Institute for Development and Peace

INEF

Contested Authority in Transnational Governance

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Contested Authority in Transnational Governance

At the inter- and transnational level, the question of who is allowed to set binding rules for a group is even less clear-cut than it appears to be at the national level. The authority to do so can be assigned through formal acts, can be “inscribed” in individual institutions, or can be based on trusting the expertise and knowledge of actors or institutions. At the same time, actors claim or appropriate authority. In our new research programme, we focus on the contested nature of authority, regardless of what it is based on.

On the one hand, the process by which authority is created is characterized by disputes over interpretations and claims to legitimacy. Even if authority is no longer exercised solely by state actors, these continue to play a decisive role, not least because they continue to set the framework for the exercise of authority by private or civil society actors, or deliberately fail to do so. When both state, private, and civil society actors claim a right in the exercise of authority, power relations play an important role. After all, the practices that develop in the exercise of authority, are reflected in different rules and forms of regulation and do not readily establish themselves unanimously or without contradiction.

On the other hand, national as well as inter- and transnational authority - in its absence, specific manifestation, or even contested nature - can be the starting point for social conflicts. In the Global South, which is the focus of our research, authority is also exercised at the “state” level by a variety of actors. Patterns of authority can have a decisive influence on the dynamics of conflicts, be it that the authority of local, national and transnational actors is called into question when dealing with or settling conflicts or that a group attributes it in different ways.

How authority - especially at the inter- and transnational level - is constituted in this contested state, what it is based on, and what specific forms of regulation this produces in each case is the focus of INEF research in the two research areas “Global Governance for Sustainable Development” and “Human Rights and Regulation in the Global Economy”. In the research area “Social Conflicts and Resilience”, the focus of our work is more on existing authority being challenged and how this influences conflict. “Authority” occupies a different analytical status in the respective INEF research, revealing the fragmentation and contradictions of the different uses of the term. Since our research is empirically focused on different regions (especially Africa) and countries, we also take a closer look at possible regionally or country-specific determinants.

Research Area I:
Global Governance for Sustainable Development

With the catalogue of 17 Sustainable Development Goals (SDGs), the member states of the United Nations have committed themselves to concertedly addressing crucial problems such as poverty, hunger, environmental degradation, lack of access to education or health care by 2030. The focus is on reducing the inequalities that still exist between countries, within societies or between the sexes. The commitment to "sustainable development" also puts the traditional concept of development to the test. The addressees of development are no longer exclusively countries of the Global South, but societies worldwide. More than ever before, development cooperation is understood as part of a multi-layered structure of global governance practices.

With the growing complexity of cross-border problems and the growing number of actors, of instruments used and, in many cases, parallel processes, it is increasingly controversial who sets binding rules for whom and with what objective. In other words, the controversy is over who has authority and what this authority is based on. The values propagated and the governance practices associated with them are also being critically scrutinized. This becomes clear in the discussion of partnerships as an instrument for dealing with problems at all levels of action. For this instrument, hailed as a panacea, raises pressing questions, not only theoretical but also very practical, about its interpretation, legitimacy, its effectiveness and, above all, the way in which it is implemented at local level.

In networks between state, private and civil society actors, too, immanent hierarchies develop because of concentrations of power. The challenge therefore arises how the participation of relevant stakeholders can be ensured in the face of existing power inequalities. Besides the question of who is allowed to participate in political processes and who is ultimately allowed to make binding decisions for a group (based on which "good reasons"?), we also address the question of how and in what form the rule-making actors can be held accountable. We combine these questions, for example, in analyses of how civil society actors can be engaged "meaningfully".

In this research area, we also engage with the practice of development cooperation. On a substantive-strategic level, one focus is on the extent to which projects of development cooperation and the associated forms and norms of governance reflect the desired coherence and overcoming of silos. At the actor level, we are interested in whether traditional roles and relationships between state donors and recipients are overcome, the range of actors involved is broadened, and processes are made more participatory.

Empirically, we examine the issues raised in the context of the design and practices of global governance for sustainable development, particularly in the areas of global health, land, food/food insecurity, poverty (alleviation) and resilience.

Research Area II:
Human Rights and Regulation in the Global Economy

International human rights are increasingly becoming a normative benchmark for shaping transnational economic processes politically. This is reflected in the Guiding Principles on Business and Human Rights adopted by the United Nations Human Rights Council in 2011. In Germany, the EU and many countries around the world, actors have since been struggling to find political approaches to human rights-informed regulation, for example through so-called due diligence laws for transnational corporations.

In this research area, we deal with the connections between human rights and the regulation of the global economy. The focus here is on questions of the power and legitimacy of private actors. Actors include private companies as well as civil society, trade union or multi-actor networks. They are regulated by public actors and institutions, but also act as regulating actors themselves by setting and interpreting rules or exerting political influence in various ways.

Private-sector and civil-society practices thus also constitute or transform forms of political authority, which are, however, always the subject of political contestation. Understanding the diverse and dynamic situations of contested authority in transnational human rights protection is a core interest of the research area.

Theoretically, we further develop perspectives on processes of change in transnational governance and related conflicts of power and authority. Empirically, we investigate new political spaces of contestation over the aforementioned questions, for example in the context of new supply chain laws or also in national and international negotiations on socio-ecological transformations of the economy. Governments, civil society networks, trade unions, workers and private companies are constantly struggling for spaces of action, for rights and their recognition, and for new forms of inter- and transnational regulation. In the process, new technologies are used, for example for digital information gathering in global supply chains, and new actor constellations and practices emerge, as in the case of the “Bangladesh Accord on Fire and Building Safety”. Private companies themselves are also changing their practices of transnational governance, for example in areas of risk analysis and accounting. In doing so, they are changing the foundations of accountability and playing a key role in shaping social conventions of responsibility and compliance.

Research Area III:
Social Conflicts and Resilience

Crises, such as the coronavirus pandemic, can lead to societal conflicts and put pressure on politics and society. How societies deal with these challenges is determined to a large extent by their ability to cope with different crises, to adapt to new problem situations and to reposition themselves accordingly for possible future challenges. Our research focuses on the causes and consequences of social conflicts and the role of authority in them, as well as on the resilience of social and political systems and the framework conditions that promote resilience.

One consequence of the contested nature of authority is resistance movements that social groups in numerous countries are organizing to bring about political change. Social and political protests have accordingly grown in number and significance over the past decade. Mobilization can be aimed at democratization processes. But they can also be directed against peace agreements. Moreover, as the rise of jihadist groups such as Boko Haram and the Islamic State illustrates, social mobilization often aims at the violent overthrow of existing orders.

In addition to the explanations for the mobilization of certain parts of the population, we are interested in the protest strategies used by social groups. Often, international actors play an important role in mobilizing social groups or in the subsequent state response. Our research therefore explores the question of when societal groups and/or the state receive support from external actors to mobilize/repress and how this influences the resilience of political orders. This includes the study of international peacekeeping missions, which often operate in a field of tension between transnational norms or goals of international actors and local realities in the areas of operation. Finally, we examine how social conflicts and crises influence the process of forming political orders, for example, by triggering changes in legal systems or in political decision-making processes.

So far, research has concentrated on the willingness of individuals or particular identity groups to mobilize. In our projects, we take a different approach by examining the role of social organizations. Social organizations have the networks and resources that are essential for successful mobilization. One focus here is on religious actors, political parties and rebel groups. We investigate the individual research questions in our projects using a theory-driven empirical approach that combines qualitative and quantitative methods.

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