

## Chapter 12: Intergovernmental Organizations

### Introduction

#### *Introduction box - The Kosovan War 1999*

The North Atlantic Treaty Organization (NATO) instigated the only war in their history against Yugoslavia in 1999 after its member-states reached 'consensus' on the need to act against Serb violence being meted out against the Albanian population in their province of Kosovo. Massacres and displacements of the Kosovans had shocked much of the world and public and political demands for an armed 'humanitarian intervention' by the international community had built up. When the United Nations could not get its membership to agree to act NATO stepped in. NATO consensus means the agreement of all members but it was well known that one of the membership, Greece, were not enthusiastic at the prospect of siding against their near neighbour and traditional ally. The Greeks were, however, persuaded to drop their objection and go along with the desires of the other states in the organization. The Greek government being brought on board can be understood in two different ways which serve to illustrate the competing school of thought in IR on the influence of intergovernmental organizations.

1. The Greeks, as a relatively minor power within NATO, were bullied into towing the line in an exercise of power politics.
2. The Greeks were convinced of the need to act against their instincts for the good of international security and human rights through the discourse promoted by being part of an influential intergovernmental organization.

In this chapter you will come to:

- Understand what an Intergovernmental Organization is and the variety of forms they take.
- Appreciate how Intergovernmental Organizations have evolved in line with globalization and other changes in the international political system.
- Be able to evaluate the political significance of Intergovernmental Organizations from rival theoretical perspectives.

### **What is an Intergovernmental Organization?**

International Relations, traditionally, focuses on interactions between states conducted through their governments but, over time, has come also to focus on the role of *non-state actors* on the world stage. Non-state actor is a generic term covering any organization other than a state with a role in international relations. There are two broad subcategories of non-state actors: intergovernmental organizations (IGOs) and international non-governmental organizations (INGOs). IGOs are non-state actors essentially comprising governments as members. INGOs, according to the UN, include ‘any international organization which is not established by inter-governmental agreement’<sup>1</sup>. Hence INGO can be seen as an umbrella term for all other non-state actors which are ‘private’, in that they do not include governments in their membership. In domestic politics the term ‘non-governmental organization’ is usually used to denote a ‘Pressure Group’ or ‘Not-for-Profit Organization’ that is independent of government and representing citizens’ interests in a given area. Such organizations, like Amnesty International or OXFAM, are also INGOs as they are prominent on the international

stage, but the term non-governmental organization in IR is wider than this application. (see box 12.1).

*Box 12.1* Types of non-state actors

- The impact of pressure groups on international relations is analyzed in Chapter 33 and you can see examples of their impact in specific areas in the chapters on Human Rights (22), Development (18) and the Environment (23). Chapter 32 is concerned with armed political groups (or ‘terrorists’), Multi National Corporations are covered in Chapter 17, whilst organized crime groups are profiled in Chapter 33 and religions in Chapter 20.

There is not always a clear distinction between IGOs and INGOs. IGOs increasingly involve pressure groups as observers alongside government representatives and some IGOs are not entirely ‘private’ and permit such a significant role for governments that they are sometimes

considered to form a distinct category of non-state actor; a hybrid IGO/INGO. Examples of such organizations include the World Conservation Union and the International Conference of the Red Cross and Red Crescent which feature representatives of both governments and pressure groups as members with voting powers.

There is no precise or official definition of what constitutes an IGO but box 12.2 gives the three generally agreed upon conditions that need to be met to distinguish such an entity from other forms of international cooperation.

*Box 12.2 Criteria for defining an IGO;*

- a) 2 or more sovereign governments**
- b) Permanent**
- c) Regular meetings and a decision-making process**

Obviously, an IGO has to be international and involve more than one government. There is some disparity in view on this, however. The Union of International Associations only consider groupings of at least three states to count as an IGO whilst others consider that two is sufficient (Wallace & Singer 1970).

More crucially in terms of definitions, forms of association between governments that are one-off agreements or temporary arrangements are not considered to constitute an IGO.

There are many examples of governments cooperating in *alliances* before and since the emergence of IGOs to achieve common foreign policy goals, particularly in fighting together against a common foe in wartime. Alliances, however, are generally not IGOs in that they are usually transient arrangements, intended only to achieve short-term objectives, such as

winning a war. Alliances, also, are not usually institutionalized. The Allied and Axis governments worked together closely in the Second World War (particularly the former) but this was purely for the purpose of winning the war. After the war some of these countries, most notably the USSR and its allies, quickly became estranged.

An IGO, additionally, is more than a case of intergovernmental cooperation resulting from the ratification of an **international treaty**. An IGO has a 'life of its own' in that it continues to produce new coordinated policies on a regularized basis. Accordingly, we can see that some alliances have become more than that and transformed themselves into IGOs. NATO was set up as a military alliance amongst North American and West European states to counter the threat posed by the USSR and operates on the basis of a founding treaty, but has evolved into more than this. Most notably NATO has outlived the Cold War it was set up in relation to, expanded its membership and also widened the remit of what it does in accordance with its decision-making procedures. Coming to the defence of people not within the organization's membership, over Kosovo in 1999, was a clear instance of this.

A clear illustration of what distinguishes an IGO from lesser forms of intergovernmental cooperation comes from looking at the World Trade Organization (WTO). The WTO was set up in 1995 to take over work previously carried out under the auspices of The General Agreement on Trade and Tariffs (GATT), established in 1947. GATT brought a steadily growing number of governments together in the cause of freeing up international trade and gradually took steps to implement its founding treaty through a series of 'Rounds', but was not an IGO. GATT was not institutionalized and not a political actor because it did not have a decision making procedure or permanent staff to enable it to do any more than periodically implement the founding treaty. The WTO, in contrast, sought to strengthen the political

compulsion on governments to fulfil the GATT treaty obligations, develop new rules to free up trade and authoritatively resolve trade disputes and so developed a permanent head quarters, staff and regularized decision-making structure.

IGOs vary considerably and there is no identikit of how they operate but a conventional structure includes;

### **1. Legislature**

A plenary meeting of all members occurring infrequently (maybe once a year) at which the overall strategy of the IGO and key issues arising are debated by government ministers or delegates representing their governments. Typically the admission of new member-states or amendments to the founding treaty, possibly establishing new roles for the organization, are decided in this way.

### **2. Executive**

A body responsible for more regular decision-making and the implementation of policy, usually comprised of a subset of members elected by the legislature. The executive will usually be made up of delegates of the governments represented- i.e. by diplomats rather than members of the government.

### **3. Secretariat**

The administrative body responsible for day-to-day work in support of the organization at its headquarters. The Secretariat will usually be staffed by full-time administrators who perform a role equivalent to the Civil Service in a given country. Heading up this body is often a Secretary-General, who assumes the function of lead individual for the organization in international diplomacy.

*Box 12.3* Interpol- an example of IGO structure

INTERPOL, the organization responsible for coordinating police work on an international scale, has: a) a General Assembly attended by representatives of all 187 member states which is the supreme decision making body and meets once a year; b) an Executive Committee comprising 13 representatives elected by the General Assembly which meets three times per year and is responsible for implementing General Assembly decisions and formulating new policy ideas and; c) a secretariat based at the headquarters in Lyon which works full time and is headed by a Secretary- General, the lead figure of the organization.

### **The Evolution and diversity of IGOs**

Estimates of the number of IGOs in the world vary because of the definitional ambiguities previously described but, as is illustrated in box 12.4, the general trend over the last two centuries has been one of near continual growth until a tailing off since the 1980s. The onset of globalization has facilitated both the need for and the possibilities to create IGOs, as linkages between states and international trade have grown. Hence the growth of international trade in the late 19<sup>th</sup> Century, fuelled by industrialization, proved a spur for the first IGOs. Subsequently, the collapse of international trade in the 1930s Great Depression saw this period of growth come to a halt until reactivated by the end of the Second World War and the

onset of the second and present process of globalization in the guise of the Bretton Woods system. As well as trade and globalization, box 12.4 clearly shows how IGO growth has also been greatly influenced by the ending of major international wars. 1815, 1918 and 1945 were important watersheds in international relations since a widespread desire to avoid such bloodshed again prompted governments to seek ways to encourage greater international dialogue and provide fora for disputes to be resolved before they get out of hand. The Concert of Europe system initiated in 1815 did not spawn anything as advanced as the League of Nations or United Nations, which arose out of the Twentieth Century's two great international conflicts, but did sow the seeds of such cooperation and the world's first IGO, the Central Committee for the Navigation of the Rhine.

An exception to this trend of IGOs flourishing in the optimism of a new world order after a major war ends can be seen with the end of the Cold War. In the last twenty years we have, perhaps paradoxically, seen IGO numbers fall despite the most peaceful inter-state relations witnessed since the 19<sup>th</sup> Century and unprecedented globalization. However it is, in fact, the end of the Cold War and the onset of globalization that explain this phenomenon. On the one hand, by the 1990s many organizations whose memberships were defined on Cold War lines ceased to have any rationale to continue. NATO's metamorphosis into a post Cold War peacekeeping organization is a glaring exception to this but, from the other side of the Iron Curtain, the Soviet empire's military association the Warsaw Pact (World Treaty Organization) and economic equivalent COMECON demised alongside the Communist empire. On the other hand, over the last twenty years other regional organizations have been wound up as an increasingly politically and economically unified state system has rendered such groupings irrelevant and they have essentially been superseded by wider organizations performing the same functions. The European Coal and Steel Community, for example,

ceased to function in 2002 as its rules had come to be absorbed by the European Union which grew from it. The International Natural Rubber Organization, set up in 1980 as a producers cartel seeking to control the price of the commodity, demised in 1999 in the context of greater global trade liberalization promoted by the WTO which had served to undermine its influence. Hence, the recent downturn in the number of IGOs is not a repeat of the 1930s and not indicative of a decline in intergovernmental cooperation. It is more a rationalization of the process.

*Box 12.4 The Growth of IGOs*

Refs: UIA, Wallace & Singer (1970)

The 250 or so IGOs in the world today differ greatly both in their size and in what they do. In order to comprehend this diversity and also understand their evolution over the last 200 years it is useful to construct a typology. Box 12.5 presents a convenient way of breaking down the array of IGOs into four general categories according to both the range of their memberships and of what they do.

*box 12.5 Typology of IGOs*

### ***Regional Functional IGOs***

The most basic and original IGOs emerged on **utilitarian** grounds in that they served the interests of neighbouring states with a common transboundary concern. The world's first IGO, the Central Commission for the Navigation of the Rhine, was set up by the states sharing this great river to perform a specific task serving their mutual interest. The Rhine Commission has undergone several changes of name, membership and roles since 1815 but is still in existence today. An organization of this sort cuts costs for the participating governments by putting in place a mechanism to co-manage a common resource and circumvent having to set up negotiations every time a policy issue on matters related to the resource arise, as they inevitably will. Hence a similar institution performing a comparable role for the states sharing Europe's other great international river, the Danube, was set up in 1856 to become the world's second IGO. Over time many of the world's major river systems have come to be regulated by IGOs, as have other forms of shared waterways such as seas. The Scheldt is co-managed by an international commission similar to its near neighbour the Rhine. The Senegal, Niger and Gambia river basins in Africa; the Irtysh and Mekong in Asia and Uruguay in South America have also spawned intergovernmental authorities to regulate navigation, irrigation and pollution issues. Some IGOs have similarly emerged to co-manage common seas. Examples of this include the Lake Chad Commission, Barents Euro-Atlantic Council and the Arctic Council.

Regional functional IGOs also proliferated on a utilitarian basis in the 20<sup>th</sup> Century in the economic sphere. The European Coal and Steel Commission (ECSC) was set up by the Paris Treaty of 1951 to collectively manage the coal and steel policies of six European countries (West Germany, France, Italy, Belgium, Netherlands and Luxembourg) and was selected deliberately by leading advocates of a federal Europe to act as a catalyst for political

‘spillover’ into other sectors (see chapter 14). The success of the ECSC kick-started the integration process that led to the European Union and also inspired the creation of other **trade blocs**; regional grouping of countries who open up commerce by fully or partially removing trade barriers such as tariffs (taxes on imports). Trade blocs have multiplied throughout the world since their inception in Europe in the 1950s with organizations like the North American Free Trade Area (NAFTA), the European Free trade Association (EFTA) and Economic Community of West African States (ECOWAS) amongst prominent examples.

A large number of economic IGOs are **cartels** in which countries who have significant export earnings from a particular product coordinate in an effort to control the world price of that commodity. Such groupings of countries will not necessarily be ‘regional’ in a geographic sense but, since they are exclusive clubs they can be considered regional for the purposes of the typology. Far and away the most influential cartel is the Organization of Petroleum Exporting Countries (OPEC) set up in 1960 by the world’s leading oil exporters (see chapter 17). Other cartel IGOs have had less impact than OPEC since other products, like rubber, coffee and tin, though important, are less crucial to importers than oil and more easily substituted for other commodities.

As pointed out earlier, NATO is unusual in being a military alliance / IGO. Many other significant military alliances are not represented in an institutional form but are nonetheless politically important. The US’s military cooperation with Japan and Israel are prominent examples. Some other Cold War IGOs like the Soviet’s Warsaw Pact and the US’s South East Asian Treaty Organization (SEATO) were wound up with the end of the Cold War but NATO has survived and redefined itself. NATO’s membership has expanded to include several former enemies from across the Iron Curtain and it is now committed to the

maintenance of peace and security across Europe and beyond, rather than the deterrence of a particular enemy. So powerful was NATO that, come the end of the Cold War that defined the organization, its members came to the conclusion that it would be a shame to see it go and it was, instead, re-designed for the post-Cold War geopolitical landscape. The persistence of NATO presents a clear illustration of how IGOs can survive and evolve beyond their original purpose.

Some other regional military organizations have emerged in the post-Cold War era. The Commonwealth of Independent States (CIS) was established on the demise of the USSR to maintain diplomatic, security and economic links between the Soviet successor states but has been undermined by the subsequent Western orientation of many of those states (such as Georgia and Ukraine) and now military cooperation is coordinated through the Collective Security Treaty Organization (CSTO) comprising the pro-Russian successor states (Russia, Armenia, Kazakhstan, Kyrgystan, Tajikistan and Belarus). The Gulf Cooperation Council was set up by the Arabian peninsular states in 1981, who quickly agreed upon a defence pact which was then brought into operation on the Iraqi invasion of Kuwait in 1990. That war led to a strengthening of defence cooperation and the establishment of a joint military committee in 1994.

### ***Global Functional IGOs***

The logic of states institutionalizing their cooperation for utilitarian reasons, evident from the creation of the Rhine Commission, came also to be expressed at a wider, global level later in the nineteenth century as international trade blossomed like never before and a prelude to contemporary globalization took hold. Advances in communications technology and the proliferation of global commerce provided the incentives for the creation of the world's first

global IGO; the International Telegraph Union (ITU) in 1865 and then the Universal Postal Union (UPU) in 1874. Having agreed international standards for postal rates and for sending telegrams served to cut costs and make business easier for all. As with the Rhine Commission, the UPU and ITU have undergone changes of name, membership and function since the 19<sup>th</sup> Century but still exist today as Specialized Agencies of the UN. The Specialized Agencies are autonomous IGOs, with their own budgets and memberships, but operate within the UN system. This arrangement, a replication of the League of Nations' successful system, is built on a symbiotic relationship whereby the global multi-purpose IGO draws on the expertise of the functional organization and the functional organization benefits from the exposure of being linked to the worlds' most prominent organization.

## *box 12.6* **The specialized Agencies of the United Nations**

- **FAO (Food and Agriculture Organization of the UN)**  
Works to improve agricultural productivity and food security.
- **IAEA (International Atomic Energy Agency)**  
Works for the safe and peaceful uses of atomic energy.
- **ICAO (International Civil Aviation Organization)**  
Sets international standards for the safety, security and efficiency of air transport,.
- **IFAD (International Fund for Agricultural Development)**  
Mobilizes financial resources to raise food production in developing countries.
- **ILO (International Labour Organization)**  
Formulates policies and programmes to improve working conditions and sets international labour standards.
- **IMF (International Monetary Fund)**  
Facilitates international monetary cooperation and financial stability.
- **IMO (International Maritime Organization)**  
Works to improve international shipping safety and reduce marine pollution.
- **ITU (International Telecommunication Union)**  
Fosters international cooperation to improve telecommunications and coordinates usage of radio and TV frequencies.
- **UNESCO (UN Educational, Scientific and Cultural Organization)**  
Promotes education for all and scientific and cultural cooperation.
- **UNIDO (UN Industrial Development Organization)**  
Promotes the industrial advancement of developing countries through technical assistance.
- **UNWTO (UN World Tourism Organization)**  
Serves as a global forum for tourism policy issues.
- **UPU (Universal Postal Union)**  
Establishes international regulations for postal services.
- **WHO (World Health Organization)**  
Coordinates programmes aimed at solving international health problems.
- **WIPO (World Intellectual Property Organization)**  
Promotes the international protection of intellectual property.
- **World Bank Group**  
Provides loans and technical assistance to developing countries to reduce poverty and advance sustainable economic growth.
- **WMO (World Meteorological Organization)**  
Promotes research on the Earth's climate and facilitates the global exchange of meteorological data.

Other global functional organizations have emerged outside the UN system as globalization has brought more and more issues of common concern into focus. At one end of the scale is the World Trade Organization, established in 1995 to free up and harmonize international trading standards, which has supranational powers to punish member-states which violate its founding treaty. At the other end of the scale lie many obscure IGOs which have emerged over recent decades as governments have agreed to implement common rules in particular areas of trade or policy for their mutual convenience. Bodies like the International Maritime Satellite Organization and International Union for the Protection of New Varieties of Plants have arisen to provide arenas for achieving specific, technical goals requiring cross-border cooperation.

### ***Regional Multi-purpose IGOs***

The success of functional-regional IGOs, as well as inspiring global equivalents to be set up, also served to inspire regional organizations to deepen their scope of issues. The ECSC's success in increasing coal and steel production and fostering peaceful cooperation between recent adversaries paved the way for the creation of the European Economic Community and Euratom (fostering cooperation on atomic energy) six years later, so launching the 'European Communities' (of the 3 institutions) at the Treaty Of Rome in 1957. Through the integrative process often explained by the theory of '**neo-functionalism**', the European Communities have since continued to widen their membership and deepen their functions to become the world's most politically far-reaching IGO, the European Union. This phenomenon is explored in chapter 14.

Other regional IGOs have followed the EU lead and sought to coordinate a range of political areas but without going down the same road towards supranationalism and a 'pooling' of

sovereignty. The Common Market of the South (America) (MERCOSUR) and Association of South East Asian Nations (ASEAN) have become more than just the trade blocs they started of as, with the former developing organs to facilitate political cooperation in a range of areas and the latter including provisions for conducting peacekeeping operations in the region. African Union, as its name implies has long had aspirations to follow the European example but, whilst it serves to coordinate diplomacy in a range of political issues, it has not evolved beyond a purely intergovernmental forum for discussing a wide range of issues of common interest. The Organization of the Islamic Conference, considered in Chapter 13, is cultural rather than economic and links together 57 predominantly Islamic countries across four continents to act as a voice for the Muslim world.

Some other IGOs which provide arenas for discussing a wide remit of issues are relics of the imperial era. The UK, France and Portugal set up organizations to maintain political, cultural and economic relations between former colonies and their 'mother country'. Again, these organizations are only regional in a notional sense since their memberships are arrived at through historical rather than geographical circumstance. The Commonwealth links most of the former British empire and even one country never ruled from London, Mozambique, who chose to join in 1995. This decision by the Mozambique government is indicative that the Commonwealth, despite its legacy of imperial domination, is viewed as a useful diplomatic forum for its members and is not without political significance. In particular this seemingly esoteric association took an influential diplomatic stance for human rights when it agreed to suspend the membership of Fiji in 1987 in response to a racist coup. Fiji was allowed to re-join the organization ten years later but only after amending its constitution and renouncing racism. The Francophonie and Community of Portuguese Speaking Countries have not had the same level of political impact as the Commonwealth and are more focussed on the

preservation of those European languages but still serve as arenas for facilitating diplomatic exchanges on a range of international issues.

### ***Global Multi-purpose IGOs***

There are only two cases which come into the category of Global Multi-Purpose IGOs; the League of Nations established in 1920 and its successor the United Nations, set up in 1945. The League and UN are also distinguishable from other IGOs in that they were / are, additionally, the centre points of systems linking together many global functional intergovernmental organizations. The League of Nations was born of the Paris Peace Conference at the end of the First World War and was very much moulded in the spirit of Liberal Idealism which dominated international relations in this age. As with many IGOs, fostering international peace and commerce were the twin motives for the League. The unprecedented horrors of the Great War, and the feeling that this had been a conflict which could have been averted with greater international dialogue, gave political momentum to Liberal ideas like **collective security** and **open diplomacy**. Hence measure were enacted to ensure diplomatic exchanges were made openly in conferences, rather than in closed private meetings and that conflicts could be resolved through negotiation or in court. Where this was not sufficient to keep the peace, military action by the whole international community would punish those who had violated international law (collective security). The League established an Assembly at which all members could debate international issues of the day, a Security Committee of 15 members to enact measures to uphold the peace and punish violations of its Charter and a Permanent Court of International Justice to allow for members to seek judicial remedies to disputes. The League also established an organ to implement a particular aim of promoting the independence of colonies seized from Germany, Italy and Turkey by the allied powers in the war, establishing the notion of **decolonization** as an international norm.

The League is generally viewed as a failure because it demonstrably failed in its primary goal of maintaining world peace as it collapsed amidst the Second World War. The League, on several occasions, failed to punish blatant acts of aggression. The 1931 Japanese invasion of Manchuria, 1935 Italian invasion of Abyssinia (Ethiopia) and German military re-occupation of the Saar prompted some condemnations, but no military response. Soviet, German and Italian interventions in the 1936-39 Spanish Civil War were similarly ignored and, although the USSR were expelled from the League in 1939 for the invasion of Finland, this was too little too late.

Ultimately, the League failed for two key reasons. Firstly, it did not represent the whole international community. Secondly, its decision-making procedure was unworkable. The League of Nations was handicapped from the start by not being a truly 'global' organization. Much of the non-European world was still under imperial rule at this time and so not directly represented in the organization. Most crucially, the emerging superpower of the US never took up membership in spite of the fact that its President Woodrow Wilson had, at the Paris Peace Conference, been its chief advocate. The US, instead, retreated into its shell after World War One, fearful of being sucked into European squabbles, not to emerge until 1940 when the world had become a very different place. The other emerging superpower, the USSR, only joined the League in 1934, whilst Germany, Japan and Italy withdrew their memberships in annoyance at the token criticism they had received for their military adventurism. Shorn of any involvement by the US and any real commitment to peace from Germany, Japan, Italy and the USSR, the League was left dominated by just two of the powerful states of the day, France and Great Britain. These two countries held permanent seats in the Council (as did the USSR during their membership) and represented the only serious military antidote to violations of the League's covenant. The French and British

however, having recently emerged heavily indebted from the bloodiest war in their histories, did not have the stomach to become 'world policemen'. Hence the British and French governments went out of their way to ensure that condemnations of Japan for the horrific Manchurian invasion were not too severe and that economic sanctions levied against Italy for the seemingly motiveless annexation of Abyssinia were cosmetic. The Council's voting system rested on unanimity which meant that Britain and France could always veto any action, as could any of the other thirteen temporary member-states during their stay in the spotlight. Unanimity in an international organization, even amongst a sub-group of fifteen, is hard to find at the best of times and proved impossible in the polarizing world of the 1930s.

Hence the United Nations, established at the San Francisco conference of 1945, sought to learn from the failings of the League in the way it was set up. It took steps to ensure that it was genuinely global, including keeping the vanquished from World War Two on board. Germany and Japan thus became key players in the new system (albeit economically rather than militarily) rather than dangerously ostracized as had been the case at the Paris Peace Conference. The active encouragement of decolonization by the UN also served to ensure that it could become the very near universal organization it is today with a membership of 192 states, with North Cyprus and Taiwan the only notable absentees from participating in the main debating chamber, the General Assembly (owing to the disputed nature of their statehood).

The UN was set up so that open diplomacy and international cooperation were again encouraged but, at the same time, Realist balance of power logic was grafted on to the a Liberal-inspired structure with five great powers- the US, USSR, UK, France and China- entrusted to manage the system through the Security Council. The permanent 5, together with

10 other periodically elected members, are empowered to decide on action against states considered to have aggressively violated international law. This ensured the participation of these key players and made the application of force to uphold international order a more realistic possibility than under the League. The Security Council has been seriously hampered by the veto power ascribed to the five permanent members but has, on occasion, been able to get agreement for robust action to keep the peace beyond that achieved by the League. The UN's role in peacekeeping is analyzed in chapter 30.

### *The UN and International Law*

One important function of IGO is the role they can play in the development and implementation of Public International Law. Public International Law is a body of rules that has emerged over several centuries in order to regulate relations between states and also IGOs. It is distinct from domestic law and traditionally is not thought of as overlapping with sovereignty and states' own legal systems, although this is now increasingly challenged. Hence Public International Law is to be distinguished from Private International Law which is a means of settling disputes with a transboundary character (such as when a business merger between companies from different countries occurs) by deciding which state's law applies to the case. Public International Law is about finding settlements for international disputes not resolvable in this way, such as establishing whether a country has a right to claim a particular territory, or issues which are inherently global rather than national, such as with environmental change or human rights. It is not solely the product of IGO rulings, since customary practise between states is an acknowledge source of law, but the development of international law is closely linked to the UN system.

Some functional IGOs have facilitated the development of international law in their particular domains, such as human rights, the environment and international trade as is highlighted in chapters 22, 23 and 16 respectively. This law is fundamentally different than domestic law in that, in the main, it applies only to those countries party to the relevant organization or treaty and is hence constrained by sovereignty (although exceptions exist in a few areas such as torture and genocide considered to have universal application). By and large, however, the maxim that 'no one is above the law' does not apply to states and Public International Law.

*Case study box-* The International Court of Justice

The settlement of territorial disputes is chiefly the responsibility of the UN's court, the International Court of Justice (ICJ). The ICJ, sometimes referred to as the World Court, is a permanent IGO based at the Hague and is the successor to the League of Nations' Permanent Court of International Justice. The ICJ is made up of 15 judges of different nationalities elected by the General Assembly, subject to the approval of the Security Council. Hence, in an additional perk for the five permanent members of the Security Council, a judge of their nationality is always amongst the 15. Any state with a case up before the court is, however, entitled to have one of the 15 judges substituted by one of their own nationality if they are not already represented. The judges though, it should be pointed out, are not supposed to represent their governments but the international community at large.

Perhaps inevitably, however, sovereignty and national interest has hampered the ability of the ICJ to be a robust and independent global judiciary comparable to the highest court in a given land. Most significantly the ICJ is authorized only to adjudicate on cases in which both (or all) sides in a dispute agree to it (although some states have given the ICJ the automatic right of 'compulsory jurisdiction'). This, it could be said, is akin to your local court only having the right to try the man who burgled your house if he agreed to go before the judge. Certainly many international disputes have not found their way to the ICJ due to this sovereign restraint but that is not to say that the court has been a total irrelevance. Whilst there is little prospect of major territorial conflicts, like India and Pakistan's dispute over Kashmir or the Arab-Israeli contention over Palestine, being resolved in the court several lower level disputes have been sorted out in this way. Nigeria and Cameroon in 2002 allowed an ICJ verdict to decide on a border dispute and several disagreements over where to demark territorial waters have been resolved at the Hague. Whilst the ICJ falls short of being a global high court it has come to serve a useful role as a sort of arbitration panel open to states in dispute.

The limitations on the ICJ's role have led it to develop a secondary, unofficial function in addition to dispute settlement, that of offering 'advisory opinions'. In an illustration of how IGOs can develop new roles and evolve in unforeseen directions, the ICJ has taken upon itself to occasionally make pronouncements on international controversies not referred to it. Hence in 1970 an ICJ Advisory Opinion declared the South African occupation of Namibia to be illegal and in 2004 stated that the Israeli government's construction of 'peace walls' to separate Jewish and Palestinian communities was unlawful. Such pronouncements carry no official legal weight but do, some suggest, have some significance as statements of the acceptability of controversial international political practises which would, otherwise, be somewhat overlooked. South Africa did not leave Namibia after the ICJs Advisory Opinion but, twenty years later, they were compelled to pull out of Africa's last colony in the face of demonstrably hostile international opinion.

**STOP AND THINK REFLECTION** Choose a recent international political news story with which you are familiar (perhaps read one from the international section of a newspaper) and consider;

a) Are any IGOs prominent in the story?

If so;

b) Do you think these IGOs are taking an independent position on the issue or just serving as mouthpieces for certain governments?

Opinion on whether or not Public International Law should evolve beyond a purely intergovernmental body of rules *between* states to a supranational body of law *above* states is, essentially, divided into two camps. The ‘Natural Law’ perspective believes that International Law should be informed by morality and proscribe what is right and wrong in the same way as national bodies of law do, irrespective of whether that infringes sovereignty. In contrast, the ‘Positivists’ contend that International Law can and should only reflect customary practise in international relations and not some notion of universal morality. In this view it is useful to use past precedence as a guide on how to resolve the disputes which inevitably arise in international relations but sovereignty must be respected and **supranational** jurisdiction is inappropriate in a world of diverse states with their own culturally-defined ideas of right and wrong. This division mirrors the classic IR debate between Liberals and Realists on IGOs to which we will now turn.

### **IR Theories and IGOs**

Whilst the growth of IGOs over the last century is indisputable, the level of significance this phenomenon carries in terms of the nature of international relations is open to very different interpretations and is, perhaps, the central point of distinction between the theories of IR.

### *(Classical) Realism*

To a large extent, Realist theory in International Relations was built on the core assumption that international organizations serve little purpose in the pursuit of peace and order in the world. The failure of the League of Nations to prevent the world slipping to a second world war was considered by founding fathers of Realism, like Edward Carr and Hans Morgenthau, to demonstrate that organizations were not just irrelevant but also dangerous for international relations in giving a false sense of security. It was the employment of state force that was required to curb German, Italian and Japanese expansionism, not the open diplomacy of the **Idealists**. It came to be reasoned that had the allies acted sooner to restore the balance of power, rather than relying on dialogue and appeasement, the full horrors of the world's worst ever conflict could have been avoided.

Intergovernmental organizations flourished after the Second World War, whilst Realism was in the ascendancy, but they were, predictably, less Idealist than those that made up the League of Nations system. The United Nations maintained the League's commitment to open diplomacy and the promotion of functional organizations to promote international commerce and relief, but it was infused with a heavy element of Realism in its peacekeeping functions. Balance of power logic was built into the Security Council with five victorious great powers from World War Two- the US, USSR, UK, France and China- given special privileges in exchange for acting as world policemen. This was a profound shift from the classic **collective**

**security** on which the League was based (although never activated) in which all members had an equal responsibility to maintain international peace. (see chapter 30)

Intergovernmental Organizations in Realist eyes can and should be no more than flags of convenience for states. They can serve state utilitarian interests by cutting the costs of having to arrange intergovernmental meetings on issues of common concern but should do no more than this. Such organizations should be strictly intergovernmental and not compromise sovereignty in the pursuit of illusory global interests. Hence, for Realists, the prolific growth of IGOs in the second half of the twentieth century is not considered to be evidence of their increased significance since these organizations are not more than the sum of their parts.

This classical Realist scepticism of IGOs was, to some extent, revived in the 1990s when the end of the Cold War seemed to many to offer opportunities for a revitalization of the United Nations and other organizations. Notable among such skeptical voices was John Mearsheimer who echoed similar sentiments to predecessors like Morgenthau in rebuffing the new Idealists: “institutions have minimal influence on state behaviour and thus hold little promise for promoting stability in the post Cold War world” (Mearsheimer 1994: 7).

### ***(Neo) Realism.***

The new breed of Realists who emerged alongside the onset of contemporary globalization from the 1970s gave more credence to the significance of IGOS in international relations, since their growth did appear to have made the political world seem more complex than that observed just by focussing on the state system. For writers like Gilpin (1981) and Waltz (1970), however, the significance of these new organizations did not lie in their capacity to erode state power and redefine state interests but quite the opposite. Neo-Realists noted how

many IGOs set up after the Second World War actually served as a means of projecting US power and influence and reinforcing their **hegemony** of international affairs. The key elements of the new UN system were sited in the United States and they were designed in such a way that American dominance was ensured. This was most explicit in the sphere of international political economy where the International Monetary Fund and World Bank were bankrolled by the US but also set up so that they could put 'their mouth where their money was' and use their wealth to control the new trading and monetary system (see chapter 17). A similar phenomena could be seen in the military domain with the emergence of NATO and other institutionalized regional alliances serving as vehicles for projecting US power. Far from moving us away from seeing IR as a state system governed by power, for Neo-Realists the rise of IGOs served to reinforce this logic.

### ***Liberalism***

On the other side of the 'classic IR debate' from the Realists, Liberals see IGOs (and non-state actors in general) as challenging the notion of i.r. being determined by states and also welcome this change. Kant's route to 'Perpetual Peace' was a triumvirate of republican democracy, trade and international organizations and **Idealists** in the 1920s looked to put this philosophy into practise with the League of Nations system. The League's demise, however, prompted a similar demise in fortune for Liberalism in IR with Realists assuming the ascendancy in the 1940s and 50s.

From the 1960s, however, Liberalism in IR re-emerged in the guise of **Pluralists**, like Rosenau, Burton, Keohane and Nye who viewed IGOs not only in Idealist terms, as a preferred path for i.r., but also for the objective analytical reasoning that such organizations were demonstrably changing the nature of world politics. Keohane & Nye contended that the

increased level of transactions between states had created conditions of “complex interdependence” in the world which undermined the Realist model of international politics being determined by states pursuing their own interests irrespective of the interests of others. In addition, it was argued that “transgovernmental relations” could now be observed in international politics due to increased cooperation between governments. This concept disposes not only with the notion of states representing no more than the interests of their governments but also with the idea that governments themselves are coherent entities (Keohane & Nye 1971). Due to the increased prominence of IGOs in international relations it came to be contended that many governments were becoming disaggregated as ministers or subsets of one government came to form alliances with parts of other governments which might be at odds with their own governmental partners. In the EU, for example, the regular contact and increasingly common interests that link ministers of the members states have often seen them act as transgovernmental blocs in Brussels and able to fashion coordinated policy beyond that that would be likely to emerge from conventional intergovernmental diplomacy conducted by foreign ministers or the heads of government.

### *Marxism / Critical Theory*

Marxist IR theorists are skeptical about the impact of IGOs since they see wider economic structures, rather than actors, as determining international events. Within Critical Theory, however, Neo-Gramscians share the Neo-Realist view that IGOs have significance in terms of serving the interest of powerful actors; “one mechanism through which the universal norms of a world hegemony are expressed is the international organization” (Cox 1994). In contrast to Neo-Realists, though, this perspective considers that the hegemony concerned is that of the world’s economic elite, a transnational class of people, rather than particular states. This position came to acquire greater resonance in international economic affairs from

the 1970s when the US's pre-eminence started to diminish and yet economic organizations like the IMF and World Bank persisted and new ones like the World Trade Organization emerged. Vested interests were behind such organizations but they were the interests of big business across the world rather than direct projections of US foreign policy it came to be reasoned.

### ***Social Constructivism***

As highlighted in Chapter 11 Social Constructivists came to prominence by arguing that the importance of culture in international relations was ignored by the Realists, Liberals and Marxists. Sociologists have long reasoned that institutions moulded culture and the behaviour of individuals in a society through the process of *socialization* and this came to influence IR thinking from the 1990s as globalization brought international institutions more into focus. Hence IR thinkers like Ruggie came to reason that organizations develop their own culture which can come to socialize government representatives and re-define the interests of those administrations (Ruggie 1998). This view, then, reinforces the Liberal-Pluralist view that the very experience of regularized international diplomacy leads to compromises, horse trading and learning which makes IGOs more than just the sum of their parts as Realists would have it. UK Prime Minister Margaret Thatcher is known to have complained that Lord Cockfield, the Conservative politician she dispatched to Brussels as European Communities Commissioner to defend her strictly intergovernmental vision of European cooperation, had 'gone native' when he came to work closely with colleagues in the Commission and advance political integration in the form of the Single Market and associated reforms. Despite such concerns, Cockfield appears to have been successful in his aim since the UK government were brought on board the European integration train in a way not seen before and that did not seem likely at the time to most observers. For Social Constructivists, then, there is

support for the notion that IGOs can develop a 'life of their own' and become far more than flags of convenience for states.

## **Conclusions**

The theoretical discourse on the importance of IGOs represent, perhaps, the quintessential debate of International Relations. IGOs have proliferated with globalization but, as with globalization itself, there are profound differences of opinion as to how significant this is in terms of understanding why international political events occur in the way that they do.

Liberals see the evolution of IGOs as a natural phenomenon occurring as globalization erodes sovereignty and the capability of states to function effectively as political entities and satisfy the needs of individual people. From this view, therefore, we are today in the early stages of a new era of **global governance** succeeding the **Westphalian** system of states which has been in operation for the past three and a half centuries (see Chapter 33 for a full discussion of this). For most Realists, though, it is too early to write off the state and we wish it away at our peril. Global governance left to IGOs risks ushering in the lawlessness of the pre-sovereign age referred to by Hedley Bull as a 'new medieavalism' (Bull 1977: 254). Without a system of states, upheld by the notion of sovereignty, we would have a chaotic political world of unaccountable and overlapping organizations. A middle way between these two perspectives considers that the future of international relations need not be about one or the other forms of actor taking centre stage and may see IGOs and states co-exist and both thrive in a symbiotic relationship. The Realist leaning Social Constructivist Wendt forecasts the inevitability of a 'world state', not through the gradual abandonment of the nation-state but because many states will come to rationally and self-servingly re-define the idea of their sovereignty and

accept a stronger role for international organizations to deal with the complexities of contemporary globalization (Wendt 2003). This debate on the future of states and International organizations is explored in the final chapter of this book.

## **RECOMMENDED READING**

K-K. Pease, *International Organizations. Perspectives on Governance in the Twenty First Century.*

An authoritative and thorough textbook describing and theorizing about IGOs of all forms and offering some competing predictions for the future.

P.Diehl (ed), *The Politics of Global Governance: International Organizations in an Interdependent World*

A multi-authored volume providing a strong analysis of the significance of IGOs in the contemporary international political system from a range of theoretical perspectives.

C. Archer (2001), *International Organizations*, 3<sup>rd</sup> ed, Routledge: London & New York.

A classic historical and theoretical overview of the growth of intergovernmental and non-governmental organizations.

## **WEBSITES**

- Union of International Associations: <http://www.uia.be/>

*Widely cited database of information on IGOs and other non-state actors.*

- United Nations: <http://www.un.org/>
- All IGOs have their own websites; e.g.

NATO: <http://www.nato.int/cps/en/natolive/index.htm>

INTERPOL: <http://www.interpol.int/>

ICJ: <http://www.icj-cij.org/>

## **ESSAY QUESTIONS**

1. With reference to rival theoretical perspectives, consider whether or not Intergovernmental Organizations are more than the sum of their parts.
2. For an IGO of your choice describe what it does and how it works and also evaluate its impact in international politics.
3. Do you agree with Mearsheimer's assertion that "institutions have minimal influence on state behaviour"?

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<sup>i</sup> United Nations Economic and Social Committee (ECOSOC) Resolution 288 (X) 27 February 1950.