

## **CHAPTER TWO**

### **THEORETICAL FOUNDATIONS OF THE ORGANISATION OF AFRICAN UNITY AS A REGIONAL ORGANISATION IN INTERNATIONAL PUBLIC ADMINISTRATION**

#### **2.1 Introduction**

To understand the activities of the former Organisation of African Unity (hereafter referred to as the OAU) more clearly, and to provide background for later chapters, one must take cognisance of specific concepts and characteristics in international public administration. Consequently, an aim of this chapter is to provide an interpretation of some of the central concepts such as international organisation and international governmental organisation. Aspects influencing international public administration such as the politics of international organising, the participants encountered in the international political system, the role that national and other interests play in the international political system and the main categories of international organisations are also dealt with in this context. It is also an aim of this chapter to explain the characteristics for classifying IGOs in the sphere of international and regional public administration. The most important characteristics identified are membership, purpose, function, and organisational structure. Where relevant, alternative points of view are also given in the form of specific characteristics such as an inter-state basis, a voluntary basis, a permanent organisational structure (the policy-making institution, the executive institution, the administrative institution and the judicial institution). The factors that influence the organisational structure of an IGO are also highlighted. The aim of this chapter is not an in-depth analysis of every aspect, but merely to provide an interpretation of certain theoretical foundations of the OAU as a regional institution in international public administration.

Selecting a method for researching the role of the OAU in international public administration is beset with problems of a technical and interpretative nature, and to

facilitate understanding of these difficulties, some background is required on the nature of IGOs. This is achieved by explaining the theoretical foundations that underpin the establishment, development and functioning of IGOs in the international community. This chapter also discusses the motives that gave rise to the establishment of IGOs by providing an exposition of various theories, namely, confederalism, federalism, functionalism and public goods.

It is also important to investigate the different viewpoints to international organisation in order to gain a better understanding of international co-operation. Various perspectives (approaches) in terms of which IGOs are researched are distinguished in this chapter. Usually, one specific aspect of an IGO is used as the basis for the research (e.g. the history of a particular IGO), which is then elaborated on by investigating related matters. The following approaches are considered in this chapter: the historical approach, the legal approach, the structural-functional approach, the decision-making approach, the comparative approach, the functionalist approach, the conflict approach and the analytical approach. Apart from the different approaches that can be employed as a point of departure in researching IGOs, IGOs can also be researched from the viewpoint of groups of states that, for ideological and other reasons, have similar views on the purpose and role of IGOs. Three overarching groups are encountered, namely the Western group, the Socialist group and the Third World group.

IGOs can be classified into various categories on the basis of specific similarities and differences between institutions. No classification exists which is universally acceptable – often, the method of classification depends on the focus of the author/researcher concerned. For the purpose of this thesis, methods of classification will be considered. The headings of the relevant sections provide an explanation of types defined from four perspectives which tend to break down the totality of sub-groups of classification, namely, objective and membership, objective, powers and functional scope, geographical and functional scope and scope of powers and functional integration.

## 2.2 Concept ‘international organisation’

Archer, states that “every international organisation which is not created by means of intergovernmental agreements shall be considered as a non-governmental international organisation” (1992:38).

Not surprisingly, therefore, the *Yearbook of International organisations* defines an international organisation as being based on a formal instrument of agreement among the governments of at least three nation states, and possessing a permanent secretariat performing ongoing tasks ( *Cf.* McLaren 1980:1 and Taylor & Groom 1978:30).

With regard to the requirement that an international organisation should be based on a formal agreement between governments, it would seem that some exceptions have occurred. In this regard, Michel Virally records that “every international organisation is established on the basis of a treaty” but that “resolutions adopted by an international conference have (also) sufficed for the setting up of an (international) organisation, for example the Organisation of Petroleum Exporting Countries (OPEC)” (Abi-Saab 1981:52).

There is also some dispute as to whether it is practical or even logical to limit an international organisation to a minimum membership of three nation states. Singer and Wallace, for example, point out that the North American Air Defence Command (NORAD), comprising the United States of America (US) and Canada, would be excluded in terms of such a definition, as would “such multilateral organisations as the Rhine River Commission when historical circumstances temporarily reduced the membership to two” (Singer & Wallace in Taylor & Groom 1978: 30).

With regard to the views of Singer and Wallace, one might argue that several recognised international organisations, by virtue of their small membership, have the potential to fall below the membership level of three national states and that if such an event were to occur, either the IGO concerned would disband or it would continue as a *de facto* bi-

national organisation and a *de jure* international organisation until its eventual dissolution or transformation. If it is accepted that an IGO which comes into being with a membership of three nation states, can continue to exist and fulfil its original functions, or functions normally associated with international organisations, in the event that its membership falls to two nation states, then there is surely no logical reason why an IGO should not come into existence with a membership of two, as in the case of NORAD.

According to Plano and Olton (1988:416) an international organisation may be defined as a "formal arrangement transcending national boundaries that provides for the establishment of institutional machinery to facilitate co-operation among members in security, economic, social, or related fields". Archer (1992:37), defines an international organisation as "a formal, continuous structure established by agreement between members (governmental and/or non-governmental) from two or more sovereign states with the aim of pursuing the common interest of the membership".

For the purpose of definition, therefore, it can be argued that an international organisation:

- (i) is based on a formal instrument of agreement between the governments of nation states;
- (ii) includes two or more nation states as parties to the agreement; and
- (iii) possesses a permanent secretariat performing ongoing tasks.

### **2.3 Concept "international governmental organisation"**

Like all phenomena which one endeavours to explain by way of a definition, there is no single, generally accepted definition of an IGO (international organisation including the term governmental). If, in fact, the concept "international" is wrongly used, then the term "inter-state" or "inter-government" is a better description of activities such as war, diplomacy or any type of relationship between two sovereign states and their representatives, since the term "international" should not be used as a synonym for "inter-

government" in the sense of "inter-state" or with reference to relations between official representatives of sovereign states. Nevertheless, the term "international" is used to describe activities between individuals and groups in one state and those in another state, as well as intergovernmental relations. The first type, which refers to those relations that do not only pertain to activities between governments, is actually known as trans-national relations ( *Cf.* Archer 1988:1-2 and Abi-Saab 1981:50-510).

There is often also confusion regarding the meaning of the word "organisation" owing to the dual meaning which the word has in its singular form, and because it is used as a synonym for "institutions" in many sources (see section 1.10). States strive for order in their relations with one another. International relations - between governments, groups or individuals - are therefore largely institutionalised and are not random and chaotic. In this regard, "international organisation" refers to the process of institutionalising international relations at the international level. One form of institutionalising international relations is found, for example, in international organisations. An international organisation represents a form of international institution which refers to a formal set of rules and statement of objectives, a rationalised administrative instrument which, according to Duverger (1972:68) possesses "a formal technical and material organisation; constitutions, local chapters, physical equipment, machines, emblems, letterhead stationery, a staff, an administrative hierarchy and so forth". According to this definition, "international institutions" have a wider application and comprise a system of relationships which do not necessarily find expression in concrete manifestations of regulated international relations, as is to be seen in the formal and material aspects of international organisations (Archer 1992:1-3).

For the purpose of this thesis, the author shall however define it as follows: An IGO is an association of states which has come into being by way of agreement, which has a permanent organisational structure, and whose purpose it is to pursue common interests by means of co-operation.

## 2.4 Politics of international organising

In international relations the governments of the nation-state system launch intergovernmental organisations whenever politics permits. Generally, states act in what they regard as their national interests. Interests of states touch at many points. In some cases – the prevention of nuclear war, for example – the interests of all states, or nearly all, are identical. All states share a common interest also in economic development and in the welfare of their peoples, in preventing the spread and reducing the incidence of disease, in better observance of human rights and fundamental freedoms. Whenever the political situation can be made to yield to the common need, governments are ready to realise the community of interest and institutionalise it in a permanent international organisation (Blaisdell 1966:4).

The politics of international organising is not the same as international politics. In international politics, states attempt to protect and promote their positions through concluding alliances, maintaining neutral relationships, using third parties and dividing the opposition. Conversely, the politics of international organising is superimposed. Multilateral or conference diplomacy, and not traditional diplomacy, are the customary methods for international organising (Cf. Blaisdell 1966:16).

The distinction between international politics and the politics of international organising is important for two reasons. First, multilateral diplomacy differs both in degree and in nature from traditional diplomacy. The politics that are conducted by several states across boundaries are more complex than those conducted by fewer states. In addition, multilateral diplomacy is public diplomacy because it is normally conducted in public. Traditional diplomacy is to a far greater extent confidential. The second distinction is found in the result of international organising. The appearance of *inter alia* IGOs in the field of international politics has added a new dimension to international politics. Purely on the basis of its existence and functioning, every IGO becomes a part of the international political domain. Because of its autonomy, or semi-autonomy, every IGO brings a new personality into international politics. It is however a dualistic personality.

On the one hand, there is the IGO itself, and, on the other, there is its chief executive officer. The bureaucratic politics of every IGO adds a further dimension to international politics (Blaisdell 1966:17).

International organising is simultaneously both the result and the victim of competition and change. IGOs become involved in inter-state competition. In the process, they could be put on the defensive and be expected to justify themselves. IGOs are then pulled in opposite directions, since they have few or no resources other than those that are made available by member states. On the one hand, their existence depends on retaining the support of an effective majority of member states. On the other, they run the risk of endangering their expected characteristic of neutrality if they identify with any state or group of states (*Cf.* Jacob, Atherton & Wallenstein 1972:1-11 and Blaisdell 1966:16-19).

Another aspect that IGOs are exposed to is legal abstractions such as equity and peace, which can become ambiguous in the process of ideological wrangling. Normally IGOs have a written founding document that could have different names such as constitution, convention, articles of agreement, general agreement, statute, founding document or constituent agreement. However, not all IGOs have an accepted judicial institution for the interpretation and application of rules regarding functioning. Ultimately, it could therefore depend on what the views of the majority of the members are regarding the purpose of each of the organisational components of the institution. In the case of a coalition majority, it is often not legal considerations, but political ones, which are decisive (Blaisdell 1966:18-19).

Because of the influence of ideological, political and technological changes, the groupings of member states in the international community are constantly changing. This means that both international politics and the politics of international organisation can never be constant (Blaisdell 1966:18-19).

## **2.5 Participants encountered in the international political system**

The main participants in the international political system are still the sovereign states. All such states maintain and defend their right of sovereignty. This includes the right to exclusive jurisdiction over the national territorial area, the adjacent coastal area and air space; as well as the right to wage war. Naturally, states accept some limitations to their rights, for example the granting and acceptance of diplomatic immunities and privileges for mutual convenience. All states that are members of the United Nations (UN) accept and give the assurance that they will only wage war for the purposes of self-defence (Abi-Saab 1981:67-72).

Sovereignty is associated with equity. Theoretically, every state in the international political system is therefore formally equal to every other state. This premise is maintained in the UN and manifests itself in its organisational components. It is sometimes modified in practice, as in the Security Council of the UN, where the major powers have the right of veto. Major power status is therefore at the same time recognition of the inequality of states (Abi-Saab 1981:67-72).

Other participants in the international political system are international institutions, which could be IGOs and IPIs. Some institutions could survive indefinitely. Others again could dissolve after they have served a given purpose (Abi-Saab 1981:70-74).

International cartels also play an important role in international politics. A cartel is traditionally seen as an instrument that is used by the producers of a particular product to limit production and thus increase the market price, as the Organisation of Petroleum Exporting Countries has done in the past. The power of the business world in international politics is an old phenomenon. The Dutch East India Company did not only govern territories but also created a semi-independent policy. Modern trans-national corporations, or multinational institutions, are, among other things, the products of improved technology and capital mobility. Although such institutions are subject to various degrees of control within states, their ability to transfer capital and expertise, and



their control of technology, make it possible for them to act as semi-autonomous participants in the international political system. They create a distinctive international secretariat that is directed at the pursuit of corporate objectives (Abi-Saab 1981:70-74).

It has already been mentioned that states are the main participants in the international political system, and that institutional participants are found at both the universal and the regional levels. The rise of trans-national institutions has also been referred to, since they constitute a phenomenon that is of special significance to international politics. The community of states did not plan for the rise of trans-national institutions. A trans-national institution differs from other international institutions in that it has a unique organisational structure and also functions distinctively. (Cf. Jacob, Atherton & Wallenstein 1972:21-26 and Abi-Saab 1981:70-74).

Sovereign states function within IGOs, but trans-national institutions function within states. IGOs explicitly recognise the principle of nationality, while trans-national institutions try to ignore it. IGOs are administered internationally, while trans-national institutions can be administered nationally, trans-nationally and internationally. Trans-national institutions are centrally oriented and have large-scale activities in two or more states. The interests of trans-national institutions are always the same, irrespective of where these institutions operate. Such institutions are divided into two broad categories, namely non-profit-making and profit making (Abi-Saab 1981:70-74).

## **2.6 Role that national and other interests play in the international political system**

Own interests are the primary element in the policy and activities of states. Opinions can differ however as to what the national interests of a state are, or what those interests necessitate at a particular moment. Assumptions about national interests centre on the core values of any community, and what general welfare, the safeguarding of political convictions, way of life, territorial integrity and self-preservation entail. These objectives can be pursued by formulating appropriate policies and by creating programmes that make the attainment of a favourable international environment possible. Some states try

to protect their national interests by maintaining the status quo. Others try to do so by expanding their territories and sphere of influence; or by reducing foreign threats; or by dominating smaller states. Such foreign policies sometimes lead to the conclusion of treaties. Some states again try to reconcile their national interests with the international environment. This is done by adopting policies of isolation, detachment or neutrality. The fact that states have the same objectives still does not make it possible to determine what methods they will use to try to attain these objectives (*Cf.* Abi-Saab 1981:10-12).

International politics is often seen as a means for resolving conflicts of interest. States, institutions and individuals have interests, or may develop interests, which could transcend national boundaries. When such interests clash, conflict could result. This conflict could however be resolved peacefully and with little impact on the international political system, or even on the relations between two states. The opposite could however also occur (*Cf.* Kratochwil & Mansfield 1994:234-270).

The increase in the number and the variety of participants in international politics implies the existence of many interests other than merely the traditional category (i.e., the national interests of states). The main interests of IGOs are not necessarily the sum total of the interests of the component states. The growth of trans-national corporations has created a new kind of interest, which has arisen not from national but from corporate institutions. The main interest of a corporate institution such as this is maximisation of profit. This might or might not coincide with the national interests of the particular states in which the corporation runs its business (*Cf.* Kratochwil & Mansfield 1994:234-270).

## **2.7 Main categories of international organisations**

The following two main categories of international organisations can be distinguished:

### **(1) Multi-purpose international organisations**

Multipurpose organisations are global in scope and operate in various spheres, such as

security (military), politics, socio-economic co-operation, protection of human rights, cultural development and exchange, and technical, legal and environmental matters (Couloumbis & Wolfe 1990:271; Hughes 1994:260-261; Papp 1988:50). Examples of such organisations are mainly the League of Nations (in earlier years) and the UN. These two global organisations are the scarcest type of international organisations (Rourke 1986:302).

## **(2) Single-purpose or functional international organisations**

Typical examples of such institutions are the global, specialised agencies affiliated to the UN (Couloumbis & Wolfe 1990:271; Pearson & Rochester 1984:340). These organisations fulfil only specific functions, such as the following:

- Labour, for example the International Labour Organisation (ILO)
- Health, for example the World Health Organisation (WHO)
- Communication, for example the Universal Postal Union (UPU), the International Telecommunications Union (ITU)
- Monetary matters, for example the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD) (also termed the World Bank)
- Education, science and culture, for example the Educational, Scientific and Cultural Organisation (UNESCO)
- Transport, for example the International Civil Aviation Organisation (ICAO), the Intergovernmental Maritime Consultative Organisation (IMCO)
- Food, for example the Food and Agriculture Organisation of the UN (FAO)
- Weather, for example the World Meteorological Organisation (WMO) (*Cf.* Couloumbis & Wolfe 1990:271; Pearson & Rochester 1984:340-343; Huges 1994:260; & Rourke 1986:302).

IGOs thus have to do with the method and structure of co-operation between independent, but interdependent states. Consequently, the origin, purpose and functioning

of IGOs and of the international public service must be viewed against the background of international co-operation.

## **2.8 General characteristics for classifying international governmental organisations**

According to Robert McLaren, IGOs can be broadly differentiated in terms of membership, function and scope. As he explains, IGO membership may be regional or global; IGO functions may be political or technical; and in terms of scope, an IGO may be a single-purpose or multi-purpose institution (McLaren 1980:1).

Michel Virally argues from a legal perspective and therefore takes a slightly different approach. According to him, “the classifications most frequently used in legal doctrine are based on the composition of international organisations (universal or regional); the purpose of their activities (political or technical) and, occasionally, their powers (consultative, standard-setting or executive) (Virally in Abi-Saab 1981:57-58).”

Archer has examined what he terms “three of the most common classifications of international organisations: by membership; by aims and activities; and by structure” (Archer 1992:68). Anthony Judge, on the other hand, identified five main categories: organisation technology; structural characteristics; characteristic modes of action; geographic characteristics; and other special characteristics (Judge in Taylor & Groom 1978:36-69).

The most important characteristics of IGOs are inherent to the classification of IGOs and can be described (see also section 2.13) under the following four headings (Archer 1992:36-37):

### **2.8.1. Membership**

Membership of an international organisation must be derived from two or more sovereign states, although membership need not be restricted to states or official representatives of states, such as government representatives (ministers). Further on, a distinction will be made between intergovernmental organisations and non-governmental organisations.

McLaren states that membership is invariably determined by what is known as “the rule of essentiality” (McLaren 1980: 2). In terms of this “rule”, international organisations include or exclude potential members according to whether the applicant’s membership is considered, by existing members, to be “essential” to the goals of the institution concerned. Consequently, an institution such as the OAU would be inclined to exclude non-African applicants for membership whereas the UN would be inclined to seek the membership of most states, and potentially all states, of the international system.

McLaren further points out that international organisations which seek the maximum number of members, such as the UN, are “universal” in nature whereas those institutions which seek to limit their membership, such as the OAU, North Atlantic Treaty Organisation (NATO) and the Organisation of American States (OAS), are “selective”; and that selectivity can be either “associative” to bring nations together, such as the OAU and OAS, or “dissociative” to oppose other nations, such as NATO and the former Warsaw Pact (hereafter called the Warsaw Pact)(McLaren 1980:2-3).

McLaren’s reference here to selective or limited membership underscores a major problem of classification when looking at non-universal or “regional” organisations. Regions are, in fact, very difficult to define. Where does one region end and another begin? What size should a region be? At what stage does a regional organisation become global? (See Chapter Three)

Quite clearly, membership is a factor that must be taken into account in the classification of IGOs. It is also clear that some IGOs aspire to global unrestricted membership (e.g. UN); other IGOs aspire to global restricted membership (e.g. Commonwealth of Nations, the IBRD or World Bank); some IGOs aspire to regional associative membership (e.g. OAU, European Union (EU), SADC, Association of Southeast Asian Nations (ASEAN); and other IGOs aspire to regional dissociative membership (NATO and the former Warsaw Pact).

There is also a need to apply a scientific formula that will serve as a measure of consistency so that the distinction between IGOs having global restricted membership and IGOs having regional associative membership can be more easily and clearly determined, if indeed there is a need for such a distinction.

But membership is not the only criterion for the classification of IGOs. There is also the question of purpose and function (the political, technical or other primary activity) of the IGO concerned (*Cf.* McLaren 1980:4).

### **2.8.2. Purpose**

An international organisation comes into being for the purpose of pursuing the common interests of its members. It may happen that the organisation does not serve this purpose, or that it puts the interests of one member above those of another. However, it must not serve the express purpose of pursuing the interests of only one member.

Although international organisations are established for the purpose of pursuing the common interests of their members, the activities of international organisations are not directly reducible to the policies of member states. International organisations constitute more than the sum total of their respective members. In so far as they are more than the sum total of their respective members, they may be regarded as important role players, and not merely marginal role players, in international politics (Williams 1989:206).

### 2.8.3. Function

McLaren's observation that the functions of international institutions maybe "political" or "technical" does present an obvious problem which he, himself, acknowledges. An organisation such as the UN has both a political and a technical function. Other writers, though, have suggested that the political or technical functions of institutions will depend on the nature of the problem being considered (Gregoire 1954:21-22 and McLaren 1980:4) or, better still, the category of people who predominantly attend deliberations of the international institution concerned, for example technical people or politically-oriented government representatives (McLaren 1980:2). As McLaren points out, "even if all international organisations are involved with both types of considerations so that it is not an either-or situation, it appears to be enough of a continuum situation that any international organisation could be classed as either a predominantly political organisation or as a predominantly technical organisation according to some overall measurement. Thus, the UN is usually considered to be a political organisation and its Secretariat is considered to be involved in policy making; the United Nations Specialised Agencies are usually considered to be technical organisations" (McLaren 1980:5)

McLaren's (1980) omission to distinguish between military, economic and technical functions means that organisations such as NATO, NORAD, IMF, the IBRD or World Bank and World Trade Organisation (WTO) would be lumped together with more purely technical organisations such as the UPU and International Air Traffic Association (IATA).

Archer, (1992:53) who substitutes "aims and activities" for "function", points out that some writers have chosen to classify organisations by their activities but with limited numbers of categories. Joseph Nye, for example, uses a threefold division: military security; political organisations; and economic organisations. Norman Padelford also has three types: economic and technical arrangements; arrangements for defence purposes; and arrangements providing an organisation framework for the consideration of broad political issues (Nye & Padelford in Archer 1992: 53).

Michel Virally, observing that “other writers go further and distinguish between political, economic, financial, social, cultural, administrative, military, etc., organisations” cautions that there is no limit to this essentially descriptive list. “It is, in fact, rather an enumeration than a list” (Virally in Abi-Saab 1981: 58).

“Function”, then, would appear to be a factor that must also be taken into account in the classification of IGOs. However, the purpose of classifying IGOs is to assign them to specific categories in order to exhibit and record both the similarities and differences that exist among them in terms of their individual characteristics, with a view to understand them better. With this objective in mind, and being conscious of Virally’s observation that too many categories might merely denote an ability to count them, it seems appropriate to identify a small number of essential categories that reflect the kind of functions normally, and predominantly, performed by IGOs. By combining some of the ideas of Joseph Nye, Norman Padelford, Robert McLaren and other writers, the following divisions appear to be the most practical: political; economic; military; and technical and other. Following the view expressed by McLaren that the main function of IGOs can best be identified by the categories of people who attend the relevant meetings of such IGOs (*Cf.* McLaren 1980:2) it should be a relatively simple matter to distinguish between political and diplomatic representatives, economists, military experts, and specialists and technical experts from other fields.

#### **2.8.4. Organisational structure**

According to Archer, “one of the easiest ways to classify international organisations is by the structure of their institutions” (Archer 1992:59). Michel Virally, while agreeing that IGOs “may be classified according to the types of structure to which (such) organisations conform” (Virally in Abi-Saab 1981:58) points out, however, that an IGO’s structure is subordinate to the organisation’s function and would therefore be shaped by it.

If this is so, and it appears quite logical that function would dictate structure, then where does “scope” fit in? According to McLaren, the scope of an international institution can



be “single purpose” or “multi-purpose” but the word “purpose” should more accurately be referred to as “issue area”. The Specialised Agencies of the UN all qualify as so-called “single purpose” organisations, because each is really involved with one area of concern (civil aviation, health, postal services) in contrast to the involvement in many areas (peace-keeping, nuclear disarmament) of the UN General Assembly” (McLaren 1980:5).

Clearly, scope can also have an impact on organisational structure and is therefore closely allied to the aims and activities or functions of IGOs, despite the distinction that McLaren makes between "function" and "scope".

Organisational structure, on the other hand, provides a unique method of classification that focuses on “the means used to effect co-operation (between IGO members), type of relations ... between the organisation and its members, and between the members themselves in their relations with one another” ( Abi-Saab 1981:60). According to Archer, “the nature of the formal structure may vary from organisation to organisation but it should be separate from the continued control of one member. It is this autonomous structure that differentiates a number of international organisations from a series of conferences or congresses” (Archer 1992:36-37).

Klepacki’s classification of organisational structures focuses on the following elements (*Cf.* Klepacki in Archer 1992:62):

**(a) Legal Status of Members of the Organisations**

1. Inter-state organisations
2. Organisations of international functionaries (officials)
3. Parliamentary organisations
4. Organisations of the representatives of interest groups of economic and social life
5. Organisations of mixed membership

## **(b) Functions of the Organisations**

1. Inter-state: (a) Rule making organisations  
(b) Executive governing organisations
2. Officials: (a) Executive governing organisation  
(b) Administrative organisations for settling controversies and assisting in solving disputes
3. Parliamentary
4. Representative of interest groups
5. Mixed membership
6. Subsidiary organisations

In considering the institutional power of the members of an IGO one might, in terms of Klepacki's classification, examine how power is divided between inter-state rule making organisations, on which all members are represented, and inter-state executive governing organisations, on which all members are not always represented, (e.g. the UN General Assembly and the UN Security Council).

Other ways of affecting the distribution of power and influence between IGO members concern voting mechanisms. Sometimes a state may have extra votes. According to Archer this was the course adopted by the UN by allowing the former Union of Socialist Soviet Republics (USSR) extra votes in the form of representation by Byelorussia and the Ukraine (Archer 1992:63). It is also possible to make use of weighted votes, "something done within the IMF (and) IBRD in accordance with the economic strengths of its members" (Archer 1992:63). Some IGOs may require a two-thirds majority or merely a simple majority for the passing of binding resolutions whereas the UN Security Council allows each of the five permanent members veto power.

Another important factor that makes it possible to distinguish specific types of IGO is the degree of independence of its organisations, and the representatives of those

organisations, from the political influence of individual governments. For example, article 100 (2) of the UN Charter states: “Each member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities” (UN 1968:572).

A measure of control is provided to discourage undue influence upon IGOs by individual governments through ensuring that chief executive officers are elected to office and that they are subject to re-election at regular intervals (e.g. the UN Secretary-General is elected and appointed by the General Assembly upon the recommendation of the Security Council, normally for a five year term of office) (UN 1968:23-24).

An additional major indicator, for the purposes of classification in terms of organisational structures, is “the extent to which organisations of an international organisation contain non-governmental, as opposed to governmental, representation” (Archer 1992:67). In this regard the EU comes to mind as well as the ILO.

According to Abi-Saab (1981:63), Michel Virally, in his approach to organisational structures, refers “to ‘standard-setting organisations’ which are concerned with ‘orienting members’ attitudes ... and with assisting the attainment of common objectives through the co-ordination of ‘efforts’ and ‘operational organisations’ ... which themselves take action, using resources ... (over which) ... they have ... operational management” (Virally in Abi-Saab 1981:63). However, Virally directed his research toward all international institutions and not exclusively toward international government institutions. Therefore the ‘standard-setting’ organisations to which he refers would also encompass many international non-government organisations, for example Amnesty International. Nevertheless, some recognised IGOs such as IATA and the ILO would also qualify for inclusion. The best examples of ‘operational’ organisations would probably include NATO and the UN Security Council.

The ultimate objective of classification is to explain, and with regard to some of the criteria proposed for classifying IGOs to provide practical applications of these criteria. (see section 2.13).

The organisation must have its own formal, fixed structure created by way of an agreement such as a treaty or constituent document. The nature of the formal structure may differ from one organisation to another, but it must not be subject to the control of only one member. It is this autonomous structure that distinguishes international organisations from a series of conferences or congresses.

## **2.9 Specific characteristics of international organisations**

In terms of the preceding definition and characteristics of international organisations, five specific characteristics of IGOs can be distinguished, namely their inter-state basis, their voluntary basis, their possession of a permanent organisational structure, their autonomy and their co-operative function.

### **2.9.1. Inter-state basis**

IGOs are created on an international basis and therefore have governmental sanction. They are created by way of multilateral agreements that normally result in a founding document, which usually describes the structure, functions and powers of the various organisational components and the mutual relations between the various components (Abi-Saab 1981:51).

Although IGOs are established on an inter-state basis, they can affiliate to one another. Articles 57 and 102 of the UN Charter make it possible for other IGOs to affiliate to the UN. Some affiliated IGOs are specialised agencies of the UN. Usually, institutions at the regional level, such as the OAU, and at the subregional level, such as the Southern African Tourist Corporation (SATC), do not affiliate (Abi-Saab 1981:51).

Article 71 of the UN Charter makes it possible for both IGOs and national private institutions to consult the UN. Such arrangements can be made through the Economic and Social Council (ECOSOC) with regard to matters that fall within the Council's sphere of authority (Abi-Saab 1981:51).

### **2.9.2. Voluntary basis**

All existing IGOs were established on a voluntary basis. Only states that prefer to become members, do so, provided that their application for membership is accepted. In the first 10 years of the UN's existence, discussions and resolutions concerning the admission of new members were mainly influenced by the Cold War. In particular, the US and the former USSR, as the main protagonists in this struggle, each bore in mind their own position when considering the possible effect of admitting particular states, and, consequently, acted accordingly. Only those states which were regarded as being sufficiently "neutral" became members without their applications for membership either being vetoed by the former USSR or being defeated by the pro-Western majority. As a result, relatively few states were admitted as new members during this period (Abi-Saab 1981:52).

An application for membership can be blocked, but is not summarily refused. In the period from 1946 to 1955, only nine of the 25 applications for membership of the UN were approved. In 1955, the deadlock regarding the admission of new members was finally broken. A political arrangement was entered into in terms of which the one side agreed to admit the other side's "candidates", provided that the other side did not vote against the former's "candidates". Under this arrangement, 16 new members were simultaneously admitted to the UN (Abi-Saab 1981:53). Although it was felt that the way in which the admission of such new members had been brought about was not in accordance with the provisions of the Charter, the reaction to such admission was generally favourable in view of the fact that it had brought the world closer to the goal of universal membership (Abi-Saab 1981:53).

### **2.9.3. Permanent organisational structure**

This characteristic is too self-evident to require detailed comments. Like government institutions at national level, IGOs also have to have a permanent organisational structure in order to function continuously. As mentioned earlier, provision is made for this in the founding document. The organisational structure usually consists of a policy-making institution, an executive institution and an administrative institution. Some IGOs also have their own judicial institution (Abi-Saab 1981:53).

#### **2.9.3.1 Policy-making institution**

Normally all member states are represented in this institution. Various names are used for this institution, such as "General Conference" (as in the case of the IAEA), or merely "Conference" (as in the case of the UN's FAO). Other names are "Congress" (UPU) and "Assembly" (as in the case of the WHO) (Cf. Archer 1983:163).

The frequency of meetings of the policy-making institution depends on the nature and functions of the IGO concerned. Sometimes, meetings are held every five years, as in the case of the UPU. The General Assembly of the UN, on the other hand, meets only once a year (Cf. Archer 1983:163 & Claude 1971:33-46).

The policy-making institutions consult on broad policy matters and determine policy matters (which includes the determination of new policies and the revision of existing ones). Sometimes only recommendations are made, either to the executive institution or directly to the administrative and executive head, such as to the Secretary-General of the UN. Sometimes the policy-making institution is involved to some extent in the administration of an IGO, or makes recommendations on matters of detail. The Plenipotentiary Conference of the ITU determines, for instance, the institution's budget for a period of five years (Cf. Archer 1983:163 & Claude 1971:33-46).

### **2.9.3.2 Executive institution**

The executive powers of IGOs are usually vested in a council or committee, such as the Council of the International Maritime Organisation (IMO). The WMO, again, has an Executive Committee, whereas the executive institution of UNESCO is an Executive Council (Archer 1983:165).

The policy-making institution usually appoints the members of the executive institution. There is sometimes keen competition between states in order to become members of the executive institution (*Cf.* Claude 1971:33-40 & Archer 1983:165-166).

The size of executive institutions varies from institution to institution. Some founding documents contain guidelines for the election of members. It is sometimes expected that members come from states which have a special interest, or which play a leading role, in the field and purpose for which the IGO has been created. Article 50(b) of the ICAO's founding document and article 17 of the IMO's founding document contain prescriptions in this regard (*Cf.* Archer 1983:165-166 & Claude 1971:33-46).

In the case of regional and subregional IGOs, the executive institutions usually consist of representatives of all member states, as in the case of NATO. The reason for this is that there are so few members of such IGOs (Archer 1983:166).

In most cases, the executive institutions meet monthly or more often because they are involved in the daily activities of the IGO. Normally, they have the authority to appoint subordinate committees to help them in performing their activities. In the case of regional IGOs, not all members are represented throughout such subordinate organisational components (Claude 1971:33-40).

### **2.9.3.3 Administrative institution**

Most IGOs have an administrative institution that is entrusted with the administration of decisions. These organisational components also have different names, such as "Bureau" (UPU), "Managing Director and Staff" (IMF) and "Secretariat" (UNESCO) (Claude 1968:33-40). The chief officer, normally called the chief executive officer or chief administrative officer, is also known by various names, such as "Director-General" (ICAO) and "Director" (UPU) (Claude 1971:33-40).

This officer sometimes also has important political and executive functions. These powers sometimes arise from procedures and practices and sometimes from the provisions of the founding document. Article 99 of the UN Charter, for example, gives the Secretary-General the power to bring to the attention of the Security Council any matter that, in his or her opinion, poses a threat to world peace and security. He or she can even act directly as an intermediary (Claude 1971:35-40).

### **2.9.3.4 Judicial institution**

Only a few IGOs have their own judicial institution. The UN has both the International Court of Justice and the Administrative Tribunal. The latter involves itself in the internal matters of the UN. The judicial institution of the EU is the Court of Justice.

### **2.9.4. Factors that influence the organisational structure**

IGOs have a variety of organisational structures (see section ). There are extensive and complex structures, such as those of the UN and the EU, smaller and less complex structures, such as those of the specialised agencies of the UN, and very simple structures, such as those of the Africa Postal Union (APU), which consist merely of an executive committee that meets annually. In the latter case, all member states are represented on such committee ( *Cf.* Claude 1971:33-40).



The following four factors, among others, contribute to the extensiveness and complexity of the organisation and functioning of IGOs:

#### **2.9.4.1 Task performance**

Task performance involves the scope and complexity of the task to be performed. The greater the scope and the more complex the tasks to be performed the more extensive the organisational structure will be because more tasks will be allocated to more positions in the hierarchy. Tasks of a lesser significance will also in turn require a smaller organisational structure. In some cases, it also involves actions and the handling of controversial issues in various fields, which can range from settling disputes to the handling of economic and social development, such as in the case of the UN with an extensive organisational structure. In other cases, it involves issuing detailed regulations for the administration of economic issues, such as the general agricultural policy of the EU that also requires an extensive organisational structure (Claude 1971:33-40).

#### **2.9.4.2 Political intensity**

Politics are undoubtedly involved in the functioning of IGOs. The degree of intensity of the politics must, however, be determined; in other words, it must be determined whether high- or low-intensity politics are at issue. The former is relevant where strategic and political problems require attention. Low-intensity politics, on the other hand, are relevant when economic and technical problems are the focal point. It is not always easy to determine the degree of intensity of the politics. It can be assumed, however, that, in the case of job performance with a high degree of political intensity and where multiple tasks have to be performed, the organisational structure will be extensive because of the allocation of functions to various organisational components so as to best meet the needs concerned. If, however, the task that the IGO has to perform is limited, its organisational structure will be smaller and less complex. The same applies where politics of a low degree of intensity are involved --- the more comprehensive and the more specific the tasks to be performed, the more extensive and complex the organisational structure will

be. The opposite is true if the IGO has a limited function to perform ( *Cf.* Goodrich & Kay 1973:183-192 and Claude 1971:35-44).

The functioning of the UN proves how difficult it is to distinguish between politics with a high or low intensity. The UN is in fact an IGO with multiple functions where politics of a high degree of intensity are present. Yet some functions are associated with low political intensity, as in the case of some of the specialised agencies that perform limited functions. The EU is also regarded as an IGO with multiple functions, but with a low political intensity. As with any classification, this is again debatable (*Cf.* Goodrich & Kay 1973:183-192 & Claude 1971:33-37).

#### **2.9.4.3 Autonomy**

The autonomy of IGOs arises from their authority to make decisions and from their organisational structure. Autonomy exists in the sense that decisions can be made which need not be identical to the sum total of the decisions of the individual member states. This is possible because the member states either participate in the decision-making process or give to the IGO a distinctive organisational component. This means that the IGO can determine policy within its sphere of authority ( Abi-Saab 1981:53).

The powers of IGOs with small secretariats and consequently an organisational structure that is based on merely supporting the member states and that does not depend on the secretariat to execute the task, such as the OAU, are however limited. Normally, their functions are also demarcated. Just as these institutions are created through voluntary co-operation, they also have to rely on voluntary co-operation to attain their objectives. Where IGOs act directly, their authority (usually for strictly defined objectives) is derived from member states. Because the governments of member states have to accept the ultimate responsibility for the implementation of the decisions of IGOs, such governments tend to keep a very close eye on the decisions concerned. Many governments are however not unduly concerned about the decisions taken by IGOs, and allow them freedom of decision-making. In some cases, this happens because the

governments of member states have laid down the broad guidelines for decision-making by the IGOs (Abi-Saab 1981:53).

The autonomy of IGOs is also limited when it comes to budget matters. The General Assembly of the UN can, for example, determine the contributions of members, but if members do not pay their contributions, action can only be taken in terms of articles 17 and 19 of the Charter, that is, they can only be deprived of the right to vote in the General Assembly (Abi-Saab 1981:53).

As far as the autonomy of IGOs is concerned, it can therefore be said that the institution normally does not have a will of its own and can thus not enforce its decisions (Abi-Saab 1981:53).

#### **2.9.4.4 Functions of inter-state co-operation**

The functions that member states assign to IGOs determine their right of existence as well as their organisational structure. The functions as contained in the founding document again indicate the IGOs powers and sphere of influence (Abi-Saab 1981:54).

The fundamental mission of IGOs is the administration of co-operation between member states in various spheres so that the functions laid down can be performed with a view to the attainment of a common objective. In the process, the harmonisation of the policies of member states must be encouraged. This involves the search for solutions to conflict situations that could arise in economic, political or even technical areas. Operational activities by the IGOs themselves are undertaken in co-operation with the governments of member states (Abi-Saab 1981:54-55).

The means which IGOs have at their disposal, and which they apply, differ from one institution to another. Co-operation between the governments of member states can also be effected in different ways. All IGOs collect, for example, information on their functional fields, which is then analysed and made available to interested parties and the

governments of member states. The higher the quality of the information that is disseminated, the greater the contribution of the IGO to effective deliberations, consultations, negotiations and a possible agreement within its organisational structure; in other words, it can consequently fulfil its task. To do so, IGOs must obviously have the necessary physical facilities (Abi-Saab 1981:55-56).

In those cases where IGOs have the authority to make policies themselves and to implement them, or where the implementation is left to the governments of member states, it is sometimes difficult to fulfil the co-operation function, since the government of a member state could regard a particular policy as constituting interference in its domestic affairs. Yet its repeated acceptance could later have an effect on world opinion, which, in turn, could result in the initial non-compliance by the government of a member state being transformed into co-operation (Abi-Saab 1981:55-56).

As additions to the state system, IGOs in many respects make important contributions to the attainment or facilitation of international co-operation (Abi-Saab 1981:55-56).

In many cases, IGOs are not only the places where decisions to co-operate are made, but they are also the institutions by means of which these decisions are implemented. Co-operation is further facilitated by the fact that IGOs can provide governments with many channels of communication through which to address problems that may arise. In conflict situations, IGOs are the places where the parties involved can express opinions. At the same time, they provide the other members with the opportunity to exercise their influence formally, and also informally, in an attempt to settle a dispute (Abi-Saab 1981:55-56).

In other situations, where conflicts of interest do not really occur, as in the case of functional matters, co-operation is facilitated by the existence of IGOs. Mutual agreements are reached which can be beneficial to all members. Agreements in the fields of, for example, health and postal services can hardly be detrimental to any member (Abi-Saab 1981:55-57).

States have to co-operate in many fields, have to adapt and have to reach agreements in order to promote the common welfare of their inhabitants. They must also try to solve jointly problems that are not confined to national boundaries. These matters not only make the creation of IGOs necessary, but also stress the importance of the co-operative function of IGOs. Not all instances of co-operation across boundaries necessarily require the creation of an IGO, since the administration of bilateral agreements in particular and sometimes multilateral agreements as well, can be dealt with by national executive institutions such as a department of foreign affairs. Where IGOs are in fact established, they do not affect the political organisational structure of the member states in the international community (which consists of independent states) (Abi-Saab 1981:56-58).

## **2.10 The theories that led to the establishment of international governmental institutions**

For the purpose of this study, the process employed in establishing IGOs must be examined. Underlying the decision to form an IGO may be one of several motives, ascribed both explicitly and implicitly to those who have supported the creation of a particular IGO. First is the desire to exploit the potential of technological development for commercial purposes. Second is the pursuit of security in terms of peace plans and even the maintenance of specific political systems. Third is the motive to promote human rights and social welfare (Bennett 1988:10-12 and Dougherty & Pfaltzgraff 1971:312).

All three of the above motives are rather reformatory by definition than revolutionary. All IGOs are created to improve the functioning of the greater state system, which consists of sovereign states. The objective is to bring about increased order and improved co-operation in an anarchistic and fragmented international state system where there is no overarching, legal authority to which national governments must subject themselves. However, there are individuals and even states who/which hope that the establishment of IGOs will lead to the collapse of the existing state system. The motives for the establishment of IGOs provide a point of departure for their rise and evolution, and certain theories may be used in partial explanations for their existence. Four theories

underlying the establishment and development of IGOs can be identified in the twentieth century school of thought, namely confederalism, federalism, functionalism and public goods (Singer in Knorr & Verba 1961:77-92).

### **2.10.1. Confederalism**

The concept of a universal confederation of states arose on two occasions – first with the establishment of the former League of Nations, and, subsequently, with the creation of the UN. Like the League of Nations, the UN has a permanent secretariat, and the retention of sovereignty and the right to withdraw were and are fundamental rules of both IGOs. Although the UN Charter does not make provision for withdrawal, this is recognised as a right in the declaration signed in 1945 in San Francisco (Taylor & Groom 1978:318).

States in a confederation normally all have the same voting powers in the policy-making institution where governments are customarily represented by appointed delegates who can be recalled. Although policies made by a confederate institution are not legally binding on members, it will usually be implemented by all members. By their nature, some policy decisions are implemented by the permanent secretariat of a confederation itself. It is also possible for the secretariat of the confederation and some of the executive institutions of the governments of member states to be jointly involved in the implementation of policy. However, individual states cannot be compelled to adhere to decisions, and the only way that compliance can be encouraged in certain instances is to make recommendations to participating states (Taylor & Groom 1978:318-319).

Confederations are not able to impose taxes and their income usually comes from contributions by member states. Military action when necessary can also only be taken on a voluntary basis. If member states do not meet their obligations, there is no way of compelling them to do so (Taylor & Groom 1978:318-319).

The shortcomings of confederal systems make them acceptable to states that do not wish to relinquish their independence, despite a need for co-operation in specific areas. The weaknesses of confederate systems where they do exist could lead to their replacement with a more concrete system of co-operation, such as a federal system (Taylor & Groom 1978:318-319).

Confederal co-operation is often seen as a stage in the process of the integration of states rather than a final organisational form. For this reason, confederalism is sometimes referred to as international federalism.

### **2.10.2. Federalism**

The core value of a federal system is the guarantee of autonomy to a degree for member states, which is provided in constitutional prescriptions. The continued existence and the right of states to govern themselves do not depend on the will of the federal government. Both the IGO (federal government) and the governments of participating states exercise their powers, as laid down respectively, in the relevant constitutions (Friedrich in & Taylor & Groom 1978:326-329).

At international level, the basis of federalism is the creation of a world government with a federal, organisational structure. There are, however, differences of opinion on the structure and powers of such a supranational government. Supporters agree that the organisational structure would have to make provision for legislative, executive and judicial institutions, the three main institutions of government. Uncertainty remains about the rest of the organisational detail (Taylor & Groom 1978:326-335).

Although theories on federalism are relevant to international public administration, they deal more with the formation of states than with IGOs. Federalism creates unity within diversity by conferring the power to make laws on matters of common importance to the federal government. Matters affecting the maintenance of an individual identity are reserved for the governments concerned. For all practical purposes, sovereignty is thus

divided, as the federal government and the constituent states are each supreme in their respective fields. IGOs, on the other hand, pursue co-operation between independent states without transferring or dividing sovereignty. Like federations, IGOs are established voluntarily, with participants accepting that they will be able to enjoy specific benefits derived from membership (Taylor & Groom 1978:326-338).

### **2.10.3. Functionalism**

Functionalist theories are directly related to the establishment and growth of IGOs. The literature on these theories involves a mixture of descriptions and analyses of historical developments, and efforts to predict what might happen and to prescribe what should happen. A single, definitive theory has not yet been formulated. However, several generally accepted points of view have emerged, which are regarded as jointly constituting a conviction, if not a theory (Bennett 1988:13).

Functionalism departs from the point of view that there are two basic and observable trends in modern history that, underlie the determination of the place and scope of political authority. These are technological progress and the spread and intensification of the desire for higher standards of material welfare. Technological development brings people closer to one another, while simultaneously enabling higher standards of material welfare to emerge. A government will have to take this into account because its population will demand that it co-operates internationally in order to benefit from technological development. Improved material conditions are always desirable and, increasingly, literate and urban communities are particularly successful in insisting that their government rules in such a way that this desire can become reality. The creation of better living conditions is regarded as a requirement for governments that wish to remain in power (Bennett 1988:13).



Early functionalism and neo-functionalism are two distinct phases in the development of functionalist theories.

#### **2.10.3.1 Early functionalism**

The early functionalists saw the creation of IGOs in the nineteenth century as a promising step in the achievement and facilitation of international co-operation. They were impressed by those single-purpose institutions that were established in the late nineteenth and early twentieth century. The willingness of governments to create such institutions was based on their reluctance to impose more comprehensive limitations on their autonomy. The early functionalists began to formulate general statements based on this point of view. They maintained that, in specific functional circumstances, irresistible pressure for co-operation would develop and that technical self-determination would lead to co-operation. The nature of the common problem would determine the characteristics of the institution that should be created and its powers. It would also identify the states that should be involved. IGOs would therefore fulfil specific functions and arrangements would have to be made separately for each of them according to their nature and the conditions under which they would function, while taking into account the demands of the time. Some functions would be better suited to a regional arrangement, while others would fit better into a universal framework. The states that would become members of such an IGO and the powers of each in the decision-making process would depend on their abilities in the field concerned (Abi-Saab 1981:18-19).

Functionalists were positive about the fact that the staff of IGOs who were appointed for a particular functional purpose were experts and not diplomats. While diplomats could argue on controversial issues such as sovereignty and prestige, which could be stumbling blocks to co-operation, experts in particular functional fields would sooner be guided by technical issues. They would develop professional pride and have a vested interest in a high standard of service by the institution. For staff of IGO secretariats, the early functionalists proposed career officials, thus resulting in a separate international public service. Because of scepticism about the centralisation of power, the early functionalists

regarded regional and universal federations as impractical and undesirable. They saw functionalism not only as an alternative to regional and universal federations, but also as an approach that would enable the expansion of the domestic interests and activities of states (Abi-Saab 1981:18-19).

The early functionalists thought that the impetus forcing governments to establish IGOs would also lead to the creation of IPIs, of which they were in favour. They regarded such institutions as providing important support for the creation of IGOs. The two kinds of institutions could co-operate to solve problems. It therefore appears as if the functionalists preferred technocracy in their thinking (Abi-Saab 1981:18-19).

Although the early functionalists did not concern themselves specifically with security issues, they nonetheless reasoned that their point of view was a practical way of promoting peace. Functional institutions would gradually bind states together and so reduce the inclination to conflict (Abi-Saab 1981:18).

Functionalist theories have been severely criticised as not comprehensive enough and, if taken too literally, potentially misleading. Functionalism does explain the establishment of many IGOs satisfactorily, but not all of them. It does not explain why institutions were established in certain fields to the exclusion of others. If the evolution of IGOs is examined, the importance of the pursuit of peace cannot be ignored, as it leads to the creation of political IGOs and IGOs with military objectives. Functionalism does not address this point directly (Abi-Saab 1981:19).

The theories could be misleading, as it is not always possible to draw a clear distinction between the political and technical aspects of a matter. Values are attributed authoritatively not only to the field of peace and security, but also, for instance, to the economic and social fields. Debates on economic and social policies could have the same intensity as debates on peace and security policies. To maintain that contentious economic and social issues were addressed in a technical and therefore a non-political way possibly ignores the value premises that were implicitly involved. The advantages

from institutionalised activities are seldom shared by all the participants to the same extent. There is also often more than one way of distributing benefits. Technical characteristics can set certain parameters, but do not necessarily eliminate the necessity to make choices. The premise of technical self-determination can therefore obscure a refusal to examine the attribution of values. The preference for technical solutions for economic and social problems can make their popular control more difficult. The debates that have to be conducted often do not even lead to a solution, but they are an unavoidable phenomenon in democratic policy-making (Taylor & Groom 1978:238-245).

### **2.10.3.2 Neo-functionalism**

The neo-functionalist theory developed as a result of practitioners using and improving the early functionalist theory. They played a prominent role in the creation and functioning of the different European communities (Abi-Saab 1981:18-21). The authority on neo-functionalism is undoubtedly Ernst Haas (Haas 1958).

Neo-functionalism also stresses the initiation of international co-operation in specific fields of activity. But the similarity between the two theories ends here (Abi-Saab 1981:18-21 and Taylor & Groom 1978:246-248).

Neo-functionalism emphasises co-operation in matters that are politically important and can therefore be controversial. Sufficient scope is left for the technocrats to be involved as well. Political institutions must be planned in such a way, and their policies must be made in such a way, that further integration will follow spontaneously on sectoral integration. Thus, for example, an attempt was made to use the integration of the European coal and steel markets of member states as leverage to integrate, among others, their transport policies. The ultimate purpose of neo-functionalism is to establish a federal state (Taylor & Groom 1978:242-249).

#### **2.10.4. The theory of public goods**

IGOs focusing on economic and social matters (matters for which functionalism makes provision) were not established and did not develop according to a uniform pattern. Certain institutions could be the result of specific circumstances. The theory of public goods helps to clarify the process of the creation and functioning of some IGOs ( *Cf.* Feld, Jordan & Hurwitz 1983:37-38 and Jacob, Atherton & Wallenstein 1972:321-349).

When formal group formation occurs and an institution is created, certain advantages are anticipated for members of the group in many cases. The provision of transport services by a political institution such as a local authority serves as an example. The benefits that the formation of a group have, for the members are referred to in economic terms as public or collective goods. This theory of public goods is also used to study international group formation (Jacob, Atherton & Wallenstein 1972:321-349 and Feld, Jordan & Hurwitz 1983:37-38).

The public goods theory is related to a paradox: although it is generally accepted that self-interest will make members of a group with common interests institutionalise themselves and act collectively in order to promote their common interests, this does not always happen. The explanation for this is, first, the disparity between individual efforts and collective action. If an institution is large, individual efforts will not be of great value in attaining the group objective. Individual members will therefore be more inclined to concentrate on their own immediate objectives, even though the attainment of these objectives might be contrary to the group objective. In the international political field, a state could adopt a policy of arms expansion, for example, in order to improve its security. At the end of the resulting arms race, the security of states as a whole could be less certain.

Secondly, the paradox is explained based on the nature of the goods, or advantages that arise from collective action. Some goods are public goods, or goods that are available to one member of the group but that should be available to all and even to non-members.

Members, and non-members, could share in the benefits that the institution provides, irrespective of whether they have made a contribution or not. This characteristic (that some goods are public goods) is particularly relevant to IGOs, because they produce such goods. In the case of an IGO such as the WMO, members and non-members can use the information that is made available, even if they have not contributed in any way to the research on and even the construction of meteorological installations (*Cf.* Feld, Jordan & Hurwitz 1983:37-38 and Jacob, Atherton & Wallenstein 1972:321-349).

Additional arguments include that it must be possible to take enforceable action to ensure broad participation in the functioning of large institutions. Alternatively, certain benefits could be allocated selectively. The effective supply of public goods by large institutions – the provision of a good collective benefit – tends to compel individuals and groups of individuals to obtain membership of such an institution (Feld, Jordan & Hurwitz 1983:37-38).

It is also argued that smaller groups function according to entirely different principles than large groups. In smaller groups, at least a few of the members will probably be better off if the benefits were shared, even if they were to provide these themselves: the smaller the group that has to share the benefits, the larger the share that each one receives. If there are inequalities among members, for example, a large state and a small one, or differences in financial capacity, the smaller members will be inclined to rely on the action of the larger members. The largest member will receive the greatest benefit and will consequently be prepared to contribute the most. The smallest member, because it will share in the benefits to some extent, will not use a great deal of initiative to contribute proportionately to the supply of public goods. Its contribution will make little difference to the production process. In smaller groups, the smaller members often exploit the larger ones. There is also a tendency not to strive for the optimal production of benefits. Despite this, smaller groups, rather than larger ones, will institutionalise to produce public goods. The larger the group, the smaller the reward for individual input and the less the willingness of a few members, or even one member, to carry the total cost, or even a substantial part of the burden of producing public goods. This, in turn, has

an effect on an institution's initial establishment costs (Feld, Jordan & Hurwitz 1983:37-39).

The application of the theory of public goods to international governmental agreements has stressed the distribution of liabilities among members. The question is whether each state's contribution to the expenses required to produce a benefit should be proportional to its resources, or whether states should accept an unequal distribution of the burden (Jacob, Atherton & Wallenstein 1972:321-349).

The federalist premise holds that anticipated benefits should exceed anticipated expenditure before an international institution can be created. The theory of public goods helps to explain how such benefits and expenses can be calculated, and why the establishment of an IGO with a broad objective and membership is a slow and difficult process in comparison to one with a limited objective and membership. This theory also sheds light on the functioning of such institutions (Jacob, Atherton & Wallenstein 1972:321-349).

## **2.11 Different approaches to the study of international governmental organisations**

As mentioned in the introduction to this chapter, one reason to research IGOs is to gain a better understanding of international co-operation. Various perspectives (approaches) in terms of which IGOs can be studied are distinguished. The following approaches are considered in this chapter: the historical approach (see Chapter Four where this approach is used to research the OAU), the legal approach, the structural-functional approach (see Chapter Five where a structural-functional approach is used to research the OAU), the decision-making approach, the comparative approach, the functionalist approach, the conflict approach and the analytical approach. Apart from the different approaches that can be employed as the point of departure in studying IGOs, they can also be studied from the viewpoint of groups of states that, for ideological and other reasons, have similar views on the purpose and role of such organisations. Three overarching groups

are encountered, namely the Western group, the socialist group and the Third World group.

#### **2.11.1. The historical approach to international governmental organisations**

The historical approach (also referred to as the political approach) is important because IGOs have a definite history characterised, among others, by institutional successes and failures. Knowledge of the past is generally accepted to contribute to a better understanding of contemporary phenomena, and clearer perceptions and evaluations of future developments. However, history can also impair the vision of the future (Feld, Jordan & Hurwitz 1983:2).

The historical approach takes into account the historical circumstances within which IGOs were established and developed, as well as cases and crises that were, or were not, dealt with. The institution is viewed as an arena in which diplomatic history plays itself out - this applies particularly to universal IGOs. Sometimes, a broad historical investigation is conducted, for example, into the role played by a specific organisational component of an institution during a crisis, and the diplomatic history of the institution may be described (Feld, Jordan & Hurwitz 1983:2).

The historical approach to the study of IGOs is important for two reasons: first, it makes facts of the past available for further study, and, secondly, it places the past in perspective, because it emphasises continuity and the role of institutional development.

#### **2.11.2. The legal approach to international governmental organisations**

The legal approach is probably as old as the study of international law itself. This approach entails an analysis of the international legal norms included in treaties that are the basis for the creation of an IGO. An analysis is also made of the powers of the bureaucracy (the secretariat and other organisational components of the institution) in

both the international sphere and with regard to member states (Feld, Jordan & Hurwitz 1983:3).

The structure and functions of the IGO are described based on the founding document and the institution's practices. This involves a study of the institution's constitutional law, which are determined by the authority that member states grant to the institution, and by the distribution of such authority among its various organisational components (Feld, Jordan & Hurwitz 1983:88).

IGOs all face the same kind of legal problems, but solutions differ from one institution to the next as a result of the contents of the founding document of each institution. Some common problems are: the way in which the legal validity of the institution and that of member states' conduct is revised, which is regulated by the founding document; the scope and distribution of authority between the various organisational components of the institution and the way in which they exercise this authority; the legal effect of the decisions and resolutions that are taken by the various organisational components; the policy-making authority of the components; and the amendment of the founding documents (Feld, Jordan & Hurwitz 1983:88).

The legal status of the institution as an entity gives rise to other legal problems of an external kind. These entail, among others, the institution's legal personality in terms of the laws of the member states and international law, and its consequences, such as privileges and immunities, authority to conclude treaties, and international liability (Feld, Jordan & Hurwitz 1983:88).

The legal approach is particularly suitable for the analysis of the constitutional structure of the institution; the authority of its various organisational components and their relationship to one another; and the rights and obligations of member states, and their international liability



### **2.11.3. The structural-functional approach to the study of international governmental institutions**

This approach focuses on both the formal and the informal way in which the international bureaucracy, that is, the secretariat, performs its allocated functions (*Cf.* Abi-Saab 1981:58 and Feld, Jordan & Hurwitz 1983:3). In this context, "function" refers to what has to be done, while "structure" refers to how and where it has to be done. Structure involves a pattern of observable uniformity of institutional activities.

This structural-functional method of analysis can provide an understanding of how an international secretariat functions within the context of international politics, and to what extent the expectations of member states are met. How the demands (inputs) of the various organisational components are processed; what the end products (outputs) are; and how feedback is controlled by the institution should also be considered. This is necessary in determining to what extent the institution achieves its goal, and whether the interests of member states are satisfactorily protected and promoted (*Cf.* Abi-Saab 1981:58 and Feld, Jordan & Hurwitz 1983:3-4).

### **2.11.4. The decision-making approach to the study of international governmental institutions**

In founding documents, different kinds of decision-making authority are assigned to international secretariats, in co-operation with the governing institutions of member states (Abi-Saab 1981:82).

The nature and consequences of this authority differ from institution to institution. Sometimes, decisions are directly binding on both member states and the international secretariat. In others, decisions can affect the inhabitants of a member state directly, such as in the case of the EU's agricultural policy. Decisions are most often neither binding nor enforceable. Compliance with such decisions depends on what the governments of

ember states perceive as the appropriate way to serve their national interests (Cf. Feld, Jordan & Hurwitz 1983:4 and Cox & Jacobson 1973:1-3).

Participation in the process of making decisions is another point to consider. The actual effect of decision-making by IGOs can be determined by the nature of the decision; in other words, whether the decision can be taken exclusively by the institution itself, or whether it is necessary to involve institutions of member states in the decision-making process. A number of questions consequently arise: What effect do participating member states have on the decision-making of IGOs? What functional fields of national governments have the greatest influence on the international decision-making process? What interaction exists between IGOs and the various executive institutions of national governments with regard to the international decision-making process? What effect does this interaction have on the functions that have to be performed by the IGO? What are the dynamics of national policy-making that might explain the voting behaviour of a member state's government? (Cf. Abi-Saab 1981:82-85)

The study of the motivations, attitudes and behaviour of those decision-makers who determine the form, scope and direction of certain decisions is part of the decision-making analysis. Decision-making entails choosing between the options available, a process that is confronted by a multitude of problems, for example, the inadequacy of available information, uncertainty about alternative choices and their consequences, and the pressure on policy makers to accommodate the interests of national interest groups when negotiating with foreign governments (Cf. Feld, Jordan & Hurwitz 1983:4 and Abi-Saab 1981:86-88). These problems make it difficult for policy makers to take a decision that is focused on a clearly defined objective that reflects their first preference. This preference will be based on the assumption that there is comprehensive, relevant information available on alternatives and that this was used; that the consequences of all alternative choices can be determined fully; and that the selected alternative is the best way of attaining the set objective (Abi-Saab 1981:79-81).

There are many factors that can influence decision-making by IGOs, and it is realised that international activities involve an analysis of a single decision and also of a continuum of mutually related decisions. Despite this, the use of the decision-making approach can provide sufficient insight into the dynamics of the activities of IGOs and into the bureaucratic and political processes that are used to attain national and international objectives (Abi-Saab 1981:87-99).

#### **2.11.5. The comparative approach to international governmental institutions**

It is claimed that the comparative approach can lead to a better understanding of IGOs, a phenomenon that is intertwined with the dynamics of world and domestic politics, because of the large number of IGOs in existence. When national government institutions are studied on a comparative basis, the aim is to determine similarities and differences between the institutions of states (*Cf.* Feld, Jordan & Hurwitz 1983:5). The same can be done in respect of IGOs. A comparative approach such as this can explain, among other things, why IGOs have been established; how they perform their tasks; and to what extent they achieve their objectives with the help of their international secretariats. A comparative study of IGOs can provide an overall perspective of their potential, their limitations, their successes and their failures. According to supporters of this approach, it is difficult to obtain such a perspective if certain other approaches are used. However, the comparative approach also presents problems. Criteria for comparing particular IGOs have to be identified. It may also be necessary to develop indicators to serve as aids in evaluating organisational characteristics and operational trends. Variables that are relevant to an explanation of the successes or failures of IGOs also have to be determined (Feld, Jordan & Hurwitz 1983:6)

Feld, Jordan and Hurwitz are convinced that the comparative undertaking is useful, despite its potential problems, and will contribute to the knowledge about international organisations as a major field of academic inquiry (1983:6).

#### **2.11.6. The functionalist approach to the study of international governmental institutions**

As its point of departure, the functionalist approach has the premise that the cause of international problems and thus the actual stumbling block in international co-operation, is the fact that the world is divided into independent states. States are exclusive and see their independence as not negotiable, despite the fact that they cannot provide individually for the national community's technical, economic and social needs (Abi-Saab 1981:122-126).

Security problems arise from material conditions, something which international co-operation will have to focus on in the first place. The proof that some needs can be met more effectively and efficiently on international than national level, is found in the fact that some of the technical, economic and social tasks are entrusted to an IGO. The increased number of IGOs breaks down the functions of states and creates trans-national pressure groups consisting of technicians who are in favour of transferring functions to the international level, although they have been recruited from national states themselves. In these circumstances, the individual will feel that he or she should rather be loyal to the IGO, which meets his or her needs, than to the national state. The above forms of co-operation lead to interference by the technical in the political sphere. The scope and importance of the political element will therefore be reduced (Abi-Saab 1981:129-133).

The above theory has been criticised, particularly for its basic premises, which do not necessarily correspond with reality (Bock 1968:534-541):

- All wars have a material cause that can be eliminated through rational behaviour.
- There is a clear dichotomy between the technical and political spheres.
- The association with technical co-operation will extend, of necessity, to the political sphere.
- Individuals will be loyal to the international public institution once the functions of states have been transferred.

These presuppositions ignore the subjective factors and contradict the post-war experience; whether it is the rise of nationalism or the supremacy of politics. In addition, the potential dangers of the concentration of authority in the hands of international civil servants are not taken into account sufficiently (Abi-Saab 1981:133-139). The crux of the present approach is that it is integrationist (Abi-Saab 1981:139-141).

#### **2.11.7. The functioning of international governmental institutions in terms of conflict**

The conflict approach has not been specifically formulated into a theory, but it is basic to the attitude of Socialist countries, and also to some of the latest trends in the study of IGOs (Abi-Saab 1981:174-190).

Socialist countries regard IGOs, according to Marxist theory, as arenas for a class struggle that reflects the balance of power at international level. IGOs can serve as a useful framework for conflict and accommodation, however, provided that the values and demands of the opponents are not transformed into the values and demands of the institution itself. It is therefore a framework for conflict and accommodation that applies to so-called superpowers (Abi-Saab 1981:174-190).

A new interpretation of this approach sees IGOs as superstructures that seek to institutionalise, on the one hand, centred leadership in the rich North and, on the other, poor South conflict. Although this premise is in line with Marxist thinking, socialist states do not accept it, because it places them in a dominating and exploiting position (Abi-Saab 1981:174-190).

Simply seen, such a division in the international system refers to the division between rich states (the North, for the largest number of rich states are situated in the Northern Hemisphere) and poor states (the South, for the poor states are situated mainly in the Southern Hemisphere). The North is also known as comprising the developed and industrialised states and includes the US, Japan, Britain and France. Australia and New

Zealand are also regarded as part of the North, notwithstanding the fact that they are situated in the Southern Hemisphere. The South comprises the developing or Third World states, for example most Latin American and African states (Abi-Saab 1981:174-190).

#### **2.11.8. The analytical approach as a method of studying international governmental institutions**

The analytical approach was consciously or unconsciously inspired by systems analysis. Two types of analyses can occur at two different levels (Abi-Saab 1981:14). These are macro-analysis and microanalysis.

##### **2.11.8.1 Macro-analysis**

In a macro-analysis, an attempt is made to explain changes in the structure and functions of IGOs in the context of changes in the international system. Two points of departure may be used: the international institution can be regarded as a system in itself, with the international system as the environment, or the institution can be regarded as a subsystem of the broad international system. The study of this interaction can be global and can cover a long period, for example since the Congress of Vienna to the present. An attempt can be made to indicate how each international system since its inception – whether in Vienna, after Versailles or after World War II – created its own institutions and left its mark on the structures and functioning of the institution (Abi-Saab 1981:14).

The macro-analytic approach led to studies that tried to explain changes in universal institutions in the post-war period, specifically the UN, by taking changes in the international system into account. Post-war universal institutions were established based on the acceptance of an international system that was characterised by the continued alliance between the victors. However, the facts and the practice in reality did not bear out this assumption. The Cold War produced a rigid, bipolar international system that became more elastic in time and permitted the rise of a third power, the Third World, in the mid-1950s. The Cuban Crisis of 1962 again influenced the international system. A

characteristic of this system was the policy of détente between the great powers, and their efforts to restore their power because of the rise of the Third World. The energy crisis of 1973, which reflected the uprising of the Third World, was a further turning point in the development of an international system in which two radically different views tried to make themselves felt. On the one hand, there were the views of the Third World that tried to find a new international economic order, and in fact also a new political order that would be less hierarchical and more egalitarian. On the other hand, there was the viewpoint of the large powers that tried to consolidate their hold and extend their influence, by adapting the existing hierarchical system in order to retain it, even if this meant changing from an elastic, bipolar to a limited, multi-polar system (Abi-Saab 1981:14-15).

#### **2.11.8.2 Micro-analysis**

At the micro-analytical level, the IGO itself is analysed as the system. Such a study focuses on the interaction within the system in an attempt to identify certain characteristics and to find correlations between them (Abi-Saab 1981:15).

If an IGO is seen as a system, it can be studied in several ways. The institution can be investigated as an institutional system by describing the formal and informal structures, and the way in which they function as elements of the system according to their mutual relationships and interactions. It can also be studied as a political system on the basis of three elements that include resources and means (inputs), product or result (outputs), and the conversion of inputs into outputs (Abi-Saab 1981:15).

- **Inputs**

Inputs refer to the interests and demands of member states, specifically the influence they – or a mediator on their behalf – use to promote their interests within the institution itself. This influence is formalised in the right to vote. Convictions and pressure are informal methods that a state can use to persuade another to vote in a way it prefers. The

phenomenon of groups in an IGO can also be placed in this category, in other words, groups with the purpose to maximise the influence of their members (Abi-Saab 1981:15).

- **Outputs**

Outputs always refer to the formal resolutions or decisions of the institution. In the internal political system, decisions or resolutions are related to the performance of a legislative, executive or judicial activity, in other words, a government function. At the international level, the functions that result from decisions are not the same as the government functions listed above, and the distinction between them cannot always be clearly drawn. Nonetheless, a distinction can be made between two activities, namely the input of a viewpoint (which corresponds to legislative and judicial activities) and action (which corresponds to an executive activity) (*Cf.* Abi-Saab 1981:16 and Feld, Jordan & Hurwitz 1983:135-143).

Collective action, collective legitimacy, condemnation and conversion can be distinguished as the outputs of an IGO as a political system. In the case of collective action, the institution not only decides what must be done, but also implements the decision itself by making use of its resources. This means the use of collective, material resources in addition to legal and political resources. It is the maximum that a state or group of states, of which the demands are embodied in the resolution, can obtain from the institution (Abi-Saab 1981:16).

In collective legitimacy, the decision and its implementation are separated. The resolution favours the demand, which then becomes one of the institution's viewpoints, but without the institution using its resources to implement the decision. If a state (or group of states) has the material resources, it can take direct steps to implement the decision. Such action is therefore supported by the institution's collective legitimacy either through condemnation or the conversion function (Abi-Saab 1981:16).



Condemnation is the negative form of collective legitimacy and serves as moral pressure in cases where interested states do not have the resources to take the steps that are covered by collective legitimacy (Abi-Saab 1981:16).

The conversion function refers to the dynamic process of converting inputs into institutional outputs. In an analysis of the decision-making process of IGOs, this function is the main focus. The factors that can directly or indirectly influence the decision-making process are also taken into account, and not only the formal mechanisms of decision-making, such as defined in the founding document. An attempt is also made to judge the importance of these factors (Abi-Saab 1981:16).

If an IGO is analysed as a system, it also takes into account the interaction between the system and the environment. At least some of the inputs come from the environment, and the outputs are partly intended for the environment. Through feedback, the influence of the outputs can have an input effect on the system (Abi-Saab 1981:16-17).

By studying an IGO as a system, the way in which the system is integrated into the broader context of the international system becomes clearer, as well as the extent to which the institution plays a role as a participant, or as an arena. The focus on inputs and outputs result in the institution subconsciously being regarded as an arena for interaction. When paying attention to the decision-making process, there is a conspicuous tendency to emphasise the autonomous will of the institution as a participant in the international system. These two methods of analysis are complementary and each can accommodate the two possible roles of the institution (Abi-Saab 1981:16-17).

In this regard, an IGO becomes a participant as it has the ability to influence the environment. It gains this ability when its institutional outputs influence the international system, instead of merely reflecting the outputs of the institution. Even if the institution is merely seen as an arena, this does not mean that it will have no influence on the problems that it deals with. The multidimensional context within which the institution is situated changes the dimension of problems, which can be bilateral or within the context of other

IGOs. Secondly, the multilateral context influences the position of members and the content of their demands, inasmuch as they are formulated on the basis of constitutional prescriptions. Even as an arena, the institution therefore influences the interaction that occurs within itself (Abi-Saab 1981:16-17).

The macro-analytic and micro-analytic approaches to the study of IGOs are not incompatible: they often alternate in the same study. Because each of these approaches elucidates the phenomenon of IGOs and their functioning within different contexts, they contribute cumulatively to a better understanding of these institutions.

## **2.12 Viewpoints held by the principal state groupings regarding the role and purpose of international governmental institutions**

The purpose of the various methods of some of the study approaches is to try to gain a better understanding of the phenomenon of IGOs as they present themselves in reality. In turn, however, this reality is formed to a large extent by the main participants in the international political system, namely independent states. The way in which these participants judge IGOs determines what their attitudes will be towards, and also within, these institutions. This, in fact, has an effect on what IGOs are and what they do. It must therefore be noted how the main groups of states conceive IGOs, with the aim remaining to try to reach a better understanding of such institutions and their functioning (Abi-Saab 1981:20).

A distinction is made mainly between three major groups of states, namely the Western group, the Socialist group and the Third World group.

### **2.12.1. The Western group**

The development of international organisation as an activity after World War II stimulated expertise in various fields (Abi-Saab 1981:20). The assessments of the experts can be deduced from the subjects that were selected for scientific studies on IGOs.

Debates were and are conducted on, for example, what kind of institution the UN is, the decision-making powers of IGOs, the role of international secretariats, the finances of IGOs, and the role of IGOs in the maintenance of peace. All these issues have a common factor, namely that they all represent an important step in the process whereby IGOs are converted into institutions with an ethos of their own, and are not merely regarded as places for member states to meet and confer. Various schools of thought can already be identified (Abi-Saab 1981:21).

Since its establishment, the contemporary system of IGOs has carried the stamp of the Western group. Historically, such institutions can be traced to co-operation between European or Western states. This system of IGOs was therefore created mainly by the Western group. IGOs were regarded as a means of effecting a new international order, namely one that is peaceful, democratic and liberal, in other words, a means for projecting the material characteristics of the Western political and social systems at an international level (Abi-Saab 1981:21).

With regard to the task and powers of IGOs, the view of the Western group was teleological and expansionistic from the beginning. This viewpoint links up with the functionalist theory and regards IGOs as participants in the international political system. The Cold War accentuated this view rather than changed it. The preponderance of the Western group within IGOs at that stage enabled this group to have its position and actions supported as those of the IGO itself (Abi-Saab 1981:21).

The rise of the Third World group in IGOs, especially within universal institutions, caused the Western states to become the minority. They could therefore no longer predominate in these institutions. This led the Western states to change their attitude to IGOs. They tried to adopt consensus as the only criterion for decision-making. It meant a lessening of the institution's autonomy and of its role as a participant. The IGO became merely an arena. In addition, the Western states also tried to bring an end to the extension of the institution's functions and powers, to address important issues outside the institution, or to confine them to institutions where they were still in the majority or had a

veto. They even tried to use the threat of withdrawal or non-participation as a deterrent (Abi-Saab 1981:21).

With regard to the decision-making powers of the UN, in particular, and those of its specialised agencies, there is considerable difference of opinion between Western experts on the scope of the powers that these institutions have, or should have, to force recalcitrant members to abide by decisions. As far as the UN is concerned, there is in fact consensus that the Security Council can enforce decisions on members when they are made in terms of article 25 of chapter VII of the UN Charter. Chapter VII deals with the threat to and infringement of peace and with acts of aggression. In terms of article 25, members of the UN explicitly undertake to accept and implement decisions of the Security Council (*Cf.* Abi-Saab 1981:21).

The actual role of the secretariats of IGOs has also evoked a great many comments from experts. This subject is also the basis of the controversy over what IGOs are able to do. The role of the Secretary-General of the UN remains an interesting point of debate (Abi-Saab 1981:21).

Financing of IGOs is also an ongoing matter of debate. Although this is a technical subject, it has important political and administrative implications. It is generally accepted, however, that expenses associated with approved peace operations should be borne by all members according to the criteria for determining each member's contribution to the institution's budget. Over the years it was realised that this point of view might not be supported throughout. The literature indicates sharp differences of opinion on many other aspects of financing, for example problems concerning budgetary control over economic and aid programmes (Abi-Saab 1981:21).

Another financial aspect about which there is general consensus as far as the UN is concerned, is related to the decision-making powers of the institution, namely that members are bound by the decisions of the General Assembly that are taken on budgetary matters in terms of article 17 of the UN Charter. The article in question gives the General

Assembly the authority to consider and approve the budget of the UN. The expenditure, as approved, must be borne by members (Abi-Saab 1981:21).

### **2.12.2. The Socialist group**

The perspective of this group of states on IGOs differs from that of the Western group. The post-war participation of the former USSR in universal IGOs, especially the UN, gave the USSR a guarantee against being surrounded. It also gave this power grouping a new status as a world power and ensured that it would later be regarded as a superpower (Abi-Saab 1981:22).

As far as the Socialist states are concerned, IGOs belong to the superstructure. They can only reflect the balance of power and serve as a further arena for the class struggle between progressive and reactionary forces at international level. As long as the socialist states are in the minority and have to face the domination of opponents in the institution, it is important that the institution operates within the limits of the original mandates and powers. Consequently, these states interpreted the mandates and roles of IGOs in a limiting way from the beginning. These institutions were regarded as arenas rather than as participants. The Socialist states also opposed the extension of the institution's powers and functions, especially the move from consulting to operational activities, except for certain matters for which the founding document made provision (Abi-Saab 1981:22).

With the rise of the Third World and its enthusiasm for the extension of the role of IGOs, the Socialist states accepted a degree of expansion in the economic sphere of the operational activities of IGOs. However, they adamantly insisted on compliance with the requirements as prescribed in the founding document when it came to the maintenance of peace and security. In the case of the UN, they made the role of these institutions in this respect the exclusive prerogative of the Security Council. This gives the five big permanent powers (China, Russia, the United Kingdom of Britain and Northern Ireland, France and the US) in the Security Council a predominant role (Abi-Saab 1981:21-22).

The Socialist conception of IGOs has developed from a purely conflicting and limited assumption into a more flexible attitude that allows for a certain degree of expansion in the roles and activities of universal institutions, but only inasmuch as such expansion is controlled jointly by the superpowers (Abi-Saab 1981:22).

### **2.12.3. The Third World group**

Most Third World states were not yet independent by the end of World War II. As a result, few of them took part in the establishment of universal IGOs. After they became independent, these states adopted a teleological attitude. As the weakest members of the international community, they regarded IGOs throughout as a useful instrument for changing the hierarchical and stratified structures of the international political system. IGOs were therefore seen as participants in the international political system. This group of states therefore regarded the expansion of the functions and powers of such institutions in a favourable light. They also increasingly adopted an attitude of making demands and being belligerent, and tried to use IGOs as instruments to change the international political system into a new international economic order. However, their demands went further than the purely economic dimension (Abi-Saab 1981:22-23).

It can be deduced that the perspectives that the three main groups of states have on IGOs correspond only in the sense that they differ. The views of the Western and the socialist groups are closer to each other, because of the limited role and functions that they ascribe to IGOs at present, joint control excluded. The Third World group, given its majority in universal institutions, strives for the extension of the role and functions of IGOs in order to effect a radical change in the international political system (Abi-Saab 1981:22-23).

## **2.13 Classification of international governmental organisations**

IGOs can be categorised into different distinct groups (see sections 2.7 and 2.8). However, there is no classification thus far that is universally accepted as a single model. Classifications to date appear to be the result of the personal focus of a particular author

or scholar, which is utilised for the purposes of his/her study. Classification of IGOs would entail a detailed investigation of the constituent facets of the institution, such as objectives, membership, geographical and functional scope, and powers.

The objective of classification is to arrange the data on a particular subject in a way that will make generalisation and comparison possible. This contributes to a more comprehensive and more systematic knowledge of the subject and also indicates the course of future research. Classification accords with this objective only if it is based on a sound knowledge that enables an understanding of the material characteristics of IGOs. A single classification remains preferable. If a number of classifications with a corresponding number of views are accepted, an attempt must be made to ensure mutual consistency, unless the subject of study is so fragmented that an overarching understanding is impossible. In such a case, any classification is unlikely to be of much value (Feld, Jordan & Hurwitz 1983:11-14,25).

Social phenomena are always complex and often hybrid, especially because they are in a continuous process of evolution as a result of gradual rather than sudden changes. It can therefore sometimes be fruitless to try to find a specific number of clear and mutually exclusive categories. A particular phenomenon can often be placed in different categories depending on the researcher's point of departure. It is also possible for the classification of one category to be changed to another (Feld, Jordan & Hurwitz 1983:11-14).

### **2.13.1 The methods of classification**

To be able to impose some order on the views already recorded, it is necessary to establish the following:

- which characteristics of classifications are held common;
- which are considered essential; and
- which have not been, but ought to be, included in any attempt to classify IGOs.

In this section, different methods of classification are presented based on the work of various authors discussed in sections 2.7 and 2.8. The following four categories of classification are considered for the purposes of this thesis, based on the criteria of the universal characteristics on international organisations:

- objective and membership
- objective, powers and functional scope
- geographic or functional scope
- scope of powers and functional integration

#### **2.13.1.1 Classification according to objective and membership**

Using objectives as a denominator, a distinction can be made between IGOs that have mandates limited to a specific field (such as the APU) and institutions with general mandates (such as the UN), which can function in virtually all fields.

With regard to membership, a distinction can be made between IGOs whose membership is confined to a specific group of states (such as the OAU) and institutions whose membership is universal, or open to all states (such as the WMO). The exclusion of countries is sometimes incorporated into the founding document, but states can also simply be excluded in practice.

One of the IGOs with a limited membership, but with a specific purpose, is the APU. The OAU was an IGO with a limited membership, but simultaneously a general goal. The same applies to the AU. The WHO is an IGO with a universal membership but with a specific purpose. The UN, again, is an IGO with a universal membership but a general purpose.

It is not so easy to classify all IGOs according to these criteria. This classification, like all the others, remains subject to debate. However, it is easy to use, and it provides an instrument to measure the role of an IGO in the international political system.



A further differentiation within the framework of the present typology is also possible. IGOs with a specific mandate can be divided into three broad categories on the basis of their mandates: economic, social and cultural, and security. A further subdivision can also be made. For instance, the APU and the WMO can be classified as belonging to the economic-social group. The APU and the OAU, again, belong to a group with membership confined to a particular geographic area.

#### **2.13.1.2 Classification according to objective, powers and functional scope**

The classification of IGOs in terms of the combination of objective, powers and functional scope will be separately discussed below.

- **Objective**

A distinction can be made between general and special institutions when objectives are used as classification criteria. General institutions are those with the defined objective to maintain peaceful international relationships and to solve all international conflicts, for example, the UN. Special institutions have limited objectives. Broadly speaking, such institutions can be classified as economic, technical, social and humanitarian, and military institutions.

Economic institutions concentrate on a product (e.g. steel); a specific technique, such as customs unions; financial institutions, such as the IBRD or World Bank; currencies, such as the IMF; or, more commonly, the development of trade, such as the General Agreement on Tariffs and Trade (GATT).

The ITU and the WHO, as representative of technical institutions, concentrate on certain administrative and/or scientific problems. IGOs dealing with transport and postal services, such as the WPU, can fall into this group, but, at the same time, also fall into the previous group.

All IGOs focused on maintaining and promoting, for example, health (such as the WHO), workers in general (such as the ILO) or the mental and intellectual development of people (such as UNESCO) can be classified as social and humanitarian institutions.

The objective of military institutions is a common defence system, whether based on old or new treaties. NATO and the former South-East Asia Treaty Organisation (SEATO) are examples of military IGOs.

- **Powers**

It goes without saying that the powers of individual IGOs will vary. A distinction is usually made between IGOs with strong (in other words, enforceable) and IGOs with weak (in other words, unenforceable) powers. In the case of strong powers, member states can be bound by a decision that can involve their national legislative, executive and/or judicial institutions. This can affect the sovereignty of member states. An IGO with weak powers can only make recommendations. The sovereignty of member states is not involved. The primary goals are to gain co-operation and co-ordinate the activities of states in a specific field. The majority of IGOs fall into this group. As soon as an IGO has strong powers, its position is more that of a confederal or federal organisation.

The nature of the functions of IGOs, the limitation and transfer of powers, and the nature of transferred powers can further be used as a basis to classify IGOs.

Functions are divided into material and juridical functions. Some IGOs perform functions such as the collection, analysis and publication of information. Such functions have little or no legal consequences. Conversely, the activities of some IGOs can be binding on member states. This cannot be regarded as a strict distinction, however. All IGOs have jurisdiction over their internal administration. They all incur expenses that are borne by member states. Because certain functions do not have legal consequences, this does not mean that they are not defined in writing. A founding document can make provision for conducting studies and publishing the results. The functions are defined and therefore

legally enforceable. It is also important to remember that the political importance of any power is not necessarily the same as its legal importance. IGOs are simultaneously political platforms and conferences of experts. A discussion in the policy-making institution of the attitude that a state has adopted, for example, has more serious political consequences than accepting a decision on the standard size of letters. Similarly, a considered pronouncement of a team of international experts on the inadequate levels of remuneration in a country will be more greatly feared than the obligation to inform all exporters of the smuggling of a specific drug.

The limitation and transfer of powers can also be used as a classifying distinction. The limitation of powers refers to the fact that governments of member states may still have certain powers, but that they have undertaken to exercise them in a specific way. Founding documents usually lay down the rules for limiting the free use of powers. The transfer of power implies the existence of a body to which it can be transferred and which can exercise these powers in its own name, something that an IGO can in fact do.

States are always reluctant to transfer powers to IGOs. If they do, they are not always aware of what they are doing, or they try to disguise it from outside scrutiny. In the case of some IGOs, states have only transferred the power to make proposals. Member states still reserve the right to interpret such proposals legally as it suits them. To some extent, all member states transfer some powers to IGOs. At the national level, state expenditure is authorised by legislators through approval of the budget. IGOs, however, can incur expenditure without the legislators of member states having to approve their budgets. It could therefore be argued that national legislators have transferred a part of their powers in this regard to IGOs.

The process of distinguishing between, on the one hand, the limitation of powers and, on the other, the transfer of powers, results in a clearer understanding of the role of specific IGOs. When an international agreement limits powers, it sometimes creates an IGO to see that states adhere to the undertakings that they have given. A distinction can therefore be made between cases where IGOs have the authority to carry out inspections, supervise

and even administer indirectly, on the one hand, and the power to administer directly, on the other.

The kind of powers that are transferred is also important in the classification of IGOs. In terms of constitutional law, there is a clear division of powers between the three main institutions of government at national level: the legislative, executive and judicial functions are distinguished from one another. Although this will not be a simple task, it could possibly also be done in the case of IGOs. The premise is that the more institutionalised a group, the more strictly the powers and functions are analysed and defined. IGOs, especially those with general powers, differ noticeably from states. In the case of IGOs, the judicial function is not always clearly distinguished from the legislative, that is, the policy-making and executive functions. Theoretically, the judicial function can easily develop into a supervisory function. The tendency is then to link executive or policy-making functions to the jurisprudence, because these functions have not developed separately. There is no easy way of subjecting member states to the will of an IGO. The use of the terms such as "recommendations", "reports", "proposals" and "invitations" actually mean that the compliance of member states is requested rather than demanded.

- **Functional scope**

Functional scope involves both the scope of the IGO as an institution and the procedures for admission to its ranks. When the scope of the institution is considered, the core question is whether or not the institution is universal. A universal institution is seen as more comprehensive than a non-universal institution. If there are two non-universal IGOs, which are functioning in the same field, they may be seen as being in competition with each other. Their existence thus implies that there is possibly an unresolved conflict in the international community. If a universal IGO is an instrument of a non-unified community, it will have a less rigid structure and fewer powers.

Non-universal IGOs are also described as regional IGOs. It would be wrong, however, to see this classification in a purely geographic context. Because there are non-universal communities, or communities that can be characterised according to specific criteria, it follows logically that there will also be non-universal IGOs. The role and influence of regional IGOs depend on their origin.

If a regional IGO is geographically determined, it can organisationally be as a result of the decentralisation of a universal organisation. Decentralisation is a particular problem among IGOs. It can be overcome either by distributing services and offices (in other words, the authority remains centralised), or by devolving authority to regional offices. The WMO's organisational structure is regional. The WHO also has several regional offices. In both cases, however, authority remains centralised.

A state sharing geographic borders with another state does not necessarily belong to a regional IGO, which was established by the neighbouring state. For example, Israel is not a member of the Arab League. Furthermore, states that are geographically remote from one another can be unified in one IGO, as in the case of NATO. The question remains whether regional political and military IGOs are compatible with universal IGOs.

Admission procedures can also be used as a criterion for classification. Universal IGOs do not necessarily include all states, or even all those that would like to be members of a particular universal IGO. The degree of difficulty in acquiring membership will obviously differ. Three admission procedures can be distinguished:

- Some founding documents allow for automatic membership. A state wishing to join indicates that it will honour the stipulations of the founding document.
- In the case of some IGOs, acquiring membership can be subject to certain conditions, such as in the case of the UN. Article 4 of the UN Charter stipulates that membership is open to all peace-loving states that accept the obligations laid down in the Charter, and that, in the opinion of the UN, are competent and willing

to meet these obligations. The General Assembly approves new applications on the recommendation of the Security Council. Admission as a member therefore involves the use of discretion and is not granted automatically.

- Some IGOs only admit new members if the applicants meet certain conditions and if it is desirable for them to be members. This is the case especially with institutions such as the Council of Europe and NATO, where members can only join the organisation following a formal invitation.

With regard to scope, the following empirical classification has been made, which includes more or less all IGOs:

- Institutions with a large number of members, whose objective is not specialised, and whose powers are unlimited, such as the UN;
- Institutions that consist of a limited number of member states and whose objective is not specialised, but that have relatively important powers, such as the Council of Europe; such institutions resemble a confederation or federation;
- Institutions with specialised objectives and limited powers; they may be universal or sometimes regional, such as the specialised agencies of the UN and the APU; and
- Institutions with a specialised objective, important powers and limited membership; this kind of institution is regarded as exceptional, because it is difficult to exercise important powers in a specialised field – the European Coal and Steel Community (ESCO) is an example.

### **2.13.1.3 Classification according to geographic or functional scope**

This is the most common classification of IGOs. Geographically, an IGO can be universal, such as the UN and its specialised agencies, or it can be limited to a specific area, such as South East Asia where the ASEAN is an example.

Functional scope refers to an IGO's assigned function or functions, which can vary from the improvement of the security of member states to the promotion of a member state's technological and scientific abilities. In some cases, IGOs perform multiple functions that arise from their objectives, as in the case of the UN whose objectives are set out in article 1 of the UN Charter. The OAS is a regional IGO with the same basic function as that of the UN.

### **2.13.1.4 Classification according to the scope of powers and functional integration**

Finally, IGOs can be classified on the basis of the scope of their powers and the degree of functional integration in the organisation. Powers can be general or limited. The European Coal and Steel Community of the EU is a regional IGO with limited powers, because it only has authority over the coal and steel sectors of EU member states. In contrast, the European Economic Community (EEC) of the EU is a regional IGO with general powers in all economic sectors of member states, excluding the coal and steel sectors, but including the agricultural sector.

With regard to the degree of functional integration, IGOs can be classified as loosely integrated with a minimum of institutional structuring, and with powers that have been assigned by member states, or as highly integrated. The degree of integration can be indicated from low to high as follows:

- alliance without an institutional framework;
- intergovernmental relationships with an institutional framework;
- independent decision- making by IGOs;

- supranational institutions; and
- world government.

The highest form of integration occurs when an IGO is close to supranational status. This means that member states have transferred some of their decision-making and executive powers to institutions of the IGO. The IGO can then take binding decisions without these having to be ratified by national legislators of member states.

## **2.14 Conclusion**

This chapter has reviewed the range of core theoretical foundations on which the role of the OAU was based with the aim of providing the foundation for the discussions in the following chapters. The attention in this theoretical overview was focused on clarifying and describing the most important concepts and characteristics of international and regional governmental organisations.

IGOs are, among others, manifestations of the organisation of the international community. To understand the establishment and development of the OAU better, specific theoretical foundations were considered within the context of the research problem and questions pursued in this thesis. No attempt was made in this chapter to present a complete and definitive picture of international organisations *per se* with their numerous conferences, assemblies, councils, committees, sub-committees and supporting agencies and staffs. The basic approach to the study of the role of the OAU flows from the opposite pole – the analysis of major African problems of a character requiring the concerted efforts of international organisation in their solution. For international organisations are not ends in themselves; they are means to ends – ends of high significance to humanity. The correlation of ends and means is elaborated in more detail in the following chapters in order to contribute to a much needed increase in understanding the nature and scope of tasks and of the performance of the OAU as an IGO coping with these issues.



Various reasons are advanced for the establishment of an IGO, including the following:

- the exploitation of technological progress for commercial purposes;
- the pursuit of peace; and
- the promotion of human rights and material welfare.

The objectives in establishing IGOs are to bring about improved functioning of the inter-state system, as well as co-operation between states without affecting their sovereignty. Four theories can be regarded as constituting the foundation for the establishment and development of IGOs, namely confederalism, federalism, functionalism and public goods.

Regional confederalism manifested itself in the establishment of the OAU. The aim of confederalism is co-operation between sovereign states without relinquishing sovereignty. Decisions in confederal structures are not enforceable. Confederalism is seen as a stage in the process of the integration of states and is therefore sometimes referred to as international federalism.

Federalism entails co-operation among states, but with the retention of sovereignty, which is guaranteed in a founding document. In their own fields, both the federal government and the constituent federation governments are supreme. Confederations and federations are all created voluntarily.

There are two phases in functionalism, namely early functionalism and neo-functionalism. The early functionalists saw the establishment of functional IGOs as a way of achieving and facilitating international co-operation without imposing any restrictions on governments. Depending on the need, specific organisational arrangements must be made for an IGO. Powers should also be assigned to it. The secretariats of such institutions should consist of expert career staff who takes professional pride and interest in rendering a service.

Neo-functionalism also stresses international co-operation in demarcated fields. Attention is also paid to co-operation in matters that are politically important and that could therefore be controversial. The ultimate purpose is that further integration should spontaneously follow sectoral integration.

The theory of public goods and the establishment of institutions focused on such goods are aimed at obtaining greater benefits for all members of the group. This benefit is characterised as public goods. The theory entails a paradox that is explained on the basis of certain phenomena. The relevance of the theory lies in the fact that it contributes to an explanation of the reasons for the establishment and the nature of the functioning of IGOs.

It was also an aim of this chapter to determine the views of groups of states regarding such institutions in order to gain a better understanding of international co-operation. Each of the viewpoints or approaches focuses on specific and unique aspects of IGOs, and on their characteristics, functioning and circumstances. As such, each approach plays a special role in the accumulation of information on international co-operation and on the variety of IGOs that exist and function within the wider international system. It is also important to be knowledgeable about the perspectives and views of groups of states on the role and objectives of IGOs, since it is these very views that often lead to conflict within institutions and that make the implementation of decisions difficult.

The classification of IGOs remains problematic because it requires, among other things, an investigation of the similarities and differences between the large number of institutions encountered in the international community. For this reason, there is still no single, universally accepted classification. The aim of classification is the arrangement of information on IGOs in order to gain a better understanding of the objectives and functioning of such institutions. In this chapter, the different classification characteristics presented by various authors were summarised into four facets of classification for IGOs, namely objective and membership, objective, powers and functional scope, geographical and functional scope, and scope of powers and functional integration.

The replacement of the distinction between national and international politics as a result of the greater interdependence between entities in the international community and the trans-national nature of economic issues are particularly noticeable in present times (Smith 1990:147). It can thus be expected that greater interdependence will also lead to improved co-operation between states. Regional organisations are the logical consequence of this. During the past decades, the international economic order has increasingly been restructured according to a regional geographic and functional location.

In the introduction to this chapter, the point was made that selecting a method for researching the role of the OAU as an international regional governmental organisation is beset with problems of a technical and interpretative nature. To facilitate understanding of these difficulties, the background provided in this chapter on some conceptualisations of the theoretical foundations for IGOs is meant as a general background for the discussions that follow in succeeding chapters. This leads directly to another area of enquiry, the role of the OAU as a regional IGO, which will assist in understanding the role of the OAU, within the broader context of regional co-operation. This will be dealt with in the following chapter.

What seems clear from research material available (without losing sight of the fact that the views on the subject of IGOs of Arab, Asian, Chinese and African writers are often submerged under a vast volume of American and European literature) is that the classification of international governmental institutions requires much more research before a universally acceptable method of classification can finally be agreed upon. In the meantime, some progress has been made and a combination of the views of the researchers concerned has identified some useful analytical tools for the classification of IGOs.