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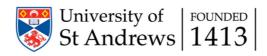
Assessing the Roles and Impact of
Non-state Actors in Global Governance

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Preface

The modern international system is formally organised around territorially-defined sovereign states. Yet states have never been the sole actors in this system and have always faced challenges from other entities seeking to complement, enhance, challenge, or subvert state authority. Political and technological transformations over recent decades have only enhanced this expansion of actors and forms of organisation at national, regional, and international levels. Non-state actors of various kinds now occupy important though often contested positions in the international order. Scholars and practitioners of international affairs have become increasingly attentive to these actors, the roles they perform, and the impact they can have on the conduct and efficacy of global governance.

Yet despite the proliferation of research on forms of non-state agency, profound questions remain. For example, in what specific ways do these actors engage in transnational politics, and do their interventions differ in fundamental ways from those of states? What resources—like moral authority, expertise, or new information technologies—do non-state actors draw on when seeking to influence behaviour and shape outcomes? And what do their efforts tell us about the nature, deployment, and potential transformation of power in world politics?

Non-state actors are becoming increasingly consequential—and in some cases even vital—to global governance, therefore, yet there is no simple means of delineating these actors or defining the boundaries between state and non-state activities. The current volume of the Junior Scholar Working Paper Series was conceived in recognition of this complexity. In selecting this overarching theme, our hope was that the authors would not feel bound to any particular conception of non-state actors or how they operate. The diversity of the resulting essays is testament to their authors' wide-ranging intellectual interests and experiences.

Each of the seven essays in this volume address different aspects of this broad scholarly and policy tapestry. All are concerned with the agency of non-state actors and the impact they can have in world politics. Yet each author has brought their own individual perspective and the resulting studies appropriately adopt different approaches in terms of theoretical and methodological choices, levels-of-analysis, and substantive focus. The

topics—encompassing global health, online activism and the #metoo movement, democratisation in post-communist states, terrorism, climate change, international political economy and development, and the Nobel Peace Prize—address some of the most pressing challenges of our present moment. Similarly, the range of actors examined—including private corporations and philanthropic organisations, online communities, terrorist groups, sub-state political administrations, international organisations, and the Norwegian Nobel Committee—offer a vivid illustration of the diversity of non-state entities involved in transnational politics in the 21st Century. Taken together, the essays included in this volume offer a rich set of insights concerning the nature, development, and consequences of governance beyond the state.

The Centre for Global Constitutionalism is extremely proud of its internship programme. Each autumn, the Centre holds a competitive process to select a set of interns drawn from the undergraduate and postgraduate taught (MLitt) programmes. Interns fulfil a variety of tasks during their tenure, assisting with the organisation of Centre events and enhancing engagement with the St Andrews student body. In this way, they become an integral part of the Centre's intellectual contribution to the life of the university.

In addition to their administrative contributions, each intern conducted a research project on an aspect of this volume's theme. The outcomes of this process are presented here. While we provided feedback on their drafts, the following essays are the work of the next generation of scholars interested in international organisation, global governance, and international law. We are very pleased to highlight their achievement, but do not take any credit for it.

This is the second annual volume of the Junior Scholar Working Paper Series which was first launched in April 2017. Happy reading!

Adam Bower and Mateja Peter
Co-Directors, Centre for Global Constitutionalism

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The Nobel Peace Prize Effect: The Recognition of Disarmament Efforts and the Securitization of Landmines

Kristin Graf Verpe

Introduction

Alfred Nobel's will states that the Nobel Peace Prize can be given "for the abolition or reduction of standing armies" (Nobel Peace Prize 2018a). Consequently, the Norwegian Nobel Committee has a long tradition for recognising work for disarmament.[1] This paper will examine to what extent the Nobel Peace Prize has made an impact on disarmament efforts, by giving recognition to, and providing an internationally respected platform from where the Laureates can advance their cause. It will do so through the lens of securitization theory as presented by the Copenhagen School (CS), as this approach enables the paper to pay attention to changes in discourse as well as political action. Specifically, the paper will analyse the impact of the 1997 award to the International Campaign to Ban Landmines (ICBL). As explained by members of the Nobel Committee, the peace prize can be seen as a political act, as "the committee also takes the possible positive effects of its choices into account" (Sejersted 2001). The award to ICBL is a clear example of a prize where the Nobel Committee hoped to contribute to political change.

First, the paper will outline the framework of securitization theory and argue that it provides a fruitful lens to analyse the potential impact of the Nobel Peace Prize. Second, the paper will provide a brief account of the history of the prize, the Norwegian Nobel Committee, and the international interest in the prize. Then, the paper will analyse the award to ICBL; it will investigate how the Nobel Peace Prize had an impact on the securitization of landmines, and if it resulted in political effects that would not have been present in the absence of the prize. As the depth of this paper is limited due to its length, it will not be able to provide a comprehensive outline of securitization theory, the background of the prize, or the work of the ICBL. The main purpose of the paper is to offer new insights on the significance of the Nobel Peace Prize through a securitization lens, and by doing so, illustrate that the Nobel Peace Prize matters.

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[1] Work for disarmament has been awarded the Nobel Peace Prize in 1959, 1962, 1974, 1982, 1985, 1990, 1995, 1997, 2005, 2013, and 2017. For a complete list of the laureates and their causes see The Official Website of the Nobel Peace Prize, nobelprize.org, https://www.nobelprize.org/nobel_prizes/peace/laureates/.

Securitization Theory

Since the publication of Security: A New Framework for Analysis by Buzan, Wæver and de Wilde in 1998, securitization has become a significant approach to security in International Relations (Balzacq 2011, xiii). Briefly explained, securitization theory analyses the process where a securitizing actor, through a speech act, constructs an issue as an existential threat on behalf of a referent object, in front of an audience. Speech acts are defined as 'securitizing moves', but an issue is not automatically securitized by performing a speech act (Buzan et al. 1998, 25). Conditions for a successful speech act are according to the Copenhagen School, "(1) the internal, linguistic grammatical – to follow the rules of the act …; and (2) the external, contextual and social – to hold a position from which the act can be made" (Buzan et al. 1998, 32). Common actors who hold such positions are political leaders, bureaucracies and governments (Buzan et al. 1998, 40).

Importantly, "the exact definition and criteria of securitization is constituted by the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects" (Buzan et al. 1998, 25). The focus on intersubjectivity thus suggests that the success of a securitization move depends on the support of the relevant audience and can be evaluated on the basis of audience support. A relevant audience, is a group that must have a direct connection with the issue, and "the ability to enable the securitizing actor to adopt measures in order to tackle the threat" (Balzacq 2011, 9). The securitization framework will now be utilized to analyse if and how the Nobel Peace Prize, has given the securitising actor (the ICBL) a position from where it can reach a relevant audience that can adopt measures to advance their disarmament efforts. Although it of course is difficult to establish a causal relationship between the award and the outcome, analysing speech and actions clearly connected to the prize through a securitization lens, enables the paper to get a better understanding of how the Nobel Peace Prize, as one factor, can have an effect.

The History and Importance of the Nobel Peace Prize

Before examining the impact of the Nobel Peace Prize, it is necessary with a brief account of what it is, and why it might matter. When the Swedish businessman Alfred Novel died in 1896, he had left a will that stated that his wealth was to be used in five prizes. One prize was to be awarded to the person "who shall have done the most or the best work for

fraternity between nations, for the abolition or reduction of standing armies and for the holding of peace congresses" (Nobel Peace Prize 2018a). Alfred Nobel declared that the prize for peace was to be awarded by a committee of five persons selected by the Norwegian Storting (parliament). Although its members are selected by the parliament, the Nobel Committee is independent and beholden to no one than their own consciences (Van Den Dungen 2001: 515). Since the first prize was awarded to Frederic Passy and Jean Henry Dunant in 1901, the Nobel Peace Prize has been awarded every year, with a few exceptions (Nobel Peace Prize 2018c).

While there today are enough peace prizes in the world, for a ceremony on average to be taking place every day, it seems to be true that the Nobel Peace Prize and the annual award ceremony on December 10th draws the attention of the world like no other prize (Van Den Dungen 2001, 511). The question then arises, why the world has come to take this particular interest in what a few, relatively unknown, Norwegians decide about who has contributed the most towards peace. Geir Lundestad, historian and former secretary of the Nobel Committee, has reflected on this question, and argues that it has to do with the long history of the prize, the value of being part of The Nobel family (i.e. being associated with more scientific awards in Physics, Chemistry and Medicine), as well as the eminent record of the prize with many respected and well-known laureates throughout the years (Lundestad 1999). It has also been argued that the unique interest in the prize has to do with its cash value, the at times controversy around prizes associated with well-known conflicts, and the impartiality of the Nobel Committee (Van Den Dungen 2001, 514-516).

While there is clearly an international interest in the decision of the Nobel Committee, the question remains what the impact of this interest might be? Ronald Krebs argues in 'The False Promise of the Nobel Peace Prize' (2009, 594), that there is little evidence that being awarded the Nobel Peace Prize has had a positive impact for the winners and their causes. The defenders of the prize, including the Nobel Committee itself, are also careful when talking about its influence. Lundestad (1999), has noted that a "determining impact on matters of war and peace would be far too strict a criterion for the importance of the Peace Prize. Even a limited influence on international politics should be celebrated as a victory". With this in mind, the paper will now, by using securitization theory, analyse the impact of the prize on the work of the ICBL.

The ICBL was awarded the Nobel Peace Prize in 1997, together with one of its main driving forces, Jody Williams, for their work on banning and clearing anti-personnel mines. Through the securitization lens, the ICBL can be identified as the securitizing actor, who is making the claim that antipersonnel mines are existential threats to civilians (the referent object). The Campaign was launched in 1992, as a voice for civil society pushing for change in government policies to end the suffering caused by landmines (ICBL 2018a). Thus, the relevant audience for the ICBL's securitization move is governments, that can adopt the necessary measures needed to abolish and clear landmines. As Jody Williams stated, in the beginning of the Campaign every government that they met with, "viewed the young campaign as a quixotic effort doomed to failure. Most people around the world – except of course those in countries contaminated by landmines – were completely unaware of the humanitarian problems caused by this weapon" (Williams et al. 2008, 181). Landmines were clearly an ignored problem in most parts of the world, and thus not recognised as an existential threat.

The ICBL gained some momentum, and at the negotiations of the Anti-Personnel Mine Ban Treaty in September 1997, 89 governments participated. However, several of these, including the US, indicated that they were unlikely to sign the treaty (Williams et al. 2008, 3). On October 10th 1997, only three weeks after the negotiations on the Mine Ban Treaty had concluded, the Norwegian Nobel Committee announced that the 1997 Nobel Peace Prize would be awarded to the ICBL and Jody Williams. The Nobel Committee expressed that 'mines maim and kill indiscriminately and are a major threat to the civilian populations and to the social and economic development of the many countries affected' and that the Committee "wishes to express the hope that the Ottawa process will win even wider support" (Nobel Peace Prize 2018d). Three months later, in Ottawa December 3-4th, 122 Nations ended up signing the Treaty, and with this number, the expectation of signatories were far exceeded (Williams and Goose 1998, 46).

There are clear indications that the recognition of being awarded the Nobel Peace Prize brought stature and weight to the ICBL, which enhanced its ability to press for signatories in Ottawa (Williams and Goose 1998, 46). Analysing this process from the lens of securitization theory, one can see that the ICBL, a relatively unknown actor, did not

initially have the required position of power needed to convince all in the relevant audience and create a successful securitization. However, as a Nobel Laureate they suddenly had a new international prestige as an actor and more legitimacy to their cause. One clear example of change in state behaviour that can be directly linked to the Peace Prize, is the decision of Japan to sign the treaty in Ottawa. In the early 90s, the Japanese government had argued that Anti-Personnel mines was indispensable for their national security (Adachi 2005, 398). In the 1997 negotiations of the Mine Ban Treaty, Japan supported and essentially mirrored the American position, and by the end of the negotiations, they thus seemed extremely unlikely to sign the treaty in Ottawa.

In the announcement of the 1997 award on October 10th, the Norwegian Nobel Committee stated that the award to the ICBL and Jody Williams would serve as a message to the world powers that did not intend to sign the treaty. Among other big powers, the Committee's chair singled out Japan by stating that, "I hope the Japanese government will change track and become a signatory" (Adachi 2005, 411). Not long after the announcement of the award, Japan's foreign minister publicly stated that the Japanese government would review their policy with the intent to sign the Treaty. In this statement he specifically mentioned that the Nobel Peace Prize had given new weight to the issue. Japan became a signatory to the treaty in Ottawa, and in the Nagano Winter Olympics few months later, ICBL's Chris Moon carried the Olympic torch into the opening ceremony of the games (Williams and Goose 1998, 46). Japan is thus a clear example of the immediate impact of the peace prize, as it contributed to the change in the government's policy towards the Mine Ban Treaty. Since the number of signatories in Ottawa far exceeded any expectations, there is reason to believe that Japan was not the only state impacted by the added stature the Nobel Peace Prize gave to the ICBL.

Furthermore, there were estimated to be 100 million un-detonated antipersonnel mines, in more than 60 countries, that injured at least 25,000 people each year (Nobel Peace Prize 2018e). An important part of the ICBL's work was therefore not just to bring about a mine ban, but also to work for mine clearance, mine risk education and survivor assistance. Funding for this action saw a massive jump in 1998, with two more years of double-digit percentage increases. Between 1992 and 1995 global spending averaged annually $64.7 million, in 1998 it reached $189 million and $309 million in 2002 (Krebs 2009, 600). The

massive increase in funding is again a sign that the 1997 award added new weight and attention to ICBL's cause.

There are still 32 non-signatories to the Mine Ban Treaty, including the US, China and Russia. During the award ceremony on December 10th, 1997 in Oslo City Hall, it was reported that several of the prominent guests in the audience were ambassadors from countries which produce landmines and did not sign the Treaty (NRK 1997). Although their attendance at the ceremony did not result in policy change, these states were at least present and exposed to the voices of the ICBL in a way that would not have been possible without the peace prize. Today, the ICBL continues to work for the implementation and universalisation of the Mine Ban Treaty. In this work, they openly use their prestige as a Nobel Laureate; the first thing visible on their web site, icbl.org, is '1997 Nobel Peace Prize Co-Laureate' (ICBL 2018a). Another concrete example of the use of their status as a Laureate, was in 2009 when the US, under the Obama administration, engaged in a comprehensive review of its landmine policy and position on the Mine Ban Treaty. On this occasion a letter was signed by 15 Nobel Laureates to urge the US administration to sign the Treaty. Jody Williams stated that, "We hope that President Obama, as a fellow Nobel Peace Laureate, will listen to our call to ban landmines and ensure that the US takes the necessary steps to accede to the Mine Ban Treaty" (ICBL 2010).

Although the US has yet to sign it, the Mine Ban Treaty is now one of the world's most widely accepted treaties with 164 state parties (ICBL 2018b). The momentum gained by the ICBL and the successful securitization of landmines, can as the section above has illustrated, be seen in connection to the Nobel Peace Prize and the recognition and prestige given to the Laureate. Thus, it seems clear that the attempt to securitize landmines stands out as a case where the Nobel Peace Prize did have an important impact; it legitimized and heightened the position of the ICBL, so that their securitizing move became successful.

Conclusions and Possibilities for Further Research

The paper has shown how the Nobel Committee hopes to have a political impact, and that it clearly did have a positive effect when awarding the 1997 Nobel Peace Prize to the ICBL. By using securitization theory, the paper has illustrated how the Nobel Peace Prize added new weight to the securitization move of the ICBL to ban landmines. As a relatively

unknown actor, the ICBL's work for a mine ban was impacted by the recognition that came with the prize. One can see a clear connection between the announcement of the award in October and the unexpectedly high number of signatories to the treaty in December, followed by the massive increase in funding in the years after. The 1997 Nobel Peace Prize thus stands out as a success story.

Ten years after the award to ICBL, The International Campaign to Abolish Nuclear Weapons (ICAN), was awarded the prize in 2017, for their work for drawing attention to the humanitarian consequences of nuclear weapons and their ground-breaking work to achieve a treaty-based prohibition of nuclear weapons. Geir Lundestad commented to Norwegian press that, "a coalition like ICAN resembles the landmine campaign, but they are likely to meet significantly stronger opposition. There have been several Nobel prizes awarded to the fight against nuclear weapons, so this is one of many prizes in this category" (NRK 2017).[2] In the case of nuclear disarmament, it thus seems that the Nobel Committee's recognition of the Laureates has less political impact. An interesting area for further research on the Nobel Peace Prize and its recognition of disarmament efforts, would therefore be to compare its effect on landmines, with the effect on the disarmament of other types of weapons. Importantly, when continuing this research one should always bear in mind that, "even a limited influence on international politics should be celebrated as a victory" (Lundestad 1999).

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[2] This quote is translated from Norwegian by author.

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Coercion, Exchange and Identity:
Analysing the International Monetary Fund as a Social Actor

Dilhan Salgado D'Arcy

There has been much academic debate surrounding the role of the International Monetary Fund in the international system. Some critics have labelled it a coercive body, representing the 'transnationalised ruling elite' while others have argued that it has made a positive contribution to the world and that its poor image is 'unjustified' (Taylor 2005, 129; Brau and McDonald 2009, 4). Clearly, opinions as to the IMF's role and intentions are polarised. However, while critics use specific examples and theories to illustrate their opposing arguments, I believe that they miss the larger picture. Instead of characterising the IMF by ascribing it a limited number of traits, the institution should be conceptualised as a product of its varied social relationships with member states. In this way, a deeper and more nuanced approach to the IMF can be developed, appreciating its role as a social actor contextualised in the inherently social environment of the international system. This approach highlights how the IMF is not defined by intrinsic characteristics, but rather by its dynamic social relationships with member states, allowing it to mediate relationships between agents and uphold the social infrastructure of international political economy.

Philip Cerny argued that all human relationships are made up of three elements: force, exchange and identity-culture (Cerny 1993, 3). By taking Cerny's argument, I aim to demonstrate how the IMF mediates social relationships in the international system by upholding these three elements. First, I will highlight how the IMF does hold coercive power over its member states despite having no military capacity. Second, I will show how the IMF also relies on a system of consensual exchange with the states it works with, trading loans and knowledge for liberalising reforms. Lastly, I aim to demonstrate that the IMF has constructed its own identity as a moral force, helping to legitimise its actions and bolster the hegemony of the neoliberal economic system.

Interpreting the IMF as a social actor gives important insights as to the nature of the institution and the context in which it exists. As argued by Alastair Johnston (2001, 491-492), most theories in International Relations are flawed as they ascribe 'universal characteristics' to agents without examining the social context in which they operate. This means that the complex nature of agents is reduced to a select few observable traits

(Johnston 2001, 491). However, interpreting the nature of agents as constructed by their relationships with other agents (as opposed to a set of perceived pre-existing characteristics) allows us to understand and analyse them in much greater depth. Nicholas Onuf eloquently summarised this perspective, arguing that 'social relations make or construct people – ourselves – into the kinds of beings we are' (1998, 59). Analysing the social relations between the IMF and member states using Philip Cerny's model of relationships, allows the 'kind of being' the IMF is to be explored in a way that supersedes reductive characterisations of it as a wholly positive or negative force in the world (Onuf 1998, 59). As a social actor engaged in social relationships, the IMF has the capacity to be both, neither and everything in between. In this way, a deeper and more nuanced understanding of the IMF can be developed, highlighting how it navigates the social environment of the international system to legitimise its power, and influence global governance in a number of pervasive ways.

The International Monetary Fund was established as a part of the Bretton Woods Agreement in 1944, as an institution designed to promote monetary cooperation, facilitate the growth of world trade and to correct 'maladjustments' in international prosperity (Ainley 1979, 1). As a non-state actor, the IMF has no military power to force states to cooperate or do its bidding. However, the institution has nonetheless consistently used coercive power as a tool in its interactions with states. If we take Cerny's argument that force is one of the three elements that constitute social relations, the IMF's role as a social actor becomes apparent, as it has often used coercive power as a means to mediate its relationships with member states (Cerny 1993, 3).

Although it has been noted that the IMF has the power 'to impose conditions on its lending' and can 'impose sanctions on countries that need its assistance', some critics argue that the IMF's loans do not entail coercion (Ainley 1979, 61, 52). For example, Brau and McDonald (2009, 7) point out that countries voluntarily take out IMF loans and follow its advice, as they generally believe it is in their best interests to do so. This perspective, however, overlooks instances in which the IMF has used threats, withdrawal of aid and its position of influence in the international system to coerce states into accepting its demands. By highlighting the constraining nature of the international system, it becomes clearer, that coercion is indeed a tool that the IMF uses in its social relationships with

member states, albeit one that may sometimes masquerade as mutual cooperation and free will.

An example of a state that the IMF has coerced, and continues to do so, is Sierra Leone. The Sierra Leonean government took out IMF conditional loans as a part of the institution's Poverty Reduction and Growth Facility, which require the implementation of economically liberalising policies (Hanlon 2007). These policies have lowered public sector pay, halted the expansion of health and education services and cut security spending, prioritising macroeconomic stability over the social wellbeing of Sierra Leonean citizens (Hanlon 2007). To overlook all sense of agency on the part of Sierra Leone in this situation would be an error. Indeed, conceptualising the country as a powerless victim of the international system may contribute to the problematic perception of states in the Global South as 'objects' of international politics (Sabaratnam 2011, 785). However, it would similarly be an error to ignore the international social context in which this action took place; a context that the IMF was able to manipulate to try to enforce its economic reforms. For instance, all aid from Britain, the largest foreign donor to the country, is dependent on the government of Sierra Leone remaining 'on track' with the IMF's reforms (Hanlon 2007). For a developing country, still struggling with the ongoing social, economic and political effects of its long and brutal civil war, the termination of aid from its largest foreign donor is, no doubt, an unattractive prospect.

The IMF doesn't only use other states as a way to enforce its demands; the institution itself has the capacity to threaten developing countries directly by terminating its financial assistance if its demands are not met. Most recently, the IMF stopped aid payments to Sierra Leone because the government failed to remove subsidies on rice and fuel, based on considerations for the welfare of its people (Chan 2018). On the one hand, this shows Sierra Leone's autonomy in choosing to reject IMF demands due to its perceived national interest. On the other hand, it highlights the willingness of the IMF to hold states to ransom if they do not implement its neoliberal reforms. Regardless of its future outcome, this situation highlights a strong element of coercion in the IMF's social relationships with its member states. This use of coercive influence may partly explain how the IMF exercises power despite its lack of any military capacities, thus coercing 'many developing countries into taking the neoliberal road' (Harvey 2007, 92). Although the case of Sierra Leone shows

how small member states can attempt to resist IMF coercion, it is clear that the IMF uses threats, its relations with foreign donors and withdrawals of aid to hold power over member states. Accepting that force is a key element in all social relationships, the IMF can be interpreted as a social actor, its interactions and relations with states mediated by coercive power and influence.

The second of Cerny's three elements of social relationships is exchange (1993: 3). Indeed, by analysing some of the more successful IMF programs, it becomes clear to see that there is a strong element of mutual and reciprocal exchange mediating its relationships with states. Of course, that is not to say that coercion is not similarly a tool used by the IMF, as illustrated by the case of Sierra Leone. However, an excessive focus on the more coercive aspect of the IMF's social interactions risks ignoring incidents of largely consensual and mutually beneficial exchange. By acknowledging the IMF's use of both force and exchange in its interactions, the debate as to whether it is a positive or negative force in the international system can be opened up, showing the IMF as a social actor, using a variety of means to influence states, with the potential to produce notably different outcomes.

One country that has benefited greatly from its relationship with the IMF is Poland. After the dissolution of the communist government in Poland in 1989, the Polish economy was in a dire situation, suffering from stagnation, rapid inflation and a vast amount of external debt (Lane et al. 2009, 44). As a result, the new Polish authorities cooperated with the IMF, implementing a stabilisation program and putting together a 'strong economic team' to carry out liberalizing reforms (Lane et al. 2009, 45). As a direct consequence of the IMF-backed reforms and the economic assistance it provided, Poland's economy improved much more than expected and was 'put on the road to becoming a stable market economy' (Lane et al. 2009, 53).

Like Sierra Leone, Poland's decision to seek IMF assistance was made in a social context of constraints and limitations. Taking the realist assumption that the goal of every state is to 'maximise its share of world power', Poland's failing economy and an indebtedness may have influenced it to cooperate with the IMF, preventing its perceived decline in the international system (Mearsheimer 2001, 2). However, unlike Sierra Leone, that rejected the IMF's demands and felt the brunt of its coercive power, Polish authorities

demonstrated an overwhelming willingness to implement the IMF's reforms. For example, the Polish government began to implement the IMF's liberalising economic measures 'immediately' with Leszek Balcerowicz, the former Deputy Prime Minister of Poland, commenting that '[he] never blamed the IMF for tough measures necessary to stabilize the Polish economy' (Lane et al. 2009, 45; Balcerowicz 2009, 60). This strongly indicates that the IMF's relationship with Poland was largely based on voluntary adherence and consensual exchange. The international environment may have motivated Poland to seek assistance, but Polish authorities were willing, if not enthusiastic, to trade some of their sovereignty for the IMF's advice, investment and the resultant benefits of the country's economic recovery.

By analysing the case studies of Sierra Leone and Poland, it becomes apparent that coercion and exchange are both tools that the IMF uses to mediate its relationships with states. Furthermore, these tools should not be viewed as opposites. Coercive power and exchange, although applied in different measures for different situations, both rely on the mutually enforcing and interdependent nature of structure and agency in the international system. The cases of Poland and Sierra Leone both illustrate the interplaying notions of structure and agency, reciprocal exchange and coercive power in the IMF's relations with member states. Taking Nicholas Onuf's view that social relations make agents what they are, the IMF emerges as a complex actor, utilizing elements of both coercion and exchange to influence its member states in accordance with its neoliberal ideals (1998: 59).

The third element that Cerny argues is key to social relations is identity and culture (Cerny 1993, 3) According to this perspective, social relations are dependent on the relative identities of actors and the culture(s) in which they operate. By analysing the language used by the IMF to legitimise its role and actions in the international system, it is possible to see how the institution has constructed its own identity as a moral agent while simultaneously upholding the dominance and hegemony of neoliberal norms on a global scale.

E.M Ainley (1979, 61) highlights how the IMF is 'heavily reliant on moral suasion' in order to influence states. Indeed, the moralistic language used by the IMF to present its international image is difficult to deny. For instance, the IMF describes its work as 'giving

practical help to member countries', that it 'advises' policy adjustments, and that it 'actively promotes good governance' (International Monetary Fund 2018). It goes without saying that these lexical choices are deliberate. By positioning itself as a helpful, practical, advisory body, the IMF carefully constructs its image, contributing to a sense of moral authority that mediates its interactions with states.

Ian Taylor took particular issue with the IMF's social construction of 'good governance'. He argued that the IMF has constructed notions of 'good governance' as an attempt to support the hegemony of neoliberal economics, so that neoliberal reforms are seen to be 'common sense' instead of ideologically driven demands (Taylor 2005, 124, 134). Taylor's argument is not without its flaws. His assertion that IMF reforms are presented as in the interest of the wider populace while really being the interests 'of a transnationalised ruling elite', ignores cases where entire populations have benefited from IMF cooperation, such as in Poland (Taylor 2005, 129). However, Taylor does shed light on one important phenomenon: the social construction of identity and 'reality' through language. By portraying itself as a moral actor and presenting its own particular notion of 'good governance' as common sense, the IMF has been able to construct its identity in a way that not only legitimises its own actions but also legitimises the broader framework of neoliberal hegemony which it operates in and perpetuates. Therefore, if identity and culture mediate social relations, then the IMF has used them expertly in its interactions with states. It has constructed its own identity in a way that legitimises its actions and simultaneously upholds the hegemonic culture of neoliberalism.

This essay has attempted to present the case that the IMF is an actor constructed by its social relations, using Cerny's notions of force, exchange and identity-culture to mediate these relationships and interactions with member states. I have used the case studies of Sierra Leone and Poland to demonstrate that the IMF has used elements of both coercive power and consensual exchange in different measures to influence the decisions of states and help shape the world in accordance with its neoliberal agenda. Furthermore, by analysing the discursive practices of the IMF, the institution's ability to use its socially constructed identity to legitimise its actions becomes clear. This essay has also made a concerted effort to move away from the narrow and reductive debate over whether the IMF is a wholly positive or negative force in the world. Both perspectives wrongly ascribe

'universal characteristics' to the IMF while ignoring the complexities and diversity of the IMF's social relationships with member states (Johnston 2001, 492). Interpreting these relationships as what defines the IMF instead of ascribing it a limited set of characteristics, allows for a broader and more nuanced understanding of its role. The IMF's relationships with member states, mediated by coercion, exchange and identity-culture, grant it an influential place of privilege in the international system, used to produce and reproduce neoliberal hegemony and its varied subsequent effects. This approach shows the IMF to be a complex social actor reflecting the equally complex, diverse and dynamic social environment in which it exists.

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Bridging Local and Global:
Scotland and International Climate Governance

Ronan McLaughlin

On 15th November 2017, leader of the Scottish government, First Minister Nicola Sturgeon, addressed the United Nations Framework Convention on Climate Change (UNFCCC) 23rd session of the Conference of the Parties in Bonn, Germany (Keane 2017). Speaking at a High Level Plenary session on behalf of states, regions, and devolved governments around the world (United Nations Climate Change 2017), the First Minister reiterated her concern for the consequences of climate change, spoke of Scotland's commitment to ambitious emissions reduction targets and emphasised her government's participation in international partnerships and transnational institutions designed to address such environmental issues (Scottish Government 2017).

While nothing particularly remarkable was revealed by the words of the speech alone, the fact that such a speech was organised, and that Nicola Sturgeon, as the First Minister of Scotland, was asked to deliver it, reveals important trends in the conduct of international relations, the global governance of climate policy, and the status of the Scottish government as an actor in this area.

Changing patterns of authority and the diffusion of authority to sub-state and non-state entities is a key feature of contemporary study of International Relations, and the policy domain of climate change is an area in which this observation is considered especially salient (Hickmann 2017 430). Global environmental governance is seen as "multi-actor, multimodal and fragmented" (Bulkeley 2015, 6), and it is within this porous space that the sub-state administration of Scotland has built a strong international reputation (Imrie 2017).

In light of these observations, the speech discussed above can therefore be considered illustrative of the contemporary extension of the conduct of international affairs from the previously exclusive realm of nation states. It also represents the acknowledgement of the relevance of state, regional and devolved governments in the global management of

climate change and demonstrates the international recognition which is accorded to Scotland in relation to these issues.

This paper seeks to address why and how Scotland has cultivated such international recognition, despite its small, sub-state and non-sovereign status, and contends that this case illuminates the contemporary intertwining and interdependence of local and global issues, as a phenomenon made possible by entrenched globalisation. To examine this claim, it is necessary to first explore the global management of climate change generally, before considering sub-state actor penetration into this international domain. It is then pertinent to outline the relatively brief history of Scotland as a sub-state administrative entity, and the domestic political factors relevant to the question at hand. Here, focus is placed on the objectives of the governing Scottish National Party (SNP), whose time in office since 2007 corresponds with advances in Scotland's activism on climate issues (Mcewen & Bomberg 2014, 70). The final section will then explore Scotland's environmental policy in more depth, the mechanisms by which the government has become recognised in this area, and for what broader aims it seeks to build and capitalize upon such recognition.

Sub-state Administrations in Global Climate Governance

Recognising the dangers presented by climate change and environmental degradation generally, states have since the early 1970's been negotiating and implementing various multilateral treaties and agreements which aim to address these issues, often through a framework coordinated by the United Nations Environment Program (UNEP) (O'Neill 2017, 6). This process is typically termed 'global climate governance' and is defined by Bulkeley (2015, 7) as "a set of actors, institutions, arrangements, interventions and instruments that together - because of their distinct qualities - can be taken to represent the governance of a particular domain that we have come to know as climate change". The *Paris Agreement* adopted by 195 states in December 2015 is a key recent example of interstate global climate governance (Hickmann 2017, 430) which seeks to strengthen international responses and commits parties to limiting future global temperature rises (Paris Agreement 2015).

However, while states may be the most important figures in the conduct of global environmental politics, the significance and increasing influence of other actors in this domain is well-recognised (Chasek, Downie & Brown 2010, 53). This is particularly the case as, given the complexity of global challenges such as climate change, engagement with new actors and alternative forms of governance is seen as essential to responding effectively (Bulkeley 2015, 6). In this respect, intergovernmental organisations, nongovernmental organisations, and multinational corporations all play increasingly prominent roles in setting global environmental agendas, mediating negotiations, and shaping policy (Chasek, Downie & Brown 2010, 53). Finally, among the diffuse range of institutions and organisations involved in global climate governance, regional and sub-state engagement is also extensive.

It can be said that sub-state actor engagement in this area is driven by both necessity and opportunity. As the range of issues requiring negotiation at an international level has increased, many policy domains falling under the authority of sub-state administrations have acquired international significance (Hocking 1986, 479). In areas, such as the environment, where authority is shared between central and sub-state governments, and where sub-state administrations are typically accountable for the implementation of agreed proposals (Galarraga, Gonzalez-Eguino & Markandya 2011, 168), the idea of international negotiation as the exclusive realm of central governments has weakened (Hocking 2986, 480). Added to the fact that sub-state authorities have closer proximity to citizens and are thus able to tailor policy to better fit local contexts (Galarraga, Gonzalez-Eguino & Markandya 2011, 168), the necessity of their involvement in global environmental governance is clear. However, Lecours also highlights that, as a consequence of structural changes in world politics, sub-state administrations are now presented with significant opportunities for action (2002, 96). Many international organisations today also accept sub-state actors as members or allow space for their involvement, such as in the European Union through its Committee of Regions (Lecours 2002, 99), and there has been a recent proliferation of inter-regional networks and relations between regions and external states (Lecours 2002, 103). Such developments therefore provide sub-state entities opportunities to become involved in the global governance of climate change through organisations such as the Network of Regional Governments for Sustainable Development (Mcewen & Bomberg 2014, 69).

In a manner that mirrors trends in international relations generally, it is therefore clear that global climate governance is an international domain which is increasingly penetrated by a diverse range of actors other than states. Sub-state administrations are particularly important in this respect, owing to both the necessity of their involvement, and the abundance of contemporary mechanisms which facilitate engagement.

Scotland's Domestic Context

As a sub-state administrative body, the Scottish government was established by the 1998 Scotland Act (Scotland Act 1998). Under this Act clear distinctions were made, granting a parliament elected in Scotland wide-ranging powers in many areas whilst control of some issues remained reserved to the British government based in London (Scotland Act 1998). Hereafter, Scotland became "a partially autonomous region and constituent nation of the United Kingdom with devolved government" (Neal 2017, 9). In 2007, the first pro-independence Scottish National Party (SNP) government was elected (Imrie 2017), and thereafter, much of the policy designed and implemented in Scotland was undertaken with a view to the ambition of eventual statehood, and in many cases went beyond that typically considered within the remit of sub-state administrations (Neal 2017, 11). A key example can be found in Scotland's international development program which was greatly expanded in scope and ambition and was given greater financial backing by the first SNP government (Scottish Government International Development n.d.). Such initiatives are not activities typically undertaken by sub-state governments, and they therefore play a role in demonstrating Scotland's credentials as a potential sovereign state (Neal 2017, 11). On 14th September 2014, Scotland voted in a referendum on the question of separating from the United Kingdom and becoming an independent nation state (Kaarbo & Kenealy 2017, 22). While Scots rejected independence by a margin of more than 10% (BBC News 2014), the vote is important to the discussion here in that it provided an occasion for the presentation of Scotland as a potential independent state and for the Scottish National Party to develop the vision it had been working towards while in government (Kaarbo & Kealey 2017, 25). Despite the decision to remain part of the United Kingdom, constitutional questions and separatist ambitions have remained central to Scottish politics. This was demonstrated in the UK-wide general election of 2015, in which the SNP claimed all but three constituencies in Scotland (BBC News 2015), although this success

was not repeated to such a dramatic degree in the following general election held two years later (BBC News 2017). As such, Scotland can be described as a sub-state administrative entity in which separatist politics are of significant importance and in which the pro-independence ambitions of the governing party have a considerable impact on policy.

Climate Change and the Environment in Scotland: Domestic Ambition, International Recognition

In considering Scottish policy and global climate governance it is necessary to first outline the policies and initiatives by which Scotland became an internationally recognised actor in this area. The objectives of such policy will then be explored, examining the question of national image and public diplomacy, and in particular, how efforts to increase the visibility of Scotland as an international actor relate to ambitions to be seen as an independent entity, distinct from the United Kingdom.

It is since 2007 and the establishment of the first SNP government that Scotland has begun building a strong international reputation in its efforts to address climate change (Mcewen & Bomberg 2014, 70). The Climate Change (Scotland) Act 2009 was a key feature of this process which received attention for both its ambition and the fact that it was passed unanimously by parliament (Imrie 2017), showing strong consensus on climate issues across party lines in Scotland. The Act set out provisions for the reduction of Scottish emissions by 80% by 2050, with an interim reduction target of 42% by 2020 (Climate Change (Scotland) Act 2009). The legislation was widely celebrated by organisations campaigning on climate change issues who considered it important as it demonstrated a willingness to set targets unilaterally, without the precondition of other governments adopting similar measures, something which was in contrast to the positions of many other developed countries at the time (Imrie 2017). The publication of the act coincided with an important international climate summit taking place in Copenhagen (Imrie 2017). While not invited to the summit by the UK delegation, First Minister Alex Salmond attended as part of the NGO forum and joined with the leaders of other sub-state administrations such as Quebec and California to highlight the progressiveness of their climate change policy in comparison to the actions being taken by sovereign states (Imrie 2017).

Moreover, the Scottish government has also developed initiatives such as the Climate Justice Fund (CJF), a program launched in 2012 with the stated ambition to assist the poorest and most vulnerable countries in tackling the effects of climate change (Scottish Government International Development n.d.). Between 2012 and 2017 the fund contributed to projects in Malawi, Zambia, Tanzania and Rwanda, and there are provisions to expand the initiative in the future (Scottish Government International Development, n.d.). Finally, the Scottish government has also participated in the United Nations Sustainable Energy for All (SE4ALL) programme which seeks to advance the provision of sustainable energy around the world (SEFORALL: Our Mission, n.d.). The European launch event for this initiative was held in Glasgow, Scotland's largest city, during which Dr Kandah Yumkella, chief executive officer of SE4ALL, commended Scotland for its commitment to renewable energy at home and abroad (Imrie 2017). It is therefore clear that the Scottish government has cultivated an international reputation as an important actor in international climate governance through a combination of ambitious domestic emissions reduction targets, cooperation with other sub-state actors, initiatives to help developing states tackle climate change issues, and participation in global initiatives and organisations.

With limited authority to conduct foreign policy, according to the terms of the Scotland Act 1998, the Scottish government has given great attention to the practice of public diplomacy and nation branding abroad. Criekemans (2010, 41) explains that Scottish leaders attempt to advance an image of the country as a "traditional nation with a strong cultural identity, yet also one that stands at the forefront of intellectual and economic innovations". In addition to the idea of Scotland as an innovative nation, Keating (2016, 183) highlights that there is also "an emphasis on Scotland's progressive credentials and contribution to democracy and liberalism". Scotland's role in global climate governance is clearly a central aspect of this, by seeking to be a leader in advocating action against climate change and the development of renewable technology, the Scottish government attempts to portray a positive image of the nation as a good global citizen (Keating 2016, 184). Further evidence of this approach can be found by analysing documents produced in the months prior to the independence referendum. The publication produced by the Scottish government titled "*Scotland's Future: Your Guide to an Independent Scotland*" sets

out a vision of an independent Scotland as "a champion for international justice and peace" (2013, 201), with a global role in the fields of "international development, human rights, climate change and climate justice" (2013, 225). Developing an image as a key actor advancing efforts to combat climate change and environmental issues internationally can therefore be seen in relation to the Scottish Government's overarching aim of separation from the United Kingdom and independent statehood. By branding itself in such a way, the Scottish government has cultivated both an identity for Scotland as an international actor and sought to highlight its credentials as responsible and even desirable member of the international community.

Conclusion

Global climate governance is today a domain which is highly penetrated by sub-state administrative organisations. This is a phenomenon driven by entrenched globalisation as the ever-increasing range of issues requiring international negotiation necessitates sub-state involvement and as the proliferation of international relations and institutions provides opportunities for their further engagement.

While global climate governance is an area in which the role of sub-state administrations is salient, among such actors Scotland stands out as particularly prominent. This is a position which has not been arrived at coincidently, but which has been cultivated since 2007 by a pro-independence government which has sought to capitalize on the opportunities provided by contemporary globalisation to advance the international visibility of Scotland, and its recognition as a pioneering actor in the fight against climate change and environmental degradation.

What is of particular note in this case therefore, is the possibility to identify an interchange between two issues which operate on seemingly unrelated levels; climate change as a manifestly international concern and Scottish nationalism as an issue linked to a defined, small, geographical territory. In Scotland policy undertaken by the government to address climate change and promote renewable energy world-wide, has to a large degree also served nationalist aims and was even in many cases driven by such objectives in the first instance. This is a process which was only made possible by encompassing and entrenched globalisation. Without the mechanisms to engage with other state and sub-

state actors, and to make itself internationally visible in the campaign against climate change, Scotland's efforts to address the issue would largely have failed to also serve its nationalist ambitions.

The role of Scotland in global climate governance therefore illuminates a striking feature of contemporary globalisation, demonstrating in a particularly evident way the modern intimacy and interdependency between global and local concerns.

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Terrorism and the International Criminal Court

Sarah Gambrall

Introduction

The defining of aggression, and who could perpetrate such acts, never proved more difficult than at the onset of the International Criminal Court (ICC). The Rome Statute, which outlines the role of the court and the 'core' crimes that are to be prosecuted within its jurisdiction, entered into force on 1 July 2002 (Rome Statute 2002). Those crimes include genocide, war crimes, crimes against humanity, and the crime of aggression which was not agreed upon until 2010 following extensive research into what constitutes a crime of aggression. Further research into these crimes and claims about which international violations fall within them has been a cause for many debates, both in academia and in the day to day operations of the ICC. The scope of this essay is, therefore, not to come to a definitive answer on whether or not terrorism should be added as a core crime, but whether or not terrorism by non-state actors can theoretically fit into the already existing category of a crime of aggression. It is important to note here that, as the law currently stands, the crime of aggression can only be applied against states. However, this fact this should not stop us from attempting to further progress discussions regarding the international legal order and who falls within its jurisdiction. In order to accomplish this the theoretical argument must be invoked that terrorism by non-state actors can conceptually fall under 'aggression' and that the need to have a requirement of 'scale' goes against the principles of the international system, which is to ensure global peace and stability.

In order to better describe this theoretical argument regarding the concept of aggression, it is at first necessary to briefly discuss the accepted international definition of the term. Once there is an understanding of the term 'aggression', then the next step is to determine where non-state terrorist actors fit into the prescribed definition in the field of international law. This section will focus on specific instances where the term 'aggression' has been used in describing terrorist acts committed on a global scale by non-state entities. After further analysis of aggression, with regard to terrorism, is conducted then it is necessary to describe the theoretical implications of using 'scale' as a necessary requirement to determine whether an act can be deemed aggressive. The theoretical

argument that will be invoked involves coming to the realization that using 'scale' as a requirement, which often negates terrorism from falling under aggression, creates a sense that the international legal system is ready to forfeit its understanding of its posited duty to ensure peace and stability globally. The theoretical implications will focus on a natural law argument regarding what the inclusion or denial of labelling terrorism and subsequently terrorist organizations, as a crime of aggression under ICC jurisdiction, will mean for the future of the global constitutional order.

Aggression

Aggression *prima facie* seems easy to define, but in reality, most individuals will vary in their response when asked what constitutes an act of aggression. The actors within the international system were no different in this regard. Aggression first appeared in international law following the end of World War II (WWII) and it became one of the central tenets for the creation of the Nuremburg International Military Tribunal (Bassiouni and Ferencz 2008, 207-209). However, it took until 2010 to finally adopt a legally binding definition of the crime of aggression at the Kampala Conference (Bassiouni and Ferencz 2008, 209). The crime of aggression differs from defining aggression as an act outright, which was done in 1976 by a General Assembly resolution. Resolution 3314 defines aggression in Article 1 in the following manner: "Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition," (G.A. Res. 29/3314 1974). If this definition looks and sounds familiar that is because it is the same definition on which the parties to the Kampala Conference based their definition of the crime of aggression nearly 36 years later. This exact definition was inserted into article *8bis(2)* under the crime of aggression that is within the scope of the ICC's jurisdiction as laid out in the Rome Statute. It has been stated that perhaps the reasoning behind inserting this excerpt, verbatim, is due to the fact that it made it easier for all delegates to get behind considering it already had United Nation support (Kostic 2011, 118). Article *8bis(1)* offers something new to the requirements and understanding of the crime of aggression which will be the main focus throughout this essay's analysis.

Paragraph one states that: For the purpose of this Statute, "crime of aggression" means the planning, preparation, initiation or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations," (U.N. Res. RC/Res.6 2010). This addition to the crime of aggression within the Rome Statute opens up a discussion about who can actually perpetrate an act of aggression and whether or not meeting the requirement of 'scale' violates natural legal rights that are inherent in every human being. Now that there is an understanding of the prescribed definition of the crime of aggression under ICC jurisdiction, the theoretical case can be made for expanding this definition in order to ensure global peace and stability. It is this essay's goal to show how terrorist organizations can effectively meet the criteria laid out in this prescribed understanding of the crime of aggression within international law. Article *8bis(1)*, unlike the initial GA resolution defining aggression, actually helps us form a plausible argument for allowing the ICC to hold jurisdiction over non-state terrorist organizations which will be outlined in the following section.

Article *8bis(1)* and Terrorist Organizations

Currently, according to the prescribed definition, only states can be held responsible for crimes of aggression within the ICC's jurisdiction, subsequently leaving the prosecution of terror related acts of aggression within the hands of domestic jurisdictions. Aggression, as stated previously, may have multiple different prescribed definitions, but when it comes to a natural law understanding of this term it is difficult to deny that the elements of non-state terrorist attacks do not constitute an aggressive act. Let us consider the first element within article *8bis(1)*, "…"crime of aggression" means the planning, preparation, initiation or execution, *by a person in a position effectively to exercise control* over or to direct the political or military action of a State." . The first question to ask here is how does an outside party determine if an individual exercises "effective control" over a state and is this requirement not a political tool that could be used to another state's advantage when considering unauthorized intervention? Planning, preparation, initiation and execution are all elements that terrorist organizations meet the requirements for an act to be deemed a crime of aggression.

For instance, Al Qaeda conducted considerable planning and preparation in order to execute the 9/11 attacks on the World Trade Centers that spanned all the way back to the early 1990's. They operated in a fashion similar to that of a state's government agencies in the way they conducted years of intelligence and counter-intelligence gathering in order to successfully execute an attack of that magnitude (Ilardi 2009, 175-181). Therefore, it can be understood that non-state groups easily fulfil the first element of the ICC's 'crime of aggression' definition and, in regard to the requirement of "effective control", it can be argued that Al Qaeda held considerable political control over their region, especially after the "success" of 9/11 (Ilardi 2009, 181). The term 'effective' leaves room for interpretation because it could easily be said that al Qaeda, and more specifically Osama bin Laden, did exert effective control over Afghanistan because he persuaded the Taliban not to hand him over to the United States government. In other words, bin Laden 'effectively' evaded capture while still maintaining control over his followers in order to advance a political agenda of non-western intervention in the Middle East. The case for *de facto* control that al Qaeda had over the region can be seen in the way this organization's political beliefs spread and eventually became the basis for the non-state terrorist organization stronghold that ISIS has now become. The main takeaway from this point is that the requirement is to have political *or* military control over a state, not both, and Al Qaeda clearly emulated political power over the Middle East showcased by the war that ensued after the 9/11 attack.

It is considerably less difficult to make a case for the aforementioned elements of article *8bis(1)* and the idea that non-state terrorist groups can fall into this category, but when these groups then have to meet the conjunctive requirements of character, gravity and scale it becomes more about making a theoretical argument regarding crimes of aggression. There is no denying that the attack on 9/11 is one of the easier terror related incidents to make a claim for a crime of aggression falling under ICC jurisdiction, specifically when considering the United Nations Security Council declared it to be an "act of aggression," (SC/RES/1368 2001). This then warranted a right to self-defence, which allowed the United States to enter Afghanistan 'legally.' It is important to note here that an "act of aggression" differs from the "crime of aggression" because in any context certain acts can be deemed aggressive, but that does not warrant ICC jurisdiction. For example, in domestic jurisdictions violent offenders would inevitably be seen as aggressive towards

their victims, but there are specific terms used such as 'aggravated assault' or 'murder in the first degree' that allows domestic courts to have jurisdiction to try these aggressive acts accordingly. Therefore, 9/11 was deemed to be aggressive in its very nature, but not within the confines of a crime of aggression barring the understanding that 9/11 took place before the Rome Statute entered into force.

The elements of character, gravity and scale were fulfilled in the 9/11 attack, which is presumably why the term aggression was used in the first place. There is no question regarding the character of the attack. It was headed by Osama bin Laden against the United States in order to inflict as much possible damage to the civilian population in pursuit of political and, some would say, religious ends (Muhammadin 2015). Gravity and scale were also fulfilled by this incidence of non-state related terrorism in light of the execution of bin Laden's plan. This organization successfully took down the World Trade Centers, killing nearly three thousand people and leaving many others with physical or emotional scars for life. It is easy to see how, if the ICC and the crime of aggression were in effect, this particular aggressive act could have fallen within its prescribed jurisdiction. The requirement to fulfil the elements of gravity and scale become difficult when considering non-state terror organizations outside of this isolated event. Scale more so than gravity because an argument can be made that the entire essence of terrorism is to incite "terror" within the population, therefore the requirement of gravity could be fulfilled via psychological arguments regarding the notion of "terror effect." This psychological term describes how fear spreads escalating the gravity of these smaller events (Rapin 2009). Fulfilling the requirement of scale, on the other hand, requires a theoretically based discussion.

Natural Law: Stoic Philosophy

What is clear, following this analysis, is that it is possible to fit non-state terrorist organizations within the conceptual framework prescribed under the ICC's jurisdiction regarding the crime of aggression in isolated incidences such as 9/11. The next step is to then make this definition applicable to all non-state terrorist organizations and events by providing a plausible theoretical argument regarding the requirement of 'scale'. In order to convey this natural law argument, it is necessary to give a brief overview of the Stoic philosophy surrounding the term "*Cosmopolis*", which states that domestic laws should

always come second to a higher, or international, law (Nalbandian 2007, 171). This is because everyone shares common traits of "humanness" or simply put these 'higher' laws apply to everyone due to traits all humans share in their natural form. The Stoics, similar to many Greek philosophers regarding domestic legal orders, are relevant today because of the way their original ideas can be linked to current trends in international law and global governance more generally. The requirement of 'scale' for a crime of aggression to fall within ICC jurisdiction undermines the Stoic natural legal principle because by defining aggression in a way that requires scale it puts certain lives above others within international law. To clarify, only lives lost in mass non-state terror events (i.e. 9/11) matter to the criminal legal system of international law, while in smaller events, which are more frequent, not enough lives are lost in one single event to justify intervention by the ICC.

This directly contradicts what international law is setting out to do in ensuring peace and stability, but it is also forfeiting any understanding of the Stoic philosophy that there are common traits that all individuals have for being part of humanity. It would be a difficult case to make that one of those common traits is not proper adjudication of a crime that sought to instil 'terror' in humanity on a global scale. Using 'scale' places the value of certain lives above others in international governance, therefore sending a signal to non-state terror organizations that as long as they keep their crimes restricted to frequent and a small number of casualties they will never be tried by the ICC. For instance, the EQB has perpetrated numerous attacks against Israel in times of "non-conflict" in the region but they have yet to satisfy the 'scale' requirement because, while the attacks have been frequent, only a few lives have been lost in each non-state terror event.

Furthermore, to stick with the theoretical argument-based trend, it is necessary to picture what a crime of aggression would look like by a non-state terrorist organization outside of the exception that was 9/11. As mentioned, to be deemed a crime of aggression, the event must meet all three requirements of character, gravity, and scale; but for the time being, let's set aside the requirement that aggressive acts only apply to states. A hypothetical, non-state terrorist organization is operating within the United States, but has cells in a multitude of countries and they carry out an attack simultaneously in the U.S., U.K. and Germany. The requirement of character is met because evidence came to light that it was

planned and executed by a group hoping to instil fear in pursuit of political goals. After character is met then the requirement of gravity comes into question, which is subsequently met because as discussed previously the intent was to psychologically instil fear globally leaving many to wonder if and when another attack is coming. Finally, the requirement of scale comes into question, but when considering the current international law this would also be met because this group strategically planned their attacks to commence simultaneously and killing 1,000 civilians in each country. This is, of course, hypothetical but it is a plausible scenario where the current understanding of the crime of aggression, as only being related to states, would need to be reconsidered.

Conclusion

At the outset of this essay, it was suggested that perhaps the international legal order needs to do away with the requirement of 'scale' regarding crimes of aggression, which when considering the Stoic natural legal philosophy surrounding "*Cosmopolis*" this argument holds validity. However, there are a few details that international actors must acknowledge first, the most pertinent one being that a definition regarding the crime of aggression must be agreed upon to include non-state terrorist entities. However, even before this can be dealt with, an agreed upon and prescribed definition of terrorism must exist. Non-state terrorist organizations, if anything, are shaping major debates within international law and global governance more generally. They have become particularly relevant in discussions over ICC jurisdiction, but clear and concise guidelines must be drawn up for the ICC on how to adjudicate non-state terrorist organizations under the umbrella of a 'crime of aggression' as to not allow this judiciary body too much power. Non-state terrorist organizations are shaping present day debates within international law, but there is potential for grave implications in keeping scale as a requirement when considering natural legal traits that all individuals share as part of humanity.

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Assessing the Role of the International Renaissance Foundation in Governance of Ukraine

Iuliia Drobysh

Many would argue about the controversial nature of national revolutions in Ukraine in 2004 and 2014. On the one hand, it was seen as an important awakening of the long-dormant Ukrainian civil consciousness. For this reason, some refer to the revolutions as the 'birth' of the Ukrainian nation and the new beginning towards democracy (Soros 2014). On the other hand, both revolutions caused considerable anxiety regarding its ripple effects in the post-Soviet space (RIA News 2017). Interestingly, in both views, the phenomena brought a new figure to light: George Soros and his involvement in several revolutions (Vetrov 2017). In particular, Soros was portrayed as a scapegoat by Russian media, being blamed for financing and staging the Colour revolutions. In turn, Ukrainian civil society was accused by some of having been *bribed* to partake in the governmental overthrows. An alternative view saw the Ukrainian revolutions as the natural *ripening* of civil society as a result of Soros' support through his organisation the International Renaissance Fund in Ukraine (IRF) (Lutsevych 2013, 16).[3]

Altogether, I see the allegations towards Soros' financial support as a simplification of the IRF's wider scope of activities since its establishment in 1989. This is a contested topic, however, as there are various opinions on whether post-Communist states are showing a rise or fall in civic participation (Beichelt et al. 2014; Stepanenko 2006; Howard 2002). This call for a deeper investigation of the IRF and its possible implications on democratization in Ukraine.

Hence, the enquiry of this paper is two-fold. Firstly, it seeks to understand the role of the IRF in the governance of Ukraine beyond the perception of financing revolutions. I will argue that the IRF undertakes a strategy which embeds continuous processes of strengthening civil society. Here, civil society are employed as actors striving for change, empowered by the IRF. By such means, the organisation acts as a norm diffuser (Stone 2010, 270) via its activities. Secondly, I will assess the role of the IRF in consolidating civil

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[3] The IRF is the branch of the Open Society Foundation created by Soros.

society and acting as an advocate for change. Altogether, this will attempt to provide a holistic picture of the IRF and its impact on governance in Ukraine.

The IRF and Ukraine

In this section, I present the general philosophy of the Open Society Foundation (OSF) and its strategy implemented by its branch in Ukraine. This will help explain the general framework of this organisation.

The OSF is based on the philosophy of *open society* which 'is not dominated by the state' (Soros 1995). Therefore, its purpose is to facilitate and encourage closed societies to further open up (Soros 1994a). In the context of Ukraine, the closed society entailed 'the old [Communist] Ukraine', whilst the process of opening up would be grounded in building 'a politically engaged civil society' (Soros 2015). Here, equipping civil societies with knowledge is key, as it enables citizens to counter status-quo and to resist state domination (Soros 1994b). In the case of Ukraine, such resistance was evident in widespread protests in response to undemocratic elections in 2004 and the refusal to sign the EU Association Agreement in 2013. Both 'tipping points' occurring in 2004 and 2013 seem to indicate the 'the birth of a nation' (Soros 2014) marked by numerous *openings* of the civil society. This closely resembles 1989, where the moments of 'transition' from a closed to a new society took place (Soros 2015). Hence, civil society became the focal point of 'active political promotion of democracy' (Beichelt et al. 2014, 2). However, it is important to note that such revolutions only present *windows of opportunities* rather than marking a turning point in civil society history per se. Nevertheless, it is a process of consolidating citizens to further democratize Ukraine from the bottom-up which marks the mission of the OSF activities. Its methods of doing so will be outlined below.

The Quest to Open-up Ukrainian Civil Society

In this section, I will specify the ways in which the IRF contributed to a strengthened civil society in Ukraine. Discussion will centre around empowering citizens to advocate for democratic practices, by diffusing the norms of freer elections and institutional reforms, and strengthening freedom of expression[4]. Altogether, the IRF pushed civil actors to

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[4] This is in no means an exhaustive list of OSF policies.

democratise *the closed Ukrainian society* and sustain their practice by providing financial and organisational support for various social movements and initiatives (IRF 1999).

Support for Free Elections

The IRF is important in empowering civil societies to advocate for further democratisation. In this endeavour, the IRF empowers civil society with democratic practices thus enabling it to 'liberalize' the regime and act as 'counter-hegemony' (Merkel in Beichelt et al. 2014, 44). In turn, the empowered actors consistently push the practice of democratisation and promote a constantly *updating* agenda. The illustration for this case is the agenda which was promoted by the IRF before both revolutions and, most importantly, after they took place.

The main goal of the IRF in 2003 was to 'help strengthen positions obtained by the Ukrainian society throughout the last years'. This included demands for transparency from the local government, which would further enhance the anti-corruption toolkit. At the same time, citizens became actively prepared for 'self-organisation of effective advocacy of citizen rights and interests' with a long-term transformation into civic institutions. Such values were transmitted through various programs. For instance, the 'Democratisation and reform of the local and national governance' program was created in 2003 with 32 projects (IRF 2003). In 2004, it was extended into 'Strengthening the influence of the civic society' and 'Support for openness of Ukrainian election processes'. Consequently, before the revolution took place, the number of projects tripled in 2004 and financing was boosted ($817,414 and $368,080) (IRF 2004) as compared to only $239,050 in 2003 (IRF 2003). These so-called financial 'injections' acted as 'hormones' for change, thus producing significant growth of projects within limited timespan (Ishkanian in Beichelt et al. 2014, 152). Through such means, the IRF expressed its support in 'the most various civil initiatives' centred around conducting free elections and widespread protest against fraud (IRF 2004). Similar processes were observed before the second revolution. In 2012, a variety of projects was designed to entrust the citizens to control 'the extent of honesty' of the elections and closely monitor where violations took place (IRF 2012). At the same time, the Fund improved the quality of the political processes by supporting election observers and conducting research. Most importantly, it supported the streaming of the TV debates for the Presidential elections (IRF 2014a, 44).

Support for the Judiciary and Anti-corruption Measures

The main mission of the IRF is to build strong institutions safeguarding freedom as well as sustaining 'a strong civil society and the rule of law' (Soros 1994). Thus, with the participation of the civil society and sustained pressure on state's decision-makers, the IRF strives to facilitate the push from 'the old Ukraine' (Soros 2015) towards the new institutional changes whenever it was possible and relevant. This is particularly pertinent in the case of establishing the 'good governance agenda', where the measures against corruption and strengthening of the rule of law could be seized as a momentum of the democracy promotion (Wolff in Beichelt et al. 2014, 70). The two issues are interrelated and thus require constant participation from civil society in monitoring any activities and pressuring governments into following another course.

Notably, it is expressed in the efforts of the IRF towards building 'a new legal culture' by establishing various associations and courses (IRF 2003). Programs such as 'Enabling the Judiciary Reform in Ukraine' were one of the first steps introduced in 2003. Such initiatives aimed at improving the qualifications of judges, as well as supporting research about any factors which could influence their decision-making (ibid). However, the process of 'democratisation of the judiciary' (Soros 2006, 3) was implemented in other ways. The mechanisms of free legal consultations were provided as the requirement for every advocate. Here, the IRF cast significant influence on crafting legal standards of such aforementioned legal assistance (Soros 2014).

Accordingly, the anti-corruption measures are also extremely important in the context of Ukraine and the wake of both revolutions. It was seen as one of the main roadblocks towards fully democratizing the system and most likely, will remain up until the society fully opens up. Hence, several measures were strengthened through monitoring transparency within local decision-making. For instance, the IRF financed the initiatives directed at 'developing the society' which in turn sought to prevent and fight corruption. These projects were designed to foster the growth of civic partnerships and as many participants as possible, such as 'Openness of authority – a step towards civil society' (Soros 2006). On the other hand, quick integration into the already existing international initiatives, such as the 'Open Government Partnership' forced the Government to comply

with specific requirements regarding transparency (IRF 2012). Numerous achievements were obtained as a result of the revolution in 2014. The IRF collaborated with the Secretary of the Cabinet of Ministers of Ukraine and the European Bank for Reconstruction and Development to further institutionalise reforms in the judiciary fields and corruption (IRF 2014b). The set of 'anti-corruption package', such as 'The Law on Preventing Corruption' was a particular breakthrough. The creation of the 'National Portal of data' presented with e-monitoring allowing to control the authorities and their activities (IRF 2014a).

Strengthening Freedom of Speech and the Media

Media have long been believed to hold a key role in the democratisation process. In fact, their importance lies in monitoring the outputs of the authorities and thus constructing a discourse within which the civil society can operate.

Initially, serious efforts were made to facilitate the presence of the media and strengthen freedom of expression. As it was mentioned earlier, the Orange Revolution was the important moment when the closed society transitioned to the open one. Therefore, it was important to enshrine the freedom of speech advocated during the Revolution. Such measures included projects laying foundations for the 'legal guarantees for freedom of expression for journalists', coupled with the widespread demand for 'protecting the rights of journalists' (IRF 2004). With the support of the IRF, these guarantees were implemented and were later monitored online (IRF 2008, 12). Consequently, the number of journalist investigations surged (IRF 2013, 14).

At the same time, the quality of journalism was under constant improvement, as new professional schools were established (Soros 2008, 12). Such media schools were created to promote independence of the Ukrainian media, as well as increasing its quality. Support towards programs implemented within the Academy of the Ukrainian Press helped to increase 'the media grammar'. Altogether, these measures helped to spread the popularity of media studies throughout Ukrainian universities (IRF 2011, 46-48). Additionally, the quality of journalism was constantly improved thanks to the 'communications reforms'. They were promoted to ensure transparency between authorities and the media in informing the society about reforms. For instance, the 'Vox check' project aims to tackle

populism by investigating speeches of the Ukrainian politicians. Thus, it seeks to increase responsibility for the words of the politicians (IRF 2016, 25).

Finally, the IRF supported numerous initiatives in creation of the new means of civic media. Namely, the establishment of the 'Hromads'ke TV' channel (translated as Civil TV) existed solely on donations to confirm its transparency. Additionally, thanks to the 'active support' of the IRF, the Ukrainian Media Crisis Centre was created to 'counter Russian misinformation' (IRF 2013). Both media channels became fundamental in acting as the grounds of discussion and debate, thus emerging as the independent elements of the closed society.

Discussion of the Role of the IRF and Concluding Remarks

Given these points, there are two roles played by the IRF in governance of Ukraine. Firstly, the IRF links civil society actors together, improving the prospects for the future democratic consolidation in Ukraine. As it was shown above, the IRF set several missions on its agenda and made continuous progress in its democratic practice. The organisation also acted as a platform for people's participation, the latter being strongly encouraged since the very moment of the IRF's creation. Thus, the IRF policy contributed to *shifting public trust* from the authorities to the volunteer movements (IRF 2017, 25)[5]. As a result of the previous shocks caused by the revolutions, it helped the Ukrainian civil society to slowly transform into a social fabric. This underlines the significant potential in opening up the society further and leading to more rapid changes in the governance of Ukraine. Hence, the view that *all* post-Communist states are marked by 'low political participation' (Blomber and Szocsik in Beichelt et al. 2014, 194; Howard 2002, 166; Lutsevych 2013, 4) seems to be rather outdated. Instead, serious attention should be paid to how governance of Ukraine can unfold under the leadership of the next generation influenced by civil society movements.

Secondly, the IRF has a special role in advocating change. This leads to questions concerning when and how another discourse of social transformation may take place. Most importantly, IRF's policies are expressed by the *actual* implementation of the reforms by empowering civic participation (IRF 2016) and are continuously sustained. By

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[5] 2016 witnessed the highest indications of trust towards volunteer movements.

advocating change, the IRF helps to cultivate and further expand the beginnings of the 'organic society' which thinks critically (Soros 1990). This could present a growing threat for Ukraine's authorities who are reluctant to follow the same democratic policies. Not only does the IRF condition civil society, as was shown above, but also equips it once such necessity arises. It was mentioned earlier that during the revolutions, the ORF provided solid support to social movements in order to preserve their strength (IRF 2014a; IRF 2003). Thus, if another revolution arises, the IRF will be able to influence changes in governance by sustaining its belief for change of the status-quo, as well as financially and organizationally assist similar takeovers. Hence, the IRF is likely to have leverage over *what* change takes place.

In conclusion, this essay attempted to show the role of the IRF in governance of Ukraine. I argued that the IRF is involved in a continuous process of nurturing civil society movements, rather than merely financing revolutions. Most importantly, the IRF increasingly assists civil society by supporting and promoting various initiatives and projects. Hence, its role lies in uniting civil societies, as well as guiding them in the mission of changing the status-quo. This was shown through the IRF's support for free elections, assistance in judicial and anti-corruption measures, as well as its strengthening freedom of expression and the role of media. Altogether, the IRF is a powerful actor with a certain degree of leverage over civil society actors in Ukraine. Once another moment of social transformation arises, the IRF's leverage can possibly result in determining what change in state governance can take place and how it will be implemented.

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The #MeToo Movement in the "Cyberfeminist" Space and Beyond

Kathrina Dabdoub

Social media has rapidly emerged as a site of public political contestation and negotiation. It allows for participation "outside of conventional institutional structures" (Bennett 2012, 27) where values, norms, and ideas can now be negotiated in a highly public, real-time manner at the everyday level (Drueke and Zobl 2016). Activists and non-governmental organizations (NGOs) have embraced these qualities and now utilize social media as an efficient platform for disseminating ideals and raising awareness. Likewise, government officials and diplomats increasingly employ it as a means of "digital diplomacy" – a way to more intimately interact with their bases and with each other in order to promote domestic and foreign policies (Adesina 2017).

More surprising than this is the intensity with which seemingly trivial online activities, such as sharing and "liking" photos or videos and creating "hashtags", have galvanized heated socio-political debates on topics ranging from racism to women's rights. Through Tweets and Facebook comments, individuals now take to the Internet to share their personal beliefs, sometimes joining with like-minded people to develop fully-fledged movements such as #BlackLivesMatter. The validity and material impact of these movements has become a point of contention. While critics dismiss them as transient moments of "clicktivism", proponents highlight their impact in terms of reach and transparency.

This paper proposes that social media can indeed be a powerful mechanism through which to initiate lasting change. As will be illustrated with reference to the ongoing #MeToo movement, "cyberfeminism" has proven to be a particularly successful online political initiative. This hashtag rapidly transcended the cyberfeminist space to become an impassioned socio-cultural and political conversation in the mainstream media, amongst the general public, and even in various international governmental organisations (IGOs). Spearheaded by celebrities and "ordinary" women worldwide, #MeToo is an exceptional example of non-state actors participating in the dissemination of values and in global agenda-setting. An examination of these characteristics reveals the democratising functions of online movements. Furthermore, the case study inverts the conventional

assumption that global politics is centred on states and IGOs and that the dispersion of norms necessarily follows a linear, top-down pattern.

What is #MeToo?

On 5 October 2017, The New York Times published an article detailing thirty years of sexual assault allegations levelled against Hollywood mogul Harvey Weinstein. In the report, Weinstein was accused of paying settlements to at least eight victims in return for their silence (Kantor and Twohey 2017). By 10 October, Weinstein was accused of sixteen further incidents of sexual assault, including three rapes, in another article published by The New Yorker (Farrow 2017a). Since the initial reports, more than eighty women involved in the entertainment industry have come forward to share their experiences of harassment, assault, or rape at the hands of Weinstein.

The power and prestige of this particular perpetrator was problematic. Weinstein's authority enabled him to have actresses removed from projects, plant false stories in the media, and contract private investigators to occlude public knowledge of his criminal comportment (Farrow 2017b). Such victim-shaming and silencing tactics are often deterrents for women to report abuse to the authorities. This renders assault an invisible and stigmatized form of sexism. The ensuing events were therefore bold and unprecedented.

On 15 October 2017, actress Alyssa Milano took to Twitter to encourage women to share their stories of sexual abuse and, in doing so, demonstrate the magnitude of the issue (Milano). The hashtag #MeToo, as well as localized versions like #BalanceTonPorc (France), #QuellaVoltaChe (Italy), #ISpeakUpNow (Macedonia), #YoTambien (Spain), quickly gained momentum and became ubiquitous. Within just one month, the hashtag was used on Twitter by 1.7 million users in 85 different countries (LaMotte 2017). On Facebook, upwards of 12 million statuses and comments by 4.7 million users, all related to #MeToo, were reportedly posted within a 24-hour window (Khomami 2017).

#MeToo was, and is continuing to be, a watershed moment. While it may seem sudden or unexpected, the movement should be contextualized by the feminist resurgence that has been occurring over the last two years. It is trite to cite Donald Trump's presidency, but

there is little doubt that this event is one of the hottest flames currently igniting the feminist consciousness. From the numerous allegations of sexual assault levied against Trump, to his rash sexist denigrations, to his infamously crude "Access Hollywood" comments, his political success has provided shocking evidence of the sustained, adverse strength of the patriarchy. The concurrent rise in the popularity of women-led entertainment, including the Handmaid's Tale, Wonder Woman, and the recent Star Wars films, has only added fuel to the fire by inspiring women through mainstream representation.

Feminism is thus more socio-culturally relevant than it has been in decades. In addition, global protests precipitated by the Women's March of January 2017 have increased the already-present sense of political urgency in contemporary feminism. The ambivalent sentiments of frustration and empowerment espoused by these events culminated with #MeToo - but this movement is not the end.

Rethinking the Diffusion of Women's Rights Norms
International norm diffusion theories endeavour to explain how socially constructed norms and values change over time and produce change themselves. This is to say that these theories consider how values materialize on the international level and are adopted by domestic societies worldwide.

Finnemore and Sikkink (1998, 896-901) propose that norms have a three-stage life cycle that begins when "norm entrepreneurs" spotlight issues and advocate specific ideas about what constitutes acceptable behaviour. These entrepreneurs are typically civil actors working through regulated platforms, namely transnational advocacy networks or formalized NGOs. As is often the case, entrepreneurs may also advocate through existing IGOs.

In the second stage, the emergent norm "cascades" throughout the international system as states begin to adopt it. This is fuelled by a socialisation process in which "norm leaders" – conventionally liberal, forward-looking states – influence other states to conform. These states may project their "soft power" in an attempt to lead by example and encourage emulation. Socialisation can also be achieved through IGOs. Because IGOs have access to

resources and expertise, they are able to coerce weaker states into conforming by withholding resources or enforcing sanctions. Resisting a norm could cause the weak state in question to suffer a breakdown in relations with more powerful states. (ibid. 1998, 902-904).

The life cycle is completed when the norm is "internalised". This means that the norm has been universally adopted and is institutionally embedded, legally and bureaucratically, so that conformity is reflexive, almost instinctual. The presence of the norm is no longer noticed, and it is no longer the centre of social controversy or political debate (ibid. 904-905).

A central aspect of Finnemore and Sikkink's theory is the threshold or "tipping point". This is when an emergent norm is institutionalized in international law, the statues of IGOs, or in foreign policies. Such actions clearly outline the norm and the form that a violation of the norm may take and includes provisions for sanctioning a violation. Institutionalization may occur before or after the "norm cascade" stage, or at both times (1998, 901).

Finnemore and Sikkink's model is the classic conceptualization of norm diffusion, but it is not without faults. Notably, their model dually suggests a "boomerang" and "trickle-down" effect. The impetus for normative change comes from one (or a small few) domestic societies. Their normative agenda is pushed to the international level, occasioning the spread of the norm from the international level to domestic societies worldwide. This view is linear, state-centric, and one-dimensional due to the presumed "international to domestic, cause-effect logic" (Zwingel 2012, 116). It therefore cannot account for the distinctiveness of the #MeToo movement.

The leading agents of #MeToo are celebrities, backed by men and women of the general, global public. The movement is collective, but it is not institutional. It is occurring via a decentralized network connected by social media. Socialisation is being driven by global civil society from the bottom-up, but states, IGOs and NGOs are increasingly becoming involved. #MeToo is consequently representative of a multi-layered, multi-directional process of norm diffusion, in which localised tendencies are influencing the global (ibid.

2012, 116; 122). These characteristics render #MeToo a democratising moment, a point that will be explored further in the following section.

In addition, as a cyberfeminist initiative, #MeToo is proving to be unusual in its scale and success (Olson 2016, 779-80). From its inception, #MeToo immediately carved a highly visible, multi-national online space where women could share deeply personal experiences, connect with one another, and engage in gendered socio-political conversations. In this way, #MeToo is prompting "empowerment through empathy". It is rekindling the conversation on sexism and misogyny and is re-promoting women's rights norms that have been taken for granted. This successful appeal to solidarity is evidence of the political power of shared emotions and experiences.

The social norm of silencing is being broken in unprecedented ways and widely held conceptions of sexual harassment and assault are transforming. Whereas in the past, such incidents were viewed as unfortunate scandals, the norm is shifting so that they are increasing viewed as gross abuses of power that are fuelled by the patriarchal, class privileges of typically wealthy white men. For example, Monica Lewinsky has recently re-examined her infamous affair with former-President Bill Clinton. "I now see how problematic it was that the two of us even got to a place where there was a question of consent. Instead, the road that led there was littered with inappropriate abuse of authority, station, and privilege," Lewinsky contemplates in an essay recently published in Vanity Fair (2018).

In 2014, when the #YesAllWomen hashtag became popular, Thrift (2014, 1091) commented that "by virtue of participating… contributors make every day acts of misogyny and sexism eventful — that is, as worthy of documentation, of remembrance, and of public and political discussion…". A similar phenomenon is occurring with #MeToo, though its scale and force appears to be much greater. In specific, the movement is symptomatic of a new era of feminism in which focus is being turned to the subtle, everyday aggressions that women face, as opposed to the "big issues" like birth control and reproductive rights.

The resulting conversation is characterized by a much-needed critique of the patriarchal power structures that enable predators to target women without fear of impunity, even in

developed states. Context and degree are certainly important when speaking about gender-based violence, but the idea that women in the West are not oppressed and that only marginalized, non-Western women face misogyny and abuse is inaccurate. #MeToo is encouraging socio-cultural reflection and rejection of this widely-held belief (which was expressed by some women who contributed to #WomenAgainstFeminism in 2014 (see Valenti 2014a; 2014b).

As the silence breaks, #MeToo is demonstrating that the scope of the women's rights movement needs to be expanded to include not only abuse and assault, but also harassment. This is not to say that these issues were never on the agenda. They just have not adequately been connected with gender-based employment discrimination and exploitation. They have not fully been considered as an impediment to women's economic and political participation, factors which are essential to achieving gender equality.

As detailed in a study by McLaughlin et al. (2017), an unsafe environment can intimidate women and deter them from pursuing career paths. This movement is bringing awareness to the fact that bolstering women's public involvement cannot only be accomplished by simply "putting more women in charge" (Duke 2017). #MeToo is raising consciousness of the physical and mental intensity of the impact of sexual harassment on women's lives and is revealing that more policies need to be directed at deterring gendered abuse. This point is currently particularly pertinent, given that the World Economic Forum's most recent Global Gender Gap report details evidence of increasing gender inequality. It is now estimated that gender parity will take nearly a century to be achieved, as compared with the previous year's estimate of 83 years (ibid. 2017, viii). Thus, #MeToo is addressing women's "secondary need" for security which, if unmet, can prevent them from fully participating in public life (Held 2006, 170-71).

A Democratising Moment

Another apparent issue with Finnemore and Sikkink's model is its insensitivity to global power imbalances. Norm diffusion occurs within a system where there is constant negotiation over who controls knowledge. This power dynamic exists not only amongst states, but also between states and ("global") citizens. Within this system, hegemonic (typically Western) states tend to prevail because they have the resources and therefore the

authority to spread the values that most closely align with their foreign policy goals (Karns and Mingst 2015, 29-30).

Although IGOs are a necessary part of this process, as mechanisms for multilateral relations and international laws, the support of member-states is essential. Without state endorsement and promotion of socialisation, it is unlikely that a norm will reach the final internalisation stage. This state-centric structure of IGOs has significant impact on which norms are prioritized and propagated. States have their own national agendas and their diplomats will attempt to manifest these goals at the global level.

The successful implementation of foreign policy in IGOs necessitates favourable global and, especially domestic, opinion. In order to sway public opinion, states notoriously utilize "old" media (Coban 2016, 51). This hegemony is one of the leading causes of the global democratic deficit. Because states are able to produce knowledge and, to an extent, control knowledge, there is limited transparency, accountability, and civilian participation in global affairs.

The #MeToo movement indicates that social media can be used to balance the scales and democratise international institutions and regimes. To begin with, social media multiplies the number of politically engaged individuals by providing an alternative and easily accessible platform where they have complete autonomy over what issues are addressed. Through this platform, individuals can share unique experiences, concerns, and ideas. Political self-expression thus becomes increasingly personalized and driven by identity. The solidarity that such interactions create can coalesce into "large-scale, individualized collective action" (Bennett 22-26). Being self-actualized, highly interactive, and public, these movements are more participatory and therefore more democratic. This is precisely what has occurred with the #MeToo movement. Women used social media platforms to create a "globally linked discursive feminist space" and to shape the public discourse on sexual abuse and women's rights (qtd. in Drueke and Zobl 2016, 37). The issue was rapidly moved into the mainstream to galvanize concrete action, specifically the Times Up initiative, to produce material policy changes.

The voices behind the #MeToo movement are reaching the highest levels of global governance and there is evidence that state leaders and IGOs are taking heed. Various state legislators in the United States (US) are advocating bills to address workplace sexual harassment, including the eponymous ME TOO bill (Crary 2018b; Schor). In late October 2017, members of the European Parliament tabled #MeToo and demanded widespread ratification of the Istanbul Convention, a 2011 convention that requires the domestic adoption of a "comprehensive legal framework to combat violence against women" (Schreuer 2017). Finally, United Nations (UN) human rights experts recently released a statement acknowledging the "need to act"; and leading women of the #MeToo movement, such as actresses Reese Witherspoon and Danai Gurira, as well Mónica Ramírez, Co-founder and President of Alianza Nacional de Campesinas, were invited to speak at the UN's commemoration of International Women's Day on 8 March 2018.

This is remarkable given that women's rights, namely protection from assault and harassment, tend to be viewed as domestic affairs. They are thought to be difficult to grapple with at the global level because the perpetrators are individual, non-state actors (Zwingel 2012, 116). The agents of the #MeToo movement are changing ideas of what issues should be contended with at the global level by bringing women's rights to the fore again. The notion that structural change needs to be enacted and enforced is gaining precedence. Hence, the global agenda is being influenced by civilians rather than dictated by states, IGOs, or NGOs. The hegemony of these actors in choosing what norms to prioritize is being challenged.

#MeToo can, moreover, generate increased transparency and accountability. The high profile of the movement makes it difficult to ignore. If momentum is sustained and lobbying transcends domestic spheres, it is likely that civilians will begin to demand action. If policies to address the issues being raised are not developed, states and IGOs can lose their legitimacy as upholders of law, justice, and equity. By continuing to utilize social media as the primary platform for advocacy, civilian agents can directly contact and monitor official activity and, thereby, hold these institutions accountable.

Nevertheless, the democratising impact of may be impeded by the uneven global distribution of the movement. Whether due to censorship or systemic cultural

conservatism, the movement has failed to gain solid traction in non-Western states, proving Zwingel's assertion that women's rights norms are "contentious in realisation" (2012, 120).

In China, the movement has been labelled a "destabilizing" foreign presence - therefore erroneously reframing it in terms of national cohesion - and the use of the hashtag has been blocked. Yet, local Chinese women have ingeniously circumvented censorship by using the hashtag #RiceBunny, the Chinese characters for which are pronounced "mi tu" (Perper 2018; The Economist).

Meanwhile, in states such as India and Kazakhstan, many women still hesitate to raise their voices, out of fear of violent retaliation or being publicly shamed (Abdurasulov 2018; Crary 2018a). The local Kazakh "don't be silent" campaign, actually predates #MeToo. Its founders are attempting to change stigmatizing social attitudes surrounding rape and assault and are lobbying for legislation that will more effectively protect victims (Abdurasulov 2018). The dialogue on sexual violence in India also predates #MeToo. Whether the movement will have the same impact it has had in the US is doubtful, largely because online activism is viewed an elitist endeavour only accessible by the educated, urban middle-class (Shukla 2017; Mies 2018).

Progress in non-Western states has been sluggish. Still, even though these societies may be struggling to keep up with the rate of socio-cultural change being demanded by #MeToo there is evidence of a willingness and a desire to participate.

The Future of #MeToo

The potential of the Internet as a virtual sphere for public debate has been contentious. Can online activity have genuine impact in the "real" world? Is there a relationship between online and offline activism? These questions have been answered negatively and so online efforts have been pejoratively written off as "slacktivism" or "clicktivism" (Halupka 2017). Critical examinations of these online phenomena have characterized them as a lazy way for individuals to superficially demonstrate to their followers and friends that they 'care'. They are viewed as transient, unable to manifest tangible change, and therefore unproductive (Halupka 2017, 131).

However, it does not seem that #MeToo will fade any time soon. Feminist scholar Cynthia Enloe has expressed faith in the movement's lasting power (Crary 2018a). A simple search on Twitter shows that, six months later, the hashtag is still actively being used. Most convincingly, an analysis conducted by the PEORIA Project indicates that #MeToo is different from other socio-political hashtags (Cohen 2018); the volume of tweets for #MeToo far surpasses that for previous feminist hashtags like #YesAllWomen (Thrift 2014).

In addition, #MeToo has given rise to the Time's Up initiative. Though Time's Up is founded upon the same principles of women's empowerment as #MeToo, it has specific goals and is solutions-based and actions-oriented. A primary focus is advocating for legislative and policy changes to preclude harassment in the workplace and to deter the use of non-disclosure agreements that silence victims. Time's Up also includes a legal defence fund to help protect less privileged women from harassment and assault. The fund has received USD $21 million in donations since January 2018 (Time's Up; Melas 2018). So far, the initiative is limited to the US, but this does not mean global expansion or even the creation of similar initiatives in other states is impossible.

One of the more problematic aspects of #MeToo is the ongoing 'naming and shaming' of alleged perpetrators. The list is too extensive to recount, but over 150 men in the US alone have been accused of sexual misconduct. Many of these men have been fired or forced to resign their posts (See North 2018a and USA Today for a catalogue of those who have been affected by the so-called "Weinstein effect"). South Korean governor Ahn Hee-Jung resigned his post in March 2018 after being accused of rape (BBC 2018). Trond Giske, deputy leader of the Norwegian Labour Party, also resigned after allegations of misconduct (Sleire 2018). In the United Kingdom, "the Westminster sexual scandals" resulted in the forced resignation of Defence Minister Michael Fallon and, it is thought, the suicide of Welsh politician Carl Sargeant (BBC 2017; Stewart and Mason 2017).

The public has become judge and jury. While these men may in fact be guilty, they are suffering severe life consequences without being prosecuted in a court of law. If this continues unfettered, it can have the unintended effect of undermining democracy.

It is not wrong to question whether the negative repercussions will outweigh the positive effects. Still, two recent events have demonstrated that, regardless of these potential pitfalls, #MeToo is a necessary and impactful moment. First, on April 25, 2018, ten people were killed in Toronto, Canada by a misogynist. The perpetrator was allied with the "Incel Rebellion", the ideology of a small but zealous all-male online community who attribute their failed relationships to the superficiality of women (Beauchamp 2018). Then, on April 26, 2018, Bill Cosby was found guilty of three counts of sexual assault, following years of accusations by numerous women and a failed trial in 2017 (North 2017b; Gersen 2018; Turner 2018).

Powerful and moving words on the topic of women's rights have been said since the advent of #MeToo, but words will not be enough. For the unparalleled cultural resonance and global reach of this movement to multiply, women and men alike will need to continue pushing for tangible change, in legislation and in domestic and foreign policy. With Time's Up and Bill Cosby's conviction, there has been a strong start, but for lasting success to be ensured, the momentum cannot be allowed to fade.

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Research and Development (R&D) for Global Health: Private Actors vs. the World Health Organization

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As has been the case for many realms of governance over the last few decades, addressing health issues has become a truly global endeavour. Considering the spread of disease across national borders and the global threat of antimicrobial resistance, it is pertinent to speak of a current global state of 'health interdependence'. This notion is present in the research and development (R&D) for health, the products of which are globally applicable and sold on international markets. However, the benefits resulting from R&D, such as new drugs, vaccines, and diagnostic tools, have not been equitably distributed. In addition, the global health literature demonstrates that the current system of health R&D is characterised by 'a mismatch between the health research development that is needed and that which is undertaken' (Viergever 2013, 1). This working paper will argue that the prominence of private actors in the current system of health R&D has brought about a market-driven system which systematically fails to address the health needs of people in low- and middle-income countries. First, it will provide an account of a 'gap' in investments for health research and development and how this has caused a neglect of certain populations and the diseases that affect them. A discussion of the World Health Organization's (WHO) efforts to meet this challenge will follow, arguing that the organisation is repositioning itself in regard to its intended role as the directing and coordinating body for global health research.

The extent of the unequal distribution of resources for health R&D was first demonstrated by the Commission on Health Research for Development, an independent international initiative established to address the health needs of developing countries. In 1990, the Commission released a report which identified that, while 90% of the global disease burden was located in low-income countries, only 10% of global R&D expenditure targeted these diseases and populations (Ng and Prah Ruger 2011, 13). This statistical disparity caused a public and policy outcry over what came to be called the '90/10-gap' of health research expenditure and investment. The 90/10-gap illustrated the biases in resource allocation which favour the funding of R&D into diseases which primarily affect the populations of high-income countries. This has resulted in the term 'neglected

diseases' becoming prevalent in academic and policy discourse within global health. In broad terms, neglected diseases are conditions which overwhelmingly affect populations in low income countries and communities, such as HIV/AIDS, tuberculosis and malaria (Pedrique et al. 2013, e371). Some have argued that the link between these conditions and low socio-economic means shows that the 90/10-gap is more indicative of 'neglected populations' rather than 'neglected diseases' (see Viergever 2013; Moon et al. 2012).

Since this bias in health research expenditure was first identified in 1990, the global architecture for tackling neglected diseases has changed dramatically. New actors and initiatives have sought to address the investment gap, among them private-public partnerships, disease-specific funds, and new development agencies. These efforts have amounted to an 'unprecedented political and financial commitment to tackle neglected diseases' (Utzinger & Keizer 2013, e317). Overall, global investments in health R&D have risen markedly, much due to the growth of private philanthropic funders of health research such as the Bill and Melinda Gates Foundation (Viergever 2013, 1; Pedrique et al. 2013, e378). However, these seemingly positive developments have not resulted in a bridging of the investment-gap for health R&D. Studies mapping drug development and clinical trials globally (see Troullier et al. 2002; Pedrique et al. 2013) reveal that despite the new political attention to neglected diseases and populations, there has been 'no evidence of a substantial improvement in research and development' (Pedrique et al. 2013, e376). In fact, the R&D for neglected diseases 'has not much improved' since the 1990s (Utzinger & Keiser 2013, e317). In 2010, 20 years after the 90/10-gap was first identified, only 1% of investments in R&D for global health was allocated to neglected diseases (Pedrique et al. 2013, e378). Therefore, while new actors and innovations in financing and interventions might have changed the nature of the 90/10-gap, the gap itself remains to this day (Viergever 2013, 1; Røttingen et al. 2013, 1304).

The simple explanation for the persistence of the research gap is the fact that the research and development of drugs, vaccines, diagnostics and health technologies is overwhelmingly a private sector venture (Ng & Prah Ruger 2011, 6). While early-stage research is commonly funded by governments through public laboratories or academic institutions, private pharmaceutical actors develop these initial leads through further research and clinical trials, developing products (drugs, vaccines, diagnostic tools), which are then marketed and sold (Moon at al. 2012, 4). Patenting laws incentivise research and

development into health; companies are granted market exclusivity for their products, allowing them to set higher prices, often well above the cost of production, in order to recoup investment costs and to generate profit (Aerts et al. 2017, 745; Røttingen et al. 2012, 398). As a result, the research and development for innovations in health is market-driven, as investors seek to maximise profits. It follows that research into neglected diseases, the products of which will be sold on markets of low- and middle-income countries, will not garner high returns-on-investment for private actors due to the limited purchasing power of both the national health systems of these countries and of individual consumers affected by neglected diseases (Aerts et al. 2017, 745). While there is a strong moral incentive to finance and develop R&D to address the morbidity and mortality of these diseases, the financial incentive is very small, pushing for-profit actors towards more profitable projects marketable as high-return on investment. The consequence of a market-driven R&D is therefore the privileging of profitable research investments, and the subsequent neglect of the health needs of people in low-and middle-income countries.

Suspiciously absent from this account of the current mechanism for R&D for health is the World Health Organization. As the 'leading and coordinating authority on public health within the UN system' (Maher & Ford 2017, 795) its participation in the process of health R&D would be expected. In fact, the centrality of the WHO in R&D for global health was intended in its founding document, which describes a key function of the organisation 'to promote and conduct research in the field of health' (WHO 1946, Article 18). This function was reasserted by the Member States in the second gathering of the World Health Assembly, which concluded that 'research and coordination of research are essential functions of the World Health Organization' (Consultative Expert Working Group on Research and Development: Financing and Coordination 2012, 13). However, the role of the WHO in current R&D for health is fraught. With private actors 'own[ing] the ball in drug research and development' (Ng & Prah Ruger 2011, 6), the WHO has been side-lined by actors which operate outside its constitutional mandate. In response, there is evidence that the WHO is repositioning itself within the governance for global health R&D.

This repositioning can be seen for example in the absence of direct reference to the WHO's role vis-a-vis R&D within the WHO's 12th General Programme of Work, the strategic document outlining the organisation's intentions for 2014-2019. The shaping or

coordination of a research agenda is not present as a priority of the organisation, although one of six 'leadership priorities' is found to be 'increasing access to quality, safe, efficacious and affordable medical products (medicines, vaccines, diagnostics and other health technologies)' (WHO 2014, 34). This is in contrast to the previous 11th General Programme of Work, which directed the WHO's activity during the period 2006-2015, where one of six core functions of the organisation was identified as 'shaping the research agenda and stimulating the generation, translation and dissemination of valuable knowledge' (WHO 2006, 3). This change marks a step away from attempting to direct R&D to instead trying to mitigate problems of access resulting from the current market-based system.

Similarly, a recent development in the WHO's role in R&D has been the establishment of the Global Observatory on Health Research and Development. This initiative was established on the recommendation of a 2012 report by the Consultative Expert Working Group on Research and Development: Financing and Coordination (CEWG), tasked with evaluating the global financing and coordination of research and development for health. The CEWG report reiterated the notion that the current system is one in which existing public policies and market mechanisms have failed to deliver investments in health innovations to address the needs of populations in developing countries (CEWG 2012, 1). The Observatory, approved by Member States and established in 2016, serves to map investments and outputs of all R&D for health carried out by public and private actors globally. While it announced the intention to 'identify health R&D priorities based on public health needs' (WHO, 2018) its practical impact is implied in its name; it identifies priorities rather than implement or act upon them.

A notable achievement of the Observatory has been its involvement in the creation of the WHO Blueprint. Drawing on the experiences of the 2015 viral Ebola outbreak, the Blueprint is 'a global strategy and preparedness plan to ensure that targeted R&D will strengthen the emergency response by bringing medical technologies to populations and patients during epidemics' (WHO 2016, 11). Preventative in intention, the Blueprint identifies possible future epidemics, carries out threat-assessments, and develops profiles of the kids of vaccines, medicines, and diagnostic tools needed to mitigate the impact of future epidemics (Kieny & Salama 2017, 2470). It is notable that both the Observatory and

the Blueprint are WHO initiatives which provide observational reports and guidelines. While these are worthy pursuits and beneficial for the advancement of global health, they are a far cry from the original vision of the WHO as coordinating and setting the global R&D agenda for health.

Having established the new parameters of the WHO as an actor in R&D for health, a review of WHO documents pertaining to its role in research and development shows that the organisation seems reluctant to acknowledge its inability to mitigate the gap in health research expenditure and the resulting neglect for certain diseases and populations. This is evident for example in the WHO's Strategy on Research for Health, which was unanimously approved by all Member States at the World Health Assembly in 2010. With the acknowledgment that 'Member States, international organisations, stakeholders and the public expect WHO to do more to promote best practices in research' (WHO 2013, 26), the strategy aims to 'strengthen research culture across the WHO' (ibid. 8) and to encourage cooperation between the Secretariat, Member States and 'partners' to 'harness science, technology, and broader knowledge in order to produce research-based evidence and tools for improving health' (ibid. 17). While the organisation does address the issues in implementing this strategy in 'research partnerships to which WHO is linked, but which are characterized by independent governance' (ibid. 30) in terms of private actors, the issues in implementation are mentioned only in the following sentence: 'in implementing the new strategy WHO is expected to *work more effectively* with key research partners, including industry, civil society, foundations and academia' (ibid. 29 emphasis added). As such, the strategy is limited to outlining the internal research capacity and strategy of the WHO. The larger issue of coordinating and directing the research and development activity of private actors, are not addressed.

The lack of explicit acknowledgement of the WHO's repositioning in R&D for global health is not surprising. One reading of the R&D debates is as a microcosm of discussions about a decline in the authority of the WHO in global health governance more generally. Privatisation is a familiar narrative in the realm of global health, and it has called into question the authority of the WHO within global health governance. The WHO's limited ability to correct the investment gap by engaging private actors is not a narrative which reflects favourably on an organisation already refuting claims of its diminishing authority.

Similarly, the R&D debate is clearly situated within another conflict which pervades global health governance – that of tensions between trade and health. While global trade regulations are highly institutionalised, the global governance of health is ad hoc and mostly reliant on normative commitments. As a consequence, trade regularly takes precedence when the two come up against each other. This is played out for example in debates over changes to patenting laws. Freeman & Robins (2013) argue that prominent actors, including the United States and the European Union, continuously side with industry when its interests come up against the health of neglected populations (ibid. 361). In so doing, they act against the commitments they have made to promoting global health equity via their WHO membership. The financial and lobbying power of the pharmaceutical industry, as well as the positioning of private actors within strong institutionalised mechanisms of global trade, are both factors which compound the challenge of mitigating the investment gap for global health R&D.

It therefore seems that the WHO has been relegated to the role of 'observing' the global conduct of R&D for health rather than 'directing' or 'coordinating'. This tension is seen within the role of the Observatory. In one sense it has, as argued by Moon (2014, 170), 'reaffirmed the central role of WHO as convener and source of strategic knowledge in the global health system'. However, it simultaneously raises major concerns about the organisation's role in terms of coordination and financing (ibid.). A further illustration of this point can be found in the recommendations of the aforementioned 2012 Working Group Report. Alongside the recommendation to create the Observatory, the Working Group also recommended the creation of an international instrument to regulate the financing and coordination of R&D globally. Such a mechanism, it was argued, could bridge the investment gap and redirect funding towards R&D for neglected diseases and populations. While creating the Observatory has proved achievable, the regulatory mechanism has not. This is not for lack of support – many have argued that some kind of overarching directing framework is indeed the path toward a more equitable global health R&D and the alleviation of the disproportionate burden of disease in developing countries (see e.g. Moon 2014; Moon et al. 2012). However, the WHO has not been able to garner the political support necessary to work towards the practical realisation of such a framework. Predictably, discussions to that effect have been laden with controversy and immediate

pushback from private actors (Freeman & Gostin 2017, 364). This development shows the limitations of the WHO's role in the global governance of R&D: gathering information, issuing guidelines, and improving its internal research strategies and the research strategies of its collaborating partners is indeed possible, but action which seeks to regulate, direct, or coordinate the actions of the private sector fall outside its mandate. Along the same lines, Moon stresses that, 'despite the WHO's unique constitutional mandate [...] it faces major challenges in coordinating autonomous R&D actors' (Moon 2014, 167).

The prominence of private actors in the current system for research and development for global health has resulted in these activities becoming delinked from the public sphere. It follows that the governance of these actors and their actions have evaded the mandate of the World Health Organization, the actor intended to direct and coordinate global governance for health. The implications for global health outcomes should not be underestimated: with markets directing the global agenda for health R&D, the needs of the disadvantaged are neglected, as evidenced by the pervasiveness of the 90/10-gap in health research expenditure. A number of suggestions have been made of ways to rectify the current situation. These include a reconceptualization of the products of health R&D as 'global public goods' (see for example Viergever 2013; Moon et al. 2017) whereby it is argued that such knowledge should be in the public domain. Another suggestion is for governments to contribute increased public funding for the establishment of a parallel R&D mechanism which remains in the public sphere and which can address precisely those areas neglected by the market-based system (Røttingen et al. 2013, 1304). The moral imperative to bring about a more equitable system for R&D is great, but the influence of private interests is paramount. Suggestions for reorganisation of financial incentives such as new patenting laws are perhaps more feasible for this reason, as they could be implemented within the current market-based R&D system but would require immense lobbying against the interests of pharmaceutical companies. The remediation of R&D inequity therefore remains a central challenge for global health governance, and doubts about the role of the World Health Organization in overcoming this challenge are well-founded.

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