Chapter One

Agency and Intergovernmental Organizations

In 1979 the Polish delegation to the United Nations proposed that the international community consider a new charter on children's rights. The Polish proposal came during the International Year of the Child, and it was meant to build on the publicity being generated for children's welfare around the world. The then-communist Polish delegation's proposal for the charter also had overtones of Cold War propaganda; it emphasized the sort of "positive" rights that were favored by socialist states (e.g., the right to health care or adequate housing) and that were used to embarrass those Western states that tended to promote more "negative" rights (e.g., free speech and freedom of religion).

As the process of drafting the charter—the proposed Convention on the Rights of the Child (CRC)—wore on, it followed the usual pattern of such documents, as compromises were made between East and West, and North and South, over its content. By the mid-1980s, however, an unusual factor emerged: A particular UN agency, the United Nations Children's Fund (UNICEF), began to take an interest. By the late 1980s UNICEF had become an important behind-the-scenes force in drafting the CRC. And by 1989 it was running its own campaign aimed at achieving universal acceptance of the CRC.

Intuitively, UNICEF's actions do not seem very surprising. As the UN's "lead agency for children," it ought to have been interested in and supportive of the CRC from the beginning. Yet its decision reversed the standard model of how such agencies work, in which states create international organizations, and those organizations carry out the wishes of their creators. In this case, UNICEF's executive director, James Grant, decided what he wanted, and he then used his organization to push

states along the path he desired. Even more interesting, he was initially skeptical of the CRC and concerned about its implications for UNICEF, and he was persuaded to change his mind by UNICEF staff and some smaller UNICEF member states. Eventually his goal went beyond merely seeing the CRC ratified; he wanted to use it as a tool to increase the influence and effectiveness of his own organization. UNICEF was, in a sense, pressuring and cajoling states into handing it greater power to pressure and cajole them in the future.

None of this fits well with standard state-centric notions of international organizations. And it raises some important questions. First, when and how are international organizations able to act with this level of independence? What allows them to reverse the usual model of where power comes from and how it's used in multilateral agencies? And second, what do international organizations want, if not just what states tell them to want? How do they decide on priorities, where do their ideas come from, and how do they go about acting on those ideas? How, in other words, can the actions of these quiet but important players in international politics be understood? Although work on formal modes of organization in international relations has been said to lag behind that done on informal ones (Kratochwil and Ruggie 1986), new theoretical perspectives and an expanding literature on "global governance" have substantially revived the field. Still, the literature on how intergovernmental organizations (IGOs) such as the UN evolve, decide what they want, and go about pursuing it remains underdeveloped.

This study focuses on one area of IGO activity: the promotion of international human rights. Although human rights have always been central to the mission and identity of the United Nations, they have taken on increasing prominence in recent years. When he was the UN secretary-general, Kofi Annan instructed all UN specialized agencies and other affiliated organizations to consider how their work might advance the cause of human rights around the world; many of these bodies have taken this call to heart, and there has been considerable intellectual ferment and some substantive change. As Mertus has written, "UN human rights practice used to happen where the name plate on the door said 'human

rights.' . . . This is no longer the case" (Mertus 2005, 3–4). Instead a wide range of IGOs have been incorporating human rights standards into their operations and have more generally been trying to play a more positive role in promoting human welfare. The idea of combining human rights with international economic and social development, in particular, has become an important theme of IGO activities (Alston and Robinson 2005). It is important to understand the ability of IGOs to adopt human rights norms and ideas to improve their own activities, the reasons they do so, and the outcome of that adaptation. Explaining how and why IGOs develop and nurture new ideas in the field of human rights is thus the primary purpose of this book.

At the broader level, this book delineates some of the ways in which international organizations are able to play a positive, independent role within international politics. It adds to a growing body of literature—primarily dealing with the phenomenon of global governance (Rittberger 2001; Diehl 2001)—that seriously considers the question of how international organizations, both formal and informal, assist states in mitigating anarchy and pursuing public goods. Recent research has added nuance to the understanding of how IGOs operate. Still, the viewpoint of these works is state-centric; they primarily seek to explain how and why states use organizations to pursue their goals, and through what mechanisms states can control the work of their creations (Foot, McFarlane, and Mastanduno 2003; Muldoon 2004).

My research parts ways with much, though not all, of the work in this state-centric vein. I focus on the preferences of the *organizations themselves*, and I ask why and how they develop their goals and strategies, at times even against the wishes of their member states. In particular I show that under certain circumstances, IGOs can act as "norm entrepreneurs," developing and promoting ideas in the international system that are not dictated by state preferences and that also cannot be reduced to a matter of simple bureaucratic self-interest. Though state and bureaucratic interests cannot be ignored, the power of internally developed ideas based on principle can at times be extremely strong. The circumstances that allow those ideas to flourish and become institutionalized thus are also examined in the chapters below.

International Organizations and New Priorities

The work of formal international bureaucracies—such as UN specialized agencies, international financial institutions, and regional security organizations—is all around us. These organizations are created by their member states to coordinate activities, to provide expert guidance in highly technical issue areas, and even, on occasion, to assuage the consciences of wealthy countries. Like other forms of international cooperation—regimes, alliances, and such basic "institutions" as sovereignty and diplomacy—they represent the desire of states to find solutions to local or global problems, to keep the peace, and even to move toward something better than unfettered anarchy in the international realm. In some cases, their formal structure is the result of having sprung from larger formal institutions, such as the UN. In others, they are appropriately structured to manage financial or military operations that require permanent staffs of experts to oversee ongoing efforts or to coordinate work on issues that are too complex to leave to more haphazard organizational forms.

Whatever their origin, there is now quite a number of such international bureaucracies. A glance at the UN's organization chart shows the complex structure of its specialized agencies, committees, commissioners, and other organizational forms; many others, some more loosely affiliated with the UN and some not affiliated at all, dot the global scene. Though some efforts have been made to understand the UN and its agencies as *organizations* with their own agendas, resources, and internal logic (Dijkzeul and Beigbeder 2003b; Reinalda 2004; Ness and Brechin 1988), only now is a literature emerging that ties together organizational analysis with larger questions of international relations theory (Foot, McFarlane, and Mastanduno 2003; Barnett and Finnemore 2004). The goal of this book is to present a systematic analysis of IGOs as independent actors in international relations, taking seriously their nature as highly structured bodies operating in a global environment, by examining their ability to develop, incorporate, and pursue new priorities concerning human rights and other ethically based standards. At the same time, this book also poses an ethical question: Should we *want* international bureaucracies of limited accountability

to work in such a morally charged areas as human rights? This question inevitably arises from the research, and it deserves to be examined here.

An important recent development in international relations has been the move by many multilateral organizations to take on tasks with explicitly moral components: promoting refugee rights, providing access to HIV/AIDS medications, or seeking reform in international criminal law. Particular states have always used international forums to chide other nations regarding various moral lapses (Forsythe 2000, 143). And this chiding has often been driven by the interests of certain states rather than by any real moral conviction. In some recent cases, however, IGOs themselves have taken on moral campaigns that are often independent of the wishes of powerful member states. Occasionally, they have even been antithetical to them.

The adoption of these value-laden agendas—here referred to as "principled ideas" (following Sikkink 1993)—raises interesting questions about the workings of IGOs. Research on networks of nongovernmental organizations and other more informal modes of organization has often focused on human rights and other matters related to international ethics, reaching the conclusion that these groups have had an effective and at times profound impact on state behavior and identity (Risse-Kappen 1995; Sikkink 1991). If this is the case where formal organizations are concerned, it suggests an important and overlooked avenue for IGO evolution and adaptation, not to mention agency. The pursuit of ostensibly moral goals in international organizations is a particularly interesting way for such bodies to show their independence, considering the presumption that they would steer clear of contentious or contestable issues. In a world where moral values can vary widely among countries, one might expect international organizations, which by their nature are representative of many states parties, to want to avoid exactly these contentious matters. The fact that they do not suggests that the issue is more complex than it first appears.

Chapters 2, 3, and 4 of this volume examine the adoption (or failure to adopt) of a rights-based policy by three UN-affiliated agencies: UNICEF, the World Bank, and the World Health Organization (WHO), respectively. Each of these organizations has begun to speak of integrating human rights standards into its operations,

and they have had varying success in turning this rhetoric into actual policy changes. Significantly, none of the three has been under pressure from member states to adopt these new policies; and it can be assumed that by holding the issue area constant, there is no *substantial* variation in state preferences. (This is not to say that there is no variation at all; e.g., the United States has objected to certain reproductive rights issues that are more salient to some organizations than others.) With state preferences and issue areas largely removed from the equation, it is possible to see variations in outcome as resulting from factors *internal* to the organizations under study. These factors, it is shown below, include a conviction that adaptation will increase institutional effectiveness, a corresponding belief that adaptation will also be the "right thing to do" from an ethical perspective, and strong leadership at the top of the organization. A careful examination of why each organization chose to put human rights on the agenda, and how they have integrated new ideas into their operational mandate, demonstrates the importance of these internal factors in explaining policy outcomes. Thus, the importance of internal factors in explaining IGOs' policy preferences comes more clearly into view.

Bureaucratic Explanations and Principled Ideas

That IGOs have some room to maneuver is increasingly well established in the international relations literature. IGOs are problem-solving devices, and their intellectual power comes into play when complex international problems require collective action by states. What may be harder to understand, however, is why IGOs choose to champion certain ideas—and why they choose one idea rather than another. As Vaubel (1986) points out, standard bureaucratic explanations of IGO behavior tend to focus on the bureaucratic imperative to increase staff size, budgets, and the other trappings of power and prestige. As with bureaucratic explanations of domestic politics, research on international organizations assumes that the desire to continue and expand the work of their bureaucracy is the primary motivation for bureaucrats. Seen this way, IGOs will use the freedom inherent in their structure and financing for these purposes.

Barnett and Finnemore take issue with this simple assumption, arguing that it is both indeterminate (because there are many ways to achieve such ends) and has "not fared well in the American politics literature where it was created" (Barnett and Finnemore 2002, 2). In terms of IGOs and the adoption of principled ideas, it is shown below that bureaucratic explanations are useful but not complete. Looking at the adoption of human rights standards in particular provides a good way to gain insight into idea creation, because at first glance they seem considerably removed from material needs and desires. Though there is certainly a connection between pursuing principled ideas and expanding IGO powers, the bureaucratic explanation significantly underdetermines how these organizations choose to take principled stances and how they then pursue their principles. Although it is unlikely that an IGO would take a principled stance that actually *weakened* its influence, in the cases under study here the principled position is not one that is best calculated to advance its interests; in various ways, these organizations have chosen to adopt controversial ideas rather than to compromise and reach accommodations with powerful member states.

Along with a desire for self-aggrandizement, two other factors appear to be common when IGOs pursue principled ideas. One issue shared by each case under discussion here is a genuine belief on the part of the IGO, or some group of its staff, that a principled stance will increase the *actual effectiveness* of its operations. This is related to arguing that it will increase the IGO's size and resources, because these are often key elements of program effectiveness. But this is not inevitably the case, and besides, there are other issues involved in program effectiveness than mere size. At the same time that an IGO's interest in principled ideas cannot be explained simply by pointing to the bureaucratic imperative to increase powers, budgets, and the like, it also appears that it cannot be explained entirely without reference to a belief that principled ideas will actually improve the quality of its work. In other words, the bureaucratic explanation is necessary but not sufficient; the organizations under study here were not so cynical as to pursue an issue without some belief that it would actually make them more effective as an organization.

A second issue common to all three cases is the conviction by a single person or small cadre that such a course of action was the

right thing to do. In all three cases one or more persons within the organization, and not always at the top of its hierarchy, made the case that pursuing a principled idea, here a broad notion of human rights, was worthwhile from an ethical as well as a practical point of view. The ethical perspective, generally supported from outside the organization by the nongovernmental organization community as well as from within by early "true believers" (as they will be called in this book), was or is both an important early selling point for principled ideas and a key element in convincing others to follow those ideas. Of particular importance, it was never the only selling point; in all three cases it was combined with the argument that these policies would increase program effectiveness, and it seems likely (although there is no way to prove this) that the ethical argument would have been ineffective had there not also been a practical one to back it up. Yet the moral argument appears at key points throughout the transition of each organization from an older to a newer way of solving problems and approaching its responsibilities, and it is never far from the internal discussion. Most significant, in all three cases, groups of true believers banded together to develop and push for their ideas, sometimes in the face of resistance from every direction; they played a necessary, though not by themselves sufficient, role in putting new ideas on the agenda.

Finally, these factors still are not sufficient for the independent adoption of principled ideas without the presence of another factor, namely, strong leadership from the top of the organization. This leadership, it is shown below, provides a crucial determinant in the success or failure of change within international organizations. The importance of leadership in these organizations has received its share of attention (Kahler 2001; Moravcsik 1999; Young 1999). This previous research has tended to focus on the role of "supranational entrepreneurs" in bringing states together in agreement on how to solve transnational problems ranging from environmental protection to economic and political union. The emphasis, in other words, has been on "forum organizations" rather than on those charged with pursuing a particular mandate, such as child welfare or public health. Conversely, Cox (1969) and Haas (1990) have recognized the power of leadership in helping these technically oriented organizations change and adapt to new priorities. In this

study, too, the value of leadership and the power of the executive head to set an organization's course are shown to be crucial.

In the cases under discussion here, strong leadership has been at least as important in overcoming *internal* opposition as it has in overcoming *external* opposition. The ability of IGO leaders to broker among the competing interests of member states is certainly an important element of international politics. In all three cases under study, the organization's chief executive has had to fend off demands on his or her attention from states, with varying success; this has been an important determinant in the varying levels of adaptation among the cases. The cases, however, were chosen largely because they did not directly challenge the interests of powerful states and therefore were able to control for varying state preferences. What emerges is a clearer picture of the importance of combating opposition from entrenched bureaucratic interests within the organization itself. This has proved to be a consistent problem across the cases. The determination of a strong leader to push for change in the face of such inertia may be the variable with the highest explanatory power in these studies. Where the executive director was convinced that change was in the interest of the organization and was prepared to expend effort to convince resistant staff, adaptation took place; where the executive director was not willing to make such an effort, change stalled.

Seeing where ideas come from and what does or does not give them traction can help bridge the gap between two types of thinking on the autonomy of IGOs. On the one hand, a number of careful internal studies of adaptation in IGOs, most notably the financial institutions, has shed light on the internal workings of international bureaucracies. They have shown how such bureaucracies pick up new ideas, how they institutionalize them, and the difficulties they encounter translating those new ideas into practical policy outcomes (Jonsson 1996; Kapur 2002; Wade 1997). These studies have, to a lesser or greater extent, taken for granted that the bureaucratic structure of an organization and the personal preferences of those working within it have a meaningful effect on policy outcomes. On the other hand, a renewed interest in principal–agent analysis has refocused attention on IGO agency and the problems of controlling large organizations set up to pursue the interests of states free from day-to-day control by those states;

but this provides only a thin theory for the consequences of principal–agent dynamics in terms of actual policy outcomes. It is hoped that the analysis of the case studies in the following chapters will begin bridging the gap between these two research agendas.

Agency and Ideas

The institutionalization of IGOs and their development of bureaucratic structures explains the tendency toward IGO independence, at least among those with large professional staffs and mandates as service organizations. In the cases under discussion in this book, the activities of IGOs are significantly similar to those of what Peter Haas and others have termed "epistemic communities." In Haas's terms, an epistemic community is "a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area." Epistemic communities share beliefs over normative and theoretical issues within their area of expertise, as well as a "common policy enterprise" with a general conviction that "human welfare will be enhanced as a consequence" of their activities (Haas 1992a, 3). The members of an epistemic community are bound together not by national ties but by professional or principled ones; they are technical experts engaged in a shared enterprise, and they understand that that enterprise requires both a high level of international cooperation and their own efforts to convince states that their true interests lie in collective efforts.

Like members of an epistemic community, the staffs of the IGOs described here view themselves primarily as responsible for promoting a particular issue or set of issues rather than for facilitating any particular state's short-term gains. Their loyalty tends to be to the organization and to a set of principles embodied within it (Verbeek 1998, 22). When the organization's ability to achieve its goals is enhanced, their own position is enhanced as well—members of the IGOs studied here have both personal and professional stakes in seeing their employer succeed. This blending of self-interest and group interest is particularly noteworthy at the very top of these organizations, where the most crucial decisions get made; as Cox (1969) has noted, the executive head of UN agencies

can, under the right circumstances, exercise considerable power both within and outside his or her own organization and can be a very persuasive force in framing problems as well as formulating solutions.

This loyalty to the organization and its problem-solving task means that the decisions made by IGOs will often have two separate purposes: to find innovative solutions to the problems at hand, and to enhance the power and independence of the organization itself. At times, of course—likely, in the majority of cases—IGOs will do best by not "rocking the boat" with state members. With some IGOs, the tasks at hand are purely technical and relatively simple, and the IGO will determine that its best course is to work in a purely cooperative way with member states. At other times, however, it may find that challenging the status quo is the most effective way of advancing its own interests and its own view of how best to solve the problems it was set up to address. It is argued below that an IGO can and will do so when the conditions are right—that is, when its leaders and staff believe they can best advance its agenda by doing so.

Epistemic communities are not identical to bureaucracies. In particular, as Haas points out, bureaucracies lack a shared set of "causal beliefs" and a consensual basis of knowledge upon which to make decisions (Haas 1992a, 17). And as the following cases show, IGOs, unlike epistemic communities, have extremely diverse personnel, and by no means can it be said that all agree with the adoption of human rights norms—or any other set of IGO policy goals. It is not at all uncommon for individuals within IGOs to disagree with and even actively oppose the adoption of new ideas, even those that are accepted at the highest levels of management. At the same time each of the cases presented begins with a single individual or small group of individuals—true believers—promoting a new idea or approach *within* the group itself, at a time when others in the IGO are content with "business as usual" or are discontent but unsure of any alternative. Under the right circumstances, these small groups can sway others to their cause and ultimately have real, lasting influence over the bureaucratic culture as a whole.

For the most part the three IGOs under study here speak publicly with one voice. More important, they strive to create an internal

consensus, although in each case this process is at a different stage of progress. Unlike with a true epistemic community, this consensus does have to be forged, and at times it will be imperfect; this contrasts with the situation in which experts are actually brought together by their shared set of beliefs regarding a particular issue. The organization can become an advocate for principled issues—in these cases, human rights—and work actively to promote them. Equally important, these issues are not reducible to some set of outside influences on the organizations; nor are they in all cases the path that would most likely lead to an increase in the organization's power. This is a tricky point because it is not always easy to tell whether a principled stance is being taken on moral grounds or because it will increase an organization's influence through moral suasion. For example, in all three cases discussed below, an IGO has chosen to pursue a human rights agenda partly because it felt that framing issues in the language of human rights would increase its organizational influence; at the same time, however, that increased influence was desired primarily in order to pursue a principled agenda (child welfare, economic development, HIV/AIDS treatment) that it felt was not being addressed sufficiently by more traditional means.

IGOs as Organizations

The primary goal, then, of the three case studies presented here is to examine the nature of IGO agency. The bureaucratization of certain international functions would seem, logically, to lead to greater freedom of action within international organizations. A growing literature has taken on the bureaucratic nature of international organizations—in the words of one analyst, to treat "international organizations as organizations" (Ness and Brechin 1988, 245). One important strand of this thinking that was mentioned above has been to focus on the principal–agent problem in international organizations, viewing states as principals and the staff of these organizations as their agents (Hawkins et al. 2006). This work has tended to focus on the two aspects commonly identified in such principal–agent relationships: the control of agents over information not available to the principles, and the divergence of

interests between principal and agent. Various aspects of the relationship—for example, whether or not multiple principals agree or disagree over institutional goals, or the degree of trust built up between principals and agents—are identified as affecting the independence of agents. The bureaucratic imperatives of international organizations have also been examined: survival and the expansion of the organization's influence and resources have been identified as primary possible bureaucratic goals, although as Verbeek (1998) points out, there are problems with this approach, which tells us little of how specific policies are formulated and is often able to explain any policy outcome in retrospect. As the case studies below indicate, there is reason to believe that while these interests are certainly important, they are not paramount. International organizations certainly do care about their survival and scope of action, but they also care about carrying out their mandate, as they see it.

This strand of thinking about international organizations as organizations draws on research on the relationship between bureaucracies and elected officials (Dijkzeul and Beigbeder 2003a). In specifying a particular type of principal–agent problem, that which arises in government bureaucracies, it reduces the problem of controlling bureaucracies to the simple problem of conflicting interests and to a couple of very basic variables, notably inequality of information. The contention here is that this approach leaves out several other factors that can give a more nuanced understanding of how IGOs and member states interact.

A starting point for examining the organizational nature of international organizations is provided by work done on the theory of the corporation. *The Modern Corporation and Private Property*, a landmark study of the growth of the modern corporation by Adolf A. Berle and Gardiner C. Means (1932), suggests one way to view the effects of the bureaucratization of certain international institutions. Berle and Means were writing on the trend, still relatively new at the time of publication, toward a separation of ownership and management in large publicly held corporations. At one time, they argued, the owner of a business enterprise was usually the manager as well; he would run it in a self-interested way to maximize his own profits and would take a personal interest in all aspects of its operations. This tended to make management a fairly easy task for a variety of reasons; most relevant here, it meant that

a single person could understand with relative ease all the various aspects of an organization's activities, and it removed the principal–agent problem, which suggests that those hired to pursue another person's interests (in this case, making a profit) will usually act to advance their own interests rather than the interests of the person who hired them. Conversely, it tended to limit the growth of corporations, because of the limited ability of a single person to oversee complex operations and the tendency of owners to focus on short-term profits rather than long-term plans.

The movement to publicly held corporations with professional managers responsible to stockholders meant important changes in the dynamics of such firms. Berle and Means identify two important dynamics that tend to make managers independent from stockholders and to increase the range of their discretionary powers. The first, and more important to Berle and Means, is the diffusion of stock ownership in large corporations. Larger corporations demand ever larger quantities of capital, requiring them to turn to the public for investments from both individuals and institutional investors such as insurance companies and pension funds. With no single stockholder owning a large stake in a company, "the position of ownership has changed from that of an active to that of a passive agent" (Berle and Means 1932, 66). This means that the professional managers of a corporation are freed from having to answer to any single investor, or a small group of investors, who may have particular opinions about the way a company ought to be managed.

The second dynamic identified by Berle and Means is more relevant here: the tremendous size and wide-ranging influence of the largest corporations, and the difficulty small stockholders have in understanding and influencing corporate policy (Berle and Means 1932, 8–46). By the early twentieth century, it simply was no longer possible in the largest organizations for shareholders to exercise constant control over the operations of a large bureaucracy or to keep up with and understand all the problems and issues that face the corporation on a day-to-day basis. In such a case, according to a seminal book on managerial discretion by Oliver Williamson, "stockholders are seldom in a position to exercise decisive control over a large firm. Their demands, more often, take the form of a minimum performance constraint" (Williamson 1967, 13). As long

as the corporate body appears to be fulfilling the basic goals set for it by the owners, they will see it as neither practical nor profitable to involve themselves in the day-to-day operations of the firm. It is a corresponding feature of modern organizations that their managers are now thought of as professionals (Heald 1970), with both the attendant duties of a professional and a need for special skills and training. The diffusion of ownership and the growing importance of large corporate bodies means that "new responsibilities towards the owners, the workers, the consumers, and the State thus rest upon the shoulders" of the new managerial class (Berle and Means 1932, 6). This new professional class is imbued with greater discretion; and as professionals, they see themselves as having responsibilities beyond merely serving the short-term interests of shareholders (Koehn 1994, 144–53).

This same dynamic—the separation of management from "ownership," which in this case means the member states of UN specialized agencies—is at work in UN-affiliated organizations and is an important factor in giving these organizations far more freedom of action than is generally supposed. The sort of agency that is of interest here applies less to UN bodies that are essentially forums for discussion—what Cox and Jacobson (1973) term forum organizations—than to those that are bureaucracies tasked with pursuing particular, usually complex or technical, goals—"service organizations." Given the premise that this freedom of action follows largely from these two dynamics identified by Berle and Means—the separation of management and ownership, and the size and complexity of modern, highly bureaucratized organizations—it is likely that certain factors will lead to greater IGO freedom of action:

- Larger organizations—with larger staffs, more extensive responsibilities, and greater financial resources—are likely to exhibit greater managerial independence than smaller organizations. Confronted with the sheer size of a substantial bureaucratic organization, and with a large number of different operations going on at the same time, the "owners" of an IGO will have two choices: to increase their oversight staff and the amount of time spent actually following the organization's operations, or to accept that the organization

will operate most of the time on its own. Martin suggests that the size of an organization measured by its budget may be a better indicator in this area than the size of its staff (Martin 2002, 46).

- Along with the size of the organizational structure itself, the *complexity* of the issues involved in organizational operations will tend to remove the work of managers from the regular supervision of owners. Those charged with the oversight of IGO operation will be willing to defer more to managers when dealing with highly complex, highly technical issues. Barnett and Finnemore point out that a substantial source of IGOs' power is their ability to organize complex information and knowledge (Barnett and Finnemore 1999, 710–11). This will be less true in organizations that serve as a forum rather than those with a technical mission to perform, although as Young (1991) and Cox and Jacobson (1973) have shown, the secretariat of forum organizations can also play an important and independent role in forming regimes.

- The professionalization of the given bureaucracy—the degree to which its managers view themselves as holders of arcane knowledge with responsibilities to use that knowledge for the betterment of society rather than for narrow gain—will be a third factor in separating management from ownership (Greenwood 1983). Well-established, highly organized bureaucracies with long traditions of activity and little fear of being eliminated will be more likely to have a sense of being engaged in an enterprise in which long-term goals, combined with standard operating procedures, will take precedence over the short-term interests of owners.

- When organizations are overseen by a collective principle, meaning in this case multiple states that contract with an IGO, policy outcomes will not be the same as the preferences of the largest states (Lyne, Nielson, and Tierney 2006). This will mean that less powerful states can form coalitions that will sway IGO behavior. It also means that where no single state has a powerful incentive to monitor IGO behavior, there will be less oversight and more room to maneuver. As Berle and Means were cited above as noting, the diffusion of ownership enhances the principal–agent

problem when no single agent has the time and resources to oversee all actions of an agent, or when collective action problems lead to the perception of a limited ability to assert authority over the organization in question.

- Krasner (1981) suggests in a study of regional development banks that institutions have greater freedom of action when their operations are considered peripheral to the major donors. That is, the primary contributors of funds are less likely to interfere in operations and policy when they are not directly affected by the way those funds are used. Other studies have made the same point more generally (Hazelzet 1998, 28). It stands to reason that the most important states parties are less likely to supervise the day-to-day operations of an organization that does not operate in an area they consider of primary security or power concern.

Elements of all these factors are present in the cases examined here, although not always to the same degree. Taken together they help to explain how IGOs, having determined to pursue new agendas not suggested by member states, might nonetheless be able to develop and adopt those ideas. Of course there are plenty of reasons why states might also object to the development of new ideas and resist. In the case of WHO in particular, state resistance was strong and decisive; without a determined voice for change at the top of WHO, the organization failed to "stand up to" the protesting states.

This list represents, in a sense, a background condition for the remainder of the present study. The factors identified above all contribute to the independence of international organizations, and a substantial body of theory has begun to be built up behind them. But where IGOs' preferences come from, once they have been able to carve out a range of independence, remains the primary question here.

Moral Responsibility and Principled Ideas

Along with the question of why IGOs turn to principled ideas, it is important to ask whether it is a good thing that they do so. The

international relations literature on the development of principled ideas—on environmental issues; on the elimination of odious practices such as colonialism, slavery, and apartheid; and on the taboos against the use of certain weapons or force itself—has been surprisingly free of any such questioning of the moral standing of these ideas. This gap, it seems fairly clear, results from the fact that most research in this area has focused on what one would more-or-less unanimously consider good ideas, such as those listed just above. For example, when examining why the international community declared itself against the trade in human chattel or the use of nuclear weapons, there was no need to consider whether it was a good idea for it to have done so—history had already answered that question.

When the question of the source of principled ideas comes up, however, and particularly when the issue is IGOs as the source, there are reasons to be cautious. First, though the literature on ideas in international relations generally has tended to focus on positive ideas, history suggests that there are as many bad ideas as good ones floating around international society. If the Anglo-American concept of "embedded liberalism"(Ruggie 1983) seemed a positive model for a postwar economic regime, it took a world war to replace it with the Nazi alternative, as spelled out in Hirschman's *National Power and the Structure of Foreign Trade* (1945) (a fact that Ruggie himself recognizes). Support for proxy wars by both sides during the Cold War was once seen as an acceptable way to do business, and much ideological ink was spilled justifying the practice. Concern has been raised recently that a new norm of "preventive war" might be popularized by recent U.S. action, with potentially negative results (Crawford 2003). Generally speaking, the literature on bad ideas is poorly developed.

Second, whether ideas are good, bad, or indifferent, it is important to consider what sorts of organizations *should be* making morally laden decisions and carrying out policies with a clear normative content. The internationalization of moral ideals is fraught with danger: Standards differ from country to country, interpretations of even the most universally accepted norms can vary, and modes of application (e.g., through legislation, the courts, community education) appropriate in one context may be ineffective or counterproductive in another. Thus there may be widespread

acceptance that human rights are important and that human rights standards should be spread; but, for example, is the World Bank really the best organization to champion such ideas? Should development projects themselves be required to serve the goal of rights protection and promotion when this might mean a reduction in their ability to serve other goals (e.g., increasing national gross domestic product, relieving food shortages)?

Yet the general arc of "progress" in international ethics has been exactly this gradual internationalization of moral issues once considered entirely within the realm of domestic sovereignty. The very concept of human rights as a matter of international concern and international instruments is based on this process of opening domestic affairs to scrutiny by international bodies of some—at least presumed—impartiality. It certainly seems desirable to involve the entire UN system in the promotion and protection of human rights, and the decision by the UN secretary-general to task all UN agencies with human rights responsibilities has not raised general criticism. What is needed, clearly, is a way of determining the proper scope of such activities—both breadth (What rights should be included, and how should they be interpreted?) and depth (How much power and influence should be given to these new rights protectors?). A better understanding of how these organizations view and respond to human rights and other principled ideas will help to clarify the desirable limits of their action in this field.

A Note on "Human Rights"

The concept of human rights is referred to regularly in the following pages, and it is worth clarifying how this term is used here. The term "human rights" has been much abused in the literature on international politics, and the intention here is not to add to this abuse.

The concept of "rights" is often used in very unspecific ways and often seems designed to justify any agenda with a moral or values-based component. At one level, of course, international human rights are what international instruments say they are. A large and growing body of international instruments lay out various rights, and states are free to sign onto these or not as they like. A

party to the UN Convention Against Torture accepts that freedom from torture as defined by the convention is a right of citizens. Of course, there are problems with this approach. The main human rights documents are not a certain guide; none has been accepted by every UN member, many are only "declarations," and many contradict each other and sometimes even themselves. Beyond these documents, what one considers a human right depends on everything from one's philosophical position (e.g., are rights strictly negative, or can so-called positive rights be given the same respect?) to the exigencies of power politics. Some academics, politicians, nongovernmental organizations, and ordinary citizens often defend as rights various positions that few would agree on, and in doing so they seriously demean the entire concept of human rights.

In other words, the concept of a right gets used quite a lot in world politics, often with little or no precision and little agreement on what counts as a right. It is not the intention of this book to add to the current confusion or to do more violence to the concept of rights. It is not possible to define here what is or is not a human right, and it does not seem necessary in the current circumstances to critique how the concept is used by IGOs. Each of the study's three case studies devotes a section to examining how the particular IGO defines the concept of human rights. For the most part, not surprisingly, they define the concept loosely, and in a way that fits their own organizational mandate and strengths. To a large extent, they also define rights—or, more accurately, a "rights-based approach"—in a way that makes it very similar to ethics or an ethical approach. To think about human rights in this context becomes largely thinking about whether policies are morally defensible and whether they help individual people.

For the present purpose, it is enough to accept the idea of rights as it is used by IGOs. The important point is to understand how IGOs think about what rights mean for them, not to critique the philosophical underpinnings of that definition. The fact that rights, in this context, often come close to meaning simply a concern with ethics is itself significant, for it shows how organizations seek simple, universal concepts to frame solutions to their problems. This study aims only to show how the concept is used, adapted, and interpreted by IGOs, and to examine why they choose (or do not choose) to make rights language part of their daily lexicon. Thus

the terms rights and rights-based approach are used quite a bit in the following pages, and they mean what IGOs believe they mean. The process of reaching that definition is an important part of the story. Whether IGOs *should* have the leeway to define rights as they like is an important question addressed in chapter 6.

Research Design and Case Selection

The three organizations under study here—UNICEF, the World Bank, and WHO—were not chosen randomly. They were selected exactly because they exhibit varying outcomes in their efforts to turn themselves into rights-based organizations. UNICEF is a "special organ" of the UN; the other two are specialized UN agencies. The specialized agencies were established under Article 57 of the UN Charter and were brought into relationship with the Economic and Social Council (ECOSOC) through Article 63. They are, in the terms of one analysis, "highly independent and autonomous" within this structure (Williams 1987, 18). UNICEF, conversely, was created by the UN General Assembly under Resolution 57(1) of 1946. It is funded differently from the specialized agencies (the World Bank, of course, is also funded differently, raising its capital in a variety of ways), relying on contributions from member states and other sources rather than on the regular assessments that fund WHO. Its relationship with the ECOSOC is more direct than that of the specialized agencies.

The specific means by which states oversee each agency differ in some ways. The World Bank is ultimately answerable to a board of governors that meets on an annual basis and uses weighted voting and also to a smaller number of executive directors appointed by members of the board. WHO is overseen by the World Health Assembly (which does not have weighted voting) and by a smaller executive board "to give effect to the decisions and policies of the Health Assembly" and "act as the executive organ of the Health Assembly," among other duties, as stated in the WHO Constitution, Articles 28(a) and 28(b). UNICEF is overseen by a thirty-six-member executive board, with no universal membership body above that (except to the extent that it takes guidance from the ECOSOC and the General Assembly).

As Williams points out, the similarities are more important than the differences here; there are an executive board to represent the interests of members, with or without a universal assembly above that, and a permanent executive staff, managed by an appointed executive head (Williams 1987, 18). There is one crucial legal difference, in that UNICEF has the more direct responsibility to the UN through its relationship with the ECOSOC. This has ramifications for the interpretation of UN human rights instruments, for it appears to make UNICEF more directly bound to follow and advance the human rights provisions of the UN Charter.

Although there are differences in the management structures and legal status of the three organizations, they are not different in a way that ought to significantly change the practical level of independence of each organization. Each has a formal relationship with the United Nations, each reports to a body made up of instructed representatives of member states, and each has an executive head appointed by those members. It is generally assumed that they serve the interests of member states and that the members can, if they have sufficient power themselves or can form coalitions with others, restrain or redirect the activities of the organizations. The World Bank in particular has a certain level of funding independence, given its ability to raise money through international capital markets; and UNICEF raises a substantial portion of its money on its own, through direct grants from governments, individuals, and other entities; yet neither could survive long without support from key member states, any more than could WHO, which lacks substantial outside donors. Given the assumption that international organizations serve member states and are controlled by those states, there is no reason to assume that the variation in the exact structure of institutional oversight or funding mechanisms should lead to differing outcomes.

In each case study the factors that went into successful or unsuccessful adaptation are traced and examined. In chapter 1 and again in chapter 5, some common themes are extracted and examined. Because there are only three cases, with somewhat different results, there is no reason to assume that *every* factor present in IGO decision making can or will be sufficiently analyzed. It is unlikely that any study could accurately delineate all the various factors that go into decision making in an extensive set of large and

complex organizations. The key here, however, is not to determine a definitive list of such factors but to demonstrate the importance of looking at the internal workings of such organizations if we are to fully understand policy outcomes.

Plan of the Book

The next three chapters present the empirical material concerning the approach of IGOs to human rights issues. The material is organized into three case studies, on UNICEF, the World Bank, and WHO. In the manner of "structured, focused comparisons," each study attempts to trace the interest of the organization in pursuing a human rights agenda. Each case asks two separate questions: Why did this organization choose to put human rights at the center of its operational paradigm? How does the nature of the organization shape the way it interprets rights norms? The decisions made by these organizations are tied to the various forces acting upon them—by their member states, by their own mission, by bureaucratic imperatives, and by international civil society (which will be defined later in the book), among others. The goal is to delineate which of these forces were the most powerful, and why.

It is important to note up front that in each case, a UN-affiliated agency chose to incorporate ethical standards into its operations *before* Secretary-General Kofi Annan directed all UN bodies to do so. Each is a case of a decision coming from within the particular organization, and thus it best highlights the organization's internal workings. Although each organization is not at the same stage of policy development, these differences help to illuminate the process of organizational change.

The three examples have been chosen for their similarity with one another, rather than as a random sampling of UN-affiliated agencies. To posit that international agencies are capable of independent action, and that their internal preferences and organization are important determinants of policy outcomes, it is not necessary to prove that *all* international agencies do so *always*. Thus, the accusation that this work "stacks the deck" by choosing only those organizations that have shown a capacity for independent action in this area would not pose a relevant criticism. At the same time,

it is the purpose of this book to identify those elements—some of which have been mentioned above—that do seem conducive to independent agency. It might be helpful to identify some cases of agencies that do not show such a capacity and to compare why they fail to do so. In several instances, comparisons of that sort are made. But there is no separate study of such a case developed into a single chapter. This is partly because such a case would not make for terribly interesting reading (or research!) but, more important, also because it raises the problem of the dog that does not bark—there are presumably any number of reasons why an organization might simply do as it is told by member states, and besides, no study would definitively prove that it would not do so in the future.

The final two chapters of the book deal consecutively with the two main themes presented: Why and how do IGOs choose to adopt principled ideas such as human rights as operating paradigms; and what moral questions do their actions raise? Chapter 5 reviews some of the factors that led to successful or unsuccessful adaptation. What led IGOs to redefine their mission and to choose new strategies? How do IGOs overcome resistance from member states, and from their own staffs? What strategies do IGOs follow to maximize their own power and influence? How do IGOs choose from among competing policy priorities, rather than merely acting as filters for various exogenous forces?

Chapter 6 focuses not on empirical but on normative questions. The question of authority is a key point. Once it is established that IGOs make decisions that affect people, that they are actors in their own right, it is relevant to ask what authority they have to make their decisions. In purely technical areas, this authority will come either from their specific mandate (e.g., UNICEF has been charged by the United Nations to undertake child welfare activities such as providing safe drinking water and educating parents on healthy eating habits for children) or from their expertise in certain areas. This sort of "epistemic authority" (De George 1985, 27) is most effective in areas that require scientific knowledge or a command over complex facts—areas in which bureaucratic organizations excel, for the most part. It will be less effective where choices need to be made among issues or priorities of contested value.

To anticipate the argument of chapter 6, the movement of IGOs into areas like human rights has shown the difficulty of separating technical from ethical issues. The very definition of development, for example, has evolved over time, and it has done so because of moral concerns raised over what initially appeared to be purely economic concerns. Thus the power of international agencies is both in their ability to use their resources to influence state behavior (most notably in the case of the World Bank and "conditional" lending) and also in the realm of ideas, where they have considerable discretion over definitional issues. The nature of an organization—for example, the extent to which it is accountable to states parties for its actions or the extent to which it resembles either a private corporation or a government agency—will have a great deal to do with the amount of authority we wish to grant it over issues with ethical implications. Thus the case studies, and the distillation of the primary components of independent action, help in evaluating their moral responsibilities.

The ultimate goal of the ensuing chapters is to create a more complete picture of the role of IGOs in international relations. Although some recent work, such as that cited at the beginning of this chapter, has started to look at these organizations from differing and constructive viewpoints, much remains to be done in this vein. It builds on earlier research, suggesting that IGO agency exists and has meaning. It takes as self-evident the simple fact that for millions of people, the actions of WHO, UNICEF, and the World Bank do indeed have tangible effects and therefore that it is important to understand why they do what they do. Also, although the book of course seeks the broadest possible conclusions, it is not intended as a general theory to cover all international organizations. Appropriate comparisons are made, but the premise of the argument—that the organizational structure of these bodies affects their decision-making capacity—presupposes that bodies with other structures will have different capacities. How these differ, and how other structures affect outcomes, is left for a future work.