

# International Regimes as Concept

Written by M. J. Peterson

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M. J. PETERSON, DEC 21 2012

Pausing to note that it is now 30 years since publication of the *International Organization* special issue on international regimes provides an opportunity to revisit that issue, consider what the authors sought to accomplish, recall the practical and theoretical context in which the special issue arose, and reflect on later use of the ideas expressed there.

### **A Concept for Studying International relations, not a Theory of International Relations**

Some of the discussion here at *e-IR* has focused on “regime theory” — whether to note its effect of fostering wider study of international political economy and international environmental politics[1], to condemn it as focusing attention on “form” rather than “substance”[2], or to highlight its consistency with other theories or usefulness for understanding particular concerns[3]. Certainly the authors of the special issue and others who have written on international regimes have broad theoretical ambitions. However the term “regime theory” is misleading because the authors of the special issue all treated the term “international regime” as a concept – specifically a concept naming a particular type of phenomenon that could be observed in world politics. The only way I can construe the phrase “regime theory” consistent with the intentions of the 1982 authors (including designated critic Susan Strange) is to regard it as a two-word shorthand version of the longer phrase “theory of international regimes.” Using “regime” as an adjective linked to the noun “theory” suggests that people studying international regimes are attempting to produce a distinct and reasonably unified school of analysts who focus on world politics or international relations in a particular way. Yet this was obviously not true of the precursor articles[4] or the 1982 special issue, and is certainly not true of the larger set of scholars who have used the term since 1982.[5]. The longer phrase “theory of international regimes” seems much more appropriate. It contains two nouns connected by a conjunction. Here the noun “theory” designates all the various forms of engagement in producing knowledge in which academics participate, the conjuncture “of” indicates that this knowledge-generating enterprise is going to be focused on a particular knowledge domain[6], and the adjective-noun combination “international regimes” identifies the domain under examination. So what we have is 30 years of effort on the part of some – certainly not all – scholars of international relations or world politics to understand a particular knowledge domain because they regard it as useful for illuminating additional knowledge domains and generating knowledge that can be applied in the world.

The special issue arose at a particular time, the period from late 1979, when the organizers started putting together their first workshop, through late 1981 when they polished their papers for publication. Re-reading Susan Strange’s contribution[7] reminds us of the key elements of that context: the global economic turbulence triggered by the 1973 and 1979 OPEC oil price increases that ramified through all aspects of international economic interconnection: trade, payments, private investment, aid, and debt; the resurgence of US-Soviet tension and politico-military competition, continuing ideological competition between vastly different visions of organizing economies and politics, and strong agitation among the Nonaligned and G77 governments for major changes in the rules of the international system. How world events influence the academic enterprise as a whole or its individual participants is the subject of vast debate; here it is sufficient to observe that different individual scholars react in varying ways and Strange’s perceptions of how it might be used were reasonable projections and provided salutary warnings.

Yet, as the notion of the ivory tower reminds us, academics react to each other as well as to the world. Thus it is also useful to recall the state of international relations theorizing in 1979-81. If the history of international relations as an

# International Regimes as Concept

Written by M. J. Peterson

area of focused study is taken to begin in the 1920s, the study of “institutions” had fallen to an all-time low.[8] There was an “institutionalism” – exemplified by Thorstein Veblen and John R. Commons – evident in economics; today it is called the “old institutionalism” to differentiate it from the “new institutionalism” or “new institutionalist economics”—exemplified by Ronald Coase, Douglass North, and Oliver Williamson – that was beginning to emerge [9]. The Cold War had quickly nipped the revival of optimism and idealism inspired by the Allied triumph in World War II, reflected in the initial formulation of functionalism[10] and by the mid-1970s the yawning gap between integration as theorized and actual accomplishment in the European Economic Community of “the Six” inspired one of the major theorists to write what some saw as an epitaph for integration studies in 1975[11] The study of international law and international (intergovernmental) organizations had long been characterized by a formalist/descriptive cast that provided international relations specialists coming from whatever discipline plenty of reason to regard both as epiphenomenal and therefore not worth attention.[12]

From whatever mix of world events and development in academic disciplines individual scholars took inspiration, a large portion of the academic community had settled into a period of highly structuralist theorizing according to which underlying material structures channel actor behavior in particular ways regardless of what the actors themselves think they are doing. For realists, this driving structure was the combination of political decentralization (“anarchy”) and distribution of capability, which pressured states that wanted to survive into thinking and acting in terms of self-help in a sharply competitive zero-sum world.[13] For Marxists this deeper structure was the product of the relations of production and resulting class structure characteristic of the international (if not quite global) capitalist economy.[14] A few who regarded political and economic interactions as more autonomous of one another than either mainline realists or Marxists invoked a combination of the two.[15] Already influencing other disciplines, though not quite yet making a mark on study of international relations, was linguistic structuralism[16] and post-structuralism[17], affirming the actor-shaping role of language, and particularly of discourses. Though coming from very different angles, all these theories converged on regarding actor choice and action as far less important in the medium to long term than the shape of the underlying structures. Yet structuralism never became the consensus view in the academic community. Competing versions created some degree of mutual erosion, but more important were views that there was too much variation in actor behavior for the stricter forms of structuralism to be fully persuasive. Though the explicit “agent-structure debate” hit the field somewhat later,[18] scholars believing that structures influenced but did not determine were looking for ways to express their views that actors have choice and those choices matter.

## Usefulness of the Concept

Introducing the concept “international regime” suggested a way to get out of both ruts – to replace older formalistic/descriptive studies of international organizations with something better adapted to understanding the variation in both the substance and the form of cooperative arrangements among states and to explain how actors might converge on shared understandings given that they do have a range of choice. Thus in defining the concept “international regime” as “[a set] of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations”[19][hereinafter “the 1982 definition”] the authors were organizing inquiry at three distinct levels admitting considerable variation in how scholars proceeded with their individual research.

At the most general level, the concept “international regime,” like any concept, serves as a mental container allowing analysts to separate individual things observed in the world into sets based on their similarity to or difference from other individual things. The general name of the concept is much like the label on a storage box: it tells us what we will and will not find inside. Though the basic notion of in/out is a binary, creating a concept does not require insisting that the world contains only two sets of things. The various things that cannot be contained within any single concept (mental container) could be divided up among any number of other mental containers; nor does in/out necessitate conceptualizing sharp boundaries between the various sets of things put into different containers. Though the necessary and sufficient method of constructing concepts encourages thinking in terms of sharp boundaries, the competing family resemblance method operates on a logic of more-or-less similar that allows fuzzier boundaries.[20]

In either method, constructing the concept involves engaging in a second level of inquiry, identifying the elements

## International Regimes as Concept

Written by M. J. Peterson

that together define which things belong inside and outside the concept. The 1982 definition indicates three primary elements: 1) an interrelated array of principles, norms, rules and decision-making procedures, 2) a group of actors using that array to guide their expectations regarding their own and others' behavior, and 3) an issue-area where that array and those expectations will be engaged. Understood properly, the third element indicates that no one international regime, and possibly not even the complete set of them, will extend to every issue area of international relations – a point made clear in the long literature noting the relative paucity of international regimes in security affairs. Understood properly, the first indicates that to qualify as an international regime, actor expectations must be converging because they all accept and follow a particular array of normative and procedural guidelines. If actor expectations converge for other reasons – some structural dynamic that does in fact channel choice very narrowly[21], common fright driving them in the same direction, individual utility-maximizing that leads them to convergent choices, or simple accident – there is also no international regime at work.

Much of the work on the concept since 1982 has involved developing the third level of inquiry triggered by having a concept – specifying the indicators that permit determining whether particular things observed in the world belong inside or outside the box. Though qualitative researchers eschew the term “operationalization” common among quantitative researchers, they also need ways to explain to each other why they regard this thing as belonging inside the concept box and that thing as belonging outside.

Yet the naming, defining, and specifying that go into developing a concept are only the beginning of inquiry, as the articles in the special issue and the huge literature since amply demonstrate. Having a concept allows asking the full range of questions about the phenomenon. These start with understanding how and when the phenomenon emerges, changes, or disappears. Thus analysts seek to identify the factors, conditions, and choices that promote or inhibit the formation, alteration, and dissipation of international regimes. These inquiries might look at individual regimes, but they could also involve comparisons of international regimes within or across issue-areas or time periods. Analysts also extend their efforts to understanding the interaction processes by which actors agree that they need a regime and settle on the substantive content of the principles, norms, rules, and decision-making procedures to adopt. While these questions could be asked in a way that assumes regime-formation is the most likely outcome, analysts should be open to the possibility that none emerges. Lack of a regime is obvious when there is no agreement, but an agreement could exist on paper without prompting the congruent behavior that would allow concluding that actor expectations are converging on those principles, norms, rules, and decision-making procedures in a way that makes the agreement the formal expression of an international regime. Remembering that “international regime” is a concept should encourage analysts to avoid saying one exists when it does not. Analysts can also place international regimes in context by asking whether their substantive character and impact varies by the issue they address, the region of the world in which they operate, the era in which they operate, or the characteristics of the problem they are intended to mitigate or resolve.

Analysis of a phenomenon also involves understanding the implications of its existence. Thus analysts ask how and under what circumstances or in what situations the existence of an international regime affects actor choices and behavior. Interactions mediated through regimes can be compared to interactions handled in other ways. Though inquiry about regime effects on actors will focus most immediately on participating government compliance with regime specifications, it can be extended to other actors affected by one or more participating governments either because they come under a participating government's jurisdiction or because they have significant relations with it. Interactions mediated through regimes can be compared to interactions handled in other ways. Compliance questions can be analyzed over time, allowing for questions about how and to what extent changes in actors' beliefs or perceptions reinforce or erode the regime. Whenever the attitudes of participating governments are not uniform (which is probably most of the time), analysis of compliance over time can also ask about the impact of changes in the distribution of capability or attraction[22] among governments with different preferences about the goals or the features of the international regime.

Now that there are multiple international regimes both within and across issue-areas, analysts can ask how they “fit together;” particularly whether they are mutually reinforcing or mutually weakening.

Finally, the concept does not prevent asking about the impact of an international regime's existence. Inquiry into

# International Regimes as Concept

Written by M. J. Peterson

impact begins with effectiveness: whether, at whatever level of compliance with regime principles, norms, and rules occurs, the regime facilitates attainment of the goals it was established to foster. However, it must continue to value, a question that has both pragmatic and moral elements.[23] The pragmatic side is whether the international regime promotes a wise use of time and resources in light of the other efforts that might be produced. In economics this would be an argument about whether the gains of following the regime are worth the opportunity costs of other activity foregone. The moral side is whether the goal being sought and the means being employed to seek it are morally and ethically desirable. A decision that the goal is morally undesirable would answer the practical/opportunity cost argument: time and resources should not be devoted to morally undesirable ends. A decision that the means are morally undesirable may or may not taint the goal; it might imply simply that some other means should be found. If, however, no morally acceptable means would be effective, that would call the value of the goal into question.

These questions about the emergence, persistence, decay, impact, and value of international regimes are the interesting and important questions. They have been the primary focus of scholars using the international regime concept since its launch. Other scholars not using the concept may not always like the way users employ it – and the users argue a good deal among themselves as well.

Yet how well or badly it is used is not a comment on the concept itself. Like actually existing international regimes, the concept “international regime” is a tool, and just as states can create better or worse international regimes, scholars can use the concept in better or worse ways. In a world where there is no centralized political authority, the concept remains useful. It does not cover every situation, but it covers enough to be worth keeping in the analytical toolkit.

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## Notes

[1]Oran Young. 2012. “Regime Theory Thirty Years On: Taking Stock; Moving Forward,” *e-International Relations*.

[2]Ronen Palen. 2012. “Cave! Alius Draco: There was a Sixth Dragon,” *e-International Relations*.

[3]George Modelski . 2012. “Long Cycles and International Regimes,” *e-International Relations*; and Dimitrios Anagnostakis. 2012. “Regime Theory and Global Counter-Terrorism: Some Starting Points,” *e-International Relations*.

[4]Such as John Gerard Ruggie. 1975. “International responses to technology: Concepts and trends.” *International Organization* 29(3): 557-583; Ernst B. Haas. 1980. “Why Collaborate? Issue-linkage and international regimes.” *World Politics* 32(3): 357-405; Oran R Young. 1980. “International regimes: problems of concept formation.” *World Politics* 32(3): 331-56 and Jock A. Finlayson and Mark W. Zacher. 1981. “The GATT and the Regulation of Trade Barriers: Regime dynamics and functions.” *International Organization* 35(4): 561-602.

[5]The first 15 years of use are nicely surveyed in Andreas Hasenclever, Peter Mayer, and Volker Rittberger. 1997. *Theories of International Regimes*. Cambridge: Cambridge University Press. This improves on the title Rittberger used for his earlier contribution, Volker Rittberger, ed. 1995. *Regime Theory and International Politics*. Oxford: Clarendon Press.

[6] I am using this term in a cognitive science sense, not as an analogy to or metaphor for physical spaces.

[7] Susan Strange. 1982. “Cave! hic dragones: a critique of regime analysis.” *International Organization* 36(2):

## International Regimes as Concept

Written by M. J. Peterson

479-496.

[8]Thorstein Veblen. 1904. *The Theory of Business Enterprise*. New York: Scribner's. Commons, John R. (1931). "Institutional Economics," *American Economic Review* Vol. 21(4): 648–657. Ronald H. Coase. 1960. 'The Problem of Social Cost.' *Journal of Law and Economics* 3(1): 1044. Douglass C. North (1990). *Institutions, Institutional Change and Economic Performance*. Cambridge University Press. Oliver E. Williamson. 1975. *Markets and Hierarchies, Analysis and Antitrust Implications: A Study in the Economics of Internal Organization*. New York: Free Press.

[9]The English school came closest, though even its adherents preferred the terms international society, principles and norms of international society, and international organizations to the term institution. E.g. Martin Wight. 1977. *Systems of States* (ed. Hedley Bull). Leicester: Leicester University Press. Hedley Bull. 1977. *The Anarchical Society*. London: Macmillan.

[10]E.g., David Mitrany. 1943/1966. *A Working Peace System*. Chicago: Quadrangle Press.

[11]Ernst B. Haas. 1975. *The Obsolescence of Regional Integration*. Berkeley, CA: Institute of International Studies, University of California.

[12]My own (admittedly anecdotal) indicator of how far this went was advice from a senior scholar in the early 1980s avoiding the terms "international law" and "international organization" in job application cover letters would increase the likelihood of getting hired.

[13] Most succinctly in Kenneth N. Waltz. 1979. *Theory of International Politics*. New York: Random House. Also John J. Mearsheimer. 1994.95. "The False Promise of International Institutions," *International Security*, 19(3): 5-49.

[14]Such as Andre Gunder Frank. 1966. "The development of underdevelopment." *Monthly Review* 18(4): 17-31. or Bob Jessop. 1982. *The Capitalist State: Marxist Theories and Methods*. Oxford: Martin Robinson.

[15] Susan Strange. 1988. *States and Markets*. London: Pinter.

[16]Ferdinand de Saussure. 1916/1977 *Cours de linguistique générale*, ed. C. Bally and A. Sechehaye, with the collaboration of A. Riedlinger, Lausanne and Paris: Payot (English translation as *Course in General Linguistics*, trans. W. Baskin. Glasgow: Fontana/Collins, 1977). Claude Levi Strauss. 1955. *Tristes Tropiques* (English translation as *A World on the Wane* by John and Doreen Weightman. New York: Atheneum).

[17] Jean-François Lyotard. 1979. *La Condition Postmoderne* in 1979 (English: *The Postmodern Condition: A Report on Knowledge*, 1984. Minneapolis: University of Minnesota Press). Richard K. Ashley and R. B. J. Walker. 1990. "Introduction: Speaking the Language of Exile: Dissident Thought in International Studies," *International Studies Quarterly*, 34 (3): 259-268. James DerDerian and Michael Shapiro, eds. 1989. *International/Intertextual Relations: Postmodern Readings of World Politics*. Lexington, MA: Lexington Press.

[18]Alexander Wendt. 1987. "The agent-structure problem in international relations theory." *International Organization* 41 (3): 335-370. Walter Carlesnes. 1992. "The agency-structure problem in foreign policy analysis." *International Studies Quarterly* 36 (2): 245-270.

[19]Stephen D. Krasner. 1982. "Structural causes and regime consequences: Regimes as intervening variables" *International Organization* 36(2): 185.

[20]See Gary Goertz. 2006. *Social Science Concepts: A User's Guide*. Princeton NJ: Princeton University Press.]

[21]Such as claims that competition for investment funds creates a "race to the bottom" on workers' rights and environmental protections as in Lori Wallach and Michelle Sforza. 1999. *Whose Trade Organization? Corporate*

## International Regimes as Concept

Written by M. J. Peterson

*Globalization and the Erosion of Democracy*. Washington DC: Public Citizen. These are challenged in Martin Wolf. 2004. *Why Globalization Works*. New Haven: Yale University Press.

[22]"Attraction" is meant to cover the regard and support that flows to actors others regard as exemplars of desirable modes of existence.

[22]This follows the suggestion that normative inquiry involves both empirical and logical elements in Jack Snyder. 2003. "'Is' and 'ought:' Evaluating empirical aspects of normative research." In Colin Elman and Miriam Fendius Elman, eds., *Progress in International Relations Theory: Appraising the Field*, pp. 349-377. Cambridge MA: MIT Press.

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