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INTERNATIONAL ORGANIZATION

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Abstract

From the principle of state sovereignty to United Nations bureaucracies, international relations are organized by a variety of norms and institutions. After tracing the history of international organization (IO), as well as the intellectual development of its study, we conceptualize IO in terms three levels of formality: IO as formal organization, IO as regime, and IO as ordering principle. We emphasize rationalist approaches - including cooperation theory, associated theories of regimes, and the new institutional economics - as the ones most closely connected to law and economics. After discussing this broad perspective, we consider emerging approaches to international institutional design. Overall, we document a convergence among economists, political scientists and international legal scholars reflected in methodological approach and substantive interests.
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1. Introduction

The modern history of international organization (IO) reflects an uneven development of both the practice and concept that go under that name. The term is used in differing ways and we apply it to both IO conceived as formal institutional organizations and in a more general sense of order creation. Furthermore, international organization includes not only interstate arrangements but, increasingly, arrangements among non-governmental and transnational actors. Thus, the landscape of international organizations (IOs) includes both inter-governmental organizations (IGOs) and international non-governmental organizations (INGOs). International organization is clearly a very broad concept, which has evolved with the practice of various forms of international governance. Our main task here is to chart the theoretical development of understanding about IO. We emphasize approaches that are

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most relevant to international law and economics, while noting important contributions and challenges posed by alternative perspectives.

After a descriptive summary of the history and evolution of IOs, we discuss three general conceptions of IO as formal organization, as international ordering principle and as international regime. Cooperation theory then provides a theoretical bridge from the realist ordering principle of anarchy to the neoliberal argument regarding the role of regimes. In turn, elaboration of regime analysis has laid the ground for a reintegration of international law and international relations (IR), an incorporation of various forms of new institutional analysis, a closer concern for specific institutional design principles and, finally, to a new appreciation of the role of formal institutions which had long ago been abandoned in theory if not in practice. Finally, we note the challenges posed by other traditions of international organization and indicate promising future directions for productive theorizing.

A. A Brief History of International Organization

2. Westphalia to Vienna

The signing of the Peace of Westphalia in 1648, reinforced by the Treaty of Utrecht in 1713, established the principle of national sovereignty, thereby placing the states of Europe on equal legal footing. This notion of sovereign equality - endowing each state with territorial integrity and the right to conduct domestic and foreign affairs without outside intervention - represents the first real ordering principle among states. After Westphalia, 'decentralized control by sovereign states' (Falk, 1969, p. 69) provided the basis for a horizontal international order critical to the subsequent development of international organization.

However, it was not until the nineteenth century that actual international organizations began to appear in significant numbers. Though the advent of states as sovereign political units was an important step, preconditions for the creation of IOs were not met during the seventeenth and eighteenth centuries. For example, there was insufficient contact between states, there was little recognition of problems arising from interdependence among states, and there was no perceived need for institutionalized mechanisms to manage international relations (Claude, 1964).

3. Vienna and the Nineteenth Century

The first serious attempt at formal international organization arose with the Congress of Vienna (1814-1815), which established diplomatic foundations for a new European security order following the devastation of the Napoleonic Wars. Some credit the resulting 'Congress system' as a fundamental turning point in the conduct and organization of international relations (Schroeder, 1994). It created a more systematic and institutionalized approach to managing issues of war and peace in the international system. The principal innovation at Vienna was that representatives of states should meet at regular intervals - not just in the wake of war - to discuss diplomatic issues. Accordingly, four major peacetime conferences were held between 1815 and 1822.

After this period, the aspirations of the Congress system gave way to a more informal regime. As characterized by one historian, 'A looser association of the Great Powers continued in existence - an attenuated Congress system limited to dealing with problems as they arose, not seeking to anticipate them or to iron them out of existence' (Hinsley, 1963, 213). This 'Concert of Europe' featured sporadic gatherings throughout the century, mostly in response to wars: Paris in 1856, Vienna in 1864, Prague in 1866, Frankfurt in 1871, Berlin in 1878, Berlin in 1884-1885, and The Hague in 1899 and 1907. These last two conferences went so far as to establish panels of arbitrators to settle international disputes and produced a Convention for the Pacific Settlement of International Disputes. These are the earliest examples of formal IOs designed to manage security issues. The result of the Concert was, indeed, quite a long period of relatively peaceful interstate relations among the great powers of Europe.

Many of the most dramatic developments in international organization during the nineteenth century were not related to the goal of averting war but to an emerging mismatch between the geographic scope of problems versus the scope of state authority. The technological changes brought on by the Industrial Revolution - especially in communication (telegraph) and transportation (steamship and railroad) - created an interdependence among states that required more stable forms of cooperation. A new set of IOs was created to manage international economic transactions which were an increasingly important aspect of interstate relations but were difficult for national governments to manage on a unilateral basis (Woolf, 1916). To facilitate shipping and international trade and to regulate traffic, the littoral states of the Rhine established the Central Commission for the Navigation of the Rhine in 1815 at Vienna. Similar commissions were established for the Danube (1856) and Elbe (1821) rivers. The Zollverein, a customs union of Germanic states established 1834, was the first effort at international economic integration and governance in Europe.

A related set of IOs, the Public International Unions, was also a response to technological change. These were concerned primarily with nonpolitical,

technical matters, and included the International Telegraphic Union (1865), the General (later Universal) Postal Union (1874), the International Union of Railway Freight Transportation (1890), and the International Bureau of Weights and Measures (1875). Some of these organizations had elaborate institutional frameworks, including permanent bureaus that represented forerunners of secretariats (Archer, 1983, p. 12). The ultimate purpose of these IOs was to facilitate international trade by establishing market rules and standardization. It should be noted that the improved technology that increased the need for coordination among states also made communicating and convening easier, thus facilitating the process of organization.

4. Versailles and the League of Nations

The periods following the two World Wars saw the greatest proliferation of institutions. Heads of state and diplomats met in 1919 at the Versailles Peace Conference to create a global security IO in the League of Nations. This was the first attempt at collective security - that is, an institution operating on the notion of all against one (Claude, 1962; Kupchan and Kupchan, 1991). Under Article 16 of the League Covenant, all member states were required to come to the aid of a member that was the victim of military aggression. The League was overwhelmingly concerned with fostering peace, though economic and social issues did receive secondary attention. The Covenant further established the Permanent Court of International Justice, the first attempt to create a global forum of justice and predecessor to today's International Court of Justice. All members participated in the General Assembly, while a separate League Council - consisting of five permanent members (the United States, Britain, France, Japan, Italy) and several rotating members - guided the operation of the organization.

Versailles also represented the first instance of widespread participation by national and transnational private interest groups in a large interstate conference. Though the nineteenth century saw the formation of a number of INGOs - concerned with humanitarian, religious, economic, educational, scientific, political, and other matters - it was rare for private organizations to sit at the table next to governments. Two products of this non-governmental participation at Versailles were the establishment of the International Labor Organization and a more formal partnership between member states and the Red Cross (already founded in 1864).

Though President Woodrow Wilson was its chief proponent, the United States never joined the League. Due largely to the lack of US participation, the organization never lived up to its promise. It successfully resolved some small military conflicts, but the Covenant was frequently violated and other

mechanisms for resolving disputes were employed at least as often. In the end, of course, the League was not able to avert World War II. Nevertheless, the League of Nations is an important marker in the history of international organization as an attempt to forge a new international order based on a formal institution with universal membership.

5. Post-World War II International Organization

The architects of the postwar system set out to establish an extraordinarily ambitious framework of positive international law and institutions. Though the number of formal IOs increased from about 50 to 80 during the interwar period, in the enthusiasm of the early postwar period they were created on a wide scale until they numbered over 600 by 1980 (Wallace and Singer, 1970; Jacobson, 1984). The most important was the United Nations, whose basic structure was decided by the US, the United Kingdom, the Soviet Union and China at the Dumbarton Oaks meeting of 1944 and the 1945 Yalta Summit. The drafters of the Charter, signed at the San Francisco conference of founding members in June 1945, were conscious of the limits inherent in the idealism of the League of Nations. Rather than count on collective security, 'the UN was to be primarily a peace and security organization based on the concept of the Four Policemen, that is, the USA, USSR, the United Kingdom and China as protectors against a recurrence of Axis aggression' (Archer, 1983, p. 24). Abstinence from unilateral use of force remained the main driving principle, however, and the Security Council was entrusted with primary responsibility for authorizing and overseeing military action. The reality of the Cold War dashed these expectations and rendered the UN ineffective, though not irrelevant, in global security affairs. But demand for an expanded range of UN security services has re-emerged in the post-Cold War era and, despite some failures in recent years, the UN is playing an increasingly important security role (Roberts, 1993; Koskenniemi, 1996, pp. 456-460).

The United Nations is divided into six principal organs, though the General Assembly is clearly 'first among them' (Peterson, 1986). Of the other five, the Secretariat, the Trusteeship Council and the Economic and Social Council report to the General Assembly. The Security Council and International Court of Justice have limited mandates, the former dealing only with situations related to the outbreak or potential outbreak of war, and the latter ruling on legal questions brought to it by member states or other UN bodies. These central components of the UN are surrounded by a cluster of functional agencies, including the International Labor Organization, the UN Educational, Scientific and Cultural Organization, the World Health Organization and the Food and Agricultural Organization. Over the years, there has been a steady

proliferation of specialized and affiliated agencies, many designed to deal with development issues (Feld and Jordan, 1988, pp. 19-20; Schachter and Joyner, 1995).

Another set of organizations was created during and following World War II, for the purpose of avoiding economic conflict by, especially, maintaining currency stability and free trade. The Bretton Woods monetary system established the US dollar as the central currency; other currencies would be valued according to the dollar, which in turn was pegged to gold. Two formal IOs were created as part of this system: the International Monetary Fund was charged with monitoring balance of payments while the World Bank supervised economic development and postwar reconstruction. The General Agreement on Tariffs and Trade (GATT) was established in 1947 to maintain open trade based on the principle of non-discrimination. It was replaced in 1995 by the more encompassing and centralized - for instance, it contains strengthened dispute settlement procedures - World Trade Organization.

These economic organizations were established as universal in principle but, in fact, began as closely held institutions of the Western powers. Their universality was overshadowed by the Cold War and, to a lesser extent, by North-South distributive conflicts (Krasner, 1985). These institutions have become more inclusive over time, but effective control - both formal and informal - remains in Western hands.

A further striking development in international organization in the postwar period has been the rise of regional IOs (Taylor, 1993; Nye, 1968). Some perform a range of functions within a given geographical area (the Organization of American States, the Organization of Central American States, the Arab League, the Organization of African Unity, and the Association of South East Asian Nations). Others are specifically security-related, such as the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe, and the now defunct Warsaw Treaty Organization. The largest number are economic, including the European Free Trade Association, the North American Free Trade Agreement, the Southern Cone Common Market, the Council for Economic Assistance (formerly the Council for Mutual Economic Assistance), the Andean Common Market, and the Asian-Pacific Economic Cooperation. Of this last category, the European Union (formerly the European Community) has the most developed set of institutions in terms of economics (Eichengreen and Frieden, 1994; Kenen, 1995), law (Armstrong and Bulmer, 1998; Burley and Mattli, 1993; Garrett, 1995), security (Kupchan, 1997) and politics (Moravcsik, 1998; Nugent, 1994).

6. Recent Trends in IO

Despite the frequent assumption that IGOs rarely die once created, fully one-third of the organizations that existed in 1981 were defunct by 1992. Many of those that became inactive were in the former Eastern bloc or were regional development organizations in the developing world. In the 1981-1992 period there was also a 'growing polarization between powerful countries - dominated by the literate, wealthy, and democratic - that establish and control IGOs and countries whose populations and governments are badly off and increasingly disengaged from international organizations' (Shanks, Jacobson and Kaplan, 1996, p. 594).

Parallel to the growth in governmental organizations has been a rapid proliferation of international non-governmental organizations (Skjelsbaek, 1971; Willets, 1982; Castermans et al., 1990; Weiss and Gordenker, 1996; Charnovitz, 1996). The growth in private international associations matched that of public international unions in the second half of the nineteenth century, and has surpassed it in the twentieth century. Indeed, since the late nineteenth century there have been more INGOs than NGOs in existence. From 176 in 1909, there were 1,255 INGOs in 1960 and are now more than 5,500 (UIA, 1997/98, Table 2, Appendix 3). Although these organizations cover countless functional areas, the most important categories are commerce and industry, technology, science, and health and medicine, and human rights. In terms of geographical distribution, almost half were founded in Europe; Africa and Asia account for the greatest number in the developing world (UIA, 1997/98, Table 6.2, Appendix 3).

Today, IOs range in size from small consultative organizations such as the Northwest Atlantic Fisheries Organization to very substantial bureaucracies like the World Bank or European Union with elaborate administrative structures, large budgets, many employees and extensive operational capacities. There has also been a striking, though uneven, development of international judicial bodies, most recently reflected in war tribunals for the former Yugoslavia and Rwanda and in the creation of an International Criminal Court. As this historical summary makes clear, international organization has generally been a response to or manifestation of deeper changes in international relations, not a driver of these changes.

B. Conceptual Approaches to IO

The theory and practice of IO have developed together in the modern era, and especially in the post-World War II period. One consequence of this progressive development is substantial ambiguity in what we mean by 'international organization' since the practice and concept have co-evolved over time. A

compensating virtue is that we have developed a richness in terms of different possibilities for organizing international behavior and in terms of different ways of thinking about it. It is useful to distinguish three different conceptions of the term.

7. IO as Formal Organization

The most familiar and straightforward definition of international organization is as formal organizations, usually among states or with states selecting representatives. As noted above, the Congress of Vienna (1815) established the Rhine Commission as the first formal IO, but not until the last third of the nineteenth century did IGOs begin to proliferate rapidly to facilitate expanding commercial and other forms of interdependence among European states. In the current period, formal IOs are exemplified by the United Nations and its agencies, as well as a host of functional and regional organizations.

While early discussions can be found in the writings of Dante Alighieri ([1314] 1957), Henri de Saint-Simon ([1825] 1952), Jeremy Bentham ([1786-89] 1927) and Immanuel Kant ([1784] 1914), the study of formal organizations took off in the early twentieth century, especially as the debacle of World War I led to the creation of the League of Nations. The interwar analysis was heavily descriptive and normative and focused on the legal and organizational structure of emerging or proposed institutions (Yalem, 1966). It suffered from a relative neglect of the actual incentives of states, including their reluctance to transfer sovereignty to federal or supranational organizations. This led to its being labeled as 'idealistic' in distinction to the 'realist' account of international life as being fundamentally driven by the harsh realities of power politics (Carr, 1939; Morgenthau, 1948). Realism continues to view power, not institutions, as the key organizing principle of international affairs, and is skeptical of any significant role for formal organizations.

Despite the failure of the League, the concern for international organizations carried through World War II, although it was significantly changed by David Mitrany's ([1943] 1966) 'functionalist' theory. Technological advancements and the desire to promote welfare concerns were seen as creating a need for interstate cooperation that required both international governmental organizations and non-governmental organizations to manage the necessary technical cooperation. The theory further emphasized the important role of professionals within those formal organizations in effecting international cooperation. 'Neofunctionalism' extended this argument by suggesting that successful collaboration in one area would increase the benefits of cooperation in related areas, and generate joint pressure from domestic interest groups and international officials to extend the realm of cooperation (Haas, 1964; Lindberg and Scheingold 1971; Nye, 1971; Groom

and Taylor, 1975). This 'spillover' would then provide the motor for broad international, and especially regional, integration, as exemplified by the development of the European Community. Although this body of literature never took off (see Haas, 1975), it represented an important move away from description towards a theoretical analysis whose ideas continue to be echoed in contemporary discussions.

While these theories argued that formal IOs could perform functions that would lead them to acquire authority, subsequent theory focused on how increasing interdependence was eroding state sovereignty. This trend has not been monotonic, as illustrated by high levels of pre-World War I economic interdependence that declined precipitously in the interwar period and were only surpassed well after World War II. Nevertheless, long-term and increasing interactions among states in all fields of activity - including health, technology, security, environment, culture and economics - mean that even the most powerful states are sensitive to occurrences elsewhere and cannot always achieve their goals by themselves. Small states that are dependent on larger states have even stronger reasons to seek support from such organizations. Moreover, this interdependence takes increasingly complex forms, including the increase in the number of significant transnational actors such as multinational corporations and environmental groups (Keohane and Nye, 1972, 1977). These changes have increased opportunities for formal international organizations but have not necessarily increased the willingness of states to transfer political authority to them.

Indeed, formal international organizations had come to be viewed unfavorably from both practical and theoretical standpoints until quite recently. From a practical perspective, IOs have not always lived up to the high expectations they have raised. This was true with the League of Nations in the 1930s and with the United Nations by the 1970s when the General Assembly and various UN agencies seemed to have become little more than forums for ideological debate (between North and South and between East and West). In the 1980s the UN system faced open hostility from the United States, its most powerful member. Similarly, the high expectations for the European Community appeared to have stalled in this period - both within Europe itself and with regard to transferring the regional community model elsewhere.

In fact, many formal IOs continued to play an important role throughout this period (Karnes and Mingst, 1990). Economic organizations were instrumental in the performance of the global economy, while NATO was the most institutionalized, and probably the most successful, alliance.

In the post-Cold War years, formal organizations have experienced somewhat of a renewal. There has been an effort to make better use of existing organizations as the United States did with the United Nations during the Gulf War, to change organizations such as NATO to address a different set of

problems, and to expand the venue of organizations such as the World Bank to address new issues, including the environment. Skepticism regarding the effectiveness of formal IOs is neither over nor unwarranted, but there is new interest in pursuing the possibilities of IOs ranging from the European Union to the World Trade Organization

The theoretical literature is experiencing a similar sharp turnaround from the preceding decades where, in the words of one commentator, there 'has been the steady disengagement of international organization scholars from the study of [formal] organizations, to the point that today one must question whether such a field even exists any longer except in name' (Rochester, 1986). This new attention to IOs should not be understood as a continuation of the earlier tradition, however, but as a reconstitution of a substantive interest, now on stronger theoretical footings. On the one hand, the new literature is decidedly non-idealist and questions of enforcement of agreements and incentives to obey institutions are key concerns of its proponents. On the other hand, the literature is theoretical as it seeks to move well beyond the institutional-descriptive accounts that dominated much of the earlier literature. Indeed, if anything, it can be criticized for being too abstract such that it has lost sight of many of the real institutional variations, including formal IOs, that it should seek to explain (Abbott and Snidal, 1998).

Legal scholarship, especially the doctrinal analysis of the rules and outputs of formal IOs, has continued to provide a rich description of the institutional forms and details of IOs. Although largely non-theoretical (see Virally, 1972 for a partial exception), its implicit emphasis on problem-solving states is highly amenable to rationalist theoretical development. This work examines how similar problems are addressed under different IO arrangements (Amerasinghe, 1996; Dupuy, 1988; Kirgis, 1993) and the best is comparative (Schermers and Blokker, 1995). An especially promising recent development discussed below is the reuniting of the legal concern with detailed arrangements and more theoretical developments in economics (Trachtman, 1996) and international relations (Abbott, 1992; Slaughter, Tulumello and Wood, 1998).

Finally, the emphasis on formal IOs represents a very narrow view of the forms of, and possibilities for, international governance. Indeed, the failure of the 'classic' IO model to live up to an exaggerated promise of managing international affairs in a relatively depoliticized and expert manner has led to its disrepute in many quarters. Improved understandings of governance suggest that formal organizations are only one among numerous institutional possibilities.

8. IO as Ordering Principle

If formal organization provides a narrow view of international organization, the most expansive definitions of international organization are framed in terms of broad ordering principles of the international system. We focus on two here: the realist conception of self-help in anarchy and the English school view of 'society'. We do not consider other ordering principles such as Marxist theories of imperialism (Lenin, [1917] 1939) or of a 'world capitalist system' (Wallerstein, 1979), although the economic logic they describe certainly constitutes an alternative international ordering principle. The two we do consider play a central role in debates regarding the nature of international organization and pose major alternatives to regime theory which we consider below.

Self-Help in Anarchy
The traditional realist view centers on sovereign territorial states in a state of anarchy, with Thomas Hobbes as the relevant intellectual hero. Anarchy is defined primarily in terms of the absence of central authority, not necessarily in terms of war (Milner, 1991, offers a valuable discussion of different meanings of anarchy). However, the realist view does imply that international politics is inherently competitive and conflictual, that survival is the primary goal of states, and that relative power is of central importance. Waltz (1959, 1979), the most influential contemporary realist commentator on anarchy, emphasizes that the fundamental difference between domestic and international politics is that the former is hierarchic while the latter is irreducibly anarchic. This creates some irony with respect to realist reliance on Hobbes as their intellectual forebear since they part ways with him on his central conclusion that actors in a dire state of anarchy would choose a Leviathan, and thus transform anarchy into hierarchy. The best explanation for states' failure to do so is that international anarchy is not as brutish as Hobbes' vision of domestic anarchy (Beitz, 1979).

Nevertheless, given the absence of central authority, the key realist ordering principle is self-help: states must take care of themselves (Waltz, 1979). Security is seen as the overwhelmingly central problem and balance of power provides the unique source of international order. Thus a central focus of realist theory is the relation between the distribution of power and international outcomes, including but not restricted to war - although there are sharp debates over the precise impact of different power distributions (Kaplan, 1957; Gilpin, 1981; Waltz, 1979). Power and security considerations are further seen as the deep source of states' attitudes towards, and arrangements for, other (secondary) issues such as economics, human rights or environment. Thus lower-order institutions - including formal organizations and regimes - are seen as largely epiphenomenal, with the organization of the system explained largely by the balancing of power among states (Mearsheimer, 1994/95; Wight, 1973)

International Society

A very different tradition in the international relations field, inspired by Hugo Grotius ([1625] 1925), focuses on the system of states as an 'international society' that contains persistent elements of order (Bull, 1977; Wight, 1977). According to Bull (1977, p. 13), the most prominent member of this English school, 'states form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions'. This framework of rules and institutions guides state behavior in patterned ways. Similarly, Finnemore stresses the notion of 'norms as social structure'. States, embedded in a dense network of social relations that shape their judgments, define their interests according to 'internationally shared norms and values that structure and give meaning to international political life' (Finnemore, 1996a, p. 3). The simple notion of anarchy thus cannot capture the richness and order of the international system. Even in settings of intense security competition such as the Cold War, mutual understandings and 'rules of the game' can provide considerable stability (Gaddis, 1987).

Members of this school have used its insights to critique the rationalist underpinnings of regime theory (next) for failing to capture many of the dynamics of international cooperation and organization. States abide by rules and norms, even when it is not in their material interest, because they have a long-term interest in the maintenance of a 'law-impregnated international community' and share a sense of 'moral community' (Hurrell, 1993). This work, however, has generally attempted to integrate regime theory into the study of international society, arguing, for example, that functional theories of regimes are largely accurate but that international society is a precondition for their development (Buzan, 1993). Hurrell (1993) suggests that the field of international law can provide a bridge for understanding the interaction between normative structure and self-interested cooperation. This recognition that regime theory and the notion of a norm-laden international society are not mutually exclusive offers a promising path for future work in the study of IO and cooperation more generally.

9. IO as Regime

Between the narrow understanding of formal organizations and the extremely broad understanding of ordering principles lies the concept of 'international regime', which has become the most widely used approach to international organization. Regime theory is premised on the twin observations that international politics is highly interdependent (Keohane and Nye, 1977), thus implying mutual interests in cooperation, and that 'international behavior is

institutionalized' in a variety of ways (Ruggie, 1975, p. 559). There is agreement over these empirical phenomena, but the approach includes a diverse set of theoretical and methodological orientations. While there is no theoretical consensus, there has been wide adherence to a 'standard' definition of regimes as 'sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations' (Krasner, 1983, p. 2). This very broad conception of regimes includes the endpoints as well as the vast middle ground between formal organizations and broader ordering principles in international relations.

The definition of regime has been criticized as being expansive to the point of vagueness (Strange, 1982). An unfortunate consequence is that an inordinate amount of effort has been expended in arguing about whether or not there is an effective regime in a particular area. The corresponding virtue is that this broad definition allows for a broader view of governance possibilities than is suggested by the narrower concern with formal institutions. The various categories in the definition also point towards a greater level of specificity than is often achieved by more ethereal discussions of ordering principles. Finally, the breadth of the definition leaves room for a plurality of approaches - liberal as well as realist, rationalist as well as constructivist. This has provided some unity to the field despite the diversity of approaches sometimes employed.

Regime 'theory' is confusing insofar as it refers to a body of literature including a wide range of different approaches and theories. Nevertheless, the most substantial vein of regime theory relies on rational choice understandings of state behavior, where states are viewed as unified, self-interested actors (Hasenclever, Mayer and Rittberger, 1997). We emphasize rationalist approaches for this reason and because they are closest to the law and economics tradition.

Rational regime theory was a natural outgrowth of the increasing propensity among IR scholars, beginning in the 1970s, to theorize international cooperation problems as analogous to 'market failure'. They used a public choice approach to problems such as public goods provision and externalities at the international level (Russett and Sullivan, 1971; Ruggie, 1972; Snidal, 1979; Fratianni and Pattison, 1982) and applied Coase's theory of property rights to the process of international organization (Conybeare, 1980). But the most important move in the literature emerged from the 'folk theorem' of economics and its result that decentralized cooperation can be an equilibrium outcome when a circumstance is repeated through time. This provided a response to the realist claim that the lack of centralized authority in anarchy prevents international cooperation. Indeed, by taking a Hobbesian specification of anarchy as akin to a prisoner's dilemma (Taylor, 1976), international relations theorists began to develop a theoretical argument that cooperation was not only possible in realist anarchy, it was in some sense likely (Axelrod, 1984). Thus the title of Kenneth Oye's (1986) *Cooperation Under Anarchy*

reflected the emerging synthesis in the literature that international order did not require centralized institutions. The articles in Keohane and Ostrom (1995) provide a recent elaboration of this perspective.

Cooperation theory has been challenged in several important ways, especially by disputing whether its underlying assumptions truly apply in international relations. Possibly states, or their leaders, are not properly characterized as rational agents with the capacities or inclinations necessary to maintain decentralized cooperation. An alternative, more realist critique is that states as rational actors seek goals such as power that are different from the goals of economic actors who seek wealth. This latter position has been formalized as the claim that because states seek 'relative gains', cooperation is limited in international affairs (Grieco, 1988), but this argument has been countered by analyses demonstrating that these limits are not great (Snidal, 1991; Powell, 1991). An alternative and more telling criticism of rational cooperation as a theory of international organization is that it has at best a very thin view of institutions. Thus cooperation theory provides a substitute for the need for international organization as centralized enforcement, but it does not provide an account of why any substantial international organization is needed at all.

C. Contemporary Theoretical Approaches to IO

10. Rationalist Regime Theory

The seminal work for the study of rationalist regime theory is Robert Keohane's *After Hegemony* (1984). The book explains the continued existence and increasing strength of international institutions in the wake of declining American hegemony. Drawing on rational choice logic and microeconomic theories, Keohane offers a functional theory of international regimes - in other words, the anticipated benefits to states explain the persistence of the regime and compliance with its rules. 'Political market failure' is a central notion in Keohane's analysis: 'Like imperfect markets, world politics is characterized by institutional deficiencies that inhibit mutually advantageous cooperation' (1984, p. 85). While bargaining could in principle correct these failures (Coase, 1960), Keohane argues that the underlying conditions for Coasean logic to operate - well-defined property rights (that is, a legal framework), perfect information, and zero transactions costs - do not naturally exist in the international system. Regimes, then, serve to fill in these gaps to facilitate cooperation among states on a decentralized basis.

Moreover, '[b]y clustering issues together in the same forums over a long period of time, they [regimes] help to bring governments into continuing

interaction with one another, reducing incentives to cheat and enhancing the value of reputation. By establishing legitimate standards of behavior for states to follow and by providing ways to monitor compliance, they create the basis for decentralized enforcement founded on the principle of reciprocity' (Keohane, 1984, p. 145; see also Keohane, 1986). In short, states find it much more efficient to operate within multilateral institutions than to generate cooperation through countless bilateral agreements (Aggarwal, 1985). And since the cost of dealing with an additional issue is much less within a regime, this may explain why they strengthen and expand in scope over time.

Much of the early regimes literature focused on explaining why states create international regimes and demonstrating that they 'matter', that is, that they influence state behavior in a meaningful way. From the beginning, however, regime theorists were addressing issues such as why regimes change or evolve (Young, 1982; Lipson, 1982; Aggarwal, 1983) and how to measure a regime's effectiveness (Young, 1992; Haas, Keohane and Levy, 1993; Bernauer, 1995). They are also concerned with why regimes take particular forms, such as bilateral, minilateral or multilateral (Yarbrough and Yarbrough, 1992; Ruggie, 1993a). In addition, the application of regime theory has been expanded to a wide variety of issue-areas, including international security (Jervis, 1982; McCalla, 1996), trade (Finlayson and Zacher, 1981; Aggarwal, 1985; Yarbrough and Yarbrough, 1987), finance (Cohen, 1982; Lipson, 1985), human rights (Donnelly, 1986), telecommunications (Cowhey, 1990: Zacher, 1996; Sandholtz, 1993), and the environment (Young 1989, 1994; Young and Osherenko, 1993; Haas, 1993; Haas, Keohane and Levy, 1993). International legal scholars have increasingly used regime theory to better understand issues such as international trade law, arms control agreements, and the law of treaties (Abbott, 1985; Abbott, 1993; Smith, 1991; Setear, 1996; see also Aceves, 1997).

Scholars in the regime tradition have also used alternative terminology, including *institutions*, *multilateralism*, and *governance systems*, to describe phenomena of international organization that exist between formal organizations and broader elements of order in the international system. Works centered around the construct of 'international institutions' are closely tied to regime theory and tend to either subsume the concept of a 'regime' (Haas, Keohane and Levy, 1993, p. 5) or employ a definition that is virtually synonymous with the earlier Krasner definition (Young, 1989, pp. 5, 32). Multilateralism has been described as an institutional form that orders state behavior on the basis of generalized principles of conduct (Ruggie, 1993a). However, there is a distinct body of work that relies on the notion of 'governance without government' (Rosenau and Czempiel, 1992; Young, 1994). 'Governance' is distinct from 'government' in that rules are obeyed not because they are backed by the threat of force; rather, it is the perceived legitimacy of rules that leads to compliance (Franck, 1990, 1995; Young, 1979). Actors in the international system recognize certain norms and rules of

conduct and feel compelled to oblige by them. Governance, then, is 'order with intentionality' (Rosenau, 1992, p. 5). This normative theory of international organization is thus different from earlier, interest-based theories of international regimes, though their predictions about order are similar.

11. New Institutionalism

A subsequent wave of scholarship studies international organization through the lens of the 'new institutionalism' within several social science fields, including economics (Williamson, 1985; Eggertsson, 1989; Furubotn and Richter, 1991, 1997), sociology (Powell and DiMaggio, 1991), and political science (March and Olsen, 1989; Moe, 1984). Important works, for example, have attempted to apply the sociology of organizations to IOs, describing them as 'live collectivities interacting with their environments' that 'tend to become infused with value' (Ness and Brechin, 1988, p. 247; see also Finnemore, 1996b, and Young, 1994). Armstrong and Bullmer (1998) use historical institutionalism to explain the development of the Single European Market in terms of the interaction between law and politics.

The largest body of literature has begun to integrate the 'new economics of organization' (NEO) - also referred to as 'new institutional economics' or 'transaction costs economics' - into the study of international organization. In the early 1990s, economists began to notice 'striking parallels between the central questions of NEO and those of international relations' (Yarbrough and Yarbrough, 1990). Both literatures focus on the need to establish institutions to facilitate cooperation when independent actions would produce sub-optimal outcomes. Oliver Williamson, for example, stresses the 'feasibility of crafting superior ex ante incentive structures' to promote cooperative behavior (1985, p. 204). Thus, firms arise as a form of private, hierarchic ordering within a market that lacks formal organization or authority (Williamson, 1975, 1985). The emphasis is on non-governmental forms of managing such problems as the provision of public goods and the guarantee of property rights.

An important aspect of this NEO wave is an attempt to theorize about the organizational design of international institutions rather than treating them as black boxes. The assumption is that states do not simply follow the dictates of formal organizations - rather, they create institutions with specific design features intended to be the most effective and focus on the variety of institutional forms that result. In their study of international trade liberalization over time, Yarbrough and Yarbrough (1992, p. 19) show that '[i]nstitutional variety ... (reflects the efficacy of alternate governance structures for different types of trade transactions in different political and economic environments'.

Lake (1996) presents a theory of contracting whereby organizational choice in security relations - which varies on a continuum from anarchic alliances to hierarchic empires - is determined by considerations of transaction costs and the expected costs of opportunism. International lawyers have similarly applied transaction costs economics to explain various governance structures in the international system (Aceves, 1996; Trachtman, 1997). Even the existence of sovereign territorial states themselves, as a form of international institutionalization, has been explained through this lens (Spruyt, 1994).

Though NEO writers tend to focus on formal IOs, this approach is far more theoretical in its objectives than the earlier legal-descriptive tradition in the field of international law. Formal rules are only one aspect of IOs according to the NEO school and they are not the most important determinant of state behavior: 'From the NEO perspective, concentration on formal legal structures may prove not only incomplete but also misleading, since the effective enforcement of rules assumed by the formal approach is often missing, particularly in international relations' (Yarbrough and Yarbrough, 1990, p. 257). Informal institutions and behavioral norms play a prominent role. Much like regime theory, then, NEO applications to IO suggest that the stark dichotomy presented by some IR scholars between a hierarchic and ordered domestic arena and an anarchic international order is misleading.

12. Micro-Design

In much the same spirit as NEO, other international relations and legal scholars have focused on what might be called the micro-design of IOs and international treaties. These writers go beyond explaining the general demand for international regimes (Keohane, 1982, 1984) and focus on the demand and effectiveness of particular regime design features. Though they typically concentrate on formal IOs, they use the detailed study of these organizations to draw broad theoretical implications about international cooperation in a manner that is consistent with the goals of regime theory.

One important vein of this scholarship begins with the assumption that compliance with international agreements is generally high, and that violations are the result of legal ambiguities, inadvertence, or the incapacity of states to comply rather than calculated, self-interested 'cheating' (Chayes and Chayes, 1993, 1995; Mitchell, 1993). Moreover, the incidence of this non-compliance is largely a function of how international treaties and regimes are designed, and thus regime effectiveness can be improved when certain institutional features are present (Mitchell, 1994a, 1994b; Sand, 1990). The resulting theories are thus prescriptive as well as descriptive.

A related literature explains why particular design features or levels of institutionalization are chosen (Sykes, 1990; Lipson, 1991; Staiger, 1995; Mansfield and Milner, 1997) through consideration of the relative bargaining power of states (Garrett, 1992), of domestic factors influencing institutional design (Cowhey, 1990), and of the specific features of the international problems that states face (Kahler, 1996; Koremenos, Lipson and Snidal, 1998). Downs and Rocke (1995, p. 77) argue that uncertainty about future demands from domestic interest groups leads policymakers to design institutions with 'sanctions for noncompliance that are low enough to allow politicians to break the agreement when interest group benefits are great, but high enough to encourage states to obey the agreement most of the time and thereby prevent trade wars' (Graber, 1999). So while these institutions may seem inefficient in that noncompliance is not severely punished, they are in fact an optimal outcome in light of the domestic uncertainty that exists. Finally, other micro-design theorists revert to simple functionalism to explain certain designed features. Garrett and Weingast (1993), for example, argue that the design of the European Union's legal order is accepted by governments because it serves to mitigate various ambiguities that make cooperation difficult, namely, incomplete contracting and monitoring problems.

13. Critiques

The Realist Critique

From its inception, regime theory and its successors have been criticized by 'realist' theorists of international relations arguing that international institutions simply do not 'matter' in any meaningful way. According to the conventional structural critique, regimes have little or no independent effect on state behavior, especially when it comes to important economic and power relationships (Strange, 1982). Regimes, and international cooperation more generally, are readily upset by the logic of security competition because states have an overwhelming concern with power and survival. As a result, regimes are epiphenomenal to international politics: sustained cooperation can only exist when it is consistent with power politics considerations (Gowa, 1994). This logic does not preclude the establishment of cooperative institutions, including military alliances, to satisfy short-term interests, but such forms of organization are merely 'temporary marriages of convenience' (Mearsheimer, 1994/95, p. 11). Not all realists are so pessimistic. Glaser (1994/95) begins with the basic assumptions of structural realism and shows that discord is not the logical consequence under a wide variety of conditions. Institutions that provide information and reduce transaction costs, in particular, are not inconsistent

with the exigencies of security competition, though in the end cooperation will normally be based on ad hoc agreements rather than more formal organization.

Globalization
Building from past work on 'transnational relations' (Keohane and Nye, 1972) the literature on globalization stresses the large and growing number of non-state actors in the international system, such as firms, private associations, and religious groups (Cerny, 1990; Krugman, 1995; Risse-Kappen, 1995; Gupta, 1997). The fact that economic and other transactions increasingly take place without regard to national boundaries has important implications for international politics (Rodrik et al., 1998). One conclusion drawn by globalization theorists is that the traditional state has become structurally inappropriate as a political unit, leading some to consider whether globalization has gone too far (Rodrik, 1997). In terms of international organization, Philip Cerny argues that the 'residual state' will no longer be the most important entity driving collective action in the international system and will not be able to provide global public goods, such as the regulation of the world market (Cerny, 1995; see also McGrew and Lewis, 1992; Ruggie, 1993b; Strange, 1996). The result may be increased reliance on private sources of governance that are more flexible and appropriate, such as interfirm alliances (Dunning, 1997) and international non-governmental organizations.

Constructivism
A major limitation of rational regime theory is that it takes both states as unitary actors and their interests as unproblematic. Some 'bottom-up' efforts rectify this situation by incorporating a richer rationalist view of the domestic constraints that states face, notably the 'two-level games' of Putnam (1988) and Milner (1997). Nevertheless, constructivism and other knowledge-based theories argue that the identities and interests of the actors, and how these are determined by the nature of the international community and its institutions, need to be explained rather than assumed (Wendt, 1994; Biersteker and Weber, 1996; Katzenstein, 1996). Some of these approaches can be readily accommodated by rational regime theory insofar as they provide a complementary analysis of why states have particular goals and beliefs (Haas, 1993; Goldstein and Keohane, 1993), or of how particular outcomes become focal points (Garrett and Weingast, 1993).

Other approaches are more sharply contradictory to rational approaches. In part, this is because many constructivists reject the typically positivistic premises of rational regime theory, but fundamentally it is because they reject its individualism. They want to explain international arrangements from a 'top-down' perspective that examines the broader normative structures that constitute international ordering principles (Kratochwil, 1989; Wendt and

Duvall, 1989; Finnemore 1996a; Arend, 1998). The broadness of regime theory will allow it to incorporate some of these ideas; the rationalist stream of the theory will rework some of them in terms of its own conceptions of beliefs and information, though surely not to the full satisfaction of constructivist critics. While no agreed synthesis will emerge, the tension between the two approaches is likely to be mutually improving (Hasenclever, Mayer and Rittberger, 1997).

D. Conclusion

Theorists and practitioners have employed a number of differing conceptions of 'international organization'. These conceptions can usefully be thought of as falling into three categories: IO as formal organization, IO as ordering principle in the international system, and IO as regime. The last of these categories has received the most attention recently and has involved a high degree of fruitful theorizing about IO and international cooperation more generally.

Political scientists who study IO have begun in recent years to return to the study of formal organizations, though this time they have done so with explicitly theoretical intentions (Snidal, 1997). At the same time, international legal scholars have sought to meet IR theorists halfway. The result is a self-conscious effort from both sides to integrate the two fields (Abbott, 1989; Burley, 1993; Keohane, 1997). In his treatment of the negotiations on dispute resolution in the Uruguay Round of GATT, for example, Abbott (1992, p. 112) recognizes that 'meaningful analysis of matters like these requires a theoretical framework'. Burley (1993, p. 222; Slaughter, Tulumello and Wood, 1998) offers an historical account of the interaction of the law and IR literatures and suggests some 'components of an institutionalist interdisciplinary dialogue'. This 'dual agenda' includes the study of organizational design, compliance, and international ethics. The overlap between this agenda and much of the NEO agenda is obvious, and this suggests that the future of IO scholarship will be more interdisciplinary than ever before.

Indeed, common concerns and methodology among political scientists, legal scholars and economists increasingly characterize the IO literature. More than ever before, international legal scholars are using modes of analysis drawn from political science and economics to understand international organizations and law (Bhandari and Sykes, 1997; Mock, 1992; Shell, 1995; Aceves, 1996; Chong, 1995; Colombatto and Macey, 1996; Setear 1996). This interdisciplinary movement is clearly evident in substantive work on compliance with international rules and on dispute settlement. Scholars from various traditions have come together to understand why nations comply with international law and institutional rules (Mitchell, 1994a; Keohane, 1992; Downs, Rocke and Barsoom, 1996; Cameron, Werksman and Roderick, 1996;

Chayes and Chayes, 1995; Franck, 1990, 1995; Koh, 1997), as well as the development of supranational adjudication in international organizations (Hefler and Slaughter, 1997; Horlich and DeBusk, 1993; Hudec, 1990; Jackson, 1994; Kovenoch and Thursby, 1992; Pescatore, 1993; Yarbrough and Yarbrough, 1997). Through this intellectual interaction, the study of international organization, like the practice of international governance itself, is becoming more energized and, one hopes, more sophisticated.

Acknowledgements

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