

INSIDE GLOBAL GOVERNANCE

NEW BORDERS OF A CONCEPT

INTRODUCTION

According to the huge literature on global governance and public perceptions of globalisation processes, the sovereign state is increasingly losing control over central aspects of governing. Theoretically, global governance offers an analytical concept to subsume various efforts at the global level to come to terms with this loss of control and to balance the uncontrolled processes of globalisation. In this perspective, the concept of global governance is used to describe certain developments and institutions beyond the state which try to regulate and control the new forces of globalisation.

The following article takes a critical stance towards this conceptualisation of global governance as a descriptive term. In analogy to an argument developed by Werner and de Wilde concerning the concept of sovereignty, this article tries to free the concept of global governance from its descriptive bonds and to take it into the realm of speech act theories. I hold that global governance represents less a description of a corresponding world to be observed, but a legitimising or justifying claim of certain policy options assumed to be better designed to the new circumstances of a globalising world. Even though global governance is first and foremost an analytical concept and is not directly used as a speech act, I argue that the arguments and connotations coming up with the concept are a kind of discursive formation giving authority and legitimacy to certain policies while excluding others. By this discursive formation, as is the case with the principle of sovereignty, new borders of inside/outside come into being.

The reference to a global community and its governance system produces a dichotomised opposition between universal global governance as the good to be achieved and particularistic resistance to be abandoned. Inside the global governance regime – as previously inside the state – law, order, and justice presumably can be realised, while outside disorder, violence, and chaos prevail. The state – formerly the territorial solution to the problem of universality and particularity – becomes the problem itself because of its particularistic tendencies as opposed to the universalistic (therefore preferable) solutions provided by global governance. Hence, the discourse of global governance purports that human rights, monetary affairs or

security are to be governed by a global elite, because otherwise the realm of chaos and violence – embodied in any form of particularity – takes place.

To bring my argument into focus, I will give, first, a brief overview about the academic literature on global governance. Without making the claim to be exhaustive, this section will indicate that a final definition of global governance is impossible to achieve and that the very concept will always be a contested one. The contested nature of the concept then helps to lay bare the so-called ‘descriptive fallacy’ regarding global governance theories and to advocate a turn to the linguistic and social nature of the concept as a specific form of legitimisation. This turn to language and discourse will then be situated in the context of the debate on the decline of state sovereignty where the claim to global governance stands in sharp contrast to the distinction of inside/outside along the lines of the principle of sovereignty. While this discursive claim puts into question the dichotomy of inside/outside associated with the sovereign state, the last section of this article wants to draw the attention to the problematic implications of this claim insofar as it leads to the establishment of new, even though only implicit, borders and distinctions of inside/outside.

APORIA: GLOBAL GOVERNANCE AS AN ANALYTICAL CONCEPT

The study of global governance has become a growth sector. Various approaches to world politics and recent global developments were produced under this label, and many different aspects have been subsumed under the concept. However, what global governance really is about or when it is possible to speak of global governance, still remains in the dark. To make things worse, the concept of global governance comes up with a wide range of competing definitions (Lake, 2000: 32-33). Beyond the common ground in the negatively phrased stance that „*governance is not government*“ (Desai, 1995: 7), no generally accepted definition exists, yet global governance „appears to be virtually everything“ (Finkelstein, 1995: 368).

Besides the conceptual confusion, two lines of reasoning explain how systems of governance come into being: In the first version – seen through “statist lenses” (Stokke, 1997: 28) – the phenomenon of governance is driven by collective action problems that go beyond the problem-solving capacity of single states. In its weakest form, global governance describes the basic rules and institutions that are not a mere structural environment with which states are confronted, but a purposive institutional setting of constitutive rules which enable states to live and inter-act in an international society in the first place (for example, see Bull 1977). Moving from the rules of co-existence to a sphere of interstate co-operation, the emergence of international regimes with an issue-specific purpose is also subsumed under the auspices of

global governance. According to scholars indebted to regime theory, international or global governance consists in the establishment and operation of social institutions resolving or alleviating collective-action problems in a specific issue-area (Young, 1990; 1994; 1997; Larkin, 1996; Holsti, 1992). As a further development to this usage of the concept, the notion of a 'system of international governance' has been introduced to criticise the regime theory's characteristic focus on narrow issue-areas and to situate the term within the context of multiple overlapping international regimes (Zacher, 1992). A different perspective, though closely related, puts the emphasis on a more formally oriented point of view with international or world organisations as regulative institutions and activities, established by states to deal with issues of global concern (Murphy, 1994; Commission on Global Governance, 1995). Here, as in the case of regime theories and theories of international society, sovereign states are the dominant actors and addressees of global governance efforts.

A second line of reasoning widens the focus towards situations in which various non-state actors enter the scene and contribute to the creation and operation of rules at the global level (e.g. Gordenker/Weiss, 1996; Rutherford, 2000; Wapner, 1997; Reinicke et al., 2000). In addition to the stress of other actors than the state as a *origin* of these rules, the *objective* of the governance effort possibly comprises not only the regulation of state-behaviour, but also additional or alternative areas of application, such as civil society or even the individual. Whether the global governance concept highlights the emergence of a global civil society (Lipschutz, 1992; Wapner, 1997), with social movements oriented toward a worldwide scale of activity and organisation (Sakomoto, 1996) and the perceived need for an extension of democratic space (Held, 1996), or points to the increasing predominance of a global elite oriented toward a 'hyper-liberalism' (Cox, 1987), the state-based perspectives are either complemented or replaced by a focus on new social forces and additional actors shaping the rules and control mechanisms of a global governance system.

Beyond the common denominator that global governance is a kind of regulation or rule-system with a global scope or impact, the very concept does not offer any precise account of what the analytical concept is pointing at. Global governance as an analytical term is associated with different theoretical perspectives and divergent research agendas which ascribe various differing factors, causes and consequences to one single concept. There is neither theoretical convergence regarding the origins of a global governance system, nor is there a consensus what elements or characteristics could be discerned as the basic fabric of such a governance system. This conceptual confusion is seriously aggravated if we

additionally follow the shift in the meaning of 'global', implicitly suggested by Rosenau (Rosenau, 1997; Latham, 1999). If the analytical attention is moved from a 'governance that is global' to a 'governance in the global', then the term circumscribes not only steering mechanisms at the global level or with a global reach, but refers to all the various governing efforts that occur throughout the global order. The advantage of such a perspective is an openness to account for the evolution of new instances and forms of governing due to the processes of global change. However, the price to pay for this openness is the loss of any coherent boundary of the analytical concept and the theoretical over-stretch of its applicability.

In sum, the very term 'global governance' comprehends a whole range of diverging, if not opposing views of what is described by the concept. Analytically, there is no agreement about what the term 'global governance' refers to and which phenomena are described by it. At first sight, the open and diffuse characteristics of the concept may seem to be "attractive qualities in an era of ambiguity, uncertainty, and flux" (Latham, 1999). If used for the purpose of analysis, however, global governance is susceptible to the same criticism that was brought forward against regime theory and its concept of regimes, namely its "wooliness" and "imprecision" (Strange, 1983). An awareness of this conceptual ambiguity would consequently lead to the conclusion that global governance is "a theme in need of a focus" (Groom/Powell, 1994). Then, the only cure for the imprecise quality of the concept would be to refine the definition and to give a less diffuse account of the underlying characteristics of the term. However, even though this may be a sensible strategy in certain cases, it does not solve the fundamental impediment that there exists no external Archimedian point from which global governance can be seen as it truly is. There is no concrete entity corresponding to the term of global governance and waiting to be eventually discovered. Global governance remains a conceptual creation and therefore will always be a contested and contestable term (Gallie, 1962; Connolly, 1983).

A FRESH LOOK: GLOBAL GOVERNANCE AS A SOCIAL PRACTICE

The awareness of the contested nature of the global governance concept suggests a different perspective to comprehend the meaning of the term. It is not helpful to engage in a definitional exercise by providing new or better criteria about what falls under the ambit of the concept. What is interesting about the concept, is less the further refinement of the criteria and categories with which observational statements could be built and tested, but the process of conceptualisation itself and the capacity of this process to influence and mould political

practice. To be sure, the concept of global governance can be substantiated with a whole range of institutions, organisations and rule systems established at a global scale and with a global reach, but this is not the case in point. What is criticised is not the existence of global rule systems or the analytical occupation with the emergence of international organisations or institutions, but the usage of the concept of global governance in this context.

If we turn to the usage of the concept, we cannot simply say that this or that is an instance of global governance. To do this would be to submit to the so-called ‘descriptive fallacy’, i.e. the mistaken assumption that a concept has meaning only if it corresponds to a reality ‘out there’. There are many concepts, like, for example, ‘the legal person’ or ‘the right to property’, that do not acquire their meaning out of their correspondence to an observable state of affairs, without being, however, meaningless or inconsequential for the social world (Hart, 1993; Searle, 1995). To reduce the function of language to mere description, would mean to lose sight of the constitutive aspect of language and the importance of the linguistic construction of social reality. Therefore, instead of asking which observable phenomena correspond to the concept of global governance and how a definition of global governance should look like to describe some independently existing and fixed state of affairs in an appropriate way, we should turn our attention to the social function of the concept and try to re-construct the meaning of the term by the way the concept is used in an intersubjective context. If we place the concept of global governance in the context of a legitimising or justificatory discourse, then we can ascertain its constitutive function consisting in setting up a specific ‘game’ and in characterising certain practices as appropriate, permissible, forbidden etc.

In order to deal with the discursive function of global governance, it is useful to recall the specific circumstances in which this concept is most likely to occur. When the language of global governance is evoked, typically lurking somewhere nearby is an implicit sense that the move toward global rules and regulation is intended to become a substitute for the authority and rule of the territorial state. Whether this move is accomplished by the initiative of the states themselves or through the emergence of social and political forces beyond the world of states, the resulting mechanisms of governance are supposed to undertake the functions the state is no longer able to perform due to their global nature. It is this adoption of state functions and authority by mechanisms of global governance that creates the conceptual link between global governance and the sovereignty of the territorial state in the first place and puts the concept of global governance in opposition to the principle of sovereignty.

From the conceptual opposition of global governance and sovereignty it follows that the presumed emergence of global governance is often accompanied by debates about the decline of state sovereignty, i.e. whether the state still has the power to exercise full control internally and to remain independent externally. The increasing importance of global regulations, rules and institutions beyond the state has led many scholars to conclude that the principle of sovereignty is less and less corresponding to the reality of the states' authority and control over their internal and external affairs (Rosenau, 1990; Ohmae, 1995). Others have argued in defence of the sovereign state holding that states have not lost as much of their ability to rule as some scholars want us to believe (Philpott, 1999; Sørensen, 1999). However, as Werner and de Wilde have shown, this debate obscures more than it lays bare in regard to the function of the principle of state sovereignty. Sovereignty should not be seen as an actual state of affairs reflecting a *de facto* internal control and external independence of the state. The idea of the sovereignty of states has not disappeared despite the increasing international interdependencies and the establishment of more and more global regulations. On the contrary, the authors hold, the various challenges to the principle of sovereignty have reinforced the claims to authority and independent rule in the name of this principle. To account for this fact, it is necessary to turn to the discursive function of sovereignty as a claim to the supreme and ultimate authority and to concentrate on the consequences that follow from this claim. Therefore, the authors propose to view sovereignty as a speech act or discursive claim that establishes a link between an institutional fact ('being' sovereign) and the rights and duties that follow from the existence of this institutional fact (Werner/de Wilde, 2001).

In a similar manner, an empirical assessment of the increasing importance of global governance goes often hand in hand with this debate, trying to pin down the *de facto* influence, authority, and state of implementation regarding global regulations and rules. As in the case of the debate on sovereignty, the discussion about the actual status and influence of global governance treats the concept as an approximation of identifiable and definable social phenomena. The problem with this discussion is that it suffers from a multiplication of definitions that suggest diverging results of the inquiry depending on the chosen criteria. However, what is missed by the discussion is the constitutive function of the concept establishing a certain pattern of meaning. To bring this constitutive function to bear, we should leave the realm of definitional exercises and turn to the discursive role global governance plays in the political context.

To begin with, global governance comes up with a certain claim to authority. While sovereignty sues for the exclusive authority and independence of the state, the appeal to global governance conveys an opposite claim to the necessity of global regulation beyond the exclusive rule of the state. The call for global governance is implicitly about “the failure of the entities we have hitherto called society and state” (Palan, 1999: 68). In this way, the concept of global governance represents a kind of speech act that relates an institutional or social fact (‘there are global problems’) to a normative structure of right or wrong conduct (‘they have to be regulated globally’). In terms of speech act theories, the structure of the speech act ‘global governance’ then could be reconstructed as follows (see, for example, Searle, 1969: 175-98):

First, a social relation is asserted as a matter of institutional fact following the pattern of ‘X counts as Y in Z’. In the context of the global governance concept, this is done by the designation of certain issues or problems as being problems of a global nature and impact, not susceptible to solutions at the level of the state.

Second, the meaning of the institutional fact is set forth in terms of appropriate norms of conduct. In case of global governance, the global nature of the designated issues implies the normative demand that they should be handled by mechanisms and rules at the global level and with global reach.

And third, the established and explicated institutional fact is used to justify the validity and applicability of certain norms of conduct in a particular case. At this stage, the discursive identification of issues of a ‘global kind’ justifies the critique of any particularistic endeavour to solve the perceived problems and to suggest a global solution instead.

Of course, speech act theory is somewhat limited to comprehend the complex pattern of meaning associated with the concept of global governance, but it helps to illustrate the basic constitutive function of language and to show the normative implications of a certain conceptual apparatus. What it is meant to convey, is that the introduction and installation of a concept is never a neutral act. Language matters in the way we conceive of something and the introduction of new vocabularies, like the invention of new tools, creates opportunities for different social practices (Rorty, 1989). The re-description of the familiar elements of social reality through new vocabularies means challenging the conceptual boundaries of the existing vocabularies and possibly replacing them by new conceptual relationships. This destabilisation and possible replacement of existing conceptual practices and relationships through the emergence of new vocabularies is what should be of interest in the next section

INSIDE/OUTSIDE: GLOBAL GOVERNANCE AND CONCEPTUAL BOUNDARIES

Until recently, the dominant mode of social organisation has been the modern nation-state. The conditions for an orderly conduct of social activity have been provided by the state as the modern solution to the problem of the realisation of historical progress and order in the sense of the achievement of a common good. The state, formulated in the principle of sovereignty, has been “the crucial modern political articulation of all spatiotemporal relations” (Walker, 1993: 6).

Coming along with the principle of state sovereignty, is an image of “inside/outside” as a shorthand for a particular formulation and practice of locating political community. The distinction of inside/outside is central to the logic of sovereignty and to this whole configuration of practices because it has provided the key to solve the modern predicament of universality and particularity in view of the waning medieval order. Inside of the sovereign state, law, justice, order, reason and progress can take place and political community can be realised, while outside the state all this is impossible. Life between states then is characterised by structural necessities due to the endurance of particularistic entities and, therefore, a lack of community, while the strife for universality and progressive history can take place only inside of the state (Walker, 1993).

The principle of sovereignty, in this view, is a powerful vocabulary establishing a conceptual relationship of inside/outside in regard to the possibility of political community. Sovereignty can be read as a claim to a monopoly of legitimate authority in a particular territory that enables the realisation of a political community and the achievement of a common good within this territory. However, with the ascendancy of the pattern of argumentation associated with global governance, this claim to exclusive authority within the state is challenged. The rhetoric of global governance introduces a specific narrative or logical path that counters the claims of sovereignty to the monopoly of legitimate authority and independence in external affairs. The claim of global governance imputes a specific line of reasoning, a kind of rationality that is posed in opposition to the sovereign state and its distinction of inside/outside. First, certain issues or themes are taken out of the realm that is susceptible to territorial governing of the state. These issues, it is claimed, are of a global kind and with a global reach. With this definition at hand, the deficit of current forms of regulation is denounced due to the decline of state authority and territorial governing. Since the identified problems are global and state governments are increasingly unable to handle them (due to their global nature), the need of a more efficient regulation is stressed and found in the rules

and mechanisms of global governance. With the designation of specific issues as global problems, the pattern of meaning coming up with arguments of global governance establishes a certain authority of global mechanisms of control and de-legitimises the exclusive rule of the territorial state.

The specific understanding of space and time and the set of ‘spatial demarcations’ embedded in the principle of state sovereignty (Walker, 2000: 31) is challenged by the turn to the new social script of global governance. The conceptual relationship of an inside, in which we can have an ordered space that permits in turn the possibility of progressive history, and an outside that is characterised by the inevitability of contingency and the eternal return of conflict, is subverted and de-stabilised by the new conceptual script of global governance. The ‘global’ becomes the infinite repository of troubling developments, turbulent patterns of change and identified issues of concern that evade the control of territorial governments. The inefficiency of state governments to provide an ordered space due to these global transformations is easily overcome by the turn to a governance in the global. The persistence of at least some degree of order is then taken as argument for the effectiveness of global governance. It is a kind of structural functionalist logic (Latham, 1999: 31) that permits to assume that “governance is always effective in performing the functions necessary to systemic persistence, else it is not conceived to exist (since instead of referring to ineffective governance, one speaks of anarchy and chaos)” (Rosenau, 1992: 5). This functional logic of the global governance concept undermines the specific configuration of sovereignty as the modern solution to questions of order and progressive history with a double move: Perceived problems are designated to the global and then characterised as unsusceptible to an effective solution at the state level. By this double move, the order and authority inside of the state is taken outside into the ‘global’ and substituted by a governance beyond the state.

It is important to keep in mind that it is not the actual effectiveness of global governance that poses a challenge to the inside/outside distinction of the sovereignty concept. Rather, it is the discursive claim to global governance and the introduction of a different conceptual configuration that turns against the conceptual boundaries of state sovereignty.

However, the shift to the discursive configuration of global governance does not end the separation of inside/outside associated with the principle of sovereignty. Global governance is itself a political act setting up new forms of inclusion and exclusion and establishing its own conceptual boundaries. It is exactly the functional necessity implied by the global governance

concept that produces implicit borders of inclusion and exclusion and demarcates the proper place of authority and order from places of anarchy and disorder.

At first sight, global governance is directed against a set of global problems. Economic, security, and environmental issues are observed to be in need of global management and submitted to global mechanisms and institutions. In this view, the outside of global governance consists in any resistance to the global management of the respective issue-areas. Since the initiatives and measures of global governance are meant to produce solutions to the issue-areas at hand, any forces that might challenge the governance effort are treated as undesirable disruptions. The necessity to sustain governance in order to cope with the identified problem areas leaves no place for the possibility of resistance to a global governance system. The implication of this functional logic is not only that any resistance is placed outside of global governance, but “that it is something to be overcome with effective governance” (Latham, 1999: 36). With the starting point that asks the question of how global problems can be handled, the discourse on global governance is so pre-occupied with the question of how order is possible that it finally ends up in a single encompassing logic that leaves no place beyond governance where alternatives could be formulated or resistance could occur.

In addition to the exclusive logic of the global governance discourse in regard to the domain of global mechanisms, the conceptual configuration of global governance creates a second, even more severe distinction of inside/outside concerning the content and scope of the envisaged regulation. The appeal to global governance brings forward the claim to create a new administration of things for the global. Therefore, as already mentioned, it defines a set of global problems that should be handled globally. To do this, the discourse on global governance stresses the need for the construction of consensus and the avoidance of creating ‘battlegrounds’ as essential to the proper operation of the governance system (see, for example, Commission on Global Governance, 1995). However, what falls by the wayside, is a concept of politics which is concerned about questions of which affairs are to be pursued, how problems are to be identified, and who possesses the competence to interpret a certain state of affairs as *some-thing*. Global governance is functionally happening, while increasingly „the bridge between governance and politics becomes obscured“ (Latham, 1999: 42). Global governance takes place after the relevant issues are identified and the course of action is selected. Inside the global governance system, the type of problems and the form of solutions that should guide governance are already identified and are waiting for implementation. Any

form of politics is supposed to stay outside, because it would undermine the effective operation of the governance system. In this way, governance becomes somewhat 'post-political', because it is something that takes place after values are chosen, goals are set and political deliberations have designed the future path to a better world. Because political struggles and contests would be counterproductive to the emerging consensus of global regulation, governance itself has to become a sort of boundary for the political.

CONCLUSION

Global governance does not end unitness. Even though the discursive formation of global governance is intended to overcome the inside/outside distinction of the sovereign state, the conceptual configuration implied by global governance creates new boundaries of inside/outside. The claim to a new inside implicitly accompanying the discourses on global governance comes up with two serious shortcomings: First, the all-encompassing logic allows nothing to roam outside the governance grid, since everything beyond global governance would move to dysgovernance. And second, the concept of global governance comes up with pre-defined values and goals, thereby excluding any political deliberation and contest from its own agenda. To overcome these shortcomings, a 'therapeutical re-description' (Rorty, 1989) would be necessary to confront the a-political conception of global governance which interprets the dissolution of territorial-bounded politics as the disappearance of politics itself.

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