



International Organizations

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International Organizations

Politics, Law, Practice

Ian Hurd

Northwestern University

FOURTH EDITION



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Preface

This book examines the world's main international organizations. It looks at the legal and political forces that constitute the United Nations, the World Trade Organization, the International Organization for Migration, and a range of other institutions and then considers how these rules are used in practice in foreign policy and global governance. It is unique among textbooks on international organizations with its close attention to the interaction between international politics and international law.

The book begins from the premise that international politics cannot be understood without thinking about international organizations, and that international organizations cannot be understood without thinking about their legal and their political features. The reciprocal relationship between law and politics gives a clearer view into how international organizations operate as players in the world of power politics and how governments and others try to use them to advance their own interests. It is at once strategic and social, legal and political, global and local. My approach gives a window into deeper questions in international relations about the dynamics among power, interests, institutions, and actors.

Thinking about international organizations requires paying attention to power, law, politics, and more all at once. It also needs practical as well as theoretical thinking. The chapters in this book look at the world of global governance with an eye on these big issues.

To see the big picture we must first see the details. And so each chapter tells stories from the daily life of the institution. For instance, we see how the government of Burma has manipulated the International Labor Organization around the problem of forced labor in that country. We also see how Japan's whale hunting got it in trouble with the International Court of Justice and how it has escaped that trouble by canceling its legal obligations on whaling. These and other stories provide the raw materials that we can use to construct our understanding of international organizations. From there we can begin to ask bigger questions about international relations, such as "when does international law work and when does it fail?," "what can international organizations accomplish?," and "who decides the rules of the game?"

This fourth edition of the book brings it up to date with the rapidly changing world of international politics and law.

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- The global regime on refugees and migrants is explored in Chapter 8. This includes the International Organization for Migration, the UN High Commissioner for Refugees, and the 1951 Convention on Refugees.
- Ongoing developments around Brexit are covered in Chapter 11 on the EU.
- The rising of anti-internationalist policies in the United States is covered throughout. These are particularly threatening to the World Trade Organization (Chapter 5) and the United Nations (Chapter 4).
- Chapter 1 directly challenges the common assumption that international organizations are naturally good and progressive. I call this the “enchanted” attitude toward global governance and argue that it is important that we get beyond it.
- Chapter 3 looks at how the United Nations accidentally sparked a cholera epidemic in Haiti in 2010, and how its legal immunities make it impossible for the victims to get compensation from the organization.
- The ongoing Syrian war involves international organizations on both the security and the humanitarian fronts. A new case study on genocide and mass killing in Chapter 4 looks at the role of the UN Security Council in response to governments that turn on their populations, with evidence from Rwanda, Sudan, and Syria.
- The debt crisis has reshaped the landscape for international financial institutions in recent years and Chapter 6 includes a new section that details the Argentine default and restructuring. This helps us understand the politics of financial flows as well as the role of international institutions in shaping the movement of money.
- The International Court of Justice was asked to rule on whether Japan was illegally hunting whales in the Southern Ocean. Chapter 9 includes a case study of the dispute that ensued, pitting Australia and NGOs against Japan and its whaling industry.

All of today’s global issues are linked to the international organizations in this book. From human rights to financial flows to environmental collapse, a broad range of government decisions are influenced by the rules, decisions, and powers of international organizations, and by their absence: a government that wishes to subsidize a steel factory must consider how this fits with the rules of the World Trade Organization; Iceland’s decision to allow whale hunting is causing problems in its application to join the European Union; the International Court of Justice has some say over the legal implications of Israel’s wall inside the Palestinian territories; the International Criminal Court may have jurisdiction over US soldiers in Afghanistan despite the United States refusing to ratify the Rome Statute.

The goal of the book is to understand the power and limits of these and other international organizations. Some institutions make major contributions, as when the International Criminal Court convicted Thomas Lubanga in 2012 for using children as soldiers in the Democratic Republic of the Congo. Some are paralyzed by internal disagreement, as when the UN Security Council failed to take action to protect innocent people against the Syrian government after 2011. Some, such as the International Labor Organization, survive by avoiding controversy and making relatively few demands on their member states. As we see in Chapter 8, the international rules on refugees and migrants come from a mix of treaties and institutions that are open to competing interpretations and also are widely flouted by governments.

Both the failures and the successes of international organizations stem from the rules and competencies set out in their legal charters, and from the interaction between these rules and the wider world of states and other kinds of actors. It is as important to understand why these organizations sometimes fail to take collective action as it is to understand when they do act. The international response to the Libyan uprising in 2011 was very different than to the Syrian uprising a year later, and the reason for this has much to do with the internal rules of the UN Security Council: the permanent members of the Council were much more divided over what to do about Syria than they were about Libya, and this put the Council in a very different state in relation to the two crises. The Syrian civil war continues, while the Libyan civil war was ended by UN and NATO intervention.

The main goal and overall structure of the book remains the same since its first edition: to understand the international organizations that operate in the most important areas of international policy-making, including trade, finance, courts, and international peace and security. Throughout, it strives for a realistic view of these organizations, one that neither overstates nor understates their power and influence. It aims to inform readers and open up new questions for inquiry and research.

To that end, each chapter first presents the legal foundation of the organization and then explores how it operates. The controversies that surround the organizations come out of the interaction between their legal powers and the political context in which they find themselves, the push and pull of motivated actors seeking to use the organization in the pursuit of some goals. What comes out of this interaction may be judged to be good or bad, or somewhere in between, but it is clear that one cannot make sense of contemporary global politics without understanding the network of interstate institutions.



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