

A WORLD OF STRUGGLE

HOW POWER, LAW,
AND EXPERTISE
SHAPE GLOBAL
POLITICAL ECONOMY

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INTRODUCTION

COULD THIS BE 1648?

As you drive up the mountain to Davos for the World Economic Forum, you can be forgiven for thinking this is where the world is governed: innumerable checkpoints, fancy cars, detailed instructions on what to do with your jet and where your chauffeur should park. My first time was in January 2009 as the global economy teetered. It was an extraordinary moment of uncertainty for these titans of finance, industry and government. Much seemed up for grabs and nervousness permeated the air. The Forum had just launched a Global Redesign Initiative to support what they called a “fundamental reboot” of the “global architecture” as part of their “commitment to improving the state of the world.” I chaired a new Global Agenda Council on Global Institutional Governance and had been asked to consult about the global political and economic order’s travails and who could do what to right its course.¹ The Forum was clear the project would not be a new Bretton Woods: no one was proposing new intergovernmental institutions. The goal was a renewed commitment to bend the tools at hand to the urgent issues of the day: rebooting the global system to strengthen “global governance.”

This book is about the stories people tell themselves and one another in places like Davos and the power they exercise in doing so. Their stories are important: stories about what an economy is, what politics can accomplish, the limits and potential of law in establishing a well-ordered world. Stories make some problems visible and some actors central to their resolution. Stories are also tools of struggle, assertions about who is entitled to what, whose desires legitimate and whose do not. The technical work people undertake in the shadow of these stories arranges the world, distributing wealth, status, and opportunity.

In a world where so much is open to debate and conflict is all around us, how can it be so difficult to contest and change the things that matter? Things like the distribution of wealth and opportunity or honor and shame. Or the

pattern of environmental destruction. Or the ubiquity of kleptocratic rule. The answer is not a mysterious constitutional settlement, the obscure workings of a disaggregated public hand or global value consensus. The answer lies in the strange alchemy of expertise and struggle through which our world is made and remade. The alchemy is strange because struggle and conflict have seemed inimical to expertise: matters of political difference and clashing interests that experts aim to calm, mediate, and replace by sweet reason. The world experts know is more constituted order than distributional struggle, their expertise a way of knowing what to do rather than struggling about who will win. And yet, as the world has come to be managed in the language and practice of technical expertise, expert knowledge has itself been transformed. Adopted in crude vulgate by laymen and statesmen alike, expertise has become embroiled in struggle and come unhitched from the promise of decisive clarity, the usefulness of its indeterminacy more appreciated than its analytic rigor. In our world, indeterminate language and uncertain knowledge distribute wealth and power. That is strange—and hard to render visible, let alone contest.

In studying the role of law in economic development and global order, I have been fortunate to be able to meet with all kinds of experts, listen to their stories, and observe their professional practice: international lawyers and government policy makers, factory owners, entrepreneurs and financial analysts in emerging markets, human rights activists, corporate leaders, general counsels, and risk managers from around the world.² I have tried to understand the world from their perspective: what are their projects, their powers, their vulnerabilities? When they tell you about their work, they place themselves on a terrain of competitive struggle and assess their powers, vulnerabilities, and strategic options. They are proud of their strategic prowess and creative in mobilizing their knowledge and institutional or social power to defeat their opponents. But if you ask them about the larger world, this terrain of struggle fades as they imagine a world that might be ordered and governed, a system that might be reformed. If you ask them what they do, they tell you about struggle. If you ask about their world, they tell you about order and system, institutional limits and appropriate procedures.

I draw on these experiences to explore the role of expertise and professional practice in the routine conflicts through which global political and economic life takes shape. I have tried to steer between bird's-eye accounts of the structure of the world system, the operations of the global economy or the constitution of the global legal order, and ground-level anthropology of people and things as they move in the world. The result is a series of midlevel observations

and hypotheses for research into the role of expert conflict, knowledge and professional practice in the reproduction of an unjust world.

I use the terms “expert” and “expertise” with some hesitation because they focus attention on a class of people and a kind of knowledge rather than a characteristic role and mode of speaking, deciding and acting in struggle. As I imagine it, “expertise” is not the exclusive province of specialists or professionals, however much it may draw on ideas and reservoirs of legitimacy built up by such people. Although experts routinely imagine their work as a technical and pragmatic practice at least aspirationally removed from conflict and political contestation, the idea that “politics” is somehow different is its own kind of expert fantasy. Technical specialists shape the meaning of ideology and interest while political leaders and citizens have learned to speak the technical languages of policy. All are equally prone to irrationality, confusion, conflicting desires, and ambivalence. Criticism of the “technocratic” nature of global decision making, as I hear it, is simply a way of arguing that the wrong interests and ideologies and technical arguments have won out.³

Politicians, citizens and so-called experts share the experience that what they say and do expresses either their special knowledge and skill or the sum of the vectors pressing upon them rather than their discretion or decision. They are not ruling or distributing; they are advising, interpreting, informing. It is not the politician who decides, but the voice of the people, the urgency of the moment, or the interests of the nation. It is not the expert who speaks, but her expertise; it is not the layman who demands, but his rights that entitle. Expertise dictates in the name of the universal, the public good, the general will, the practical necessities of reason, or the objective truths of scientific knowledge. Sometimes it seems no one is deciding—everyone is arguing about and interpreting decisions taken elsewhere at another time by someone else. However common and appealing these ideas may be, expertise in the fields I have encountered does not operate this way. The work of legal and policy experts is all about struggle, a form of struggle in which the saying and the doing blend into one another, the knowing is partial, the universal up for debate, while the technical, the ideological and the partisan are everywhere linked together.

It is also common to overestimate the rigor of expert analytics. Ideas and analytics rarely dictate results. Experts disagree sharply with one another and are only too aware of the gaps, conflicts, and ambiguities in their analytics. Their work in law and policy is more argument and assertion than reason. Expert work is positioned and strategic, a matter of posturing as much as persuading. The voice of sweet reason is just that: a voice. A role to be occupied, a style to be

deployed, a legitimacy to be claimed. As experts come to inhabit their expertise strategically, they become doubled: asserting the rigor of their analytics while embracing their indeterminacy. In this way, expert conflict and uncertainty seem to strengthen rather than weaken expert authority and significance.

I also hesitate to use the term “expert” out of respect for the enormous literature about the role of experts in governance, a literature whose concerns are largely distinct from my own. Where expertise studies have focused on what makes expert knowledge distinctive, I focus on the continuities between their modes of work and those not marked as specially qualified. Focusing on continuities also softens worry about just how to keep experts and political leaders in their respective places within a system of government. Despite the emergence of transnational technocratic rule, these concerns are also less pressing at the global level where there is no constituted political alternative and it really is expertise all the way down. I am more interested in the *how* of global expert rule: the modes of global public reasoning that arise and the significance of knowledge practices in forms of governance.⁴ My objective is to bring knowledge practices and power practices into the same frame. I see expertise as the crossroads where they intersect.

I have nevertheless found the literature on expertise in anthropology, sociology, and the sociohistorical study of science instructive for understanding the knowledge practices common in global political and economic affairs.⁵ The work that lies closest to my own preoccupations stresses the performative dimension of expert practice: expert work constituting the space of its own expertise. Economists, for example, do not merely study markets, they “make” them by articulating what markets are and how they function.⁶ My approach has been most directly influenced by scholarship in sociology and science studies that stresses the context within which expertise arises and is practiced, from the laboratory to the boardroom, and the components of expertise that operate in those spaces, from “tacit knowledge,” through shared ethics of perception, to modes of reasoning and argument.⁷

To focus on the middle space between big systems and ethnographic study, I return repeatedly to law. Law is the global knowledge practice I know best and it is certainly a visible example of the contemporary role of expertise, both as a tool in global struggle and as a promise of a reformed world. There are two further reasons to focus on law. The rise of what might be called “technocracy” or “managerialism” or “rule by experts” in global affairs has been accompanied by the legalization of ever more questions that might once have been debated and settled in other terms. The legalization of military conflict may be the most

dramatic example: targets poured over by lawyers and belligerents on all sides legitimating their cause and denouncing their adversaries in legal terms. Economic policy is routinely transformed into debates about the competence or mandate of institutions with divergent ideas about what to do. A friend recently described Brazilian telecommunications privatization policy as the rapid displacement of political and technical considerations by law as ministries, foreign investors, local utilities, and citizen groups lawyered up for engagement with one another.

With the legalization of issues across the globe has come a change in law itself that may be exemplary for other globalizing modes of expertise. As legal expertise has become ubiquitous, it has become increasingly plural and fragmented. Modes of legal thought and legal reasoning have become less formal and less analytically rigorous, if also ever more complex and interdisciplinary. Legal experts have become ever less invested in the determinacy or even “legality” of their modes of analysis and advocacy. Usefulness in struggle trumps analytic rigor and formal legal status. With law’s expansion has come a professional sensibility of sophistication and disenchantment. The experience of legal expertise over the past century raises the question whether this may be the destiny of global rule by expertise more generally.

By examining rule by expertise, I aim to grasp both the centrality of conflict and the importance of knowledge practices in global political and economic life. The distributive outcomes of the struggles experts undertake make expertise worth studying. The puzzle is how so much struggle fades from view as experts embody the voice of reason and outcomes are assimilated as facts rather than contestable choices. I am interested in the way experts forget their struggles and their role in distribution to celebrate their knowledge as universal, their world as ordered, their path forward aligned with progress. Modern expertise knows and it forgets—or refuses to know—its powers and its limits. When they forget—and we forget—it becomes all the more difficult to understand how this world, with all its injustice and suffering, has been made and reproduced. And more difficult to identify levers of change or experience the place we stand as a fulcrum of possibility. The result of continuous struggle is an eerie stability it is hard to imagine challenging or changing.

PART I: THE STRUGGLES OF GLOBAL POLITICAL ECONOMY

The key to expert rule is the interaction of two forces: a seething struggle for advantage undertaken everywhere at once and the operations of professional knowledge practices enlisted as tools in those struggles. People pursue projects,

pushing one another around on an uneven terrain of powers and vulnerabilities, often using law to solidify their gains, expose others to risks, or exclude competitors from opportunities. As they struggle with one another, people transpose parochial objectives into ostensibly universal matters of agreement, blunting the experience of responsibility for distributional outcomes. Worlds are made and unmade, organized and disrupted—and we are governed—by the outcomes of a thousand battles waged simultaneously among firms, consumers, workers, and financiers over the distribution of gains from economic activity; among communities, families, religions, media, and political figures over the morality to be embedded in social institutions; among military planners and politicians, humanitarians, and civilians over the desirability of this war, the targeting of this village, the imprisonment of these people. Along the way, the costs and opportunities generated by climate change come to fall unevenly across the planet. The costs of economic crisis are distributed between generations, between global investors and local communities, and among workers in different sectors and different parts of the world. Risks and vulnerabilities are allocated among national economies, between families and faraway financiers.

I introduce these themes with an account of contemporary rule by expertise in global political and economic life. The territorial state and the global economy are everywhere entangled with one another. The details of that entanglement are managed, struggled over, and adjusted by experts—including politicians—working with interpretive tools that rest on a more or less conscious set of background images of their natural distinctiveness. I develop a preliminary model of expertise as a stack of ideas from general and uncontested propositions about the world to the more visible technical and ideological debates through which experts engage one another in managing the complex boundaries of political and economic life. The vocabularies of expert management translate social conflicts into expert disagreements that may be expressed in technical or more broadly ideological terms.

More familiar models of global conflict that begin with an identification of the larger scale actors—states, nations, economic classes—and structures—the state system, global capitalism—too often naturalize the actors and structures they identify when the most significant work of expertise can be the making and unmaking of actors and of the game to be played. More traditional models also encourage the notion that conflict is exceptional: normally, the world is at rest. Economics gives this impression with its “invisible hand” and “general equilibrium.” So does law with its “legal process” and “constitutional settlements,” or political science with “world systems” and “balance of power.” In

such a frame of mind, it is easy to conclude that most outcomes emerge from a “system logic” or reflect a kind of universal interest or nature. Such images align with a common tendency in expert struggle itself: to frame positions and projects as expressions of a universal rather than a particular interest. By stepping back from this kind of model, I hope to resist the temptation to treat the hegemonic outcomes of past struggle as a fixed terrain for new engagements.

The centrality of coercive struggle does not mean there are no opportunities for mutual gains, collaboration, alliance, or win-win moves. There often are: although such wins also need to be enforced and defended. Nor does it mean the pie can only be divided and never expanded through cooperation or competitive struggle. But when the pie does expand—perhaps particularly when it expands—those gains will accrue to someone. That can also be contested and will need to be defended, perhaps successfully, perhaps not. Nor does the ubiquity of struggle mean everything is always up for grabs. Most struggles have already been won and lost, their outcomes matters of accepted fact, patterns of past struggle woven into the fabric of stability. Persuasion and consensus also rest on a status of forces and are the product of coercive struggle. Struggles whose outcome can be predicted need not be undertaken to be lost or won: some struggles need only be referenced to be won decisively. It takes courage, energy, and imagination to open what has been settled for reconsideration. If we understand the ubiquity of struggle—past and present—in global political and economic life, it should be easier to summon that courage and display that energy strategically.

PART II: EXPERTISE

Expert rule mobilizes knowledge as power. The knowledge part combines commonsense assumptions about the world that may be neither conscious nor open to debate with technical and more broadly ideological material that is often disputed. But expertise is not just knowledge learned in professional study or downloaded from the culture at large. It is also a mode of work. Expert work provides the interpretive links between decisions about what to do and the context within which those decisions are made. In my simple model, experts interpret the context for decision makers and interpret the decisions taken for implementation. Controversy in this “background work” is recognized as practical reason: figuring out what to do, what is appropriate, what will work, or what is right. It takes background work to advance and justify particular positions in universal terms and to dull the experience of responsibility for those

who do so. With work, it can come to seem that it really was not me: it was our policy, the will of the world, the requirements of science, the obligations of law, the requirements of sound economic management or institutional process or universal ethics and sound judgment.

The work of expertise takes place within the professional roles, entitlements, and obligations that expert communities imagine they have. With whom are they in conversation? How do they position themselves in relation to one another? These role sensibilities differ by profession. To explore these differences and suggest the range of possibilities, I contrast the position “economic development experts” imagine for themselves with that of international lawyers and human rights advocates. The development policy professional occupies a space between scientific and more popular ideas about economics, about society, history, and culture, and about law and governance. His professional posture is a kind of mediation between scientific knowledge and political practice. The lawyer’s imaginary role is different, referencing the status of the material over which he presides rather than its links to scientific accuracy or political effect. Even among international lawyers, specialists in “economic law,” “public international law,” and “comparative law” imagine the world and their work quite differently: different histories, different projects, different worries, alliances with different neighboring disciplines.

The focus on background work underscores the co-constitutive relationship between the apparatuses of power and those of cultural narration, imagination, myth, professional argument and public reason in global political and economic life. Power is everywhere legitimated by knowledge practices that rationalize, explain, interpret and associate exercises of power, powerful people and powerful institutions with myths, ideologies, and other large ideas about values and interests. At the same time, ideals and values are rendered persuasive, enforced and trained into people through the institutional machinery of power and the mechanics of force. Foreground decision makers and background workers are engaged in a parallel and reciprocal interpretive process about what the context requires, what past decisions mean, how they ought to decide, and what should follow in consequence. Precisely because it is a two-way street—my ideas legitimate your power, your power enforces my ideas—the exercise of power, even as brute force, occurs within a discursive world of meaning. Ideas, ideologies, and myths are able to legitimate only when they are hegemonic across people with the power to halt or support that exercise of power. Understood in this way, the operations of power are expertise all around.

All expert work is contentious because it is uncertain power that needs asserting, uncertain law that requires interpretation, disputed science that requires proof or demonstration. Because their work is interpretive and communicative, experts rule by articulation. Expertise governs when their articulations are performative: when what is articulated comes to pass. To capture this process, I propose a set of tools for modeling expert articulation rooted in my experience with international lawyers, human rights advocates, and policy professionals specialized in economic development. In each of these fields, the basic unit of expert articulation is an assertion about what to do, why that seems sensible, and what will happen as a result. Experts differ with one another about each and contest the links between them. By tracing patterns that emerge, I propose hypotheses about the operations of sophisticated expertise in global management.

Background work is less a game of tight analytics than of contested vulgates. You do not have to be a specialist to play. Although often carried on by lawyers and diplomats, media pundits and politicians, it has also become something far more general, animating discussion among grassroots organizers and grandmothers, financiers and confidence men. Nor must you “believe” the language you speak. Experts routinely deploy arguments and analytics long after—perhaps particularly after—they have been disabused of their analytic rigor and persuasiveness. This is part of what makes these modes of expert practice available for global deployment, colonizing discussion among people with diverse interests, projects, and background cultural priors. With use in dispute comes the internalization of differences within the expert vocabulary and with great influence comes great plasticity and indeterminacy. A kind of agnostic flexibility has come to characterize professional fields as they become more flexible, open, and available for disputation.

I think of this kind of expert practice as at once sophisticated and jaded or disenchanting. In sophisticated and disenchanting fields, the vocabulary deployed to make, defend, and interpret decisions is composed of arguments that accommodate sharp disagreement and subtle compromise and in which people seem both to be invested and to have lost faith. There are sharp differences between alternative theories, factual diagnostics, and political commitments, and people disagree about the entailments of each theory, each political position, and each fact. As people argue, schools of thought rise and fall, mainstream and heterodox traditions clash, and subtle differences take on dramatic significance. The most accomplished experts are not surprised—or troubled—by the uncertainty of their expertise. Often they seem emboldened. People make strong arguments but seem to have lost confidence in the determinacy of their

analytics. The odd thing is that it does not seem to matter. Indeed, the uncertainty and ambivalence of professional knowledge may be the subtle secret of its success. What stabilizes their argumentative practices seems to be the argumentative practice itself: a collective sensibility about what would “go too far” or fall outside the horizon of plausible expert argument. Within those boundaries, a potentially infinite terrain of dispute opens up, stabilized by commonsense wisdom about the world and the field of knowledge. This takes the discussion back to the world-making work of shared assumptions about the world to be made.

PART III: LAW

The final section of the book brings the analysis back to law, concluding with an examination of modern law in the practice of warfare as an example of sophisticated modern expertise in action. The extent to which law has become a transnational language of entitlement and disputation should not be surprising. Law of one or another kind has a privileged status in every society as a repository of that alchemy of prestige and fear we call “legitimacy.” Legal ideas structure and legitimate forms of authority, and those authorities enforce and deepen law’s own claim to predict and state the conditions under which coercion will back up assertions of entitlement. The same is true transnationally. The ubiquity of law as an instrument and stake in struggle owes less to lawyers than to the appetite of all kinds of people for a common—and malleable—language of engagement. Legal norms, institutions, and professional practices are the building blocks for acting and being powerful, as well as for interpreting, communicating, celebrating, and criticizing power. Legal arrangements take us inside the operations of globally distributed power as it is brought to bear in the capillaries of society.

The role of law in struggle is easy to overlook or underestimate when the focus is law’s potential to tame politics into a manageable process or constitute the world as a legal order. Accounts of law’s distributive role in struggle are few. In global governance discussions, law figures rather as the sinews of a constituted order, privileged tool for global problem solving, or expression of universal values. Struggle over distribution seems the opposite: a place of disorder and force, a refutation of consensus value. But the legalization of global life has succeeded: the domain outside the nation is neither an anarchic political space beyond the reach of law nor a domain of market freedom immune from regulation. The international world is the product of intense and ongoing

projects of regulation and institutional management. The basic elements of global economic and political life—capital, labor, credit, money and liquidity, as well as power and right—are creatures of law. Law not only regulates these things, it creates them. They could be put together in lots of ways that would alter the distribution of power and wealth and the trajectory of the society.

People struggle over these legal arrangements because they matter. Because law consolidates winnings, translating victory into right, legal entitlements are often the stakes as well as the tools for political and economic struggle. The status of forces or balance of power between groups and social interests—debtors and creditors, importers and exporters, state traders and multinationals, local labor and global capital, military powers and their insurgent opponents—is written in law and the relative leverage of economic or political competitors is rooted in the background legal and institutional structures within which people bargain and compete. “Statehood” and “sovereignty,” for example, are at once realist descriptions, a recognition of the powers that are, and an allocation of bargaining power among groups with conflicting projects: religious and secular institutions, majority and minority communities, local elites and foreign economic interests or local populations, and so on. As an instrument for asserting power over others, law is also a tool of struggle. I claim a legal privilege to put you out of business; you claim the legal authority to prevent me from combining with rivals to do so. I claim the right to overfly your territory and protect your minorities—or you may claim the right to shoot down my plane and attack my humanitarian convoy.

To highlight law’s distributive significance, I place David Ricardo’s ideas about the legal allocation of “rent” in conversation with his well-known analysis of the gains from trade. The allocation of gains from trade depends on legal arrangements in the sense Ricardo identified when he focused attention on the role of property law in permitting landlords to extract rent by excluding others from the gains generated on land. Legal entitlements make visible a promise of coercion to exclude others from gains they might otherwise hope to enjoy. When I place a no-trespassing sign on my blueberry patch, I express my expectation that the local police will help ensure that I enjoy the full benefit of the crop. Gains from trade likewise accrue to those with the power to exclude. Conflict over those powers also takes legal form. When the legal entitlements people assert are confirmed in practice, the powers and vulnerabilities of people in struggle are defined. As conflict continues, law consolidates gains and losses, solidifying relations between winners and losers. Over time, patterns emerge and inequalities can be reproduced or deepened. I illuminate

that process borrowing Gunnar Myrdal's analytic framework for understanding dualist dynamics between centers and peripheries.

The distributive significance of law also illustrates the power of articulation. Law offers people a way to do things using words. Entitlements and powers enable when they are successfully "asserted." Law expresses power as right, and its effective assertion translates right into coercive enforcement. Law offers a language for disagreement and analysis, available for advocacy, compromise, and resolution. It provides a language of both technical distinctions and ideological assertions for debating whether this or that activity should properly be allocated to one or the other. Over time, law has become a repository for disagreements of principle, opposed ideological positions, and definitions of interest associated loosely with alternative doctrinal or institutional arrangements. Self-determination and humanitarian intervention, human rights and cultural difference, free trade and national economic development, financial austerity and growth: all these cross swords in legal terms. In specific struggles, people link these large differences to alternate interpretations of specific entitlements.

All this often comes as something of a surprise to international lawyers—or at least to the scholars who theorize their practice. It took more than a century of technical and intellectual innovation and internal struggle for international law to become a sophisticated vocabulary for contemporary global management. Practitioners and scholars were central to that development. But when they stepped back to reflect, this is not how they saw their work and their special expertise. Their work promoting the substantive expansion, fragmentation, and deformalization of international law had another purpose: to respond ever more adequately to doubts about the distinctiveness and usefulness of international law in a world of sovereign power. As theoreticians worked on that problem, technicians expanded law's scope. As they struggled with one another, they brought their differences into the materials of their shared discipline. The result is a case study in sophisticated—and disenchanting—expertise. International law today is an extremely plural and contingent field that combines a diverse technical practice with a multiplicity of orienting theories about how international law works and where it is going. What holds it all together is a kind of professional faith.

International lawyers can hardly avoid coming face-to-face with the diversity and analytic porousness of their expertise. Such an experience of legal pluralism might open the way to exploring law's role in distributive conflict and the responsibility of legal experts for the outcomes of struggle. By and large, however, this has not happened. Instead, international lawyers have transformed

pluralism into another tool for technical managers, bypassing its radical potential. The fragmentation and pluralization of the field have focused the attention of experts forward on the future world-ordering potential of law and the prefigurative quality of its current institutional expressions without noticing its implication in contemporary dysfunction and injustice. The attitude that results, at once ethically confident and practically disenchanting, is inhabited in a way reminiscent of sensibilities for accommodating both belief and doubt within a practice of faith in Protestant religious traditions with which I am familiar.

The lost opportunity to engage expertise as a doorway to responsible decision rather than as a substitute for ethical reflection and political choice is dramatically on display in the increasing legalization of military conflict. The last chapter explores the practice of contemporary legal expertise among military strategists and humanitarians in warfare as a case study of sophisticated expertise run amok. Warfare has become an expert practice illustrating the role of assertion in struggle, the emergence of ever more sophisticated, if indeterminate, modes of expertise, and the loss of the experience of responsibility that so often goes with their exercise. The examination of the strange dance that arises between opponents arguing over the legality of death and destruction in war with which I conclude this study illustrates the triumph and the tragedy of global rule by expertise.

REMAKING AN EXPERT WORLD

In recent years, the appetite for rethinking has faded in the World Economic Forum's discussions of global policy, risk, and governance. My Global Agenda Council has turned to more routine questions, drafting best-practice procedures for selecting and evaluating leaders in intergovernmental organizations and developing criteria for establishing successful multistakeholder arrangements to address global problems. What the world needs, my colleagues seem to feel, is a mustering of the will by global elites to take on the challenge of global management in new configurations, using new tools and attuned to new dangers. This doesn't mean they now think the world is well ordered. They see how uncertain and anarchic things are, how unpredictable the outcomes of their efforts, how powerless their institutions often are in the face of global economic, political, and social change. But they have confidence in the promise of institutional reform and in themselves as managers, technocrats, and leaders. They shy away only from embracing their work as a positioned

exercise of power rather than management of global welfare, technocratic advice in the public interest or the articulation of universal values.

My first year at Davos, I also saw lots of demonstrators and barbed wire—one friend came back through security to the conference hall proud to have collected some rubber bullets. After returning home, I visited the Occupy Wall Street protests, participated in a teach-in at Occupy Toronto. Over the years, I've visited prisons from the West Bank to Latin America, met professionals for whom refugee protection has been a life's work, taught and interviewed human rights professionals and experts in poverty, economic development, and community empowerment. People who feel they are on the receiving end of global power are more likely to perceive a malevolent system than an open-ended terrain for enlightened leadership. Someone—probably the people at Davos—must have wanted things to turn out this way. Many people you meet at Occupy—or are likely to meet in Darfur—have wild ideas about the specific institutions or groups that are to blame. Economic instability and poverty are not problems that *escape* governance; they are the byproducts—or even the intended consequences—of current governance arrangements. Better management by today's elites would not help: they would have to be swept away.

Both Davos titans and Occupy activists have a point. The world is uncertain and open to elite management. It is also unjust, and that injustice is a byproduct of technocratic—and often enlightened and humanitarian—management. A great deal would need to change to turn all this around. In some way, insiders and outsiders are speaking the same language, inhabiting opposing roles in a common theater. From both perspectives, the ways power operates across the world remain obscure. The missing piece, I've come to believe, is the way expert ideas and professional practices of assertion and argument construct and reproduce a world of inequality and injustice. In world affairs, expertise is the coin of the realm. Whether you occupy the commanding heights or have occupied Wall Street, the work of routine reform and resistance will be carried out as a practice of expertise.

I routinely ask my students how they see their generation's project in the world. Is today like 1648 or 1919, when it seemed everything needed to be rethought? Is it like 1945 when the international order seemed to need reforming rather than remaking? Tweak the League Covenant and you have the United Nations, add lots of specialized intergovernmental institutions to coordinate and strengthen government action, replace European empire with self-determination under American hegemony and continue. Or is this like 1989, when the demand was more modest still? With communism defeated,

the solutions put forward a generation before could finally be implemented. Student positions seem to reflect their background and aspirations. Those who hope to inherit the commanding heights typically split between 1945 and 1989. Those who feel their interests, politics, or national projects have been stymied by forces beyond their control opt for 1648.

I am pleased that an increasing number of young students and aspiring professionals say this is their 1648. They often have a strong, if idiosyncratic, sense that they know how the world works, who is in charge and who should be resisted. Unsurprisingly, however, many go for the middle position: reform. Add Brazil to the Security Council, sort out the democracy deficit and currency travails in Europe with another round of treaty drafting, and continue. There were reformers like this at both Occupy and Davos. The reforms they discussed were not markedly different, if expressed with a different tenor, emphasis and sense of engagement. Like many commentators, both groups tend to overestimate the potential for “global governance,” the structured rationality of the global “system,” and the harmony between their own perspective and world public interest.

For the reformers, the world is neither a manageable anarchy nor an unjust iron cage. On the one hand, it seems reasonable to propose reforms to global institutions like the Security Council or the World Trade Organization as if they were central to global order. On the other, it also seems obvious such institutions are not that central—things are more plural and open and confusing than that. This oscillation is repeated in countless settings. People propose institutional reforms, norms and regulations from environmental law to human rights, corporate social responsibility, or international criminal law as if a lever to move the world had been identified, while remaining intensely aware that this is more aspiration than reality. This doubled sensibility—at once earnest and jaded, committed and cynical—is also a mark of disenchanting expertise. Since the economic crisis, the European Union has attracted this kind of ambivalence. More Europe, recursively reformed Europe, seems the only way out other than seizing the gunnells and steady ahead. And yet none of the reforms seems remotely responsive to the loss of confidence and open resistance of publics across Europe.

As the plausibility of narratives about governance waxes and wanes, people on the inside and on the street enter a kind of echo chamber of reciprocal ambivalence. Experts manage in the name of analytics in which they have lost faith: protesters assemble in the name of reforms they doubt will suffice. The new language of “sustainability”—a term detached from its origins

in environmental science—suggests the anxieties of the situation. An ambivalent manager class reframes their uncertainty as a matter of social-political risk management: how long can we play for time while those outside demand more before we are swamped by social unrest? Global fiscal imbalances are “unsustainable,” for example, if they will lead to political rupture before they can be turned around. Global warming threatens the “sustainability” not of life on the planet, but of the economic and political arrangements people have come to think are natural.

On the outside, the forces of “social unrest” are also in the sustainability game: calculating and communicating in a parallel universe, prophesying the apocalypse in the shadow of the same ambivalences. All they need to do is hold out, hold attention, until something cracks. But no one knows what it would mean for something to crack, for an alternative to arise, for a different political economy to be constructed. There are only the usual reforms. Meanwhile, a political economy of poverty, inequality and ill health continues to be all too sustainable, reproduced through a strange collaboration between the ambivalent projects of a managerial class and everyone else. My project is not to foretell collapse, but to explain the strange resilience of arrangements so many intuit to be nearing their end.

This uncertainty and ambivalence about the world is widespread. People everywhere now understand that they are vulnerable to the decisions and actions of people far away. Their own national state is rarely able—or willing—to defend their interests or support their economic, social, and political aspirations in a globalized world. Something global must be done. There are all kinds of reforms on offer. Many seem attractive, worth mobilizing around. My students find innumerable projects to champion and worthy organizations to join. But it remains unclear, also to them, if they are remaking the world or rearranging the chairs.

The most coveted projects and proposals in my own field of international law are illustrative. It is abundantly clear that they are inadequate to the tasks they purport to address. The International Criminal Court could triple its budget and jurisdiction, the United Nations could redouble its peacekeeping efforts, the international human rights community could perfect its machinery of reporting and shaming without preventing the outbreak of genocide, the collapse or abuse of state authority. Every American and European corporation could adopt standards of corporate responsibility, every first world consumer could be on the lookout for products that are fairly traded and sustainably produced, and it would not stop the human and environmental ravages of

an environmentally destructive global economic order. America could ratify the Kyoto Protocol, could agree with China and India and the Europeans on various measures left on the table at Copenhagen or Paris and it would not be enough to prevent global warming. The United Nations' Millennium Development Goals could be implemented and their post-2015 agenda realized and it would not heal the rupture between leading and lagging sectors, cultures, classes. The Security Council could be reformed to reflect the great powers of the twenty-first rather than the twentieth century, but it would be scarcely more effective as a guarantor of international peace and security. Global administrative action could be everywhere transparent and accountable without rendering it politically responsible.

Each of these efforts might be salutary. Some may be terribly important. At best, however, the implementation of these schemes would kick things down the road, manage expectations, and, by rendering the problems sustainable, reaffirm the current distribution of powers. Completing the program of international law would not renew the political economy of the world—any more than finally “completing” the European Union would resolve the dynamics of dualism that have rocked the project from Brussels and Frankfurt on down. The project of continuing the project is part of how those dynamics are sustained. In Europe, a permanent transition toward an ever-receding goal of a “political” union sustains the technocratic separation of economic and political imperatives—and reinforces the divide between leading and lagging regions. Globally, the permanent transition toward a universal legal order of equal sovereigns sustains one after another project of hegemony. As a result, rather than a toolkit of policy solutions that might be adopted in the global public interest, it would be more accurate to see international law as a legitimating distraction from the effort to remake the politics of war or reframe economic struggle, institutionalizing an uncertain and ambivalent ideology as universal.

Over the past decades, many books and articles have been written about “global governance” to explain how the world works and how the world’s institutional machinery might be strengthened.⁸ Their authors tend to think like reformers, aspire to address people in places like Davos, and worry about the rising tide of social disillusion with the way the world works. They aim to explain how a disaggregated world is—and might be—governed. The phrase “global governance” signals a dream that the disorganized terrain on which people routinely struggle for advantage might one day become something more orderly, a place where problems would be solved, conflicts moderated, shared values made real. Although those who speak of global governance understand

that we can't have—and wouldn't want—a global government, they share the very reasonable conviction that the global capacity to solve problems and contest outcomes ought to be improved. Somewhere and somehow, somebody could be doing for the world what governments do for the people they govern. It is this wish that has driven the substantive and geographic expansion of struggle—and rule—by expertise. And it is also this wish that sustains the viability of disenchanting rulership.

Unless today is your 1648, this does sound reasonable. When the problems people worry about cannot be addressed by local or national government, it is only natural to say that they are “global problems” demanding global solutions. When people seek global solutions, it is understandable that they would look for the kind of interest-aggregating, problem-solving competence they associate with the public hand at home. Addressing climate change, ensuring reliable and sustainable sources of energy, preventing and responding to pandemics, ensuring adequate food and clean water for an expanding population, enabling economic development, resolving cultural conflicts, addressing the threats posed by transnational terrorist networks, fighting corruption, ensuring the stability of financial system and the integrity of the Internet, protecting privacy, combating money laundering: people understand that such things cannot be solved by one city or one nation or one corporation alone. But it is also clear that they are unlikely to be resolved by the United Nations and the routines of global summitry. There is a governance gap.

In the absence of a global government, reformers have looked for functional substitutes. It is easy to think of institutions that might have something to do with ruling the world: the World Trade Organization, the European Union, the U.S. government, the major banks and global corporations, big nongovernmental foundations and advocacy groups, big governments in the developing world. Perhaps the World Economic Forum through their Global Redesign Initiative. Any or all of these might somehow participate in making and enforcing rules or resolving disputes that affect the world. As actors in all these sites reach out to engage one another, they search for a common vernacular—of common hope and personal advantage. Expertise—economic expertise, scientific expertise, legal expertise, social and political expertise, institutional and managerial expertise, expertise in the lessons of history and the universal practicalities of everyday life—fills the bill. Those who exercise the powers of expertise rarely think they are “governing the world.” Their mandate and project is always far more specific, their language more universal. As a result, their powers remain obscure, the opportunity to identify and contest their rulership vanishing point rare.

To think of the “global governance” that results as the distributed action of an ersatz public hand is also an understandable dream. Lots of people have the power to change things for other people, empower them, constrain them, humiliate or honor them. Many who take my course about global law and policy are eager to find tidbits of governance in all kinds of places: in corporate social responsibility programs, civil society organizations, philanthropic initiatives—in their own summer internships. They are right to find power in all these places. But when people imagine this adding up to a system of governance, they are dreaming, reinterpreting their field of struggle as something nobler and more promising. Or they are strategizing: reframing their objectives in the language of common purpose.

To identify dispersed activities undertaken for different purposes as a functioning, if imperfect, “global governance” system is so creative an act of interpretation that one cannot help wondering about the motive for it. Calling it “governance” could be a call for accountability or responsibility. Your powers are like those of a sovereign, a sovereign for the world: wield them wisely. It could be an effort to empower: wherever two are gathered in its name, there is global governance. Go forth and govern. It could be the assignment of blame: if you are dissatisfied, knock on this door. To call something an act of “global governance” singles something out—and leaves a lot of other powers in the shadow. They are *not* governance, need not be exercised with the global public interest in mind, and ought not be contested by the dispossessed. To identify “global governance” is an effort to do something with words, to make order by assertion, as much strategy and intervention as description.

In this book, I replace the search for “governance” with an effort to map the operations of power through which our world distributes. With a better cartography of power in the world, it will be a matter for contestation and debate whether this or that actor should be honored or saddled with the label “governance.” My story focuses on struggle and inequality rather than consensus and problem solving. Through the work of expertise, order and disorder—even “worldliness,” if we can call it that—are distributed unevenly, even inadvertently, among nations, economic sectors or classes, issues or problems through struggles about other things. When the dust settles, some people live globally, others locally; some problems are global, others local. I have written the book with those of my students in mind who embrace the possibility that their generation could transform this world through the slow hard work of remaking the terms by which struggles are carried out, gains and losses distributed, and the status of forces consolidated as order.

The book ends by returning to the question of 1648 with which I began. Roberto Unger once described late twentieth-century expert rule as the work of “a priesthood that had lost their faith and kept their jobs.” “They stood,” he said, “in tedious embarrassment before cold altars.”⁹ This misunderstands the contemporary practices of faith among those who manage our world. Governance by expertise is rule through ruthless struggle among experts who have retained their faith and expanded their jobs. Theirs is an ecumenical, eclectic, and disenchanting faith. It is also astonishingly appealing: at once practical and promising, recognizing the world as it is with its eyes firmly planted on the world to come. Its altars are anything but cold. Its practical power and hopeful promise make every year an opportunity for modest reform and no year likely to be our 1648. It should be no surprise that those most eager to change the world would be harnessed to its reproduction. For those of my students who wish it were otherwise, this faith is the seductive obstacle. To turn back from reforms we know to be inadequate will require a refusal to take our eyes off the dynamics of struggle through which injustice is mysteriously reproduced by so many who intend just the opposite.

This, after all, is the legacy we associate with dates like 1648. That year did not transform the politics or economics of the world, although a long war in Central Europe came to an end and new commercial opportunities beckoned. Nor was it a moment of institutional reform, although the Holy Roman Empire never fully recovered. The architects of the Peace of Westphalia did not have a plan to reorganize politics for the next four centuries. If they had, it was not their plan that came to pass. Nevertheless, people remember 1648 because they associate it with the origin of the complex process of intellectual and institutional reinvention through which it came to be a matter of common sense that the politics of the world would be organized around sovereign states: a transformation that took more than three hundred years to achieve. Indeed, that was achieved only after the nature of statehood had been completely redesigned and rebuilt.

For today’s generation to remake the world will be equally difficult. Uncertain expert practices and the routine aspirations for a better world that accompany them help to reproduce a world of unending struggle and unrelieved injustice. If this is your 1648, you will need to do more than nudge the managerial class to wise leadership—or protest the powers that be. To rethink and remake the world will require a thousand struggles on the plains where knowledge and power are forged and parceled out. Perhaps I will see you there.