Teaching Statehood

Guy Fiti Sinclair*

Introduction

Scholarship on international organizations law, like most approaches in international law and international relations (IR), is dominated by state-centric, functionalist, and rational choice frameworks. According to these mainstream approaches, states are axiomatically the principal actors in international affairs, which pre-exist and create international organizations to serve their own interests and needs. To realists, international relations are structured by competition, the search for security, and the struggle for power among rational, self-interested states. In this view, international organizations are epiphenomenal, reflecting extant power relations and having only a marginal impact on state behavior.[1] To IR scholars and international lawyers of a more liberal-institutionalist orientation, international organizations are designed and created by states to pursue shared goals, solve coordination problems, and produce public goods.[2]

According to the functionalist assumptions underlying these approaches, states delegate authority and tasks to international organizations which they, acting as the agents of states, may be more or less efficient and faithful in carrying out.[3] International organizations law scholars are, of course, conscious of the principal-agent problem and acknowledge the possibility—even likelihood—that organizations will take on a life of their own and exceed their mandates. They also increasingly recognise that international organizations have become important law-makers in their own right, in addition to exercising a range of other powers in relation to states.[4] And yet this body of scholarship by and large continues to mark a sharp ontological separation between states and international organizations, assigning primacy to the former and viewing the latter as (at best) secondary, supporting actors.

---

* Victoria University of Wellington Faculty of Law. Thanks to Jan Klabbers for helpful comments and suggestions.

[1] See, e.g., J. Mearsheimer, 'The False Promise of International Institutions', (1994-5) 19 *International Security*, 5.

[2] See, e.g., K.W. Abbott and D. Snidal, 'Why States Act through Formal International Organizations', (1998) 42 *Journal of Conflict Resolution*, 3.

[3] J. Klabbers, 'The Emergence of Functionalism in International Institutional Law: Colonial Inspirations', (2014) 25 *European Journal of International Law*, 645.

[4] See generally J.E. Alvarez, *International Organizations as Law-Makers* (Oxford University Press, 2005).

1

The rationalist, functionalist, and state-centered assumptions underpinning mainstream approaches to international organizations and international organizations law have come under challenge in recent years from variety of disciplinary perspectives. This chapter proposes an alternative framework through which international organizations may be understood, not principally as the creatures and servants of states, but rather as engaged in an enterprise of teaching statehood—and thereby continuously constructing and transforming states. The next section begins by identifying a number of theoretical resources for developing such a framework. The following section distinguishes a series of techniques through which international organizations engage in teaching statehood. The final section of the chapter then sketches a brief history of how these techniques have evolved over the past 150 years in relation to shifting models of the state.

Resources for rethinking international organizations and statehood

Resources for thinking about international organizations as teachers of statehood can be drawn from several disciplines adjacent to international law. One of the longest-standing challenges to the rationalist and functionalist assumptions underpinning mainstream approaches to international organizations has issued from the sociological institutionalist school, sometimes also called "world polity theory" or "world society theory".[5] Although frequently more interested in the activities of international nongovernmental organizations, scholars in this school have also given considerable attention to the role of IOs in diffusing a putative "world culture" originating in Western Christianity and capitalism.[6] Sociological institutionalists emphasize "rationalization, universalism, belief in progress, and individualism as foundational cultural assumptions".[7] It is this shared culture, they argue, transmitted through international organizations as well as by other means, which explains the surprising isomorphism in state structures and practices. However, world society theory has been criticized for emphasizing structure at the expense of agency, coercion, and politics.[8]

Closely related to sociological institutionalism, constructivist approaches in political science likewise give significant attention to questions of identity that are usually

---

[5] See, e.g., J.W. Meyer *et al.*, 'World Society and the Nation-State', (1997) 103 *American Journal of Sociology*, 144.

[6] See, e.g., C.L. McNeely, *Constructing the Nation-State: International Organization and Prescriptive Action* (Westport CT: Greenwood Press, 1995).

[7] E. Schofer *et al.*, 'Sociological Institutionalism and World Society' in E. Amenta *et al.* (eds), *The Wiley-Blackwell Companion to Political Sociology* (Hoboken NJ: Blackwell, 2012) 57, at 59–60.

[8] *Ibid*; M. Finnemore, 'Norms, Culture, and World Politics: Insights from Sociology's Institutionalism', (1996) 50 *International Organization*, 325.

overlooked by rationalists.[9] In doing so, they have opened up new insights into the internal lives of international organizations and their role in the production and diffusion of cultural norms and values among states. IR constructivists have also attended to individual and institutional actors, the divergent sources of authority on which they draw, the forms of power they exercise, and their mutual interactions.[10] For example, Barnett and Finnemore draw on Weberian insights to show how international organizations wield bureaucratic power though knowledge and information—by classifying objects (including problems, actors, and action), fixing social meanings, and articulating and diffusing norms and values.[11] Building on their distinction between the regulative and constitutive powers of international organizations, Barnett elsewhere helpfully further distinguishes between direct and diffuse forms of these powers, to build a typology of compulsory, institutional, structural, and productive power.[12]

Other approaches in IR and international political sociology have explored how international organizations exercise all these forms of power, often in combination, with particular state-making effects. Neo-Gramscian scholars have emphasized the role of international organizations in constructing a capitalist world economy, and the particular structures and ideologies connecting state, economy, and society.[13] Foucault-inspired studies of global governmentality include international organizations as vehicles for the production and dissemination of techniques of governance to states, with particular attention to the interplay of disciplinary mechanisms directed toward individuals, biopolitical regulation of populations, and management of the economy.[14] These studies tend to exhibit a methodological interest in the minute details of quotidian practices, which has been taken up—with additional theoretical inputs from Bourdieusian, actor-network, and performativity theory, among others—in a burgeoning literature on international practices, including those of international organizations in relation to states.[15]

Lastly, recent decades have seen a new wave of historiographic studies that have complicated existing understandings of the origins and evolution of international organizations, casting light on their relationship to state-making. Interest in the origins

---

[9] See, e.g., M. Finnemore, *National Interests in International Society* (Cornell University Press, 1996); M. Barnett and M. Finnemore, *Rules for the World* (Cornell University Press, 2004); J. Chwieroth, *Capital Ideas: The IMF and the Rise of Financial Liberalization* (Princeton University Press, 2010).

[10] See generally D.D. Avant, M. Finnemore, and S. Sell (eds), *Who Governs the Globe?* (Cambridge University Press, 2010).

[11] Barnett and Finnemore, *Rules for the World*, 29-34.

[12] M. Barnett and R. Duvall (eds), *Power in Global Governance* (Cambridge University Press, 2005) 8–22.

[13] See, e.g., C. Murphy, *International Organization and Industrial Change* (Cambridge: Polity, 1994); R.W. Cox, 'Gramsci, Hegemony and International Relations: An Essay in Method', (1983) 12 *Millennium*, 162.

[14] See, e.g., W. Larner and W. Walters (eds), *Global Governmentality: Governing International Spaces* (Abingdon: Routledge, 2004); J. Joseph, *The Social in the Global: Social Theory, Governmentality and Global Politics* (Cambridge University Press, 2012).

[15] See, e.g., C. Bueger and F. Gadinger, *International Practice Theory*, 2nd edn (New York: Palgrave Macmillan, 2018); E. Adler and V. Pouliot (eds), *International Practices* (Cambridge University Press 2011).

of contemporary forms of global governance have prompted reevaluations of the lesser-known activities of the League of Nations, illuminating its role in shaping the global economy generally,[16] and more specifically in colonized territories subject to its Mandates system.[17] Similarly, the growing body of scholarship on the history of development and modernization, particularly in relation to the Cold War and decolonization, has yielded fresh insights into the work of international organizations such as the United Nations (UN),[18] the World Bank and International Monetary Fund,[19] the International Labour Organization,[20] and others.[21]

This scholarship in adjacent disciplines has influenced international lawyers' thinking on the relationship between international organizations and state formation in different ways. One broad stream draws on IR constructivism and related approaches in sociology and political science. To take an influential example, Koh analyzes how the repeated interactions involved in transnational legal processes "create patterns of behavior and generate norms of external conduct" which states internalize, shaping their identities and interests.[22] Partly building on this work, Shaffer helpfully identifies five dimensions of the state that may be impacted by processes of transnational legal ordering, including the work of international organizations: national law and practice; the boundaries between state, market and other forms of social ordering; the allocation of authority among state institutions; the role of expertise in governance; and associational patterns and normative frames.[23] With a complementary but narrower focus on international human rights, Goodman and Jinks distinguish "three distinct mechanisms of social influence that drive state behavior: material inducement, persuasion, and acculturation",[24] the last of which involves "varying degrees of identification with a reference group" which in turn "generate varying degrees of cognitive and social pressures to conform".[25]

A second stream of international law scholarship views the state-making work of international organizations through a more critical lens. Scholarship in this stream

---

[16] P. Clavin, *Securing the World Economy* (Oxford University Press, 2013).

[17] S. Pedersen, *The Guardians* (Oxford University Press, 2015).

[18] M. Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton University Press, 2009).

[19] E. Helleiner, *Forgotten Foundations of Bretton Woods* (Cornell University Press, 2014); P. Sharma, *Robert McNamara's Other War: The World Bank and International Development* (Philadelphia PA: University of Pennsylvania Press, 2017).

[20] D. Maul, *Human Rights, Development and Decolonization: The International Labour Organization, 1940-1970* (New York: Palgrave Macmillan, 2012).

[21] For studies embracing multiple IOs, see M. Frey, S. Kunkel and C.R. Unger (eds), *International Organizations and Development, 1945-1990* (New York: Palgrave Macmillan, 2014).

[22] H.H. Koh, 'Transnational Legal Process', (1996) 75 *Nebraska Law Review*, 181, 204.

[23] G. Shaffer (ed), *Transnational Legal Ordering and State Change* (Cambridge University Press, 2013) 23-33.

[24] R. Goodman and D. Jinks, *Socializing States: Promoting Human Rights through International Law* (Oxford University Press, 2013) 22.

[25] *Ibid.*, 26.

draws on a range of historiographical and anthropological methods and sources to explore the normative dimensions of international organizations, giving particular attention to their role in colonized (or semi-colonized) territories and decolonized states, and often noting the ways in which international organizations institutionalize or otherwise express international law's "civilizing mission".[26] Much of this work incorporates insights from Gramscian and Foucauldian scholarship, permitting consideration of structural and productive, as well as compulsory and institutional forms of power—the "conduct of conduct", through both coercion and consent—as well as the incorporation of resistance from below.[27] The next section surveys an array of techniques used by international organizations to teach statehood, before turning to an episodic history of how these techniques have evolved and combined in various ways over time.

Techniques of teaching statehood

The theoretical approaches surveyed in the previous section can be usefully supplemented by thinking about state formation as an ongoing cultural process. According to a growing body of scholarship, "the state" has no essence and is not a self-producing source of power.[28] Rather, each state is produced and reproduced imaginatively by the banal and technical routines of bureaucracies; by "images, metaphors, and representational practices" through which a state may "come to be understood as a concrete, overarching, spatially encompassing reality";[29] and by the aggregation of manifold dealings and exchanges in multiple settings that generate a "powerful, apparently metaphysical effect".[30] The meaning and limits of the state continue to be constructed and contested on a daily basis in an ongoing and disorderly process of social interaction, all of which paradoxically reinforces the sense of the state's "reality". It is thus possible to study the assemblage of rationalities and technologies—the "practices, techniques, programmes, knowledges, rationales and

---

[26] See especially A. Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge University Press, 2004); A. Orford, *International Authority and the Responsibility to Protect* (Cambridge University Press, 2011); M. Fakhri, *Sugar and the Making of International Trade Law* (Cambridge University Press, 2011); S. Pahuja, *Decolonising International Law* (Cambridge University Press, 2011); L. Eslava, *Local Space, Global Life: The Everyday Operation of International Law and Development* (Cambridge University Press, 2015).

[27] See, e.g., B. Rajagopal, *International Law from Below* (Cambridge University Press, 2003).

[28] See generally G. Steinmetz (ed), *State/Culture: State-Formation after the Cultural Turn* (Cornell University Press, 1999); T. Hansen and F. Stepputat (eds), *States of Imagination* (Durham NC: Duke University Press, 2001); A. Sharma and A. Gupta (eds), *The Anthropology of the State: A Reader* (Hoboken NJ: Blackwell, 2006).

[29] J. Ferguson and A. Gupta (eds), 'Spatializing States: Toward an Ethnography of Neoliberal Governmentality', (2002) 29 *American Ethnologist*, 981.

[30] T. Mitchell, 'Society, Economy, and the State Effect' in Steinmetz, *State/Culture*, 76, at 89.

interventions"[31]—through which international organizations teach statehood on continuous basis.[32]

From this perspective, entry into membership in an international organization can itself provide opportunities to induct states into particular normative frameworks, structures and policies. As is widely recognized, membership in international organizations—particularly in the most universal, such as the UN—has become a potent signifier of statehood and sovereignty.[33] In the League of Nations, the controversy over membership criteria and their application to Ethiopia, which was seen as possessing marginal sovereignty, was thus resolved by "recast[ing] membership as a process of reform, possibly overseen by the League (or European empires operating through the League), rather than as recognition of a status already achieved".[34] Membership in the UN has been approached in a similarly pragmatic fashion, permitting the inclusion of states that might not strictly meet all criteria, in the hope that membership might serve to socialize these states into the organization's values. By contrast, accession to World Trade Organization (WTO) membership frequently involves far-reaching concessions on the part of acceding states, including policy changes and the establishment of new administrative units, standards, and processes, as demanded by existing members.

Another obvious way that international organizations teach statehood is through their standard-setting activities. Such standards take different forms, from draft conventions to recommendations, codes, regulations, standards, "best practices", declarations, guidelines, and more, along an uneven continuum of normativity. Of course, many of these activities can be understood as regulatory in nature, involving the exercise of a form of institutional power to change the behaviour of (pre-constituted) states.[35] But standard-setting also has a constitutive effect in shaping states' identities and interests—in other words, in instructing them in what it means to be a state. This is an effect of the reiterative interactions among international organizations and states, as well as other transnational actors, in the *processes* of standard-setting which take within international organizations, as much as in the *content* of the standards themselves. To the extent that standard-setting organizations act as nodes of intergovernmental networks—whether comprising ministers (as in the WTO and IMF) or civil servants (as

---

[31] P. Miller, 'On the Interrelations between Accounting and the State', (1990) 15 *Accounting, Organizations and Society,* 317.

[32] For more detailed examinations of this theme, see generally G.F. Sinclair, *To Reform the World: International Organizations and the Making of Modern States* (Oxford University Press, 2017); G.F. Sinclair, 'State Formation, Liberal Reform and the Growth of International Organizations', (2015) 26 *European Journal of International Law* 445; and N. Bhuta and G.F. Sinclair (eds), dossier on *Technologies of Stateness: International Organizations and the Making of States* (2020) 11 *Humanity Journal*.

[33] A. Chayes and A. Handler Chayes, *The New Sovereignty: Compliance with International Regulatory Agreements* (Harvard University Press, 1995).

[34] M. Donaldson, 'The League of Nations, Ethiopia and the Making of States', (2020) 11 *Humanity Journal*.

[35] Barnett and Duvall, *Power in Global Governance*, 15–17.

in many of the 'technical' institutions)—they therefore serve as powerful vehicles for socialization into statehood.[36]

Once agreed, such standards—whether in formally binding or non-binding instruments—then undergo further repeated cycles of interaction, interpretation, and internalization through a diversity of implementation, reporting, and enforcement mechanisms. Think, for example, of the reiterative acculturation processes involved in the interlinked mechanisms of the ILO's regular system of supervision and special procedures; the WTO's Trade Policy Review Mechanism and Dispute Settlement System; the UN Human Rights Council's Universal Periodic Review and special procedures mechanisms; or IMF surveillance. Another significant example is the Organization for Economic Cooperation and Development (OECD)'s highly flexible peer review process, which examines the performance of states in a wide range of areas—economics, education, health, environment, governance, and more—against assorted standards, including national legislation, OECD codes, and other international instruments. Even complaints procedures which appear to be aimed at enhancing the accountability of international organizations or other non-state actors, such as the World Bank's Inspection Panel, may be used in practice to influence the conduct and policies of member states.[37]

Many of the most routine and conspicuous operational activities of international organizations involve techniques of teaching statehood. Consider, for example, the complex state-making work of contemporary UN peace operations, which takes place along multiple, intersecting dimensions, including policing (external) physical borders, defining (internal) ethnic boundaries, protecting the human rights of civilian populations, and supervising democratic elections. Consider, likewise, how the services provided by organizations such as the International Organization for Migration (IOM) or the UN High Commissioner for Refugees (UNHCR) aid in the performance of statehood, inscribing and reinforcing the key dimensions of territory, population, and security, even—or perhaps especially—when enacting exceptions to the rule.[38] Another obvious set of educative functions can be seen in the work of the special procedure mechanisms of the UN Human Rights Council. Or, to take a very different example, the projects and programs financed by loans from (or guaranteed by) international financial institutions reflect particular, if inchoate, models of statehood, which borrowing members internalize in the process of implementing those projects and programs.

---

[36] See generally A.-M. Slaughter, *A New World Order* (Princeton University Press, 2004).
[37] R. Wade, 'Accountability Gone Wrong: The World Bank, Non-governmental Organisations and the US Government in a Fight over China', (2009) 14 *New Political Economy*, 25.
[38] J. Klabbers, 'Notes on the Ideology of International Organizations Law: The International Organization for Migration, State-making, and the Market for Migration', (2019) 32 *Leiden Journal of International Law*, 383.

A major area of activity carried out by many international organizations with an explicit instructive purpose is technical assistance. Often undertaken in conjunction with other operational activities, technical assistance is a capacious term that encompasses a variety of offerings, including expert advisory services; the funding of fellowships and scholarships; the establishment of training institutes, seminars, conferences, and working groups; and the provision of technical publications. Technical assistance might aim to support the establishment and operation of government departments and agencies, or the drafting new laws, regulations, and constitutions. Each of these aspects of technical assistance provide avenues for international organizations to educate civil servants and government officials in the ways of statehood. Moreover, the subject-matter of such assistance can vary enormously, covering fields as disparate as trade, development, agriculture, labour, aeronautics, nuclear energy, finance, justice, police, and security—that is to say, all conceivable aspects of state functioning.

All these activities are underpinned and made possible by a wide array of knowledge and information practices, which themselves serve as potent techniques of teaching statehood. International organizations gather information of all kinds from their members, which feeds into and informs their operational planning and decision-making. Before gathering any information, however, some determination must be made, consciously or unconsciously, about what information is important, revealing, and useful. This determination requires, in turn, a definition of specific problems to which an international organization can offer solutions. Defining such problems and solutions is an inherently normative exercise, involving judgements about the way the world is— and, in particular, how states are—and ought to be governed. These judgements are built into the questionnaires and surveys which gather information from member states. In the process of periodically reporting information to institutions within the categories and according to the standards set by those institutions—whether relating to human rights, economic development, labour protections, environmental goals, or otherwise—states gradually internalise the normative positions reflected in those categories and standards, adjusting their behaviour and aligning their practices and institutional structures to better meet their criteria.

The collection of vast amounts of information engenders a further series of knowledge practices and normative effects. First, international organizations collate and publish the information they have collected about state practices, often in a readily comparative form, in a plethora of reports and bulletins which are disseminated to their members. Second, on the basis of this information, interpreted through particular cognitive frameworks, organizations formulate descriptions of "best practices", often in the form of published standards or guidelines. Third, the comparative presentation of data entails (at least implicitly but often explicitly) an exercise in ranking states' performances against these standards. Even when not legally binding and couched in generalised terms with numerous exceptions and caveats, the knowledge claims and prescriptions promulgated by international organizations exercise a qualitative

8

normative influence as they are translated and enrolled into the networks of governmental bureaucracies. As an archive of expertise that synthesizes a medley of complex practices and experiences, while also necessarily abstracting and simplifying them, these claims and prescriptions contribute towards the construction of a kind of distributed global knowledge that amounts to an internationalized "science of the state".[39]

As the foregoing discussion suggests, international organizations are constantly engaged in a non-linear, looping series of practices involving problematization, classification, information-gathering, standardization, planning, and operational activities. Of course, the actual consequences or effects of these practices varies greatly and is highly contingent on dynamic, recursive interactions among both endogenous and exogenous factors.[40] Nonetheless, it is possible to trace how the expansion of statehood-teaching techniques has occurred in tandem, and been deeply co-constituted, with the rise of particular forms of expertise. Most notably, international organizations have drawn on and contributed to the evolution of the disciplines of statistics and demography, economics, public administration, and management. The next section of this chapter focusses on these expert practices as key elements of statecraft in presenting a brief history of the evolving techniques of teaching statehood.

A brief episodic history

To grasp how international organizations have taught statehood, it is helpful to take a view of their activities over the *longue durée*. Over the past 150 years, institutions have proliferated and expanded their powers along with shifting conceptions of what constitutes a "modern" state. Underlying all these conceptions has been a broadly European model of liberal government which takes individual freedom as principle and limit of state action, carving out certain domains of non-interference but nevertheless legitimating interventions at the level of economy and society (for the purposes of ensuring social security) and the individual (through disciplinary techniques that instil desirable capacities for autonomous action and self-mastery). These contradictory pulls produce an endlessly recursive, reiterative dynamic of liberal reform which international organizations support through the sundry statehood-teaching techniques outlined in the previous section. Thinking of state formation in this way makes it possible to identify a number of dominant transnational configurations or "forms" of the state—associated with absolutism, laissez-faire liberalism, colonialism, Keynesian welfarism, post-colonial developmentalism, neo-liberalism, and so on—which have been viewed as "modern" in their own time and place, and which have served as models for the statehood-teaching activities of international organizations.

---

[39] Thanks to Nehal Bhuta for help in articulating this point.
[40] Avant, Finnemore, and Sell, *Who Governs the Globe?*; Shaffer, *Transnational Legal Ordering*.

9

The following episodic account sketches the evolution of international organizations and normative models of statehood in four periods of uneven lengths. The first corresponds to the century between the Congress of Vienna and the outbreak of the First World War, during which the first proto-organizations emerged as teachers of statehood in both Western societies and colonial territories. The second covers the crucial interwar period, often viewed as marking the "move to institutions" in international law, during which institutions began to shift their focus from supporting laissez-faire liberalism to constructing welfare states.[41] The third focusses on the decades following the end of the Second World War, during which the nation-state form was effectively universalized through decolonization with the support of a new system of organizations largely centred on the UN. Finally, the fourth addresses the last four decades, which have witnessed an increasingly fragmented and diverse landscape of international organizations and statehood-teaching activities. The point is not to suggest that the statehood-teaching techniques used by organizations have changed radically in each of these periods. Rather, the episodic approach adopted here is intended to show how those techniques have been added to, layered, refined, and deployed in increasingly complex ways, and to different ends, over time.

Liberal political economy, the social, and colonial government

Several techniques of teaching statehood can be observed already in the international bodies established under the auspices of the Concert of Europe at the end of the Napoleonic wars. These international bodies were understood from the start to be necessary adjuncts to the promotion and consolidation of liberal government, linking together the new liberal political economy and the potential for unlimited commercial expansion by European states. Public international unions such as the International Telegraph Union, the Universal Postal Union, and the International Association of Railway Congresses, were established to support the governmental institutions necessary for the international circulation of capital, goods, and ideas. Similar unions for the Protection of Industrial Property and of Literary and Artistic Works, together with the Hague Conference on Private International Law, aimed to universalise property rights in all states. The International Bureau of Weights and Measures and the International Bureau of Commercial Statistics drew on the new social sciences linked to political economy to achieve a greater degree of standardization, while the International Union for the Publication of Customs Tariffs and the "Sugar Union" institutionalized the principle of free trade by collecting and disseminating information that made state subsidies and surcharges visible to their members, and thus susceptible to negotiation and pressure.[42]

---

[41] D. Kennedy, 'The Move to Institutions', (1987) 8 *Cardozo Law Review*, 841.
[42] Fakhri, *Sugar*.

A second focus of statehood-teaching techniques in the nineteenth century concerned the rising concern with the "social question", associated with the multiple interlinked problems arising from a large, underemployed proletariat. The decades immediately following the Congress of Vienna witnessed a dramatic increase in the use of expert technologies to widen and deepen the powers of European states. Here again, international bodies played a key role in transmitting the rationalities and technologies of social government: penal policy through the International Penitentiary Commission; public health through the International Office of Public Hygiene and the International Association of Public Baths and Cleanliness; and more broadly the International Institute of Administrative Sciences, which circulated information about "the most efficient ways to carry out and further extend the expanding functions of the state".[43] Perhaps most significant of all was the International Labour Office—forerunner of the ILO—which promoted social legislation as an alternative to violent revolution and exemplified the internationalisation of concerns regarding the assurance of individual freedom in the conditions of modern, industrial society. As a contemporary observer noted, all of this burgeoning international activity, far from detracting from state sovereignty, directly bolstered and extended it:[44]

> The process of international organization frequently favors the expansion of the sphere of the national government. When interests are organized upon an international basis, the persons and associations concerned begin to see more clearly how their purposes may be furthered through state action. They consequently demand new legislation as well as the expansion of the administrative sphere ... [I]n every way the state is encouraged to make the fullest use of its powers.

In territories outside Europe, too, new international bodies undertook a wide range of activities that taught states to carry out the tasks necessary to meet the contradictory demands of modern government. The international sanitary councils established in Istanbul, Alexandria, and Teheran, for example, introduced and applied disciplinary techniques of separation, inspection and surveillance, at once to defend European civilization at its frontiers, enhance the welfare of local populations, and modernize the administration of countries in the Near East. Modernization meant more centralized institutions, standardized practices, professionalization and legalization: the work of "civilizing" meant "structuring and establishing what was perceived to be a "European-style" order".[45] River commissions—such as those on the Danube, Congo, and Niger rivers, and the Suez Canal—likewise came to be seen as vehicles for administrative reform in non-European societies and for the projection of European rationales and techniques of government as universally normative. International commissions were formed to address cases of "serious disorganization in the financial system of the state"

---

[43] Murphy, *International Organization and Industrial Change*, 100.
[44] P.S. Reinsch, *Public International Unions* (Boston and London: Ginn and Company, 1911) 140.
[45] M. Chahrour, '"A Civilizing Mission"? Austrian Medicine and the Reform of Medical Structures in the Ottoman Empire, 1838-1850', (2007) 38 *Studies in History and Philosophy of Biological and Biomedical Sciences* (2007), 687, 688.

in Egypt, Turkey, and elsewhere on the European periphery.[46] Regional organizations which served to extend Western influence and commercial interests were also legitimated by the goal of teaching statehood: the forerunner of the present-day Organization of American States was thus defended as "an efficient agent in assisting the internal development of the American republics".[47]

From laissez-faire to the welfare state

The "move to institutions" at the end of the First World War marked the inauguration of a new set of experiments in teaching statehood that were now centred, at least nominally, on the League of Nations.[48] Though committed to a policy of laissez-faire liberalism at the outset, the upheavals of the following two decades prompted a "reinvention" of the League and a redirection of its resources to address social and economic issues.[49] The expansion of the League's remit was in part achieved through an array of new organs—technical organizations, permanent and temporary advisory committees, preparatory and administrative commissions, and institutes—with responsibility for, among other things, matters relating to education, health, emigration, nutrition, economics and finance, science, and culture. Together, these organs helped to foster and promote among its members ideas and practices understood to be central to modern states, including industrialization, international trade, social government, and economic development.[50]

Many of the techniques used by present-day international organizations for teaching statehood can be observed, albeit in embryonic form, in the activities of the League of Nations. Within its economic organs, the collection and circulation of national statistics was carried out on a vast scale, with all the effects of standardization and norm-setting discussed above.[51] The League's "social questions" organs educated states on the nature of specific problems—such as human trafficking, narcotics, and immorality—and presented solutions that deepened the League's influence over how states regulated their populations and shaped the subjectivity of individuals.[52] Efforts to reconcile the principle of national self-determination and the protection of minorities within international law led to institutional measures to adjust the boundaries, populations,

---

[46] Reinsch, *Public International Unions*, 75.

[47] *Ibid*., 99.

[48] See Article 24 of the Covenant of the League of Nations, which was more often than not honoured in the breach.

[49] Clavin, *Securing the World Economy*.

[50] *Ibid*.; M. Dubin, 'Transgovernmental Processes in the League of Nations', (1983) 37 *International Organization*, 469; Y. Decorzant, 'Internationalism in the Economic and Financial Organization of the League of Nations', in D. Laqua (ed), *Internationalism Reconfigured* (London: Tauris, 2011) 115.

[51] Clavin, *Securing the World Economy*.

[52] See, e.g., S. Legg, '"The Life of Individuals as well as of Nations": International Law and the League of Nations' Anti-Trafficking Governmentalities', (2012) 25 *Leiden Journal of International Law*, 647.

and constitutional orders of European states.[53] Programs of technical cooperation provided occasions for League experts to transfer European know-how and technology to non-Western states, reorganizing and modernizing them along the lines of Western economic and social models.[54] And present-day peacekeeping and democracy promotion practices were prefigured in the League's techniques of deploying military commissions, administering territory *ad interim*, resolving disputes, and holding plebiscites.[55]

Colonial territories continued to supply highly productive "laboratories" for experimentation with techniques of teaching statehood under the auspices of the League of Nations. Through a system of Mandates that reported to a Permanent Commission in Geneva, the scope of the League's undertakings widened to include territories in Asia, Africa, and the Pacific, reinforcing colonialism in certain respects but also serving to undermine it and encourage the rise of nationalist movements.[56] As Antony Anghie has argued, the Commission's functions extended beyond the "strictly legal approach" of studying and ensuring that the obligations undertaken by each mandatory power were discharged, to also exercising "an administrative function and control over the mandatory".[57] By bringing problems of colonial administration directly under the purview of the Mandate system—including questions of "native welfare" and progress towards self-government—the Commission was empowered to develop "new techniques of monitoring and management", gathering "an unprecedented volume of information" and establishing "novel forms of control by creating, in effect, new sciences of social and economic development". In doing so, Anghie argues, the Mandate system "contemplated nothing less than the creation of the social, political, and economic conditions thought necessary to support a functioning nation-state".[58]

The ILO was another centrally important site for the emergence of techniques connected with a changing model of statehood. From its humble beginnings in Part XIII of the Treaty of Versailles, the ILO grew over the next two decades into an autonomous organization engaged in a set of activities going well beyond the standard-setting functions envisaged by its founders. Like the League of the Nations, the ILO built a reputation as a "great clearing house of information", collecting data, compiling labor statistics, and distributing a variety of published materials from and to member and non-member countries.[59] Its relatively expansive network—with overseas branch offices, national correspondents, and regular missions abroad—created opportunities

---

[53] See, e.g., N. Berman, '"But the Alternative Is Despair": European Nationalism and the Modernist Renewal of International Law', (1993) 106 *Harvard Law Review*, 1792; U. Özsu, *Formalizing Displacement: International Law and Population Transfers* (Oxford University Press, 2014).

[54] M. Zanasi, 'Exporting Development: The League of Nations and Republican China', (2007) 49 *Comparative Studies in Society and History*, 143.

[55] A. James, 'The Peacekeeping Role of the League of Nations', (1999) 6 *International Peacekeeping*, 154.

[56] Anghie, *Imperialism*, ch 3; Pedersen, *The Guardians*.

[57] Anghie, *Imperialism*, at 51.

[58] *Ibid.*, 184, 182, and 177.

[59] P. Périgord, *The International Labor Organization* (New York: Appleton and Co., 1926) 180.

for its experts to provide technical assistance on drafting and implementing labor and social insurance laws. Following the economic slump of the 1930s, and inspired by the promises of scientific management and rationalization, ILO officials promoted techniques of national (as well as international) economic planning and management associated with the welfare state. Extending these activities to states and territories outside Europe and North America, the ILO served as a critically important vehicle for the emergence and circulation of development discourses and practices in the interwar period.[60]

Modernizing postcolonial states

The idea and goal of development became a central theme of the statehood-teaching activities undertaken by international organizations in the decades immediately following the end of the Second World War. The social welfare principles championed by the ILO, restated and linked to development in its 1944 Philadelphia Declaration, were espoused in the UN Charter and even in the General Agreement on Tariffs and Trade. What the founders of the UN and other institutions created at the end of the War could not have anticipated, however, was how quickly decolonization would transform their membership, goals, and operations. As a consequence, these organizations immediately became sites of struggle over the meaning of statehood and instruments for the construction of states, and especially in the decolonized global South. The state-making activities of the Mandate system were extended and accelerated in the UN through the work of the Trusteeship Council and the mechanisms for non-self-governing territories established under Chapter XI of the Charter. And a Technical Assistance Board was established to coordinate the UN's work with that of seven specialized agencies in an Expanded Program of Technical Assistance (EPTA).[61]

This collective (albeit sometimes contested) enterprise was strongly shaped by the ideology of modernization, which posited a universal developmental path for all states, based broadly on a welfare state model. Within this theoretical frame, the success of modernization in any society depended upon the state, seen as both the vehicle and the telos of progress. Moreover, modernization required a certain level of social engineering and "education" to instill the appropriate attitudes, overcome psychological and cultural impediments to progress, and shape individual subjects suited to the conditions of modern life. The UN and related organizations played a significant role in diffusing the norms and practices of modernization. In UN development thinking, as in modernization theory generally, the state performed a crucial function in establishing the necessary conditions for economic growth. A 1951 UN expert report on economic

---

[60] See generally G.F. Sinclair, 'A "Civilizing Task": The International Labour Organization, Social Reform, and the Genealogy of Development', (2018) 20 *Journal of the History of International Law*, 145.
[61] See generally G.F. Sinclair, 'A Battlefield Transformed: The United Nations and the Struggle over Postcolonial Statehood', in J. von Bernstorff and Ph. Dann (eds), *The Battle for International Law: South–North Perspectives on the Decolonization Era* (Oxford University Press, 2019) 257.

development in "under-developed" countries thus argued that economic progress depended "to a large extent upon the adoption by governments of appropriate administrative and legislative action".[62] Central planning—at least of an indicative kind—was universally prescribed, and governments could legitimately intervene in economic development through a variety of approved means.

IOs aimed to support all aspects of government and statecraft in "underdeveloped" countries, beginning with the collection of numerical data. The UN Statistics Division performed an important function in creating a "universally acknowledged statistical system and . . . a general framework guiding the collection and compilation of data" in individual states, providing "essential information" about the size and densities of national populations, agriculture, industry, housing, earnings, age groups, and available skills.[63] From the late 1950s, the Division took further steps to devolve its operations to the regional level, providing training in conducting field surveys, population census techniques, and household budget surveys. By facilitating the collection of "knowledge of the state in its different elements, dimensions, and the factors of its strength",[64] the UN helped to endow new states with a certain solidity, making them calculable and governable. International organizations were also instrumental in devising and universalizing standardized systems of national accounts by which states could be measured, accelerating the "avalanche of numbers" that had begun a century earlier and transforming it into a universal science of the state, undergirding and defining the art of government.[65]

A major area of technical assistance provided by international organizations concerns the construction of systems of public administration.[66] A division of the UN's EPTA had the functions, among others, of providing "advice and assistance to governments in the improvement of public administration and in the establishment or reform of national and regional training systems and institutions in underdeveloped areas"; collecting technical information "with a view to the selection and development of effective methods for technical assistance in the field of public administration", stimulating the facilitating the exchange of information; and analyzing problems of public administration with particular reference to "underdeveloped areas". Drawing on networks established between the World Wars, the UN's public administration division published a series of reports and booklets summarizing the most important principles and practices, broadly mirroring the values and functions of Western administrative

---

[62] UN Department of Economic Affairs, *Measures for the Economic Development of Under-Developed Countries* (1951) 17.

[63] UNOPI, 'What is Economic Development? IV. The Role of International Organizations', (May 1959) 5 *UN Review* 11, 11, 13–14; 'Statistical Questions', (1961) *United Nations Yearbook* 290, 291; Michael Ward, *Quantifying the World: UN Ideas and Statistics* (Bloomington, IN: Indiana University Press, 2004).

[64] M. Foucault, *Security, Territory, Population* (New York: Palgrave Macmillan, 2007, Burchell tr.) 100.

[65] I. Hacking, *The Taming of Chance* (Cambridge University Press, 1990) 27–34.

[66] See generally G.F. Sinclair, 'Forging Modern States with Imperfect Tools: United Nations Technical Assistance for Public Administration in Decolonized States', (2020) 11 *Humanity Journal*.

states.[67] Under the presidency of Robert McNamara, the World Bank adopted new managerial practices, which it in turn sought to transfer and project onto its borrower members through an array of statistical and demographic techniques.[68] Likewise, the UN Educational, Scientific and Cultural Organization (UNESCO) contributed to teaching states to embrace particular norms and institutions of public administration.[69]

Other operational activities further expanded the repertoire of statehood-teaching techniques deployed by international organizations during this period. Within the UN, peacekeeping operations emerged as a complex technology which aimed simultaneously at facilitating decolonization, enhancing the role of small and medium-sized nations on the world stage, and constructing modern states on a broadly Western model. In the World Bank, comprehensive surveys of borrower countries led to the preparation of national development programs, under which new long-term policies and laws were adopted, and new state institutions—such as national economic councils, central banks, and development planning offices—were established. In 1968, the Bank instituted Country Program Papers (CPPs) to provide regular comprehensive reviews of each country's social and political conditions, economy, external investment, and loans. Based on these reviews, a five-year lending program could be formulated for each borrower; in practice, CPPs gave the World Bank wide scope for incentivizing (or discouraging) particular behaviors by states. Even the Bank's lending for specific projects was motivated by a "tutelary" concern to educate borrowing countries in the best practices of development project management, fiscal discipline, and the appropriate skills, attitudes, and cultures for a modern state bureaucracy.[70]

From Washington consensus to global governance

Structural changes associated with globalization, privatization, deregulation and the rise of new technologies, as well as a series of economic and geopolitical shocks, have transformed the activities of international organizations over the past four decades. The Third World project to establish a "New International Economic Order", which reached a climax in the 1970s, coincided with a long period of stagflation in Western economies that in turn helped to bring a series of conservative governments to power at the end of the decade. These and other political changes ushered in a new, "neoliberal" economic orthodoxy and rhetoric of small government which was taken up, adopted and adapted in distinct ways in a number of organizations. The end of the Cold War launched an

---

[67] See, e.g., Report by the Special Committee on Public Administration Problems, *Standards and Techniques of Public Administration with special reference to Technical Assistance for Under-developed Countries* (UN Technical Assistance Administration, 1951); United Nations Technical Assistance Programme, *A Handbook of Public Administration: Current Concepts and Practice with Special Reference to Developing Countries* (United Nations, 1961).

[68] C. Unger, 'Development Projections: The World Bank in Calcutta in the 1970s', (2020) 11 Humanity Journal, forthcoming; Sinclair, *To Reform the World*, ch 6.

[69] Finnemore, *National Interests*, ch 2.

[70] See generally Sinclair, *To Reform the World*, ch 5–6.

epoch of unprecedented optimism and normative dynamism in international organizations, resulting in an interlinked series of international actions focused on peacekeeping, humanitarian intervention, the prosecution of international crimes, the promotion of "good governance" anti-corruption programs, the rule of law, and international sanctions. In the first decades of the new century, the activities of many institutions proliferated further in response to the global war on terror, the global financial crisis, and increasingly complex scenarios involving climate change, internal state conflicts, and migration.

These activities have involved a further layering of statehood-teaching techniques, often by combining novel knowledge and information practices with existing operational activities. Take, for example, the massive expansion in the World Bank's operations during this period. Beginning in the early 1980s, the Bank (as well as the IMF) increasingly attached conditionalities to its loans that required far-reaching structural adjustments in borrower states: dramatic reductions in government services, balanced budgets, privatization, deregulation, and the reduction of barriers to international trade. A decade later, the Bank began promoting reforms that went even deeper, touching on matters of "good governance", accountability, and participation that reached beyond the state *policy* to address questions of *process* in government. The Bank's annual *World Development Report* (*WDR*), launched in 1978, has served as a powerful instrument to influence knowledge on development and the evolving role of the state.[71] In the decades since then the Bank has become a productive source of informational and planning tools, including ambitious efforts to manage the overall process of constructing modern states in developing countries, such as through Country Assistance Strategies, the Comprehensive Development Framework, and Poverty Reduction Strategy Papers.

Similar techniques can be seen in the evolving activities of other international organizations. Global survey publications—such as the OECD's *Economic Outlook*, the IMF's *World Economic Outlook*, or the WHO's *World Health Statistics*—influence state behavior in a manner not unlike the *WDR*, as do individual country reports.[72] At the same time, ideas and values associated with New Public Management, which organizations like the World Bank, OECD, and the UN Development Programme (UNDP) have been instrumental in diffusing worldwide,[73] have also encouraged the abandonment of "grand development paradigms" and the adoption instead of "microlevel, evidence-based development interventions" and experimental, participatory, approaches which emphasize mutual interaction and learning.[74] In this

---

[71] See, e.g., World Bank, *World Development Report 1997: The State in a Changing World* (Oxford University Press, 1997).

[72] S. Pahuja, 'Technologies of Empire: IMF Conditionality and the Reinscription of the North/South Divide', (2000) 13 *Leiden Journal of International Law*, 749.

[73] R. Common, 'The New Public Management and Policy Transfer: The Role of International Organizations', in M. Minogue, Ch. Polidano, and D. Hulme (eds), *Beyond the New Public Management* (Cheltenham: Edward Elgar, 1998), 59 (ch 4).

[74] S. Babb and N. Chorev, 'International Organizations: Loose and Tight Coupling in the Development Regime', (2016) 51 *Studies in Comparative International Development*, 81, 91.

vein, we might include the OECD's peer review mechanisms and the European Union's Open Method of Coordination.[75]

The production and publication of indicators by international organizations has grown rapidly over the past few decades as a technique for influencing state behavior and identity. Annexed to every *WDR* are the World Development Indicators, a series of comparative tables listing and ranking the economic features of states along a set of dimensions which, although ostensibly neutral and scientific, nevertheless construct a particular normative image of the state and exert a subtle pressure for reform. Other well-known examples include the Doing Business indicators, produced by the World Bank Group's International Finance Corporation (IFC); the UNDP's Human Development Index; the World Bank's Worldwide Governance Indicators; the OECD's Programme for International Student Assessment (PISA); and, perhaps most complex and ambitious of all, the UN Sustainable Development Goals (SDG) indicators, which gather together more than 230 unique indicators.[76] Through processes of data collection, simplification, ranking, and evaluation, each of these instruments produces a series of effects: setting standards, influencing decision-making (including by donors), and otherwise incentivizing or dis-incentivizing particular sets of state practices.

A feature of these and other statehood-teaching techniques which have emerged over the past several decades has been the extent to which they involve interactions among multiple organizations. The SDG indicators—and the SDG project more broadly—is an obvious example which involves the coordination of multiple institutions, both within and outside the UN system. Organizations have been collaborating to provide technical assistance for a long time, as noted above, but new mechanisms of coordination have emerged, such as the Enhanced Integrated Framework, which was established as a joint venture by the WTO, the IMF, the World Bank, the UNDP, the UN Conference on Trade and Development (UNCTAD), and others. And in the specific area of post-conflict peacebuilding and recovery, which inevitably involves considerable aspects of state-building, the UN's Peacebuilding Commission has provided a framework for collaboration with the World Bank, the IMF, regional development banks, and other regional organizations such as the European Union and the African Union.

Conclusion

This chapter has outlined a framework within which international organizations can be understood as engaged in an ongoing enterprise of teaching statehood. In surveying the

---

[75] A. Schäfer, 'A New Form of Governance? Comparing the Open Method of Coordination to Multilateral Surveillance by the IMF and the OECD', (2006) 13 *Journal of European Public Policy*, 70.
[76] See generally K. Davis *et al.* (eds), *Governance by Indicators* (Oxford University Press, 2012); S.E. Merry, K. Davis and B. Kingsbury (eds), *The Quiet Power of Indicators* (Cambridge University Press, 2015).

evolution of statehood-teaching techniques used by organizations, as the previous section suggests, it is possible to identify certain models of statehood which they have promoted at different times. However, it would be a mistake to reify these models or assume they can be distributed along a single, "true" path of modernization. Rather, what it means to be a "modern" state is constantly open to debate—within and among international organizations, within states, and between international organizations and states—and thus always susceptible to change. This chapter has demonstrated how new and emerging techniques used by organizations have layered with existing techniques, rather than displaced them. In addition, the interactions among different institutions' activities, in more or less tightly coupled arrangements, have produced ever more complex effects in their statehood-teaching activities.[77] Paying closer attention to these dynamics promises to reveal greater insights into how the legal powers of international organizations have evolved and expanded, and to what extent they may be constrained.

---

[77] Babb and Chorev, 'Loose and Tight Coupling'; J. Klabbers, 'Transforming Institutions: Autonomous International Organisations in Institutional Theory', (2017) 6 *Cambridge International Law Journal*, 105.