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in the Long Nineteenth Century and Beyond

International Organisations, Authority,
and the First Permanent Secretariats
in the 19th Century

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International Organisations, Authority, and the First Permanent Secretariats in the 19th Century

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Abstract

International organisations (IOs) play increasingly important roles in world politics. As states face more complex challenges they have joined together in IOs to solve their common problems. Yet once an IO has been created it may take on a life of its own, and it becomes difficult for its state founders to control what it does. Permanent secretariats populated by experts are one of the most important sources of IO authority. Why do some organisations gain authority and influence while others remain loyal servants? When did the first autonomous secretariats emerge? Most scholars would argue that the League of Nations secretariat was the first ‘true’ international secretariat, yet this was not the first permanent IO secretariat in existence. How much autonomy and influence did the first permanent secretariats formed in the 19th century possess? What can the experience of these institutions tell us about how IOs in general gain authority? Through a study focusing on the secretariat of the International Telegraph Union, created in 1868 as the first permanent secretariat, this paper will seek to answer these questions.

I Introduction

There is growing consensus among scholars of global governance that international organisations (IOs) can play an independent role in policy making and implementation. Scholars within both International Relations (IR) and Public Administration (PA) study the autonomy of international secretariat staff, the sources of their authority, conditions for their influence on policy processes, and consequences thereof. Early contributions opening up this promising research field were the work by social constructivists arguing that international organisations should be understood as bureaucracies endowed with rational-legal authority,¹ scholars using the principal-agent approach to examine how states can control the behaviour of IOs,² and those suggesting that we can understand the behaviour of international civil servants using approaches developed to describe their domestic counterparts.³

Increasingly these scholars have focused on the IO secretariats, the staff employed by the IOs, as the seat of IO agency and authority. The UN system, like the League of Nations before it, employs the term international civil service/servants (ICS) to describe its staff. Other terms used interchangeably by scholars are international public administrations,⁴ the international public service,⁵ global managers,⁶ global administrations, or simply international secretariats or bureaucracies. The ICS is both an empirical category, a label which refers to the staff employed by intergovernmental organisations, and a normative concept which has its roots in liberal internationalism and Weberian ideals of an effective and professional bureaucracy.⁷ The

¹ Michael N. Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Ithaca, NY, and London: Cornell University Press, 2004).

² Darren G. Hawkins et al., eds., *Delegation and Agency in International Organizations* (Cambridge: Cambridge University Press: 2006).

³ Xu Yi-Chong and Patrick Weller, "'To Be, But Not to Be Seen': Exploring the Impact of International Civil Servants" *Public Administration* 86, no. 1 (2008).

⁴ Christoph Knill and Michael W. Bauer, "Policy-making by international public administrations: concepts, causes and consequences," *Journal of European Public Policy* 23, no. 7 (2016).

⁵ John Mathiason, *Invisible Governance: International Secretariats in Global Politics* (Bloomfield, CT: Kumarian Press, 2007).

⁶ Frank Biermann and Bernd Siebenhüner, eds., *Managers of Global Change: The Influence of International Environmental Bureaucracies* (Cambridge, MA: MIT Press, 2009).

⁷ Edward Newman and Ellen Jenny Ravndal, "The International Civil Service," in *The Oxford Handbook on Global Policy and Transnational Administration*, ed. Diane Stone and Kim Moloney (Oxford: Oxford University Press, forthcoming).

importance of IO staff as the seat of IO agency is not a new observation. As Claude noted:

the identity of every organization ... tends to be lodged in its professional staff. Members, stockholders, or citizens may control the organization, but they cannot be it; the staff, in a fundamental sense, is the organization ... the invention of the international secretariat may be described as the real beginning of international organization.⁸

If the invention of the international secretariat was the real beginning of international organisation, then the first 'true' IO was the League of Nations, founded at the Versailles Conference in 1919. Even those who have described the League as a failure overall, have acknowledged the importance of the foundation of the ICS in Geneva. Walters argued that "the creation of a secretariat international alike in its structure, its spirit, and its personnel, was without doubt one of the most important events in the history of international politics."⁹ Pedersen's recent momentous study of the League agrees: "Nothing the League produced was more quietly revolutionary than the international Secretariat. There was no real precedent."¹⁰

The international character of IO secretariats is an important source of their authority. Sending have argued that it is precisely because the IO staff can claim to be experts in the 'international', that they exert authority in 'international' matters.¹¹ Others emphasise the importance of the 'international' status of the ICS as a basis for their legitimacy.¹² But if secretariats need to be 'international' to have autonomy (let alone legitimacy), and the first true international secretariat was established in the League of Nations, how should we understand the first IO secretariats established in the 19th century? Some scholars have acknowledged that these secretariats were "important functional

⁸ Claude, 4th ed, p. 191. Inis L. Claude, *Swords into Plowshares: The Problem and Progress of International Organization*, 3rd ed. (New York: Random House, 1964).

⁹ Francis Paul Walters, *A History of the League of Nations*, vol. 1 (Oxford: Oxford University Press, 1952), 76.

¹⁰ Susan Pedersen, *The Guardians: The League of Nations and the Crisis of Empire* (Oxford: Oxford University Press, 2015), 46

¹¹ Ole Jacob Sending, "The International Civil Servant," *International Political Sociology* 8, no. 3 (2014); Ole Jacob Sending, "Diplomats, Lawyers, and the emergence of international authority" (paper presented at the ISA Annual Conference, Toronto, 26-29 March 2014).

¹² Xu Yi-Chong and Weller, "To Be, But Not to Be Seen," 41.

antecedents,”¹³ while others dismiss them in arguing the League Secretariat had “no real precedent.”¹⁴ Did early IO secretariats exert an autonomous influence on policy processes? If they did, this would strengthen the case that all IO secretariats develop autonomous powers. If they did not, or only developed very limited autonomous powers, a study of these secretariats might shed light on the conditions for when secretariats can exert an independent influence. This paper will seek to answer these questions in a study of the secretariat of the International Telegraph (later Telecommunications) Union (ITU). The ITU was founded in 1865, while its secretariat – the International Bureau – was established three years later in 1868 in Berne under the supervision of the Swiss government. Being under the control of the Swiss government, the ITU secretariat does not fulfil the criteria for being an ‘international’ secretariat. Did it still exercise an independent influence on the ITU’s policies, or was it an extension of the Swiss government or a reflection of the overall ITU membership?

To answer these questions the paper examines the ITU Secretariat in the light of contemporary academic research on IO authority and autonomy. The paper covers the time period from 1868 to 1947. In 1947 the ITU underwent major changes during the process of becoming a specialised agency of the UN, one of which was to replace the old International Bureau with a new secretariat based on the ICS model. The first section of the paper establishes a conceptual framework for IO authority, arguing that IO authority comprises three parts: autonomy, capacity, and legitimacy. In other words, an authoritative IO has the will, the ability, and the right to influence international politics. The next three sections examine the ITU Secretariat in relation to these three areas.

II Authority, autonomy, capacity, and legitimacy: a conceptual framework

¹³ Edward Newman, “The International Civil Service: Still a Viable Concept?,” *Global Society* 21, no. 3 (2007): 434; see also Bob Reinalda, *Routledge History of International Organizations: From 1815 to the present day* (London and New York: Routledge, 2009).

¹⁴ Pedersen, *Guardians*, 46.

Several different concepts have been used to express the idea that IOs can act independently of their state members. Some scholars talk of authority,¹⁵ autonomy,¹⁶ or influence.¹⁷ Others are concerned with questions of legitimacy¹⁸ or power.¹⁹ This section seeks to sort through some of these ideas and to discuss how the concepts of authority, autonomy, capacity, and legitimacy are related to each other, and how each one can be ‘measured’ or observed in studies of IOs. These concepts all, in different but related ways, express the idea that IOs, specifically IO secretariats, matter in international relations and offer different ways to talk about IO influence.

Authority is the overarching concept in this paper, and I argue that it includes the other three. To say that an organisation (or state or person or other entity) has authority implies that that organisation possesses (at least a degree of) autonomy, capacity, and legitimacy. To say that an actor has authority in international relations is to say that it has the will, the ability, and the right to influence international relations. A common definition, usually attributed to Max Weber’s work, is that authority is legitimised power.²⁰ In order to have authority therefore, the organisation must possess power and this power must be seen as legitimate. Both legitimacy and power are relational concepts, and thus authority is also a relation. An actor has authority in relation to one or more other actors. That something is *legitimate* means that it is seen as right or just. If an actor has legitimate power (i.e. authority), other actors accept this state of affairs and perceive the exercise of that power as lawful and proper. In describing how an institution can have legitimacy, Hurd argued that legitimacy “refers to the normative belief by an actor

¹⁵ Kent J. Kille, ed. *The UN Secretary-General and Moral Authority: Ethics & Religion in International Leadership* (Washington, DC: Georgetown University Press, 2007); Mathiason, *Invisible Governance*.

¹⁶ Michael W. Bauer and Jörn Ege, "Bureaucratic autonomy of international organizations' secretariats," *Journal of European Public Policy* 23, no. 7 (2016); Jarle Trondal and Frode Veggeland, "The Autonomy of Bureaucratic Organizations: An Organization Theory Argument," *Journal of International Organizations Studies* 5, no. 2 (2014).

¹⁷ Michael W. Manulak, "Leading by design: Informal influence and international secretariats," *The Review of International Organizations* (2016); Knill and Bauer, "Policy-making by international public administrations."; Biermann and Siebenhüner, *Managers of Global Change*.

¹⁸ Jonathan G. S. Koppell, *World Rule: Accountability, Legitimacy, and the Design of Global Governance* (Chicago and London: University of Chicago Press, 2010).

¹⁹ Michael N. Barnett and Martha Finnemore, "The Politics, Power, and Pathologies of International Organizations," *International Organization* 53, no. 4 (1999); Barnett and Finnemore, *Rules for the World*.

²⁰ R. B. Friedman, "On the Concept of Authority in Political Philosophy," in *Authority*, ed. Joseph Raz (New York: New York University Press, 1990), 59-60. It is unclear if Weber himself would have ascribed to this view of authority as legitimate power. See Koppell, *World Rule*, 42-43.

that a rule or institution ought to be obeyed.”²¹ Over time such perceptions will be internalised by other actors,²² and they will start to obey these rules by habit. Authority is therefore also sometimes defined as the routinisation of submission, or the institutionalisation of power.²³ We can observe legitimacy through the debate surrounding an actor or a specific initiative in language used to either accept, defend, or challenge the decision.

Power is a central concept in political science, and one that is difficult to pin down. A large number of different definitions and typologies exist, but for the purposes of this paper power will be seen as a relational concept in the tradition of Dahl’s classic definition: “A has power over B to the extent that he can get B to do something that B would not otherwise do.”²⁴ Within the literature on state power it is now common to distinguish between state capacity and state autonomy as two different aspects of state power: “its *autonomy* reflects the extent to which it is not controlled by external forces; its *capacity* reflects the extent to which it controls the outcomes it attempts to achieve.”²⁵ The concept of capacity is closest to Dahl’s idea of power. This is the state’s (or another actor’s) ability to implement its decisions, while the concept of autonomy refers to the state’s (or actor’s) freedom from external control. The two implies causal arrows pointing in opposite directions. Autonomy can thus be seen as a form of negative power, as the absence of someone else’s power over you. Bauer and Ege in a recent article on the autonomy of international secretariats presents a distinction between what they call “autonomy of will” and “autonomy of action” that maps onto this distinction between autonomy and capacity. Autonomy of will is “the ability of international secretariats to develop autonomous bureaucratic preferences” while autonomy of action is “their capacity to transform these preferences into action.”²⁶ Autonomy of will, or what I here simply call autonomy, concerns an actor’s freedom to make their own decisions: “autonomy is about discretion, or the extent to which [an organization]

²¹ Ian Hurd, "Legitimacy and Authority in International Politics," *International Organization* 53, no. 2 (1999): 381.

²² Ibid.

²³ Koppell, *World Rule*, 41.

²⁴ Robert A. Dahl, "The Concept of Power," *Behavioral Science* 2, no. 3 (1957): 202-03.

²⁵ Johannes Lindvall and Jan Teorell, "State Capacity as Power: A Conceptual Framework," *STANCE Working Paper Series*, no. 1 (2016): 9. Emphasis in original.

²⁶ Bauer and Ege, "Bureaucratic autonomy," 1020.

can decide itself about matters that it considers important.”²⁷ Capacity, or what Bauer and Ege called autonomy of action, concerns an actor’s ability to implement these decisions. Bauer and Ege present a framework for how the two types of autonomy, or what I call autonomy and capacity, can be measured by looking at administrative cohesion, administrative differentiation, statutory powers, and administrative resources.²⁸ Building on this, and combining it with factors emphasised by Xu and Weller²⁹ and other scholars, this paper will analyse the ITU Secretariat using the following dimensions:

Dimension	Subdimension/ Indicator (?)
1. Autonomy (will)	
1.1 Administrative cohesion	Organisational centralisation
	Homogeneity of personnel
	Low internal staff mobility
	Staff longevity
1.2 Administrative differentiation	Leadership
	Control of information
	Independent research capacity
	Low day-to-day oversight
2. Capacity (ability)	
2.1 Statutory/ formal powers	Agenda-setting
	Sanctioning competence
2.2 Resources	Size of human resources
	Independent finances
	Technical expertise
3. Legitimacy (right)	
3.1 Status	International status
	Credibility
	Impartiality/ neutrality
	Democracy/ accountability/ transparency
3.2 Expertise	Technical expertise
	Administrative expertise

Table 1: Dimensions of the authority of international organisations

(Source: Bauer and Ege, 2016; Xu and Weller 2008; author’s compilation.)

²⁷ Verhoest et al. 2010: 18-19, cited in Jarle Trondal, "Advances to the study of international public administration," *Journal of European Public Policy* 23, no. 7 (2016): 1100.

²⁸ Bauer and Ege, "Bureaucratic autonomy," 1029, table 2.

²⁹ Xu Yi-Chong and Weller, "To Be, But Not to Be Seen."

When it comes to actually operationalising these dimensions and finding indicators for each the picture becomes less clear-cut. Table 1 lists technical expertise both as a subdimension of capacity and of legitimacy. A secretariat with high levels of technical expertise are likely to be seen as more legitimate operating in their area of expertise, but such technical expertise can also facilitate implementation of policies. In a broader sense, a secretariat that is seen as legitimate is likely to have higher capacity to implement policies, precisely because these policies are accepted and relevant actors will comply with them rather than challenge them. Higher capacity to implement policies, i.e. greater efficiency, is also likely to increase an organisation's legitimacy. This maps on to discussions of different sources of legitimacy, and in particular to the common distinction between 'input' and 'output' legitimacy. "Input legitimacy concerns whether the process conforms to procedural demands ... Output legitimacy revolves around effectiveness or 'problem solving capacity' of the governance system."³⁰ The technical expertise of key actors could be seen as a part of the decision-making procedure, and therefore as contributing to procedural or input legitimacy, but policies implemented by experts might also be more likely to be effective, and therefore be a factor contributing to output legitimacy. Hurrell discusses five different dimensions of legitimacy, where output and input legitimacy are supplemented by a technocratic dimension (specialist knowledge and expertise as a separate basis for legitimacy), substantive legitimacy (based on shared understandings of justice), and a process of persuasion and giving reasons.³¹ Despite the somewhat overlapping basis of factors which might contribute to legitimacy, autonomy and/or capacity, it might be useful to try to analytically distinguish between them as this paper tries to do. The remaining three sections of this paper analyses the ITU Bureau along each of these three dimensions. Did the ITU Bureau have the autonomy, capacity, and legitimacy necessary to make it an authoritative actor?

³⁰ Karin Bäckstrand, "Multi-stakeholder partnerships for sustainable development: rethinking legitimacy, accountability and effectiveness," *European Environment* 16, no. 5 (2006): 291-92.

³¹ Andrew Hurrell, *On Global Order: Power, Values, and the Constitution of International Society* (Oxford: Oxford University Press, 2007), 80-91.

III Autonomy

The previous section defined autonomy as an actor's freedom to make their own decisions. Bauer and Ege argues that administrative cohesion and administrative differentiation both contribute to greater levels of IO secretariat autonomy. Cohesion refers to the ability of the secretariat to develop a common goal and work as a unitary actor, while differentiation refers to the secretariats ability to develop preferences that are different from other actors.³² When discussing the autonomy of the ITU Secretariat it is important to note that this could be interpreted in two ways. Since the ITU Bureau was under the control of the Swiss government, autonomy for the Bureau could be interpreted either as complete autonomy from all ITU member states, including Switzerland, or as autonomy for the Bureau and the Swiss government from the control of the broader ITU membership. This section discusses both options as they relate to the subdimensions of autonomy included in table 1: organisational centralisation, homogeneity of personnel, low internal staff mobility, staff longevity, leadership, control of information, independent research capacity, and low day-to-day oversight.

The location and structure of an organisation's headquarters can be important. A geographically dispersed secretariat is likely to develop less coherent preferences than a more *centralised organisation*, and therefore to be less autonomous.³³ The ITU Bureau consisted of one small office in Berne, and was therefore a highly centralised organisation. The ITU Secretariat was under the control of the Swiss government, and the majority of its staff over its nearly 80 years of operation were Swiss nationals. This was a very common practice for the first secretariats in the 19th century,³⁴ to the extent that a contemporary observer praised the "liberal spirit" of the French supervision of the Metric Union's office, because "the bureau at Sèvres has always had some foreigners on its staff."³⁵ The fact that practically all staff members at the ITU Bureau were Swiss nationals means that the Bureau had very high levels of *personnel*

³² Bauer and Ege, "Bureaucratic autonomy," 1024-25.

³³ *Ibid.*, 1026.

³⁴ Craig N. Murphy, *International Organization and Industrial Change: Global Governance since 1850* (Oxford: Oxford University Press, 1994), 80.

³⁵ Paul S. Reinsch, *Public International Unions: Their Work and Organization* (Boston and London: Ginn & Company, 1911), 36.

homogeneity. A more homogenous staff are more likely to develop, or already possess, joint norms, Bauer and Ege argues,³⁶ pointing out that research on the European Commission have found the national background of commissioners to be the most important source of their norms.³⁷

Other factors likely to contribute to greater cohesion and therefore to IO autonomy is *staff longevity* and *low internal mobility*. In contemporary IOs, as in domestic settings, career civil servants are likely to have longer experience than state delegates or politically appointed ministers. Over time, they can “develop an institutional memory; they know what has been attempted, what worked and what failed. They can advise, warn and predict. ... As long as a career structure is maintained, some level of discretion is likely to be ensured.”³⁸ The desirability of such longevity was an important consideration in discussions when the ITU Bureau was established during the 1868 Vienna Conference. The original proposal envisioned a ‘special agent’ to coordinate information for the organisations and deal with routing administrative tasks. The agent would be appointed anew by each conference and operate under the control of the government that hosted the last conference. This would entail either that a new agent be appointed each time, or that the agent be required to move after each conference. The Belgian delegate at the Vienna Conference supported the proposal for an agent, but argued that a stable residence was necessary to attract a sufficiently qualified candidate for the post.³⁹ Thus, the need for a certain level of staff longevity was one consideration in the decision to establish a permanent office in Berne. The history of the ITU Bureau between 1869 and 1947 reveals very low levels of staff mobility and high longevity. Over its nearly 80 years of operation, the Bureau saw eight different men as secretary-general (one of them twice). They held office on average nine years each, while two managed to hold the post for more than twenty years each: Louis Curchod (1869-72, 1873-89) and Emile Frey (1897-1921).⁴⁰ Annual

³⁶ Bauer and Ege, "Bureaucratic autonomy," 1026.

³⁷ Liesbet Hooghe, "Several Roads Lead to International Norms, but Few via International Socialization: A Case Study of the European Commission," *International Organization* 59, no. 4 (2005): 862.

³⁸ Xu Yi-Chong and Weller, "To Be, But Not to Be Seen," 40.

³⁹ *Documents de la Conférence Télégraphique Internationale de Vienne (1868)*, 388; Gabriele Balbi et al., "Swiss Specialties: Switzerland's Role in the Genesis of the Telegraph Union, 1855-1875," *Journal of European Integration History* 19, no. 2 (2013): 215-16.

⁴⁰ ITU, "Past and Present Senior Officials," <http://handle.itu.int/11.1004/020.2000/s.048> (accessed 04.01.17).

reports further reveal very few changes to administrative and clerical staff in the Bureau from year to year.⁴¹

Leadership of and in IOs is its own subfield of research. Cox's foundational study from 1969 argued that "the quality of executive leadership may prove to be the most critical single determinant of the growth in scope and authority of international organization," and that therefore "the executive head may be the explanatory key to the emergence of a new kind of autonomous actor in the international system."⁴² Cox and his followers focused mostly on leaders in the founding years of an organisation or during periods of substantive organisational change. From this they concluded that activist leaders were the most effective. Michael Schechter, on the contrary, in a study of three organisations in the 1970s and 1980s, argued that more modest leaders were the most effective in periods of stagnation or decline.⁴³ Leadership is recognised as one of the key factors contributing to IO secretariat autonomy.⁴⁴

The ITU Bureau was a very small operation, and this highlights the importance of the secretary-general as the most important actor in it. The history of early IO Bureaux can essentially be written as a story of their secretaries-general. Many of them were important intellectual and political figures in their day, like Numa Droz, who served as head of the Railway Office in Berne, and also held various positions in Swiss government. A contemporary observer described him as "a very remarkable man, and I met no one in my tour whose conversation was at once so intelligent, so reasonable, and so hopeful."⁴⁵ When the European Great Powers sought a governor for Crete "it was again to M. Numa Droz that they turned when they wished to provide a typical, sensible, trustworthy European to hold the balance even between the various interests in the island."⁴⁶ The ITU Bureau's Emile Frey (secretary-general 1897-1921), played a similarly central role in European politics.⁴⁷

⁴¹ See various annual reports on ITU website, <http://handle.itu.int/11.1004/020.1000/2> (accessed 04.01.17).

⁴² Robert W. Cox, "The Executive Head: An Essay on Leadership in International Organization," *International Organization* 23, no. 2 (1969): 205-06.

⁴³ Michael G. Schechter, "Leadership in international organizations: systemic, organizational and personality factors," *Review of International Studies* 13, no. 3 (1987).

⁴⁴ Bauer and Ege, "Bureaucratic autonomy."; Xu Yi-Chong and Weller, "To Be, But Not to Be Seen."

⁴⁵ W. T. Stead, *The United States of Europe on the Eve of the Parliament of Peace* (London: 'Review of Reviews' Office, 1899), 19-20.

⁴⁶ *Ibid.*, 20.

⁴⁷ Murphy, *International Organization*, 113-14.

The ITU Bureau was established primarily to serve as a hub for *information*. Its assigned tasks, as specified by the Vienna Convention, were to collect information, draw up tariffs, prepare statistics, undertake research on matters it perceived to be of common utility,⁴⁸ and publish a French language journal.⁴⁹ The accompanying service regulations tasked the Bureau with writing an annual report and to offer consultancy and advice to member administrations when they asked for it.⁵⁰ The Rome convention further specified that the Bureau was to publish an up-to-date map of the telegraph network, to poll member governments regarding proposed amendments to the service regulations, and to prepare materials needed for conferences. It also gave the secretary-general the right to participate, without vote, in conference discussions.⁵¹ These were routine tasks needed for the efficient functioning of the ITU and the international telegraph network, but many of them opened up the possibility that the ITU Bureau could take initiative or otherwise influence the decision-making process in the ITU. A recent book by Fari, Balbi, and Richeri offer numerous examples of how the Bureau could use its editorship of the telegraph journal to advocate its views on issues it perceived to be important. The Bureau could also take initiatives on which questions to investigate and then make recommendations to members based on what it found.⁵² In 1869, for example, the Bureau sent around a circular asking about the level of female employment in telegraph services in the various member states, and it later published its findings in the journal.⁵³ The Bureau could also influence the member states when it circulated requests for information or opinion which had originated with another member state. These requests often consisted of two parts, the first part asking the members for their opinion, the second informing them of the Bureau's opinion on the question. An example occurred in 1872 when the Italian telegraph administration proposed establishing an international school to train telegraph staff. Charles

⁴⁸ "undertake research on matters it perceived to be of common utility" – from a translation given in Balbi article – the original is "procédera aux études d'utilité commune dont il serait saisi" which could simply mean "matter of common utility brought to it" ...

⁴⁹ *Convention Télégraphique Internationale de Vienne (1868)*, article 61.

⁵⁰ *Convention Télégraphique Internationale de Vienne (1868)*, *Règlement de service international*, article XXXIII.

⁵¹ *Convention Télégraphique Internationale de Rome (1871-72)*, *Règlement de service international*, article XXXIV.

⁵² Simone Fari, Gabriele Balbi, and Giuseppe Richeri, *The Formative Years of the Telegraph Union*, trans. Patricia Kennan (Newcastle upon Tyne: Cambridge Scholars Publishing, 2015), 68-73.

⁵³ *Ibid.*, 70-71.

Lendi, the Bureau secretary-general, felt the idea was impractical because of differences in operating language and technical standards in different countries, and told the various member government so when he circulated a request for their opinion. Not surprisingly, the majority of member states rejected the proposal, giving the same reasons as Lendi. “All this goes to show that the Bureau did not exert influence only in exceptional circumstances ... but it was routine practice, reiterated as far as possible as the starting point of every enquiry.”⁵⁴

The ITU Bureau thus exercised considerable control of information, but it would be wrong to claim that it had its own *independent research capacity*. The Bureau was dependent on the member states to furnish it with information. It could take initiative in deciding what information to seek, and also influence the answers it would get from the member states, but it had no resources allowing it to obtain information from sources outside the organisation.

A further structural element which probably gave the staff of the ITU Bureau greater freedom of action was the lack of a permanent ITU commission. Such a permanent commission was at first established by the 1868 Vienna conference, but it only met once, and was abolished in by the 1871-71 conference in Rome.⁵⁵ In the absence of a commission, the ITU Bureau operated outside the *day-to-day supervision* of the member states, and therefore with greater autonomy. As Lyons noted in a comprehensive study of 19th century IOs:

Naturally, the freedom of action of the secretariat depended greatly upon whether or not there was a supervisory commission set over it. Where there was, it tended to be confined to routine administrative duties, but where there was not, and where therefore no intermediate body intruded between it and the occasional conference of the unions it could develop considerable initiative and authority.⁵⁶

The ITU Bureau in Berne operated without the day-to-day supervision of the ITU membership. But the Bureau was under close supervision of the Swiss government. The ITU Bureau was thus not completely without supervision from any member state, rather the Bureau and the Swiss

⁵⁴ Ibid., 73

⁵⁵ Ibid., 65.

⁵⁶ F. S. L. Lyons, *Internationalism in Europe, 1815-1914* (Leyden: A. W. Sythoff, 1963), 32.

government together enjoyed considerable freedom to influence the operations of the ITU between conferences.

IV Capacity

An IO secretariat's capacity is its ability to implement its decisions. A secretariat can potentially use its influence at two stages of the IO policy-making process: during decision-making and implementation. Bauer and Ege argue that a secretariat's capacity, or "autonomy of action" in their vocabulary, depends on its statutory or formal powers, as well as the resources it has available.⁵⁷ The formal and informal organisational arrangements of an IO set the parameters for ICS action. In defining the objectives of the organisation, the relationship among its member states, and the responsibilities of its secretariat, the structure "defines the allocation of power" within the IO.⁵⁸ The initial organisational arrangement for the ITU Bureau was defined by article 61 of the 1868 Vienna Convention. The article assigned the Bureau the tasks of 1) collecting information relating to the international telegraph services, 2) drawing up a list of tariffs, 3) preparing general statistics, 4) undertaking research on matters it perceived to be of common utility, and 5) publishing a French language journal.⁵⁹ At first glance these tasks appear to be purely administrative and routine. But as researchers have pointed out, the Bureau's "intermediary position, indispensable for carrying out its prescribed functions, guaranteed it the privilege of direct contact with all the administrations, and consequently find itself well positioned to influence either directly or indirectly individual choices."⁶⁰ This section discusses to what extent the ITU Bureau was able to influence ITU decision-making and implementation through agenda-setting, sanctioning, use of human resources, independent finances, and technical expertise – the five subdimensions of capacity outlined in table 1.

The ITU Bureau played a central role in the information chain within the organisation. As discussed in the previous section, the Bureau

⁵⁷ Bauer and Ege, "Bureaucratic autonomy," 1027-29.

⁵⁸ Xu Yi-Chong and Weller, "To Be, But Not to Be Seen," 38.

⁵⁹ *Convention Télégraphique Internationale de Vienne (1868)*, article 61.

⁶⁰ Fari, Balbi, and Richeri, *The Formative Years of the Telegraph Union*, 69.

was able to exploit this to have its proposals heard. It thus had *agenda-setting capacity*. Pollack explores the difference between formal or procedural agenda-setting powers and informal or substantive agenda-setting power.⁶¹ Bauer and Ege's operationalisation of agenda-setting captures formal or procedural agenda-setting. If a secretary-general has sole responsibility for preparing the agenda, and members cannot remove items from it, the secretariat is coded with high agenda-setting power.⁶² The ITU Bureau did not formally set the agenda for conferences; this responsibility fell to the host government of each conference. Thus, the Bureau had very low formal agenda-setting power. Nonetheless, it could exert considerable influence over the agenda because of its central position in the chain of information and its expertise. Working closely with the host government of each conference, the Bureau could suggest items for the agenda, and influence how those items would be discussed through its preparation of supporting materials. In the run-up to the 1875 St Petersburg conference, for example, the secretary-general offered extensive advice and suggestions related to the rules of procedure and voting rights, which the Russian government incorporated into the planning for the conference.⁶³ This was not a one-off event. As Pollack notes, secretariat staff's "policy expertise and institutional persistence can provide them with certain informational advantages vis-à-vis ... competing agenda setters."⁶⁴ Thus they enjoy informal or substantive agenda-setting power.

In other respects the ITU Bureau were at a disadvantage compared to the member states. The Bureau did not possess any sanctioning competence. The ITU as a whole was reluctant to impose any regulation or decision on the member states. Like most other IOs established in the 19th century, the ITU confined itself to regulating relations *between* states, not within them, so-called "at-the-border governance."⁶⁵ The organisation was careful not to infringe on member states' sovereignty. Member states held dual veto over regulations through the requirement of unanimity at conferences and their right to register reservations or

⁶¹ Mark A. Pollack, "Delegation, Agency, and Agenda Setting in the European Community," *International Organization* 51, no. 1 (1997).

⁶² Bauer and Ege, "Bureaucratic autonomy," 1028.

⁶³ Fari, Balbi, and Richeri, *The Formative Years of the Telegraph Union*, 73-78.

⁶⁴ Pollack, "Delegation, Agency," 102.

⁶⁵ Tine Hanrieder and Bernhard Zangl, "The Embedded State: The New Division of Labor in the Provision of Governance Functions," in *The Oxford Handbook of Transformations of the State*, ed. Stephan Liebfried, et al. (Oxford and New York: Oxford University Press, 2015), 257.

chose not to implement regulations.⁶⁶ It is not surprising that the Bureau should lack sanctioning capacities when the organisation so clearly left implementation of policies in the hands of member states.

Furthermore, the Bureau had few material resources available to help in implementing decisions. The ITU Bureau did not control its own budget, thus it had no *independent finances*. It was also a very small unit, starting out with just three members of staff.⁶⁷ The *low staff number* was typical of the permanent secretariats established in the 19th century. They generally consisted of a secretary-general supported by three or four administrative workers and two or three clerical staff.⁶⁸ The staff of the ITU Bureau were experts in telegraph administration with previous experience from the Swiss telegraph administration. The first secretary-general, Louis Curchod (in office 1869-72 and 1873-99), came to the post from the position as director of the Swiss telegraph. In this capacity he had participated at the Paris and Vienna conferences, and played a central role in the establishment of the Bureau itself. Until the Second World War, the director of the Swiss telegraph was seen as the ‘natural’ candidate for a vacancy at the head of the ITU Bureau.⁶⁹

The argument that IO secretariats possess *technical expertise*, and that this gives them authority and autonomy, is a central part of social constructivist scholarship on IOs. Barnett and Finnemore argued that IOs have power inherent in being bureaucracies, because bureaucracies are characterised by their expertise and the rational-legal authority they embody.⁷⁰ The importance of ICS expertise for their capacity to influence policy-making has been confirmed by several studies. Xu and Weller found that expertise was important to explain the influence of IMF country directors in their dual role of representing the IMF to a country and ‘their’ country at the IMF.⁷¹ Kellow and Carrol highlighted

⁶⁶ Ellen Jenny Ravndal, "Acting Like a State: Non-European Membership of International Organisations in the 19th Century," in *De-Centering State-Making: Historical and Geographical Perspectives*, ed. Martin Hall, Jens Bartelson, and Jan Teorell (Edward Elgar, forthcoming).

⁶⁷ ITU, "Overview of ITU's History," <http://www.itu.int/en/history/Pages/ITUsHistory.aspx> (accessed 03.01.17).

⁶⁸ Lyons, *Internationalism*, 33-34.

⁶⁹ Balbi et al., "Swiss Specialties," 216-19.

⁷⁰ Barnett and Finnemore, "Politics, Power, Pathologies."; Barnett and Finnemore, *Rules for the World*.

⁷¹ Patrick Weller and Xu Yi-Chong, "Agents of Influence: Country Directors at the World Bank," *Public Administration* 88, no. 1 (2010).

the expertise of OECD secretariat staff as the single most important factor to explain their influence on policy-making.⁷²

As technical experts in an organisation with a technical mission, it is probable that the ITU staff possessed greater capacity to influence outcomes than they would have done in an organisation with a more sensitive political mandate.

In technical organization, ICS' responsibilities are often less clearly delineated. At each stage of decision making, wider initiative may be needed; state delegates may rely heavily on the competence of highly qualified and widely dispersed staff to identify, develop and recommend proposals for action, and to evaluate and oversee their implementation. ICS, particularly their chiefs, consequently can have an active role in shaping decisions.⁷³

The ITU Bureau consisted of experts in telegraph administration. The importance of this was emphasised by the formal mandate of the Bureau to offer consultancy and advise to member governments.⁷⁴ The choice of the Swiss government as host for the Bureau, and of locating the Bureau in Switzerland, was also a decision influenced by the perceived Swiss expertise in technical matters, both on telegraphy and other related subjects such as clocks and technical education.⁷⁵

It is probable that the ITU Bureau possessed some, albeit limited, capacity to implement its decisions. It had agenda-setting power and technical expertise, which likely allowed it to influence the decision-making process in the organisations. However, its small human resources, lack of independent finances, and lack of sanctioning powers, meant that decisions on how to follow up on those decisions was ultimately left to each individual member state.

V Legitimacy

⁷² Aynsley Kellow and Peter Carroll, "Exploring the Impact of International Civil Servants: The Case of the OECD," *International Journal of Public Administration* 36, no. 7 (2013).

⁷³ Xu Yi-Chong and Weller, "To Be, But Not to Be Seen," 39.

⁷⁴ *Convention Télégraphique Internationale de Vienne (1868), Règlement de service international*, article XXXIII.

⁷⁵ Balbi et al., "Swiss Specialties," 223.

IO secretariats are more likely to be able to influence policy-making if they are perceived as legitimate, that is, if other actors accept that they have a right to be present and heard in these processes. Xu and Weller argue that the formal legitimacy of ICS derive from their *status* as ‘international’ as well as their claims to be ‘impartial’ and ‘neutral.’⁷⁶ Impartiality and neutrality are mainstays of the current ICS model. Some of the biggest scandals for the UN Secretariat have been instances where it has ‘failed’ to act neutral and impartial. Classical peacekeeping operations, for examples, were premised on impartiality and neutrality. Yet during the 1990s a continuation of these principles in situations of civil war undermined the legitimacy of the UN system as a whole. The genocide in Rwanda and massacre in Srebrenica, provided stark examples of situations where the UN failed to protect civilians.⁷⁷

Democracy is another value that seems to be linked to the legitimacy of IOs and IO secretariats today.⁷⁸ The 2016 process to appoint a new UN secretary-general saw an unprecedented campaign by NGOs and civil society – the 1 for 7 billion campaign – lead to some changes in the process to allow greater transparency in the process and more opportunities for civil society and the broader UN membership in the General Assembly to take a part in hearings of the candidates.⁷⁹ But there are problems with making IOs more democratic. Even in opening up for more civil society involvement, the result will not necessarily be a more democratic process, because there might be a bias in which groups are able to voice their claims in global forums.⁸⁰

How can we judge the legitimacy of the ITU Bureau? As *technical experts* in a technical organisation they may have been perceived as *neutral* and *impartial*, or at least as operating in accordance with the goals of the organisation. But the Swiss supervision means that they were not ‘*international*’ and therefore not neutral in the sense of being independent of all member governments or representing the interests of all member government equally. On the other hand, Switzerland itself

⁷⁶ Xu Yi-Chong and Weller, "To Be, But Not to Be Seen," 41.

⁷⁷ Newman and Ravndal, "The International Civil Service."

⁷⁸ Magdalena Bexell, Jonas Tallberg, and Anders Uhlin, "Democracy in Global Governance: The Promises and Pitfalls of Transnational Actors," *Global Governance* 16, no. 1 (2010).

⁷⁹ <http://www.1for7billion.org/> (accessed 05.01.17).

⁸⁰ Klaus Dingwerth, "The Democratic Legitimacy of Public-Private Rule Making: What Can We Learn from the World Commission on Dams?," *Global Governance: A Review of Multilateralism and International Organizations* 11, no. 1 (2005); Klaus Dingwerth, "Global democracy and the democratic minimum: Why a procedural account alone is insufficient," *European Journal of International Relations* 20, no. 4 (2014).

was a ‘neutral’ country, and a ‘Swiss’ Bureau was therefore neutral and impartial in relation to the interests of the great powers. The perceived ‘neutrality’ of Switzerland was important in the ITU’s decision to locate its new Bureau there, but other factors influencing this decision was the geographic location of Switzerland at the centre of Europe and the European telegraph network.⁸¹ Although great powers were important as sponsors of founding conferences in the 19th century – the ITU was founded at a conference in Paris in 1865 – organisations’ headquarters would often be located in one of the small, neutral states. By 1914 the Swiss capital Berne hosted the headquarters of five international organisations: ITU, the Universal Postal Union, the Central Office of Railway Transport, the International Union for the Protection of Industrial Property, and the International Union for the Protection of Literary and Artistic Works.

Most researchers agree that the first IOs were largely controlled by the member states. Hanrieder and Zangl discuss how these IOs served to protect state sovereignty by regulating interaction between states and at state borders, while confirming each states’ right to regulate its internal affairs.⁸² Peripheral or weak states could therefore join IOs precisely as a means of strengthening their claim to sovereignty and gain a better position in negotiations with great powers, like Japan did when it joined the Universal Postal Union while in a conflict with Britain over postal services.⁸³ In this world the idea of an autonomous or independent IO secretariat could be threatening. IOs and IO Bureaus were new inventions. It is therefore possible that a Bureau under the control of one of the member governments, here Switzerland, was less threatening than a truly ‘international’ secretariat might have been. This can be seen in an early debate regarding the ITU Bureau at the 1871-72 Rome conference. Germany had presented a proposal to amend article 61 to indicate that an agent (the secretary-general) would be appointed by the ITU conference directly, and that it was this agent which organised the International Bureau.⁸⁴ This would have bypassed the Swiss government, and turned

⁸¹ Balbi et al., "Swiss Specialties," 216-17.

⁸² Hanrieder and Zangl, "The Embedded State."

⁸³ Douglas Howland, "Japan and the Universal Postal Union: An Alternative Internationalism in the 19th Century," *Social Science Japan Journal* 17, no. 1 (2014); See also Ravndal, "Acting Like a State."

⁸⁴ They proposed replacing the first line of article 61 with this text: "Un agent général nommé par la Conférence est chargé de prendre les mesures propres à faciliter, dans un intérêt commun, l'exécution et l'application de la Convention. A cet effet, il organise sous le titre de Bureau international des Administrations télégraphiques un service spécial, dont les frais seront supportés par toutes les

the ITU Bureau into an international secretariat directly under the control of the entire ITU membership. The Swiss government, naturally argued against this proposed change, but the arguments it used were ones of sovereignty. It argued that the German proposal would increase the authority of the Bureau, an idea which went beyond the ideas and intentions of the Vienna conference, as well as the liberal ideology of the time. Such a Bureau would threaten the sovereignty of member states:

This would allow the International Bureau to enter a new sphere of action and give the bureau an authority which seems incompatible with the dignity and freedom of contracting telegraph administrations [...] the general agent using sovereign authority in the interval would not take long to become an obstacle for the international service.⁸⁵

The Swiss view won the day, and the German proposal was defeated.⁸⁶ The ITU Bureau would remain under the control of Switzerland until 1947, when the ITU became a specialised agency of the UN and adopted the UN system's standards of ICS in its new General Secretariat.

Although member governments may have perceived the ITU Bureau as less threatening because it was under the control of Switzerland, and generally limited to what they believed to be administrative tasks, functionalists will argue that they were deceiving themselves. As Murphy observe, "the limits governments place on intergovernmental agencies can actually contribute to their effectiveness. National governments are not apt to see limited organizations as potential rivals and therefore members will give such IGOs the autonomy they need to do their jobs."⁸⁷ Barnett and Finnemore also noted how secretariats draw authority and autonomy precisely from appearing to be depoliticised.

The power of IOs, and bureaucracies generally, is that they present themselves as impersonal technocratic, and neutral – as not exercising power but instead as serving others; the presentation and acceptance of these claims is critical to their legitimacy and authority.⁸⁸

Administrations des Etats contractants, et dont les attributions sont déterminées ainsi qu'il suit:" *Documents de la Conférence Télégraphique Internationale de Rome (1871-72)*, 145.

⁸⁵ Translation by Balbi et al., "Swiss Specialties," 220.

⁸⁶ *Documents de la Conférence Télégraphique Internationale de Rome (1871-72)*, 487.

⁸⁷ Murphy, *International Organization*, 107.

⁸⁸ Barnett and Finnemore, "Politics, Power, Pathologies," 708.

Early international bureaux, like the ITU Bureau, reflected this logic. Except for the Permanent Court of Arbitration, all IOs created before the First World War had limited mandates, and most of them acted with “a great deal of autonomy.”⁸⁹ In contemporary global governance, we find this pattern repeated in an organisation like ASEAN, which is generally perceived as strongly controlled by the member states, and where the secretariat employ rhetoric to emphasise that they only perform the tasks delegated to them by the member states. Closer study of the organisation still finds that the secretariat act with autonomy and influence decision-making processes, perhaps as a result of the limited language which makes the secretariat appear depoliticised and non-threatening.⁹⁰

VI Conclusion

Did the ITU Bureau have authority to influence ITU policies? The answer to that question would depend on whether or not the Bureau had autonomy, capacity, and legitimacy. Returning to the table of dimensions presented earlier in the paper, table 2 presents an overview of the result.

⁸⁹ Murphy, *International Organization*, 107

⁹⁰ Deepak Nair, "Exercising Prerogative: How States Control the ASEAN Secretariat in Practice" (paper presented at the ISA Annual Conference, Toronto, 29-29 March 2014).

Dimension	Subdimension	ITU Bureau
1. Autonomy		
1.1 Administrative cohesion	Organisational centralisation	Yes
	Homogeneity of personnel	Yes
	Low internal staff mobility	Yes
	Staff longevity	Yes
1.2 Administrative differentiation	Leadership	Yes
	Control of information	Yes
	Independent research capacity	No
	Low day-to-day oversight	Yes
2. Capacity		
2.1 Statutory/ formal powers	Agenda-setting	Yes
	Sanctioning competence	No
2.2 Resources	Size of human resources	Small
	Independent finances	No
	Technical expertise	Yes
3. Legitimacy		
3.1 Status	International status	No
	Credibility	Yes
	Impartiality/ neutrality	Switzerland was neutral
	Democracy/ accountability/ transparency	No
3.2 Expertise	Technical expertise	Yes
	Administrative expertise	Yes

Table 2: The authority of the ITU Bureau

The ITU Bureau did have autonomy. The Bureau was a highly cohesive organisation, centrally located, with a staff that was homogenous and stayed in their jobs for a long time. It also scores well on differentiation, being in control of information flows and with strong leadership. However, the Bureau did not have independent research capacities. It could ask the member states to provide it with information on any topic it wanted to, and also edit the information and chose how to disseminate it, but it did not have the resources or mandate to undertake

independent research. This conclusion confirms earlier work, which has also found that the ITU Bureau in the early period was “the real driving force behind the development of telegraphic relations,” and that it played “a propositional role that had not been envisaged at the outset.”⁹¹

In terms of the Bureau’s capacity to implement policies the result is more modest. It had agenda-setting power and possessed technical expertise, which would indicate that it had potential to influence the decision-making process of the ITU. But the Bureau employed a very small number of staff, and did not control its own budget. It also had no sanctioning competence or any other way of punishing member states if they failed to follow up on ITU policies. The ITU overall made no attempts to impose changes on member states, merely offering a forum where they could agree on common standards, and then letting each state decide whether or not to implement those standards or not. In this the organisation served to protect and strengthen, rather than challenge state sovereignty.

As regards legitimacy, too, the ITU Bureau offers a mixed picture. It did have expertise and credibility, which would indicate that it was a legitimate actor, but other important sources of legitimacy were missing. Contemporary IO secretariats draw on their status as neutral/impartial and international for legitimacy, but the ITU Bureau was not an international secretariat and made no claim to having an international status. On the contrary, this secretariat was firmly under the control of the Swiss government, one of the state members of the organisation. Using our present model of IO legitimacy, this would disqualify the ITU Bureau. Interestingly though, the Swiss connection may actually have enhanced the ITU Bureau’s legitimacy. In the 19th century IOs were a new group of actors in international politics, and the member states may have decided that a secretariat under the control of one of the member states was less threatening, less of a new phenomenon, than a truly international secretariat. Switzerland, furthermore, was a neutral state, it did not take sides in the rivalry between the great powers of the day. A Bureau under the control of the Swiss government would thus also be seen as neutral in political struggles between the great powers.

Overall, the conclusion would be that, yes, the ITU Bureau did have some authority, as it possessed both autonomy and its own form of legitimacy. It is however doubtful how much capacity it really had to

⁹¹ Balbi et al., “Swiss Specialties,” 223.

implement its decisions as the ITU overall made no attempt to directly regulate member states policies. The organisation was founded on the principles of state sovereignty and merely sought to regulate contacts between states, not what they all did domestically. This should not detract from the fact the Bureau nonetheless could shape debates within the organisation and thus influenced what policies the organisation adopted. Also interesting is the possibility that the Bureau obtained legitimacy precisely by *not* being an *international* secretariat. This points to the possibility that the current ICS model is not the only alternative for legitimate global governance. In another context some other principle, like leaving the operations to a small, neutral state, might be equally or more legitimate in the eyes of the organisation's membership.

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