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## Towards a Dynamic Model of the Interplay Between International Institutions

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Howard Loewen

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## **Towards a Dynamic Model of the Interplay Between International Institutions**

### **Abstract**

International institutions increasingly affect each other's development, maintenance and effectiveness. Research so far has merely focused on the issue of effectiveness and broader consequences. The paper argues firstly that theoretical progress could be promoted by integrating variables explaining the formation and maintenance of international institutions into a dynamic model of institutional interplay. Secondly, research ought to be extended to institutions governing issue areas like trade, finance, and security as well as their respective interactions. Thirdly, East Asia is a highly interesting region regarding regime interaction, since regional cooperation is slowly but steadily evolving in different issue areas as a reaction to institutional operations on the global level of governance.

**Key words:** Institutional Interplay, institutional interaction, global governance, international institutions, Regime Theory, international political economy, East Asia

**JEL Classification:** F O2

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## **Zusammenfassung**

### **Anmerkungen zur Modellierung des Zusammenspiels von internationalen Institutionen**

Das Zusammenspiel von internationalen Institutionen beeinflusst in immer höheren Maße ihre Entwicklung, Aufrechterhaltung und Effektivität. Die Erforschung dieser Interaktionen hat sich bislang jedoch weitgehend auf Folgen für die Effektivität der involvierten Institutionen und die weitergehenden Policy-Konsequenzen beschränkt. Deshalb soll es in diesem Arbeitspapier erstens darum gehen, Grundzüge eines dynamischen Analysemodells zu entwerfen, mit dem auch die Entstehung und Aufrechterhaltung von institutionellen Interaktionen erklärt werden kann. Zweitens empfiehlt es sich, die empirische Interaktions-Forschung auf internationale Politikfelder wie Handel, Finanzen und Sicherheit auszuweiten. Drittens und letztens ist Ostasien ein geeignetes Forschungsfeld, da sich hier regionale Institutionen in verschiedenen Politikbereichen u. a. als Reaktion auf die Interaktion mit globalen Regimen herausbilden.

## Article Outline

1. Introduction
2. Theorizing International Institutions
3. Theorizing Institutional Interplay
4. Modeling Institutional Interplay
5. Outline of a Dynamic Model of Institutional Interplay

### 1. Introduction

The study of international institutions has until recently focused primarily on their establishment, maintenance and effectiveness.<sup>1</sup> This research was for the most part based on the assumption that institutional forces exogenous to particular international institutions are not significant. In other words: Institutions were treated as “stand-alone entities that can be analyzed in isolation from one another” (Young 1999: 163).

This premise is challenged by the highly interdependent nature and density of the ever-growing array of international institutions spurred by the pressure to manage the process of globalization beyond the nation-state in various issue areas. International institutions can be located at the global, interregional and regional policy level of the international system, commonly referred to as the multi-level system of global governance (Rüland 2002; Cable 1999).

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<sup>1</sup> This paper forms a part of a broader research project aimed at explaining instances of interplay between regional institutions from East Asia and their global regime-counterparts in the issue areas of finance, trade, and maritime security.

- *Global*, multilateral level (United Nations, World Trade Organization, International Monetary Fund, World Bank, G-8, International Maritime Organization, global regimes like the Non-Proliferation Convention; Law of the sea convention);
- *Interregional* level (EU-ASEAN), EU-MERCOSUR, ASEAN-MERCOSUR, APEC, ASEM, EALAF, NTA);
- *Regional* level (EU, ASEAN, NAFTA, MERCOSUR);
- *Subregional* level (Euroregions, Mekong River Region);
- *Bilateral* level of state-to-state interactions.

Whereas institutions are primarily set up to manage their own specific cooperation problems in the fields of economics, security, and environment, they increasingly affect each other's development, maintenance and effectiveness. In other words: "Institutional Interplay" causes conflicts and synergy effects.

Consider for example the conflict between the *World Trade Organization* (WTO) that encourages free trade and the trade restrictions promoted by multilateral environmental agreements like the *Basle Convention on the Transboundary Movement of Hazardous Waste*. The latter has on the other hand been strengthened by regional regimes that try to solve the same environmental problem, thus causing synergy effects (Meinke 1997; Petersmann 1993).

Among WTO member countries the question in which institutional context social and labor standards ought to be discussed pose a major obstacle to smooth negotiation processes, especially between first and third world countries. Relevant here is the question why there was such an unclear institutional separation of roles between the WTO and the ILO (International Labor Organization) concerning the question where to handle social and labor standards.

One might also take a look at cases of interplay between institutions located at different levels of the global governance system: Especially the question if regional institutions like the European Union (EU), the Association of Southeast Asian Nations (ASEAN)/ASEAN Free Trade Area (AFTA) and the North American Free Trade Area (NAFTA) serve as building or rather stumbling blocks for the global management of trade issues is of vital importance for the stability of the system of global governance. The same goes for the interactions between global monetary regimes (International Monetary Fund) or global maritime regimes and the respective regional institutions for example in East Asia (bilateral networks of swap-arrangements/bilateral maritime regimes). East Asian regional cooperation in issue areas like trade, finance and security proves to be highly interesting for our purposes, since cooperation in this region has rarely been investigated on the premise that interaction or *vertical interplay* with global institutions matters for the development, maintenance and effectiveness of regional institutions.

All these cases may be reduced to interactions between international institutions. Empirical manifestations of institutional interplay have often been described but rarely been explained. In other words: *Why do institutions interact? How can we explain the formation, maintenance, efficiency and broader consequences of institutional interactions?* I argue that we have to relate to existing frameworks of institutional formation, maintenance and effectiveness in regime literature as a starting point for further theoretical progress. Since research so far has only concentrated on the *effectiveness* and broader *consequences* thus leaving out the question of *formation* and *maintenance* of institutional interaction, the integration of the latter into a dynamic analytical scheme is seen as vital for further theoretical progress in the interplay field. Finally research ought to be extended from environmental institutions and their interactions to economic and security institutions and their interplay with other cooperative structures, thus broadening the empirical basis for developing a theory of institutional interplay.

The analysis proceeds in three steps: I start by defining and explaining international institutions. Second, I will take a look at definitions and typologies of institutional interplay. Third, I identify basic challenges in the interplay field and propose outlines of a model of institutional interaction that takes into consideration the basic shortcomings of current research, that is the formation and maintenance of institutional interaction.

## 2. Theorizing International Institutions

### Defining International Institutions

A widely accepted conceptualization of international institutions defines them as “persistent and connected set of formal and informal rules that prescribe behavioral roles, constrain activity, and shape expectations” (Keohane 1989: 3). This definition suits the purpose of this paper since it emphasizes the variety of international institutions, which is a basic feature of the global governance system. International Institutions or systems of rules may surface spontaneously but in most cases they are created by states through negotiations (Keohane 1993) in order to manage cooperation and collaboration problems within the system of global governance.

International Institutions may assume the following three forms and degrees of formality: (a) Formal intergovernmental organizations – the highest form of institutionalization, (b) International Regimes, and (c) Conventions – the lowest form of institutionalization.

Ad a): International organizations are the most formalized institutions. They are set up on purpose and designed by states. They are bureaucratic organizations with explicit rules and specific assignments of rules to individuals and groups, thus being able to enter into legal



contracts. Examples include the United Nations, The World Trade Organization, World Bank, NATO, International Maritime Organization (IMO), European Union and so on.

Ad b): At the intermediate level of formality international regimes are to be found. Regimes may be build on one or several international treaties and are capable of providing procedural decision-making structures that are based on specific communication processes. By doing so they are an issue specific answer to the ever growing demand for international cooperation. Put differently: States use regimes as flexible and dynamic means to manage interdependence. Examples include the international monetary regimes established at Bretton Woods in 1944, the Law of the Sea regime set up through the United Nations sponsored negotiations during the 1970s, and the limited arms control regime initiated between the United States and the former Soviet Union.

Ad c): Conventions are informal institutions, with implicit rules and understandings that shape the expectations of actors and help them to coordinate their behavior.<sup>2</sup> They show the tendency to arise spontaneously and include for instance traditional diplomatic immunity (before it was codified in the 1960s), reciprocity, and sovereignty (Keohane 1989: 3-4).

Especially regimes and formal organization qualify as international institutions allowing international governance which may be defined as “negotiated systems of norms and related decision-making processes” (Oberthür/Gering 2003: 4). Both manifestations of international cooperation thus are appropriate units for the analysis of interaction within different issue areas and on different levels of the global governance system.

### **Explaining International Institutions**

The central theoretical puzzle of International Relations theory revolves around the question why states engage in any form of cooperation. The puzzle is resolved in different ways by the three main theories of International Relations, i.e. a) Realism, b) Liberal Institutionalism and c) Social Constructivism.

In its formulation by Kenneth Waltz (Waltz 1979, 1959) or the successive interpretations by Joseph Grieco (1990) and John Mearsheimer (1995), realism draws a rather pessimistic picture about the possibilities and prospects of state-to-state cooperation. Realist theory conceives of states as rational actors that strive to survive in an anarchical international system. States only ally or cooperate for two reasons: *balancing*, which signifies the joining of forces to counter superior power capabilities of other states, and *bandwagoning*, which denotes the

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<sup>2</sup> In contrast to Keohane’s definition who uses the term “convention” in the sociological sense, this paper mainly refers to examples like the *Law of the Sea Convention* and the *Vienna Convention for the Protection of the Ozone Layer* that are formal multilateral treaties according to international law.

tendency of states with relatively small capabilities to align with stronger states or coalitions within the framework of balance of power politics (Waltz 1959; Whright 1942).

According to this line of argument, international institutions are short-term alliances that are established and terminated by states merely to gain more material capabilities than others. Furthermore, cooperation can not be build upon trust, since in a self-help situation states simply distrust each other. For that reason, the effectiveness of international institutions to overcome anarchy by establishing international patterns of rules, norms and procedures is regarded as limited. In other words: International cooperation is always “a necessary function of the balance of power operating in a multiple state system” (Morgenthau 1967: 175).

Modifying this traditional view, Stephen Walt holds that power alone cannot account for balancing behavior of states. Instead he puts forward the notion of “balance of threat” as an alternative explanatory variable. He maintains that the level of threat against any state is affected by geographic proximity, offensive capabilities, and perceived intentions of adversary states (Walt 1987: 5; see also Walt 1997).

Other neorealist scholars developed hegemonic stability thus establishing causal links between power distribution and the creation and stability of international institutions (e.g. Krasner 1985; Strange 1983). According to this approach, international institutions are primarily created or prevented by dominant powers during periods of hegemony. Another branch of neorealism argues that relative gains concerns stop states from cooperating with one another. As your friends of today can be your enemies of tomorrow, and the benefits of cooperation can be translated into power capabilities, concerns about the distribution of gains obstruct the possibility of sustained cooperation (Grieco 1990; Mearsheimer 1994).

For a long time the most serious challenge to realist balance of power theorizing emerged from a theory that is firmly rooted in the rationalist paradigm as well. *(Neo-)Institutionalist* arguments (Keohane 1984; Keohane/Nye 2001) also start from the assumption of self-interested actors operating in an anarchic state system. Yet, the dogmatic neorealist assumptions are somewhat relaxed in neoinstitutionalist accounts. They often soften the relative gains hypothesis in admitting the desire of states to achieve absolute gains in welfare and security. Institutionalists hold that growing international interdependence makes cooperation possible, and that empirical evidence exists to underline this argument (Keohane/Nye 2001; Schirm 2002). This argument reveals an important puzzle for realists, which Beth Simmons and Lisa Martin formulate as follows: “if governments are not likely to be constrained by the rules to which they agree, why do they spend time negotiating them in the first place?” (Simmons/Martin 2002: 195)

Institutionalist or interest-based research of the last three decades provided a fruitful way to think about international institutions as helpful tools for states to overcome problems of col-

lective action, high transaction costs or information deficits. The first step to be taken by states on the way to create an institution is “policy coordination”, which requires that the actions of different states be brought into line through a process of negotiation. This is likely to occur when one state considers the action taken by other states as facilitating realization of its own objectives (Keohane 1984: 51-52).

In the 1980s, it was Keohane’s *After Hegemony* (1984) and Stephen Krasner’s edited volume on international regimes (1983) that compellingly showed how individually rational action by states could impede mutually beneficial cooperation. Moreover, these scholars argued, states that interact with each other develop norms that shape collective standards of behavior. Keohane included the notions of ‘bounded rationality’ and normative expectations in his work; however, he also neglected one important question: How can one think of policy coordination without considering the communicative processes that occur during the negotiations between states?

This question has been raised more thoroughly by a group of German scholars, lead by Volker Rittberger (esp. Rittberger 1990), taking into account the constellation of interests that underlie regime formation. A special issue of *International Organization* took a further step forward by focusing on questions of institutional design. Basing their approach on the institutionalist tradition reaching back to Robert Keohane’s and Stephen Krasner’s work, the editors’ position is that states self-consciously create international institutions to advance their own goals, and they design institutions accordingly (Koremenos et al. 2001). However, they have to concede that rational design of international institutions can explain a lot about institutions, but not everything. Moreover, they agree that not all institutional change is the product of conscious design.

That is probably the reason why Robert Keohane already in *After Hegemony* suggested that

“[a]ny act of cooperation or apparent cooperation needs to be interpreted within the context of related actions, and of prevailing expectations and shared beliefs, before its meaning can be properly understood. Fragments of political behavior become comprehensible when viewed as part of a larger mosaic” (Keohane 1984: 56).

Referring to peoples’ values and the willingness to promote widely accepted norms, the theory obviously adopts variables that lie outside the realm of the traditional institutionalist paradigm, which is rational-utilitarian in nature. However, already in the last two decades many supposedly realist or neoinstitutionalist accounts adopted categories that have exceeded the scope originally outlined by authors such as Waltz and Keohane. For example, Walt’s theory—though pretending to be realist in nature—goes far beyond traditional accounts in that it refers to perceptions and ideas in explaining alliance formation. The same is true for Glenn Snyder’s *Alliance politics* (1984, 1997), which introduces concepts such as

norms, thereby softening his realist assumptions and contradicting the rationalist paradigm that dominated IR theory for the last decades.

The approaches presented stop where social constructivism starts; while focusing on perceptions of states and norm-guided behavior, neorealism as well as liberalism and institutionalism, neglect the interactive moment that is inherent in any social relationship, even on the interstate level. In contrast, constructivist theorizing recognizes that international reality is a social construction driven by collective understandings emerging from social interaction. The principal quality of structure, then, consists of the meaning ascribed to it by the agents whose practice reproduces and changes it (see especially the version formulated by Wendt 1999; also Adler 2002; cf. also Jepperson et al. 1996: 33). Constructivism differs from the approaches mentioned before because in these theories collective interest is assumed as pre-given and hence exogenous to social interaction (see the critique in Wendt 1994: 389; Ruggie 1998: 118-119). In contrast, it argues that social interaction ultimately does have transformative effects on interests and identity, because continuous co-operation is likely to influence intersubjective meanings.

### **3. Theorizing Institutional Interplay**

#### **Defining Institutional Interplay**

Institutional interplay refers to situations when the development, operation, effectiveness or broad consequences of one institution are significantly affected by the rules and programs of another (Young 1989; Gehring/Oberthür 2000; Stokke 2001). Occasionally, institutional interplay causes the contents of an institution to be changed, for example in cases where elements of one institution are used as a model by actors negotiating another institution. On the other hand, one institution may remain unchanged while its ability to shape the behavior of target groups may be improved or disturbed by the contents or operation of another (Stokke 2001). One also has to consider the fact that institutions and actors are interdependent. On the one hand, institutions set up the framework of collective action, yet they are at the same time build, maintained and altered purposely by actors (Mayntz/Scharf 1995). States and—if they exist—bureaucracies are identified as the relevant actors in situations of institutional interplay.

#### **Typologies and Explanations of Institutional Interplay**

Given the large variety of international institutions and their interactions in the system of global governance a first step to reduce empirical complexity is to focus on interaction be-

tween two institutions. The dyadic approach to situations of institutional interplay has two advantages: Firstly, interaction is a highly complex process encompassing several institutions at times which may differ in formality, strength and issue-area and thus makes it hard to identify causal pathways between them. Disaggregating broad processes of interaction down to the interplay between two entities, a dyadic relation, not only reduces complexity. It secondly allows the researcher to clearly differentiate between a target and a source institution, that is to say between dependent and independent variable.

This implies that each investigation of interplay between international institutions needs to (i) identify the source institution and the relevant decision or rules from which influence originates; (ii) the target institution and its relevant components that are subjected to the decisions of the source institution and (iii) the causal link existing between the source and the target institution that helps explain the effects of interaction (Oberthür/Gehring 2003: 5) A practical approach thus is to disaggregate the interactions into typical manifestations of dyadic interaction. This indicates that dyadic interactions are analytical tools that help us to arrive at first conclusions, which have to be reaggregated in order to arrive at clear assessments of the overall interplay situation at hand (Oberthür/Gehring 2003: 7).

So far the following cases of institutional interplay have been identified: Focusing on the *form of linkage* between institutions, Oran Young (2002) suggests the differentiation between *horizontal* and *vertical interplay*. *Horizontal interactions* take place at the same level of social organization (i.e. International Monetary Fund – World Bank or the European Union – Association of Southeast Asian Nations etc.). *Vertical interplay* is a result of cross-scale interactions encompassing institutions located at different levels of social organizations (i.e. WTO – EU or World Bank and ASEAN; EU and state-level etc.). The resultant linkages may be grouped into subtypes by differentiating between embeddedness (relationships to overarching principles and practices), nestedness (relationship to functionally or geographically broader institutions), clustering (intentional grouping of several institutions) and overlaps (unintentional influences).

The concept of *embeddedness* focuses on the empirical point that issue-specific regimes like the global trade regime are normatively incorporated into fundamental institutions like sovereign equality with often contradictory consequences. The constraints of the General Agreement on Tariffs and Trade on the sovereign behavior of member states are a case in point (Ruggie 1982).

*Nestedness* was invented in order to point to specific institutional arrangements that are molded or linked hierarchically to broader institutions as to their functional scope and geographic domain. Institutional nesting frequently occurs in East Asia. A case in point is the interplay between the UN convention on the law of the Sea and bilateral fishery institutions

established between South Korea and Japan, China and Japan, and South Korea and China. These regional bilateral regimes are all nested into the provisions of the new law of the sea relevant to exclusive economic zones (Young 1999: 167; Kim 2003).

*Clustering* specifies the (bargaining) strategy of negotiators to reduce obstacles to agreement by designing institutional packages. The common concern for marine issues explains the integration of provisions for fishing, navigation, marine pollution, scientific research etc. into the 1982 convention on the law of the sea (Young 1999: 169).

*Overlapping* indicates to linkages in which institutions designed for different purposes intersect, effecting heavy impact on one another in the process of interaction. The most prominent and frequently analyzed example is the interplay between environmental institutions containing provisions relevant to trade (such as the ozone protection regime or the regime governing transboundary movements of hazardous wastes) and the overarching GATT/WTO system that manages international trade in goods and services (Young 1999: 179; Winter 2000; Zhang 1998; Von Moltke 1997).

Focusing on the role of interplay, Young proposed two general types of interplay, “functional” and “political” linkages. *Functional interplay* denotes a situation when two or even more institutions tackle the same issues or problems, which are linked in bio-geophysical or socioeconomic terms. For instance, the international regimes dealing with the regulation of marine pollution and with the protection of stocks of fish are linked in this intrinsic sense because the success or failure of efforts to manage pollution is likely to have considerable consequences for the well-being of marine ecosystems and the stocks of fish.

*Political interplay* denotes a situation of institutional interaction, in which actors set up links between issue areas and institutions on purpose thus pursuing individual or collective goals. Interactions involving political design and management thus arise when actors seek to forge connections between or among institutions intentionally in the interests of pursuing individual or collective goals. Strategically designing institutional interaction often stems from the will of relevant actors to increase institutional effectiveness. Initiatives to nest the various regional sea regimes into global regimes, for instance, are frequently articulated as means to advance the effectiveness of small-scale entities in larger, overarching systems. Other cases of strategic interaction mirror the urge to counterbalance and thus cope with the negative effects of an institution. A case in point is the demand for the creation of a World Environment Organization (WEO) in order to balance the environment-relevant side-effects of global trade governance (Young 2002: 264).

Thomas Gehring and Sebastian Oberthür have proposed an elaborated typology of institutional interplay incorporating seven dimensions. They first differentiate interplay that emanates from functional interdependence from interaction that is generated by overlaps and

differences in membership. Beyond this initial phase, cases of interaction are differentiated according to the intentionality of the action of the source institution, the ability of the source institution to influence the target unilaterally, the quality of the effect of the interaction, the response to the interaction, and the policy fields of the institutions involved. Some of these distinctions seem promising to the study of institutional effectiveness because they can be readily linked to processes widely believed to affect governance of problem-relevant behavior (Gehring/Oberthür 2003).

Given that any seven-dimensional framework will be difficult to apply in comparative studies, more attention to how the underlying variables influencing the formation, maintenance and efficiency of interplay systems may also prove useful in the process of simplifying the taxonomy. Bearing this in mind, the most promising typology so far has been presented by Olav Schramm Stokke (2001), who tries to explain the consequences of institutional interplay for the effectiveness of the institutions involved by referring to scholarly literature on regime effectiveness. Stokke identifies three types of interplay that prove to be relevant for institutional effectiveness:

*Utilitarian Interplay* exemplifies a situation of interaction, in which rules or programs that are undertaken within one institution alter the costs or benefits of behavioral options addressed by another institution. In this regard Stokke considers the funds that were made available under a Norwegian-Russian nuclear cooperation regime for the enhancement of a treatment facility for liquid low-level radioactive waste in Murmansk. The project removed one of the barriers to Russia's implementing the ban on nuclear dumping under London Convention 1996 (Stokke 2000). Elaborating on incentive mechanisms in regime theory and economic institutionalism, Stokke identifies three factors that prove to be promising for the analysis of utilitarian interplay and the effectiveness of the institutions involved: cost-efficiency, externalities, and competition. Three hypotheses on utilitarian interplay were generated (Stokke 2001: 15-16):

- i) When different institutions address the same issue area with complementary resources, supportive interplay is likely even when there is no coordination across institutions.
- ii) Externalities from one institution to another may constitute supportive or obstructive interplay, and the impact can be modified by collaboration across regime boundaries.
- iii) When regimes compete for the same regulatory ground, we can expect that efforts aimed at enhancing interplay or counter-balancing obstructive interplay will be successful.

*Normative interplay* implicates interaction processes in which an international institution strengthens or contradicts the norms sustained by another institution and thus affects its

normative impact. While such normative interplay may occur on purpose, it can also be the result of joint unawareness. Here Stokke argues, that actors who bargained over the inclusion of trade measures into the compliance set of particular environmental institutions had any intention to undermine the effectiveness of global or regional trade regimes, although these consequences are feared to turn up. Focusing on the legal and political theories of international legitimacy. Stokke again develops hypotheses that can be put to an empirical test (Stokke 2001: 20):

- i) Normative interplay supports the normative compellence of an institution if it adds to the determinacy of crucial roles or their coherence with other norms held in esteem by the international community, or if it reinforces the perception that regime outputs have been reached in the right and proper way.
- ii) When rules are contested, the relative availability of institutional capacity within the regimes can be important for the management of normative interplay, in determining which of the regimes will provide the normative basis for authoritative interpretation or settlement.

*Ideational Interplay* denotes processes of institutional learning in which one institution can promote the effectiveness of another by drawing political attention to the issues that are dealt with by the target institution. Ideational interplay may also refer to instances where the source institution provides solutions of various kinds that are copied or adapted for problem-solving purposes under the target institution. Consider for example the rapid diffusion of certain norms of management to a wide range of environmental issue areas the past two decades. For example, the precautionary principle received global recognition in the 1985 Vienna Convention for the Protection of the Ozone Layer, was then approved in the 1992 Rio Declaration, and was subsequently applied in a number of other contexts, including the management of marine living resources (Stokke 2001). It is the cognitive process of adaptive emulation and not the normative nature of the precautionary principle that is at work here. Elaborating on regime theory and theories of policy transfer Stokke formulated the following hypotheses on the conducive impetus of ideational interplay to institutional effectiveness (Stokke 2001: 23):

- i) Ideational interplay matters to the effectiveness of the institutions involved when it serves to raise the prominence of certain problems on the political agenda or when it draws wider attention to the solution of those problems.
- ii) Whenever the source institution has considerable distributive impacts, ideational interplay requires not only greater efforts on the part of those who favor emulation but also generally that the structure of interests in the institutions be comparable.

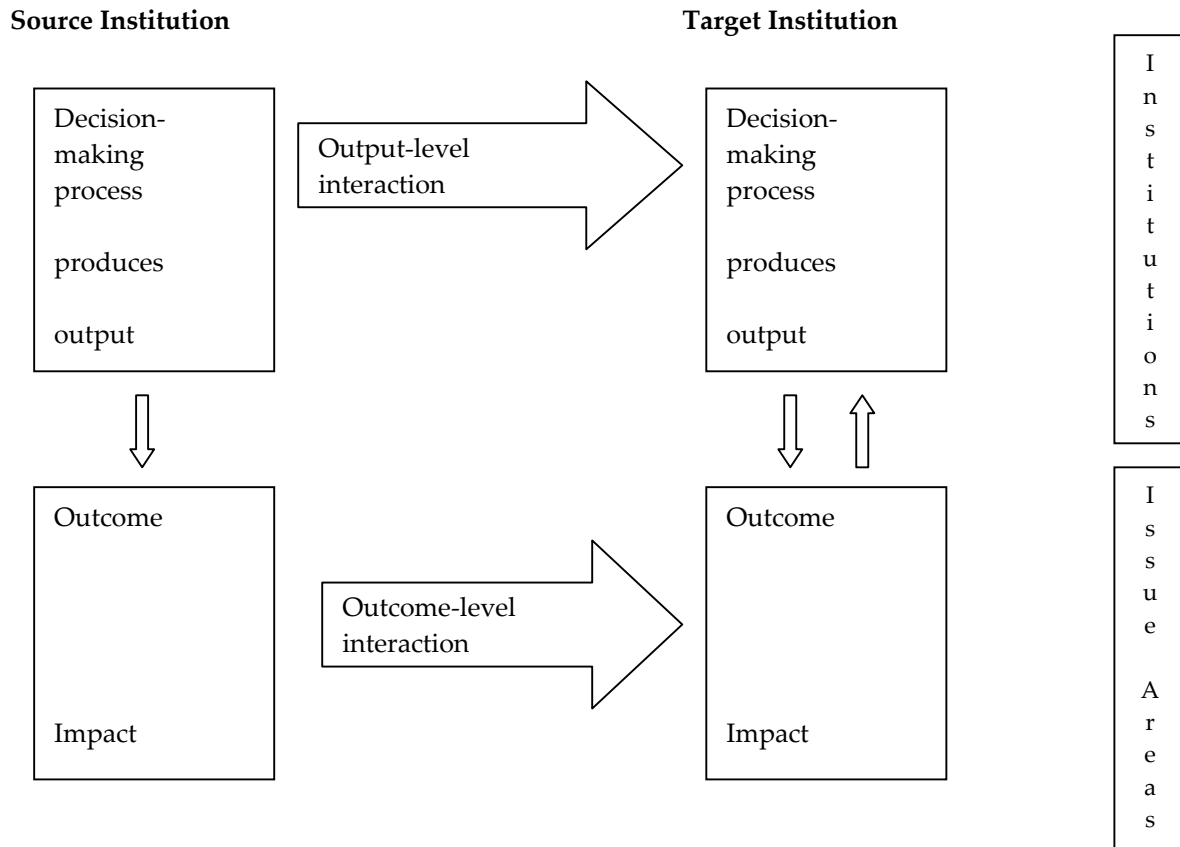


## 4. Modeling Institutional Interplay

### Theoretical Challenges

The relevant question is whether or not formal distinctions between different types or instances of interplay can support the elaboration of theoretically informed and empirically testable hypotheses regarding the relationship between institutions (Stokke 2001). In many cases described hypotheses are at a level of abstraction that is too high to guide empirical analysis or political practice as for example the statement that the compatibility of the global trade institution with regional arrangements will promote its effectiveness. Therefore the numerous factors accounting for the causes and effects of institutional interplay ought to be located within the theoretical context to which they belong. Moreover then, *the construction of typologies ought to begin with a specific research question and be based on the respective knowledge already existing in regime and institutional theory.*

In order to make further research fruitful, the analytical tools have to be more advanced: Like the institutionalist research on single institutions that was based on the analytical distinction between the formation, maintenance and effects of institutions, we have to do the same when we investigate institutional interactions. So far, interplay-research has focused primarily on the question how institutional interplay influences the effectiveness of the institutions involved. The most advanced model of institutional interplay and its impact on the effectiveness of the institutions involved is the one proposed by Gehring and Oberthür (2004). Here the interactions are disaggregated into bilateral cases of causal pathways linking source and target institutions. Based on Underdahls (2004) elaborations on regime effectiveness three manifestations of influence on the target institution's effectiveness can be identified: First, the impact of norms emanating from the source institution (output); second, the target institution's effect on relevant actor's behavior (outcome), and third, the effectiveness of the target regime regarding the issue-are in question (impact).



Yet, the question of formation and maintenance of institutional interaction has until now been neglected and research on this issue has been identified as one of the theoretical challenges in the interplay-field (Stokke 2001). Moreover, there is significant lack of comparative research on institutional interplay in other policy fields, like security and economics. In order to arrive at a sound theory of Institutional Interplay, we definitely need to compare different cases of this new phenomenon in international relations, thus singling out falsified hypotheses and verifying those with explanatory value.

**Hypotheses**

What factors are relevant for explaining how and why systems of institutional interplay come into being? How and why are they maintained over time? In order to give first answers to these research questions, let us go back to the definition of institutional interplay that I slightly modify for our purposes: Institutional interplay refers to situations when the formation, maintenance, effectiveness or broad consequences of one institution are significantly affected by the rules and programs of another institution.

An empirical example from North East Asia might shed some light on the processes of formation and maintenance of a target institution that is affected by a source institution: South Korea, China and Japan ratified the Law of the Sea Convention and proclaimed their respec-

tive exclusive economic zones (EEZs) in the late 1990s. The Law of the Sea Convention and the EEZ regime in North East Asia pushed the formation of three fisheries agreements: the fisheries agreement between South Korea and Japan; between the People's Republic of China and Japan; and the fisheries agreement between South Korea and China. As the delimitation of EEZ boundaries has not yet been achieved among them, the three agreements are all intended to deal with fisheries issues pending the delimitation of boundaries of the EEZ by setting up joint fishing zones in the overlapping areas. The option of fisheries agreements was envisioned in Article 74 of the Law of the Sea Convention, which deals explicitly with the legal problems pending delimitation of EEZs. This case clearly shows the causal link between the source institution, that is the Law of the Sea Convention, and the formation of a new institution in a target issue-area, that is the maritime boundary delimitation (Keyuan 2005: 87-109; Kim 2003).

Southeast and Northeast Asia seem to be two regions that are highly relevant for testing hypotheses concerning the formation and maintenance of institutional interplay, since regional cooperation is only slowly but steadily evolving in different issue areas as a reaction to institutional action on the global level of international governance. A further case of an emerging regional institution is the Asian Monetary Fund (AMF) that is envisioned by East Asian leaders in order to manage regional monetary issues. Until now a dense network of bilateral swap-arrangement between the ASEAN+3 countries has been slowly evolving since 1997 pending further institutionalization (Montiel 2004). Although this project is highly contested, as it is planned to be an alternative mechanism to the International Monetary fund, it is nonetheless very interesting to monitor this process. Why? By analyzing this case of institutional formation, we might see if already existing mechanisms or institutional structures will serve as models to this new regime or organization. Maybe in the end we will find that the often harsh comments of East Asian Leaders on the dominant role of the IMF may turn out to be of rhetorical nature, when this institution perfectly nests into already existing arrangements at the global level. Furthermore, it is highly interesting to see which states take the leadership role in negotiating this new regime and if they can keep up their leading role over time. There is a certain tradition of leading figures in East Asian integration processes: In the past former Malaysian prime-minister Mahathir may be viewed as the initiator of East Asian cooperation mechanisms such as the ASEAN+3 and a strong supporter of the interregional Asia-Europe Meeting (ASEM). In addition we might also consider the growing networks of bilateral trade-agreements in East Asia. These institutions are growing in number and in density. Here the same question arises: Can we account for the emergence and maintenance of these regional trade-regimes by referring to global institutions like the WTO? How do global, multilateral rules change as a reaction to the regionalization of trade governance?

Let us return to the main task of this last chapter. What are the variables proposed by regime theory relevant for the formation and maintenance of international institutions? The sets of relevant mechanisms proposed in regime theory may vary in their specific manifestations but can be roughly grouped into three perspectives labeled interest, power, and knowledge (Hasenclever et al. 1997).

#### Interest-based explanations of institutional formation

- Institutions are information-providing and transaction cost-reducing entities. Thus they may be established in order to reduce costs associated with the negotiation, monitoring and enforcement of agreements. They do so by legitimizing compliance and delegitimizing violations, by facilitating negotiation, and by linking different issues and associated regimes (Keohane 1984: 89-92). Thus, member countries ought to realize that the benefits of participation in a co-operative arrangement outweigh the costs (Benefit/cost-considerations)
- Institutions form when benefits are likely to flow from striking a bargain surpassing the transaction costs associated with the bargaining process (Young 1989).
- The more efficient a regime would be, the more likely it is to be created (Keohane 1984; 1989).
- Functional necessity (interdependencies) to initiate interplay in order to manage co-operation problems in certain issue areas

#### Power-based explanations of institutional formation

- Regimes form when a dominant or hegemonic actor chooses to exert its influence to induce others to agree to the provisions of a constitutive contract setting forth the basic feature of a regime (Waltz 1959, 1979).
- Regimes are short term-entities designed by states in order to balance other states and regimes thus enhancing their relative position in the international system (Waltz 1959, 1979).
- Institutional bargaining over the formation of an institution is likely to succeed when effective leadership emerges; it will fail in the absence of such leadership (Young 1991)

#### Knowledge-based explanations of institutional formation

- Epistemic communities or groups of experts who share both a diagnosis of the problem to be solved and a proposed solution and who act as influential advocates of spe-

cific responses to collective-action problems may contribute to the formation of institutions (Haas 1997).

- Other institutional linkages may serve as models for the interaction about to form (Powell/DiMaggio 1983; 1991).

The elaborations on regime maintenance may also be grouped along the same labels:

Interest-based explanations of institutional maintenance

- Once established, regimes are durable because the transaction costs of negotiating replacement are high. In short: "International Regimes are easier to maintain than to construct" (Keohane 1984: 102).
- Institutions help to shape members' reputation of keeping their promises. This in turn raises the costs associated with non-compliance and makes cooperation easier to maintain. (Keohane 1984: 94).

Power-based explanations of institutional maintenance

- Institutions are maintained over time, only if they still conform to the power-considerations of strong states involved (most likely not the case)
- Balancing-function of regimes can be performed over time

Knowledge-based explanations of institutional maintenance

- Social interaction within institutions leads to an evolution of community in which actors at least partially identify with, and respect the legitimate interests of each other. Thus, while egoistic motivations may have played an important role in the early stages of regime-building, over time the proliferation of cooperative institutions in world politics has led states to acquire collective identities that shape action beyond the initial formation period (Wendt 1999).

For analytical reasons we may assume that a large number of these variables can be applied to situations of institutional interplay too. And in fact they do, as we have seen in the short examples on the Law of the Sea Convention and the emerging Asian Monetary Fund. We may label the typology in which powerful actors initiate or influence the formation of interplay "Power-based Interplay". The label "Utilitarian interplay" signifies basically the utility function actors attach to the establishment of links to another institution. It may be demanded by the target institution and looked upon as rational by the source institution. This conception is closely connected to the concept already invented by Stokke. "Knowledge-

based-interplay” in the formation phase may turn into “Identity-based interplay” in the course of interplay and mirrors the fact that successfully advocating an interplay-solution of collective action problems might trigger the emergence of new collective identities in the course of social interaction.

If we add these typologies to the already existing ones the following picture emerges:

#### Establishment of the target institution

Power-based Interplay

Utilitarian Interplay

Knowledge-based Interplay

#### Maintenance of the target institution

Utilitarian Interplay

Identity-based Interplay

(Power-based Interplay)

#### Effectiveness of Institutional Interplay

Utilitarian Interplay

Normative Interplay

Ideational Interplay

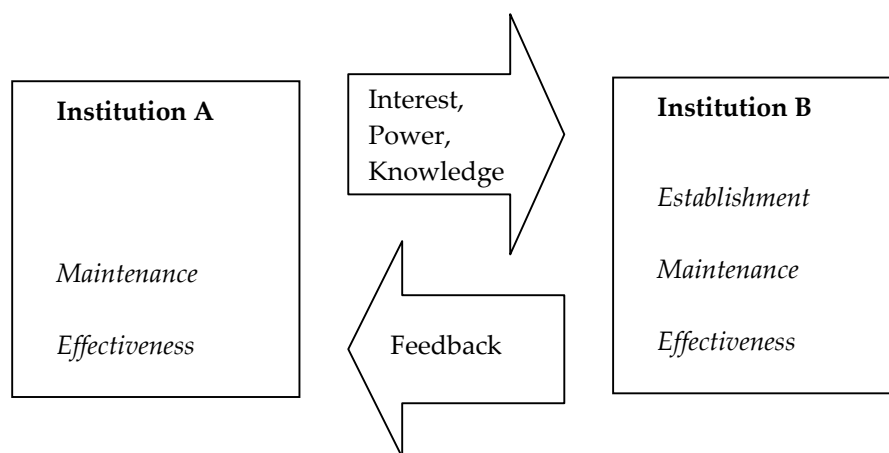
The different stages of institutional interplay dynamics may be closely linked, that is to say, that the formation phase determines which kind of interplay will prevail over time. It can be assumed that power-based interplay will play a prominent role in the formation phase, however slowly vanishing in the course of institutionalized interplay. The discussion of possible interlinkages between the different levels or phase of interplay could be much more refined. Furthermore a dynamic model ought to consider feedback loops that link target and source institutions in reverse ways. However, the next analytical step would be to discuss the new typologies in greater detail and to operationalize the respective hypotheses to be arranged then in a model that allows for the comparative analysis of different cases of interplay over space and time.

Another possibility to analyze institutional interplay in a holistic way would be to conceptualize a purely functional model of institutional interaction which could be based on the assumption that instances or types of institutional interplay and the variables identified above may be located on the different levels of the global governance system and to ask thereby if they perform certain functions vital for the stability of the overall system. Now, this would

basically mean breaking down the large hypotheses power-interplay, utility-interplay and knowledge or identity-interplay to the cases of vertical or horizontal interaction in different policy-fields. Here the question would be for example: How does a certain instance of dyadic interplay perform the function of monitoring? How do interactions contribute to the function of agenda setting on the global level?

## 5. Outline of a Dynamic Model of Institutional Interplay

Interplay-research has to move from the analysis of interplay-effectiveness to questions of formation and maintenance of target institutions being affected by source institutions. Deducing, operationalizing, and applying hypotheses from regime theory to instances of institutional interplay seems to be the most promising method in order to build a middle-range theory of institutional interplay incorporating different instances of interaction (formation, maintenance, effectiveness). Importing theories from sociology and economics, i.e. interorganization theory, seems to be a promising move in order to explain some or even larger aspects of interaction not covered by regime theory variables.



A rough model of institutional interplay takes into consideration two basic mechanisms: A phase of initial impact of Institution A on the Establishment, Maintenance and Effectiveness of Institution B. Independent variables in this process are interests, knowledge, and power. To what extent and how these explanatory factors influence Institution B is a crucial question that still has to be answered. A second mechanism effects a feedback loop from Institution B back to Institution A. If this second process is driven by the very same factors as in the first phase and to what extent remains to be seen.

Embedding this interaction system into the larger system of global governance involves a functional view of international relations, thus conceiving of institutional interactions as

structures located within the system of global governance wielding effects on the stability of the specific interaction-systems themselves and thus on the overall governance system. Here the question if a specific interaction or a set of interactions contributes to the solution of co-operation-problems in certain policy fields is of relevance. Empirical examples of institutional formation and maintenance in East Asia in the issue areas of trade, finance and maritime security/management of marine resources seem to be promising for our purposes since they not only cover instances of evolving vertical interplay but also represent issue areas that have not been analyzed in interaction studies yet.



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