Agency Theory and the WTO: Complex Agency and "Missing Delegation"?

Manfred Elsig

World Trade Institute, Berne
Graduate Institute of International Studies, Geneva

Draft, comments welcome

This paper analyses the role of the World Trade Organization's Secretariat in a "member-driven organization". The first part of the paper briefly looks at "agency" in the international relations literature. Second, the use of principal-agent (PA) frameworks to analyse international organizations is discussed and hitherto neglected elements on both sides of the PA equation are addressed. In particular, the paper stresses the role of proximate principals in so-called member-driven intergovernmental organizations. Third, the paper discusses variance in the role of the Secretariat in trade negotiations and uncovers a puzzle of "missing" delegation from the principals (member states) to the agent (WTO Secretariat). The paper shows how PA can assist in filling the gap where dominant explanations from the literature on international organizations suffer from explanatory power limits. The paper concludes with a cautionary note as to the "location" of international organizations' emerging pathologies.

Introduction[1]

The infamous 3rd Ministerial Conference in Seattle in 1999 helped shape the image of the World Trade Organization (WTO) as a powerful inter-governmental organization. The WTO has developed to finally occupy the position originally envisaged at Bretton Woods and embodied in the Havana Charter. But together with the creation of the WTO in 1995 critical voices have also multiplied. Neo-liberals and social-democrats usually decry the overall orientation of the institution. For neo-liberals the organization has departed from its original mission of tearing down obstacles to trade. They deplore an apparent trend towards transforming the WTO into a development agency that does not overcome mercantilist prerogatives. Meanwhile, social-democrats decry the limits to taking up non-trade concerns, complain about an increasing inequality resulting from the trading system, and lament an overtly liberal agenda. In addition, protectionist and conservative forces denounce what they perceive as increasing pressure from Geneva to reform domestic policies that are culturally and socially embedded within the national political context (Elsig 2007). This new degree of intrusiveness into national regulatory domains, the perceived loss of sovereignty and the struggle over orientation has led to many calls to do away with Geneva judges and bureaucrats. Yet, does the WTO Secretariat wield sufficient power to merit it being a prime target of protest? Anecdotal evidence of WTO staff and judges blatantly exploiting their autonomy, however, is hard to find. In other cases, the contracting parties' reactions to alleged "abuse" of autonomy have been remarkably vocal.[2]

Only a few studies have addressed the inner life of the institution and have provided insights on the role of the Secretariat (Croome 1995, Blackhurst 1998, Xu and Weller 2004).[3] Therefore, we lack knowledge (based on empirical work) as to how civil servants influence the

[2] One prominent example has been the reaction to the Appellate Body's decision to allow – under certain conditions – the submission of information by third parties (groups, which are not official members of the organization and not disputing parties (the so-called Amicus Curiae Briefs Debate (see Mavroidis 2001)).
[3] There are some exceptions, such as a study on the role of a chairperson in the system (Odell 2005), or the contribution by Thompson and Snidal (2005) working from a regime management perspective.

politics within the organization. Particularly in comparison with its sister organizations, the International Monetary Fund (IMF) and the World Bank, the WTO has been less often the target of international relations (IR) scholars attempting to assess the role of international civil servants, their autonomy and some of the evolving pathologies. The question remains whether this is simply due to the alleged constrained autonomy of international civil servants within the WTO with the notable exception of the judiciary arm. WTO contracting parties are usually eager to emphasize that the global trade institution is a member-driven organization, a message echoed by WTO staff members in public and in private.

This paper aims to look behind the façade of member-driven organizations and further enhance conceptual tools to explain the functioning of international organizations (IOs). In particular, the paper strives to contribute to an emerging literature on the role of international civil servants. Conceptually, working within a principal-agent (PA) framework, this paper addresses issues on both sides of the PA equation that have so far not been sufficiently studied. In this respect, the paper is intended to contribute to the general debate on designing IOs and will focus in particular on the issue of delegation to and within IOs. The paper tackles the empirical puzzle of the weakening role of the WTO Secretariat in trade negotiations. Put differently, the paper asks why further delegation to the Secretariat appears difficult. While in dispute settlement the organization (and in particular its judges) have received substantial autonomy as a result of the Uruguay Round, in current negotiations the civil servants are kept on a short leash. Functional approaches to explaining delegation predict that further tasks should be delegated to the Secretariat. Yet, on this matter, the overwhelming majority of contracting parties are strongly against further *ad hoc* delegation. I will back my arguments with selected evidence based on (ongoing) field research.

The paper starts with a discussion on how agency is treated in the IR literature. Secondly, it reviews existing PA-based analyses, points out a number of caveats and suggests a "new twist" within existing conceptual frameworks. Thirdly, the paper focuses on the role of the Secretariat in negotiations and contrasts current autonomy with its role in past negotiation rounds. In doing so, it introduces the puzzle of "missing delegation". Finally, the question of why delegation transfer seems difficult is discussed before concluding with a cautionary note on pathologies within IOs.

Agency and IR Theory

IR theories have rediscovered international institutions (Simmons and Martin 2001, Koremenos et al. 2001, Barnett and Finnemore 2004, Hawkins et al. 2006). While realists have largely been indifferent to the role of international institutions and international bureaucrats, functionalists have attributed to international institutions a facilitator role in co-operation.[4] Early functionalist work focusing on regimes (but often meaning institutions) considered that the primary contribution of these platforms was in overcoming collaboration problems (the classical prisoner's dilemma (PD) situation). International institutions (embodying agreements) were singled out as lowering transaction costs, providing information and solving commitment problems. Institutions were designed to increase compliance and discourage actors from reneging on commitments (Keohane 1984). Realists and functionalists working with a situation-structural or problem-structural approach (Hasenclever et al. 1996, Levy et al. 1995) observed that co-operation could be less likely when the context resembles game-theoretical situations distinct from PD. These approaches questioned whether co-operation moves the outcome automatically in the direction of the Pareto frontier. Depending on the situation, institutions play different roles. Later functionalist contributions, such as the rational design literature (Koremenos et al. 2001) concentrated on the creation of IOs focusing on explanations to account for variance in their scope and depth. Yet, with few exceptions, the above approaches did not attribute real agency to IOs.[5]

Conceptual work on the role of international bureaucrats has been largely left to constructivist scholars (Barnett and Finnemore 2004) applying sociological and organizational approaches. As Barnett and Finnemore argue, international civil servants enjoy special types of authority going beyond their rational-legal authority. Many sources have been identified that contribute to their expanding role as an authority, including alleged neutrality; moral stands on championing the global interests and their special expertise in a field (Barnett and Finnemore 2004:21-24). International bureaucrats apply authority in influential ways, such as by

---

[4] For realists, institutions largely reflect power distribution among their participants. Institutions and thus the civil servants in IOs serve those interests.

[5] Oran Young's work conceptualizes the role of leadership in negotiations (Young 1991).

classifying and defining overall discourse in a given policy area, fixing meaning in the social world and actively guiding norm diffusion (Barnett and Finnemore 2004:31). Barnett and Finnemore contribute to the general wisdom on run-away agents and pathological agency behaviour. Similarly, rationalist PA frameworks applied to IOs have worked predominantly on the assumption of costs being unilaterally distributed on the agency side or what Thompson calls an "anti-agent bias" (Thompson 2006). All too often, in PA frameworks (similar to constructivist contributions) civil servants have been described as run-away agents unless they are being closely controlled (Vaubel 2006).

However, IOs (and thus the role of civil servants) vary considerably along a number of dimensions including the autonomy to carry out their tasks (see also Thompson and Snidal 2005). Some institutions are more eager to exhibit agency leadership than others. Some international civil servants use the discretion offered to them more actively than others. The evolving PA literature is increasingly focusing on agency and its effects. The research programme has slowly expanded from its original focus on the reason for delegation and the control mechanisms at the disposal of the principals to looking in more detail at the role and nature of the agent. The next section takes up important conceptual issues related to using PA in explaining the autonomy of IOs and international civil servants.

PA Frameworks: Addressing Both Sides of the Equation

PA approaches have only recently started to cross-fertilize the study of IOs (Pollack 1997, Nielson and Tierney 2003, Hawkins et al. 2006).[6] Early work concentrated on the question of why states delegate and how to devise control mechanisms to keep the agent in check. Most such work has exhibited a bias towards emphasizing the principal side and has downplayed the role of the agents.[7] In addition, early contributions on PA applied a stereotype of opportunistic

---

[6] PA developed within the area of business studies focusing on the role of firms. PA was later applied to US Congressional politics and EU studies, and has recently been more frequently used in studies on IOs (McCubbins et al. 1987, Kiewiet and McCubbins 1991, Epstein and O'Halloran 1999, Pollack 1997, Hawkins et al. 2006).

[7] The basic PA framework allows for research on agency. Nevertheless, by starting with interests on the principal side, we neglect the interests of agents. By observing how agents' behaviour overlaps with principals' interests, many studies conclude that this is because of the principals' power and control mechanisms. Yet, such an argument ignores the possibility that agents might share the principals' interests in the first place (e.g. an agent working within the WTO is in favour of gradually opening up trade). Other beliefs regarding the conduct of trade policy (e.g. mercantilism, strategic trade policy) are limited through the screening process in recruiting. In

agency behaviour helped by the existence of asymmetric information (Niskanen 1971, Ross 1971). Most PA contributions conceive of the agent as engaging in a technocratic "shirking" or "slippage" exercise to maximize his or her own benefits.[8] Agents are expected to pursue their own interests that are largely influenced by the bureaucratic mandate and personal interests (Dunleavy 1991). Similarly, some constructivist research suggests that pathological behaviour evolves when agents use the discretion at their disposal (Barnett and Finnemore 2004). For this reason, keeping a potential run-away agent in check through control mechanisms is claimed to be the pivotal assurance policy instrument for making delegation work (Kiewit and McCubbins 1991). These mechanisms are usually applied *ex ante* (e.g. through screening, precision of mandate), *at locus* (e.g. by influencing decision-making through oversight committees) or *ex post* (reporting, re-contracting, sanctioning) (Hawkins et al. 2006). These mechanisms, however, can be quite costly. The least costly are probably *ex ante* mechanisms which define a clear mandate and choose the agent to carry out the task. More costly instruments rely on one's own "policy patrols" (e.g. large missions representing the country); the use of *ex post* mechanisms tend to be the most costly.[9]

Some recent work has looked at additional sources of "shirking" and "slippage" that have been neglected. Focusing on the principal side, the existence of *multiple or collective principals* (Nielson and Tierney 2003, Lyne et al. 2006) might have effects on the PA relationship. In particular, agency autonomy is affected if principals lack consensus on mandates and can not agree on control mechanisms. The work of Gutner (2005) suggests that if principals delegate conflicting tasks, agency performance is negatively affected. Thus, this type of delegation (*antinomic delegation*) sends unclear signals, leads to poor performance and often results in "mission creep". Mission creep is present in IOs as a result of a complex mission with conflicting objectives. Similarly, Thompson (2006) reverses the analytical angle to focus on delegation costs on the principals' side. These costs are a result of providing too few resources to carry out tasks (*principal shirking*), lack of consensus and unclear mandates (*principal drift*) and finally opportunistic behaviour by some of the principals to obstruct the work of the agent (*principal subversion*).

---

addition, principals' interests are not carved in stone and agency behaviour under certain conditions can change principals' interests and thus positions.
[8] On definitions of autonomy, discretion, shirking and slippage, see Hawkins et al. 2006.
[9] Yet, when ex post control instruments can be credibly signalled throughout the process, costs can be controlled.

If we turn to the agency side, the mandate largely explains the autonomy granted and influences the design of control mechanisms of delegation. A certain minimal autonomy is a natural product of delegation. A trustee receives much more autonomy than a regime management agent due to the nature of task to be carried out (Pollack 1997, Majone 2001, Thompson and Snidal 2005). When autonomy is assessed, the key question remains: What factors explain the agent's use of the autonomy granted and the type of action pursued (Elsig 2007)? In this respect, it is also important to assess how the agent reads the mandate and defines his or her role. Understanding the reading of the role by the agent is pivotal in order to explain the different approaches chosen by agents to the use of their autonomy. Agents often have quite complicated incentive structures that need to be traced.[10] Agents use the autonomy granted to them in different ways; some stick to the mandate (*work-to-rule*), other agents "exploit" autonomy in light of flawed mandates (*gap-filling*) or loose control (*asymmetry-exploiting*); and still others build buffer zones in case principals might react negatively in the near future (*buffering*).[11] Yet, most studies analytically disregard the subtle ways through which the agent uses his or her autonomy. Recently, the task of filling this lacuna has been taken up by several scholars (Gould 2006, Hawkins and Jacoby 2006, Cortell and Peterson 2006, Elsig 2007).

The IO as a Complex Agent

Usually PA frameworks assume delegation from a group of principals to an agent. The reality, however, is more complex as not only do many principals (multiple or collective) exist, but also various agents. In order to understand the complex nature of agency in IOs, we need to unravel the organization. An IO usually combines different agency roles (as the costs of creating a new IO for each task would be too great) and there are different PA relationships constituting a complex agent. This paper focuses on PA relations and in particular on the special role played by the proximate principals, who at the same time are agents of contracting parties and key principals within a member-driven organization.[12]

---

[10] There are also strong traditions and operating procedures within institutions as to how to interpret given tasks.
[11] See also Hawkins and Jacoby (2006) on interpretation, reinterpretation, building permeability and buffering.
[12] The existence of multiple agents within an IO has been largely overlooked in current research.

The literature has recognized the existence of long delegation chains in relation to IOs. There are many intermediate actors between the ultimate principal within each nation-state and the agent who is to carry out certain tasks within an IO. Nielson and Tierney have addressed the issues of nested PA relationships and acknowledged the difficulties for agency theory in dealing with them (2003:249). In this respect, the conventional wisdom holds that agency losses increase with the number of actors within a delegation chain. An often-used device to control the ultimate agent is the creation of strong proximate principals (PPs) who largely act as filters and transmit societal interests. The PP plays a key role in an IO, especially when the power relation between state actors and bureaucrats within an organization is strongly biased in favour of the former. In Nielson and Tierney's analysis, the PP represents the key principal controlling the IO. Yet, one can go further and investigate their pivotal role within the institutions as they are also an important element of agency. Thus, we need to broaden our understanding of what constitutes the agent.

In the context of an IO, the agent can be the Director-General, the various departments mandated to carry out different tasks, a dispute settlement body or the delegates of contracting parties that are actively engaged in rule-making or rule-implementation within an organization. Thus, the agent is not only the IO staff, but includes state actors; the latter work jointly with the Secretariat in symbiosis and in conflict. When states delegate power to IOs, they usually install different control mechanisms (placing member states' representatives in the various regulatory stages of decision-making). As a result, the institutional design varies across IOs and strongly influences the autonomy held by IO staff (which is the agent in the narrow sense). Thus, representatives are at the same time part of the complex agent as well as part of the PPs that exert control over the IO bureaucracy. If IO civil servants have a lot of discretion then PPs are more likely equated with the classical principal role.[13] Yet, in cases where the autonomy of the staff is low and PPs have more power and influence, we need to pay more attention to this type of agent within the delegation chain and we also need to allow for pathologies to emerge here. Figure 1 pictures the various delegation chains and places the PP at the centre of analysis.

---

[13] As studies on the IMF, WB, etc. suggest.

We can think of three chains of delegation. The first contractual relationship exists between what I call the "sovereign principals" and the IO as a complex actor (①).[14] The sovereign principal usually installs *ex ante*, *at locus* and *ex post* control mechanisms. In the context of the WTO, the sovereign principals design and control the IO directly via Ministerial meetings and negotiation rounds. As regards *at-locus* control, the PPs play an important role for the sovereign principals. The sovereign principals send messages directly to the IO, the Director-General (DG) or the Secretariat, but mostly work via the PP.

The second contractual relationship exists between the sovereign principals and their proximate principals (②). In the context of the WTO, these are the countries' missions of the contracting parties to the WTO. Thus, the PPs can be thought of agents serving their principals. There is large variance in sovereign principals' use of control mechanisms to keep these agents in check.[15] In many contracts, efficient control mechanisms are absent. Whereas lack of communication between missions and their capitals is not unusual for smaller players, bigger parties' PPs (e.g. the US and EU missions) are tightly controlled by their sovereign principals assisted by high transparency, interest group politics, institutionalized co-ordination and reporting activities.[16]

The third contractual relationship touches on the daily work within the IOs. Here, agents of the sovereign principals play the role of the powerful proximate principals. The civil servants (including the DG of an IO) are the agent in a narrow sense (③).[17] While the questions about the grand design are ultimately decided by sovereign principals (but "pre-cooked" by PP) and offer the broad boundaries of division of labour and control, the PPs dominate the day-to-day work of IOs, often enlarging and limiting the agent's autonomy. While they have to overcome collective action problems as multiple principals in micro-managing the institution and the IO staff, they are often hesitant to delegate and opt for *ad hoc* delegation models. This type of delegation allows for easy re-contracting as it is usually limited in coverage and time to make sure that the agent sticks to the mandate given. This paper argues that this third

---

[14] I disregard at this stage the delegation losses from the ultimate principal (e.g. voters) to the principal contracting to an IO (government).
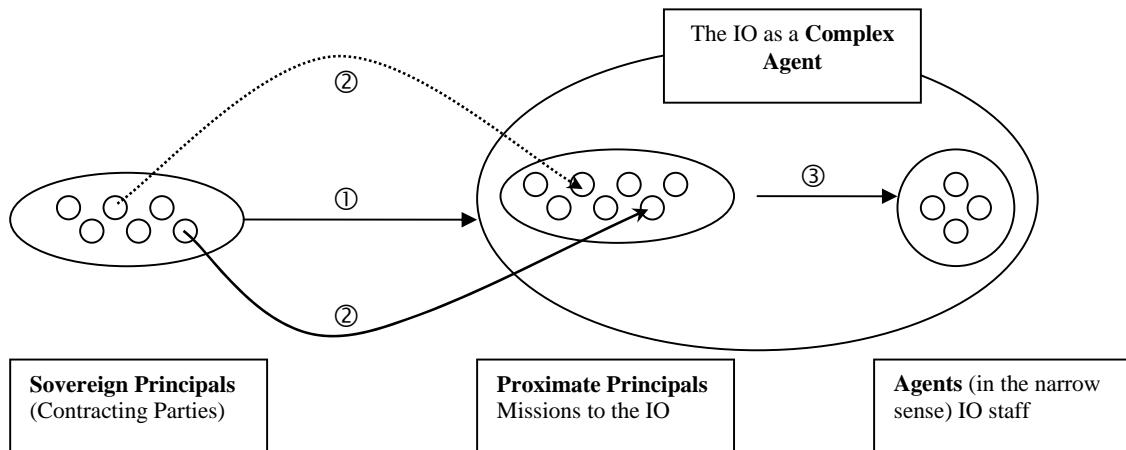
[15] In the context of the WTO, some thirty countries have no proximate principal present in Geneva.

[16] The US trade negotiators (USTR) are institutionally controlled by Congress, the President's office and other ministries, the EU trade negotiator (Trade Commissioner) is controlled via Member States (Comitology system) and to lesser degree by parliament. Civil society and business serve as police patrols and function as fire alarms.

[17] In practice, one could think of three additional PA relationships: between PPs and the Secretariat, between PPs and the DG (and his or her entourage) and between the DG and the Secretariat.

contractual relationship has received insufficient attention in past analyses of IOs, especially for IOs that are labelled member-driven.[18]

Figure 1: Contractual relationships

The IO as a **Complex Agent**

②   ①   ③   ②

Sovereign Principals (Contracting Parties)

Proximate Principals Missions to the IO

Agents (in the narrow sense) IO staff

WTO Bureaucrats in a Member-Driven Organization[19]

The Secretariat consists of the DG and his entourage (e.g. Cabinet and deputy DGs), the regular staff (the international civil servants working in the divisions), and the Appellate Body.[20] The DG receives a mandate from the Members. Tasks include managing the Secretariat, chairing the Trade Negotiating Committee during negotiations, providing, if necessary, "good offices" in dispute resolution, and deciding on the election of panellists, should disagreement occur. In the Sutherland report, the DG is pictured as losing influence

---

[18] Thus, this applies with a lesser degree to Secretariats that seem to be more influential (IMF; WB).

[19] The empirical evidence presented in this paper is largely based on elite interviews. A former DG of the WTO, 2 members of the Office of the current DG, 2 acting Deputy DGs, 10 current Directors of the WTO Secretariat (of a total of 15 Directors who are involved in negotiations), 3 mid-level Secretariat officials, 2 former influential Secretariat officials and a number of Ambassadors have been interviewed in the course of 2007. The relatively large number of interviews conducted increases the robustness of the findings. Information is cross-checked and measurement errors have been largely controlled.

[20] The Appellate Body (AB) is a hybrid institution as it is not paid through the regular Secretariat budget. This does not apply to the AB Secretariat. However, I conceptualize the AB as part of the WTO Secretariat.

within the system, and is characterized more as a spokesperson or a marketing executive than an influential player (Sutherland et al. 2004, Shaffer 2005).[21] The Secretariat has steadily grown over the years, but is still small compared to staff numbers in other global economic multilaterals. The GATT/WTO system has been, since the very beginning, a member-driven organization and the role of Secretariat had never been explicitly defined (see Footer 2006:68).[22] "The GATT Secretariat (…) was not allowed to have a formal Office of Legal Affairs (or a formal legal adviser) until 1983 (Blackhurst 1998:42)." Until the end of the Uruguay Round, Secretariat officials "were nominally employed by a phantom agency, the Interim Commission for the International Trade Organization, which had lost its purpose nearly 40 years earlier and now existed solely as a channel for the payment of salaries and other budgetary expenses (Croome 1995:145-146)." Few proposals for strengthening the Secretariat have seen the light of the day. During the Uruguay Round a number of Nordic States proposed additional delegation of power to the DG, yet delegations did not take up this issue. For its part, the Swiss delegation, despite being favourably inclined to empowering the DG, abstained from supporting such a proposal, because it feared that if contracting parties took up the question of delegation, the DG would end up with less rather than more power (Croome 1995:156).

Researchers have begun recently to look at the WTO through the PA prism (Cortell and Peterson 2006, Thompson and Snidal 2005).[23] Most agree that the Secretariat enjoys limited authority and a dominant role is reserved for contracting parties' delegations within the system. Evidence from interviews with high ranking officials within the WTO Secretariat suggests that members have little room to exploit. Two WTO Directors reflected on their recent arrival at the WTO and described their experience as follows: "It was an organisational shock coming from the outside, people within the institution are very cautious, they are Secretaries!"[24] and "When you start working here you learn quickly what is your territory!"[25] In addition, the member-driven nature can be observed by focusing on how the proximate principals maintain control

---

[21] See Chapter IX of the Sutherland Report.
[22] The WTO agreement does not mention the Secretariat but states that the Ministerial Conference "shall appoint the Director-General and adopt regulations setting out the powers, duties, conditions of service and terms of office" (Article VI:2).
[23] Thompson and Snidal (2005) distinguish their concept of regime management from a PA and credible commitment model.
[24] Interview 2007 (#16).
[25] Interview 2007 (#13).

through various micro-management tools and ad hoc delegation. Illustrations of micro-management are the lengthy debates in the Budget Committee. Member States use tight monetary control mechanisms to influence agency activism. One interviewee from the Secretariat lamented "budgetary procedures are from the 19th century".[26] Another example of "policing" is when delegations screen speeches delivered by the DG and call up his Cabinet to criticize certain passages of these speeches.[27] A former DG recalled that a lot of time was wasted, when for instance some PPs attempted to influence which NGOs should be invited to speak (or not) at a side-event conference during a Ministerial Conference organized by the Secretariat.[28]

The uses of authority in constructivist terms, such as classifying the world, fixing meaning and articulating and diffusing are limited as the Secretariat is one actor among many.[29] In the context of the WTO, the staff's expert authority is mainly based on its institutional memory as a key legitimizing characteristic (see Barnett and Finnemore 2004). Yet, the above characteristics do not render the Secretariat influential; they need to be delegated certain tasks providing for autonomy and discretion. The Secretariat comes closer to what Thompson and Snidal (2005) describe as a regime manager. In negotiations it assists in overcoming the participants' PD posed by international collaboration in some areas and in helping to find sustainable solutions in games characterized by multiple equilibriums and various distributional challenges. The Secretariat helps to lower transaction costs by providing a negotiation platform, increasing information on the problem and distributional effects and can serve as a neutral broker. On compliance, it locks in commitments credibly by providing for one of the most legalized dispute settlement systems within IOs and in providing more transparency to decision-makers as regards national policies that go against the philosophy of the GATT/WTO system by managing a peer-pressure exercise (implementation, trade policy review). Finally, the Secretariat increasingly engages in empowering weaker contracting parties through technical assistance and training activities. The Secretariat (and in particular the

---

[26] Interview 2007 (# 16).
[27] Interview 2007 (# 8).
[28] It took a lot of time to persuade some PPs that this side-event conference was just another symposium (interview 2007 (# 24).
[29] While "moral authority" presenting "themselves as champions of the shared values of the community against pluralistic interests" (Barnett and Finnemore 2004:23) is also an important source of identity among WTO Secretariat officials, domestic actors, transnational civil society and business groups are no less influential in norm creation and norm diffusion (see also Wolfe 2005).

DG and the Directors of the various divisions that are involved in negotiations) are in close contact with the chair of the various groups. Depending on the tasks one could think of several agents.[30] Below, we look at how delegation in negotiations has varied over time and address the puzzle of "missing" delegation using the above framework as an analytical driver in the background.

The Secretariat as a Negotiation Facilitator

The Secretariat has mostly assisting functions during negotiations. The DG holds a special position as chair of the Trade Negotiation Committee (TNC) and during a Ministerial he usually jointly runs the negotiation process with the host government's responsible Minister.[31] In his or her function of chairing the TNC, he convenes meetings with heads of delegations, holds informal meetings and often participates as an observer in small group negotiations (e.g. in G4) *de facto* representing the entire membership.[32] A DG has to earn the trust of the principals over time and he usually only takes the risk of engaging in activism, when he sees positions starting to overlap and when he receives signals to put a negotiation text forward.[33] Staffs "participate" in negotiations predominantly via the various Committees they assist. Generally, the Secretariat organizes the meetings jointly with the chairs. The Secretariat assists the chair in compiling information and agenda-setting as an important element of steering (e.g. the ordering of topics to be discussed can at times be strategically applied). It is not unusual for Secretariat officials to draft language for the chair to summarize the outcomes of meetings (Odell 2005). Generally, the chair works in symbiosis with the Secretariat or as one Secretariat official puts it: "There is overlap of interests. The chairman wants to have success which is good for his career; we want to move things forward for the system to work."[34] Its influence is largely dependent upon the resources of the chair or as Odell puts it "chairs from most states, which have small or tiny missions in Geneva, rely heavily on the Secretariat" (Odell

---

[30] It is not unusual for staff members to carry out more than one task, e.g. someone in the Rules Division can be called to teach on a training programme, assist the legal office in panel proceedings, assist a chair in negotiations, etc.

[31] The function is not explicitly defined in the treaties, thus the fine line of jointly chairing negotiations (DG and host government) can shift.

[32] The G4 negotiations include the US, the European Union, India and Brazil.

[33] Interview 2007 (# 11).

[34] Interview 2007 (# 4).

2005:429). Weak chairs are described as symbolic actors merely giving the floor to contracting parties and collecting information.[35] In addition, overall trust and personal characteristics are factors influencing the working relationship. Yet, chairs have also come under increasing scrutiny. Contracting parties and in particular proximate principals not only attempt to control the Secretariat, but also signal strongly to the chair how much they expect her or him to table chairperson proposals.[36] These texts (that rely heavily on proposals from contracting parties) have become rare in this round.

There is sufficient evidence to suggest that in the past the Secretariat was more influential in the negotiations, e.g. as Secretariat officials were selected on many occasions to chair official and informal negotiation groups. Today, this is not the case any more. Many examples can be drawn from the Tokyo Round. But also during the Uruguay Round, the Secretariat was far from being a bystander.[37] One former high-level WTO official recalled that he was asked to chair many informal meetings, even though the chair was officially a representative of the contracting parties.[38] Even after the Uruguay Round, the Secretariat played an "effective role". During negotiations to conclude the so-called Telecommunication Agreement, a high-level official from the Secretariat was influential by chairing negotiations on the reference paper within these negotiations. He recalled, this "was the only important multilateral thing to be negotiated (…) the rest was negotiated bilaterally."[39] In addition, evidence suggests that chairperson positions during the Uruguay Round went to highly skilled personalities with knowledge and expertise (Croome 1995:147).[40]

Another staff member described the changing role of Secretariat over time by drawing on his own experience. "As a young professional during the Tokyo Round I could do more

---

[35] Interview 2007 (# 1).

[36] Special types of documents – often used in the Uruguay Round – are informal papers called "non-papers" listing various groups of proposals (Croome 1995:151). They serve to guide the discussions and highlight overlap and divergence of positions.

[37] One senior official chaired a negotiation group on non-tariff measures and another official chaired a group tackling specific aspects of trade policy review. The so-called Surveillance Body was chaired by DDG Madan Mathur and DDG Carlisle chaired an informal negotiation group on clarifying positions on anti-dumping. Yet, the chairing by DDG Carlisle backfired (Croome 1995:156, 191, 210, 262); also interview 2007 (#12), interview 2007 (#25).

[38] "There were many drafting sessions (…) we wrote a lot of papers that had legal consequences" (interview 2007 (#25)).

[39] Interview 2007 (#25).

[40] There were fewer chairman posts to be occupied and these generally went to long-serving trade diplomats.

against the will of members than today as a Director."[41] Currently, the Secretariat seems less influential in negotiations; some divisions (e.g. services) are even bypassed by negotiators mainly due to the negotiation modes via plurilateral (critical mass) and bilateral negotiations.[42] Another high-ranking official shared insights on interaction with the chair during negotiations: "While the Director of the Division was invited to some bilateral or other meetings, the chair conducted many caucuses with members, where the Secretariat was not present."[43] Finally, an important feature of assistance is the provision of key information. This is often done through technical work, such as providing simulations. It can be argued that in this area clear comparative advantage exists within the Secretariat to carry out this work. Many contracting parties need assistance while the Secretariat possesses key data sets (and methodological tools) to measure the effects of certain policy solutions under negotiation. However, parties are increasingly agreeing to do parallel simulations in restricted circles, often bypassing the Secretariat.[44]

The empirical evidence presented above, however, does not suggest that the Secretariat was a key actor in the negotiations in prior rounds. The Secretariat was always tightly controlled by the proximate principals. Countries have always shown reluctance to allow the Secretariat to engage in interpretation or exhaustive reports. Some reports from the Uruguay Round could also broadly reflect the PA relationship in the current stage of negotiations.[45] DG Dunkel's position in the Uruguay Round was not substantially different from DG Lamy's position today, working under the guidance of the contracting parties and working gradually towards finding common ground.[46] While DGs in the Uruguay Round attempted to gain leverage through informal green room processes to which the most active delegations were invited leading to text proposals and keeping the Round on track, current DGs have to pay more attention to inclusive processes (as numbers of active participants have risen). Nevertheless, the DG, his cabinet and, in particular, the Secretariat officials in the various

---

[41] Interview 2007 (# 2).

[42] Interview 2007 (# 9).

[43] Interview 2007 (#13). Some chairs rely less on the expertise of the Secretariat, the most prominent example is the current Chair of the Committee on Agriculture.

[44] Interview 2007 (# 13).

[45] Many countries were reluctant, in the early stages of the Uruguay Round, to authorize the Secretariat to produce any documentation other than (exhaustive) reports on the meetings of the GNS (Group of Negotiations of Services) (Croome 1995:124-5).

[46] Croome 1995:29-30.

divisions, seem to have lost some influence in the negotiations as the chairing has been exclusively taken over by PPs and in a number of areas their expertise is not fully "used" by the chair and the other PPs.

The Puzzle of "Missing" Delegation

The regulatory politics of the global trading system have suffered a number of crises in the past decade. While some trade experts argue that crises are a normal feature of the GATT/WTO system, others reason that the frequency of crises has intensified and call for a rethink of the decision-making procedures within the institution. In times of stalemate, the questions on reforming the system receive more attention. One of the many proposals is to increase the role of the Secretariat. Chapter IX of the Sutherland Report (Sutherland et al. 2004) suggests the remedy of giving the Secretariat more standing. The authors of the report lament that the Secretariat has become more timid and passive (see also Shaffer 2005).[47] Yet, members are critical about delegating new powers to the Secretariat. While the story of the Secretariat's role in dispute settlement, implementation and technical assistance and capacity building might be told differently, in negotiations the agents are not sufficiently "utilised". In other words, the proximate principals are hesitant to delegate more power to the Secretariat (e.g. chairing sessions, producing texts, assisting more actively as neutral brokers, creating focal points, engaging in linkage, etc.). In some areas, the Secretariat is left out of the key negotiations (e.g. in services negotiations in the plurilateral and bilateral approaches that dominate the modes of negotiations).

What could more delegation to the Secretariat in negotiations achieve? It is interesting to observe that participating countries *de facto* accept a coalition-based decision-making system within concentric negotiation circles where the breakthrough is expected within small groups (Elsig 2006). Yet some developing countries (including those without official representation in Geneva) might fare better with a Secretariat at their side helping them to tackle existing asymmetries (e.g. lack of expertise and resources) that cannot be overcome by coalitions. We should observe that "states that lack international influence will typically favour

---

[47] While earlier attempts by DGs to appoint groups of eminent persons were successful, as "the high quality of these people made sure that their reports were considered" (Croome 1995); today such reports spark discussions outside the system, but many ambassadors are turning a blind eye to them.

delegation" (Hawkins et al. 2006:22). In addition, a functionalist argument posits that in light of the current deadlock and the system of endless cycling (tabling country proposals), a third party perceived as "neutral" could help broker agreements. The above-described functionalist logic can be extended. While the rational design literature does not offer any convincing explanation for the design of the WTO, many functionalist approaches to delegation could envisage explanations for why we should see an empowered agent. Scholars working within a PA framework have theorized on the obstacles to or reasons for delegation (see Martin 2006:162-3). States delegate more authority when dissatisfied with the status quo, when state preferences among principals diverge (which goes hand in hand with stricter control mechanisms), and when staff and member states have similar preferences – we should also see those close to the staff being the most willing to delegate. A functional analysis of current affairs within the WTO would lead us to expect to see at least attempts by some actors to call for additional delegation. Such "calls" are, however, largely absent.

In addition, one could ask whether the costs of "participation" (in controlling the IO) are not too high (growing number of standing missions to the WTO) and whether strong influence could not be maintained through a less costly control system *ex ante* (screening of the agents, clearer mandates, variable geometry) and *at locum* (e.g. more deputies representing the key coalitions, fewer and more concentrated meetings in which experts from capitals participate). In addition, outsourcing control tools could be encouraged (through coalitions or through additional police patrol groups (e.g. NGOs)) and sustained *ex post* control (e.g. sticking to consensus).

While constructivists assume agencies to have autonomy and are thus not particularly interested in the question of why delegation should occur, realists assume principals to be reluctant to delegate to IOs. Realists are sceptical about delegation which is often summarized with the term "sovereignty costs". In relation to the WTO, Thompson and Snidal argue that "states have a 'love-hate' relationship with this IO capacity because they value the IO's role in promoting the smooth working of the regime and in adapting it to changing circumstances but are reluctant to accept overarching authority with the associated sovereignty costs" (2005:3). Also sceptical, albeit for different reasons, are some authors within the "legalization literature". They see concerns of the sovereign principals committing to new liberalization concessions in

light of an ever-increasing bindingness of international trade law (Goldstein and Martin 2000).[48]

PPs: the Omitted Variable?

While above explanations have made inroads in the context of WTO studies, they fail to address an alternative explanation. The conduct of interviews with high-ranking officials (elite interviews) has led to the finding of an omitted variable. Proximate principals could be an additional obstacle for delegation. This argument applies to both levels, a) grand bargains over institutional design and b) micro-management of the system. In grand bargains, proximate principals are the key drivers of the negotiations; they are engaged in a two-level game dominating the negotiation process between Ministerial Conferences, and prepare the ground for the ministers to strike the ultimate deals. As regards micro-management, selected evidence has been provided above to illustrate the key intermediate function of PPs (often under the radar screen of international politics). This applies to stronger and weaker actors across the board. Based on interviews, three issues seem to have been overlooked by mainstream explanations for missing delegation. They all refer to the high degree of reluctance of PPs to delegate (that goes beyond member states' reluctance to delegate power to IO Secretariats due to increased bindingness of international trade law).[49] The first could be described as the "turkeys don't vote for Christmas" effect; the second refers to the risk of not sufficiently "courting" a number of PPs (e.g. reversed "leap-frog") and the third relates to the absence of "trust in international organizations". Let us briefly address these factors and some selected evidence to illustrate the mechanisms at play.

First, active participation within the system is an important objective for representatives of member states. Membership has increased dramatically since the late 1980s. In addition,

---

[48] This literature focuses on whether legalization has gone too far. It is argued that legalization empowers protectionist forces and takes away decision-makers' appetite for engaging in negotiations with the view of liberalizing markets. While this might explain the US position (and the translation to the US mission) to some degree, it cannot capture the interests of the great majority of contracting parties. In particular, the low-income developing countries have not been challenged through the dispute settlement system, when they did not live up to their obligations (Bown and Hoekman 2007).

[49] Anecdotal evidence suggests that increased bindingness has made many principals nervous and suspicious about the Secretariat's work. Since around 2001, WTO documents (even minutes) have included a disclaimer that the content is without prejudice to the members' rights and obligations (Interview 2007 (# 9)).

many members have become more self-confident about engaging within the system.[50] In a member-driven organization they can shape and influence processes and they can report to the capitals on their contributions in the form of negotiation proposals, important statements and coalition endeavours.[51] Active involvement contributes to legitimizing their stay in Geneva. It also helps them to build a reputation with their own organizations, as colleagues in other IOs might be in a less favourable position to sharpen their profile as able and active diplomats. And, as the average time for which WTO ambassadors serve in Geneva has declined, they need to show results rather quickly. One way for ambassadors to increase their influence and enhance their reputation is through chairing one of the many Committees. While big members are usually not chosen to chair the groups, this represents an opportunity for smaller actors. A former chairman of a medium sized trading nation acknowledged that chairing a group gives some prestige and, in addition, the chair will be automatically present in the green room, which is an important venue for a PP wants to participate and represent the interests of the country.[52] Thus, delegating to the Secretariat means losing influence and deprives the delegations of opportunities to participate in activities within the WTO.

Second, ambassadors seek influence within the system and many view Secretariat and/or DG activism with great scepticism.[53] While interviewees acknowledged that the institution was always member-driven, some blamed visible tightening of PP control as a reaction to *reverse leap-frog*.[54] Many interview partners mentioned the names of Peter Sutherland, Renato Ruggiero and Mike Moore hinting at the change in the nature of DGs from civil servants to political figures with ambitions.[55] There is considerable evidence that incoming political DGs were threatening the position of PPs by taking too much of the

---

[50] Interview 2007 (# 14).

[51] Interview 2007 (# 6).

[52] Interview 2007 (#17).

[53] Some PPs jealously observe Secretariat's activism and do not want civil servants to run the show (interview 2007 (# 10)).

[54] The phenomenon of "leap-frog" is described by Nielson and Tierney (2003). In the case of the World Bank, Nielson and Tierney trace leap-frog activities from a distant principal (government) to an IO staffer. *Reverse leap-frog* is the attempt by the Secretariat to circumvent the PP and engage directly with the superiors of the ambassadors (Ministers).

[55] Peter Sutherland was important for his role in banging heads together at the end of the Uruguay Round in order to achieve agreement, but most interview partners thought that he had not stayed long enough to shake the DG-PP relationship (interviews 2007 (# 4, # 9)). A WTO official recalled "Sutherland caused ripples in the pond, he was extraverted, tough and charming (…) he had an up-front style, liked publicity and thus he rocked the ambassador's boat a little (interview 2007(# 15))."

limelight and selectively doing reverse leap-frog.[56] DGs Ruggiero and Moore publicly humiliated ambassadors by threatening to call the ambassadors' superiors (e.g. trade or foreign ministers) if ambassadors were reluctant to play a constructive role. Anecdotal evidence suggests that this left some ambassadors out in the rain.[57] This type of reverse leap-frog was not at all appreciated by the ambassadors who reacted by overcoming collective action problems and by starting gradually to curtail the Secretariat's power in a number of areas.[58] One Secretariat official recalled how PPs tightened the control of DG Ruggiero after the successful 1st WTO Ministerial Meeting in Singapore in 1996:

> "Singapore was a success for Ruggiero. He had been in charge of preparing the Ministerial; he found an elegant solution to the trade-labour discussion. After Singapore, Ruggiero wanted to convene a head-of-delegation meeting as he regularly did in the preparation. So, invitations were send out. Then a mean-spirited action took place. A delegation of leading ambassadors came to see Ruggiero; they objected to the DGs power to convene head of delegation (HOD) meetings. It was argued that this could only be done by the chairman of the Council and that the HOD meetings prior to Singapore were part of the mandate given to Ruggiero for the Ministerial, now this was over! (…) They reminded him that this was a member-driven organization (…). Ruggiero had to cancel the meeting. He felt anger and frustration, and never got over it (…) He complained that he was welcomed in the world as a king, but in Geneva they treated him as the boy who fills the water glass."[59]

This anecdote exemplified how every DG has to find the right balance in paying sufficient attention and respect to the PP, otherwise he or she risks backlash. A former DG recalled that the relationship with the ambassadors was a crucial one. A lot of time and resources were invested in interaction with them. He recalled that "I spend every year, already in the first two

---

[56] Politicians appointed to the job of DG were used to giving orders to their ambassadors and suddenly they found themselves in the position of receiving orders from the ambassadors.
[57] Interview 2007 (# 9).
[58] This was visible in negotiations, but also in activities of interest to the DG (interview 2007 (# 8)).
[59] Members complained to the WTO official that Ruggiero had an imperial style. He didn't "respect" ambassadors sufficiently (interview 2007 (# 15)).

months, my budget for representation in mainly inviting ambassadors to dinner and interacting with them."[60]

Third, some of the reluctance to delegate of many representatives of low-income developing countries relates to the issue of "trust" vis-à-vis an agent. A former WTO official shared the view that the Secretariat has "an in-build wish to see progress (…) as it wants to uphold and strengthen the multilateral system (…) thus, it's natural that the Secretariat has a tendency to push for negotiations." In addition, in the late 1990s there existed a "post Uruguay Round triumphalism; a view that anything goes". Both factors have met with some concerns from many developing countries.[61] In addition, the Secretariat's impartial and neutral role is occasionally questioned. While many ambassadors value the Secretariat's work in a number of technical and implementation-related areas as well as its expertise, there is a view often expressed by many smaller delegations that the Secretariat is captured by the big trading powers. This argument is usually backed by anecdotal evidence of events the PPs have witnessed during their term.[62] A retired Secretariat Director reflected on this point. During his many years in office, he remembered:

"The Secretariat (and I) thought that rules are good for developing countries (…) so in that sense advice from the Secretariat went into this direction (…) however, developing countries don't like to hear that, it's like the IMF/WB telling them (…)."[63]

Thus, some members are hesitant to delegate to the WTO Secretariat due to their experiences with the IMF and the WB's role in structural adjustment lending.[64] However, the source of spill-over goes beyond the Bretton Woods institutions. A large number of ambassadors are representing their countries in Geneva vis-à-vis multiple IOs. Some evidence suggests that more recent events have led to mistrust of civil servants. Current events within the World Intellectual Property Organization (WIPO) – where the DG and the Secretariat enjoy relatively more autonomy from its members – have lead to criticism from many developing countries. In

---

[60] Interview 2007 (#24).
[61] Interview 2007 (#25).
[62] Interview 2007 (#14); interview 2007 (#20); interview 2007 (#22).
[63] Interview 2007 (#21).
[64] Interview 2007 (# 2).

relation to the current debates on a Development Agenda, one ambassador recalls that many "don't like what they see (…) the Secretariat has a clear agenda and at times tries to 'impose' its views on the contracting members. A group of developing countries tries to re-balance and regain control over the direction."[65]

Conclusion

This paper strives to contribute to the evolving conceptual work on agency and IOs. It focuses on the WTO as a complex agent using a PA framework. It is argued that in IOs that are "member-driven", we need to carefully assess the interests and behaviour of the proximate principals. They are not only part of the complex IO as an agent, but they are the key principal for day-to-day management and ad hoc delegation necessary for regime management activities of the international civil servants. Finally, while some constructivist contributions pinpoint pathological behaviour of civil servants within IOs, this paper presents a cautionary note as regards the location of pathology. As the case of the WTO suggests, the proximate principals sometimes seem detached from the sovereign principals creating delegation costs and keeping substantial power in day-to-day management of the system. In the end, agency costs from delegating to a proximate principal need to be compared with agency costs emanating from empowering the secretariats of IOs. While civil servants can be easily blamed for the intrusive role of global trade law, the question remains whether this is not part of another implicit delegation motive. In sum, in research on member-driven organizations closer attention to the phenomenon of complex agency is merited.

References

Barnett Michael and Martha Finnemore 2004. *Rules for the World: International Organizations in Global Politics*. Ithaca: Cornell University Press.

Blackhurst Richard (1998). "The Capacity of the WTO to Fulfill Its Mandate," in Anne Krueger (ed.), *The WTO as an International Organization*. Chicago: University of Chicago Press, pp. 31-58.

Bown Chad and Bernard Hoekman (2007). Developing Countries and Enforcement of Trade Agreements: Why Dispute Settlement Is Not Enough" Journal of World Trade (forthcoming)

---

[65] Interview 2007 (#23).

Cortell Andrew and Susan Peterson 2006. "Dutiful Agents, Rogue Actors, or Both? Staffing, Voting Rules, and Slack in the WHO and WTO," in Hawkins et al. (eds.), *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press, pp. 255-80.

Croome John 1995. *Reshaping the World Trading System*. Geneva: WTO.

Dunleavy Patrick 1991. *Democracy, Bureaucracy and Public Choice. Economic Explanations in Political Science*. New York: Harvester Wheatsheaf.

Elsig Manfred 2006. "Different Facets of Power in Decision-making in the WTO." Paper delivered at the 2006 Annual Meeting of the American Political Science Association, Philadelphia

Elsig Manfred 2007. "The EU's Choice of Regulatory Venues for Trade Negotiations: A Tale of Agency Power?" *Journal of Common Market Studies* 45(4):927-948.

Epstein David and Sharyn O'Halloran 1999. *Delegating Powers: A Transaction Cost Politics Approach to Policy Making Under Separate Power*. Cambridge: Cambridge University Press.

Footer Mary 2006. *An Institutional and Normative Analysis of the World Trade Organization*. Leiden: Martinus Nijhoff Publishers.

Goldstein Judith and Lisa Martin 2000. "Legalization, Trade Liberalization, and Domestic Politics: A Cautionary Note" *International Organization* 54(3):603-32.

Gould Erica 2006. "Delegating IMF Conditionality: Understanding Variations in Control and Conformity," in Hawkins et al. (eds.), *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press, pp.281-311.

Gutner Tamar 2005. "Explaining the Gaps between Mandate and Performance: Agency Theory and World Bank Environmental Reform" *Global Environmental Politics* 25(2):10-37.

Hasenclever Andreas, Peter Mayer and Volker Rittberger 1996. "Interests, Power, Knowledge. The Study of International Regimes" *Mershon International Studies Review* 40(1):177-228

Hawkins Darren and Wade Jacoby 2006. "How Agents Matter" in Hawkins et al. (eds.), *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press, pp 197-228.

Hawkins Darren, David Lake, Daniel Nielson and Michael Tierney 2006. *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press.

Keohane Robert 1984. *After Hegemony*. Princeton: Princeton University Press.

Kiewiet Roderick and Mathew McCubbins 1991. *The Logic of Delegation*. Chicago: University of Chicago Press

Koremenos Barbara et al. 2001. "The Rational Design of International Institutions." *International Organization* 55(4): 761-99.

Levy Marc, Oran Young and Michael Zürn 1995. "The Study of International Regimes." *European Journal of International Relations* 1:267-330.

Lyne Mona, Daniel Nielson and Michael Tierney 2006. "Who Delegates? Alternative Models of Principals in Development Aid," in Hawkins et al. (eds.), *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press.

Majone Giandomenico 2001. "Two Logics of Delegation: Agency and Fiduciary Relations in EU Governance." *European Union Politics* 2(1):103-22.

Martin Lisa 2006. "Distribution, Information, and Delegation to International Organizations: the Case of IMF Conditionality," in Hawkins et al. (eds.), *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press, pp 140-64.

Mavroidis Petros 2001. "Amicus Curiae Briefs Before the WTO: Much Ado About Nothing." *Harvard Jean Monnet Working Paper* 02/01.

McCubbins Mathew, Roger Noll and Barry Weingast 1987. "Administrative Procedures as Instruments of Political Control." *Journal of Law, Economics, and Organization* 3(2):243–77

Nielson Daniel and Michael Tierney 2003. "Delegation to International Organizations: Agency Theory and World Bank Environmental Reform." *International Organization* 57:241-76.

Niskanen William 1971. *Bureaucracies and Representative Government*. Chicago, IL: Aldine Atherton.

Odell John 2005. "Chairing a WTO Negotiation." *Journal of International Economic Law* 8(2):425-48.

Pollack Mark 1997. "Delegation, Agency and Agenda Setting in the European Community." *International Organization* 51(1):99-134

Ross Stephen 1971. "The Economic Theory of Agency: The Principal's Problem." *American Economic Review, Papers and Proceedings* 63(2):134-9.

Shaffer Gregory 2005. "The Role of the Director-General and Secretariat: Chapter IX of the Sutherland Report." *World Trade Review* 4(3):429-38.

Simmons Beth and Lisa Martin 2001. "International Organizations and Institutions," in Walter Carlnaes, Thomas Risse and Beth Simmons (eds.), *Handbook of International Relations*, Sage 2001.

Sutherland Peter et al. 2004. *The Future of the WTO: Addressing Institutional Challenges in the New Millennium. Report of the Consultative Board to the Director-General Supachai Panitchpakdi.* Geneva: WTO.

Thompson Alexander 2006. "Principal Problems: UN Weapons Inspections in Iraq and Beyond". Paper delivered at the 2006 Annual Convention of the International Studies Association, San Diego.

Thompson Alexander and Duncan Snidal 2005. "Guarding the Equilibrium: Regime Management and the WTO." Paper delivered at the 2005 Annual Meeting of the American Political Science Association, Washington DC

Vaubel Roland 2006. "Principal-Agent Problems in International Organizations" *Review of International Organizations* 1(2):125-38.

Wolfe Robert 2005. "See You in Geneva? Legal (Mis)Representations of the Trading System." *European Journal of International Relations* 11(3):339-65.

Xu Yi-chong and Patrick Weller 2004. *The Governance of World Trade. International Civil Servants and the GATT/WTO*. Cheltenham: Edward Elgar.

Young Oran 1991. "Political Leadership and Regime Formation: On the Development of Institutions in International Society." *International Organization* 45(3):281-308.