

GLOBAL GOVERNANCE AS A DECISION-MAKING MODEL. THE OLD CONCEPTUALIZATION OF A NEW INTERNATIONAL PRACTICE¹

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Summary. ‘Global governance’ is a concept, which, like ‘globalization’ caused a great commotion in intellectual and scholarly circles in the last decade of the 20th century. The extreme attitudes accompanying its emergence are best characterized by the discussion held in the journal bearing the same title². There was a dispute not only over what it is but also whether it exists at all. From the standpoint of this study the dilemma of ‘it exists/it does not exist’ seems to be definitively resolved. The aim of this paper is to analyze global governance as an intentional decision-making model. New arguments will be presented which show that this international practice *in statu nascendi* is neither an institution, nor a global system, nor a world order but rather a way of specific decision-making.

Key words: global governance, international decision-making, globalization

INTRODUCTION

The concept of global governance has become synonymous with many phenomena. It is identified both with international organizations, international regimes, global civil society, and with the promotion of multilateralism³. As it functions in the public space, it is perceived as a new perspective of analysis of international relations, but also as a manner of ‘legitimizing’ new practices and ways of conduct in the international space, and as a program for changes in the activities of states, international organizations, and non-state actors, which are adjusting to the new circumstances⁴. Its usefulness stems from the perspective adopted by scholars who focus only on a section of reality. It is obvious that

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² J. Rosenau, *Governance in the Twenty-first Century*, „Global Governance” 1995, 1, 1, 13–43, L.S. Finkelstein, *What is Global Governance*, „Global Governance” 1995, 1, 3, 367–371.

³ R. Wilkinson, *Introduction; Concepts and issues in global governance*, in: *The Global Governance Reader*, (ed.) R. Wilkinson, Routledge, London – New York 2005, 3.

⁴ M. Bevir, I. Hall, *Global Governance*, in: *The SAGE Handbook of Governance*, (ed.) M. Bevir, London 2011, 352.

each of these approaches explains only a fragment, yet each applies to the same complex of sense-perceptible phenomena and processes occurring in international space.

Why, however, instead of speaking of multilateralism, new mechanisms of coping with global challenges, or the activities of non-state actors, did one begin speaking of 'global governance'? First, because their accumulation and intensity did not allow treating them as single abstract phenomena because there was a relationship between them. As Marie-Claude Smouts observes, the factor underlying the appearance of the foregoing elements was the striving to enhance effectiveness, both in 'managing affairs', 'problem solving', and 'negotiating common interests'⁵. Second, the overlapping of all these new elements of international reality produced an unintended 'synergy effect' manifested in an unknown form of controlling the international environment and implementing common objectives. Therefore, it is not an exaggeration to say that global governance emerged in the last decade of the 20th century and beginning of the 21st century as a heuristic model for more effectively coping with the worldwide challenges resulting from changes occurring in the international environment.

The structure of the article consists of two parts. The first explains the concept of global governance and how it is interpreted by different authors. The second presents its conceptualization as a decision-making model.

CONCEPTUALIZATIONS OF 'GLOBAL GOVERNANCE'

The fundamental problem a student of global governance has to face is the lack of explicit indication of what it is. The existing definitions either describe its characteristics or list its elements without providing a clear-cut answer.

For the UN Commission on Global Governance, it is (...) „*a sum of the many ways, individuals and institutions, public and private manage their common affairs*”⁶. Global governance in this sense is a wide, dynamic and complex decision-making process, that constantly responds to new challenges and which takes place at different levels: local, national, and regional, within which conflicting and different interests can be mutually negotiated and realized. The essence of global governance thus understood is 'institutionalized social coordination'⁷ serving to establish collectively binding rules or to provide goods. This definition therefore reduces global governance to pragmatic han-

⁵ M.-C. Smouts, *The Proper Use of Governance in International Relations*, „International Social Science Journal”, 1998, vol. 50, 155, 88.

⁶ Commission on Global Governance, *A New World*, in: *The Global Governance Reader*, (ed.) R. Wilkinson, Routledge, London – New York 2005, 26.

⁷ T. Risse, *Governance in Areas of Limited Statehood*, in: *The Oxford Handbook of Governance*, (ed.) by D. Levi-Faur, Oxford 2012, p. 700.

dling of realistically defined and solvable problems. It is not, Timothy J. Sinclair observes, about international order or a new global architecture, but about effectiveness in coping with specific challenges⁸.

According to Peter Willetts, two dimensions can be distinguished in the approach to global governance. One is to interpret it in the context of the global political system, qualitatively different from the sum of activities pursued by states, which can be illustrated by collective actions taken in the international arena, e.g. in the area of human rights protection. The other is to examine global governance from the perspective of non-state actors, increasingly treated as an element of the global political system⁹. On the basis of these dimensions, Willetts formulated his own definition, according to which global governance comprises making and implementing decisions as part of the global political system through cooperation of governments, civil society, and the private sector¹⁰.
Global governance

refers to (...) systemic processes of interactions between governments and global civil society (...) operating within their own distinct set of structured political relationships, to establish norms, formulate rules, promote the implementation of rules, allocate resources, or endorse the status of political actors, through the mobilization of support for political values¹¹.

Viewed from this perspective, global governance is nothing but a kind of political process serving to work out consistent and effective action¹².

A similar approach to global governance is advanced by James N. Rosenau: in his observations on international reality, he pointed to the mechanism of control and steering as referents for governance not necessarily connected with the controlling and steering entity (actor). In other words, it is possible to have governance without government¹³. When defining governance as a process encompassing systems of governing at all levels of human activity, the essence of which is controlling and steering¹⁴, he observed at the same time that such a process is not exclusively confined to a national or international system but it can also occur at other levels or planes – regional or local. It can include the activities of state governments and of other actors¹⁵. Recognizing that global governance comprises systems of governing „at all levels of human activity – from the family to international organizations, in which the pursuit of goals through the exer-

⁸ T.J. Sinclair, *General Introduction*, in: *Global Governance. Critical Concepts in Political Science*, (ed.) T. J. Sinclair, Routledge, London – New York 2004, 5.

⁹ P. Willetts, *op. cit.*, 148.

¹⁰ *Ibidem*.

¹¹ *Ibidem*, 150.

¹² *Ibidem*, 148.

¹³ J.N. Rosenau, E.O. Czempiel, *Governance without Government: Order and Change in World Politics*, Cambridge University Press, Cambridge 1992.

¹⁴ J.N. Rosenau, *op. cit.*, 13.

¹⁵ *Ibidem*, 14.

cise of control has transnational repercussions”¹⁶, Rosenau reduces global governance to changes in the structure of the international system, in which, apart from states, non-state actors are beginning to play a greater role.

Another scholar, Lawrence S. Finkelstein, perceives global governance as governing without sovereign authority, or „doing internationally what governments do at home”¹⁷. When the notion of governing is transferred from the state level to the international level, where there is no sovereign authority, governing turns into governance – however, its essence remained unchanged: global governance is „governance without sovereign authority, relationships that transcend national frontiers”, [it means – KMM] „doing internationally what governments do at home”¹⁸. Global governance in this sense is a purposive activity encompassing an array of functions exercised at the international level: creation and exchange of information; formulating rules; activities shaping the global and regional orders; solving particular global problems; influencing the behavior of states; good practices; creation of international regimes; adoption of rules, codes and regulations; allocation of resources; development and humanitarian aid; and peace keeping. It can be applied to solving problems of different forms and take place at different levels, because it comprises a broad range of both state and non-state actors¹⁹.

A similar aspect of global governance is emphasized in Ramesh Thakur and Luc van Langenhove’s definition, according to which it is a collection of modes of cooperatively solving problems at the global level²⁰. Thus understood, global governance is

the complex of formal and informal institutions, mechanisms, relationships, and processes between and among states, markets, citizens and organizations, both intergovernmental and non-governmental, through which collective interests are articulated, rights and obligations are established, and differences are mediated²¹.

These definitions reveal specific features of global governance that may prove useful in understanding the concept. First, it is a process, regardless of whether it consists in „management of common affairs”, „establishing norms and rules, „doing internationally what governments do at home”, or „articulation of common interests”. Second, global governance, as a process, has its own internal structure. It is made up of actors, organized or operating within their own structures (governance systems) at different levels, which include states,

¹⁶ *Ibidem*, 13.

¹⁷ L.S. Finkelstein, *op. cit.*, 369.

¹⁸ *Ibidem*.

¹⁹ *Ibidem*.

²⁰ D. Spence, *EU Governance and Global Governance: New Roles for EU Diplomats*, in: *Global Governance and Diplomacy. Worlds Apart?*, (ed.) A.F. Cooper, B. Hocking, W. Maley, New York 2008, 69.

²¹ R. Thakur, L. van Langenhove, *Enhancing Global Governance through Regional Integration*, „Global Governance” 2006, 12, 3, 233.

international organizations, and non-state actors. Third, as a process, global governance has its own dynamics resulting from interactions between its actors. As a consequence, governance structures, of which these actors are part, are transformed, and the process of governance is optimized. Fourth, global governance is inextricably associated with striving to enhance efficiency in coping with particular challenges; it is therefore pragmatic because it serves to implement specific goals. To generalize, global governance can be understood as an interactive, dynamic, complex, and multi-level process of goal implementation, which encompasses a number of diverse actors, institutions, and processes focused on a common problem.

'GLOBAL GOVERNANCE' AS A SPECIFIC DECISION-MAKING MODEL

The traditional decision-making model covers five categories: decision-making situation, decision-making center, decision-making process, decision, and its implementation²². This kind of model is used to analyze a state's internal and foreign policy but also to analyze the spheres of international and transnational relations, covering the activities of both state and non-state actors²³. Using the categories offered by the decision-making analysis, an attempt will be made to reconstruct the decision-making mode as part of global governance, with the reservation that the categories distinguished will merely be reference points that organize the analysis and facilitate finding one's way in the maze of processes that make up global governance

Reconstructing the content of the concept of global governance as a decision-making model requires answers to a number of questions. First, why did this process take place, and thus what are its determinants and what is its object? Second, who participates in it and why? Third, how does the participant participate? Fourth, how does this process proceed? And fifth, what does its value as a model of managing new quality challenges consist of?

The first question is essentially one about the causative factors underlying global governance. When translated into the language of decision-making analysis, it refers to a decision-making situation, i.e. a specific phenomenon or problem to be solved, or to a condition of reality that needs to be responded to. Literature on the subject points out that global governance appeared because of new problems of previously unknown scale and dynamics and growing pressure by the already existing ones²⁴. Can, however, all the problems of the contemporary

²² Z.J. Pietraś, *Decydowanie polityczne*, Warszawa – Kraków 1998, 46.

²³ *Ibidem*, 18.

²⁴ T. Brühl, V. Rittberger, *From international to global governance: Actors, collective decision-making, and the United Nations in the world of twenty-first century*, in: *Global governance and the United Nations system*, (ed.) V. Rittberger, Tokyo, New York, Paris, 2001, 3.

world be the object of global governance? And if so, what features should they have to be recognized as such? A partial answer to the question is given by William D. Coleman, who indicates their three features. First, such problems have a global, a transnational or a supranational reach, which means that they cannot be effectively solved at just one level, whether local, national, or international. Second, they concern ‘common global goods’, of which no one can be deprived, but whose loss largely influences everyone. Third, they appear independently of one another in different corners of the world and cannot be solved without global-scale activities²⁵. In his description, Coleman has ignored one more important characteristic, however. These problems are multi-dimensional and multi-level, that is why they cannot be assigned to one domain only (politics, ecology, or culture). They require coordinated operations of actors functioning in different spheres of social life situated at different levels.

As Tanja Brühl and Volker Rittberger observe, the existing system of international governance failed in the face of new-quality problems, which is why it had to be transformed²⁶. When defining international governance as „(...) the output of a non-hierarchical network of mostly intergovernmental institutions which regulate the behavior of state and other international actors in different issue areas of world politics”²⁷, these authors point to its limitations when confronted by the new reality at the turn of the 21st century. They believe that due to the technological revolution, the end of the Cold War, and globalization processes, gaps appeared in the international governance system, with which it could not cope and which forced its transformation²⁸. The first gap is a jurisdiction gap stemming from the transnational character of present-day challenges, which require coordinated activities of many actors operating on a global scale. The second is the operational gap caused by such limitations as the lack of proper knowledge, proper resources or instruments necessary for coping with multi-level problems. The third is the incentive gap resulting from the lack of effective ways to persuade states to observe their adopted obligations, a significant difficulty in the face of new-quality problems that require their involvement and cooperation. The last gap is the participatory gap consequent upon the shift of the decision-making level, particularly in matters concerning ‘common global goods’, onto the international institutional level, a large group of so-called stakeholders having been thereby deprived of their influence on the nature of the proposed solutions or final decisions²⁹. These gaps could be filled only by trans-

²⁵ W.D. Coleman, *Governance and Global Public Policy*, in: *The Oxford Handbook of Governance*, (ed.) D. Levi-Faur, Oxford 2012, 681–682.

²⁶ T. Brühl, V. Rittberger, *op. cit.*, 3.

²⁷ *Ibidem*, 2.

²⁸ *Ibidem*.

²⁹ *Ibidem*, 21–22.

forming the model of international governance into global governance, with a broad platform of actors participating in the decisions.

Another question concerning the concept of global governance refers to its actors i.e. who participates in it and why? By analogy to the decision-making analysis one can use the category of decision-making center in this context. The specific character of global governance, however, is that this model does not have a clearly-defined decision-making center. Does this mean, though, that it is entirely devoid of it? This assumption suggests rather that there are many decision-making centers. The practice of global governance, or more precisely, the phenomena regarded as its manifestations, show that we are dealing with local, national, international and transnational decision-making centers characterized by a broad subjective scope.

As has been shown above, what distinguished global governance from other decision-making models is the presence of many different actors. These include states, intergovernmental organizations, transnational corporations, non-governmental organizations, and civil society. In this array of diverse actors, the key role is attributed to non-state ones. Their presence on the 'global arena' is regarded as having brought a new quality into world politics. Not only did it contribute to the change from a world system dominated by state and interstate relationships, it also reformulated the debate over global problems³⁰. The emphasis placed on the role of non-state actors in global governance is therefore the central point of this concept³¹. Since global governance understood as „(...) creation and implementation of policies within the global political system” is conducted through „(...) cooperation of governments with actors of civil society and the private sector”³², without their participation the entire debate on this subject would be pointless. Global governance would only be a new label covering the old content.

Undoubtedly, (to refer to the above-mentioned theory of gaps), the transformation of international governance is effected owing to the activities of non-state actors. If we assume that these gaps have arisen because the governance system composed of state actors has exhausted its adaptive capacities, the appearance of new actors not only enhances its flexibility to face new challenges but also largely contributes to filling the existing gaps, whereby the system is transformed. This leads to the conclusion that there is an evident cause-and-effect relationship between the activities of non-state actors and global governance.

At this point one needs to look closely at the matter of relationships between a governance actor and a decision-making center. According to the definition, a decision-making center makes political decisions³³. However, is being a governance actor identical with political decision-making? These can be defi-

³⁰ P. Willetts, *op. cit.*, 144.

³¹ *Ibidem*, 148.

³² *Ibidem*.

³³ Z.J. Pietraś, *op. cit.*, 76.

nitely equated in the case of states and intergovernmental organizations. The decision-making centers in states are governments which make decisions on their behalf. The decision-making centers of organizations are their statutory bodies. The matter becomes complicated in the case of non-state actors. Although there are studies which show their growing role in world politics³⁴, it is difficult to indicate decision-making centers acting on their behalf and at the same time taking political decisions binding on other actors. The decision-making subjectivity of non-state actors is rather a consequence of the influence they can exert on the final shape of a political decision rather than their capacity to make these decisions by themselves. From this standpoint it is difficult to recognize them as independent decision-making centers. However, when viewed from a somewhat different perspective, this question does not appear so evident.

Each decision-making center discussed below has its own structure. It is made up of so-called decision-making circles composed of actors with differing decision-making potential, that being a function of the ability to make final decisions. When applied to the analysis of global governance, the first circle consists of actual decision-makers that can be referred to as 'hard players'. These are actors formally authorized to make decisions (governments, or authorities of intergovernmental organizations). Their subjectivity as decision-makers arises from the ability to make binding decisions and enforce them. The second circle are 'intermediaries' or subjects that do not have a formal decision-making status but play a crucial role in the organization of the decision-making process, something that largely determines the reaching of a final decision (organization personnel, experts, non-governmental organizations, associations, civil organizations). Their decision-making status stems from their resources, capacities, and instruments. Although they do not make final decisions, it is on their decisions that the form of the final decision or the pace of the decision-making process depends. The third circle is composed of so-called 'soft players', which comprise the remaining actors who have a vested interest in a particular decision, such as pressure groups and so-called stakeholders, that use different channels to influence the final form of the decision (transnational corporations, or civil society organizations). Their status as decision-makers stems from their ability to influence hard players. This decision-making circle does not formally make final decisions but the decisions of its constituent subjects (actors) often determine the stances of 'hard players' in the decision-making process. The last circle consists of so-called 'silent participants' that are not authorized to make decisions or are not interested in their final form – they remain on the sidelines of the ongoing decision-making process. Nevertheless, under specific circumstances these actors can mobilize to express their stand or take actions independent of

³⁴ For more: *Private Authority and International Affairs*, (ed.) A. C. Cutler, V. Haufer, T. Porter, New York 1999; Keck M., Skink K., *Activists beyond Borders: Advocacy Networks in International Politics*, Ithaca 1998.

the ongoing decision-making process (citizens, large social groups). The power of this type of decision-making subjectivity is based on values (morality, ethics, humanism, and tolerance) represented by the involved actors.

As in the two previous circles, these actors do not directly make final decisions but their decision to mobilize based on specific values may produce definite political effects. From this perspective, each of the specified actors of global governance: states, intergovernmental organizations, private entities, and civil society, has a specific decision-making subjectivity realized through mutual relationships.

If it is known who participates in global governance processes, the next issue that needs to be settled is the question: why do they participate? Why do states, international organizations and non-state actors participate in global governance processes? While in the case of state actors the answer seems obvious, an in-depth analysis is needed in the case of non-state actors.

Jonas Tallberg maintains that the question of participation by non-state actors in global governance processes can be explained by means of three theories: functional efficiency, democratic legitimacy, and power distribution³⁵. It should be emphasized, however, that the perspective he has adopted is that of state actors, which assumes that the participation of non-state actors in global governance is a function of the will and interest of the states rather than of the other actors.

In the case of the functional efficiency, the explanation why non-state actors participate in global governance should be sought in the benefits gained from their participation by states and international institutions, because these determine the resources at their disposal. As Tallberg points out, when the states and institutions are unable to implement particular functions, they may use the help of non-state actors³⁶. This especially applies to such responsibilities as provision of information on governance-related problems, on their possible solutions and on the costs of the proposed solutions, to undertaking of field operations connected with the implementation of specific decisions, or to the fulfillment of obligations taken on by the state, through monitoring and controlling their progress in this area³⁷. What is interesting, the activities of non-state actors are not treated in this context as weakening the position of states but as strengthening their global regulatory capabilities³⁸.

The second one, the democratic legitimacy theory, explains the participation of non-state actors in global governance by the tendency to reduce the democracy deficit at the global level. This phenomenon consists in the lack of

³⁵ J. Tallberg, *Transnational Access to International Institutions: Three Approaches*, in: *Transnational Actors in Global Governance. Pattern, Explanations, and Implications*, (ed.) Ch. Johnson, J. Tallberg, London – New York 2010, 45–66.

³⁶ *Ibidem*.

³⁷ *Ibidem*, 48.

³⁸ K. Raustiala, *States, NGOs, and International Environmental Institutions*, „International Studies Quarterly” 1997, 41, 719.

proper representativeness and legitimacy of decision-making structures, in particular in the spheres associated with common global property. The existing governance structures are increasingly regarded as not representative of large social groups that seek ways to articulate their own interests and to participate in shaping decisions that directly affect them. Since state governments as channels for articulation of public interests on the international arena do not provide sufficient democratic legitimacy to global decision-making mechanisms, while international institutions make decisions that directly influence the lives of individuals and social groups, the representatives of the latter should also have access to or be part of this global decision-making process.

As Peter Willetts rightly observes, the main reason why non-governmental organizations have become part of global governance was their consistent striving to be heard³⁹. As a result, the pressure of non-state actors has become a norm, and they are recognized as representatives of the emerging civil society. Owing to international law, new development paradigms, or to the activities of democratic states trying to transplant their binding internal standards onto the global level, this norm has also become a universally acceptable international practice, on the basis of which non-governmental actors as representatives of the public interest, have won legitimacy to participate in global decision-making processes, thereby making them far more democratic⁴⁰. Under these circumstances, the only thing states and intergovernmental organizations could do was to accept the new practice, adjust to the qualitatively new environment, or recognize its strategic significance from the standpoint of the legitimacy of existing global governance structures⁴¹.

The last theory, that of power distribution, stems from the assumptions of realism and shows that the model of participation by non-state actors in global governance reflects the distribution of the power of states in international institutions and is, first of all, a consequence of the preferences of the strongest⁴². The theory also shows that particular states use non-state actors in order to gain additional leverage on international institutions and international decision-making processes by supporting those that represent similar interests and by opposing the participation of those with divergent interests⁴³. Like in the functional efficiency theory, the underlying explanation is the conviction about benefits resulting from the participation of non-state actors in global decision-making processes, the difference being that these benefits are more specifically oriented as they apply only to individual states⁴⁴.

³⁹ P. Willetts, *op. cit.*, 151.

⁴⁰ J. Tallberg, *op. cit.*, 51.

⁴¹ *Ibidem*.

⁴² *Ibidem*, 56.

⁴³ *Ibidem*.

⁴⁴ *Ibidem*, 57.

When examining the issue of the subjective dimension of global governance, it would be also in order to examine the question of the mode of participation. The question that needs to be asked in this context is: how do actors participate in global governance? The foregoing theories explicitly show that the type of participation is determined by the position and role of actors in the decision-making process, and these are in turn defined by their formal status, resources held, and the range of representation. On this basis three determining factors can be distinguished: status, resources held, and legitimacy. Depending on the level of influence on the final decision, two kinds of participation can be also named: direct and indirect. This is illustrated by the tables below. Their construction is based on the assumption that in relation to each of the presented factors the type of participation does not change.

In the first table, the determining factor is status: formal or informal. By comparing it with the participation type, we obtain information on the types of participation by the position occupied by actors in the decision-making process (Tab. 1).

Table 1. Types of participation by status

| Status \ Type of participation | Direct | Indirect |
|--------------------------------|----------------|-----------------------------|
| Formal | decision-maker | consultant, adviser, expert |
| Informal | lobbyist | observer |

Source: own study.

In the second table the determinant factor are the sources at the actors' disposal. Regardless of their quality (knowledge, organization skills, access to information, financial resources) they can be large or small. Comparing these with the type of participation we obtain information on roles played by actors in the decision-making process (Tab. 2).

In the third table the determining factor is legitimacy, its level being the variable. Actors participating in global governance processes can be characterized by a high or low level of social legitimacy. By comparing the level of legitimacy with the type of participation we obtain information on the types of participation by functions performed by actors in the decision-making process (Tab. 3).

The types of participation distinguished above are only ideal concepts. In practice they overlap and many of them are implemented by different actors of the same type.

The mode of participation in global governance can be also viewed from another perspective. Jonas Tallberg and Anders Uhlin took the range of partici-

Table 2. Types of participation by resource held

| Type of participation \ Resources | Direct | Indirect |
|-----------------------------------|----------------|--------------|
| Large | regulator | co-regulator |
| Small | self-regulator | organizer |

Source: own study.

Table 3. Types of participation by legitimacy

| Type of participation \ Legitimacy | Direct | Indirect |
|------------------------------------|-------------------|--------------------------------------|
| High | policy-maker | channel of articulation of interests |
| Low | services provider | value carrier |

Source: own study.

pation into account and distinguished three forms⁴⁵. The first form is passive participation consisting in receiving information on actions taken, in observing the decision-making process or consulting on the implementation of the decisions made. The second form is active participation manifested in the possibility of presenting information, making statements to the decision-making authorities, or in the partnership in the implementation of decisions. The third form is full participation, which can be manifested in having a formal status for defining the agenda, the right to participate in decision-making, or implementation of independent projects⁴⁶. By using this classification the types distinguished in the matrixes can be assigned to particular participation forms. Passive forms can comprise the consultant, adviser/expert, observer, and the value carrier. Active forms cover the lobbyist, organizer, co-regulator, self-regulator, channel of articulation of interests, and services provider, whereas full participation is characteristic of the decision-maker, regulator, and policy-maker.

The next question serving to reconstruct the content of the global governance concept is the question about its course. How does this process proceed? What determines its dynamics? And finally, what does its specificity consist in?

⁴⁵ J. Tallberg, A. Uhlin, *Civil Society and Global Democracy: An Assessment*, in: *Global Democracy: Normative and Empirical Perspective*, (ed.) D. Archibugi, M. Koenig-Archibugi, R. Marchetti, Cambridge 2011, 210–232.

⁴⁶ *Ibidem*.

In traditional terms of decision-making analysis this is a question about the decision-making process. The analysis presented below will therefore focus on the following problems: phases of the decision-making process, and its dynamics, mechanisms, and instruments.

In the classical interpretation, the decision-making process consists of three phases: identification of the problem, decision, and implementation. When analyzing the problem from another side, one can show the normative phase, where a decision is made, and the operational one consisting in implementation of decisions. At each phase we are dealing with the activity of different actors situated at different decision-making levels. Remembering, however, that the key assumption of the global governance concept is the participation of non-governmental actors it would be appropriate to examine the issue more closely.

Existing empirical studies confirm that the scope of participation by this type of actor is the highest at the stage of problem identification⁴⁷. Research activities, information campaigns, mobilization of public opinion, and monitoring of problems – all these activities increase the presence of non-governmental actors at this stage of global governance. Cooperation with the non-governmental sector at the stage of problem identification is also treated as its identifying feature⁴⁸. At the decision-making stage the scope of cooperation is far narrower, not to say negligible. The analysis of the participation of non-governmental actors in decision making in the UN system organizations and at global conferences shows that it is confined mainly to observation of negotiations, dissemination of documents, and to approaching the parties concerned. It is never or almost never present in formal decision-making. However, increased participation by non-governmental actors occurs at the implementation stage. According to Riva Krut, the reason for this is the change in the way these actors are perceived by states and international organizations. More and more often, due to their resources, they are perceived as ‘operational services providers’, which can implement decisions more cheaply and more effectively⁴⁹. At this stage their role is not confined exclusively to cooperation in implementing decisions. They also ‘supervise’ their realization. Monitoring the implementation of obligations undertaken by states, or monitoring the policies and programs implemented by international organizations is now done by an increasingly large group of actors.

The concept of global governance as a decision-making process assumes that an existing reality is consequently transformed into the desired reality.

⁴⁷ R. Krut, *Globalization and Civil Society: NGO influence in International Decision-Making*, UNRISD Discussion Paper no 83, April 1997; J. Tallberg, A. Uhlin, *Civil Society and Global Democracy: An Assessment*, in: *Global Democracy: Normative and Empirical Perspective*, (ed.) D. Archibugi, M. Koenig-Archibugi, R. Marchetti, Cambridge 2011, 210–232.

⁴⁸ J. Tallberg, A. Uhlin, *op. cit.*, 210–232.

⁴⁹ R. Krut, *op. cit.*, 22.

When treating global governance as a constructive process it is necessary to assume that the relationships between the participating actors are also constructive. The simplest form of a constructive relationship is obviously cooperation, its most rational grounds being the impossibility to achieve goals or accomplish tasks on one's own. The participation of actors in the stages of global governance involves all kinds of interactions, including cooperation. Can it therefore be concluded that it is interactions that give dynamism to global governance processes? Definitely so. Using the assumptions of the social constructivism theory⁵⁰, one can observe that the mechanics of global governance are based on interactions between actors and the decision-making levels at each stage of the decision-making process. Interactions are determined by the social structures in which actors operate. When taking specific actions, they enter into mutual relationships. At the moment of 'encounter', an exchange of information between them takes place, which results in mutual learning, and ultimately in the transformation of the governance structures, of which they are part. Interactions may assume the form of communication, cooperation, or coordination of actions, their goal being to optimize the decision-making process. As a result, a specific pattern of procedure is developed, which not only leads to the accomplishment of the intended objectives but also to the transformation of existing decision-making structures.

This mechanism is perfectly illustrated by Arie M. Kacowicz's typology of global governance processes based on the nature of relationships between its actors⁵¹. Taking into account the level of their formalization and the direction of the delegation of authority he distinguished six types of global governance. Type one is top-down governance. It is characterized by a high degree of formalization and one-way delegation of authority. Interactions characteristic of this type are commissioning and outsourcing. The second type, 'bottom-up governance', is based on informal relationships and also on one-way delegation of authority. Relationships characteristic of this type of governance are positive incentives and bargaining. The third type is 'market-type governance'. Relationships here are both formal and informal, preserving one-way delegation of authority. Characteristic of this kind of governance are partnerships and public-private networks. The next three types of governance are based on multi-directional delegation of authority. Type four, so-called network governance, is based on formal relationships that have the form of commissioning and outsourcing. Type five is so-called side-by-side governance. It is based on such informal relationships as incentives,

⁵⁰ A. Wendt, *Spoleczna teoria stosunków międzynarodowych*, Warszawa 2008; A. Polus, *Połączenie społecznego konstrukttywizmu i teorii governance'u w analizach relacji pomiędzy organizacjami społeczeństwa obywatelskiego i sferą biznesu*, „Kultura, Historia, Globalizacja” 2009, 5, URL: <<http://www.khg.uni.wroc.pl/?type=artykul&id=82>>, access 8.08.2012.

⁵¹ A.M. Kacowicz, *Global Governance, International Order and World Order*, in: *The Oxford Handbook of Governance*, (ed.) D. Levi-Faur, Oxford 2012, 691.

bargaining or private-private partnerships. Apart from these, Kacowicz also names private regimes and international regimes, which may seem questionable in this case. The last – type six is web/network governance. Relationships here are both formal and informal and are manifested as networks and advocacy⁵².

The character of interactions between the actors of global governance is also determined by their specificity. There are different relations between states, between states and international organizations, and between states/organizations and non-governmental actors. These differences stem from the formal and functional diversity of actors. Negotiations as a form of interaction will connect actors with equal formal and functional statuses, e.g. states exclusively, non-governmental organizations exclusively, or transnational corporations exclusively. In the case of functionally and formally unequal actors, these will be relationships resulting from the actors' resources (representation, exchange of information, cooptation, consultations, and cooperation in the broad sense).

The dynamics of global governance are also determined by relationships occurring between different governance levels. In spatial terms, this means that we are dealing with governance at the local, national or transnational level. According to Michael Zürn, in order for global governance to be treated as multi-level governance two conditions have to be fulfilled. First, the global level has to be autonomous, with no delegation of powers to states. Second, it has to be part of a system characterized by the interplay of different levels⁵³. The first condition, Zürn believes, has already been fulfilled. The emergence of a dense network of international and transnational institutions that „are far more ‘intrusive’ than conventional international institutions [...able] to circumvent the resistance of most governments via decision-making and dispute settlement procedures, [...] or by dominating the process of knowledge generation in some fields” means that „in some issue areas the global level has achieved a certain degree of autonomy” independent of the will of states⁵⁴. The second condition can also be regarded as fulfilled, in particular in the context of transnational problems. Effective settlement of such problems requires interplay between different political levels: transnational recognition of the problem, decision-making at the global level, and the implementation of decisions at the national level. What's important, none of these levels can achieve the goal unilaterally. Similarly, decisions and actions taken at each of the levels cannot be unilaterally reversed by another level. Their coordination is needed, which, according to Zürn, is a sufficient condition to recognize global governance as multi-level governance⁵⁵. ‘The final effect’ of global governance will be achieved through interactions between dif-

⁵² *Ibidem*.

⁵³ M. Zürn, *Global Governance as Multi-level Governance*, in: *The Oxford Handbook of Governance*, (ed.) D. Levi-Faur, Oxford 2012, 731.

⁵⁴ *Ibidem*, 735.

⁵⁵ *Ibidem*, 736.

ferent decision-making levels and different actions occupying these levels as well as those operating across them. In a dynamic interpretation, global governance is therefore the interplay of actors, levels, and processes, formally autonomous but functionally tightly connected and interrelated.

The last point in the analysis of the global governance concept is its mechanisms and instruments. Discussion of the subject requires that all the meanings of both concepts first be explained. In the case of mechanisms, it is necessary above all to clearly distinguish between the mechanisms used by individual actors to participate in global governance and the mechanisms of global governance, itself. Of crucial importance is the perspective. Adopting the perspective of, for example, non-state actors, such a mechanism would be formal accreditation or a consultancy status, which does not say much about the way governance is carried out. In this case it is necessary to adopt the perspective of a process, to have, as it were, a 'bird's-eye view' of the entirety of its elements. This is what the definition of the mechanism says, according to which it is „a set of cooperating constituent parts performing a specific task”⁵⁶ or „a set of conditions/states and processes following in certain succession”⁵⁷. When defining a mechanism from the process perspective we recognize at the same time that it is an operational pattern determined by the scope of cooperation and the system of relationships between its constituent elements performing specified functions. This meaning will be utilized in our discussion. The case is somewhat different with the concept of instrument. Here, the actor's perspective definitely has to be applied because according to the definition an instrument is nothing but „a tool or a device used by man” or „a means serving to accomplish something”⁵⁸. While discussing the problem at a highly abstract level one can certainly use the concept of instruments of global governance, yet in practice no instrument operates by itself, it needs the agent that uses it.

Agreeing that a mechanism is „a set of cooperating constituent parts” we assume that its nature depends on the quality of this cooperation and the relationship between its constituent parts. In view of this assumption, four basic mechanisms of global governance can be distinguished: regulation, co-regulation, self-regulation, and coordination. In the case of regulation, the scope of cooperation between actors is broad but confined to one group of actors, primarily state actors. It is they that make binding decisions and are also responsible for implementing them. Failure to implement produces sanctions. Relationships with non-state actors are confined exclusively to consulting and to monitoring the realization of obligations undertaken by states. Non-state actors do not participate in decision-making, nor do they have influence on its final shape.

⁵⁶ *Słownik wyrazów obcych*, PWN, Warszawa 1980, 461.

⁵⁷ *Ibidem*.

⁵⁸ *Słownik języka polskiego on line*, URL: <<http://www.sjp.pl/instrument>>, access 13.08.2012.

Another mechanism, co-regulation, is based on a different scope of cooperation, especially between state and non-state actors. The system of relationships between them is also different. A characteristic feature of this mechanism is a strong partnership between the two actor types; consequently, non-state actors gain influence on the final shape of a decision. Apart from consultations, relationships with non-state actors may also consist of cooptation and social dialogue. A feature of co-regulation, particularly in the case of highly specialized problems, can also be that states will legally sanction the decision proposals put forward by non-state actors. However, as with regulation, both the final decision and its implementation rests with state actors. Failure to implement produces sanctions.

The third mechanism is self-regulation. The scope of cooperation between particular groups of actors and the system of mutual relationships is small, because the mechanism consists in voluntary agreements between actors regarding the observance of specific rules or standards. These are not universally binding. They are not sanctioned or implemented by states. Failure to implement or observe them does not entail any sanctions. However, their application or non-application of them may involve particular benefits or expenses.

The last mechanism is coordination. Unlike regulation and co-regulation, this mechanism is based more on participation, dissemination of knowledge and on mutual learning than on 'hard legislation'. The scope of cooperation between different actor groups is very wide in this case, like the system of relationships, because this mechanism is realized through interactions between different governance levels and by different groups of actors. It is grounded on guidelines, good practices, and indicators⁵⁹. The operation of the mechanism is illustrated by the open method of coordination in the European Union – EU⁶⁰. It is made up of six elements: 1) guidelines; 2) benchmarking and sharing good practices; 3) many-sided supervision; 4) indicators; 5) interactive process; and 6) implementation through internal policies and legislation⁶¹. This mechanism proposes a new approach to problem solving because it is based on interactions, standard setting, and mutual cooperation between public and private actors, and between governance levels. Its essence is to gain and disseminate knowledge rather than enact binding legal norms, which is why it is devoid of sanctions but relies on incentives only. In this mechanism the borderline between decision-making and implementation is blurred because the final result is learning. It assumes that by using local knowledge and by its diffusion it will be easier and faster to attain

⁵⁹ K.E. Davis, B. Kingsbury, S. Engle Merry, *Indicators as a Technology of Global Governance*, International Law and Justice Working Paper 2010/2, URL: <<http://www.iilj.org/publications/documents/2010-2.Davis-Kingsbury-Merry.pdf>>, access 14.08.2012.

⁶⁰ C.M. Radaelli, *The Open Method of Coordination: A new governance architecture for the European Union*, SIEPS, Rapport no 1, Stockholm, March 2003.

⁶¹ *Ibidem*, 15.

the intended objectives⁶². In addition to the EU, elements of the coordination mechanism can be found in the Millennium Development Goals Project since it is based on cooperation and participation. It encompasses globally adopted indicators and standards; it envisages multilateral supervision and an interactive process occurring between participants, resulting in new national-level policies leading to the achievement of the objectives agreed upon at the global level. It should be nevertheless remembered that the application of the foregoing mechanisms is determined by the object of governance. Different mechanisms will be used in the case of food security, ecological and development problems, and world trade.

As with the use of mechanisms, the range of instruments of global governance is determined by its object. Depending on problems, these include legal norms, standards, certificates, sanctions, knowledge, indicators, assistance, and guidelines but also parallel summits, information campaigns, and boycotts: there is a very wide array of them. By using the simplest objective criterion, one can divide them into political, economic, and legal instruments. Such a classification, however, does not allow one to apprehend their specificity. How, for example, should parallel summits or boycotts be classified? Another way of classification can be a division into soft and hard instruments. The hard ones include legal and economic instruments, while the soft ones would be political and the others, or all those that do not fit in the categories distinguished by the objective criterion. Such an approach has advantages as it makes it possible to discern another important characteristic of global governance.

The concept of global governance is grounded on two central assumptions. One is the recognition of non-state actors as important participants in this process. The other is the attribution of the main role to soft instruments⁶³. They are indisputably the pillars of the concept of global governance. The question that should be asked at this point is why these instruments have been recognized as crucial to global governance? When seeking an answer to this question, it should be acknowledged that because of global governance's object and the many and diversified actors involved in it, soft instruments exhibit features that others lack. First, they are more flexible to use. Their application does not require complicated procedures. Second, with so many interested parties, they represent a compromise approach. It is difficult to reconcile conflicting interests or opposing stances by using hard instruments. Third, their application is often voluntary; it does not involve any sanctions. Fourth, soft instruments are highly technical, like standards or indicators, which is why they do not ignite political or ideological controversies. Fifth, they are founded on or refer to positive values which are associated with public support, because their efficacy does not arise from the pressure to apply them but from the concomitant benefits.

⁶² *Ibidem*, 25.

⁶³ M.-L. Djelic, K. Sahlin, *Reordering the World: Transnational Regulatory Governance and its Challenges*, in: *The Oxford Handbook of Governance*, (ed.) D. Levi-Faur, Oxford 2012, 752.

CONCLUSIONS

To sum up the foregoing discussion, it should be emphasized that there is no single coherent concept of global governance in the literature on the subject. Diverse approaches are offered and different questions are asked, often without an answer. Even when making use of the theory of international relations, it is easy to encounter pitfalls rather than find explicit and satisfying explanations. To reconstruct the content of global governance therefore requires an original approach, combining one's own observations and analyses with the relevant extensive literature.

The goal of this paper was to analyze global governance as a special decision-making model. The argument for this interpretation of global governance is, first, international practice. In the empirical aspect, global governance is closest to the specific (hybrid) form of the decision making process that occurs at many planes and levels, taking a large number of actors into account, and serves to cope more effectively with the 'challenges of the present-day world'. Second, its character is indicated by the existing definitions. Regardless of whether governance is defined as 'regulation', 'coordination', 'problem solving' or 'articulation of interests', it is a goal-oriented process serving to transform existing reality into the desired reality, while at the same time it remains a non-formalized process without legal sanction. It is an international practice rather than a model of proceeding decreed by top-down rules defining its course.

Two conclusions can be drawn from the foregoing approach. First, the core of this concept is the participation of non-state actors, and the attribution of crucial significance to soft instruments of governance. Second, it is these attributes that are the distinguishing feature of global governance as compared with other models of controlling the international environment.

GLOBALNE ZARZĄDZANIE JAKO MODEL DECYZYJNY.
STARA KONCEPTUALIZACJA NOWEJ PRAKTYKI

Streszczenie. 'Globalne zarządzanie' jest pojęciem, które podobnie jak 'globalizacja' wzbudziło ogromne poruszenie w środowiskach intelektualnych i naukowych w ostatniej dekadzie XX wieku. Skrajne postawy towarzyszące jego pojawieniu się najlepiej charakteryzuje dyskusja, jaka zaistniała na łamach czasopisma naukowego pod tym samym tytułem⁶⁴. Spierano się w niej nie tylko o to, czym ono jest, ale również o to, czy w ogóle istnieje. Z punktu widzenia autorki niniejszego artykułu dylemat: 'istnieje – nie istnieje' wydaje się być jednoznacznie rozstrzygnięty. Celem artykułu jest analiza globalnego zarządzania jako specyficznego modelu decydowania międzynarodowego. W jej toku przedstawione zostaną argumenty, które wskazują, że ta będąca *in statu nascendi* praktyka międzynarodowa nie jest ani instytucją, ani systemem globalnym, ani porządkiem światowym ale właśnie sposobem podejmowania decyzji.

Słowa kluczowe: globalne zarządzanie, decydowanie międzynarodowe, globalizacja

⁶⁴ Por. J. Rosenau, *Governance in the Twenty-first Century*, „Global Governance” 1995, 1, 1, 13–43; L.S. Finkelstein, *What is Global Governance*, „Global Governance” 1995, 1, 3, s. 367–371.