

# 《联合国与国际组织》\*

2020 年秋季学期

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上课时间： 周四 10 - 12 节

上课地点： 三教 405

课程网站： 北大教学网

授课教师： 赖华夏

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课程答疑： 周三上午 9:00 - 11:00, 国关 A312

## 一、课程目的

以联合国为代表的国际组织是国际关系的重要行为体，为塑造二十世纪以来国际关系的结构和进程发挥了不可替代的重要作用。本课程聚焦国际组织研究理论与国际组织实践，结合国际关系和国际法两个领域的研究，以联合国（包括联合国安理会、联合国大会、世界卫生组织、国际法院）和世界贸易组织为案例，通过深入研读名家经典文献和交叉前沿研究，重点探讨以下议题：

1. 国际组织的历史演变
2. 国际关系理论与国际组织研究
3. 国际组织的法律基础
4. 国际组织的制度设计与内部运作

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\* 课程阅读材料有可能在学期中进行调整，请及时查看课程通知。

## 5. 评估国际组织的多重视角

## 6. 中国参与国际组织

本课程旨在帮助学生掌握国际组织研究的主要理论、熟悉国际组织研究的分析工具和资料来源。国际组织的创建和运作与国际法息息相关，课程内容涵盖对条约法和国际组织法的介绍和分析，帮助学生建立起对国际组织章程和程序性规则的掌握，深化对国际组织内部运作的理解，思考国际组织政治基础和法律规则及二者之间关系。课程阅读材料遴选自制度主义、建构主义、批判法学、马克思主义等多个理论视角，启发学生对国际关系领域以新自由制度主义为导向的国际组织研究议程进行反思。

## 二、教学方式

本课程采取教师教授、小组发言和学生讨论相结合的教学方法，由授课教师组织学生阅读材料进行深入讨论。从第二次课程起，选课学生根据本周阅读材料进行小组发言。课程阅读材料以英文文献为主，所有同学须在课前完成所有必读材料的阅读，并提交3篇读书报告。阅读材料可以通过北大图书馆或者教学网下载。

## 三、成绩评定

### 1. 读书报告

每位选课同学须选择3次课的阅读材料（不包括第一次课）提交3篇读书报告。读书报告须归纳阅读材料的研究问题、研究方法和主要结论，并评述阅读材料的

贡献和不足。每篇不超过 2000 字，报告须在上课前提交纸质版和电子版（至教学网），逾期不予接收。每篇读书报告满分 10 分，共计 30 分。

## 2. 小组报告

小组报告须针对本周阅读材料进行归纳和评述，并提出 3-4 个课堂讨论问题。小组报告 PPT 须在课程当天中午十二点之前发给授课教师和助教，报告时间在 30 分钟左右。小组报告满分 10 分。

## 3. 期末论文

在课程内容范围内自选一个题目，在 2021 年 1 月 15 日之前提交一篇符合学术规范、注释完整的学术论文，字数（包含摘要和注释）在 10000 字左右，引用注释体例参考《国际政治研究》。期末论文须提交纸质版和电子版。纸质版论文提交至赖华夏老师信箱（国关学院 A 座一楼）。电子版论文提交至教学网。迟交论文每晚一天扣 5 分。期末论文满分 60 分。

## 四、学术诚信

读书报告和期末论文严禁抄袭、剽窃，直接和间接引用或借鉴他人观点、材料和数据的，必须注明来源。抄袭、剽窃等学术不端行为一经发现，课程成绩计零分，并提交学院和学校依照相应规定进行处理。

## 五、课程内容

第一周 导论：国际组织的历史演进与国际法基础

### 必读材料

1. Barnett, Michael, and Finnemore, Martha. "The Power of Liberal International Organizations." *Power in Global Governance* 161 (2005): 161-84.

2. Herren, Madeleine (2016). "International Organizations, 1865-1945." in *The Oxford Handbook of International Organizations*. 91-112.
3. Chimni, B. S. (2016). "International Organizations, 1945–Present." in *The Oxford Handbook of International Organizations*. 113-130.
4. Charter of the United Nations
5. 贾兵兵：《国际公法：理论与实践》清华大学出版社，18-44，61-63。
6. Vidal, John. "How a 'typo' Nearly Derailed the Paris Climate Deal." *The Guardian*, 16 Dec. 2015.

### 扩展阅读

1. Barnett, Michael, and Martha Finnemore. *Rules for the World: International Organizations in Global Politics*. Cornell University Press, 2004.
2. Hurd, Ian. (2017). *International Organizations: Politics, Law, Practice*. Cambridge University Press.
3. ASIL International Organizations Research Guide
4. ASIL United Nations Research Guide
5. Peace Palace Library Guide to researching international organizations:  
<https://www.peacepalacelibrary.nl/research-guides/international-organisations-and-relations/international-organizations/>
6. NYU Law Library Guide to researching international law:  
<https://nyulaw.libguides.com/c.php?g=773832&p=5551760>

## 第二周 - 第三周 国庆放假

## 第四周 国际关系理论与国际组织研究

### 必读材料

1. Reinalda, Bob. "International Organization as A Field of Research since 1910." *Routledge Handbook of International Organization*. Routledge, 2013. 27-50.
2. Abbott, Kenneth W., and Snidal, Duncan. "Why States Act through Formal International Organizations." *Journal of Conflict Resolution* 42.1 (1998): 3-32.
3. Nielson, Daniel L., and Michael J. Tierney. "Delegation to International Organizations: Agency Theory and World Bank Environmental Reform." *International Organization* (2003): 241-276.
4. Barnett, Michael N., and Martha Finnemore. "The Politics, Power, and Pathologies of International Organizations." *International Organization* (1999), vol. 53, no. 4, 699–732.

### 扩展阅读

1. Rochester, J. Martin. "The Rise and Fall of International Organization as A Field of Study." *International Organization* (1986): 777-813.

2. Gartzke, Erik, and Christina Schneider. "Data Sets and Quantitative Research in the Study of Intergovernmental Organizations." *Routledge Handbook of International Organization* (2013): 41-53.
3. Keohane, Robert O., Stephen Macedo, and Andrew Moravcsik. "Democracy-Enhancing Multilateralism." *International Organization* (2009) 63(1):1-31.
4. Checkel, Jeffrey T. "International Institutions and Socialization in Europe: Introduction and Framework." *International Organization* (2005) 59.4: 801-826.
5. Hooghe, Liesbet. "Several Roads Lead to International Norms, But Few Via International Socialization: A Case Study of the European Commission." *International Organization* (2005): 861-898.

## 第五周 国际组织研究的法学视角

### 必读材料

1. Alvarez, José E. "International Organizations: Then and Now." *American Journal of International Law*. 100 (2006): 324-347.
2. Klabbers, Jan. "Two Concepts of International Organization." *International Organizations Law Review* 2.2 (2005): 277-293.
3. Cogan, Jacob Katz. "Representation and Power in International Organization: The Operational Constitution and its Critics' (2009)." *American Journal of International Law* 103: 209-232.

### 扩展阅读

1. Klabbers, Jan. "The Emergence of Functionalism in International Institutional Law: Colonial Inspirations." *European Journal of International Law* 25.3 (2014): 645-675.
2. Alvarez, José E. *International Organizations as Law-Makers*. Oxford: Oxford University Press, 2005.
3. Koskenniemi, Martti. "The Politics of International Law—20 Years Later." *European Journal of International Law* 20.1 (2009): 7-19.
4. Hafner-Burton, Emilie, David G. Victor, and Yonatan Lupu. "Political Science Research on International Law: The State of the Field." *American Journal of International Law* (2012): 47-97.
5. Klabbers, Jan. "The Relative Autonomy of International Law or the Forgotten Politics of Interdisciplinary." *Journal of International Law and International Relations* 1 (2004): 35.

## 第六周 国际组织的制度设计

### 必读材料

1. Koremenos, Barbara, Charles Lipson, and Duncan Snidal. "The Rational Design of International Institutions." *International Organization* 55.4 (2001): 761-799.

2. Graham, Erin R. "The Institutional Design of Funding Rules at International Organizations: Explaining the Transformation in Financing The United Nations." *European Journal of International Relations* 23.2 (2017): 365-390.
3. Elsig, Manfred. "Legalization in Context: The Design of the WTO's Dispute Settlement System." *The British Journal of Politics and International Relations*, vol. 19, no. 2, May 2017, pp. 304-319.
4. 罗杭:《国际组织中的投票权与投票权力——以亚洲基础设施投资银行为例》,《世界经济与政治》,2018年第2期。

### 扩展阅读

1. Klabbers, Jan. *An Introduction to International Organizations Law*. Cambridge University Press, 2015.
2. Klabbers, Jan. "Institutional Ambivalence by Design: Soft Organizations in International Law." *Nordic Journal of International Law* 70.3 (2001): 403-421.
3. Lall, Ranjit. "Beyond Institutional Design: Explaining the Performance of International Organizations." *International Organization* 71.2 (2017): 245-280.
4. Abbott, Kenneth W., and Duncan Snidal. "Hard and Soft Law in International Governance." *International Organization* (2000): 421-456.

## 第七周 国际组织的内部运行 (一): 作为官僚组织的国际组织

### 必读材料

1. Barnett, Michael, and Martha Finnemore. *Rules for the World: International Organizations in Global Politics*. Cornell University Press, 2004. Chapter 1.
2. Xu, Yi-Chong, and Patrick Moray Weller. *The Working World of International Organizations: Authority, Capacity, Legitimacy*. Oxford University Press, 2018. Chapter 5.
3. Venzke, Ingo. "International Bureaucracies from A Political Science Perspective—Agency, Authority and International Institutional Law." *The Exercise of Public Authority by International Institutions*. Springer, Berlin, Heidelberg, 2010. 67-98.

### 扩展阅读

1. *Routledge Handbook of International Organization*. Routledge, 2013. Part II (International Secretariats as Bureaucracies).
2. Knill, Christoph, et al. "Bureaucratic Influence and Administrative Styles in International Organizations." *The Review of International Organizations* 14.1 (2019): 83-106.

## 第八周 国际组织的内部运行 (二): 国际组织内部的行为体

### 必读材料

1. Xu, Yi-Chong, and Patrick Moray Weller. *The Working World of International Organizations: Authority, Capacity, Legitimacy*. Oxford University Press, 2018. Chapter 3, 4.
3. Haas, Peter M. "Introduction: Epistemic Communities and International Policy Coordination." *International organization* (1992): 1-35.
4. Sinclair, Guy Fiti. "The International Civil Servant in Theory and Practice: Law, Morality, and Expertise." (2015): 747-766.
5. Hammarskjöld, Dag. *The International Civil Servant in Law and in Fact: A Lecture Delivered to Congregation on 30 May 1961*. Oxford: Clarendon Press, 1961.

### 扩展阅读

1. *Routledge Handbook of International Organization*. Routledge, 2013. Part III (Actors within Bureaucracies).
2. Stone, Randall W. *Controlling Institutions: International Organizations and The Global Economy*. Cambridge University Press, 2011.

## 第九周 国际组织与国内政治

### 必读材料

1. Putnam, Robert D. "Diplomacy and Domestic Politics: The Logic of Two-Level Games." *International Organization* (1988) 42(3): 427-60.
2. Gourevitch, Peter A. "Squaring the Circle: The Domestic Sources of International Cooperation." *International Organization* (1996)50(2): 349-73.
3. Sinclair, Guy Fiti. *To Reform the World: International Organizations and the Making of Modern States*. Oxford University Press, 2017. Chapter 1.
4. Keohane, Robert O., Stephen Macedo, and Andrew Moravcsik. "Democracy-Enhancing Multilateralism." *International Organization* (2009) 63(1):1-31.

### 扩展阅读

1. Gartzke, Erik and Megumi Naoi. "Multilateralism and Democracy: A Response to Keohane, Macedo, and Moravcsik." *International Organization* (2011)65(3): 589-598.
2. Pevehouse, Jon C. "Democracy from the Outside-in? International Organizations and Democratization." *International organization* (2002): 515-549.

## 第十周 如何评估国际组织?

### 必读材料

1. Gutner, Tamar, and Alexander Thompson. "The Politics of IO Performance: A Framework." *The Review of International Organizations* 5.3 (2010): 227-248.

2. Dellmuth, Lisa Maria, and Jonas Tallberg. "The Social Legitimacy of International Organizations: Interest Representation, Institutional Performance, and Confidence Extrapolation in the United Nations." *Review of International Studies* (2015). Volume 41, Issue 3, 451-475.
3. McKeown, Timothy J. "How US Decision-Makers Assessed Their Control of Multilateral Organizations, 1957–1982." *The Review of International Organizations* 4.3 (2009): 269-291.

### 扩展阅读

1. Shany, Yuval. "Assessing the Effectiveness of International Courts: A Goal-Based Approach." *American Journal of International Law* 106.2 (2012): 225-270.
2. Von Bogdandy, Armin, and Ingo Venzke. "In Whose Name? An Investigation of International Courts' Public Authority and Its Democratic Justification." *European Journal of International Law* 23.1 (2012): 7-41.

### 第十一周 联合国安理会与大会

1. Erik Voeten "Data and Analyses of Voting in the UN General Assembly" Routledge Handbook of International Organization, edited by Bob Reinalda (published May 27, 2013).
2. Hurd, Ian. "Myths of Membership: The Politics of Legitimation in UN Security Council Reform." *Global Governance: A Review of Multilateralism and International Organizations* 14.2 (2008): 199-217.
3. Fassbender, Bardo. "On the Boulevard of Broken Dreams: The Project of a Reform of the UN Security Council after the 2005 World Summit." *International Organizations Law Review* 2.2 (2005): 391-402.

### 扩展阅读

1. 联合国安理会投票数据: <https://www.securitycouncilreport.org/>
2. Alvarez, José E. "The UN Charter Over Time: The Contemporary Security Council." in *The Impact of International Organizations on International Law*. Brill Nijhoff, 2017. 53-141.
3. Slaughter, Anne-Marie. "Security, Solidarity, and Sovereignty: The Grand Themes of UN Reform." *The American Journal of International Law* 99.3 (2005): 619-631.

### 第十二周 世界卫生组织专题研究 (一)

#### 必读材料

1. Burci, Gian Luca and Cassels, Andrew (2016). "Health" in *The Oxford Handbook of International Organizations*. 447-471.
2. Burci, Gian Luca. "The World Health Organization at 70: Challenges and Adaptation: Introductory Notes." *International Organizations Law Review* 16.2 (2019): 229-241.



3. Cassels, Andrew, et al. “How should the World Health Organization Reform? An Analysis and Review of the Literature.” *Pathways To Global Health: Case Studies In Global Health Diplomacy-Volume 2 5* (2016): 39.

### 扩展阅读

1. Packard, Randall M. *A History of Global Health: Interventions into the Lives of Other Peoples*. Baltimore, 2016.
2. Gostin, Lawrence O., et al. “Towards A Framework Convention on Global Health.” *Bulletin of the World Health Organization* 91 (2013): 790-793.
3. Graham, Erin R. “Money And Multilateralism: How Funding Rules Constitute IO Governance.” *International Theory* 7 (2015): 162-194.
4. Daugirdas, Kristina, and Gian Luca Burci. “Financing the World Health Organization: What Lessons for Multilateralism?.” *International Organizations Law Review* 16.2 (2019): 299-338.
5. NYU Law GlobalLex Research Guide to Global Health Law:  
[https://www.nyulawglobal.org/globalex/International\\_health\\_law1.html#JournalsandPeriodicalIndexes](https://www.nyulawglobal.org/globalex/International_health_law1.html#JournalsandPeriodicalIndexes)

## 第十三周 世界卫生组织专题研究（二）

### 必读材料

1. Constitution of the World Health Organization
2. International Health Regulation (2005)
3. 73rd World Health Assembly Resolution 73.1  
[https://apps.who.int/gb/ebwha/pdf\\_files/WHA73/A73\\_R1-en.pdf](https://apps.who.int/gb/ebwha/pdf_files/WHA73/A73_R1-en.pdf)
4. Villarreal, Pedro A. “Pandemic Intrigue in Geneva: COVID-19 and the 73rd World Health Assembly.” *EJIL: Talk!* <https://www.ejiltalk.org/pandemic-intrigue-in-geneva-covid-19-and-the-73rd-world-health-assembly/>
5. Benvenisti, Eyal. “The WHO—Destined to Fail?: Political Cooperation and the COVID-19 Pandemic.” *University of Cambridge Faculty of Law Research Paper* 24 (2020).  
<https://www.lcil.cam.ac.uk/blog/who-destined-fail-political-cooperation-and-covid-19-pandemic-prof-eyal-benvenisti>
6. Sirleaf, Matiangai. “Capacity-Building, International Cooperation, and COVID-19.” *ASIL Insights* <https://www.asil.org/insights/volume/24/issue/17/capacity-building-international-cooperation-and-covid-19>
7. 刘洋：《世卫组织的“大流行”：是什么？为什么？怎么办》，澎湃新闻  
[https://www.thepaper.cn/newsDetail\\_forward\\_6488125](https://www.thepaper.cn/newsDetail_forward_6488125)

### 扩展阅读

1. Cusato, Eliana. "Beyond War Talk: Laying Bare the Structural Violence of the Pandemic." EJIL: Talk! <https://www.ejiltalk.org/beyond-war-talk-laying-bare-the-structural-violence-of-the-pandemic/>
2. Taylor, Allyn L. and Habibi, Roojin. "The Collapse of Global Cooperation under the WHO International Health Regulations at the Outset of COVID-19: Sculpting the Future of Global Health Governance." ASIL Insights <https://www.asil.org/insights/volume/24/issue/15/collapse-global-cooperation-under-who-international-health-regulations>
3. Wenham, Clare. "What We Have Learnt about the World Health Organization from the Ebola Outbreak." *Philosophical Transactions of the Royal Society B: Biological Sciences* 372.1721 (2017): 20160307. <https://royalsocietypublishing.org/doi/full/10.1098/rstb.2016.0307#d3e344>
4. Burci, Gian Luca. "The USA and the World Health Organization: What has President Trump Actually Decided and What Are Its Consequences?" EJIL: Talk! <https://www.ejiltalk.org/the-usa-and-the-world-health-organization-what-has-president-trump-actually-decided-and-what-are-its-consequences/>

## 第十四周 国际法院

### 必读材料

1. Alter, Karen J., Emilie M. Hafner-Burton, and Laurence R. Helfer. "Theorizing the Judicialization of International Relations." *International Studies Quarterly* 63.3 (2019): 449-463.
2. Voeten, Erik. "The Politics of International Judicial Appointments." *Chicago Journal of International Law*. (2008): 387-405.
3. Young, Margaret A., Emma Nyhan, and Hilary Charlesworth. "Studying Country-Specific Engagements with the International Court of Justice." *Journal of International Dispute Settlement* 10.4 (2019): 582-598.
4. 凌兵：《国际组织的争端解决机制——对国际法院管辖权的考察》，《中国法律评论》，2020年第4期。

### 扩展阅读

1. Abbott, Kenneth W., Keohane, Robert O., Moravcsik, Andrew, Slaughter, Anne-Marie, Snidal, Duncan. "The Concept of Legalization." *International organization* (2000): 401-419.
2. von Bogdandy, Armin, and Ingo Venzke. "International Judicial Institutions in International Relations." *Routledge Handbook of International Organization* (2013): 461-472.
3. Romano, Cesare, Karen Alter, and Yuval Shany, eds. *The Oxford Handbook of International Adjudication*. Oxford University Press, 2014.
4. Simmons, Beth A. 2000. "The Legalization of International Monetary Affairs." *International Organization*, 54(3): 573-602.
5. Statute of the International Court of Justice

## 第十五周 世界贸易组织

### 必读材料

1. Elsig, Manfred, et al. "Thinking About the Performance of the World Trade Organization." *Assessing the World Trade Organization: Fit for Purpose?*, edited by Manfred Elsig et al., Cambridge University Press, Cambridge, 2017, pp. 12–42.
2. Shaffer, Gregory. "Power, Governance, and the WTO: A Comparative Institutional Approach." *Power in Global Governance* 130-160 (2005).
3. General Agreement on Tariffs and Trade 1994
4. *Shrimp-Turtle* Appellate Body Report 节选
3. 张月姣：《世界贸易组织争端解决机制浅析》，《国际经济法学刊》，2013年第2期。
4. 世界贸易组织改革专题：
  - Lighthizer, Robert. How to Set World Trade Straight, Wall Street Journal, August 20, 2020.
  - Zhang, Xiangchen. China in the WTO: Current Issues and Prospects for Reform. Peterson Institute of International Economics. <https://www.piie.com/events/china-wto-current-issues-and-prospects-reform>
  - 杨国华：《WTO 上诉机构危机中的法律问题》，《国际法学刊》2019年第1期，72-84.

### 扩展阅读

1. Matsushita, Mitsuo, et al. *The World Trade Organization: Law, Practice, and Policy*. Third Edition, Oxford University Press, 2015.
2. Slobodian, Quinn. *Globalists: The End of Empire and the Birth of Neoliberalism*. Harvard University Press, 2018.
3. Howse, Robert. "From Politics to Technocracy-and Back Again: The Fate of the Multilateral Trading Regime." *The American Journal of International Law* 96.1 (2002): 94-117.
4. Howse, Robert. "The World Trade Organization 20 Years On: Global Governance by Judiciary." *European Journal of International Law* 27.1 (2016): 9-77.
5. Pauwelyn, Joost. "The Rule of Law without the Rule of Lawyers? Why Investment Arbitrators Are from Mars, Trade Adjudicators from Venus." *American Journal of International Law* 109.4 (2015): 761-805.

## 第十六周 中国参与国际组织

### 必读材料

1. Shaffer, Gregory, and Henry Gao. "China's Rise: How It Took on the US at the WTO." *University of Illinois Law Review*. (2018): 115-184.
2. Kreuder-Sonnen, Christian. "China vs the WHO: A Behavioural Norm Conflict in the SARS Crisis." *International Affairs* 95.3 (2019): 535-552.

3. Gu, Bin. "Chinese Multilateralism in the AIIB." *Journal of International Economic Law* 20.1 (2017): 137-158.

### 扩展阅读

1. Jacobson, Harold Karan, and Michel Oksenberg. *China's Participation in the IMF, the World Bank, and GATT: Toward A Global Economic Order*. University of Michigan Press, 1990.
2. Johnston, Alastair Iain. "China in a World of Orders: Rethinking Compliance and Challenge in Beijing's International Relations." *International Security* 44.2 (2019): 9-60.