

# A New World Order

Anne-Marie Slaughter

*What is possible is not independent of what we believe to be possible. The possibility of such developments in the practical world depends upon their being grasped imaginatively by the people who make the practical world work.*

– Neil MacCormick

Terrorists, arms dealers, money launderers, drug dealers, traffickers in women and children, and the modern pirates of intellectual property all operate through global networks. So, increasingly, do governments. Networks of government officials – police investigators, financial regulators, even judges and legislators – increasingly exchange information and coordinate activity to combat global crime and address common problems on a global scale. These government networks are a key feature of world order in the twenty-first century, but they are underappreciated, undersupported, and underused to address the central problems of global governance.

Consider the examples just in the wake of September 11. The Bush administration immediately set about assembling an ad hoc coalition of states to aid in the war on terrorism. Public attention focused on military cooperation, but the networks of financial regulators working to identify and freeze terrorist assets, of law enforcement officials sharing vital information on terrorist suspects, and of intelligence operatives working to preempt the next attack have been equally important. Indeed, the leading expert in the “new security” of borders and container bombs insists that the domestic agencies responsible for customs, food safety, and regulation of all kinds

Original publication details: Anne-Marie Slaughter, *A New World Order*. Princeton: Princeton University Press, 2004. pp. 1–4, 8–9, 13–18. Reproduced with permission from Princeton University Press.

*The Globalization Reader*, Fifth Edition. Edited by Frank J. Lechner and John Boli.  
Editorial material and organization © 2015 John Wiley & Sons, Ltd.  
Published 2015 by John Wiley & Sons, Ltd.

must extend their reach abroad, through reorganization and much closer cooperation with their foreign counterparts. And after the United States concluded that it did not have authority under international law to interdict a shipment of missiles from North Korea to Yemen, it turned to national law enforcement authorities to coordinate the extraterritorial enforcement of their national criminal laws. Networked threats require a networked response.

Turning to the global economy, networks of finance ministers and central bankers have been critical players in responding to national and regional financial crises. The G-8 is as much a network of finance ministers as of heads of state; it is the finance ministers who make key decisions on how to respond to calls for debt relief for the most highly indebted countries. The finance ministers and central bankers hold separate news conferences to announce policy responses to crises such as the East Asian financial crisis in 1997 and the Russian crisis in 1998. The G-20, a network specifically created to help prevent future crises, is led by the Indian finance minister and is composed of the finance ministers of twenty developed and developing countries. More broadly, the International Organization of Securities Commissioners (IOSCO) emerged in 1984. It was followed in the 1990s by the creation of the International Association of Insurance Supervisors and a network of all three of these organizations and other national and international officials responsible for financial stability around the world called the Financial Stability Forum.

Beyond national security and the global economy, networks of national officials are working to improve environmental policy across borders. Within the North American Free Trade Agreement (NAFTA), US, Mexican, and Canadian environmental agencies have created an environmental enforcement network, which has enhanced the effectiveness of environmental regulation in all three states, particularly in Mexico. Globally, the Environmental Protection Agency (EPA) and its Dutch equivalent have founded the International Network for Environmental Compliance and Enforcement (INECE), which offers technical assistance to environmental agencies around the world, holds global conferences at which environmental regulators learn and exchange information, and sponsors a website with training videos and other information.

Nor are regulators the only ones networking. National judges are exchanging decisions with one another through conferences, judicial organizations, and the Internet. Constitutional judges increasingly cite one another's decisions on issues from free speech to privacy rights. Indeed, Justice Anthony Kennedy of the US Supreme Court cited a decision by the European Court of Justice (ECJ) in an important 2003 opinion overturning a Texas antisodomy law. Bankruptcy judges in different countries negotiate minitreaties to resolve complicated international cases; judges in transnational commercial disputes have begun to see themselves as part of a global judicial system. National judges are also interacting directly with their supranational counterparts on trade and human rights issues.

Finally, even legislators, the most naturally parochial government officials due to their direct ties to territorially rooted constituents, are reaching across borders. International parliamentary organizations have been traditionally well meaning though ineffective, but today national parliamentarians are meeting to adopt and publicize common positions on the death penalty, human rights, and environmental

issues. They support one another in legislative initiatives and offer training programs and technical assistance.

Each of these networks has specific aims and activities, depending on its subject area, membership, and history, but taken together, they also perform certain common functions. They expand regulatory reach, allowing national government officials to keep up with corporations, civic organizations, and criminals. They build trust and establish relationships among their participants that then create incentives to establish a good reputation and avoid a bad one. These are the conditions essential for long-term cooperation. They exchange regular information about their own activities and develop databases of best practices, or, in the judicial case, different approaches to common legal issues. They offer technical assistance and professional socialization to members from less developed nations, whether regulators, judges, or legislators.

In a world of global markets, global travel, and global information networks, of weapons of mass destruction and looming environmental disasters of global magnitude, governments must have global reach. In a world in which their ability to use their hard power is often limited, governments must be able to exploit the uses of soft power: the power of persuasion and information. Similarly, in a world in which a major set of obstacles to effective global regulation is a simple inability on the part of many developing countries to translate paper rules into changes in actual behavior, governments must be able not only to negotiate treaties but also to create the capacity to comply with them.

Understood as a form of global governance, government networks meet these needs. As commercial and civic organizations have already discovered, their networked form is ideal for providing the speed and flexibility necessary to function effectively in an information age. But unlike amorphous “global policy networks” championed by UN Secretary General Kofi Annan, in which it is never clear who is exercising power on behalf of whom, these are networks composed of national government officials, either appointed by elected officials or directly elected themselves. Best of all, they can perform many of the functions of a world government – legislation, administration, and adjudication – without the form. [...]

### **The Globalization Paradox: Needing More Government and Fearing It**

Peoples and their governments around the world need global institutions to solve collective problems that can only be addressed on a global scale. They must be able to make and enforce global rules on a variety of subjects and through a variety of means. Further, it has become commonplace to claim that the international institutions created in the late 1940s, after a very different war and facing a host of different threats from those we face today, are outdated and inadequate to meet contemporary challenges. They must be reformed or even reinvented; new ones must be created.

Yet world government is both infeasible and undesirable. The size and scope of such a government presents an unavoidable and dangerous threat to individual liberty.

Further, the diversity of the peoples to be governed makes it almost impossible to conceive of a global demos. No form of democracy within the current global repertoire seems capable of overcoming these obstacles.

This is the globalization paradox. We need more government on a global and a regional scale, but we don't want the centralization of decision-making power and coercive authority so far from the people actually to be governed. It is the paradox identified in the European Union by Renaud Dehousse and by Robert Keohane in his millennial presidential address to the American Political Science Association. The European Union has pioneered "regulation by networks," which Dehousse describes as the response to a basic dilemma in EU governance: "On the one hand, increased uniformity is certainly needed; on the other hand, greater centralization is politically inconceivable, and probably undesirable." The EU alternative is the "transnational option" – the use of an organized network of national officials to ensure "that the actors in charge of the implementation of Community policies behave in a similar manner."

Worldwide, Keohane argues that globalization "creates potential gains from co-operation" if institutions can be created to harness those gains; however, institutions themselves are potentially oppressive. The result is "the Governance Dilemma: although institutions are essential for human life, they are also dangerous." The challenge facing political scientists and policymakers at the dawn of the twenty-first century is discovering how well-structured institutions could enable the world to have "a rebirth of freedom."

Addressing the paradox at the global level is further complicated by the additional concern of accountability. In the 1990s the conventional reaction to the problem of "world government" was instead to champion "global governance," a much looser and less threatening concept of collective organization and regulation without coercion. A major element of global governance, in turn, has been the rise of global policy networks, celebrated for their ability to bring together all public and private actors on issues critical to the global public interest.

Global policy networks, in turn, grow out of various "reinventing government" projects, both academic and practical. These projects focus on the many ways in which private actors now can and do perform government functions, from providing expertise to monitoring compliance with regulations to negotiating the substance of those regulations, both domestically and internationally. The problem, however, is ensuring that these private actors uphold the public trust. [...]

Looking at the international system through the lens of unitary states leads us to focus on traditional international organizations and institutions created by and composed of formal state delegations. Conversely, however, thinking about states the way we think about domestic governments – as aggregations of distinct institutions with separate roles and capacities – provides a lens that allows us to see a new international landscape. Government networks pop up everywhere.

Horizontal government networks – links between counterpart national officials across borders – are easiest to spot. Far less frequent, but potentially very important, are vertical government networks, those between national government officials and their supranational counterparts. The prerequisite for a vertical government network is the relatively rare decision by states to delegate their sovereignty to an institution above them with real power – a court or a regulatory commission. That institution

can then be the genuine counterpart existence of a national government institution. Where these vertical networks exist, as in the relations between national courts and the ECJ in the European Union, they enable the supranational institution to be maximally effective. [...]

## A New World Order

Appreciating the extent and nature of existing government networks, both horizontal and vertical, makes it possible to envision a genuinely new world order. “World order,” for these purposes, describes a system of global governance that institutionalizes cooperation and sufficiently contains conflict such that all nations and their peoples may achieve greater peace and prosperity, improve their stewardship of the earth, and reach minimum standards of human dignity. The concept of a “new world order” has been used and overused to refer to everything from George H. W. Bush’s vision of a post-Cold War world to the post-9/11 geopolitical landscape. Nevertheless, I use it to describe a different conceptual framework for the actual infrastructure of world order – an order based on an intricate three-dimensional web of links between disaggregated state institutions.

Recall Atlas and his globe at Rockefeller Center. A disaggregated world order would be a world latticed by countless government networks. These would include horizontal networks and vertical networks; networks for collecting and sharing information of all kinds, for policy coordination, for enforcement cooperation, for technical assistance and training, perhaps ultimately for rule making. They would be bilateral, plurilateral, regional, or global. Taken together, they would provide the skeleton or infrastructure for global governance.

To appreciate the full implications of this vision, consider again our implicit mental maps of “the international system” or even “world order.” It’s a flat map, pre-Columbian, with states at the level of the land and the international system floating above them somewhere. International organizations also inhabit this floating realm – they are apart from and somehow above the states that are their members. To the extent that they are actually seen as governing the international system or establishing global order, they must constitute an international bureaucracy equivalent in form and function to the multiple domestic bureaucracies of the states “underneath” them.

In a world of government networks, by contrast, the same officials who are judging, regulating, and legislating domestically are also reaching out to their foreign counterparts to help address the governance problems that arise when national actors and issues spill beyond their borders. Global governance, from this perspective, is not a matter of regulating states the way states regulate their citizens, but rather of addressing the issues and resolving the problems that result from citizens going global – from crime to commerce to civic engagement. Even where genuinely supranational officials participate in vertical government networks – meaning judges or regulators who exercise actual sovereign authority delegated to them by a group of states – they must work very closely with their national counterparts and must harness national coercive power to be effective.

Scholars and commentators in different issue areas have begun to identify various pieces of this infrastructure. Financial regulators, for instance, are becoming accustomed to describing the new international financial architecture as a combination of networks – G-7, G-8, and G-20, the Basel Committee, and IOSCO among them – with traditional international institutions, such as the International Monetary Fund (IMF) and the World Bank. Scholars of the European Union, as noted above, are increasingly familiar with the concept of “regulation by network.” Environmental activists would readily recognize some of the institutions associated with the North American Free Trade Agreement (NAFTA) as “environmental enforcement networks” composed of the environmental protection agencies of the United States, Canada, and Mexico. And constitutional law scholars, human rights activists, and transnational litigators would not balk at the idea of transnational judicial networks to describe the various ways in which courts around the world are increasingly interacting with one another. [...]

### Premises

There can, of course, be no one blueprint for world order. The proposal advanced here is part of an active and ongoing debate. In the spirit of such debate, it is important to acknowledge that the model of world order I put forward rests on a combination of descriptive and predictive empirical claims, which can be summarized in basic terms:

- The state is not the only actor in the international system, but it is still the most important actor.
- The state is not disappearing, but it is disaggregating into its component institutions, which are increasingly interacting principally with their foreign counterparts across borders.
- These institutions still represent distinct national or state interests, even as they also recognize common professional identities and substantive experience as judges, regulators, ministers, and legislators.
- Different states have evolved and will continue to evolve mechanisms for reaggregating the interests of their distinct institutions when necessary. In many circumstances, therefore, states will still interact with one another as unitary actors in more traditional ways.
- Government networks exist alongside and sometimes within more traditional international organizations. [...]