Concomitant to the rise of transsovereign problems, this mutual dependency promotes the creation of institutionalized policy coordination and cooperation between public and private actors.

The emergent heterarchical world order signifies that global governance is possible in the absence of a world state or hegemonic or imperial power through horizontal reciprocal commitments to rules-based problem management and monitoring of compliance. State, inter-state and non-state actors are increasingly aware of the necessity and utility of rules-based multipartite policy coordination and cooperation in order to effectively and legitimately manage transsovereign problems.

4.2 Lower Propensity of the Heterarchical World Order for Violent Conflicts

The emergence of a heterarchical world order (apparently) coincides with a decreasing number of violent conflicts. Publications like the *Human Security Re-*

port 2005 (Human Security Centre 2005) or the *Human Security Brief 2006* (Human Security Centre 2006) impressively demonstrate that many forms of violent conflict have significantly decreased in number since the end of the Cold War. Inter-state wars have become rare making up only 2% of all armed conflicts. Even more importantly, the quantity of intra-state conflicts, the dominant mode of armed conflict today, has decreased significantly since the 1990s. In the years between 2002 and 2005, the number of intra-state wars declined by 26%, a development which is mostly due to trends of violent conflict in sub-Saharan Africa (Mack 2007: 6).

In some parts of the world, these trends are even more manifest. Western Europe, formerly the main stage for the most violent inter-state conflicts, has shown a remarkable degree of social and political de-militarization. James Sheehan (2008) refers to this development as the ‘Civilizing of Europe’: general conscription, for instance, was abandoned in European countries like France, Italy, Spain and the UK before and at the beginning of the 21st century. North and South America exhibit a relatively low propensity for violent conflict as well. Especially in the case of South America, a dramatic decrease of political violence since the 1990s can be observed (Human Security Centre 2005: 24-25).

How can this significant decrease of political violence be explained? Andrew Mack employs a threefold explanation: The end of the colonial era and of the Cold War removed two structural sources of political conflict. Additionally, an increased international activism can be observed, especially reflected in peace missions led by the United Nations and regional international organizations. The number of UN preventive or peacebuilding missions has increased from one in the year 1990 to six in the year 2002, and UN-peacekeeping operations have increased by a factor of four – from four in 1990 to 15 in 2002 (Mack 2007: 1-6).

In the following, it is argued that another factor favoring this development can be found in the emergence of a heterarchical world order. Direct and indirect effects of the emergent heterarchical world order on the propensity for violent conflict are stipulated. The supposed direct effect of heterarchy refers to the higher degree of interdependence and institutionalization between different groups of public and private actors. A potential indirect effect is attributed to the increased effectiveness and legitimacy of multipartite global governance with regard to managing transsovereign problems, which in turn leads to greater control and mitigation of causes of conflict. While the empirical validity of these arguments is certainly subject to further empirical testing, in the following, both tentative causal pathways, direct and indirect, will be laid out in greater detail.

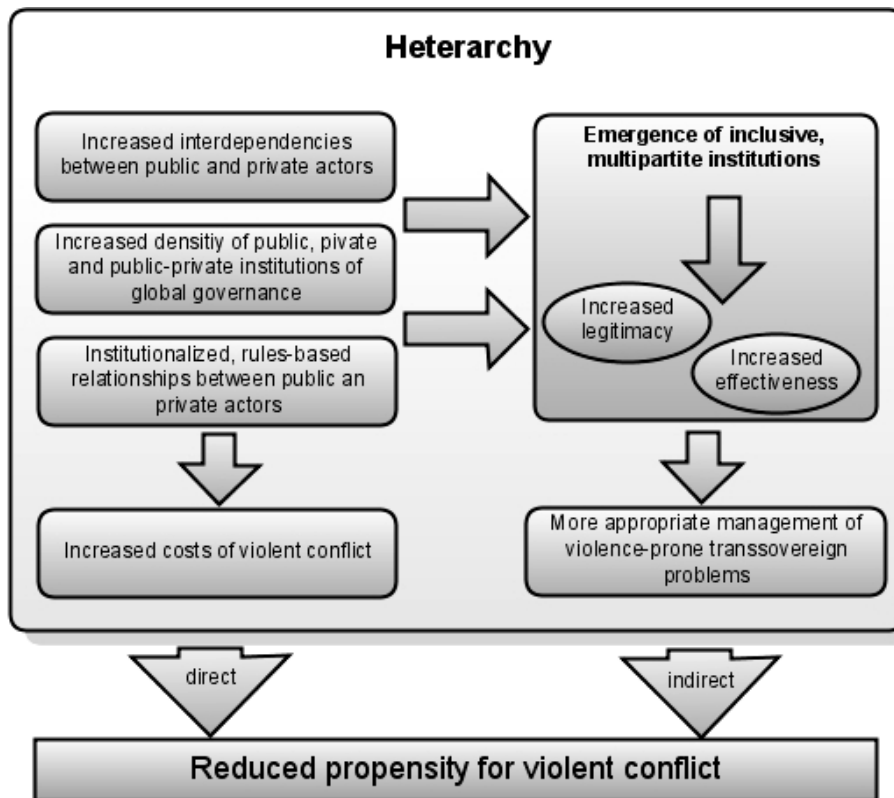


Figure 4: Heterarchy and the Reduced Propensity for Violent Conflict

4.2.1 Direct Effects – Interdependence and Institutionalization

In stark contrast to the violence-prone competition for security inherent in an anarchical state system, a heterarchical world order is characterized by rules-based, multipartite policy coordination and cooperation. The sustained interaction between public and private actors, resulting in the creation of inclusive, multipartite institutions of global governance, leads to increased mutual dependency in all policy domains of global politics: welfare, system of rule, and security. First of all, this institutional inclusion creates a situation of ‘checks and balances’, in which global regulatory and (re-)distributive processes are being supported by a multitude of actors who exert mutual control over each other and thus balance each others’ policy-shaping potentials. More significantly, the inclusion of private actors, from whom violent conflict directly or indirectly (such as in the case of extractive industries) often emanates, and the resulting possibilities for participation in policy-making processes, can lead to a direct reduction of the potential for violent conflict. It is well established that inter-state interdependencies are structural conditions discouraging inter-state violence and favoring cooperation. Extending this argument, increased mutual dependency and intensified institu-

tionalized interactions between public and private actors can be expected to create incentives for multipartite cooperation, non-violent settlement of disputes and conflict prevention. Thus, one can expect the greater networking of public *and* private actors within heterarchy to make violent conflict between those actors more cost intensive and, as a result, less likely.

4.2.2 Indirect Effects – Approaching Transsovereign Problems

An indirect effect of the emergent heterarchical world order on a reduced propensity for violent conflict lies in its more effective and legitimate management of transsovereign problems. From this point of view, the dense network of different (inclusive) institutional forms of global governance is an important prerequisite for a more reliable worldwide ‘peace order’. After all, transsovereign problems can only be successfully dealt with by including all ‘problem producers’, i.e. also non-state actors (Müller 2008: 31). As described above, inclusive institutions can reduce the operative and the participatory gap of global governance and contribute to more effective and legitimate institutional responses to dealing with transsovereign problems. Many transsovereign problems even from policy domains other than security, e.g. world wide pandemics or global climate change, also possess high conflict potential. If these transsovereign problems can be effectively dealt with through inclusive, multipartite institutions of global governance, the conflict potential emerging from them will be diminished with the result of a reduced propensity for violent conflict. Obviously, the impact of better management of transsovereign problems through inclusive, multipartite institutions plays out most overtly in the policy domain of ‘security’. In this policy domain, the rollback of ‘war economies’ through multipartite institutions serves as an example for more effective management of violence-prone transsovereign problems. For instance, the inclusive, multipartite *Kimberley Process Certification Scheme* is designed to ensure that raw diamonds offered on the world market will not generate any profits used for the financing of (intra-state) wars or transnational terrorism. Created through the joint efforts of governments, representatives of the diamond industry and (I)NGOs in the South-African city of Kimberley, the certification scheme is officially at work since 2003 (Kantz 2007). A first report of the monitoring mechanism(s) indicates a relatively high effectiveness. Monitoring in countries from which ‘conflict diamonds’ traditionally originate, such as Sierra Leone and the Democratic Republic of Congo, confirmed a significant increase in the percentage of certified raw diamonds destined for export. Notwithstanding the *ad-hoc* and preliminary character of this evaluation, the Kimberley Process might be considered as an example of a successful certifying mechanism and could function as a model for other conflict goods (Böge et al. 2006: 33). The joint effort of state and non-state actors seems to allow for more effective management of the transsovereign problem of ‘blood diamond’ traffic.

As this example demonstrates, the emergent heterarchical world order might also contribute in an indirect manner to consolidating or even reinforcing the trend towards the reduction of violent conflicts. It would do so by (working towards) the creation of inclusive, multipartite institutions and the concomitant higher effectiveness and legitimacy of dealing with transsovereign problems.

5 Conclusion

Global systemic changes, most notably processes of globalization, have led to an increase in the number and to an intensification of transsovereign problems as well as a growing need for the provision of global public goods. Against the backdrop of the emergence or aggravation of transsovereign problems and the changing constellations of actors in the global system, a trend towards institutionalized public-private cooperation within inclusive, multipartite institutions of global governance can be observed. This trend towards an increased inclusion of non-state actors from the business sector and/or civil society in global regulatory or (re-)distributive policy-making aimed at managing and solving transsovereign problems and providing global public goods can be explained by an agency-centered analysis of the interests and preferences of, and the resources available to, public and private actors. For that purpose, two major agency-centered theoretical approaches have been introduced in this paper: resource exchange theory and collective goods theory.

As claimed in this paper, inclusive, multipartite institutions of global governance have the potential to close (well known) governance gaps – i.e. deficits of ‘input’ or ‘process legitimacy’ as well as of ‘output legitimacy’ – emanating from global governance in the form of executive multilateralism. Further empirical analyses should provide more thorough insights into whether, or rather under what conditions, institutionalized forms of public-private cooperation are able to transform their potential for increasing the ‘input’ or ‘process legitimacy’ as well as the ‘output legitimacy’ of global governance into actual effective and legitimate policy outcomes.

Moreover, in the present paper it has been observed that the emergence of a ‘heterarchical’ world order and the implied management of transsovereign problems through horizontal policy coordination and cooperation between public and private actors coincide with a worldwide decrease in political violence. It has been hypothesized that a heterarchical world order marked by increased interdependencies between public and private actors, increased institutional density and more effective and legitimate management of transsovereign problems through inclusive, multipartite institutions might have direct and indirect effects leading to a reduced propensity for violent conflict. As a matter of course, further research is

needed in order to empirically evaluate the validity of the stipulated effects and, if need be, refine the above arguments

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