Trans-governmental networks: less than convincing vision of new world order

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Academia is fraught with ideas on the reform of the international multilateral system. Nonetheless, a great part of the literature presents reform demands without clear perspectives on how to put them to practice. Indeed, the imperatives of reform are clear, given the developments in the surrounding global environment, while the real conundrums lie in the specifics of needed reforms and how to go about implementing them. In this regard, there are some reform proposals that are worth contemplation. One such proposal is the trans-governmental networks approach to a new world order, by Anne-Marie Slaughter, former Director of Policy Planning at the US State Department. Notably, this vision of new world order was most eloquently articulated by its author in a book titled *New World Order* in 2004. Since then, it has been a subject of a lot of debate and controversy.

Anne-Marie Slaughter sets out from the point that global governance is indeed in crisis, in light of the perceived general erosion of authorities and capabilities of intergovernmental organizations and regimes across the world.[1] In particular, she argues that multilateral institutions created in the aftermath of World War II have become outdated and inadequate to meet contemporary challenges. Hence, these institutions need to be reformed, reinvented or even replaced. In the meantime, although there are some steps in the right direction, efforts to advance critically needed reforms are usually faced with insurmountable hurdles. Hence, Slaughter speaks of a globalization paradox, where the world needs more government but fears it, which makes global government both unfeasible and undesirable. The would-be size and scope of such a government could threaten individual liberties. And the diversity of peoples to be governed makes it unimaginable to put them under the rule of one political unit. Thus, the world needs more government, but no state accepts to give up decision-making power and coercive authority to central powers far from the people to be governed. In other words, the current nation-state system needs substantial reforms, but it inherently resists them, which puts the system in a dismal situation.

In response, Slaughter contends that global governance is already taking place underneath the surface, with nation-states communicating horizontally through presidents, prime ministers, foreign ministers and infra-state agencies. Multilateral institutions, such as the UN and the Bretton Woods institutions, in their own right, represent vertical,

1 Anne-Marie Slaughter, *A New World Order* (Princeton and Oxford: Princeton University Press, 2004).

supra-state networks and create their own horizontal networks of infra-state agencies. Slaughter argues that horizontal infra-state networks are substituting for the hierarchies of authority inside states and multilateral institutions. Technocrats in charge of such subjects as foreign policy, security, justice and health interact with their counterparts directly, without going through supervisory authorities in their national governments, unlike the work methodology in multilateral organizations such as the UN. These networks of technocrats debate relevant issues, coordinate policies and form important consensuses about international problems. Thus, Slaughter argues, the same agencies that manage domestic subjects come to manage these same subjects at the global level, which reflects a trend toward disaggregating governments into their constituent parts. Slaughter further argues that these networks supplant rather than supplement the nation-state system, though without openly challenging or violating the sovereignty formally invested in the system. In parallel to infra-state networks, nongovernmental organizations (NGOs) and transnational corporations (TNCs) form their own global networks and other networks in collaboration with governments and multilateral institutions. Thus, the world becomes a sophisticated network of networks that include governmental agencies, multilateral organizations, NGOs, TNCs and other actors.

Governance through transnational networks is yet a nascent mode of governance.[2] It is more evident in some regions than others and does not often include all countries. Its effectiveness is asserted on the ground, though not clearly demonstrated. Nonetheless, it has gone global and has been spreading in many areas over the last few years. For instance, the EU is a pioneer in using the network approach to governance. This is partially the outcome of the EU dilemma of the need for more uniformity at the time greater centralization of power is politically

> Lack of adequate reform in the multilateral system has given rise to a plethora of theories suggesting new models of global governance. In particular, this article analyzes the advocated new world order based on trans-governmental networks. This vision of new world order has its pros and cons. However, it is argued that it does not present a convincing case for a new world order.

inappropriate and probably undesirable.[3] As a result, the EU has developed vast networks of ministers, judges and legislatures, among others, to govern common EU affairs. At the global level, the US has frequently advocated channeling multilateral cooperation in different areas through networks of government officials rather than through traditional multilateral mechanisms. Historically, government networks established for limited purposes, such as postal and telecommunications cooperation, have existed for over a century. And more recently, such networks have consolidated their identity and autonomy in some specific areas under the auspices of forums such as the G-8, the G-20, the Commonwealth and the Asia-Pacific Economic Cooperation (APEC).

Most importantly, Slaughter advocates transnational networks as a potential solution to current crises of global governance.[4] Given their past record, government networks have effectively served several purposes, including creating convergence over some subjects, forging regulatory principles and standards, distilling and disseminating reliable information and best practices, allowing for individual national particularities and preferences, enhancing compliance with agreed rules, promoting capacity building in various fields and enhancing cooperation through networked national focal points. Furthermore, these networks could be enhanced to serve more purposes that could better global governance, in light of the following advantages: these networks induce and enforce compliance with their standards, have a record of propensity for self-regulation, develop their own strong internal communication networks, have selective membership schemes, generate reasonable solutions to complicated problems and act as engines of continued trust and cooperation even at times of conflict.

In contrast, although the functional units of government networks are part and parcel of sovereign governments, they lack legitimacy of their own. Legitimacy has two main

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2 Anne-Marie Slaughter, "Power and Legitimacy of Government Networks", in Alfred Herrhausen (ed.), *The Partnership Principle: New Forms of Governance in the 21st Century* (London: Archetype Publications, 2004), pp. 1-4.

3 See Anne-Marie Slaughter, *A New World Order*.

4 Anne-Marie Slaughter, "Sovereignty and Power in a Networked World Order" (*Stanford Journal of International Law*, Vol. 40, No. 2, Summer 2004), pp. 283-327.

sources, formal legal legitimacy and practical legitimacy. Practical legitimacy indicates the level of public appeal of a given entity based on its effectiveness on the ground. Slaughter suggests that the aforementioned achievements and advantages of intergovernmental networks are enough evidence of their functional legitimacy.[5] Indeed, at the time the record of multilateral cooperation among states provides a mixed picture, the record of government networks fares much better. At the domestic level, public service agencies within governments develop goodwill of their own. In comparison with politically elected governments, these agencies receive special recognition and sympathy, in view of the result-oriented nature of their work and their relative proximity to the public. Yet, government networks in the end are components of the nation-state system. They could bypass political hierarchy complications at the international level, which gives them a relative practical advantage, but they lack formal legitimacy of their own and cannot cross some minimum threshold of political boundary lines.

Slaughter chose A New World Order as a title for her book, indicating that trans-governmental networks are a force of change from the current world order to an evolving new one. She contends that government networks can help address the so-called tri-lemma of global governance, where a global government is needed, but is considered infeasible, which deprives the world of a means to better governance and accountability. In this regard, government networks are thought to offer a flexible and fast way of doing business, coordinating national government policies and initiating and monitoring collective actions aimed at addressing common problems. However, as the writer admits, the advocated new world is basically an expression of a different conceptual framework for the existing infrastructure of world order using a three-dimensional web of two types of links between state institutions: horizontal networks or links between infra-state units across borders and vertical networks bringing together both national governments and the supranational institutions they choose to establish. Together horizontal and vertical government networks make up the skeleton of global governance in the conceived new world order. In addition, these networks add up an additional layer of accountability besides those of nation-states and multilateral institutions. Although government networks are made up of government actors, these actors interact with a wide range of non-state actors, especially NGOs and TNCs, which brings the voices of these actors onboard and increases the level of accountability in global governance.

In fact, the increasing influence of government networks is widely acknowledged. Back in the 1970s, Robert Keohane and Joseph Nye studied trans-governmental networks in detail.[6] They distinguished the activity of these networks from wider transnational cooperation and defined it as "sets of direct interactions among sub-units of different governments that are not controlled or closely guided by the policies of the cabinets of chief executives of their governments".[7] They further argued that trans-governmental networks are one integral aspect of complex interdependence in the age of accelerated globalization. To be clear, their main objective was to elaborate the different ways through which infra-state cooperation, besides other traditional transnational modes of cooperation, could help multilateral organizations play a more effective role in global governance. More recently, in his book, The Paradox of American Power, Nye argues that to achieve their objectives, most governments find it increasingly necessary to coordinate their activities through such means as bilateral and multilateral agreements, informal structures and delegation of authority to formal intergovernmental institutions. Some other attempts for better global governance do not involve states as actors, but brings together components of states and/or nongovernmental actors, alongside the necessary, but imperfect, interstate institutional architecture.[8] Thus, it appears, there is an informal political process that is evolving slowly to supplant the formal mechanisms of international cooperation.

However, there are some concerns about the increasing role of government networks. They are decentralized and dispersed without clear structures or material power capabilities. In addition, their role disaggregates state sovereignty from within nation-states and disaggregates the international system into countless, loose and soft hubs of governance. Moreover, government networks are made up of technocrats, i.e. appointed officers who lack electoral legitimacy or direct accountability to the public, which indicates a degree of lack of reliability. And, like conventional structures, the contributions of government networks could at times contradict with domestically popular policies or traditions, which could expose their work to political resistance. It is also feared that the flexibility and informality of government networks could be a backdoor to turn around the formal constraints of conventional mechanisms of international cooperation, which might alienate nation-states and international organizations. Other concerns refer to the disadvantage of weak states in government networks. These states lack technical capacity, expertise and financial resources, which expose them to practical exclusion from influential government networks. In addition, government networks could suffer from corruption, special interest groups and political pressures. Given the fact that the accountability of these networks is mostly civil in nature, without a proper scheme of political accountability, these concerns might remain unchecked for long periods, which may

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5   Idem.
6   See Anne-Marie Slaughter, A New World Order.

7   Robert Keohane and Joseph Nye, Power and Interdependence: World Politics in Transition (Boston: Little, Brown and Company, 1977), pp. 41-44.
8   Joseph Nye, The Paradox of America Power: Why the World's Only Superpower Can't Go It Alone (New York: Oxford University Press, 2002).

lead to more negative implications than in the case of conventional governance structures.

In addition, it is hard to imagine that government networks could be separated from sovereign governments, letting aside the idea that these networks could compete with those governments on sovereignty grounds. In fact, the formal legitimacy of government networks is derived from the nation-state system, and their work is subject to direction from their respective political authorities. In addition, relying on the informal aspect of the work of government networks, as a leeway to better international cooperation, provides no sufficient guarantee of effectiveness. Rightly, government networks might supplant constituent governments through informal communication, but network members will probably be still restricted by the general policy lines of their respective governments and wary of the political appropriateness of their actions. Civil servants participating in government network activities are also directly subject to political guidelines and limitations. Thus, it is not clear how these networks could make a significant difference in addressing the problems of global governance today. In practice, however, they could be useful auxiliary tools on which decision-making authorities could lean to do better informed jobs. Nonetheless, even in this very context, they could also be used as legally correct means to dilute, relegate or elongate decision-making processes. At the bottom line, it is nation-states that undertake foreign policy and multilateral cooperation, and the role of government networks, even as detailed by Slaughter herself, can be useful, but not sufficient to address global problems. Nation-states remain the most vital actors in the multilateral system, and problems such as environmental pollution, nuclear proliferation and poverty can only be faced holistically through the gate of nation-states.

Conclusion

The vision of trans-governmental networks as a means to global governance presents an enlightening perspective on the evolution of modes and nodes of multilateral cooperation. However, it does not seem to warrant a true new world order, as it purports, and does not even promise sufficient change in world politics. In fact, the very rationale of this kind of ideas and the driving force behind them is the failures of the current multilateral system and the lack of reform in the system. Hence, these proposals have risen as desperate attempts to move around the deadlock of global governance reform. In contrast, if the multilateral system could be adequately reformed in the light of evolutions in the surrounding environment, so as to enable it to face the challenges of the day and capitalize on its opportunities, such desperate alternative scenarios would ultimately run out of dynamics. In this regard, the time factor is of essence. Needed changes should take place before current unavailing trends grow irreversible and further complicate the situation of the multilateral system.

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