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Global Governance as Public Authority:
Structures, Contestation, and Normative Change

This Working Paper is the fruit of a collaboration between The Jean Monnet Center at NYU School of Law and the Global Governance Research Cluster at the Hertie School of Governance in Berlin. The Research Cluster seeks to stimulate innovative work on global governance from different disciplinary perspectives, from law, political science, public administration, political theory, economics etc.

The present Working Paper is part of a set of papers presented at (and revised after) a workshop on 'Global Governance as Public Authority' that took place in April 2011 at the Hertie School. Contributions were based on a call for papers and were a reflection of the intended interdisciplinary nature of the enterprise - while anchored in particular disciplines, they were meant to be able to speak to the other disciplines as well. The discussions at the workshop then helped to critically reflect on the often diverging assumptions about governance, authority and public power held in the many discourses on global governance at present.

The Jean Monnet Center at NYU is hoping to co-sponsor similar symposia and would welcome suggestions from institutions or centers in other member states.

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Prologue:

Global governance is no longer a new phenomenon – after all, the notion became prominent two decades ago – but it still retains an aura of 'mystery'. We know much about many of its instantiations – institutions, actors, norms, beliefs – yet we sense that seeing the trees does not necessarily enable us to see the forest. We would need grander narratives for this purpose, and somehow in the muddle of thousands of different sites and players, broader maps remain elusive.

One anchor that has oriented much work on global governance in the past has been the assumption that we are faced with a structure 'without government'. However laudable the results of this move away from the domestic frame, with its well-known institutions that do not find much correspondence in the global sphere, it has also obscured many similarities, and it has clouded classical questions about power and justification in a cloak of technocratic problem-solving. In response, governmental analogies are on the rise again, especially among political theorists and lawyers who try to come to terms with the increasingly intrusive character of much global policy-making. 'Constitutionalism' and 'constitutionalization' have become standard frames, both for normative guidance and for understanding the trajectories by which global institutions and norms are hedged in. 'Administration', another frame, also serves to highlight proximity with domestic analogues for the purpose of analysing and developing accountability in global governance.

In the project of which this symposium is a part, we have recourse to a third frame borrowed from domestic contexts – that of 'public authority'. It seeks to reflect the fact that much of the growing contestation over global issues among governments, NGOs, and other domestic and trans-national institutions draws its force from conceptual analogies with 'traditional rule'. Such contestation often assumes that institutions of global governance exercise public authority in a similar way as domestic government and reclaims central norms of the domestic political tradition, such as democracy and the rule of law, in the global context. The 'public authority' frame captures this kind of discourse but avoids the strong normative implications of constitutionalist approaches, or the close proximity to particular forms of institutional organization characteristic of 'administrative' frames. In the project, it is used as a heuristic device, rather than a normative or analytical fix point: it is a lens through which we aim to shed light on processes of change in global governance. The papers in the present symposium respond to a set of broad questions about these processes: what is the content of new normative claims? which continuities and discontinuities with domestic traditions characterise global governance? how responsive are domestic structures to global governance? How is global governance anchored in societies? and which challenges arise from the autonomy demands of national (and sometimes other) communities?

The papers gathered here speak to these questions from different disciplinary perspectives – they come from backgrounds in political science, international relations, political theory, European law and international law. But they speak across disciplinary divides and provide nice evidence for how much can be gained from such engagement. They help us better understand the political forces behind claims for change in global

governance; the extent of change in both political discourse and law; the lenses through which we make sense of global governance; and the normative and institutional responses to competing claims. Overall, they provide a subtle picture of the pressure global governance is under, both in practice and in theory, to change its ways. They provide attempts to reformulate concepts from the domestic context, such as subsidiarity, for the global realm. But they also provide caution us against jumping to conclusions about the extent of change so far. After all, much discourse about global governance – and many of its problems – continue in intergovernmental frames. Global governance may face a transition, but where its destination lies is still unclear. 'Public authority' is an analytical and normative frame that helps to formulate and tackle many current challenges, though certainly not all. Many questions and challenges remain, but we hope that this symposium takes us a step closer to answering them.

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Towards a Democratic Yardstick?
Evaluations of International Institutions in Academic Textbooks, 1970-2010

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Abstract

This paper has two aims. First, we examine how relevant democracy is as a normative standard in academic textbook evaluations of international institutions and how the relevance of democracy-based evaluations has changed over time. Second, we are interested in what 'democracy' means when it is used in textbook evaluations of international institutions, and how the meaning of the term democracy in such evaluations has changed over time. An analysis of seventy-one academic textbooks on international security, environmental, and human rights politics leads us to several answers. Numerically, democracy is only one normative standard among others, and it does not seem to become more central in more recent decades. Qualitatively, we can observe slight changes in relation to three aspects. First, the range of legitimacy-relevant actors expands over time, most notably in relation to non-state actors as legitimate participants in (or even subjects of) international policy-making. Second, representational concerns become more relevant in justifying demands for greater

participation in international institutions. Third, international organizations are increasingly discussed not only as subjects that enhance the transparency and accountability of the policies of their member states, but also as the objects of legitimate demands for transparency and accountability themselves.

1.   Introduction

Academic and political discourses are replete with references to fundamental change. A common narrative holds that, in response to economic globalization, states – but also individual state agencies and non-state actors – have created ever more powerful political authorities beyond the nation state. In a second step, this constitution of a political order beyond the state has then generated demands for democratizing international institutions. Normatively speaking, many authors have argued that in the context of their enhanced authority, it is no longer sufficient to ask of international institutions whether or not they fulfill their specific functions, but that we also need to ask whether or not they do so in a – broadly speaking – democratic manner (Anderson 2002; Bexell, Tallberg and Uhlin 2010; Holden 2000; Zweifel 2005). Empirically speaking, the argument goes that a variety of audiences have factually come to evaluate international institutions in the language of democracy (Zürn 2004). Their demands have been expressed in anti-globalization protests against an 'undemocratic' World Trade Organization, in reform-oriented publications such as the report of the Commission on Global Governance, and in the commitments of individual international institutions – partially in response to public demands – to become more participatory, more transparent and more accountable (Grigorescu 2007, 2010; Sommerer, Tallberg and Squatrito 2011).

In this paper, we investigate to what extent the content of this narrative – namely the move towards democratic norms in evaluating international institutions – has left a trace in conventional academic reconstructions of international politics over the past four decades. More precisely, we examine *(i)* to what extent normative yardsticks for evaluating international institutions and their activities have changed in academic textbook discourses from 1970 to 2010; *(ii)* to what extent democracy, as some claim, has indeed become a more common currency in ascribing legitimacy to international institutions or withholding it from them; and *(iii)* if so, what 'democracy' means in this context.

Our discussion comprises empirical evidence from an analysis of seventy-one academic textbooks on international security, environmental, and human rights politics. It thus

complements existing studies that focus on other discursive arenas (e.g. quality newspapers or documents from international organizations) and/or examine the application of democratic norms to particular international organizations such as the United Nations, the International Labor Organization, the European Union or the G8 (Grigorescu 2011; Nullmeier et al. 2010). Even though academic textbooks might reflect at least some patterns of evaluative claims made in other discursive arenas, we do not primarily treat them as a shortcut to the broader social discourses about international institutions, but rather as an interesting discursive arena in itself. Often, textbook authors not only seek to give a balanced account of the 'state of the art' (Kille 2003: 426) – and possibly also the *zeitgeist* – at the time of their writing, but they are also producers of such 'states of the art'. Thus, they are critical in shaping future knowledge and practice since they – and the value judgments they report or espouse – are part of the intellectual capital that is transmitted to the next generations of decision-makers. While our study primarily tells us something about how academic thinking about the legitimacy of international institutions has evolved, its results are therefore also relevant beyond the academic ivory tower.

Taking the formative function of academic discourse into account, our study lends some support to the notion that democracy has become a relevant concern in evaluations of international institutions and their performance (see also Grigorescu 2011; Nullmeier 2010). At the same time, it also qualifies this argument in three ways. *First*, the application of democratic yardsticks to international institutions is not entirely new, and even though its status may have increased more recently, it is still far from a dominant theme in textbook evaluations of international institutions. *Second*, evaluations referring to democracy vary across issue areas. They are more relevant in textbooks on international environmental politics than in textbooks on the politics of international human rights and security. *Third*, how textbook authors understand democratic principles slightly changes over time. Most notably, we observe an expansion of the range of legitimacy-relevant actors; a rise of representational concerns that complement functionalist justifications for participation in international institutions; and a growing

relevance of international organizations as the objects of transparency and accountability demands.

Our discussion unfolds in three broad steps. After a brief discussion of our theoretical and methodological approach (section 2), the empirical section is divided in two parts. The first part comprises a broader look at the various normative standards which textbook authors (and the speakers whose statement they report) use to evaluate international institutions. Here, democracy is only one reference point among others, and our primary interest is to identify how its relevance changes in comparison to other normative standards (section 3.1). In the second part, we are not primarily interested in how relevant democratic standards are, but rather in what they mean in different contexts, and how their meaning changes over time. To answer these questions, we take a closer look at all those statements in which textbook evaluations of international institutions either refer to democracy itself or to a particular democratic value such as participation, transparency or accountability (sections 3.2 to 3.4).

2.   Theory and Methods

Three theoretical assumptions underlie our argument – namely, that social norms are consequential; that they are 'negotiated' and given expression in the context of social discourses; and that academic discourse is one discursive arena in which the norms we are interested in become visible and that it is therefore interesting to examine this particular discursive arena.[1]

Applied to our research question, the first assumption means that it makes a difference whether or not an institution is considered as legitimate. Considerations of legitimacy, however, always refer to a particular norm. In short, the literature sketches two ways in which norms – here conceived as the foundations of legitimacy conceptions – matter. The most direct consequence of legitimacy is the lower costs associated with implementing the policies and rules devised by an institution. If the UN Security Council is considered legitimate by UN member states and their societies, it will – ceteris

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[1] In our conception of social norms, we follow Katzenstein's (1996: 5) definition of norms as 'collective expectations of proper behavior for actors with a given identity'.

paribus – be easier for the Council to implement its resolutions. In that sense, legitimacy as the belief in the 'rightfulness' of political rule minimizes the need for forceful implementation of political decisions taken by or within an institution (Reus-Smit 2007). Secondly, norms cannot only be consequential in terms of a cost-benefit ratio, but also in terms of actors' desires to behave in socially appropriate ways and to be recognized as 'good' members of a specific community. In our case this means that international organizations prefer to be considered as 'good international organizations' by their audiences. This argument is slightly more complex since only individuals can wish to be socially recognized by their peers. In terms of international institutions, this means that conceptions of social appropriateness can matter either through those who meet in these institutions (i.e. diplomats and national delegates) or through those who work for international institutions (i.e. the bureaucratic staff of international organizations). The assumption thus is that those who design or manage international institutions are – among other factors – influenced by (changing) conceptions of what it means to be a 'good' international institution.[2]

Conceptually, we build on Ian Clark's notion of legitimacy norms as embodying elements of rightful membership and rightful conduct (Clark 2005). Accordingly, we conceptualize the move towards democratic norms as a dual shift. On the one hand, we examine whether the norm that stipulates *who* can legitimately make international rules has changed. On the other hand, we ask whether the norm that stipulates *how* international rules ought to be made in order to count as legitimate has been amended. As a basis for comparison, we use a somewhat stylized 'old norm' that broadly corresponds to standard accounts of Westphalian legitimacy as they have, for instance, been codified in the Vienna Convention on the Law of the Treaties. New norms thus count as 'post-Westphalian' to the extent that they either expand the range of legitimate

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[2] On the plausibility of this assumption, see Barnett and Finnemore (2004) for bureaucratic actors and Weise (2010) for diplomats. The other two theoretical assumptions are less controversial. The second assumption simply states that what it means to be a 'good' international institution is determined (or 'negotiated') in legitimation discourses in which a variety of individual and collective actors publicly exchange views about the legitimacy of an international institution (cf. Nullmeier and Nonhoff 2010; Steffek 2003; 2004). On the assumption that academic discourse is one relevant area of political discourse, see our comments in the introductory section.

rule-makers beyond states or tie the legitimacy of rule-making processes to more demanding procedural criteria than the absence of coercion (see Table 1). To avoid a misunderstanding on this point, we neither start from the assumption that any of the two shifts has necessarily taken place – let alone in all areas of world politics – nor that a move towards a democracy-related language in justifying international institutions and their activities would necessarily be desirable. Both are open questions, and we address the first one in this paper.[3]

	Old 'Westphalian' Norm	New 'Post-Westphalian' Norm
	Political rules beyond the state are legitimate if (and only if)…	
Principle of Rightful Membership	**they have been agreed upon by the governments of internationally recognized states,**	**they have been agreed upon by the representatives of recognized interests**
Principle of Rightful Conduct	**and if none of these states had been coerced to accept a rule.**	**in a broadly inclusive, transparent, accountable and deliberative (i.e., democratic) decision-making process.**

Table 1: Conceptualizing the Shift towards Democratic Norms

As indicated, we focus on textbooks that address international security, human rights, and environmental politics. Our study thus includes policy fields that vary in the level of institutionalization of global rule making. While many of the most important global human rights norms had already been codified by the 1970s, environmental politics was a nascent field at that time. As a result, international human rights politics has a stronger focus on the implementation of existing legal norms. In contrast, international

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[3] The second question is part of our broader research project; see www.globalnorms.uni-bremen.de for details.

environmental politics is initially focused on the elaboration of such norms and in more recent decades was characterized by the making of new rules as well as the implementation of existing rules. Finally, security politics has been institutionalized early, but only after the end of the Cold War could a number of security institutions, most notably the United Nations, overcome constraints caused by bloc confrontation.

Within these issue areas, our selection of academic textbooks is based on a list of candidate books compiled on the basis of academic library catalogs and web-based search tools. This list was then narrowed down on the basis of several criteria, including how well individual books matched our definition of textbooks, how often they were cited in other publications, diversity of language, and availability. While our selection allows us to identify some interesting trends in academic discourse of the 1970s to 2000s, it is not representative in a strict sense. The most important sources of potential bias are the dominance of English language books originating from either the UK or the US (probably resulting in a tendency to report 'Anglo-Saxon' rather than 'global' norms), and our preference for more widely used vs. less widely used books (possibly resulting in a tendency to underreport discourses beyond the mainstream literatures).[4] Keeping these limitations in mind, we believe that we can nevertheless say something about how conceptions of democracy in international institutions have changed in textbook discourses and the broader societal discourses they – at least partially – reflect and produce.

Methodologically, we apply an interpretative approach. We follow Robert Entman (2004) and others in the assumption that collective and individual perceptions of reality are ordered in *frames* that provide cognitive patterns to understand the world. For political issues, frames structure the perception of political problems and their possible solutions. Further, we assume that different frames may also be connected to different norms of appropriate behavior. Thus, a typical frame we look for will provide

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[4] The books examined include fifty-one books written in English, thirteen in German and seven in French. Of the books written in English, two thirds were published in the US, and one third in the UK. From a gender perspective, fifty-nine books have a male (first) author, while twelve books were (first) authored by women; for a full list, see the Appendix to this paper.

information about norms that guide the evaluation of international institutions themselves, of their activities, and of reform proposals in relation to an institution. Our empirical analysis first looks at frames from a broad, macro perspective that provides an overview of the variety of frames used to evaluate international institutions (section 3.1). In a second step, we look deeper into one particular frame – namely the *democracy* frame – to better understand what kinds of normative demands are associated with democratic language and to trace changes in the content of democracy-related demands (sections 3.2 to 3.4).

3. Empirical Analysis: Towards a Democratic Yardstick?

3.1 The Broader Picture: The Relevance of Democracy-Based Evaluations

To get an idea about the broader spectrum of values on which textbook authors (or the speakers whose statements they report) base their evaluations of international institutions, our initial strategy was to identify and categorize evaluative statements in the textbooks we analyzed. More precisely, three types of statements make up our initial corpus of legitimacy statements: *(i)* evaluative statements that either explicitly or implicitly include an evaluation of an international institution; *(ii)* proposals for new international institutions that make sufficiently clear what would be 'good' about such institutions; *(iii)* and critiques of proposals for a new international institution. In total, this results in 3.022 'legitimacy statements'.

Of these, only a small proportion can be classified as *post-Westphalian* in the sense that the normative foundation of an evaluative statement is either *democracy* or some notion of *world society*. Under the *democracy* label, we summarize all evaluations that make democracy or a particular democratic value their primary standard of evaluation. In contrast, the *world society* label comprises those statements that focus either on the well-being of individuals (as opposed to states) or on the global community as a normative reference point. The first set of ideas are post-Westphalian in the sense expressed in Table 1. They essentially hold that international institutions are good if they are democratic and that they ought to be reformed if they suffer from a 'democratic deficit'. The second set of ideas is post-Westphalian in the sense that the state is not

12

considered a major reference point for normative evaluations of international institutions. Instead, international institutions are seen as valuable to the extent that they promote or realize individual rights or ideas contained in notions like 'global justice', the 'common concern' or the 'common heritage of mankind'. Looking at our data, we can see that the post-Westphalian frames are used more often in environmental politics textbooks than in textbooks from the other two issue areas. Over time, however, the use of this frame appears relatively stable across all three issue areas.

	Security		Environment		Human Rights		All Areas	
	70/80s	90/00s	70/80s	90/00s	70/80s	90/00s	70/80s	90/00s
Functionality	62%	77%	76%	85%	88%	91%	76%	85%
Westphalian	33%	16%	11%	3%	8%	5%	17%	8%
Post-Westphalian	5%	7%	13%	12%	5%	4%	8%	8%
N	153	205	411	1095	462	696	1026	1996
No. of books	13	12	13	13	10	10	36	35

Table 2: Overview of Evaluative Statements of International Institutions

In contrast, evaluations based on W*estphalian* norms are initially stronger – and particularly strong in textbooks on security politics – but become less frequent over time. They basically include all those evaluations that make references to sovereignty as an important normative basis of international institutions. Some of the evaluations thus revolve around the notion that international institutions give expression to ideas of sovereign statehood and the related idea of sovereign equality and should therefore – if anything – be an instrument to realize national sovereignty. Accordingly, international institutions ought to be evaluated positively wherever they respect, support and help to fully realize national sovereignty and/or sovereign equality. They are evaluated

negatively wherever they (or their activities) are considered an unnecessary infringement on national sovereignty. In addition, we also classified statements as *Westphalian* when they referred to tensions between sovereignty on the one hand and functional demands on the other hand, and saw the main task of international organizations in resolving or overcoming this tension in an adequate manner. Numerically, we can see that textbook authors decreasingly refer to Westphalian norms over time, indicating that sovereignty-based values appear to be less important to authors in recent decades than in the 1970s and 1980s. While the relative share of sovereignty-based evaluations differs across issue areas, the temporal trend seems robust across all three areas.

Functionality is the most often used evaluative basis for international institutions. We understand the functionality frame as a category that comprises evaluations based on the explicit or implicit acknowledgement that international institutions are necessary to solve collective problems, and that they ought to be evaluated on the basis of how well they meet this necessity. Hence, international institutions are good if they make a significant contribution to solving the policy problems that have given rise to their creation, and they ought to be revisited if they do not. For example, this frame includes statements criticizing that the institutional design or the output of an international institution are ineffective or inefficient. Functionality arguments are at the heart of most evaluative statements in all three issue areas and throughout all four decades. Moreover, their relative share increases slightly over time. This rise occurs in parallel to – and possibly as a result of – the growing number and functional scope of international regulation itself and is hence not entirely surprising.

Taken together, two observations are interesting in relation to our broader question. First, a plethora of normative yardsticks have been – and continue to be – used in the evaluation of international institutions in academic textbooks. This puts the notion of a shift from 'Westphalian' to 'post-Westphalian' norms into a broader perspective. The most frequently used normative frame of functionality, for instance, is in itself neither particularly Westphalian nor post-Westphalian; it simply follows a different logic. In any case, democracy is only one among many evaluative frames that textbook authors

apply to international institutions over all analyzed decades and issue areas, accounting for roughly half of the 'post-Westphalian' evaluations identified in Table 1. Second, our assignments of evaluative statements to particular frames do not lend strong support to the idea of a shift from Westphalian to post-Westphalian legitimacy norms. We observe an overall rise in the absolute number of evaluative statements, a slight decrease in sovereignty-based evaluations, and a slight increase in functionality-based evaluations, but – in contrast to what one might expect on the basis of the literature cited in the introductory section – no increase of democracy-based evaluations of international institutions.

These figures, however, need to be treated with some caution. First, even new textbooks may tend to report old norms in their reconstructions of the history of international politics and its evaluations; a 'conservative' bias may therefore be expected. Second and related, academic norms about how to structure and write a good textbook might also develop relatively slowly, with new books being modeled on successful books from earlier periods and hence relatively wary of including too many novel themes. As a result, the conservative bias discussed above might be further enhanced. And third, since the statements on which this study is based are often complex and multi-faceted, their classification frequently involves significant interpretive work. Even with regular team-based reflections about the process of assigning individual evaluative statements to predefined categories, we faced difficulties to achieve the high level of consistence among coders that is conventionally required to defend strong statements based on numbers. As a result, the figures reported in Table 2 can provide only a first and very rough sketch. Although the observation of parallel patterns across issue areas provides some robustness to our results, this puts limitations on the interpretation of our frequency counts. In short, it means that only large shifts in relative numbers could serve as indicators for normative change – and at least in relation to post-Westphalian legitimacy norms, our data do not reveal such larger shifts.

It is also for these methodological reasons that the main thrust of our argument relies on a more fine-grained, qualitative discussion of democracy-related evaluations to which we turn in the following sections. For even if democracy may not be invoked more

15

frequently, the content of demands related to democracy might still have changed. The empirical basis for this qualitative discussion comprises those statements assigned to the *democracy* frame in the first step. To take account of the possibility that the coders for the different issue areas have different levels of sensitivity in either recognizing a statement as evaluative or assigning it to the *democracy* frame, we additionally include all those statements from the initial corpus of legitimacy statements that contain at least one term that might signal a reference to democracy or to a particular democratic value. To keep the analysis manageable, we restrict our search to the terms democracy, participation, transparency, and accountability (as well as their translations for the French and German books included in our analysis).[5]

3.2   References to Democracy

Explicit appeals to democracy come in a variety of ways. One of the most frequent references is, for instance, the role of international institutions in promoting national democracy. International organizations that are credited with this function include organizations that make democratic government a requirement for becoming a member state (such as the Council of Europe or, more recently, NATO) as well as organizations whose activities are seen to benefit the quality of domestic democracy (such as the MERCOSUR, OAS, OECD, OSCE or the UN).[6] Other references to democracy include discussions of the democratic quality of foreign policy, and generic references to the value of democracy as a normative standard for the legitimate exercise of political power.

Finally, a number of statements explicitly apply the label democracy to international institutions, to non-state actors that participate in such institutions or to international governance systems as a whole. However, only nine of the seventy-one books we examined make explicit use of the label *democratic* (rather than related concepts such

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[5] The choice of terms is motivated by the idea that a range of different conceptions of democratic governance beyond the state overlap in relation to these democratic values (cf. Dingwerth 2007: chapter 2).

[6] The argument appears relatively frequently in textbooks on human rights, but is occasionally also found in books on the other two issue areas. For an elaboration of the argument that international institutions promote or consolidate national democracies, see also Keohane, Macedo and Moravcsik (2009).

as participation, representation, transparency or accountability) in their evaluations of international institutions. Substantively, the statements they make neither give expression to a coherent conception of democracy, nor do they indicate a clear shift over time in authors' understanding of what 'democratic' means in relation to international politics. Instead, they underline that diverse meanings are associated with democracy when the term is used as a basis for evaluating international institutions. The uses identified can broadly be classified in relation to three particular meanings that refer to democracy as *equality*, as *decentralized governance* and as *empowerment*.

Democracy as equality. Assessments of individual institutions as either democratic or undemocratic commonly refer to the formal or factual equality among participating states. In terms of formal equality, Susan Buck (1998: 160) for instance interprets democracy on the basis of a 'one state, one vote' rule when she maintains that INTERSPUTNIK 'follows more democratic lines' than INTELSAT because 'each country has one vote regardless of the volume of traffic it generates on the system, whereas on INTELSAT, the size of the vote is commensurate with the amount of volume used by the country'. Similarly, Weiss and Kalbacher (2008: 334) refer to the UN General Assembly as 'the democratic assembly' as opposed to the smaller Security Council.

Democracy as formal equality also lies at the heart of political controversies reported in the textbooks. A first controversy relates to the creation of the UN in 1945 where, according to Paul Lauren (1998: 176), governments present at the Inter-American Conference on Problems of War and Peace held in Mexico City in February 1945 framed their disappointment with the Great Power dominance in the proposed charter in democracy-related language and held that 'if the crusade of World War II was in the name of democratic principles, then surely the new international organization should be based on democracy'. Here, democracy essentially means equality of states, but the appeal to democracy remains largely symbolic and instrumental. In relation to the San Francisco Conference that concluded the series of international conferences in the run-up to creating the United Nations, Lauren (1998: 185) however deviates from this particular conception of democracy when he argues that 'the organization of the conference into several working commissions and committees created a unique and

democratic process that provided many more opportunities for vigorous debate and discussion than any other diplomatic conference before'. Here, democracy no longer means equal representation, but rather the 'opportunity for vigorous debate and discussion'. This notion of democracy however remains vague, not least since Lauren himself accurately describes how the Great Powers cooperated effectively to maintain the integrity of their Dumbarton Oaks proposals so that the sincerity of the 'vigorous debate and discussion' is called into question.[7]

A second controversy is associated with the creation of the Global Environment Facility (GEF) in the first half of the 1990s, as reported in several environmental textbooks that have appeared since (Brenton 1994; Chasek, Downie and Welsh Brown 2006; Elliott 1998). Here, the use of the democracy label reflects the language used by governments themselves in as much as developing countries tied their acceptance of the proposed GEF to 'increased transparency and democratization'. While it was initially left open how exactly such transparency and democratization might be achieved, developing countries portrayed the World Bank – which was one of the implementing agencies of the proposed GEF – as 'undemocratic' in the sense that it was 'dominated by developed country interests'. Consequently, democratization referred to giving developing countries 'equal representation in the decision-making process' (Elliott 1998: 200).

Democracy as decentralized governance. In textbooks on environmental politics of the 1970s and 1980s, several authors make reference to a debate about the need to centralize authority in order to cope with global environmental problems (Harf and Trout 1986: 213-4; Kent 1979: 246; Falk 1973: 150). Other authors also refer to democracy as an important normative foundation of such a centralized authority, and discuss the possibility and desirability of an 'international Leviathan' to be created 'by institutionalizing the role of law and the democratic political process' (Stephenson 1982: 204). This changes over time in as much as the more recent textbooks tend to see democratic potentials in *decentralized* rather than *centralized* governance systems. Lorraine Elliott (1998: 118) for instance argues that, from a critical perspective, 'better

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[7] See also Ian Hurd's (2007: chapter 4) reconstruction of the symbolic function of the San Francisco conference in legitimating the UN.

governance requires [...] that the practice of global governance be decentralized and democratized' and that it 'respond[s] more effectively to local voices and local concerns'.[8] In a similar vein, Kate O'Neill (2009: 6) holds that

> By examining nontraditional actors – environmental activists, community groups, international organizations and even multinational corporations, other modes of governance, such as forest certification schemes, transnational advocacy networks, and actions across scales – from local to global – we see a picture of global governance that is far more multi-faceted, contentious, and potentially more democratic than the dominant model of international environmental diplomacy.

Here, an international governance system is considered as democratic to the extent that it does *not* have a powerful center, but is instead constituted of a plethora of competing or overlapping – or, in the words of the author, 'multi-faceted and contentious' – spheres of authority. Democratizing global governance therefore does not necessarily mean rendering international institutions more participatory, transparent or accountable, but rather reducing their central authority within the wider governance system through the creation of 'non-traditional' authorities that develop alternative visions and provide space for the contestation of hegemonic ideas and institutions.

Democracy as empowerment. Beyond the environmental field, references to the democratic quality of entire governance systems are rare. An interesting exception is Peter Hough's mentioning of an earlier debate in which 'the emerging global polity of the 1990s' had been described by one author as a 'hard democracy'. The term, Hough (2008: 253) elaborates, 'had originally been coined to describe the semi-democratization of some South American states in the 1980s by military dictatorships, driven by populist expediency rather than a genuine desire to free their citizens' and is accordingly meant to refer to 'a limited form of democratic representation dished out by

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[8] This statement illustrates some of the difficulties associated with the analysis of evaluative statements. While some readers might be inclined to interpret 'and' as an operator that logically *separates* the two elements referred to in this statement, our interpretation here is based on 'and' as an operator that, in the same way as it is frequently used in everyday language, *equates* the two elements with each other. We thank Bernd Schlipphak for pointing us to this problem.

political elites without properly empowering the stakeholders'. Here, democracy is essentially linked to the 'empowerment of stakeholders' vis-à-vis political elites. Yet, while international institutions are said to make symbolic use of democratic ideas, the elites that dominate such institutions do not, it is argued, have any sincere intentions to live up to these ideas.

A similar conception of democracy as empowerment or emancipation also underlies Elliott's (1998: 131) discussion of the democratic potential of non-state actors in global governance in which she conceives of global civil society as an 'expression of alternative visions of political practice and environmental governance' that are 'consciously normative and transformative' and emphasize 'democratisation, participation and the empowerment of marginalised voices, justice and equity and a reclaiming of the local to counter the centralising tendencies of a reformist, institutionalist approach to global governance'. Democracy, in this perspective, is equated with the 'effective control of change by those most directly affected' (Elliott 1998: 131, citing John Hontelez) and ultimately linked to the idea of emancipation.

In sum, only few textbook authors make explicit use of democracy as a standard to evaluate international politics. Those that do are more likely to have written their books in the 1990s and 2000s; and they conceive of democracy – and also of the proper domain to which democracy as a normative standard should be applied – in rather diverse terms. Given that the term democracy is a standard example of an 'essentially contested concept' (Connolly 1989), this is not entirely surprising. But the discussion shows that, among textbook authors, there is hardly a consensus on the notion *that* democratic norms ought to be applied to international institutions, nor about *what* such a demand would essentially entail.

3.3 Participation of Whom and for What? From Functional to Representational Arguments

Normative change becomes more visible when we move from references to democracy to references to particular democratic values like participation, transparency or accountability. Looking at evaluations that use participation as their normative

reference point, three observations are noteworthy. First, the range of actors that are seen as legitimacy-relevant expands throughout the decades. Second, justifications for participation in international institutions become broader over time as functionality-based arguments are complemented by concerns about the representative nature of international institutions. And third, participatory demands do not predominantly focus on a small set of international organizations, but cover a very broad range of international institutions. Taken together, these observations signal a slightly increased relevance of post-Westphalian legitimacy conceptions.

The expansion of legitimacy-relevant actors. In all decades and across all three issue areas, textbook authors base at least parts of their evaluations of international politics on the adequacy of state participation in international decision-making. For most of them, broad participation is important because it enhances the likelihood that transboundary problems will be solved. Maurice Strong thus argues in relation to the 1972 UN Conference on the Human Environment that 'it was of critical importance […] that a maximum number of governments were engaged and brought to feel a sense of participation' (Strong 1975: 262; see also Lawrence 1979: 91). In a similar vein, some non-binding human rights instruments are said to 'possess a great authority since they reflect the opinion of the General Assembly' with its universal membership (Flinterman 1999: 146); the involvement of Third World states in negotiations for a military non-intervention treaty is deemed 'probably essential to the success of the endeavour' (Goetz Lall 1982: 98); and participation by at least the most important states in specific respects is regarded as crucial not only 'for cooperation to have a meaningful impact' (DeSombre 2002: 110) but, in the case of UN operations, also because otherwise 'the UN itself would become a shadow organization' (Papp 1984: 57). Beyond these functionalist statements, more recent textbooks also discuss the 'obstacles to southern participation in global environmental meetings' that result from the strained diplomatic apparatus of Southern countries and thus link the discussion about developing country participation more explicitly to representational concerns (O'Neill 2009: 88; see also below).

Next to states, there is a continuous awareness since the 1970s of the legitimate participatory demands of individuals and the general population on the one hand, and

non-governmental organizations (NGOs) on the other. NGO participation in international affairs is seen as vital in a wide range of textbooks. In security and human rights politics, it is again mostly a means to successful peacekeeping or to the effective protection of basic human rights. Here, authors state the important functions fulfilled by NGOs and/or demand a greater role for them in particular international regimes (Forsythe 1983: 218; Morgan 2006: 264; Schwelb 1978: 333). In international environmental politics, where much of the corpus of international law had yet to be established after 1970, they are also seen as central to the legitimacy of decision-making processes in which new international rules are created. In general, however, even though NGOs are already mentioned in the 1970s, they emerge as legitimacy-relevant actors from the 1980s onwards when the debate about who does or should participate in global governance gains a clear focus on NGOs. Elliott (1998: 101) even goes so far as to require 'a new legal ethic' which attributes NGOs a status 'as legitimate subjects of international law'. In line with this tendency, some attention is also paid particularly to NGOs from the global south. Thus Kamminga and Rodley (1984: 198) report 'understandable charges that the NGO community is unrepresentative of the world as a whole' and that 'wider participation by NGOs based in the Third World [...] is badly needed'. Here, the representational function of NGOs is explicitly addressed and begins to complement the initial focus on functional benefits.

Finally, a major evolution over the four decades is the much greater attention textbook authors pay to social groups that are traditionally marginalized in international negotiations. Most notably, they comprise women's organizations, indigenous groups and 'local communities'. All these groups are virtually non-existent in evaluative statements drawn from the textbooks of the 1970s and 1980s, but given a prominent role in at least some textbooks from the 1990s and 2000s (see e.g. Elliott 1998: 147-157; Whitworth 2008: 103). Rhona Smith (2010: 353) for instance commends the Inter-American Commission on Human Rights for having encouraged indigenous peoples to participate in the development of a declaration on the rights of indigenous peoples; and the process leading up to the Stockholm Convention on Persistant Organic Pollutants (POPs) is praised as 'notable for the prominent role given to the Inuit and other

northern indigenous peoples' who had the opportunity to present how POPs threaten their health and cultural heritage (Chasek, Downie and Welsh Brown 2006: 137). Finally, textbooks also reflect criticism of the kind that indigenous peoples are 'rarely to be found on national delegations or in the secretariat of UN organisations' (Elliott 1998: 153).

Participation as representation. The rise of representational ideas is thus most evident in relation to evaluative statements that focus on the inclusion of previously marginalized groups. As functional concerns rarely play a role in justifying demands for greater inclusion of these groups, evaluations that refer to these groups almost exclusively express representational concerns. In other words, they understand representation not as a means, but as a valuable end that international institutions should pursue for its own sake. The general idea behind representational concerns is expressed in the notion that citizens should have 'their say in international fora' (Speth/Haas 2006: 136).

How this idea gains support among textbook authors can be seen in the 1990s and 2000s, where NGOs are discussed as delivering information not only to international institutions, but also to a wider public, thereby making critical knowledge available, empowering those concerned to participate in global governance processes (Elliott 1998: 143). Second, this shift in the meaning of participation can also be seen in the increasing use of the deliberation trope in that period. The authors of human rights and environmental politics textbooks describe non-state actors as important interlocutors inside international institutions. During deliberations, they make excluded voices heard. As O'Neill (2009: 91) puts it, 'NGOs have served as the "conscience-keepers" of the international community' and should therefore push for 'wider participation in these deliberations'. Furthermore, they broaden the horizons of delegates in deliberations by providing critical perspectives, new ideas or simply broader views on a given issue (O'Neill 2009: 91-92). For instance, Speth and Haas (2006: 120) argue that opening the procedures of the WTO to nontrade experts would '[give] the WTO greater legitimacy'.

Finally, representational concerns are also visible when the contributions of NGOs or scientists are criticized, either in relation to elites vs. non-elites, or in relation to the

representation of societal actors from the global South. For example, Smith (2010: 172) criticizes that in some Human Rights commissions 'only an elite inner circle of academics, activists, and politicians tends to be aware of the content'. And in relation to environmental science, some authors 'have argued that serious inequities have existed, and often remain, in how Southern concerns and experiences are reflected on international scientific agendas' (O'Neill 2009: 89).

In sum, we witness both continuity and change. Continuity is most visible in relation to functionally motivated participatory demands that are largely unconnected to participation as a democratic value (and hence also to post-Westphalian legitimacy norms). Such demands account for a relevant share of evaluations of international institutions that are related to the concept of participation. At the same time, change is visible in relation to the expansion in the range of legitimacy-relevant actors and in relation to the complementary understanding of participation as a means to enhance the representation of various actors and to thereby improve, ultimately, the democratic quality of global policy-making. Once more, this latter shift is particularly visible in textbooks on international environmental politics and to a lesser extent in books on human rights and security.

3.4 The Proper Domain of Transparency and Accountability: From States to International Organizations

Numerically, our data also indicate an increase in the number of statements that contain the labels 'transparency' and 'accountability' in the 1990s and 2000s compared to earlier decades, even if one controls for the overall rise in the number of evaluative statements.[9] Qualitatively, the most interesting observation is that, in the earlier decades, evaluations of international institutions are mainly concerned with international institutions as *providers of (national) transparency and accountability*. In more recent decades, this focus is complemented by demands for the transparency

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[9] We discuss demands for transparency and accountability together since textbook authors frequently use both ideas in combination and discuss them as closely linked categories.

and accountability of *international institutions themselves*. Three specific observations are noteworthy in this regard.

First, it is striking that authors of international security textbooks do not discuss transparency as a relevant basis to evaluate the performance of international institutions. Normatively speaking, security is portrayed as a 'transparency-free' zone in which openness or publicity is of limited value.[10] This is different in human rights and environmental politics textbooks where we can identify a broad range of references to transparency, often with functional undertones. For instance, the public character of reporting under the UN and regional human rights regimes is lauded because it 'provides for considerable transparency of the reporting system and allows for monitoring and even lobbying by non-governmental organizations', or because it 'contributes to the transparency of process and helps to encourage participation' (Scheinin 1999: 433; Smith 2010: 170). Here, the meaning of transparency revolves around ideas of public control, participation, and openness. Transparency is not necessarily seen as a value in itself, but serves to improve monitoring and 'to publicize policy failures or successes' (O'Neill 2009: 119) and thereby generate information upon which those concerned can act to improve the system.

A group of statements in earlier human rights textbooks might seem at odds with this predominant image of transparency. These statements are skeptical about the public proceedings for the international protection of human rights. Emphasizing the dependence of international law and human rights law on the consent of states, they point out that secrecy provisions might facilitate acceptance of certain procedures by states (Luini del Russo 1971: 85):

> In the preliminary phase on admissibility, it is clear that it would be extremely damaging to Sovereign States to open to the public such proceedings; had this

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[10] When transparency is mentioned at all, it thus refers to transparency about states' defense budgets or military arsenals that is understood as an instrument to build trust and facilitate the maintenance of peace. A standard references thus reads more or less like Duffield, Michota and Miller's (2008: 303) evaluation that NATO, '[by] increasing transparency, further denationalizing security policies and subtly balancing power, … has helped to assure its members that they have nothing to fear from one another'. Whether international institutions and their decision-making processes are themselves transparent, is not a point of discussion.

been the procedure established, it would probably have destroyed any inclination of States to accept the optional right of individual petition which was still in fieri at the time of signature of the Convention.

While the possibility of fostering accession to human rights instruments is seen rather optimistically in the 1970s, statements referring to the confidentiality of proceedings become more modest in assessing their positive effects in the 1990s. Instead, a range of statements referring to confidential proceedings are critical and point out the disadvantages of these proceedings, for instance when they portray the 1503 mechanism as 'overly cumbersome and confidential, thus preventing sufficient public disclosure and discussion' (Lauren 1998: 265).[11] This change of perspective might indicate a changing normative environment for the international protection of human rights. While the role of states in fulfilling their human rights obligations is still acknowledged, there is a greater emphasis on the need of public review of human rights records. These demands are framed as calls for increased transparency.

A second change is more directly related to our notion of 'post-Westphalian' legitimacy as set out in the introductory sections of this article. It relates to the observation that, apart from states, a number of international institutions are also subjected to demands for transparency and accountability – for instance when the Millennium Development Goals (MDGs) are described as 'a powerful political tool to hold governments and international institutions accountable' (Chasek, Downie and Welsh Brown 2006: 265). In contrast to notions of democracy and participation, some IGOs – most notably the GATT/WTO, the World Bank, and the IMF – are however much more in the focus of such demands than others. They are subjected to criticism where they do not live up to authors' (or speakers') standards of transparency and/or accountability, but also praised for their reform efforts to improve their transparency records.

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[11] The 1503 mechanism is the procedure allowing individuals and groups to inform a Working Group of a Sub-Commission of the UN Human Rights Commission of 'a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms'. It was established by ECOSOC Resolution 1503 (1970) and was partly incorporated in the Human Rights Council Complaint Procedure.

More direct references to accountability (rather than transparency or a combination of transparency and accountability) can be organized along two questions, namely who should be accountable, and to whom accountability is owed. As with participation, there is also a diversification of the actors which face demands for increased accountability. While a large number of statements – most notably in the domain of human rights – address the legal accountability (or liability) of states, statements advocating the accountability of international organizations themselves are stronger in textbooks of the 1990s. Sigrun I. Skogly (1999: 246) thus point out that 'concern over negative human rights impact of the operations of the [World Bank and IMF] themselves, and thus their accountability in accordance with human rights law' is a relatively new phenomenon. Concerning the actors to whom accountability is owed, there is a whole series of different actors mentioned, ranging from the world community, the citizens of a state and other states to local communities, the member states of an international organization and the 'stakeholders' of international institutions. Interestingly, explicit references to these actors and their differentiation are made almost exclusively in statements from the 1990s. Together with the observation that the concept of liability of international organizations emerges as a theme of discussion at around that time, this indicates that the notion of 'legitimacy as accountability' becomes increasingly specified over our period of investigation.

4.   The Democratic Deficit in IR Textbooks: Conclusions

Our main research interests in this article were twofold. First, we have examined how relevant democracy is as a normative standard in textbook evaluations of international institutions and how the relevance of democracy-based evaluations has changed over time. Second, we were interested in what 'democracy' means when it is used in textbook evaluations of international institutions, and how the content of democracy-related evaluations has changed over time. An analysis of seventy-one academic textbooks on international security, environmental, and human rights politics leads us to several answers. Numerically, democracy is only one normative standard among others, and it does not seem to become more central in more recent decades. Qualitatively, we can observe some interesting changes in relation to three aspects that speak to both

dimensions of legitimacy identified by Ian Clark, namely the dimensions of rightful actors and rightful conduct. First, in relation to Clark's first dimension, *the range of legitimacy-relevant actors expands over time*, most notably in relation to non-state actors and marginalized groups as legitimate participants in (or even subjects of) international policy-making. Second, and linked to notions of both rightful actors and rightful conduct, *representational concerns become more relevant* in justifying demands for greater participation in international institutions. Third, and more directly connected to ideas about rightful conduct, *international organizations increasingly become the objects of demands for transparency and accountability*.

How do these results relate to the existing research on the legitimation discourses about global governance institutions? Here, a comparison to legitimation patterns in other discursive arenas reveals interesting differences. A recent analysis of quality newspaper discourses on the UN, the EU and the G8 in four different countries thus identifies roughly one third of all evaluations in this particular discursive arena as relating to democratic norms (Nullmeier et al. 2010). Provided that the conceptual frameworks of both studies are roughly comparable (which they seem at first glance), *the relevance of democratic yardsticks thus seems considerably higher in media discourses than in textbook discourses.* Overall, this supports the notion that academic textbooks are characterized by a significant time lag that shields them from the fashion trends of more contemporary legitimation discourses such as those found in quality newspapers. At the same time, the divergence raises interesting questions in relation to the 'productive power' and the mutual influence of the two discursive arenas on each other that warrant further scrutiny.[12]

Second, the qualitative discussion in relation to participation, transparency and accountability shows that *democratic norms do not replace other norms, but are rather added to the picture.* Thus, international organizations are now expected to be

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[12] Further comparisons face the obstacle that the two studies differ slightly in terms of their substantive focus (relative importance of different frames vs. the share of positive/negative evaluations in relation to individual frames), methodological approach (primarily qualitative vs. primarily quantitative) and time scale (1970s to 2000s vs. 2000s). Comparing the two datasets from a single perspective may thus provide fruitful insights in the relation between the two arenas.

functional *and representative*; and they are expected to contribute to the transparency and accountability of states and inter-state relations, *but to also be transparent and accountable themselves.* Overall, this expansion adds complexity to the normative field in which international organizations operate. Most importantly, it confronts individual organizations with competing, and possibly conflicting normative expectations, thus making legitimation a more arduous task. Dominika Biegoń's (2010) study on the difficulties of the European Union to legitimize itself in the face of a plurality of competing public expectations points in a similar direction and thus illustrates that, at least in this case, textbook discourses are aligned with other discursive arenas. Moreover, it shows that social discourse clearly affects the reality of international institutions and their everyday work.

Third, our study has mainly focused on textbook authors' expectations of international institutions *as a whole* and therefore not distinguished much between individual institutions as the targets of democratic demands. Yet, it nevertheless suggests that *the enhanced power of international institutions is related to, but does not directly translate into demands for enhanced democracy.* On the one hand, the World Bank, the IMF and the WTO thus receive their fair share of attention. On the other hand – and again in contrast to media discourse (Schmidtke 2010) – the UN Security Council rarely appears in evaluations we categorized as relating to democratic principles, and security textbooks remain, as discussed above, a 'transparency-free' discursive zone. How these differences between demands made vis-à-vis particular international organizations are justified, why and how they are maintained, and what role disciplinary cultures play in this regard may be avenues for fruitful further research.

Finally, our analysis also provides some insights into the self-understanding of International Relations as a discipline. In *Towards a Normative Theory of International Relations* (1986) and *Ethics in International Affairs* (1996), Mervyn Frost laments the fact that even though IR scholarship is replete with normative judgments – judgments that, in Frost's view, cannot be avoided in the first place – normative theorizing remains 'confined to the fringes of the discipline' (Frost 1996: 4). Despite 'dramatic developments in both theory and practice' that included 'several major books

on the topic', 'a number of journals [that] regular carry articles on topics which fall broadly within this field', and the end of the Cold War that had been 'clearly inimical to the development of a normative approach to international relations', Frost's assessment of the decade since the publication of his first book remains sobering (Frost 1996: 5):

> Scholars in the discipline do not consider that normative theory is fundamentally necessary to the study of world politics. It is to be found instead next to the other marginal sub-groupings within the discipline, namely post-modernism, feminism, and ecological approaches.

Our results lend some support to the idea that, despite further 'dramatic developments in both theory and practice', concepts such as 'justice, liberty, equality, political obligation and democracy' (Frost 1996: ix) remain marginal in the self-understanding of IR as it is expressed in academic textbooks. Even though *(i)* further 'major books on the topic' have appeared, even though *(ii)* Christian Reus-Smit and Duncan Snidal (2008) have recently moved normative reasoning center stage in their *Oxford Handbook of International Relations*, even though *(iii)* the constitution of political order beyond the state renders fundamental distinctions between domestic and international politics that have served as a major justification for eschewing normative reasoning in IR ever less plausible, and even though *(iv)* most readers would probably be able to point to one or another textbook that does take normative theorizing very seriously, the large bulk of textbooks has yet to do so.

Overall, most of the textbooks we analyzed – including those from more recent decades – thus do not make references to democracy when they evaluate international institutions; and overall, those that do relate their evaluations of international institutions to ideas of participation, transparency, accountability or even democracy itself, tend to take its desirability largely for granted. Rather than giving an in-depth account of why, when and how democracy constitutes an appropriate evaluative standard for international institutions, the normative discussions themselves often remain superficial. And while our analysis has focused on one particular normative value, namely democracy, our reading of the textbooks suggests that the results would most likely not differ a great deal had we focused on other normative concepts such as

justice or liberty. In some way, our analysis thus illustrates the long legacy of the Cold War in International Relations – a legacy that can be seen particularly well in a relatively conservative, but nevertheless practically relevant source such as academic textbooks.

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Appendix – List of Textbooks Included in this Study

A. International Environmental Politics

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