

The Contemporary Global Governance Dilemma: Beyond the State

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팬데믹으로 인해 국제사회가 겪고 있는 커다란 사회적, 경제적 충격을 해결하기 위해서는 국제적 차원의 정책대응이 절실함에도 불구하고, 국가가 중심이 된 글로벌 거버넌스는 최근 더욱 약화되고 있다. 국제 및 국내 거버넌스 차원에서 가장 시급한 위기는 무엇이며, 이 위기를 악화시키는 요인은 무엇인가? 국제사회는 어떻게 글로벌 거버넌스를 회복하고 국제협력과 평화를 달성할 수 있을 것인가? 이번 JPI PeaceNet에서는 이화여자대학교 브랜든 하우(Brendan M. HOWE) 교수의 기고문을 통해 심화되고 있는 글로벌 거버넌스 딜레마 현상과 그 원인을 세 가지 이슈(팬데믹, 기후변화, 난민의 인도적 위기 및 강제이주)를 통해 살펴본다. 더불어, 이에 대한 해법으로서 비국가 행위자의 중요성에 대해 알아보하고자 한다. [기획: 유기은 박사후연구원(keryu@jpi.or.kr)]

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1. Introduction

Governance is the process of governing by those with the authority (legitimized power) to do so. We expect those who govern to do so in the interests of the governed, usefully providing services that can best, or perhaps only, be achieved through collective action. It is an ongoing and evolutionary process which looks to reconcile conflicting interests, through the rule of law, and introduce security for all members of a particular community. Governance is also a process through which collective good and goods are generated so that all are better off than they would be when acting individually. Thus, governance implies a concern by those who govern with both the security and development of those who are governed. A further element of governance recognizes the rights of those who are governed, and the obligations towards them imposed upon those who govern.¹⁾

Domestically, governance is carried out by instruments of the state. Internationally, governance refers not only to global attempts to govern in the absence of world government, dealing with conflicts of interests and development cooperation between states, the rights and security of states, and those issues that transcend national boundaries; but also, prescriptions for how the governments of those states should themselves govern.

Hence the governments of members states need to work together to contribute to the reconciliation of international conflicts of interests, support international peace and security, take part in the

1)Brendan Howe, "Governance in the Interests of the Most Vulnerable" Public Administration and Development 32, (2012): pp.345-356.

generation of global collective good such as through free trade, but also in terms of distributive justice such as the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs), as well as playing the roles of good global citizens. This last implies an expansion of the normative boundaries of the state, whereby governments are not solely responsible for the wellbeing of their own citizens, but also for the wellbeing of all the citizens of the world, and in particular, for that of the most vulnerable individuals and groups.

The transitional process from anarchic conditions which generate conflict, towards the aspiration of global governance, whereby states are actively brought together to solve common problems, reconcile conflicting interests, and generate collective good, including a more peaceful and secure operating environment, may be termed international organization. International organizations (IOs) are representative aspects of the phase of that process which has been reached at a given time.²⁾ Both the process of international organization and individual representative IOs manifest a dualistic nature in that on the one hand they serve to facilitate the functioning of the sovereign inter-state system, while on the other, they simultaneously require a degree of alienation of the sovereign authority of states.

Safeguarding international peace and security was the primary reason for the establishment of the United Nations (UN) in 1945. The aspiration “to save succeeding generations from the scourge of war” appears in the opening lines of the UN Charter. Maintaining peace and security appears first in the Charter’s statement of purposes and principles. Even the roles and non-military functions of IOs dealing with other aspects of global governance are often justified by the contributions they can make to international peace and security. Yet, seventy-five years ago, the UN Charter established three founding pillars of the UN system: peace and security, development, and human rights. These broadly reflect the governance concerns listed above. More recently it has become common to refer to a fourth pillar, incorporating the rule of law, likewise reflecting governance principles. While security remains the preeminent consideration for global governance, the impact of the other pillars and principles has been reflected in the evolution of conceptualization and policy prescription.

In 2005, UN Secretary-General Kofi Annan referenced the interrelatedness of the three initial pillars of the UN by noting “we will not enjoy security without development, development without security, and neither without respect for human rights. Unless all these causes are advanced, none will succeed.”³⁾ In doing so he neatly encapsulated the progress made by the evolution of security and governance conceptualizations, as well as ongoing obstacles. The complexity of contemporary international governance challenges requires holistic policy responses, but operationalizing these

2) Inis Claude, *Swords Into Plowshares: The Problems and Progress of International Organization* (New York: Random House, 1963): p.4.

3) Kofi Annan, “In Larger Freedom: Towards Development, Security and Human Rights for All” Report of the Secretary-General (2005). https://www.un.org/en/events/pastevents/in_larger_freedom.shtml.

obligations is likely to face resistance from the states whose sovereign rights they can be seen as undermining. This, I have termed the global governance dilemma.

The three most pressing crises requiring urgent responses at the levels of both international and domestic governance are COVID-19 (and other pandemics), climate change, and the humanitarian crisis of refugees and forced migration flows. All three are exacerbated by the pursuit of narrow self-interest (unilateralism) and an emphasis on state security among national policymakers. Such state-centricity is, however, normatively untenable, and ultimately self-defeating. Hence this investigation emphasizes the need to go beyond the state in terms of global governance policy prescription.

2. The COVID-19 Crisis

In trying to coordinate a global response to COVID-19 (and, historically, towards other pandemics), the World Health Organization (WHO) has found itself at the center of the dualistic paradox of international organization. The responses of the three great powers, the US, China, and Russia to the COVID-19 crisis, as well as those of some second-tier powers such as the UK, Brazil, and India, have left much to be desired in terms of both international and domestic leadership. Indeed, policies in these countries contribute overall to the challenges faced by the WHO, rather than providing adequate support for the organization to carry out its global governance and systemic health security mission.

Lack of transparency and freedom of information and speech in China has allowed pandemics to spread, and critically endangered vulnerable individuals and groups in the country, the region, and across the globe. When the Chinese government has acted, it has been unilaterally, and in an authoritarian manner rather than openness, imposing comprehensive lockdowns which exacerbated socio-economic vulnerabilities. By contrast, agents of governance in the US during the current COVID-19 pandemic were slow to respond to the pandemic out of concern for national economic impact, as well as the impact restrictions would have upon civil liberties and individual freedoms. These have also provided the pressures for premature lifting of restrictions. As a result, the US is now the most severely impacted country in the world.

Internationally, China and the US have focused on blaming each other for the impact of COVID-19, resorting to national interest security promotion rather than collective action, and showing inconsistent support for the mission of the WHO, and even outright hostility. Donald Trump even threatened to withdraw the US from the WHO. While the Biden administration has rejected this policy, lack of consistent support for the mechanisms of the liberal world order from the US, its very architect and

formerly chief champion, does little to engender confidence in its future.

Rich developed countries have overall, engaged in vaccine nationalism, whereby governments sign agreements with pharmaceutical manufacturers to supply their own populations with vaccines ahead of them becoming available for other countries. This has continued even to the extent of surplus vaccines thereby acquired expiring and going to waste, while developing countries are left with insufficient supply. The national interest prioritization of the rich is demonstrated by the fact that the central banks of the world's major economies mobilized roughly \$9tn to respond to the economic shock of COVID-19, acting swiftly and decisively to protect the interests of their investors, while these countries have failed to find the \$23bn, or 0.25% of this monetary response needed for global vaccination (a number which would dramatically decrease if governments compelled their pharmaceutical companies to share technology).⁴⁾

Not only does this seem normatively wrong, but it is also, ultimately, self-defeating. The virus is thriving in regions with low vaccination rates, throwing up mutant strains which come back to haunt the selfish countries which were only concerned with vaccinating their own people. At present rates of vaccination, the pandemic will continue to rage until at least 2024, and the longer the virus travels, the more often it mutates, and the more viciously it may rebound on the rich countries undermining their vaccination programs.⁵⁾ Furthermore, even from an economic perspective, unilateral vaccine nationalism makes little sense, for as long as the crisis continues, outbreaks and mutations will continue to wipe trillions of dollars off stock valuations world-wide, with perhaps only the shareholders of big pharmaceutical companies, online shopping operations, and digital streaming services seeing an upside.

3. The Climate Crisis

Environmental security is a policy area in which all the classes of political actor interact; both affected by and able to affect significant elements of the paradigm. It is of growing importance in absolute terms (the biosphere is increasingly endangered by human activity), relative terms (when compared with other security conceptualizations), and academic terms. Policy options and implications are increasingly cross-border or global and are not amenable to state-centric, unilateral rational actor model (RAM) pressures such as defense, deterrence, appeasements, or inducements. Rather than the tit-for-tat nature of traditional security interactions, environmental security is best modeled by the game theoretical model

4) Rogelio Mayta, KK Shailaja and Anyang' Nyong' o, "Vaccine nationalism is killing us. We need an internationalist approach" The Guardian June 17, 2021. <https://www.theguardian.com/commentisfree/2021/jun/17/covid-vaccine-nationalism-internationalist-approach>.

5) Ibid.

of a “tragedy of the commons,” whereby if each actor pursues their narrow selfish interests it will result in catastrophe for all.

From a global governance perspective, the UN has launched multiple initiatives, but remains challenged in its aspirations by the legacies of traditional national security and national interest considerations. These include the 1972 UN Conference on the Human environment in Stockholm which contributed publicity, a declaration on principles, an action plan of recommendations, and a resolution on institutional and financial arrangements. The Stockholm declaration established limitations to sovereignty, noted duties incumbent on state actors, as well as the common heritage of mankind’s resources. It also established monitoring networks, created the United Nations Environment Programme (UNEP) to serve as a propagation and organizational framework, and stimulated NGOs and individual governments to act.

This was followed by the Brundtland Commission which introduced the concept of sustainable development; the 1987 Montreal Protocol addressing ozone depletion; the 1992 UN Conference on Environment and Development (UNCED) in Rio which launched the United Nations Framework Convention on Climate Change (UNFCCC); the 1997 Kyoto Protocol which extended the UNFCCC with more stringent measures; and the 2015 Paris Agreement, which was an agreement within the UNFCCC, dealing with greenhouse-gas-emissions mitigation, adaptation, and finance.

The environmental security paradigm has created lots of awareness, some government, IO and non-governmental organization (NGO) action, but not enough enforcement or binding mechanisms. It has substantially been challenged by the unilateral policy prescriptions and rejection of obligations by the dominant states in the system, with the US, China, Russia, as well as second-tier great powers India and Brazil, all ranking as major contributors to climate change. As with the COVID-19 crisis, the world hegemonic leader, the US, actively obstructed the evolution of the governance paradigm by withdrawing from or refusing to ratify the above-mentioned international instruments. Despite the Biden administration performing a policy U-turn on the issue, American perfidy has not inspired confidence.

Again, this selfishness on the part of the major players is not only normatively unjustifiable but is also self-defeating. Ultimately, of course, given that climate change poses an existential threat to the whole of mankind, culminating in an extinction level event wherein the Earth has been made uninhabitable, the national security and interest of all states is impacted. But even before we reach such a catastrophe, climate change has the capacity dramatically to harm the national interest of any state in the system through costs associated with extreme weather events (such as the 2021 heatwaves engulfing much of the Northern hemisphere), through the increased severity and frequency of natural disasters (storms, flooding, tornadoes, etc.), as well as nature-induced disasters which are precipitated and further exacerbated by the impact of human beings (such as wildfires, droughts, desertification, and deforestation). Rising sea-levels around the world not only threaten the existence of some low-lying island nations, but also pose an increasing threat to some of the world’s prime real estate.

4. The Humanitarian Crisis

The number of displaced people, including refugees, has almost doubled in the last decade due to persecution, conflict, violence, or human rights violations. The office of the United Nations High Commissioner for Refugees (UNHCR) noted that around 72 million people – including refugees and persons in a refugee-like situation, asylum-seekers, internally displaced persons (IDPs), stateless persons and others of concern - were forcibly displaced by the end of 2018. These figures include the Rohingya refugees, but not others displaced since the military coup in Myanmar, and the near civil war-like conditions now pertaining.

According to the human security paradigm, vulnerable individual human beings and groups have an absolute right of protection from threats to their existence. This translates to an obligation upon those who govern to respect this right. Refugees are among the most vulnerable individuals and groups, and refugee crises are among the gravest contemporary governance and human security issues, posing severe challenges to national governments and international organizations alike. Refugees are guaranteed special protection as vulnerable groups under international humanitarian law. The 1951 UN Refugee Convention provided a legal framework for the protection of displaced people in Europe after the Second World War. In 1967, the Protocol Relating to the Status of Refugees added ‘without any geographic limitation’ thereby removing the time and location conditions of the initial Convention.

Refugees are entitled to protection under the Refugee Convention and the additional Protocol if their human rights are not being protected in their country of origin, but potentially not if they are economic migrants merely seeking a better life. In taking a human security perspective to governance, however, all human beings have a reasonable expectation to live their lives free from fear, want, and indignity. If conditions in their country of origin are severe enough to constitute an existential threat, whether or not they are being violently persecuted, the logic of protection under the international humanitarian regime would seem to extend to other categories of migrants.

This is particularly the case under contemporary conditions wherein the threat agenda should be broadened to include hunger, disease, extreme (absolute) poverty, and natural disasters, because these kill far more people than war, genocide, and terrorism combined. Likewise, the principles of shared humanity make demands upon all of us. The global acceptance of these principles is reflected in the near universal endorsement of related international documentation starting with the Universal Declaration of Human Rights (UDHR) and continuing through the UN operationalization of the responsibility to protect (R2P), the MDGs, and the SDGs.

Clearly, of all the contemporary crises, this one makes the most explicit normative demands upon our

shared humanity. Again, however, rich, powerful states tend to follow narrow self interest when determining policy. Generally, throughout the member states of the Organization for Economic Co-operation and Development (OECD), there is a preference for admitting highly skilled additions to the workforce, but a resistance to accepting refugees, especially the most vulnerable (likely to be unskilled and often challenging to integrate). This selfishness has combined with global resistance to immigration based on popular (although misguided) fears of socio-economic challenges and increased law and order threats (including terrorism) which have manifest in Brexit, the rise of the National Front in France, Pegida in Germany, One Nationism in Australia, and Trumpism in the US.

Furthermore, in East Asia, often viewed as the most “Westphalian” or state-centric region of the world, this policy focus has combined with an extreme form of economic national interest focus which has been termed “econophilia,” as well as ethno-nationalism based on (mis)conceptualizations of ethnic homogeneity. Hence, refugees and forced migrants are only welcome to the extent they can contribute to the national development project, and the degree to which they can blend into the dominant ethno-cultural community. Hence, for instance, despite in 2013 becoming the first state in Asia to enact a domestic refugee law, South Korea has only accepted 3.7% of refugee applications.

Once more, such policy positions are also not only normatively insupportable, but also even counter-productive from the perspective of championing national interest. The US and EU countries have already experienced the challenges of failing to deal with human insecurity in other countries with unprecedented refugee flows. Mick Keelty, Australian Federal Police Commissioner identified climate change refugees as a huge national security problem.⁶⁾ Refugees and IDPs in overcrowded camps can fuel religious extremism, terrorism, and trans-national crime, all of which can impact on selfish developed countries around the world.

Meanwhile, due to demographic time bombs, East Asian polities are in particular need of “new blood.” For instance, South Korea’s working-age population is projected to decline an average of 330,000 per year in the 2020s as baby boomers reach retirement age, and the country is also widely expected to become a “super-aged society” in 2025, in which the proportion of those aged 65 and older will hit 20 percent of the total population.⁷⁾ Refugees and immigrants have, throughout history, consistently contributed greatly to the reinvigoration of host societies, and improved their economic competitiveness.

5. Beyond the State

6) Simon Lauder, “Climate Change a Huge Security Problem: Keelty” *ABC News*. September 25, 2007. <http://www.abc.net.au/news/2007-09-25/climate-change-a-huge-security-problem-keelty/680208>.

7) The Korea Times, “Korea in search of solutions for looming ultra-low childbirth, aging population” July 11, 2021. https://www.koreatimes.co.kr/www/culture/2021/07/703_311935.html?fbclid=IwAR00P9OByLr571V_6fMGZa90PKu9ZT9ayEFxNwnA8JZtlncMwRFvkX26Yul

New perspectives have, however, increasingly come to the fore, with a broadening of the scope of enquiry along the x-axis of issues from a strict focus on national survival in a hostile operating environment and questions related to war and peace, to include some or all of the following: a focus on non-military rather than military threats, transnational rather than national threats, and multilateral or collective rather than self-help security solutions.⁸⁾ Within both security and governance discourses, there have also been increasing emphases on individual human beings as well as on the planet or global biosphere, corresponding to a bi-directional expansion along the y-axis of referent objects. Thus, non-traditional security (NTS) perspectives expand conceptualizations to include the final original, and most non-state-centric pillar of global governance introduced above, that of human rights.

New, non-state actors, NGOs, civil society organizations (CSOs), pressure and protest groups, are increasingly influential, not only in the implementation of good governance on the ground, but also, empowered by the information and communication technology (ICT) revolution, in influencing those who govern at both the domestic and international level. Hence, Brian Hocking points to a new “network” model of diplomacy, in which publics are “direct participants in the shaping of international policy and, through an emergent global civil society, may operate through or independently of national governments .”⁹⁾

Even in Westphalian East Asia, which is also the most connected region of the world, governance may be viewed as increasingly a two-level game, whereby societies of the region are interconnected to an unprecedented degree.¹⁰⁾ What Nyan Chanda refers to as the “New Preachers,” NGOs and CSOs, as well as community activists, have sprouted in many countries in the region to uphold humanitarian causes and issues, and to pressure governments and corporations. These activists have also linked with international bodies and fellow activists in other countries for coordination and support, thus the authoritarian state’s efforts to maintain its power are challenged by the mutually reinforcing trends of the constant diffusion of information and the rise of civil society activism.¹¹⁾

The reason that countries in East Asia outperformed those in the West on virtually all metrics in terms of dealing with COVID-19 was primarily because of societal rather than government reactions. Due to previous pandemic scares, preparations were already in place to ramp up dramatically the production of tests, masks, and personal protective equipment (PPE), but populations were already aware of the dangers such pandemics pose, and willing to accept limitations on their freedoms. People in the region are already used to wearing masks due to the pollution and are willing to accept a degree of invasiveness in their lives

8) Amitav Acharya, “Human Security: What Kind for the Asia Pacific?” David Dickens, ed. *The Human Face of Security: Asia-Pacific Perspectives*. Canberra Papers in Strategy and Defence, No 144 (Canberra: Australian National University, 2002); Ole Waever, “Securitization and Desecuritization” in Ronnie Lipschutz (ed). *On Security*. (New York: Columbia University Press, 1995).

9) Brian Hocking, “Rethinking the ‘New’ Public Diplomacy” in Melissen, J. (ed.) *The New Public Diplomacy: Soft Power in International Relations*, 28-46. (Basingstoke: Palgrave Macmillan, 2005): p.29

10) David Shambaugh, “International Relations in Asia: The Two-Level Game” in Shambaugh, D. and Yahuda, M. (eds) *International Relations of Asia* (Plymouth: Rowman & Littlefield, 2008).

11) Nyan Chanda, “Globalization and International Politics in Asia” in Shambaugh, D. and Yahuda, M. (eds) *International Relations of Asia* (Plymouth: Rowman & Littlefield, 2008).

due to national security considerations. The successful measures, such as contact-tracing, mass-testing, and targeted lockdowns, could perhaps only have been implemented swiftly to such a degree in this region, due to the shared social value-system, across a broad geographical area, and taking in a wide range of governance models.

Members of global civil society are the most vociferous proponents of climate action, and critics of those who govern when they fail to address the crisis adequately. Since 2018, the strongest voice on climate change has been (then 15-year-old) Greta Thunberg, and the ICT revolution, combined with increased receptiveness to non-state actors at the level of international governance, has given her a global stage. NGOs and CSOs are also the first responders when natural and nature-induced disasters occur, and as such need to be further empowered in terms of governance contributions and input.

Finally, civil society actors are key to addressing human vulnerabilities at all stages of the journey for refugees and forced migrants. In the originating state, the voices of civil society are often key in bringing wider attention to the governance failures which stimulate refugee and migration flows. NGOs and CSOs are often active in trying to mitigate the circumstances which contribute to the human insecurity triggers the movement of people, whether through involvement in demining operations, negotiating cease-fires, or providing access to food, water, and medical assistance. During transit through third party countries, it is often NGOs and CSOs to whom refugees turn for assistance, and who run the camps in which they find themselves. When seeking asylum or settling in destination countries, again it is usually members of civil society who are the greatest champions of, and assistants to, refugees and migrants.

At the same time, however, we must recognize the dangers of increased governance input from civil society empowered by the democratization of information through the CIT revolution. Vaccine sceptics, climate change deniers, and those peddling the false narrative of the “threat” posed by refugees, can all have a significant negative effect on public perception and government policy formation. Human insecurity for the most vulnerable individuals and groups can be generated by the words and actions of those campaigning against them. Hence, even those seeking vaccines are sometimes forced to do so surreptitiously to avoid condemnation from neighbors, and shopworkers can face abuse for adhering to policies regarding mask-wearing. Groups campaign against the “threat to jobs” posed by green governance initiatives. Genocide and ethnic cleansing can be triggered through social media, as has been the case with the Rohingya in Myanmar.

6. Conclusion

State-centric governance is no longer fit for purpose, in either normative or practical terms. This has been highlighted by the impact of the three gravest crises facing the world today. Non-state-centric voices and actors hold tremendous potential to address the shortcomings of the traditional models. Care must also

be taken, however, to also consider non-state-centric threats to good governance. At the very least, governments need to pay more attention to non-state-centric issues in their policy-making, funding, and research prioritization.

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