

Who governs? : authority and authorisation in global affairs

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Who governs? Authority and authorisation in global affairs

Inaugural lecture

**presented in an abbreviated version upon the acceptance of the
Full Professorship in International Relations
in the Faculty of Arts and Social Sciences, Maastricht University
on Friday, 20 June 2014**

by

Thomas Conzelmann

Abstract

Who governs global affairs? Apart from nation states, international organisations, businesses, and civil society players are all recognised as important players by contemporary scholars. They are said to possess some degree of authority in global politics. Yet, how can we establish the extent to which rather different entities such as Standard & Poor's, Transparency International, or the United Nations Secretary General possess authority in global affairs? Why would anyone listen to the European Union when it gives recommendations to its member states about sound economic policies, as is the case in the so-called European Semester?

In this lecture I propose an empirical research programme dealing with these issues. I start from the idea that authority is best understood as the fusion of power with a legitimate social purpose, and show how we can reach beyond talking about authority in global affairs in abstract or metaphorical terms. The lecture argues that authority depends on the recognition of expertise, moral standing or the right to act by an audience and demonstrates how this concept can be translated into concrete research. Some empirical illustrations are taken from the study of peer reviews among states. The lecture closes by highlighting the broader relevance of the research programme thus sketched and identifies future research avenues.

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1. Who governs?

Who governs?¹ This question has preoccupied both current day political scientists and ancient philosophers. The essential issue that this question brings up is who actually has the power to influence political decisions. Such decisions may be those that are legally binding – as for instance the laws issued by governments, binding citizens within the respective national borders. But we may also talk about decisions by non-state actors that have a factual impact on global affairs. I will argue today that the question of ‘who governs’ in global affairs needs a fresh look, and that the concept of ‘authority’ can be very helpful in this respect.²

Think about a private organisation called Transparency International which is best known for publishing an annual ‘Corruption Perception Index’. Simply put, this is a publicly available ranking which helps citizens, but also business firms to determine which countries are the most or the least corrupt. This ranking will influence the standing of that country with international investors and foreign donors and lead to a higher or lower likelihood of foreign direct investment and development aid. Or think about the decision of Moody’s or Standard & Poors, two international rating agencies, to lower the credit rating of a country such as France or Greece. This makes lending for the national governments of these countries more expensive. It will with some likelihood lead national governments to try to regain a more favourable rating through cutting down on social security provisions or through the reduction of public services. Or let us take an example from the field of international organisations: We have all become accustomed to the idea that the Organisation for Economic Cooperation and Development (OECD) is assessing the quality of our schooling systems. The best known way in which this is done is the ‘Programme for International Student Assessment’, abbreviated as PISA. Again, the impact of these assessments on domestic policy-making can be quite profound. In Germany national policy makers have even been experiencing a so-called ‘PISA shock’ after the OECD, in its 2001 assessment, found the German educational system to be wanting in certain respects. As a consequence, policy-makers started a debate on how pupils from less educated households could be better integrated into the national schooling system and whether the kindergarten should not be redefined as an institution in which first basic schooling is provided on a larger

¹ I would like to thank Tannelie Blom, Hortense Jongen, Elissaveta Radulova and Rein de Wilde for their insightful comments to an earlier version of this talk. Editorial assistance by Ian Lovering is gratefully acknowledged. The usual disclaimers apply.

² For those of you who are political scientists, the question ‘Who governs?’ will immediately raise associations with one of the towering figures of our discipline, Robert A. Dahl, who died earlier this year at the blessed age of 98 years. The full title of his celebrated 1961 book, considered to be among the most influential works in political science of the 20th century, is *Who Governs? Democracy and Power in an American City*. The question with which Dahl opens his book is the following: ‘In a political system where nearly every adult may vote but where knowledge, wealth, social position, access to officials, and other resources are unequally distributed, who actually governs?’ (Dahl, 1961: 1). So the issue of power and the justification of the wielding of power are at the core of the question ‘who governs?’ Also see the more recent work by Avant *et al.* (2010).

scale than before. Meanwhile, representatives from the Flemish community in Belgium made a point about their much better PISA results than those of the French-speaking community. But none of these actors, neither in Belgium nor in Germany, seemed to be in doubt that the OECD should make these assessments in the way it did.

What do these three examples have in common? I want to highlight three aspects, which at the same time will provide some organising lines for my talk today:

- 1) All three examples pertain to processes by which nation states as pre-eminent social collectives and as sources of public law have come under external scrutiny by third actors. The rankings by Transparency International and by the OECD, and the assessments by international rating agencies such as Standard & Poor's make government conduct transparent and comparable across borders. In this sense, states are subjected to a recurrent quality check of their policies, much as cars are subjected to a road safety check from time to time (also see Zangl and Zürn, 2003: 166). But this is not all. Because such assessments rely on specific choices about using some indicators rather than others and about the weighing of such indicators they are not a neutral and objective tool. Rather, they also subtly promote certain ideas of 'sound policy', for instance that budgetary discipline should be valued over social justice concerns, or that specific competences of pupils from primary and secondary schools should be valued higher than others. The purportedly apolitical provision of transparency by international players thus seems to put into question the idea that governments, parliaments and domestic political groups can determine what is good for the country independently of international forces.
- 2) There is a second commonality: All actors mentioned before are what political scientists and international relations scholars usually call 'non-state actors'. Business firms (such as Standard & Poor's), civil society organisations (such as Transparency International), and the bureaucracies of international organisations (such as the OECD) are distinct from states. They have no legal powers and cannot enforce their decisions in the same way as a state could. Nonetheless they play a role in global affairs and under certain circumstances can be quite important. Even though that impact is sketchy, fragmented, and does not yield a coherent picture, it would nonetheless be wrong to ignore such non-state actors in the study of global affairs.
- 3) A third commonality is that none of the activities I have mentioned so far are based on a political mandate given by states. One could argue that the activities of non-state actors and their impact on domestic policies are not problematic as long as states remain in

control and as long as the organisations I have talked about have been instructed by states to provide their respective services. But this is in fact not true. Neither Standard & Poor's nor Transparency International have been mandated by states. To the contrary, it is quite obvious that some states would rather like not to be ranked by these organisations. And a similar argument can be made about the OECD. While OECD member states have fought long and hard over whether or not the OECD should be allowed to collect data on the performance of schooling systems across its member states (Martens, 2007; Wolf, 2009), this does not mean that the member states can control everything the OECD is doing. Once the principal decision had been taken to mandate the OECD with the assessment of schooling systems, the way in which the assessment is done was taken out of the hands of any individual member state. While there is a PISA Governing Board which unites representatives of national ministries as well as academics and public agencies, national vetoes are difficult in this forum. Moreover, the concrete implementation of PISA is done by a branch of the OECD bureaucracy in Paris, together with national research institutes; so national control becomes even more distant.

Summing up, we see that there is a variety of non-state actors who are playing a role alongside the state in global affairs. These actors are providing normative standards for the assessment of the performance of states. They are listened to by policy-makers, by business people and by the broader public. Under certain circumstances, their assessments are consequential and it may be difficult for states to just ignore them. In other words, these actors and their assessments can be said to carry 'authority'. Such authority is a form of power in global affairs. It makes actors influential, even though they do not issue binding laws or regulations. In line with this thought, international relations scholars have identified various instances of 'non-state authority in the global system' (Higgott *et al.*, 2000; also see Barnett and Finnemore, 2004; Cronin and Hurd, 2008b; Cutler *et al.*, 1999a; Hall and Biersteker, 2002; Rittberger and Nettesheim, 2008). Business firms, civil society organisations, and international organisations are all said to possess authority in global affairs, and the same is said of the norms they promote and the regulations some of them produce. And decisively, this authority is not associated with the power of state or government.³

³ In this sense, we observe a profound transformation. The study of 'inter-national' relations, that is the study of how nation states interact, and how a certain pattern of inter-state relations emerge from this interaction, is of course still relevant. But to think about global affairs as 'politics among nations', as an older generation of scholars would have it (Morgenthau, 1948; also see Waltz, 1979) certainly does not capture the essence of global affairs anymore.

Yet, we should not stop here. There are, in my view, two shortcomings of this current discussion. The first is that the concept of authority is often used in a quite loose, even metaphorical sense. What do we actually mean when we say that an actor or an organisation carries authority? And second, how can we empirically determine the existence of authority? How do we determine whether an international organisation or some form of private regulation carries more or less authority than others?

These are the questions that I want to focus on in my talk today. More precisely I want to ask three questions:

- 1) First, what do we actually mean when we say that an actor or an institution possesses 'authority' in global affairs? What is this authority based on? My key argument is that authority should be seen as a relational concept. That means that authority is not simply derived from the possession of expertise or of certain powers, but crucially depends on the recognition of this authority by others. Authority – to slightly modify a well-known saying – lies in the eye of the beholder. And even though this idea may sound quite simple, the implications for practical research and for the way in which we look at the question of authorisation in global affairs are profound.
- 2) Second, how should empirical research on the existence of authority be done? How can we recognise authority? To discuss this, I will briefly present the approach and some results of a research project on peer reviewing procedures among states that my team and I are currently involved in.
- 3) And third, I want to discuss some broader questions. I want to show how the research programme suggested here might be applied to different kinds of actors and different types of authority, want to focus on the issue of authorisation, and also want to show how the approach suggested here links to existing research programmes within our faculty and University.

2. The location of authority in global affairs

The argument that non-state authority exists at the global level can hardly claim originality. Quite a few authors have made similar arguments in the past (see for instance Bogdandy *et al.*, 2010; Cashore *et al.*, 2004; Cronin and Hurd, 2008b; Cutler *et al.*, 1999b; Grande and Pauly, 2005; Hall and Biersteker, 2002; Hansen and Salskov-Iversen, 2008; Rosenau, 1992; Rosenau, 2007). These scholars argue that 'authority' exists in a variety of places and for different actors.

So the notion of authority is not restricted to just the examples that I mentioned before. In fact scholars have identified a number of areas in which non-state authority exists. Equally interesting, we will see that scholars have actually meant quite different things when they have talked about 'authority'.

One well-known strand of the literature is dealing with 'private authority' in international affairs (Cutler *et al.*, 1999b; Hall and Biersteker, 2002). The focus of this discussion is on the way in which private actors, in particular firms, have become increasingly important as regulators alongside the state. Private actors are issuing standards for economic activities such as accounting or creditworthiness, they are issuing rules for banking operations, or are regulating the internet. There is also the broad field of corporate social responsibility (CSR), denoting private regulations developed by firms and often jointly with civil society actors in fields such as the fight against corruption, the protection of core labour rights, environmental standards or the prevention or smothering of violent conflicts (Breitmeier *et al.*, 2013; Deitelhoff and Wolf, 2010; Flohr *et al.*, 2010). In some industries there even exists such a variety of regulations that the regulatory effort becomes fragmented (Fransen and Conzelmann, 2014). On the basis of such developments, scholars observe that 'non-state actors seem increasingly to be functioning authoritatively in ruling themselves and others' (Hansen, 2008: 3). Here, authority relates to the issuing of rules and regulations that are meaningful in governing global affairs.

A second noteworthy field of scholarship deals with the authority of international organisations (IOs) and their bureaucracies (Barnett and Finnemore, 2004; Biermann *et al.*, 2009). As in the previous example, it is noted that these bureaucracies are operating quite independently from nation states and are nonetheless having an impact on global affairs. It is highlighted for instance that decisions taken by the European Central Bank or the International Monetary Fund are deliberately insulated from member state influence. IO bureaucracies are also noted for the way in which they marshal expertise and process information. Therefore they frequently possess a broader and more structured knowledge about certain policy problems than member states (Blom and Vanhoonacker, 2014). Scholars also recognise the moral standing of the United Nations Secretary General to embody the common interests of all states or discuss the authority of the Presidents of the EU Commission and Council to 'speak for Europe'. On the basis of such thoughts, Barnett and Finnemore have argued that these IO bureaucracies can carry moral and expert authority, but also authority derived from the rational and disinterested execution of their competences (2004: ch. 2).

A third, and to some extent less visible discussion deals with the authority of individuals of an unquestionable moral standing. Here I talk about the likes of Nelson Mandela, Kofi Annan, Aun

Sang Suu Kyi, or Bono. All of them in various ways can credibly claim to speak for common values and ideals of mankind. Also a person such as Lakhdar Brahimi who after a long career as an Algerian and UN diplomat was appointed as a United Nations Special Representative for Afghanistan and Iraq and as an Envoy for Syria would fall into this category (cf. Karlsrud, 2013). Some such elder statesmen (and stateswomen) have founded an informal group called 'The Elders'. It sets as its aim to 'support peace building, help address major causes of human suffering and promote the shared interests of humanity' (www.theelders.org), and in doing so the group makes a point of being 'independent of any national government or other vested interest'. Interestingly, the group was originally brought together on the initiative of businessman Richard Branson, and musician Peter Gabriel, who managed to convince Nelson Mandela to act as chairman of the group. As Gabriel explained to the French newspaper *Le Monde* in August 2012, *'We had to convince Mandela to be part of this group. Since the idea was to bring together people with moral authority, he was our number one target'*.⁴ From there on, the group developed and now features members such as Martti Ahtisaari, Kofi Annan, Jimmy Carter, Mary Robinson, and Desmond Tutu. This is an interesting example of a group seeking to act through 'moral authority'. The prestige of these individuals gives them the possibility to instigate discussions and bring people together to resolve intractable conflicts even though they do not possess material power resources.

One may object that these three strands of scholarship pertain to issues that should be better kept separately. And of course you are right. It is difficult to compare the authority of a rating firm to that of Nelson Mandela or to that of an international bureaucracy. But on the other hand all of these actors and institutions have been mentioned as examples of 'non-state authority' in global affairs. Thus, the diversity of phenomena that we are talking about here forces us to be clear on concepts and definitions. This I want to do in the next step.

3. Authority as a relational concept

As briefly mentioned before, the discipline of international relations has traditionally been quite state-centric. It predominantly focused on states, their relations, and their activities. This focus reflected the notion that nation states have overwhelming power in terms of their possession of military, economic, and political resources. All authority in this system was said to rest with nation states. No matter what international organisations or civil society actors were advocating or doing, it was assumed that states could block or ignore any developments they did not agree

⁴ La diplomatie des papis; M - le magazine du Monde, 24 August 2012. The English translation is taken from the page <http://theelders.org/article/feature-grandpa-diplomacy> (last accessed on 12 June 2014).

with. While the activities of non-state actors were seen by some as relevant and interesting, most scholars agreed that these activities were without consequences, and hence could be safely ignored. It is against this background that scholars got excited about the idea of a 'power shift' (Matthews, 1997) from state actors to non-state actors. Scholars found that non-state actor contributed to policies at the global level by putting issues on the agenda, by participating in decision-making, and by helping with monitoring states' conduct. Reflecting on these developments, scholars argued that political authority had been 'relocated' away from the state (Rosenau, 1992) and had been 'reconstituted' at the global level (Grande and Pauly, 2005), so that it would now present itself in a 'disaggregated' form (Rosenau, 2007). In this discussion, the concept of authority has mostly been used to talk about the distribution of decision-making powers at the global level and about how various actors contribute to the common good. Florini, for instance, discusses the 'changing nature of authority in the international system' in terms of the question of 'whether and to what extent the world is ... seeing changes in who is providing collective goods and why' (2000: 25). A concomitant approach is the idea of authority that is based in law – legal authority (cf. Hurd, 2008: 27–28)

The idea of authority as a relational concept departs from this idea in two ways: first, and most importantly, authority does not simply exist because some governance functions are taken over by specific actors or because these actors possess specific resources. An additional element is the recognition of this power as legitimate by third actors. Thus, in the words of Cutler *et al.*, 'authority exists when an individual or organization has decision-making power over a particular issue area and is regarded as exercising that power legitimately' (1999a: 5). And in the words of Ruggie (1983: 198), authority should be understood as a 'fusion of power with legitimate social purpose'.⁵ In this concept, authority is the product of a relationship between on the one hand the bearer of authority, and on the other hand the actors or group that recognise this authority as legitimate. I will call the latter group the 'audience' henceforth. A second departure from the previous ideas is that in this concept there is no exclusive focus on rules and regulations anymore. For instance, we should be able to talk about the authority of experts or high-level individuals in global politics or about the authority of Transparency International as the voice against corruption, even though the influence of these actors does not work through rule-making, but rather through the recognition of their expertise or moral standing.

⁵ Similar ideas are presented by Barnett and Finnemore, who argue that the 'authority of IOs, and bureaucracies generally ... lies in their ability to present themselves as impersonal and neutral – as not exercising power but instead serving others' (2004: 21). In a similar way, Hurd argues that 'authority is a social relation that exists between actors and the structures that make up their social setting. It exists when actors believe that the structures embody legitimated power and they act in ways that reinforces it' (Hurd, 2008: 26)

In such a concept, authority emerges where actors begin to voluntarily follow or at least take into account the rules, advice, viewpoints or cognitive scripts that another actor or organisation provides, because of their perception that the rules, advice, viewpoints or cognitive scripts carry legitimacy. For instance, rather than simply saying that an IO enjoys authority because it possesses expertise or because it has been delegated certain powers we need to find out empirically to what extent this IO is recognised as an authority by specific groups of actors. Private regulation does not simply become authoritative because some rule or standard is in place, but because firms defer to these standards or rules or because governments consider that the business community is capable of achieving results, and therefore refrains from regulation in this area.

Methodologically, the authority concept that is proposed here implies to focus on the legitimacy perceptions of those that are confronted with an international institution or an actor. More concretely: there is a focus on civil society, the media, domestic interest groups, but also states and their bureaucracies who are constantly assessing the legitimacy of specific institutions, actors and policies and who are in this sense important for the recognition that something or someone is 'authoritative'.

I am aware that I am treating you with a rather abstract discussion here. So, who cares? Why should this be interesting? I want to answer this question with three remarks: First, this concept offers better avenues for the comparison between different organisations, actors or institutions. In a research project I am presenting to you below, we ask why some peer reviewing procedures among states are taken more seriously than others, in other words, why they carry more authority. We are looking for the answer by understanding the authority perceptions of the audience at whom the results of a peer review are directed: domestic policy makers, the media, but also the broader civil society. Second, I believe that this approach offers better opportunities for a dynamic perspective. By this I mean the question of how authority is gained or lost, and how some actors are trying to establish themselves as authorities. Again, the answer would lie in authority perceptions: Actors become authoritative not just because they possess certain decision-making powers, but because they are seen to use these powers in an appropriate manner, or because their expertise is recognised as authoritative by the broader audience. It is quite obvious that for instance international organisations are employing specific strategies to establish themselves as authorities, for instance by hiring experts or by opening up to civil society. But the key question of course is whether and to what extent they are successful in this. Here we have to understand what the audience thinks about these international organisations and their activities, and whether they *perceive* them as authoritative.

Let me address two possible misunderstandings before I continue: First, it is of course not the case that power does not exist in the absence of perceptions. If NATO projects military force or if the International Monetary Fund decides to provide or reject funds to ailing economies, these decisions are significant even in the absence of authority perceptions. But if we want to understand whether this power projection is seen as legitimate, then the perspective proposed here becomes important. It helps us to understand why Western states decide to work through NATO or the IMF instead of sending troops or providing funds on a purely national basis and outside of international organisations. NATO, because of its command structures and procedures, may be seen by Western military powers as the right forum to coordinate military action. At the same time, NATO gives its member states the possibility to present themselves as military players that are interested in the defense of common values and in the provision of stability rather than in unilateral power politics. The key question then is whether NATO is recognised as fulfilling these roles in a legitimate manner; in other words whether it carries the authority that is necessary to accomplish these tasks.

Second, the focus on legitimacy perceptions that I propose here does not imply normative indifference. In other words, a specific organisation or a specific actor does not acquire normative dignity just because a specific subset of actors perceives it as authoritative. The assessment of the legitimacy of global governance through the lens of normative yardsticks derived from political philosophy is of course equally relevant (also see Borrás and Conzelmann, 2007; Conzelmann and Wolf, 2007; Flohr *et al.*, 2010: ch.8). The research programme proposed here simply chooses another methodological approach by focusing on the legitimacy perceptions of actors that are subject to authority.⁶ It seems to me that this approach is particularly pertinent in a world in which there is no normative consensus about a good political order and in which, therefore, the discussion of the *different* standards of legitimacy that are applied in global affairs is a key necessity. In this sense, research into the *recognition of authority* by specific groups of actors constitute an interesting and highly relevant focus.

Dear colleagues, dear friends, in the first part of my lecture I have provided some basic thoughts. In the next step, let me spell out how to make practical the research programme I am proposing here. I am doing this by discussing a research project on peer reviews among states that my team and I are currently involved in.

⁶ A similar distinction is made in the field of political sociology. Two classical works focusing on the legitimacy beliefs of electorates rather than the normative dignity and democratic qualities of specific political systems are Easton (1965) and Lipset (1963).

4. Measuring the authority of peer reviews

In April 2014, the Netherlands received a number of recommendations in the latest round of reviews of its economic policies by the Organisation of Economic Cooperation and Development. They focus on the three priority areas of fiscal consolidation, banking regulation, and helping small and medium-sized enterprises through public loans and deregulating the labour market (OECD, 2014). This system of ‘country surveillance’ – as the OECD calls it – is a long-standing activity of the organisation, and, according to some researchers, is held in quite high esteem by policy-makers in member states (Conzelmann, 2014; Marcussen, 2004; Woodward, 2010). It is important to note that these recommendations are not made by the OECD secretariat alone, but in close collaboration with all member states of the organisation. They come together in a body called the ‘Economic and Development Review Committee’, in which member states conduct a ‘peer review’ of each other’s policies. In the end of this review process they come up with recommendations to the reviewed state. Importantly, these recommendations are not binding on states – they are just recommendations. In order to have an impact on the ground, the peer review procedure and its outcomes need to be recognised as meaningful by the states. In other words, they need to be recognised as carrying authority. The empirical question then is whether this is actually the case.

On 18 June 2014 the German newspaper *Frankfurter Allgemeine Zeitung* published the following headline: States flout Brussels recommendations (Mussler, 2014). The ‘European semester’ that the article relates to is part of the strengthened coordination of macroeconomic policies that the EU agreed on in the wake of the financial crisis. Under this system, the Commission proposes certain recommendations that have to be adopted by the Council of Ministers and are then directed at the member states. Again, a system of peer review is installed in this way. The article reports findings from a study commissioned by the European Parliament according to which many of the recommendations are ignored or only partially implemented by the member states. So, in this case there seem to be signs of a lack of authority of this particular reviewing scheme.

Starting from such impressions, as well as the vast number of peer reviewing schemes that in the meantime exist in global affairs⁷ we believe that it is worthwhile to ask two questions: first, is it

⁷ Possibly best known are the peer reviews of the OECD in the field of economics, corruption control, environmental and development policy (Pagani and Wellen, 2008; Woodward, 2009). Since 1989, the WTO is operating its Trade Policy Review Mechanism (TPRM) that was to a large extent modelled on the OECD experiences (Ghosh, 2008; Laird and Valdés, 2012). The European Union has been experimenting with several variants of the Open Method of Coordination for almost two decades (Borrás and Radaelli, 2010; Zeitlin, 2005). A more recent arrival on the stage is the United Nations Human Rights Council’s Universal Periodic Review (UPR) that seeks to improve the observance of human rights following the criticism levelled at the former UN Commission on Human Rights (Abebe, 2009; Gaer, 2007; McMahon, 2012). Other more

actually true that various peer reviews show different degrees of authority? What are the perceptions and beliefs directed at peer reviews? And how are reviews conducted in practice? Second, to the extent that we can identify differences, we want to know how to explain such differences. If it is for instance true that the OECD reviews carry more authority than those organised within the European Union, how can we explain that? In other words, we want to focus on the conditions under which peer reviews among states are acquiring authority in their field. We therefore conduct a comparative study of peer reviews in four different policy fields (corruption control, human rights, sustainable development, macro-economic coordination) and in three different organizational contexts (the UN family, the OECD, regional integration institutions in Europe). The principal idea is that these different organisational and policy contexts may have a systematic impact on the emergence of authority perceptions and the functioning of reviews.

Regarding the authority perceptions of actors about peer reviews,⁸ we distinguish between three aspects (Cronin and Hurd, 2008a: 12)⁹: first, the perceptions of actors that some sort of transnational accountability to ‘peers’ applies, and that peers should have the competence to make judgments on whether the policies of a particular country are reasonable and in line with standards of ‘sound policy’. This pertains to perceptions about the ‘mission’ of a particular institution. Second, we are interested in the extent to which the execution of this competence is seen as reasonable and in line with certain norms by the participating actors. This element pertains to the ‘proceduralism’ of an institution. Third, our focus is on the question of whether the outcomes of peer reviews are considered to be meaningful (thus speaking to the ‘capabilities’ dimension). In addition to such perceptions of authority we also focus on the way in which states execute the reviews. For instance, we want to know the amount of resources states are committing to the review, the types of reviewers they send, and the way in which they behave during and after the review. In terms of methods, we use questionnaire-based surveys, interviews, and (where granted) direct observation in order to research the two dimensions of authority perceptions and concrete behaviour in reviewing schemes.

recent examples include the African Peer Review Mechanism (APRM) and the peer reviews conducted in the context of the Financial Stability Board (McMahon and Ascherio, 2012; Porter, 2010).

⁸ The following discussion heavily builds on a conference paper about the measurement of authority that Hortense Jongen, one of the PhD candidates in the project, and I have written (Conzelmann and Jongen, 2014). I would like to thank Hortense, but also the other PhD candidates in the project for their meticulous and inspiring work on the authority concept.

⁹ The measurement proposed here builds on the following definition by Cronin and Hurd (ibid.): ‘an institution acquires authority when its power is believed to be legitimate. Authority requires legitimacy and is therefore a product of the shared beliefs about the appropriateness of the organization’s proceduralism, mission, and capabilities’.

Unfortunately, there is no space to explain in more detail the questions that we ask, and their rationales. However, I would like to highlight some interesting findings that we have up to now, but also some of the difficulties that we encounter.

- A first finding is that the idea of peer reviewing in general receives quite widespread support. Regardless of whether interviewees at the OECD, the Council of Europe or other international organisations are asked, they see some merit in peer reviewing. However, there are quite some differences in whether reviews are valued simply because of the lack of alternative monitoring instruments, or because reviews are seen as possessing some intrinsic value.
- A second finding is that not just the perceptions of the functions and the purpose of reviews differ, but also the standards by which reviews are evaluated. For instance, when asking whether respondents think that a review is conducted in a fair manner, we see that the applied fairness standards are quite distinct across organisations. In the OECD for instance, the idea that all participants should be submitted to the same type and standard of review is predominant. In the Council of Europe however, the idea of differentiated reviewing is more common, meaning that reviews are conducted according to the level of development and other country-specific characteristics. Thus, it seems that what is considered appropriate or fair in one organisation would not be seen as fair in another.
- One issue we are wrestling with is who precisely carries authority. When we talk about the 'authority of a peer review', this may be a statement about perceptions of the review procedure as such, about the expertise and conduct of the reviewers, or may be a statement about the perceptions of the authority of the international organisation as a whole. Two principal solutions are possible here: on the one hand one could treat organisation, procedure, and individual as a conglomerate that together are seen as authoritative. On the other hand, distinctions between organisations, procedures, and individuals can also be highly relevant empirically, for instance in understanding where deficits in the functioning of a review lie. Further, this distinction is relevant to understand the different strategies of international organisations to generate authority perceptions. One could easily see how IOs are trying to increase their authority for instance by revising procedures, by installing experts, or by becoming more open to civil society. I will return to this question below.
- Another issue that we encounter is how to delineate the group of relevant actors that we want to consider when we assess the authority of a peer reviewing procedure. It is

useful here to distinguish between an insider and an outsider perspective. 'Insiders' would be the civil servants in national ministries and in international organisations who are conducting the reviews. But there is a clear danger of reaffirming the importance of peer reviews by just speaking to people who participate in it and thus have a stake in the process. We therefore also talk to 'outsiders', for instance civil servants who are not involved in the review, but also to parliamentarians, media representatives and civil society organisations. The real test for the authority of peer reviews comes with the question of whether these procedures are recognised and taken seriously outside the inner circle of participants.

This project is ongoing, and I believe that in one to two years from now we will have quite interesting results. In looking ahead, however, I do not want to pre-empt our research results. I rather want to indicate how I would like to expand our current focus to new and other research topics.

5. Who governs? Authority and authorisation in global affairs

Questions of authority and authorisation in global affairs provide a fascinating and fruitful research agenda that I want to focus on in the coming years. The discussion is fascinating as it provides a specific approach to the issue of 'Who governs in global affairs?' While old school International Relations would answer this question with a simple reference to states and their military and economic resources, this approach is not able to capture the entirety of decision-making and change at the global level – even though I would of course not dare to say that economic and military resources are unimportant in present day global affairs. It is just that a focus on military and economic might is only able to tell half, and in my view, the less interesting half, of the story. One reason for this is that control over military and economic power resources does not mean control over outcomes, as we can see in situations like Iraq and Afghanistan, to only mention two very obvious examples. Theorists of the power of states have argued since the 1990s that the unilateral use of power resources to coerce other states as well as the strategic exploitation of interdependence have become more costly and have advanced the idea of 'soft power' (Nye, 1990; Nye, 2004). As expressed in a classical formulation by Joseph Nye, 'if a state can make its power seem legitimate in the eyes of others, it will encounter less resistance to its wishes' (1990: 167). The link to the research agenda proposed in this lecture is obvious: The power of states (more precisely: the effectiveness with which military and economic resources and the strategic use of interdependence can be exploited) to some extent also depends on legitimacy perceptions of audiences. In that sense, the research agenda advanced here would not

just be relevant for non-state authority, even though its application is more straightforward when actors do not avail of strong material power resources.

The second reason is the growth of importance of non-state actors that I have mentioned before. These actors are not just important as co-regulators, as discussed above. They are also important as audiences whose perceptions of authority matter. This means that we would want to understand for instance how a specific regulatory scheme in the chemical industry is looked at by business actors or by civil society organisations or whether the moral authority of an international organisation is recognised by domestic electorates and civil society organisations. In other words, the audiences for the recognition of authority are as diverse as the actors that are participating in the development and the implementation of rules at the global level. To use a distinction that has been made by quite a few authors (Friedman, 1990), being 'in authority' in the sense of having received a formal mandate from states and thus possessing formal powers based on an act of delegation may be of less importance in the future. Rather, becoming 'an authority' in the eyes of a yet to be determined audience is the key to governing in global affairs.

When seen from this perspective, the approach suggested here could in principle be fruitfully extended to a range of other institutions or actors in global affairs, both of a public and a private character. This would be a first way to expand the research agenda proposed here. There are in principle no limitations to the imagination regarding the type of international institutions that could become the object of such research – one could think about the state-driven, but largely informal and hugely influential G7/G20 (Conzelmann, 2012b) as well as private regulation in more narrow fields such as the chemical industry (Conzelmann, 2012a). In both these cases the question would be to what extent the decision-making and the output of these institutions would be seen as authoritative by an audience. The limitations in this respect are more of a practical nature, having to do first with access for researchers and second with the potentially very wide range of actors that one would need to talk to in order to know more about the authority of such organisations or regulations.

This brings me to my second point. The focus on the authority of global institutions and organisations suggested here inevitably brings with it the question of 'who authorises'? I have mentioned above that a principal difficulty of the research programme suggested here is how to delineate the audiences, i.e. the groups of individuals whose authority perceptions we want to probe into when we want to determine whether an actor or an institution can be seen as 'an authority'. In the peer review project, we have started with the 'insiders' participating in reviews and are now gradually progressing to the 'outsiders' that use the results of peer reviews or other

monitoring instruments.¹⁰ What is interesting about this discussion is how the authority perceptions of an audience are quite likely changing from the in- to the outside and what that means for the authority of for instance an international organisation. The (limited) research that exists on the extent to which recommendations emerging from the Open Method of Coordination in the European Union are taken up in the domestic media or in parliamentary debates (Hallerberg *et al.*, 2011; Meyer, 2004; Meyer, 2005; Ruiter, 2013) opens interesting avenues in this respect. Some authors have also begun to do population surveys on how the legitimacy of international organisations is perceived (Ecker-Ehrhardt and Wessels, 2013; Steffek, 2012: 92–94). Alternatively, and more appropriate for the segmented and task-specific character of global governance one could work with the idea of functionally separated communities of stakeholders that are important for recognising the authority of an actor or an institution (Schmelzle, 2008).

A linked and equally interesting discussion is whether institutions can ‘engineer’ authority perceptions, that is engage in some sort of ‘self-authorisation’.¹¹ This discussion shows clear overlaps with the one that is currently led under the label of ‘self-legitimation’ of international institutions (Biegoń and Gronau, 2012). Here the focus is on the strategies through which IOs, but also private regulatory institutions seek to enhance the legitimacy of their decision-making procedures or their outcomes. We see for instance in our project that some peer reviewing schemes are wilfully designed in such a way as to increase the transparency of the procedure to the outside world or to decrease the potentials for politicisation. Likewise, the EU – and to a limited extent the United Nations Security Council – are both engaging in stakeholder dialogues and the involvement of civil society. In doing this, they are seemingly following a model of participatory governance in order to increase legitimacy (Kohler-Koch, 2012). The OECD is engaging in various ‘outreach activities’ to make its membership and its policies more inclusive. The political and also rhetorical (Halliday *et al.*, 2010) strategies used here, and the ideas on how to create legitimacy and authority that are in the minds of policy-makers when employing such strategies are a highly interesting emerging research field. On the other hand, one also needs to look at the process through which such strategies may or may not find resonance. Whether legitimation strategies result in authority perceptions is an open question

¹⁰ This question is in the focus of the PhD project of Martina Kühner, one of the PhD candidates in the project on peer reviews among states.

¹¹ In line with the specific understanding of the authority concept proposed here, the term ‘authorisation’ takes on a special meaning, as outlined in the main text. A different understanding of the term can for instance be found in Flohr *et al.* (2010: 209): Here, the term is used for the ‘formal authorisation’ that public actors (‘the state’) give to private actors to regulate certain areas of human affairs independently of government intervention. Consequently, ‘a private actor may (or may not) have substantial authority independent of formal authorization. Their claim of contributing to governance may be based, for example, on a credible commitment to universally accepted basic norms, general welfare, knowledge-based professional expertise, or more general problem solving resources’ (ibid.). Thus, in this understanding of the term the process of authorization does not extend to the recognition of authority by an audience. However, it becomes important for assessing the legitimacy of corporate governance contributions.

that can only be clarified empirically. In any case, we have to caution against the idea that authority perceptions of audiences can be ‘engineered’, in the sense of being under the control of an international organisation or any other actor involved in legitimation politics. In fact the opposite might be true, as the emerging research on the global dissent regarding the decision-making and policies of international organisations (GIGA *et al.*, n.d.), and the increasing ‘politicisation’ of international institutions shows (for instance Fossum and Trenz, 2006; Zürn *et al.*, 2012; Zürn and Ecker-Ehrhardt, 2013).¹²

Third, the focus proposed here in my view is also relevant for the research programmes of our faculty and of the University as a whole. In the research programme ‘Public Bureaucracies of a Globalizing World’ housed by our faculty there is a strong focus on trans- and supranational bureaucracies and whether and how these bureaucracies are able to exert influence on the content, scope and execution of decisions and policies. Civil servants working in these bureaucracies, but also the leadership of the bureaucracies usually¹³ do not avail of strong material powers vis-à-vis the member states. To the extent that they exert influence on the decisions and policies of an international organisation they will do so either because certain powers have been delegated to them, or because their expertise or moral standing is recognised by the political leadership in the member states, i.e. because this leadership recognises the authority of an IO to some extent (Barnett and Finnemore, 2004). The question under what conditions international bureaucracies can have influence on decisions and policies of international organisations thus can be reformulated as a question about the conditions under which international bureaucracies can gain authority. These conditions can be structural, for instance as regards the specific policy area. Policy areas may be more or less complex and therefore more or less amenable to the expertise provided by public bureaucracies. Strong value conflicts in a policy area can be a constraint that makes the emergence of authority perceptions directed at an international organisation less likely. But we can also look at the actor side. Bureaucracies may actively seek to establish themselves as policy experts, as neutral brokers, or as credibly embodying commonly shared values in a specific area. Their shrewdness (or lack

¹² This research strand is particularly prominent in Germany. One should note however that the concept of authority used by the respective scholars is different to the one advanced in my talk. Zürn, Binder, and Ecker-Ehrhardt (2012) are critical of the idea that the existence of authority requires the existence of legitimacy beliefs. Their argument is that if institutions can only be considered an authority if supported by legitimacy beliefs, the notions of authority and legitimacy become indistinguishable. In my view, this critique rests on a problematic equation of authority beliefs and power. As outlined above, authority is defined as ‘legitimate power’. Hence, while there can indeed be no ‘illegitimate authority’ in our concept, there can be illegitimate power. These are powerful institutions that are not considered an authority, either because actors believe that the institution should not have these powers, or believe that power is executed unreasonably and not according to shared norms. The power of such institutions – for instance a dictatorship – is rooted in the possession of coercive resources, but not in authority beliefs. In this sense, not every gain in competences leads to an increase in authority, as Zürn and his co-authors would have it.

¹³ An exception are the powers of policy initiation that the European Commission possesses in many of the policy areas governed by the EU.

thereof) in doing this will increase or decrease their authority and thus influence on decisions and policy results.

This thought is of course not peculiar to the research programme on 'Public Bureaucracies of a Globalizing World' alone. Our colleagues from the programmes on Science, Technology and Society Studies (STS) and on Globalisation, Transnationalism and Development (GTD) are grappling with similar issues having to do both with the power of experts and expertise and with the question how societies in the Global North and the Global South are experiencing and perceiving global change and the role of international organisations. I am looking forward to explore these avenues of overlap and cross-fertilisation, as I look forward to making a contribution to the UM research focal point on Europe and a Globalising World through these activities.

6. Close

The research programme I have suggested today ultimately is an empirical *and* a normative one: Doing empirical research on the authority of international institutions means being interested not just in power, but also in the legitimacy of global governance – even though the issue is approached from the perspective of what audiences believe about international institutions and procedures, rather than from the perspective of political philosophy. As I briefly mentioned before, I believe that the programme I am proposing should be seen as a complement rather than an alternative to the normative discussion of global governance which for instance seeks to understand whether this form of governance complies with standards of democratic legitimacy or the less demanding standard of public accountability (Breitmeier, 2008; Buchanan and Keohane, 2006; Cohen and Sabel, 2005; Grant and Keohane, 2005; Moore, 2006; Quack, 2010; Steffek, 2007).¹⁴ While this latter perspective is certainly useful, it does not systematically probe into the legitimacy perceptions of those who are subject to the decision-making power of an organization or an international institution.

As I have highlighted above, numerous methodological issues are facing the kind of research suggested here: for instance how to delineate those whose legitimacy perceptions matter, or

¹⁴ I have myself done some work in this tradition together with co-authors. For instance, in work on the legitimacy of private self-regulation that Klaus Dieter Wolf and I have done (Conzelmann and Wolf, 2007), we have used three abstract legitimacy criteria, namely *responsiveness* to external demands, *congruence* between those who are affected by private regulation and those who have a say in its development, and the existence of *accountability and control mechanisms* (also see Flohr *et al.*, 2010: ch. 8). I have pursued similar ideas in an article dealing with the legitimacy of soft modes of governance in the EU (Borrás and Conzelmann, 2007).

how to deal with the empirical fact that actors are using different standards of assessment when thinking about the legitimacy of an international order. These questions correspond with some of the most intractable issues in those discussions of the legitimacy of international order that are inspired by political philosophy: for instance the *demoi* problem or the issue which concept of legitimacy (deliberative, representative, parliamentarian, output-oriented etc.) might be most appropriate for global governance. But such difficulties should not distract from the principal thought that any international order, no matter how legitimate it may be from the perspective of political philosophy, ultimately needs to command legitimacy also in the eye of the beholder. This, then, would be the ultimate goal that the research programme advanced today would have: to research the ways in which international and global governance can be made more legitimate not just in the assessment of our community of IR scholars, but also in the eyes of those who are subject to global governance.

[Words of thanks]

7. References

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