THE INFLUENCE OF INTERNATIONAL INSTITUTIONS:

INSTITUTIONAL DESIGN, COMPLIANCE, EFFECTIVENESS, AND ENDOGENEITY

Ronald B. Mitchell

Department of Political Science
University of Oregon
Tel: 541-346-4880
rmitchel@uoregon.edu

Paper prepared for a workshop to be held at Princeton University
17-19 February 2005
Draft of: 09 January 2005

Abstract: No scholar has done more than Robert Keohane to develop a scholarly agenda for research on international institutions. In the 1980s, he spearheaded the analytical examination of international regimes, explaining why governments might be interested in creating rules and adopting norms that constrained their policy choices. Having made a theoretically compelling case for the demand for international regimes, Keohane recognized as well as anyone that the next step was to show that international institutions have important consequences for policy choice and for international relations generally. This article examines the problem of identifying institutional influence given that problem structure influences both institutional design and the behaviors institutions are designed to influence. In particular, it focuses on issues of endogeneity and the difficulties of distinguishing structural determinants of behavior, institutional determinants of behavior, and structure-through-institutions determinants of behavior.
Introduction

Robert Keohane has focused much of his academic career on international institutions, treating them both as dependent and independent variables. This article builds on a fundamental insight of Keohane's influential *After Hegemony*: that distinguishing the influence of international institutions from that of raw power and interests requires accounting for the important ways that power and interests influence the formation and design of those institutions. Accurately evaluating international institutions as independent variables requires first identifying their determinants, i.e., evaluating them as dependent variables.

There are three claims central to the relationship of international institutions to both state interests and state behaviors. First, states behave so as to further their own goals; second, "states use international institutions to further their own goals, and they design institutions accordingly;" and third, states "fight over institutional design because it affects outcomes" (Koremenos, Lipson, and Snidal 2001, 762). But, if states behave in ways that reflect their goals and interests but also design international institutions to reflect those same goals and interests, how can the institutions they create be said to "affect outcomes" in the sense of causing states to behave differently than they would have otherwise? To make sense of these claims simultaneously, we must assume (and have a logic for assuming) that the goals and interests that states codify in international institutions differ from the goals and interests that drive their behavior.

I argue that demonstrating the influence of international institutions convincingly requires taking the realist challenge to institutionalism seriously. In particular, those interested in assessing institutional effects and effectiveness need to be more attentive than most have in the past to the extent to which institutional rules reflect the underlying power and interests that constitute the structure of the problem being addressed. Realists contend that precisely because
states’ interests drive both their behavior and the institutions they create, the latter cannot have any independent effect on the former (Strange 1983). In this view, behavior is driven either directly by structure or indirectly by "structure-through-institutions." For those, like Keohane, who have sought to determine whether institutions can independently influence behavior, responding to this challenge requires evaluating the extent to which institutional design reflects state interests, identifying reasons why (and in which) we should expect the interests that states codify in international institutions to diverge from the interests those same states use in choosing behavior, and then looking for empirical evidence of whether state behavior better reflects the dictates of institutionally-codified interests or the dictates of states' institution-independent power and interests. I argue that states’ institution-independent interests influence regime design but do not dictate it, that institutional inertia often widens the gap between the "snapshot" of interests codified in an institution and the dynamic shifts in underlying institution-independent interests, but that demonstrating institutional influence requires carefully and explicitly assessing why we should expect an interest-reflecting institution to produce different behaviors than a non-institutional setting and whether actual behaviors look more like predictions of the influence of the former or the latter.

The realist view of international institutions as epiphenomena that have no influence on behavior takes two forms. One critique is that international agreements reflect "wishful thinking" in the sense that they demand behavior of states on which they cannot deliver. This view predicts that violations and other regime inconsistent behavior will be high, at least whenever such behavior is inconvenient or costly. The alternative critique is that international agreements reflect "cynical codification" in the sense that they embody rules requiring behaviors that the Parties would have undertaken in any event. This view predicts that regime consistent
behavior will be high since it is not costly. In the former case, the dictates of structure and the
dictates of institution rules diverge but behavior follows the former; in the latter, structure
dictates both institutional rules and the behavior. In both cases, however, institutions have no
independent influence on behavior. To date, those studying the influence and effectiveness of
international institutions have primarily focused on addressing the challenge posed by the first of
these views. They have sought to demonstrate that states behave consistently with institutional
rules more frequently than structural forces would predict. However, they have yet to seriously
engage the second critique, which requires evaluating how structural forces influence
institutional design before evaluating how institutional design influences behavior.

The endogeneity of institutional design to structure and behavior

Failing to take the endogeneity of institutional design seriously risks misidentifying
structural influences -- both those that influence behavior directly and those that influence
behavior through their influence on regime design -- as regime effects. In what follows, I use the
terms international institutions and international regimes to refer to explicit agreements such as
treaties and conventions "negotiated among international actors, that prescribe, proscribe, and/or
authorize behavior" (Koremenos, Lipson, and Snidal 2001, 762; Krasner 1983). My basic claim
is that, for any given regime, some but not all design elements are dictated by structural factors.
In a tension that reflects the larger theoretical debate regarding structure and agency (or free will
and determinism, for that matter), structure sometimes dictates institutional design but at other
times allows negotiators flexibility in which to make meaningful choices about some aspects of
institutional design.
Not surprisingly, it is hard to write on the relationship of power, interests, institutions, and behavior (not to mention questions of methodology) without finding a considerable number of Robert Keohane's fingerprints. Indeed, the basic point of this article is to encourage others to evaluate regime effectiveness in much the same way that Keohane did two decades ago in *After Hegemony* (Keohane 1984). In that book (and in others such as *After the Cold War*), Keohane looks for the effects of international institutions by examining how states behave after the conditions that gave rise to a regime have changed. Keohane is, insightfully, not particularly interested in how states behave directly after a regime forms, but instead in how they behave after underlying, "raw," or institution-independent, power and interests have diverged from the power and interests codified in the agreement. To the extent that a hegemon can create international institutions that fully reflect its power and interests, then, at the outset, any observed behavioral changes are, indeed, epiphenomenal (Strange 1983); the behavior is either driven by raw power and interests or by that same power and interests as codified in the institution, but in neither case is the institution independently effecting behavior. Keohane's methodological insight was to recognize that institutional effects are most visible not when regimes are first established but at those points at which the power and interests that led to, and are codified in, the institution's design have shifted enough that the behaviors predicted by those terms differ from those predicted by the new constellation of power and interests.

Literature on regime effects has grown considerably in the past quarter century, not least through Keohane's theoretical and empirical contributions (see, for example, Keohane, Nye, and Hoffmann 1993; Keohane, Haas, and Levy 1993; Keohane and Levy 1996). In determining whether regimes "matter," defined as influencing state behavior, most of that literature has done reasonably well at comparing observed behaviors to competing predictions reflecting either the
influence of the relevant institution or the influence of underlying power and interests. What has received less attention is a third type of influence, namely the influence of underlying power and interests as embedded in the institution. Although most regime effectiveness literature has carefully distinguished structural from institutional influences on behavior, that literature has done less well at explicitly identifying the influence of "structure-through-institutions" so as to avoid conflating it with institutional influence. Too frequently, the endogeneity of institutional design to problem structure has been ignored. But as Nye and Keohane note, precisely because "institutions often reflect the conditions of their origin, it is helpful to understand those origins" (Nye and Keohane 1993).

The fact that international regulations and the behaviors they regulate are both influenced by problem structure presents all regime effectiveness research with a troubling, omnipresent, and difficult-to-refute alternative hypothesis, namely, that any change in behavior after an international institution is created or amended is the result of a change in the underlying problem structure that leads states to both behave differently and to codify their intention to do so. In this view, the creation of an international institution is itself evidence that the problem structure has changed, otherwise, why did states create the institution at the time they did, as opposed to earlier or later. Thinking across cases, rather than over time, a similar logic suggests that variation in regime design reflects variation in underlying problem structure. Therefore, if "type A" regimes appeared to perform better than "type B" regimes, this would reflect not the influence of "type A" negotiators having done a better job of regime design but rather that "type A" negotiators faced a problem that was fundamentally more susceptible to institutional influence.

If we view problem structure as an independent variable that can influence both institutional design and the behaviors institutions are designed to influence, then what values can
"problem structure" assume? Not only do we need to know how problem structure varies but, for empirical purposes, we need to define this variation in ways that facilitate operationalization, i.e., identification of the value of the variable in particular cases. Below, I suggest a five-fold taxonomy derived from evaluating whether relevant actors cause the problem, would benefit from its resolution, both, or neither and from the strength of those actors' incentives to have the problem resolved and their incentives and capacity to contribute to its resolution once arrived at. In a concluding section of this paper, I discuss several other types of variation in problem structure that influence both institutional design and behaviors.

**Problem structure**

States can have one of four roles with respect to any given problem. Problems only exist if one or more states view the status quo behaviors of other states as suboptimal and would benefit from changes in those behaviors. Some states may play both these roles, while others may be neither. This creates four roles that states can embody for any problem: beneficiary, source, source-beneficiary, and bystander. Variation in problem structure is determined, then, by the distribution of states among those roles and by variation, within those roles, in the strength of their incentives to have the problem resolved, the strength of their incentives to contribute to the resolution of the problem, and their capacity to contribute to the resolution of the problem. As delineated more fully in what follows, variation in these factors can be mapped to several standard problem structure categories as well as several less traditional ones, namely, coordination, collaboration, upstream/downstream, positive externalities plagued by incapacity, and normative problems. For each of these problem structures, I identify the defining characteristics of that type of problem structure and then delineate how that problem structure
influences, and perhaps dictates, institutional design as well as institution-relevant behaviors. The goal of each section is to identify the influence of problem structure on institutional design so the influence of institutions on behavior can be distinguished from the influence of problem structure on behavior through institutions.

**Coordination problems**

**Definition and fundamental bargain:** Coordination problems involve a group of states all of whom are source-beneficiaries -- i.e., all contribute to the problem and would benefit from its resolution; all of whom have a strong desire for the problem to be resolved; and all of whom have both incentives and the capacity to contribute to its resolution once a solution has been identified. The resolution of such problems requires relatively simple institutions that identify a clear equilibrium around which actors can coordinate behavior. Identifying a set of rules for coordination may prove challenging since the choice among equilibria has important distributional effects among states. It will be least challenging, however, when one of various possible equilibria already holds a dominant position, or is preferred by a hegemonic actor. The fundamental bargain is not one of reciprocity or tit-for-tat. Each Party is not agreeing to "behave in a particular way in exchange for others also doing so." Rather, each Party simply knows that, once they collectively identify equilibrium behaviors, other parties will either adopt those behaviors or clearly announce that they will not be doing so. Indeed, actors have an incentive to adopt those behaviors as quickly as possible because, by so doing, they increase the incentives for others to also do so.

**Information and response system:** The nature of incentives in collaboration problems mean negotiators need spend little time designing information systems or response systems. Consider international institutions that require ships to veer right to avoid collisions in sea-lanes,
that limit states to launching satellites only into their allocated slots, or requiring international pilots and air traffic controllers to speak English. Neither systems to identify violations nor to respond to them are needed since actors will either be self-deterred by the costs they incur as a result of deviating from equilibrium behavior or will violate publicly as a strategy to pressure others into adopting new coordination rules that redistribute the cost of adjustment onto others. Thus, ship captains do not willfully violate navigation rules, launch supervisors do not attempt to place satellites in slots that are allocated to others, and broadcasters do not broadcast on frequencies owned by others because given that others are following the regime's coordination rules, such actions will no longer accomplish the objectives that usually motivate them. Thus, the nature of coordination problems dictates very clear and specific delineations of behaviors, but with either no, or superfluous, systems for identifying violations and responding to them.

**Alternatives and no regimes:** It seems unlikely that there would be much variation across institutions addressing coordination problems. With no meaningful variation in information or response systems, variation is most likely to derive from how much detail is needed to identify the equilibrium behavior. Thus, allocating satellite slots by country requires more detail than identifying which ways ships should veer in sea-lanes. Although there may not be much variation among the institutions create, coordination problems may well go unresolved. In particular, the existence of two or more equally useful equilibria that have significantly different cost implications for powerful actors may lead to long delays or permanent stale-mating in resolution of such problems.

**Making progress without an institution:** Institutions addressing coordination problems nicely illustrate why evaluating problem structure's influence on institutional design is important to evaluating institutional influence. In cases in which a hegemonic actor has a preferred
equilibrium behavior, we might well expect behaviors to fall in line with that preference even absent an institution. Contrast the use of English as the language of international air traffic control with allocation of satellite slots. In the former case, even absent international agreement, American power in the airline industry would place significant pressure for most airlines and air traffic controllers to adopt English as the language of commerce. International aviation institutions may have helped such coordination occur faster than it would have otherwise but, at least arguably, did not significantly influence the final behaviors engaged in. Indeed, in such cases, tacit or informal regimes may develop and be adequate to address the problem (Lipson 1991; Downs and Rocke 1990). In allocating satellite slots, however, actors have no clear alternative to continuing behaviors that they know will produce suboptimal outcomes. Even the presence of a dominant power in the industry does not dictate who should have what slots. In cases in which no "natural" focal point exists, institutions cannot simply codify behavioral preferences because those preferences are indeterminate. Thus, assessing whether an institution addressing a coordination problem was influential depends on critically identifying whether an "institution-independent" focal point exists: where such focal points do not exist, the argument for the institutional influence becomes far more plausible.

**Collaboration problems**

**Definition and fundamental bargain:** Collaboration problems differ from coordination problems in that, though all relevant actors are source-beneficiaries and desire the problem's resolution, they prefer not to contribute to that resolution. In such problems, a conflict exists between states' short-term and long-term interests and between their desire for the benefits of cooperation and their fear of the risks such cooperation entails. The behaviors causing the collaboration problem must be identified and, typically, a means must be found so that countries
can pursue the goals that motivate those behaviors through behaviors that impose fewer collective externalities. Problems may arise as unintended but avoidable byproducts of intentional acts (as with many types of pollution), as unintended but unavoidable results of natural responses to intentional acts (as with overfishing), or they may be the unintended but predictable results of strategic responses to intentional acts (as with trade wars or arms races).

The type of externality involved and the strength of actors incentives to resolve the problem influence both the type and aggressiveness of the means chosen to address the problem. For pollution problems, extant or developable processes or products may allow states to achieve the same economic ends through less polluting means, allowing states to design institutions that phase out pollutants or ban certain procedures. Bans and phase outs are far less likely with extractive problems like fisheries -- the goals motivating the activity cannot be readily met through other means. Where strategic responses of other states are in play, institutions must have additional elements to constrain the sanctioning of violations so that they reinforce compliance rather than unraveling into a retaliatory spiral.

Most scholars assume that the fundamental bargain for collaboration problems is one of specific reciprocity. And, in many cases, Parties are agreeing to restrain their problematic activities so long as others do and restart them if others do not show restraint. However, many alternative institutional arrangements can address collaboration problems, some of which reflect the influence of problem structure and others of which reflect real choices open to negotiators. First, international agreements demonstrate that specific reciprocity can involve differentiated rather than common obligations. Differentiated obligations may arise in response to asymmetries in the strength of actors' incentives to contribute to its resolution. Thus, in the climate change regime, source-beneficiary states committed to taking action developed a
schedule of greenhouse gas targets that range from a 7% reduction to a 12% increase. In a related type of problem known as a suasion game, a combination of preference and power asymmetries may be such that a hegemonic state prefers the benefits of collective action enough to provide the collective good at its own expenses but prefers that other countries contribute to its provision. The more powerful state(s) may either coerce weaker states to shoulder more than their share of the burden or self-consciously allow other states to free-ride on its provision of the collective good. Second, institutions can (and indeed must) adopt non-specific reciprocity if some actors are unilateral compliers who are unwilling to use specific reciprocity. Thus, states may be willing to re-start excessive fishing if others do but unwilling to re-start polluting activities if others do. In cases like the latter, negotiators must identify ways to induce responses to violations that will be sufficiently credible and potent to deter them. Third, institutions need not use reciprocity at all. In some cases, a Coasean bargain can be struck in which certain actors pay off others to exercise restraint. Thus, in the 1911 Fur Seal Treaty, the United States and Russia made annual payments to Japan and Canada to stop hunting fur seals so that the former states could effectively privatize the resource on their own territorial rookeries. Negotiators could have adopted a quota system that applied to all four states. Indeed, the International Convention on the Regulation of Whaling did just that in response to a relatively similar overharvesting problem with relatively few actors even though a Coasean bargain could have been adopted. These examples show how problem structure shapes institutional rules without necessarily dictating them -- as with much in the structure-agency debate, negotiators may be constrained (perhaps severely) by structure but retain some discretion and agency in institutional design.

Information and response system: It frequently has been suggested that monitoring and enforcement are essential to agreements dealing with collaboration problems because of the
strong incentives for clandestine cheating (Stein 1983; Downs, Rocke, and Barsoom 1996). 
Certainly it is the case that institutional designs must overcome the incentives for actors to 
dissemble regarding their behavior in collaboration problems. But how the institution 
accomplishes this is tightly linked to the planned response system as well as other structural 
features of the problem. Consider efforts to respond to a quintessential collaboration problem 
such as overexploitation of a high seas fish stock. If the fundamental bargain adopted is one of 
setting and enforcing quotas or what Hardin calls "mutual restraint, mutually agreed upon" 
(Hardin 1968), then fishers have incentives to violate the quotas clandestinely -- violating them 
to garner the "temptation payoff" of a multi-person Prisoners' Dilemma game and doing so 
clandestinely to avoid either threatened sanctions or reversion to the status quo ante. But a) 
some collaboration problems have information problems that are inherently easier to resolve and 
b) alternatives to a "mutual reciprocity backed by sanctions" strategy can ease the information 
problem. With respect to the former, some collaboration problems involve transactional rather 
than autonomous behaviors and, in many cases, those involved in transactions have incentives to 
monitor and report on any violations that harm their interests. Consider the problem of 
regulating tariffs or quotas: all actors still have incentives to violate reduction targets but the 
nature of tariffs and quotas precludes them doing so clandestinely. To impose a tariff, one must 
inform importers of that tariff level and importers have strong incentives to pull "fire alarms" 
when tariffs exceed institutionally established levels (McCubbins and Schwartz 1984). With 
respect to the latter issue, negotiators have alternatives to "mutual reciprocity backed by 
sanctions," as illustrated by the fur seal agreement just mentioned. In part, this agreement took 
advantage of there being a single market (in London) for skins at which any violations would 
have been come to light. But, in addition, rewards can be made contingent not only on
compliance but also on providing evidence of compliance. While sanctions place the burden of proof of violation on those imposing sanctions, rewards can be designed to place the burden of proof on those seeking, rather than those providing, rewards. In short, sanctions drive information from the system while rewards can be designed to do the opposite. That said, some collaboration problems may encourage clandestine cheating and preclude a reward-based system. Thus, subsidies or NTBs are not as readily visible to foreigners who are harmed by them (though notably the harms are sufficient that companies and countries expend considerable resources attempting to assess whether subsidies and NTBs of other countries violate trade rules). And in many arms control and pollution agreements, and other cases in which violations are readily concealed, states -- seeking to avoid the "suckers payoff" -- will tend to demand either strong verification measures, a system of rewards contingent on evidence of compliance, or some other means of distinguishing compliers and violators.

Whether relying on sanctions or rewards, institutions must overcome the secondary collective action problems associated with each. Axelrod and Keohane identify the "sanctioning problem" that arises when it is difficult to identify violators, retaliate in ways that affect only those violators, and to find actors who have incentives to incur the costs of sanctioning others (Axelrod and Keohane 1986, 237ff; Keohane 1984, 98). Rewards face at least the last of these obstacles -- each institution-supporting state prefers that others fund the rewards so that compliance is encouraged at no cost to them. In short, institutions must find ways to overcome the collective action aspects that plague not only compliance (i.e., the primary rules) but also sanctions and rewards (i.e., the secondary or response system). The choice between sanctions and rewards may also reflect the structure of the problem in terms of whether a hegemonic state
involved in a suasion game is normatively inclined toward benevolent hegemony or malign hegemony (Grunberg 1990).

Alternatives and no regimes: As noted, institutions addressing collaboration problems may be based on sanctions or rewards. Sanctions are not necessary to institutions addressing collaboration problems -- rather states can choose alternatives. Equally important, in many cases, the collective action problems inherent to collaboration problems will hinder states from creating institutions to address them. Thus, the chances of a "no regime" outcome are not insignificant for such problems. Likewise, regimes are far less likely to form in response to collaboration problems among states that distrust each other than among that have histories of interdependence. As has been pointed out by several scholars, there tends to be a selection bias problem in the study of regimes, since "non-regimes" are not studied. Paying greater attention to the problem structures of situations even when no international institution exists can help identify non-regime situations while also distinguishing cases in which structure made institutional formation likely but did not dictate it. Evidence that negotiators could have formed a different institution, or formed it earlier, later, or not at all, helps distinguish institutions that are dictated and hence merely channel power and interests from those in which states have meaningful choices that influence what outcomes we observe in the world.

Making progress without an institution: As with coordination problems, the extent to which the problem would be resolved in the absence of an institution depends on the distribution of power among actors relevant to the problem. In suasion games, the hegemonic state might well be expected to use coercion or ad hoc side payments to produce their preferred outcome. In such cases, we at least need to exercise caution in identifying the "no regime" counterfactual, being careful to examine whether the hegemon's incentives were such that regime formation was
a foregone conclusion and, if not, how the hegemon might have wielded its power to achieve the same objectives. Identifying counterfactuals for collaboration problems with more symmetric distributions of power present the more challenging analytic task of determining the extent to which, and under what conditions, states behave as predicted by realist theories. Regimes are unlikely to form among states that highly distrust one another, but when they do (as in the Oslo Accords between the Israelis and the Palestinians), they provide useful cases for analysis since they present strong counterfactuals -- we can expect the coordination problem to remain unmitigated in the absence of a regime and so any behavioral progress can more confidently be attributed to the regime. By contrast, highly interdependent states (e.g., the European Union) are more likely to succeed in designing international institutions to address coordination problems but, in such cases, pre-institutional outcomes are less good predictors of the no-regime counterfactual. The high levels of interdependence mean that when states have interests in forming a regime they are more likely to succeed, so the no-regime outcome given the problem structure is simply a less plausible counterfactual, and because even if the no-regime outcome is plausible, the problem structure may well predict some progress in mitigating the problem even without a regime.

**Upstream/downstream problems**

**Definition and fundamental bargain:** Upstream/downstream problems exist when actors are either sources or beneficiaries but not both. Unlike the mixed motives of collaboration problems, sources lack any interest in seeing a problem resolved since they do not perceive its resolution as benefiting them. Beneficiaries have strong incentives to see the problem resolved but lack the capacity to resolve the problem directly and must do so by influencing the behavior of sources. Sources may be states that simply do not experience any significant costs from their
own behavior, as with upwind or upstream polluters, or states that do experience the same material impacts as other states do not evaluate them in the same negative terms. In essence, a state is a source and not a beneficiary so long as it is not particularly concerned about the problem or does not see itself as benefiting from its resolution. Thus, many developing states have acted as "source" states with respect to the problems of ozone depletion and climate change: though some of them were likely to be significant contributors to these problems in the future and were likely to experience significant costs from these problems, those costs were sufficiently far off and other problems were sufficiently pressing that they were not willing to take early action to contribute to resolving the problem. The distribution of power, and the resources on which it is based, are particularly central to whether upstream/downstream problems get resolved, whether institutions are involved, and what shape those institutions take. The fundamental bargain underlying institutions developed to address such problems involve exchange -- the upstream state agrees to reduce or eliminate the behavior that imposes a negative externality on the downstream state in exchange for the latter providing some sort of compensation for so doing. Although downstream states can coerce upstream states into desisting, they are unlikely to be able to get upstream states to agree to legitimize such behavior through an international institution.

An interesting variant involves efforts to prevent such problems from emerging. Consider a state with incentives to engage in (but which has not yet engaged in) some behavior that would impose negative externalities on other states. In such cases, the downstream-states-to-be can threaten the prospective state to deter them from taking such action. But, to the extent that the upstream state lacks the indigenous capacity to engage in the externality-generating behavior, downstream states can adopt a preclusive strategy. Export control regimes, for
example, are intended to prevent rather than deter proliferators. These provide an interesting variant of an international institution, since they are the only ones in which cooperation from sources is not needed and, indeed, such states may well not even be members of the institution.

**Information and response system:** Given the necessity to incorporate exchange into institutions addressing upstream/downstream problems, these institutions require careful specification of the terms of exchange. Upstream states want reassurance about how they will be compensated and downstream states want reassurance that the upstream state will deliver on what it is being compensated for. Problems become particularly difficult when either side must take actions that are difficult or impossible to reverse. Precisely, because upstream and downstream states prefers that the other complete their part of the bargain first, the institutionalized bargains are likely to involve parsing of some sort, which each side taking some steps but then waiting for evidence of good faith efforts by the other side before proceeding further. As the agreement between the US, Japan, South Korea, and North Korea to get the latter state to give up its nuclear ambitions makes clear, careful parsing and verification provisions are crucial to such agreements but cannot prevent reneging. Efforts to clean up the Rhine reflected similar dynamics in which the French acted in ways that undercut the original agreement. One option available in such institutions is to make the delivery of the positive incentives contingent on proof of the behavior being rewarded. This avoids the adversarial dynamics in which information is driven from the system but may prove unacceptable to the upstream state being asked to alter its behavior.

For preclusive efforts, like export control regimes, the problem lies not in identifying violations by the incapable states whose capacity-development one seeks to hobble but instead attempting to ensure that none of the capable states take advantage of the restraint of others to
become the sole supplier to the forbidden market. As with regimes that address collaboration problems with sanctions, these regimes need to have well-designed monitoring systems and responses that either deter or preclude violations of the export controls (or similar provisions) themselves.

**Alternatives and no regimes:** Upstream/downstream problems will remain unresolved whenever downstream state(s) lack the necessary resources to induce upstream states to desist. Especially in security affairs, the strength of upstream states' commitments to certain behaviors may make them unwilling to accept any agreement. Indeed, one way to understand states that refuse to join certain international institutions is as follows: a large number of states may be engaged in a collaboration problem among themselves but may be "downstream" from one or more states that are sufficiently unconcerned about the problem motivating the others and sufficiently powerful to ignore their pressure. The few hold-outs from the nonproliferation regime, Malaysia's blocking of an international forest convention, and even American refusal to join the Kyoto Protocol can be understood in this light. These examples suggest that institutional responses may be particularly unlikely in response to upstream/downstream problems because such problems involve source states that do not even agree that a problem exists and have no internal incentives to have it resolved, let alone contribute to its resolution. It may not be possible to deter or induce such states to desist. When engaging in the offending behavior depends on capabilities that other, beneficiary, states control, however, preclusive institutions may develop.

**Making progress without an institution:** The structure of upstream/downstream problems makes behavior change highly unlikely to occur without an institution, unless the downstream state is powerful and willing to use coercive force. If downstream states are more
powerful, they may be able to induce behavior change through coercion. However, if they choose coercion they will be unable to institutionalize that approach, since upstream states would refuse to legitimize such actions in international law. If downstream states instead choose to influence upstream states through positive incentives, they will almost certainly do so through an institution, since doing so helps formalize and clarify the terms of the exchange. Thus, it is not really an institutional choice between sanctions or rewards but rather a choice of an institution with rewards or the non-institutional use of sanctions. By contrast, if downstream states are less powerful, the problem almost certainly will go unremedied: upstream states lack incentives to address the problem and downstream states lack the abilities to remedy the problem themselves.

**Positive externalities plagued by incapacity**

**Definition and fundamental bargain:** Positive externalities plagued by incapacity (PEPIs) involve acts of omission driven by lack of relevant resources rather than acts of commission. Many states lack various financial, technical, or informational resources. When those states could use those resources, if they had them, to engage in activities that would benefit themselves but would also benefit other countries, than a PEPI exists. Thus, the problem is composed of incapable states that are sources of the problem, would benefit from its resolution, but cannot contribute to its resolution and more capable states that are not sources of the problem but would benefit from, and can contribute to, its resolution. In some ways, these problems are suasion games in which contribution failures are due to incapacity rather than incentives to shirk. Whether an institution forms in response to such problems depends on how costly the inability to engage in those activities is to either the incapable state or capable states. Incapable states for whom the costs of inaction are high have incentives to identify ways to remedy the situation, either through unilateral action or by seeking outside assistance. Institutions that form in
response to these problems are limited in the fundamental bargains that can underlie them. Essentially, institutionalizing a resolution to such problems requires that capable states transfer resources to incapable states in exchange for the latter deploying those resources to address the problem. Not surprisingly, then, capable states have incentives to make the terms of that exchange explicit, to make the resources transferred as non-fungible as possible, and to limit the value of the resources transferred to the minimum needed to make the behavior possible and worthwhile. The less capable, recipient states have incentives to extract resources equal to the benefits that their behavior will bestow on the capacity-providing states and to ensure the terms of the exchange and the type of resources provided maximize their flexibility. Examples of such problems include AIDS control in sub-Saharan Africa, drug interdiction in Latin America, unsafe nuclear power plants in post-Soviet states, and even the provision of advanced military hardware to alliance partners (see, for example, Darst 2001; Connolly and List 1996).

**Information and response system:** The type of information and response systems needed in institutions addressing PEPIs depend on the power balance between the two sides of the exchange. When incapable states have weak incentives to undertake the behavior desired by potential beneficiaries and can threaten to walk away from the negotiations, they may be able to drive a bargain in which the resources received allow them considerable behavioral flexibility. In such cases, the stronger beneficiary states have strong incentives to incorporate information and response provisions that counter that flexibility and allow them to monitor and respond to misappropriation of the resources provided. Such institutions are likely to involve parsed bargains in which resources are dispensed in tranches, with each transfer contingent on satisfactory performance of the previous terms. Thus, financial transfers would appear to require careful monitoring. By contrast, when the potential externalities are small but the benefits of
gaining the capacity are large to incapable states, than the former can provide less, or non-fungible resources that require far less monitoring or threats of response. Thus, the provision of AIDS drugs or even the relinquishing of patent rights to allow production of such drugs would seem to need little monitoring. Notably, however, funding of safer nuclear power plants in post-Soviet states still failed to achieve the outcome desired by the funding state of rapid decommissioning of older, unsafe plants, as those plants were kept running alongside the new ones (Connolly and List 1996). In short, the success of these agreements depends on establishing non-obsolescing bargains or finding ways to tie the hands of those to whom resources are transferred.

**Alternatives and no regimes:** States seem less likely to create institutions in response to PEPIs than to other types of problems for two reasons. First, the failure to address a PEPI is most evident in benefits foregone rather than harms avoided. Second, addressing a PEPI requires positive investment of resources at some risk to the beneficiary state. Thus, the incentives to address such problems tend to be weaker than for other problems while the disincentives for doing so tend to be stronger. The nature of PEPIs also constrains the type of institutions that can form in response to them. Since the states providing resources need the cooperation of the less capable states in deploying those resources appropriately, coercion and sanctions would be ineffective. Likewise, because the problem arises from incapacity, reciprocity will also be ineffective as a fundamental bargain. In sum, it seems that many PEPIs will go unaddressed but those that are addressed will involve an exchange designed to protect the interests of those providing the necessary resources.

**Making progress without an institution:** As just noted, it seems likely that many PEPIs will go unaddressed and little progress will be made without international institutions. In many
PEPI situations, however, ad hoc bilateral solutions may provide a reasonable alternative to multilateral institutions. Although enhancing Colombian drug interdiction efforts may benefit all states whose citizens buy illicit drugs from there, the US benefits enough from providing aircraft and other support that it has done so on a bilateral basis. Likewise, states that have large immigrant populations from particular nations may provide large amounts of aid directed at such problems as development or AIDS prevention with hopes of reducing the immigration flow or mitigating its negative effects. Thus, for many PEPIs, the proper counterfactual may well be one consisting of uncoordinated and partial bilateral responses rather than no response.

**Normative issues**

**Definition and fundamental bargain:** A final category of problem fits uncomfortably with the foregoing categories that are based in variation in incentives and capacities. Yet, some international institutions appear to address the normative dialogues in which states increasingly engage. Since the end of World War II, part of international relations has involved joint efforts among states to identify agreed upon principles of conduct that are fundamentally not interest-based. They are not negotiations aimed at averting suboptimal outcomes due to independent decision-making but are, instead, dialogues about what the states involved can agree upon as right and wrong behaviors. International institutions can involve attempts to address conflicts over values (Rittberger and Zürn 1991). Most human rights regimes are not inherently attempts to address externalities, at least not material ones. Although it avoids the need to multiply categories to talk about one state's violation of its citizens' rights as imposing an externality on the concerned citizens of other states, such a framing fails to capture our intuitions of the problem. Thus, it seems worthwhile to identify the problem structure of human rights and similar problems as distinct from other types of problems for which states create institutions.
Human rights issues reflect the normative concerns, rather than the material interests, of states. Surely the ideas that gain currency tend to be those supported by the more powerful states in the system. But these ideas are not framed nor discussed in interest-based terms. The discourse is one of a logic of appropriateness rather than a logic of consequences (March and Olsen 1998). The discourses tend to be aimed at winning battles in defining "right" and "wrong" (or appropriate and inappropriate) behaviors. It also seems that, with normative problems, states begin to create international institutions only after those definitions have garnered considerable support. In that sense, human rights regimes tend to codify notions of appropriate and inappropriate only after they have become dominant, at least among powerful states. They are not attempts to codify existing behaviors but existing understandings of appropriate and inappropriate behavior.

Human rights agreements appear to take two forms -- those that proscribe "inappropriate" behavior and those that prescribe "appropriate" behavior. With respect to cases of the former, such as genocide, torture, or protection of civil and political rights, the behaviors in question involve acts of commission. Regimes establish negative "thou shalt not" rules that all states can be assumed as capable of fulfilling and hence expected to fulfill. When that does not occur, responses ranging from social opprobrium to material sanctions are often viewed as appropriate. Prescriptions of appropriate behavior, such as protection of economic, social, and cultural rights, involve requirements for states to undertake significant and costly new programs. At the time such institutions are created, compliance with such rules is known to be low. Indeed, in such arenas, states seem content to establish particularly "deep" regimes that would require major changes by most member states (Downs, Rocke, and Barsoom 1996). In establishing positive
requirements states appear willing to delineate statements of principle intended as long-term hortatory goals rather than as immediate standards for behavior.

Reflecting the fact that these institutions are codifying appropriate and inappropriate behaviors, the institutions created to address either type of problem do not involve fundamental bargains. They simply delineate "right" and "wrong" behavior to reinforce and develop an existing norm. The institution is not intended as a bargain among states but as a consensus statement of principles on which member states agree. Most institutions addressing the previous four types of problems are understood by all sides as involving mutually contingent commitments -- the failure of one or more Parties to fulfill their commitments alleviates other parties of fulfilling theirs. The institutions that form in response to normative issues appear quite different -- they delineate principles, the force of which are not contingent on how others behave.

**Information and response system:** Proscriptive normative regimes define behaviors considered as wrong and would seem likely to legitimize the expectation that such behaviors should be sanctioned. Rewards for compliance are unlikely in such settings: doing so would involve rewarding states simply for not engaging in wrong behaviors (a strategy that no state would support) while simultaneously undermining the internalization of the norm that the regime seeks to instill. Such regimes -- as with those addressing clandestine cheating in collaboration problem regimes -- must have information systems that surmount such obstacles as may exist to identifying violations and have mechanisms for leading violating states back into compliance.

Human rights so often receive relatively low priority in the rankings of diplomatic concerns between states that most states rarely sanction other states for human rights violations. At least in part in response to this reluctance, many human rights regimes appear to rely on nongovernmental organizations who are both more capable of using transnational networks to
identify violations and more likely to have incentives to raise up such violations for public scrutiny (Keck and Sikkink 1998). When governments do impose sanctions, they appear to have considerable symbolic value, intended as an expression of principle and of commitment to institutional norms as much as an influence attempt. Such sanctions never involve specific reciprocity (i.e., retaliatory human rights violations by the sanctioning state) since those are neither credible nor potent. The contrast with trade sanctions, for example, is stark -- trade sanctions are specifically intended to induce compliance at the same time that the sanctioning behavior (raising tariffs) runs counter to the norm the regime seeks to build.

Prescriptive normative regimes, by contrast, define behaviors considered as simultaneously virtuous but unlikely for most states to fulfill. In these cases, perhaps because they are intended as hortatory goals, most institutions appear to rely on information systems that are clearly and intentionally detached from any likely material response. In part, this reflects the nature of hortatory goals -- establishing goals that exceed most if not all Parties’ current behaviors requires procedures that identify progress being made toward those goals rather than sanctioning (or rewarding) behaviors that fall short of (or exceed) some particular standard. Such human rights institutions appear to be very "violation tolerant," rejecting the notion that widespread and major violations undercut the viability of the institution. Just as religions do not make maintaining their norms contingent on how parishioners behave, human rights agreements define appropriate and inappropriate behaviors as guidelines, independent of how close or how far states hew to those guidelines. Some human rights rules, e.g., those on economic rights, appear intended to be unrealistic in hopes of motivating behavior "in that direction" rather than in hopes of getting states to actually fulfill those rules. The mechanism of behavioral change is not one based in a logic of consequences but instead is one that expects, through an extended
normative dialogue involving efforts at persuasion and argument (Risse 2000), to induce internal acceptance of these norms and through that process to induce long-term and deep behavioral change.

**Alternatives and no regimes:** Normative dialogue, whether at the intergovernmental level or at levels below the nation state, on a wide range of topics can persist for a considerable length of time before states decide that an international institution is warranted to address the issue. Precisely because no immediate material impacts ensue from inaction, pressures for action are often weak or non-existent. Nor is it clear at what point a normative dialogue is likely to have "gathered enough steam" to produce pressures on states to institutionalize the core principles of that dialogue internationally. That said, the nongovernmental organizations that often are the incubators for these ideas and the actors who keep these issues on the agenda have strong incentives to get states to codify principles in international law, since doing so provides a valuable tool in these groups efforts to use public opinion (both domestic and international) and pressures from a few highly-concerned states to influence the behavior of at least some states. All this said, proscriptive norms seem more likely to be addressed by regimes than prescriptive ones -- states finding it easier to reach agreement on a small set of "wrong" behaviors that are simply "beyond the pale" than to reach agreement on what constitutes "right" or "good" behavior.

**Making progress without an institution:** Precisely because regimes form in response to normative dialogues only after those dialogues have gained some degree of persuasive force, it may be particularly difficult to isolate the structure-independent influence of institutions in this realm. If states establish international normative institutions only after a certain degree of normative acceptance and internalization has occurred but in response to an ongoing process of
such normative acceptance and internalization, than it may be quite difficult to determine how much acceptance and internalization would have occurred in the absence of the institution and how much additional acceptance and internalization occurred because of the institution's creation. Simply delineating it in this way, however, suggests that the counterfactual in most cases of human rights agreements is not, graphically speaking, a straight line, but rather an upward pointing trajectory of increasing norm acceptance with the influence of the regime evident in an increasing rate of internalization and acceptance.

**Other considerations**

Traditionally, discussions of problem structure with respect to international institutions has consisted of taxonomies almost exclusively based in variation in the incentives of different actors to cooperate or defect. The foregoing has sought to build on these taxonomies, showing that, alone, they are insufficient to provide detailed predictions about institutional design or behavioral responses in the absence of the institutions. At a minimum, recognizing the role of power is essential. The presence of a hegemon alters almost any problem structure: if they are a beneficiary, it increases the likelihood of an institution being formed and expands the variety of possible fundamental bargains that can be struck. Clearly, this strain of argument can and should be expanded to address small groups of powerful beneficiary states, in line with Olson's arguments regarding "k groups" (Olson 1965). The presence of a hegemon or powerful states also alters our predictions of behaviors under the no-regime counterfactual scenario, and hence directly affect what behaviors constitute evidence of institutional influence.

The foregoing has also sought to clarify how informational characteristics of the problem-generating behaviors are central to institutional design as well as to how states respond to such behaviors in the absence of an institution. The game theory literature has frequently
noted that institutions addressing coordination problems do not need information provisions since violations will be public acts designed to shift to a different equilibrium. But that same literature has led many scholars to focus on the similarities between trade wars involving tariffs and arms races despite the fact that the former cannot be conducted clandestinely and that institutions addressing them do not need strong and explicit information provisions any more than do coordination problems.

Other aspects of problem structure have been touched on or alluded to here but need further development to help in evaluating international institutions, since they influence what form regime takes as well as what behaviors occur in the absence of regimes. Thus, consider the differences between problems that result from acts of omission, from acts of commission, or from accidents. Problems that result from acts of omission require acts of commission for their resolution, while those that result from acts of commission require only restraint; therefore, incapacity problems are far more likely to plague compliance with the former than the latter. Although this may not mean that noncompliance is more likely in the former case, it does mean that the causes of noncompliance and hence what constitute effective responses in the two situations will differ. States can respond to problems that result from accidents in a variety of ways that differ significantly from the rules adopted for intentional behaviors. The two agreements signed after the Chernobyl nuclear accident and the many created after marine pollution accidents illustrate a range of requirements, including requirements for behaviors that reduce the likelihood of and damage from accidents; liability rules requiring those responsible to clean up afterwards or compensate those harmed; prompt notification requirements; or programs to promote preparedness and response. These different positive requirements also are not
mutually exclusive and may be incorporated in a single institution or in multiple linked institutions.

As soon as one moves away from defining problem structures in terms of two-player games, one also opens up a range of issues related to defining a problem structure in which there are many different types of actors at the table. Indeed, the relationship between the "relevant actors" to a problem and the membership in any institution developed to remedy that problem is a complex one (Koremenos, Lipson, and Snidal 2001). Most international environmental problems that could be reasonably characterized as a Tragedy of the Commons situation involve some states that are "unilateral compliers" (they plan to change their behavior regardless of the actions of others) and others that are upstream states or noncontingent violators (and will continue their behavior regardless of the actions of others). Cases with many of the former will have higher compliance rates but less influence; cases with many of the latter may have lower compliance rates but may provide the most compelling evidence of institutional influence if any of those actors do alter their behavior. In these and myriad other cases, the plethora of possible arrangements of actors' incentives and capabilities suggest that evaluating the influence of institutions depends on categorizing problems according to some summary judgment of their structure but being careful not to assume that all the empirical variation has been captured in that summary judgment. An important source of variation in institutions is also their membership rules (Koremenos, Lipson, and Snidal 2001). As hinted at in the discussion of how export control regimes define membership to keep sources of the problem out of the institution, states can use membership rules to create institutions with limited membership but ambitious rules or universal membership but less stringent rules.
A variety of other aspects of a problem's structure influence both the design of the institutions that states create to address them but also influence how states will behave if no such institutions are created. Variation in the ambitions of the most or least ambitious state surely influence how "deep" the level of cooperation codified in an institution is, as well as how much behavioral change would go on even absent a regime. For some problems, all states will already be in compliance at the time an agreement is signed; for others, no states will be in compliance at that time; and for many, and perhaps most, some states will already be in compliance at that time and others will have far to go. The pattern of pre-institutional behavior obviously influences both the type and ambitiousness of institutional commitments as well as subsequent behavior. The violation tolerance of actors also influences both the type of information and response systems incorporated in a regime and how states are likely to respond to such behaviors even if there is no regime. Thus, consider a country that acquires nuclear weapons compared to one that fails to protect the rights of women or minorities -- other countries are likely to respond much more vigorously and in more ways to the former than the latter, regardless of whether an institution exists which bans such behavior. Technical capabilities, and their distribution among states, also influences both the standards agreed to and the behaviors that states will pursue if no institution is created.

The point of this discussion is simply that there are numerous aspects of problem structure that influence both institutional design and behavior in ways that confound and complicate efforts to determine the independent influence of international institutions. Identifying those factors and determining how to address them analytically is the focus of the final section of this paper.
Methodological implications

Several methodological implications flow from the foregoing discussion of how problem structure, defined as the constellation of power and interests in an issue area, influence both the behaviors that states design regimes to regulate (the problems) and the terms (and membership) of the agreements states negotiate to regulate those behaviors (the solutions). We should take power and interests as the null hypothesis or "default" explanation of behaviors when strong evidence of the influence of other factors cannot be identified. The endogeneity of institutional design raises an analytic obstacle that, I argue, has received too little attention in most of the regime effects literature. The same states whose (presumably self-interested) behavior is leading to suboptimal outcomes, negotiate agreements (that presumably reflect their self-interests) to regulate those behaviors. If the international institutions states devise to regulate behavior and the behaviors being regulated are simply different expressions of the same constellation of power and interests, how can those institutions be said to have an independent influence on state behavior?

First, we cannot assume that the creation of new institutions or the modification of existing ones are exogenous and independent of changes in problem structure. Indeed, the healthy skepticism that Keohane urges us to bring to bear if we are to "think like a social scientist" (King, Keohane, and Verba 1994, 32) suggests that we should take such institutional "events" as evidence of changes in the underlying problem structure until shown otherwise.

Second and relatedly, design variation across regimes should be assumed, until shown otherwise, to arise from variation in the underlying problem structures rather than from different design choices in response to similar problems. In most cases, analysts of regime effects have conducted case studies. But too few of the rare cases that have compared regimes have carefully
selected problems to control for problem structure or, alternatively, sought to isolate the
influence of variation in problem structure from that of the international institution.

Third, we should start with an expectation that some, and perhaps a significant, fraction
of any correlation between "improved" behaviors and institutional changes is spurious
correlation due to both being expressions of the same changes in problem structure. The point is
not that we need end with that conclusion but rather that we must end with that conclusion unless
we can find compelling evidence to the contrary.

Fourth, we should start with the expectation that non-member states to alter their
behavior less than member states, not because the former are influenced by the institution but
because the states that become members are those that are either most concerned about the
problem, face the lowest adjustment costs, or both. Again, this expectation can be overturned
but doing so requires compelling evidence that explicitly evaluates whether and in what ways
states that join an international institution differ from those that do not.

Finally, to convincingly demonstrate regime effects, analyses should identify what
aspects of a regime's design reflect -- and what aspects diverge from -- underlying power and
interests, and should explain changes in behavior in terms of three broad categories of influence:
the direct influence of structure, the indirect influence of structure through its influence on
institutional design, and the structure-independent influence of the regime. These
methodological implications do not pre-judge that international institutions have no influence but
simply delineate what bringing a healthy skepticism to analysis of those institutions should
involve.

Several methodological strategies exist that can facilitate distinguishing the three
potential classes of determinants of behavior, i.e., structural determinants, institutional
determinants, and structure-through-institution determinants. The first is simply to look for variation in problem structure both over time and across cases. By looking for such variation independent of whatever may be happening in the institutional setting fosters identification of factors that may explain both institutional "events" and behavioral changes and that might otherwise be overlooked. Second, when institutional events occur (such as negotiation or renegotiation of institutional terms), the analyst should check to identify the causes of those events and draw out how those causes of institutional change would also influence behaviors in the absence of such institutional change. Such careful attention increases the accuracy of the counterfactuals necessary to identify the independent influence of international institutions. Third, once the problem structure of both cases and observations within cases has been identified, cases and observations should be selected to control for problem structure as much as possible while carefully evaluating the influence of any remaining variation in problem structure on both institutional design and on behavior.

The application of quantitative strategies to the analysis of regime effectiveness (Miles, Underdal, Andresen, Wettestad, Skjærseth, and Carlin 2002; Helm and Sprinz 2000; Hovi, Sprinz, and Underdal 2003; Hovi, Sprinz, and Underdal 2003; Young 2003; Mitchell 2002) opens up additional possibilities. Certainly one is to use the algorithms embedded in regression equations to separate institutional influences on behavior from structural influences. Notably, however, structure-through-institution influence involves, by definition, covariation of these two sets of factors such that these algorithms cannot isolate it. One approach to this dilemma involves two-stage modeling in which the influence of structure on institutional design is determined in one regression and the results of that regression are used as the inputs for a
regression of behavior on institutional design and structure. Such strategies have not yet been applied but, if properly developed, offer some promise.

**Conclusion**

The proper question is, as Keohane has argued in many realms, not either/or but "under what conditions." That is, institutions clearly do reflect the power and interests of the states that form them and they also can wield independent influence over those same states' behaviors. Our task is to determine, convincingly, the conditions under which the latter happens given the methodological obstacles posed by the former. In part, the processes and constraints of creating international institutions almost always produce institutional designs that diverge, at least to some extent, from what the pure influence of power and interests on behavior would dictate. That said, some problem structures are more determining of institutional form than others. When structure dictates institutional design, the correlation of behavior with institutional dictates is, as realists would predict, epiphenomenal. But when structure is underdetermining of institutional design (or even whether an institutional will emerge), the choices negotiators make may lead to outcomes that are quite distinct from those predicted by institution-independent power and interests. But identifying such influence requires considerably more attention than recent "regime effectiveness" scholarship has given to three analytic tasks: identifying how structure influences institutional design, identifying what behaviors structural forces would dictate absent an institution, and identifying how the behavioral dictates of institutions diverge from those of structural forces. This article has provided an initial taxonomy of types of problem structures and of several other aspects of problem structure that influence the design of international institutions. Variation in these types and aspects of problem structures not only constrain what
design choices are possible but also influence whether counterfactual, "no-regime," behaviors are likely to be the same as those required by the institution (as realists would predict) or whether those behaviors are likely to diverge from them. The influence of structure is sometimes sufficiently strong that it dictates both institutional design and behavior; at other times, the influence of structure leaves leeway in institutional design such that the dictates of structure and the dictates of institutions diverge. It is only by recognizing that both types of cases arise and that institutional influence is only evident in the latter that those interested in the influence of institutions can take advantage of insights that Robert Keohane had over two decades ago.


international environmental institutions.” In Institutions for the earth: sources of effective international environmental protection. Cambridge, MA: MIT Press, 3-26.


Risse, Thomas. 2000. ““Let's argue”: communicative action in world politics.” 


