

New York University
Graduate School of Arts and Science
Department of Politics

G53.2736 International Governance:
 Regimes, Institutions, & Collective Action
 (Lecture Course)

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SYLLABUS

Rationale & Objectives

International *governance* is a phenomenon made distinct by the “anarchic” nature (i.e., absence of a world government) of our Westphalian system; and international regimes and institutions are related to and indispensable for international governance. Quite typical of our anarchic system, international regimes are not superimposed, but result from the coordinative decision making and collective action by the system’s principal “actors,” including sovereign states and international organizations. Regimes are instrumental in international cooperation, in as wide a range of issue areas as: defense, trade, finance, monetary policy, food policy, social policy, protection of the global commons, environmental control, etc. And, institutions, both in and outside the U.N. family, are indispensable partners in the fostering of new norms, rules, and regimes, as in the monitoring of regime compliance and in dispute settlement.

International governance is defined in this course as the shaping or managing of some form of rule-based and often hierarchically ordered relations in the international system, through the medium of institutions and following pre-set norms (regimes), with the effect of conditioning a common pattern of thought or behavior of states and non-state actors.

This course approaches international governance both as (a) an emergent focus of research in the international relations (IR) field, and (b) an explication of the utility of international regimes and institutions in achieving public goods – e.g., the orderly exchange of values, and maintenance of peace & stability -- through collective action in lieu of unilateral self-help. International governance depends on the workings of a mysterious spider-web of institutions plus the norms and decision rules generated by or through their existence. Through this labyrinth of regimes and institutions, systemic anarchy is mitigated in that the international system can hope to manage and contain the conflicting interests of nation-states and, increasingly, the rampaging forces of globalization and environmental change as well as the formidable challenge to state sovereignty from the rise of transnational corporations and other non-sovereign actors.

To make the discussions more manageable within the span of a semester, our attention will focus on a few sample areas, such as the conduct of trade relations, environmental control, maintenance of peace and security, and management of international social & humanitarian issues. Students will be sensitized to the broader consequences, for the international society, of the development in these issue areas of a body of international regimes, and the functioning of supportive international institutions. In addition to globalization, the rise of regionalism and regional integration (e.g., EU) will also be noted in so far as they bear on the question of international governance.

Students will be made aware of the importance of the subject, as is demonstrated in the universal acceptance by sovereign states of a body of international regimes in each issue area—for instance, in the protection of the environment – as a guide for their own policy and behavior. This is all the more remarkable considering that many international institutions, despite their lack of sovereignty, regularly contribute to the making of the rules and norms that become regimes regulating international activities of nation-states (or their instruments), such as in civil aviation and maritime navigation. The roles played by the International Civil Aviation Organization (ICAO) and International Maritime Organization (IMO), in these two issue areas, are illustrative of the value and utility of regimes and institutions in international governance.

Furthermore, the growing importance of regimes and institutions in these and other areas signifies that sovereign states are generally agreed that the world community at large has a body of identifiable interests over and above their own egoistic ends. (Disagreements are only over what specifically are these community interests and how broad is their “sweep.”) At the methodological level, a question to be explored is whether regime analysis (used in a broad sense to include the supportive institutions), in the growing IR literature, has produced a distinctive conception of international governance that can be applied to the solution of international problems by collective action. Or, to put it another way, is the mitigation of anarchy through the medium of international regimes/institutions significant and identifiable enough to warrant a rethinking of mainstream IR theory?

Prerequisite for the Course

In order to maximize what they can get from this course, students should have taken the IR “core” course (G53.1700) or have equivalent background. When in doubt, please check with me before registering.

Suggested Texts for Purchase

Although we will make use of a wide range of sources, as listed in the readings below, it will be handy to have a bare minimum of books that will serve to link together the various salient topics or provide the necessary background for wider readings. The recommended texts are: (a) ~Karns & Mingst (2004)); (b) ~Vayrynen (1999); (c) ~Young (1997); and (d) ~ Nye & Donahue (2000). For full citations, please see the “References” section at the end of the syllabus.

Books on Reserve

(i) *Hsiung (1997); (ii) *Joyner (1997); (iii) *Krasner (1982), and (iv) *Diehl (2001) --full citations are given in the “References.” Many of the readings below are journal articles, which as a rule are non-circulating.

Legend: ~ = texts recommended for purchase.

* = on reserve.

COURSE CALENDAR: TOPICS AND READINGS

(The readings reflect built-in flexibility for students with various levels of preparation.

Together or alternately, they are supportive of, but not substitutes for, class lectures. Some of the titles are of possible use for students’ term papers.)

1) Regimes and International Governance as a Focus of Study:

Challenge to IR Theories

~Young (1997: 1-84)

~Nye & Donahue (2000: 1-44)

~Karns & Mingst (2004: 35-62)

Goldstein, Kahler, Keohane, and Slaughter (2000: 385-400)

Ruggie (1998: 41-130)

Hewson & Sinclair (1999)

Sterling-Folker (2000)

Wapner and Ruiz (2000: 1-78)

Rosenau and Czempiel (1992: 1-57)

2) Governance in International Relations: Int’l Law, Regimes, & IOs

~Karns & Mingst (2004: 3-34)

*Krasner (1982, esp. 185-206; 497-510)

*Hsiung (1997: 29-33; 160ff)

Boisson de Chazournes (2002)

Abbot and Snidal (2000, 421-456)

Young (1994)

Keohane and Martin (1995)

Cooper, English, and Thakur (2002)

3) Norms, Power, Interests, and Power of Norms

*Hsiung (1997: 3-48)

Bederman (2001)—pp. 9-11: dispelling some myths (re IL);
Pt. 3: IL and US Law

Cortell and Davis (1996: 451-478)

Kratochwil (1989)

Nayar (1995)

Young (1989: 58-80)

Young and Oshenrenko (1995)

Krasner (1985)

Byers (1999: 195-203)

4) Mitigation of Anarchy: Regimes & Institutions

~Karns & Mingst (2004: 97-144; 211-248)

*Joyner (1997: 3-96)

*Hsiung (1997:33f; 129-138)

Byres (2000: 87-106)

Ostrom (1990)

Murphy (1994)

5) Governance of International Economic Relations

~Karns & Mingst (2004: 355-406)

~Young (1997: 227-272)

*Joyner (1997: 232-275)

Jackson (1997)

Palmer (2003)

Sampson (2001)

Gilpin (2000: 325-357)

Petersmann (1998)

Adamantopoulos (1997)

Pauwelyn (2000)

Yarbrough & Yarbrough (1992: 49-67; 86-106)

Masa'deh (2003)

6) Settlement of Int'l Economic & Financial (& Investment) Disputes, and International Governance

Collier and Lowe (2000: 45-50; 96-123)

Park & Panizzon (2002)

Keohane, et al. (2000:457-488—"Legalized Dispute Resolution")

de Jonge Oudraat (2000)

Jackson (1997: 107-138)

WTO (2001)

Culter (1999)

Cortier, et al. (1998)

Brewer and Young (1998)

Yamane (1998)

7) "Comprehensive Security" and International Governance

~Karns & Mingst (2004: 413-459)

*Hsiung (1997: 129-152)

*Diehl (2001: 361-405; 436-461)

Hsiung (2001: 26-34; 257-325)

Brown (2001)

Myres (1993)

Weiss, et al. (1997:246-264)

Mullerson (1994)

Strang and Chang (1993)

Riemer (2000)

Rittberger (2001)

8) Global Commons & the Environment:Regimes and Governance

~Karns & Mingst (2004: 459-495)

~Young (1997: 87-114; 115-152; 153-224)

~Nye & Donahue (2000: 86-108)

*Joyner (1997: 287-361)

*Hsiung (1997: 153-174)

Churchill and Ulfstein (2000: 623-659)

Choucri (1995)

Sands (1995)

Wapner (1996)

Thompson (2001: 199-226)

Renner (1996)

9) Peace & Security Regimes: Do Institutions Matter?

~Karns & Mingst (2004: 277-354)

Lake (2001: 129-160)

Sarooshi (1999)

Sutterlin (1995: 1-92)

White (1993)

Duffield (1992)

10) Globalization, Interdependence, & International Governance

~Karns & Mingst (2004: 406-412)

~Vayrynen (1999: 3-104)

~Nye and Donahue (2000: 45-71; 155-207; 297-318; 347-368)

*Joyner (1997: 232-286)

Reinicke (1998: 52-74)

Rosenau (1997a)

Strange (1997)

Commission on Global Governance (1995)

11) Regionalism & International Governance: EU, NAFTA, APEC

*Diehl (2001: 313-357 new wave of regionalism)

Mansfield & Reinhardt (2003)

Thompson (2001: 1-72; 99-132; 269-302)

Bromley (2001: 53-80; 143-164)

Weiler (2000: 71-124; 169-199)

Hsiung (2001: 159-253)

Raworth (2001)

Hajnal (1999)

12) Instruments of Global Governance: Effects and

Effectiveness of International Regimes (and Institutions)

~Vayrynen (1999: 105-198; 223-244)

*Hsiung (1997: 87-196)

Cortell and Davis (1996: 451-478)

Doxey (1987)

Young (1999)

Merrills (1998)

13) International Governance in Perspective

~Karns & Mingst (2004: 499-520)

~Vayrynen (1999: 199-244)

~Young (1997: 199-222)

~Diehl (2001: 483-508)

*Hsiung (1997: 197-218)

Hall and Biersteker (2002)

Choucri (1995: 477-507)

Hajnal (1999)

Rosenau (1997b:439-449)

Other Requirements

In addition to a final exam, a term paper of 25-30 double-spaced pages is required and due at the time of the final. You should have chosen a topic by the third week, in consultation with me. And by the fourth week, you should have ready a one-page statement containing the proposed topic of your paper with indications of a research strategy (incl. the major hypothesis and methodology) and some bibliographical items. (This would allow you plenty of time, after my review and comments, to finish your paper.) Final grade is based on the final exam (40%), the paper (40%), and continuing observation (including classroom participation: 20%)

I am available for consultation during my office hours, Mondays and Wednesdays 2:00-3:00 p.m.; 5:00-6:00 p.m.; and other times by appointment. My office is at 726 Broadway, Rm. 717; telephone: (212) 998-8523; and e-mail: <jch2@nyu.edu>.

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<>Some International Governance (IG) concerns and clues for possible term-paper topics:

- Empirical evidence of the mitigation of anarchy and IG
- Collective action as a vehicle of IG
- How is order maintained, expected functions performed, or cooperation brought about, under conditions of anarchy?--and
 - through what international institutions and/or regimes?
 - with what effects across different issue areas?
- Do regimes/institutions matter? how? in what issue area(s)?
- Domestic-international linkage in IG
- Collective action between states involving regimes/institutions
- Any given case as an illustration of IG
- The role of an international institution (e.g., ICAO, IMO, ILO, etc.) in IG

References

- Abbott, Kenneth W., and Duncan Snidal. 2000. "Hard and Soft Law in International Governance," *International Organization*, 54,3:421-456.
- Adamantopoulos, K. (ed.). 1997. *An Anatomy of the World Trade Organization*. London and Boston: Kluwer Law International.
- Bederman, David J. 2001. *International Law Frameworks*. New York: Foundation Press.
- Boisson de Chazournes, Laurence, Cesare Roman, and Ruth Mackenzie (eds.). 2002. *International Organizations and International Dispute Settlement: Trends and Prospects*.
- Brewer, Thomas and Stephen Young. 1998. "Investment Issues at the WTO: The Architecture of the Rules and the Settlement of Disputes," *Journal of International Economic Law*, 1,3:457-470.
- Bromley, Simon (ed.). 2001. *Governing the European Union*. Thousand Oaks, CA: SAGE Publications.
- Brown, Lester, et al. 2001. *The State of the World. A Worldwatch Institute Report on Progress Toward a Sustainable Society*. New York: W.W. Norton.
- Byres, Michael. 1999. *Custom, Power, and Power of Rules*. Cambridge: Cambridge University Press.
- Churchill, Robin R. and Geir Ulfstein. 2000. "Autonomous Institutional Arrangements in Multilateral Environmental Agreements: A Little-Noticed Phenomenon in International Law," *American Journal of International Law*, 94,4:623-659 (Autumn).
- Choucri, Nazli (ed.). 1995. *Global Accord: Environmental Challenges and International Responses*. Cambridge, MS: MIT Press.
- Collier, John and Vaughan Lowe. 2000. *The Settlement of Disputes in International Law*. Oxford University Press.
- Commission on Global Governance. 1995. *Our Global Neighborhood*. New York: Oxford University Press.
- Cooper, Andrew E., John English, and Ramesh Thakur (eds.). *Enhancing Global Governance: Towards a New Diplomacy*. Tokyo & New York: United Nations University Press.
- Cortell, Andrew P. and James W. Davis, Jr. 1996. "How Do International Institutions Matter? Domestic Impact of International Rules and Norms," *International Studies Quarterly*, 40,4:451-478.
- Cortier, Thomas and Krista Nadakacukaren Schefer. 1998. "The Relationship Between WTO Law, National, and Regional Law," *Journal of International*

- Economic Law*, 1,1:83-122.
- Cutler, A. Clair. 1999. "Locating 'Authority' in the Global Political Economy," *International Studies Quarterly*, 43,1:59-82.
- de Jonge Oudraat, Chantal. 2000. "Making Economic Sanctions Work," *Survival* 42,3: 105-128.
- Diehl, Paul F. (ed.). 2001. *The Politics of Global Governance*, 2d ed. Boulder, CO: Lynne Rienner.
- Doxey, Margaret P. 1987. *International Sanctions in Contemporary Perspective*. New York: St. Martin's Press.
- Duffield, John S. 1992. "International Regimes and Alliance Behavior: NATO Conventional Force Levels," *International Organization*, 46,4:819-856.
- Gilpin, Robert. 2000. *The Challenge of Global Capitalism: The World Economy of the 21st Century*. Princeton, NJ: Princeton University Press.
- Goldstein, Judith, Miles Kahler, Robert O. Keohane, and Anne-Marie Slaughter (eds.). 2000. Special Issue on "Introduction: Legalization and World Politics," *International Organization*, 54,3:385-400 (Summer)
- Hajnal, Peter I. 1999. *The G7/G8 System*. Brookfield, VT: Ashgate.
- Hall, Rodney Bruce and Thomas Biersteker (eds.). 2002. *The Emergence of Private Authority in Global Governance*. Cambridge: Cambridge University Press.
- Hewson, Martin and Timothy Sinclair (eds.). 1999. *Approaches to Global Governance Theory*. Albany, NY: SUNY Press.
- Hsiung, James C. 1997. *Anarchy & Order: the Interplay of Politics and Law in International Relations*. Boulder, CO: Lynne Rienner.
- Hsiung, James C. (ed.). 2001. *Twenty-First Century World Order and the Asia Pacific*. New York: Palgrave.
- Jackson, John H. 1997. *The World Trading System: Law and Policy of International Economic Relations*, 3d ed.. Cambridge, MS: MIT Press.
- Joyner, Christopher (ed.), 1997. *The United Nations and International Law*. Cambridge: Cambridge University Press.
- Karns, Margaret P. and Karen A. Mingst. 2004. *International Organizations: The Politics & Processes of Global Governance*. Boulder, CO: Lynne Rienner.
- Keohane, Robert O. and Lisa L. Martin, "The Promise of Institutional Theory," *International Security*, 20, 1: 39-51.
- Keohane, Robert O., Andrew Moravcsik, and Anne-Marie Slaughter. 2000. "Legalized Dispute Resolution: Interstate and Transnational," *International Organization*, 54,3:457-488 (Summer).
- Krasner, Stephen (ed). 1982. *International Regimes*, a special issue of the quarterly

- journal *International Organization*, 36,2 (Spring, 1982). Also available as a monograph, by the same name (*International Regimes*), published by Cornell University Press, Ithaca, N.Y., 1982.
- Krasner, Stephen. 1985. *Structural Conflict: The Third World Against Global Liberalism*. Berkeley, CA: University of California Press.
- Kratochwil, Friedrich V. 1989. *Rules, Norms, and Decisions*. Cambridge: Cambridge University Press.
- Lake, David. 2001. "Beyond Anarchy: The Importance of Security Institutions," *International Security*, 26,1: 129-160 (Summer).
- Mansfield, Edward and Eric Reinhardt. 2003. "Multilateral Determinants of Regionalism: The Effects of GATT/WTO on the Formation of Preferential Trading Arrangements," *International Organization*, 57, 4: 829-862 (Fall).
- Masa'deh, Almad Khalaf. 2003. *Investment & Competition in International Policy: Prospects for WTO Law*. London: Cameron May.
- Merrills, J. G. 1998. *International Dispute Settlement*, 3rd ed. Cambridge: Cambridge University Press.
- Mullerson, Rein. 1994. *International Law, Rights, and Politics: Developments in East Europe and the CIS*. London: Routledge.
- Murphy, Craig. 1994. *International Organization & International Change*. New York: Oxford University Press.
- Myres, Norman. 1993. *Ultimate Security: The Environmental Basis of Political Stability*. New York: W.W. Norton.
- Nayar, Baldev Raj. 1995. "Regimes, Power, and International Aviation," *International Organization*, 49,1:139-170.
- Nye, S. Joseph and John D. Donahue (eds.). 2000. *Governance in a Globalizing World*. Washington, D. C.: Brookings Institution Press.
- Ostrom, Elinor. 1990. *Governing the Commons: The Evolution of Institutions*. Cambridge: Cambridge University Press.
- Palmeter, David. 2003. *The WTO as a Legal System*. London: Cameron May.
- Park, Young Duk and Marion Panizzon. 2002. "WTO Dispute Settlement 1995-2001: A Statistical Analysis," *Journal of International Economic Law*, v,1:221-235.
- Pauwelyn, Joost. 2000. "Enforcement & Countermeasures in the WTO: Rules Are Rules—Toward a More Collective Approach," *American Journal of International Law*, 94,2: 335-347.
- Petersmann, Ernst-Ulrich. 1998. "How to Promote the International Rule of Law? Contributions by the World Trade Organization (WTO)," *Journal of International Economic Law*, 1:1-24.
- Raworth, Philip. 2001. *Introduction to the Legal System of the European Union*.

- Dobbs Ferry, NY: Oceana.
- Reinicke, Wolfgang H. 1998. *Global Public Policy: Governance Without Government?* Washington, DC: Brookings Institution Press.
- Renner, Michael. 1996. *Fighting for Survival: Environmental Decline, Social Conflict, and the New Age of Security*. New York: W. W. Norton.
- Riemer, Neal, ed. 2000. *Protection Against Genocide: Mission Impossible?* Westport, CN: Praeger.
- Rittberger, Volke (ed.). 2001. *Global Governance and the United Nations System*. Tokyo and New York: U.N. University Press.
- Rosenau, James N. and Ernst-Otto Czempiel (eds.). 1992. *Governance Without Government*. Cambridge University Press.
- Rosenau, James N. 1997a. "The Complexities and Contradictions of Globalization," *Current History*, Vol. 96, No.613:360-364 (November).
- Rosenau, James N. 1997b. *Along the Domestic-Foreign Frontier: Exploring Governance in a Turbulent World*. Cambridge, UK: Cambridge Univ. Press)
- Ruggie, John. 1998. *Constructing the World Polity*. London and New York: Routledge.
- Sampson, Gary P. (ed.). 2001. *The Role of the World Trade Organization in Global Governance*. Tokyo & New York: United Nations University Press.
- Sands, Philippe. 1995. *Principles of International Environmental Law*, Vol. 1. Manchester and New York: Manchester University Press.
- Sarooshi, Danesh. 1999. *The United Nations and the Development of Collective Security*. Oxford: Oxford University Press.
- Sterling-Folker, Jennifer. 2000. "Competing Paradigms or Birds of a Feather? Constructivism and Neoliberal Institutionalism Compared," *International Studies Quarterly*, 44,1:97-120 (March).
- Strang, David and Patricia Mei Yin Chang. 1993. "The ILO and the Welfare State," *International Organization*, 47,2:235-262.
- Strange, Susan. 1997. "The Erosion of the State," *Current History*, Vol. 96, No.613: 365-369.
- Sutterlin, James S. 1995. *The United Nations and the Maintenance of International Security*. Westport, CT: Praeger.
- Thompson, Grahame. 2001. *Governing the European Economy*. SAGE Publications.
- Vayrynen, Raimo (ed.). 1999. *Globalization and Global Governance*. Lanham, MD: Rowman & Littlefield.
- Wapner, Paul. 1996. *Environmental Activism & World Politics*. Albany, NY: State University of New York Press.
- Wapner, Paul and Edwin J. Ruiz (eds.). 2000. *Principled World Politics: The*

- Challenge of Normative International Relations*. Lanham, MD: Rowman & Littlefield.
- Weiler, J.H.H. (ed.). 2000. *The EU, The WTO and the NAFTA: Towards a Common Law of International Trade*. (New York: Oxford University Press).
- Weiss, Thomas G., David P. Forsythe, and Roger A. Coate. 1997. *The United Nations and Changing World Politics*, 2d ed. Boulder, CO: Westview Press.
- White, N.D. 1993. *Keeping the Peace*. Manchester and New York: Manchester University Press.
- WTO. 2001. *The WTO Dispute Settlement Procedures, A Collection of the Relevant Legal Texts*. 2d ed. Cambridge: Cambridge University Press.
- Yamane, Hiroko. 1998. "The WTO Dispute Settlement Mechanism and Japanese Traders," *Journal of International Economic Law*, 1,4:683-689 (December).
- Yarbrough, Beth V. and Robert M. Yarbrough. 1992. *Cooperation and Governance in International Trade: The Strategic Organizational Approaches*. Princeton, NJ: Princeton University Press.
- Young, Oran. 1989. *International Cooperation*. Ithaca, NY: Cornell Univ. Press.
- Young, Oran R. and Gail Osherenko (eds.). 1993. *Polar Politics: Creating International Regimes*. Cambridge, MS: MIT Press.
- Young, Oran R. 1994. "International Regime Initiation," *International Organization*, 43,3:349-376 (Autumn).
- _____ (ed.). 1997. *Global Governance: Drawing Insights from the Environmental Experience*. Cambridge, MS: MIT Press.
- _____ (ed.). 1999. *The Effectiveness of International Environmental Regimes*. Cambridge, MS: MIT Press.