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Review of Post-treaty Politics in The Review of International Organizations

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Sikina Jinnah. 2014. *Post-treaty politics: Secretariat influence in global environmental governance* (Cambridge: The MIT Press)

Hylke Dijkstra¹

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Post-Treaty Politics by Sikina Jinnah is a wonderful new monograph about the nitty-gritty details of everyday life in global governance. It advances the research agenda on international regimes by investigating how treaty secretariats contribute to regime overlap management. Regime overlap management concerns the coordination of different regimes that deal with similar issues. Due to the large number of treaties in certain policy areas, regimes tend to overlap and issues are often linked (pp. 4–5). Treaty secretariats are relatively small – but permanent – bodies that help the member states with the implementation of international agreements. Is their contribution to regime overlap management purely impartial or are these treaty secretariats able to influence policy outcomes? And, importantly, under what conditions (p. 7)?

The empirical domain is global environmental governance. Building on a series of previous journal articles, Jinnah analyses five case studies: overlap management in the biodiversity regime complex; the climate-biodiversity interface; two cases of trade-environment politics in the World Trade Organization; and the protection of commercially exploited aquatic species (Table 1.1). All cases are thoroughly analyzed. In terms of data, Jinnah relies on document analysis, interviews and participant observation.

The book concludes that secretariats have most influence when they have a low substitutability (i.e., they possess specialized knowledge about regime overlap that other actors do not have) and when state preferences are weakly solidified (i.e., undefined or not yet fixed). This is most clearly the case with the secretariat of the Convention on Biological Diversity (CBD), which had a strong influence on overlap management. The secretariat of the Convention on International Trade in Endangered Species (CITES), on the other hand, had no influence as a result of a high substitutability and moderate preference solidification (Table 8.1).

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Jinnah meticulously lays out her theory, operationalizes the concepts, and examines the cases on the basis of her operationalization. Theory and empirics are combined in an exemplary fashion with the conclusion bringing all the results together. It is difficult to fault the research design or how it is carried out. And as noted above, the empirical cases provide wonderful day-to-day details of what global environmental governance is all about. The book is therefore certainly a must-read for the environmental crowd and scholars interested in how global governance works in practice.

My critique in the remainder of this review is more along the lines of what we can learn from *Post-Treaty Politics* for the wider study of global governance and international organizations (IOs). After all, Jinnah herself states that “[a]lthough the book focuses on secretariat activities in the realm of overlap management, the theoretical framework ... is not specific to overlap management. It could be tested in other areas of international affairs and adapted to evaluate how other types of actors exert influence” (p. 8). This is an ambitious claim, so it is worth further considering what the monograph adds and to what extent it is innovative.

Three comments are in order. First, the author regularly states that international secretariats are understudied (“Scholars of international organizations ... and regimes have tended to discount or ignore secretariats as actors in IR” [p. 27]). This is a bit of an exaggeration. I would say that the study of secretariats, in the footsteps of Barnett and Finnemore (1999, 2004), is one of the prominent research agendas within the field of international organizations. Recent edited volumes and monographs have been published by Frank Biermann and Bernd Siebenhüner (2009), Nitsan Chorev (2012), Tana Johnson (2014), John Mathiason (2007), Joel Oestreich (2012), Bob Reinalda (2013) and Silke Weinlich (2014). This still excludes all the books on the EU institutions, two dozens of journal articles, and a whole library on political leadership in IOs. It is well-accepted that secretariats can be relevant actors.

The state-of-the-art is currently about further specifying the conditions of secretariat influence. This is where Jinnah’s book fits right in by pointing at the issues of substitutability and the solidification of state preferences. Furthermore, scholars have yet to test the relevant variables beyond a limited number of case studies. Jinnah’s book, like the Biermann and Siebenhüner (2009) volume, is useful in this regard. Because it looks at multiple cases within the environmental domain, her findings have a reasonable internal validity. Real testing, however, requires a larger number of observations and also cases outside global environmental governance. External validity is still in question.

This is where my second comment comes in. The variables of substitutability and the solidification of state preferences to explain secretariat influence in regime overlap management work very well in global environmental governance. Yet I am not convinced that they are useful for studying all international secretariats. There seem to be three things that make global environmental governance unique. First, while regime overlap management is relevant in a number of policy domains, it is certainly not relevant in all (e.g., the security domain). And it is fair to say that the challenge is perhaps most significant in global environmental governance.

A second characteristic that makes environmental secretariats different is that they are very small scale affairs (p. 25). The CITES Secretariat, for example, consists of 27 staff members. This includes secretaries and supporting staff. The CBD Secretariat at 78 employees is also rather small. While the WTO Secretariat is larger with 629 staff

members, clearly not all of them deal with the environment-trade nexus. Compared to the number of officials of the European Commission, WHO Staff or IMF Staff, this is hardly impressive. This makes substitutability a relevant variable, but the real question remains how such small secretariats can accumulate private information and expertise. Many states would have no problems duplicating the work of these small secretariats, through their own shadow bureaucracies, if they really wanted to.

This brings me to the third issue: the preferences of the states. What do states want in terms of overlap management and is there a goal conflict here? Jinnah rightly notes that state preferences are least-likely to be solidified if issues are relatively new (p. 57). She also rightly notes that overlap management is relatively new (*ibid.*), so treaty secretariats should still be in a position to inform state preferences. She does not seem to note, however, that environmental problems themselves are fairly new as well (compared to questions of trade and war). It is therefore not surprising that states still have to make up their minds.

There is a tension in the argument here. If state preferences are not solidified, how can there be an instance of secretariat influence? While the book includes a lengthy discussion of power, authority and influence (pp. 42–53), most people would still ultimately understand power/influence along the lines of Robert Dahl: to get someone to do something he/she would otherwise not have done. The question is therefore where the goal conflict is, if state preferences are not defined yet. It could well be that states are perfectly happy with secretariats taking care of overlap management, or are permissive of a certain degree of secretariat influence. The counterfactual remains that we would see clear cases of substitutability, if some states cared more.

This brings me to my third and final point. Jinnah explicitly rejects the rationalist and principal-agent agenda and opts for a social constructivist perspective instead. I feel that this choice is due to a too-narrow reading of the principal-agent literature. The book sometimes seems to imply that this model is only about formally delegated discretion and that secretariats are purely agents of the states. Such stance is unfortunate since the book's variables speak both to the rationalist and constructivist camps. The possible monopoly over information and expertise – or the informational asymmetry – is precisely what principal-agent models are about, while evolving preferences fit well with the constructivist perspective. Jinnah could have done more with this possibly by bridging the ontological gap.

The book is part of a series of outstanding books, which the MIT Press has recently published on global environmental governance. Notable contributions were the volumes of Biermann and Siebenhüner (2009) on environmental secretariats and Oberthür and Stokke (2011) on regime overlap management. Jinnah's book connects both topics and therefore significantly advances our understanding of global environmental governance. The question remains to what extent these findings have broader relevance. It is now up to the rest of the academic community to square Jinnah's insights with other empirical domains.

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