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Regimes as Links Between States:

Three Theoretical Perspectives

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1. Summary

In this paper we explore international regimes as links between states. After a brief analysis of the reasons why regimes are particularly suited as instruments for international governance, we discuss the special nature of the inter-state links that are established through regimes (as opposed to mere interdependence). In the remainder of the paper we deal with explanations that have been offered for the remarkable robustness of the links that international regimes create between states. We begin by reviewing the arguments that rationalists and sociologists in the study of international regimes have come up with in order to account for this phenomenon. Both are found instructive, but also problematic in several respects. Therefore, we conclude by outlining an alternative model - termed "the liberal value approach" -, which may shed additional light on the robustness of regimes. This model seeks to take account of the growing uneasiness with systemic explanations of regimes and attributes an essential role to the value- orientations of the societies whose representatives form and maintain international regimes.

2. Regimes as Governance Systems at the International Level

(Footnote 1)

A decade ago Kratochwil and Ruggie (1986) published an excellent and often- quoted article in which they reviewed and periodized the post-war history of the study of international organization. This field of research, they argued, is united by a central concern with international governance, its nature and its

forms, its performance and its possibilities. They also pointed out that, within this general perspective, a number of "problem shifts" had taken place over the years. The latest of these shifts, each of which they regarded as "progressive" in the Lakatosian sense (Lakatos 1970: 116-32), was the field's preoccupation with international regimes. Accordingly, the two authors' observations about regime analysis conveyed a sense of optimism that, despite remaining epistemological anomalies in the study of regimes, this conceptual innovation had provided students of international organization with a firmer analytical grip of their core object of study than they had hitherto possessed. Indeed, regimes were seen as expressing "both the parameters and the perimeters of international governance" (Kratochwil/Ruggie 1986: 759). Ten more years of experience with the theory and practice of international governance have not invalidated this assessment. The insight remains in force that international society governs itself, first and foremost, through *international regimes*, i.e. through agreed-upon rules of conduct which are intended to stabilize mutual expectations and thus to introduce a modicum of order into particular issue- areas of international politics.

Several reasons work together to account for this *intimate conceptual and empirical connection between governance and regimes*: Governance in an 'anarchical society' (Bull 1977) such as the one which is composed of the sovereign states of the world has to be 'governance without government' (Rosenau/Czempiel 1992), even though, in international society, whatever governance there is will be most strongly shaped by (individual) governments. The absence of world government is likely to result in a form of governance which is less coherent and less homogeneous than its counterpart at the national level. In other words, governance without government - though, like all governance, an *intentional* activity directed towards ordering social relationships (Rosenau 1992: 5) - is likely to exhibit a "patchwork" character. In part, this means that international governance can be expected to materialize primarily in partial, *issue-specific* as opposed to all-encompassing, constitutional orders. By definition, however, international regimes are just that: negotiated (and thus intended), issue-specific orders (Keohane 1989c: 4).

The expectation that international governance should take this form is suggested by two basic facts about governance at the international level: first, like all governance it is costly; second, and more specific, most of the time international governance can only take place as "self- government" in a radical sense: it cannot come about but as the result of *horizontal self-coordination* of those whose dealings with one another it is to affect in collectively desirable ways. (The exception to this rule are those rare periods of *hegemony* in which the literal identity of the rulers and the ruled which normally characterizes and circumscribes international governance is partially suspended as a result of a powerful leader being able and willing to bear the costs of governance.) Together these two facts produce a disposition in the members of international society to take a decentralized case-by-case approach in establishing governance systems. Whether or not an issue-area is regulated through a joint effort depends on the interests and capacities of those who are immediately involved, as do the breadth and the depth of the regulations that are adopted. As a consequence, participation in specific governing arrangements varies strongly: some are global in reach, others have a regional base, still others are set up and run by only a few states. Correspondingly, we find global, regional, as well as sub-regional international regimes.

Typically, a *demand for governance* arises in issue-areas where interdependence among states creates both conflicts and incentives for cooperation (Young 1994: 15). Cooperation is attractive because it promises to make all better off. On the other hand, it is difficult to achieve because those willing to cooperate run the risk of being exploited by their partners and because states have divergent preferences over the specifics of their cooperation (i.e. because of distributional conflicts). Social scientists have

come to refer to such situations as collective-action problems or problematic social situations. Meanwhile, it is one of the central insights of regime theory that it is precisely this sort of social situation in which states are motivated to establish international regimes.

According to their classic definition, regimes are "principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area in international relations" (Krasner 1983b: 2). Thus, they comprise both a substantive (principles, norms, rules) and a procedural (decision-making procedures) component. Regimes, therefore, cannot be reduced to mere *products* of international governance, their procedural or dynamic nature (Gehring 1994) secures that, to a great extent, they are indeed *loci* of international governance as well.

Thus, a confrontation of essential and typical attributes of international regimes (their character as intentional, issue-specific orders; the combination of substantive and procedural components which they encompass; the kind of situation in which they arise) with the peculiarities and necessities of governance in a decentralized setting provides a strong rationale for the view held by many observers (e.g. Kratochwil/ Ruggie 1986; Rittberger 1989; Young 1994) that governance in international society tends to take the form of international regimes. (Footnote 2)

3. Linking States through International Regimes

It is difficult to conceive of a world of perfectly isolated states. The very idea of an international system carries the notion of some sort of inter- connectedness of its units. Linkages between states are presupposed whether one accepts Waltz's (1979: 79) definition of an international system as a structure within which states *interact* or prefers Bull's (1977: 9f.) formulation according to which it is characteristic of a system of states (short of an international society) that "two or more states have sufficient *contact* between them and have sufficent *impact* on one another's decisions, to cause them to behave - at least in some measure - as parts of a whole" (emphasis added). Even more explicitly, links are assumed when the contemporary international system is described as one in which states are sensitive or even vulnerable to one another's policy choices, i.e. as a system marked by mutual dependence of its units. For, as Keohane and Nye (1977: 9) have made it clear, interdependence definitely includes, yet goes beyond, mere "inter-connectedness" among states.

This said, it is obvious enough that international regimes create links among their members which are of a very special nature, one which is not captured by any of the senses of "interaction," "interconnectedness," or even "interdependence" that have been evoked so far. Although students of international institutions commonly attribute the existence and proliferation of international regimes to rising levels of interdependence among states (e.g. Keohane 1993a: 34-8), this must not detract from the fact that regimes "add" something to an interdependency relationship. What is special about the links between states that come into place through international regimes is their *normative* character. The states who form the membership of a given international regime are linked through a set of prescriptions they have undertaken to respect in their decisions with regard to a particular set of issues (such as, for example, trade policy or conventional armament). By creating or joining an international regime, states, without renouncing their juridical sovereignty, bind themselves to common standards of behavior. What is more, through the procedural rules they agree to, states also bind themselves to one another in the sense that they substitute, in the issue-area concerned, joint decision- making for unrestricted

unilateralism (Stein 1983: 117). Thus, the new dimension that comes with inter-state links that are established by regimes as opposed to those connections that are implicit in any condition of international interdependence is most closely related to their functional role as manifestations of *international governance*.

Although some definitions of the term "international regime" do not rule out the possibility of non-state actors being members of international regimes or even creating "transnational regimes" among themselves (Haufler 1993), most students of regimes explicitly or tacitly assume that states are still the most important actors on the international scene and that it is them who establish and run the governance systems of international society. Accordingly, the essential members of international regimes are states and the links that are established through international regimes, first of all, are inter-state links. As we have noted, these links are normative in character and are binding only on those who have negotiated and accepted them, i.e., in most cases, on states. Usually, therefore, if international regimes regulate the behavior of non-state actors as well, it is only because, and to the extent that, states adopt and enforce domestic regulations in order to discharge their obligations under the regime. (Footnote 3)

Insofar regime theorists take a state-centric view of international governance. However, none of this denies non-state actors a significant part within the broader social process in which international regimes are embedded. Often coordinating themselves transnationally, non-state actors - e.g. in environmental issue-areas - have strongly influenced the formation, development, and success of international agendas and regimes (Haas 1992). Moreover, the transboundary activities of private actors such as business firms are often critical in bringing about the problematic social situations in which states perceive the need to cooperate or to adjust the terms of an ongoing cooperation. The causal patterns are complex and recursive, though. For these private activities which, at some point in time, spur international collective action, in many cases, have been made possible by previous inter- state arrangements to secure mutual openness and to encourage inter-societal exchange, i.e. by liberal international regimes (Krasner 1985). In this sense, international regimes, depending on the substance of their principles and norms, may help to create links between non-state actors as well.

Establishing that international regimes (essentially) create links between states does not answer the question of what this means for international politics. One way of approaching this question is to ask how robust these links prove to be in the face of various sorts of external challenges. Are regimes and hence the links they have established among states endangered by every shift of power among their members or whenever the most powerful participants find that their interests are no longer optimally served by the current regime? Or do they actually operate as durable constraints on the choices of those who compose their membership? Given the central importance of regimes for the quantity and quality of international governance and thus for the performance of the international polity, this question is clearly not merely of academic interest. Moreover, the significance of this issue is enhanced by the fact that, at the global level, neither of the two traditional mechanisms of social coordination - the state and the market - offers a viable alternative to decentralized and issue-oriented institution-building. The world state is both unfeasible and undesirable - a point that already Kant (1949 [1795]) made with great emphasis. Conversely, those who follow Bentham (1786-89 [1843]) as well as some advocates of the "balance-of-power"-mechanism in placing their bets on the "political market" (i.e. expecting collectively optimal political outcomes to result from the operation of an "invisible hand" at the international level) most probably underestimate both the degree of genuine conflict and the size of transactions costs that bear upon the interactions of states (Kohler-Koch 1993; Mayer/Rittberger/Zürn 1993).

Some early commentators on regime analysis have called the robustness of international regimes forcefully into question (Strange 1983). Similarly, scholars in the realist tradition tend to portray international regimes as the hostages of favorable constellations of power (either hegemony or bipolarity) which are bound to unravel or, at least, to become ineffective, (Footnote 4) once their material underpinnings erode (Keohane 1980; Mearsheimer 1990). For their part, proponents of the regime-analytical research program have sought to refute this skepticism regarding the impact of international regimes and international institutions more generally. They have come up with theoretical arguments to show that a considerable degree of institutional robustness is perfectly compatible with realist assumptions about international politics (Keohane 1984). They have drawn attention to the fact that the traditionalists' tendency to discount international institutions is in part due to a misconception of how social institutions work in general and, in particular, of what makes social actors comply with institutional injunctions (Young 1989: ch. 3). At the same time, they have gathered empirical evidence for a remarkable robustness of international regimes by focusing on various kinds of "hard cases" (Rittberger 1990; Young 1992).

Hence, it is fair to conclude that the orthodox realists' skepticism about international regimes is exaggerated, if not grossly mistaken. (Footnote 5) International regimes establish links between their members which do not only help these states to manage problems of interdependence more efficiently. Moreover, individual members and even the membership as a whole find it extremely difficult to ignore, let alone to get rid of these links just because they are getting inconvient for them.

However, even those who have no difficulty accepting this general statement about regime robustness cannot deny that many questions raised by this phenomenon are still unsettled. Not only are empirical studies that systematically trace the sources and determinants of institutional robustness still comparatively scarce. What is more, students of regimes are deeply split as regards the *theoretical explanation* of this salient property of regimes. This disagreement, in turn, bears upon scholars' expectations concerning the *degree* of robustness that can be attributed to international regimes. Although the issue of regime robustness perhaps is the one on which the two schools of thought that have chrystallized in regime analysis most visibly clash, their differences are deep-rooted and go beyond this particular "puzzle." Indeed, they only reflect a schism that runs through the whole of International Relations and social science more generally. Commonly, the proponents of these two opposing perspectives are referred to as *rationalists* (or utilitarians) and *sociologists* (or constructivists)(Footnote 6), respectively.

In the remainder of this paper, we examine the views of both schools of thought on regime robustness. We will argue that, despite their mutual incompatibility, it is difficult to deny that either has provided important insights into the phenomenon under study. On the other hand, both approaches reveal considerable explanatory problems which suggests that the question may not just be "who is right?" - for the simple reason that neither of them is. In a sense, the basic problems of rationalists and sociologists mirror one another: just as rationalists (if they take their own assumptions seriously) are bound to underpredict regime robustness, sociologists are bound to overpredict it. If this criticism is warranted, students of regimes, though without discarding the existing approaches, should look out for additional models that offer new, and perhaps more accurate, insights into the workings of international regimes. We, therefore, conclude this paper with a sketch of an alternative approach to international regimes which we call the *liberal value approach*. Its outlines have begun to emerge in a growing body of literature which insists on the importance of domestic factors in the politics of compliance with

international regimes and stresses the motivating force of socially-embedded value orientations in the foreign policies of states.

4. Rationalism, Sociologism, and Value-oriented Liberalism: Three Views on the Determinants of Regime Robustness

4.1. The Rationalist Approach to Regime Robustness

Rationalism in international relations theory portrays states as self-interested, goal-seeking actors whose behavior can be accounted for in terms of the maximization of individual utility. Thus, states are assumed to follow a "logic of consequentiality" (March/Olsen 1989: 160). According to rationalism, foreign policies as well as international institutions are the products of calculations of advantage made by national decision units. These calculations, in turn, are informed, though not exclusively determined, by states' preferences (utility functions).

Largely for methodological reasons (namely, in order to rule out all too easy and therefore empty pseudo-explanations of state behavior) (Snidal 1986: 43), rationalists assume that actors' preferences exhibit a great degree of stability through time. Indeed, the strongest version of rationalist theory assumes that preferences are not only stable over time but also across actors. In theories of this type the source of variation in individual and collective behavior lies in the decision environment of "like units," i.e. in the *external* constraints on their action. These constraints have been specified, inter alia, as the distribution of capabilities among states (Waltz 1979), the nature of the technology of warfare (Powell 1991), and the degree of institutionalization in the international system (Keohane 1989c).

This strong version of rationalism at once represents a strong form of *systemic* theorizing. We call it "strong" because systemic theories are sometimes defined simply as non-reductionist, i.e. as accounts of behavior that make reference to how actors "stand in relation to one another" (Waltz 1979: 80). By this less demanding criterion, however, theories which attribute different preference orderings to different actors, and indeed theories which locate the most important sources of international behavior at the *domestic* level, can still be systemic - if only in a minimalist or "weak" sense (Moravcsik 1992: 10-3). By contrast, in a strongly systemic theory "the internal attributes of actors [including their preferences over outcomes] are given by assumption rather than treated as variables" (Keohane 1989d: 40f.). Note that the difference between strongly and weakly systemic theories is not just one of form or style of presentation: strongly systemic theories of international politics are committed to the substantive view that domestic politics is negligeable, at least when it comes to explaining Waltz's (1986: 329) famous "small number of big and important things," whereas weakly systemic ones are *not*.

If preferences are generally assumed not to be amenable to sudden and frequent change this assumption holds specifically for the interaction among states. In rationalist models interaction (including cooperation) does *not* affect actors' utility functions (or "identities" in the language preferred by sociologists). Preferences help to explain interaction but not *vice versa*. This is another way of saying that rationalist analyses treat states as basically *atomistic actors* and deny (more often implicitly than explicitly) the existence of an international society as emphasized by sociologist theories of

regimes.(Footnote 7)

Rationalism has deeply influenced the study of international regimes. In fact, it is fair to say that the mainstream of regime analysis takes this approach to theory-building. In the study of regimes, rationalism is best represented by scholars such as Keohane (1983, 1984, 1989a), Stein (1983, 1990), Lipson (1984), Snidal (1985, 1991), Oye (1986b), Zürn (1992), and Martin (1993). Following a suggestion made by Keck (1993), the work of these authors will henceforth be referred to as *rational institutionalism* (see also Rittberger/Hummel 1990: 34). (Footnote 8) Presumably the most elaborate and influential theory in this vein has been developed by Keohane (1984). Hence, it is worth looking at his argument in some more detail and probing the interpretation it offers for the phenomenon of regime robustness.

Rational institutionalism's central thesis is that international regimes are created and maintained by rational and egoistic states because, and as long as, they are useful to them (Keohane 1989b: 167). Regimes can be useful to states because they help them to reap joint gains through cooperation. Keohane assumes that in many situations states have common interests which they can only realize if they manage to cooperate effectively. Moreover, he stresses that it can by no means be taken for granted that states with common interests will also cooperate. The existence of such interests is only a necessary, but not a sufficient condition for cooperation. Regimes are often needed to consummate the cooperation that is desired by the actors involved. To substantiate the claim that cooperation can fail despite the existence of common interests, Keohane (1984: 68) points to the Prisoner's Dilemma game, which, in his view, captures the essence of a wide range of situations in world politics and therefore is an appropriate model to guide one's reasoning about this subject matter.(Footnote 9)

In situations resembling a Prisoner's Dilemma, states will often be disinclined to cooperate for fear of being double-crossed. Regimes that include monitoring arrangements (making information about others' compliance more easily available) reduce this fear and in this way make it easier for states to cooperate. For one thing, the risks involved in cooperation are lower: provided that decisions to cooperate can be reversed, the exploitation that one may suffer will not last long. For another, the likelihood of being deceived in the first place is smaller: the greater probability of being "caught" reduces the expected utility of cheating.

This effect is amplified by another feature of regimes and regime-based cooperation. Principles, norms, rules, and procedures, by their very nature, do not apply to single cases, but to indefinitely large classes of cases. Individual regimes, on their part, are often "nested" within larger, more encompassing frameworks of international principles and norms. In this way regimes produce connections or "linkages" between issues (and likewise between agreements dealing with particular issues). As a result, violating a particular agreement (or concluding an illegitimate one) has consequences beyond this particular issue and may affect the ability of achieving one's goals elsewhere (Keohane 1984: 89f.; Axelrod/Keohane 1986: 234). Moreover, institutions such as international regimes enhance the continuity of political relationships over time (inter alia by providing actors with valuable negotiation opportunities, which can be ignored only at a cost). Both properties of regimes work in the same direction: they increase the (perceived) "iterativeness" of the situation.

The significance of this fact is explained by the work of Axelrod (1984) and others, who have shown that, in a Prisoner's Dilemma that is played over and over again by the same (egoistic) players, cooperation without central enforcement can be induced and maintained through a reciprocal strategy

("tit-for-tat") provided that future gains and losses are not too heavily discounted by the actors. (Footnote 10) Rational institutionalism incorporates this finding (Keohane 1984: 244, 1993a: 23; see also Axelrod/Keohane 1986: 250): regimes improve the conditions of application for the strategy of reciprocity through which cooperation is stabilized.

Keohane makes two arguments which are of particular relevance to the issue of *regime robustness*. A regime could be said to be brittle (to lack robustness) if states are likely to ignore their obligations as specified by the norms and rules of the regime as soon as external events raise the opportunity costs associated with the prescribed course of behavior. Why then should rational egoists continue to comply with obligations they have undertaken once they have become inconvenient to them? And why should states (or at least the more powerful among them) not break with existing regimes whenever (e.g. as a result of technical innovations) new opportunities arise for them which they cannot optimally exploit under the given structure of rules, or whenever they realize that the distribution of gains is less favorable to themselves than they had thought it would be? Keohane provides a two-fold answer to these questions.

Regimes as "Sunk Costs." First, he points out that creating a regime is costly, and that this is what makes regimes persist despite the declining satisfaction of some or even all of their members (Keohane 1984: 103). Thus, in many situations, the expected utility of maintaining the present suboptimal (albeit still beneficial) regime will be greater than that of "letting it die" (e.g. by returning to unfettered self-help behavior) in order to re-build it later, particularly when this behavior is likely to result in a situation where no regime exists at all (or only a very weak one).

Reputational Concerns. The second argument takes as its point of departure a difficulty that plagues the use of "tit-for-tat" in real- world situations. This so-called "sanctioning problem" (Axelrod/Keohane 1986: 255), the acuteness of which, all other things being equal, increases with the number of actors involved, refers to the difficulties of meeting three preconditions for the successful operation of the strategy of reciprocity. (1) Defections and defectors must be identified. (2) Retaliation (if necessary) must punish the defector and only the defector. (3) Someone must be prepared to bear the costs of sanctioning. Rational institutionalism suggests that regimes can mitigate all aspects of the sanctioning problem (Keohane 1984: 98; Axelrod/Keohane 1986: 237f.). It is noteworthy, though, that (at least in "After Hegemony") Keohane emphasizes neither the monitoring capacities of regimes nor regime rules requiring states to retaliate against defectors (the latter being hardly mentioned). (Footnote 11) Instead he focuses on the reputational effects of regimes:

International regimes help to assess others' reputations by providing standards of behavior against which performance can be measured, by linking these standards to specific issues, and by providing forums, often through international organizations, in which these evaluations can be made (Keohane 1984: 94, see also 104-6).

Regimes in this way help to shape the reputations of their members. This raises the costs associated with non-compliance in any particular situation and, consequently, makes cooperation more likely. (Knowing that their partners have a reputation to lose by cheating, states' fear of being double- crossed diminishes.) The argument to show that their reputation is a matter of concern for rational actors is simple and runs as follows: Actors with a reputation for trustworthiness are more easily accepted as partners in cooperative ventures for mutual benefit. Yet, by reneging on their commitments under a regime states are likely to damage their reputation and thus to forfeit potential future gains from cooperation (which as rational

actors they will seek to avoid).(Footnote 12)

However, both arguments are vulnerable to internal criticism. Consequently, if this criticism is basically justified (as we think it is) rationalism lacks an explanation for the remarkable robustness of international regimes. By the same token, rationalism, if used consistently, underpredicts the resilience of international governance systems.

Keohane's first argument pointing to the *high costs of renegotiation* as a factor producing the robustness of regimes is problematic because it raises questions about the logical soundness of his theory. In this theory regimes are demanded because they reduce transaction costs. The sunk-costs argument for regime robustness, however, is explicitly based on the assumption that regime formation involves high transactions costs as well. As a consequence, his theory is in danger of running into a *regressus ad infinitum*: the success of the strategy that states are supposed to adopt in order to solve their "cooperation problem" (i.e. the strategy of regime building) depends on the absence or prior solution of this very problem. Hence, there cannot be such a strategy for rational actors (Oye 1986b: 20f.; Milner 1992: 477; Müller 1994: 17f.).(Footnote 13)

Even if we leave aside internal problems of theory construction and focus on the argument itself, problems remain. It is true, game theorists have devised solutions to enforcement problems which build directly on Keohane's (1984: 100) intuition that "because regimes are difficult to construct, it may be rational to obey their rules if the alternative is their breakdown." But it is unclear whether these solutions apply to world politics. The intuition is plausible, provided there is a way of making it credible to all participants that the breakdown of the regime is indeed the alternative to rule-compliance. More specifically, defection is irrational if the regime incorporates a kind of "self-destruct" mechanism that is triggered as soon as rule-violation occurs (or exceeds a given threshold) (Elster 1989: 44). Game theorists have shown how such a mechanism might work. All that actors need to do is to agree at the outset of their cooperation to respond to any defection that may occur by immediately returning to generalized self-help behavior (a collective way of playing "tit-for-tat", as it were). It can be shown that such an agreement would indeed be self-enforcing. Unfortunately, however, the respective proof depends on assumptions that do not conform well to the realities of international politics. Thus, it has to be assumed that "the political interests of states" do not hamper the operation of the "self-destruct" mechanism by introducing "double-standards", whereas in reality "incentives to perceive and sanction a deviation can vary widely as the identity of the alleged deviant varies" (Gowa 1989: 322): in particular, friends and foes are not likely to be treated alike by states concerned with their survival and independence.

Finally, the sunk-costs argument makes the critical assumption that the costs of (re-) negotiating international agreements are indeed rather significant. However, the provision of strong empirical support for this assumption is still pending (Keohane 1993a: 37). In fact, critics have pointed out that it is most likely to grossly exaggerate the size of transaction costs at the international level (Mearsheimer 1995: 26, n. 84) and that other (viz. subsystemic) causes must be given pride of place in explaining regime stability (Moravcsik 1992: 35).

Rationalist theory of international cooperation has received a strong impetus from the work of Axelrod (1984). At the same time, difficulties plaguing attempts to apply these results to international relations have not gone unnoticed (e.g. Gowa 1986). Scholars have pointed to problems of incomplete contracting (e.g. Garrett/Weingast 1993: 180f.), echo effects (e.g. Keohane 1986: 10), and so-called second-order

problems of cooperation (e.g. Elster 1989: 40f.; Zangl 1994). As we have seen, rational institutionalists believe that regimes are valued and thus demanded by states in part because they help them to cope effectively with these problems. We have also noted, however, that authors such as Keohane are well aware that the ability of regimes to solve these problems must not be overrated. In particular, a strict application of the "tit-for-tat" strategy to uphold cooperation is rendered unlikely by the sanctioning problem. This is why Keohane points to another mechanism which he regards as securing the robustness of international regimes even when those other problems are only imperfectly solved: the concern of states with their *reputation*.

However, as much as the first one, this second argument of Keohane's to account for the robustness of regimes is open to criticism. The problem is to explain why reputation should matter to rational egoists (Gowa 1989: 319f.; Mercer 1996). If a good reputation is important for cooperation it should be so in situations in which states are unable to monitor one another's actions properly. However, rational institutionalist's core thesis says that states cooperate through regimes and that regimes reduce informational asymmetries. Hence it is unclear why states should ask for the "credentials" of their would-be partners before entering into a regime with them. Conversely, if regimes create transparency (and rule-violations are likely albeit not certain to be sanctioned), they should not (contrary to Keohane's claim) be appropriate arenas for states to acquire a reputation for trustworthiness: rational actors are likely to behave cooperatively under such conditions; no inferences are possible with regard to their behavioral dispositions in situations in which other conditions (i.e. less transparency) prevail. Thus, again, the internal consistency of rational institutionalism is called into question. Finally, as is the case with transactions costs, there has been little empirical research attempting to confirm or refute the claim that policymakers actually take into account the reputations of other states, and to the extent that it has been studied it received very little support (Mercer 1996). Apparently, states focus much more on the interests, opportunities, and capacities that are immediately relevant to the issue-area at hand than on past behavior of their prospective partners in different issue-areas.

To sum up, rational institutionalism has certainly made an impressive argument about the significance of international institutions. Nevertheless, it is in considerable trouble accounting for the robustness of international regimes. Although it cannot be ruled out that future research will remedy these problems, for the time being the conclusion seems warranted that in a world of rational actors we could *not* expect as much stable cooperation to occur as we actually observe in international politics (see also Hardin 1982: 101).

4.2. The Sociologist Approach to Regime Robustness

In this section, we look at attempts to account for regime robustness which are based on a radical opposition to the rationalist theoretical mainstream. *Sociological institutionalists* such as Franck, Kratochwil, Müller, Ruggie, or Wendt, have each, though in different ways, questioned the appropriateness of the rationalist perspective for studying international regimes. They argue that international regimes are embedded in the broader normative structures of an international society and that these structures escape rationalist theorizing because rationalism fails to problematize the preconditions that must be met for rational agents to engage in optimizing behavior. In particular, rationalists are criticized for ignoring that individual rationality always presupposes sociality, that there is no optimization without prior socialization.(Footnote 14)

Proponents of sociological institutionalism reject utility-maximization as a model for analyzing state behavior and lean towards a conception of states as role-players (Young 1989: 209-13): a "logic of appropriateness" rather than a "logic of consequentiality" is seen as guiding states in their foreign policies (March/Olson 1989: 160-2). Sociologists in the study of international regimes adopt an ontology which emphazises the dependency of state identities and cognitions on fundamental international institutions (or "conventions" in Keohane's terminology) and relates the formation and maintenance of international regimes to these pre-established identities. Thus, a "shadow of institutions" comes to join forces with Axelrod's "shadow of the future" in producing and stabilizing cooperation.

According to sociological institutionalism, states are significantly less free to ignore institutional commitments than mainstream approaches suggest. Due to their being nested into broader normative networks, international regimes exhibit a considerably higher degree of robustness than utilitarian reasoning can account for (Wendt/Duvall 1989: 57f.). Hence, self-interest (even if broadly defined) is an unreliable "signpost" when it comes to understanding the "staying power" of regimes. Better insights into this phenomenon, these authors argue, can be gained from focusing on questions of the legitimacy of normative injunctions, the importance of communication for the formation of intersubjective meaning, and the process of identity formation in international relations. In one way or another, all of these concepts refer to the existence of "social facts" (Emile Durkheim) which are not only beyond the reach of individual manipulation, but are necessary conditions for individuality and autonomy in international politics. These social facts have to be considered if one wants to come to a more adequate understanding of the emergence and robustness of regimes in international society.

In order to illustrate and lend substance to the sociologists' views on regimes and regime robustness, we proceed as follows. We will first address a metatheoretical criticism raised by sociological institutionalism vis-...-vis rational choice approaches. The argument here is that, due to their adherence to an ontology that gives actors priority over rules, rationalist approaches are in principle unable to grasp essential features of rule-governed cooperation under anarchy. Subsequently, we will give a brief account of two of the various theoretical proposals sociologists have come up with in their attempts to advance alternative understandings of the significance and dynamics of regimes and other institutions in international politics. We will conclude this section by pointing to some problems of current sociologist approaches to international regimes which raise questions concerning the soundness of their account of regime robustness.

Institutions as Constitutive of State Practices. A common point of departure for sociologist approaches in International Relations is their critique of rationalist assumptions about the nature of the international system. Mainstream regime analysis takes the preferences and powers of state actors as the starting point for explaining rule-governed cooperation. Their world is populated by sovereign states facing numerous collective action problems, some of which they solve by creating and maintaining regimes. By contrast, sociologists favor a more "institution-centric approach" (Wendt/Duvall 1989: 67), arguing that the behavior of states, like any social behavior, presupposes normative structures that must be analyzed in their own right (Ashley 1984: 242-8; Wendt 1987: 361-9; Dessler 1989: 451-8; Behnke 1993: 33). Such fundamental institutions as sovereignty, diplomacy, and international law "constitute state actors as subjects of international life in the sense that they make meaningful interaction by the latter possible" (Wendt/Duvall 1989: 53). Without these rules and norms it would make no sense to speak of either illegal intervention or legitimate self- defense. Indeed, the reciprocal recognition of sovereignty is a necessary precondition for issue-area specific arrangements (Dessler 1989: 469; Barnett 1993). In Korea, for example, as long as the North and the South were not prepared to recognize the legitimacy of the

other, no sustained policy coordination could emerge despite the considerable possibility of joint gains (Behnke 1993: 53-7). Thus, there are international institutions which cannot be reduced to mere devices for problem-solving (Krasner 1988: 89; Wendt/Duvall 1989; Buzan 1993: 350).

This insight, then, is applied to international regimes. It is argued, that as "principles and shared understanding of desirable and acceptable forms of social behavior" (Kratochwil/Ruggie 1986: 764) they have both a regulative and a constitutive dimension (see also Gehring 1994: 321). That is, not only do regimes (as rationalists correctly observe) operate as imperatives requiring states to behave in accordance with their norms and rules. Regimes also help to create a common social world for interpreting the meaning of behavior - a dimension which is downplayed or even ignored altogether by rationalists. To clarify this point, scholars point to the rules of games like chess or football as an analogy. Such rules cannot be interpreted as *causing* particular moves within the play. Yet, by defining permitted behavior and explicating the consequences of individual moves, they enable the actors to play the game (Dessler 1989: 455-8; Kratochwil 1993b: 449). They provide them with the knowledge necessary to respond to each other's moves in a meaningful way.

Of course, most students of regimes who work within the rationalist paradigm readily admit that certain overarching normative features of international life are important. Snidal (1986: 45), for example, asserts that "the international system, with its established patterns of practice and rules, is significant for defining the individual game model and deriving conclusions from it." However, acknowledging the constitutive dimension of regimes is problematic for rationalists because it blurs the distinction between cause and effect. While regulative rules may be thought of as *efficient* causes of state behavior and, thus, may be subsumed under the type of cause which, in modern, empiricist philosophy of science, has prevailed over its traditional alternatives, the constitutive dimension of regimes cannot be understood in these terms. Rather, constitutive rules may be likened to what, since Aristotle's "Metaphysics," has traditionally been called "*material* causes" (Dessler 1989): they do not make states act in a particular way, but make it possible for them to act towards whatever purpose they may pursue. Consequently, the rationalists' focus on causes, which is actually a focus on efficient causes and which originates in the empiricist epistemology they subscribe to, must lead them to a truncated picture of the "effectiveness" or, more broadly speaking, the significance of international rules.

"The Power of Legitimacy." Sociologist approaches have been particulary concerned with explaining the robustness of international regimes. In search of a more adequate approach than rationalist theories provide, a number of scholars have rediscovered the works of Henkin (1968: 36, 42) who argued that states feel compelled to comply with agreed-upon norms and rules, even when they have both the incentive and the capacity to break them. Metaphorically speaking, international norms and rules have a "compliance pull of their own" (Franck 1990). Among other things, this means that cheating and free-riding are not the critical barriers to cooperation that neoliberals have them appear (Chayes/Chayes 1993: 201). This is not to say that devising effective compliance mechanisms is pointless. Obligation need not always triumph over temptation. However, it does suggest that rationalist models, if taken at face value, are misleading and - by way of a self-fulfilling prophecy - may even cause the disease they purport to cure.

There are two central topics which scholars who are attracted to this line of thought concentrate on when analyzing the autonomous "compliance pull" of norms and rules. First, they try to give a theoretical account of the presumed "sense of obligation" of states by pointing to their embeddedness in the international society. Their basic argument here is that states tend to comply even with inconvenient

norms and rules because acting opportunistically would involve the risk of undermining their own existence in the long run. Second, they are looking for determinants which account for the varying strength of the compliance pull of different norms and rules. In this connection, they distinguish legitimate from illegitimate agreements and argue that the binding force of norms and rules depends on the degree of their legitimacy.

Concerning the nature of the sense of obligation that is supposed to motivate states, the central argument was already proposed by Henkin (1968: 32) himself who maintained that the general respect for norms and rules is "the price of membership in international society and having relations with other nations." According to Henkin, governments recognize their dependence on a normatively organized international system the principles of which make a peaceful and orderly exchange of goods and ideas possible. Essentially, since states are in need of an international society, they respect the needs of this society. Among these the observation of treaties is of crucial importance, as no society can exist without the generalized confidence that obligations incurred by its members are honored (Bull 1977). Therefore, nations and those who govern them have "a common interest in keeping the society running and keeping international relations orderly" (Henkin 1968: 48; see also Franck 1990: 37; Hurrell 1993: 59).

Up to this point, the argument sounds as if the respect for normative arrangements once again were explained by reference to converging national interest. Such an understanding would miss a crucial point, however. To be sure, sociologists such as Henkin or Hurrell talk of interests but these are interests of a very special kind. The interest that states have in the international society, where a set of basic norms such as the respect for sovereignty and the binding nature of treaties are taken for granted, is a *necessary* one: for without an international society there would be no sovereign states. In the words of social theorist Hffe (1987: 391), the interest of states in the (viability of) international society belongs to the category of "transcendental interests," i.e. interests which are not a matter of choice to actors because they must pursue them so long as they (want to be able to) pursue any interests at all. Or as Henkin (1968: 48) has put it, the observance of the basic principles which are laid down in international law is an "assumption built into international relations."

As to the second issue, Franck (1990) and Hurrell (1993) admit that not all international norms and rules are equally compelling. To explain this variation, they argue that the degree of a norm's binding force depends on the degree of its legitimacy. According to Franck (1990: 49), legitimacy is dependent on four characteristics: "coherence," "determinacy," "symbolic validation," and "adherence." Among the four, *coherence* is of special importance. The concept expresses how closely a rule is related to the "underlying rule-skein which connects disparate ad hoc arrangements into a network of rules 'governing' a community of states" (Franck 1990: 181). (Footnote 15) It is the degree of correspondence between individual rules and the underlying normative structure of international society that determines the tendency of governments to observe specific injunctions. Breaking legitimate arrangements would send shock waves into the heart of the society of states and would shake its normative building-blocs. This, however, is incompatible with the necessary interests of states. It is in this sense that individual states are supposed to owe to international society the obligation to observe legitimate normative arrangements.

The Power of Identity. Another argument made by sociologists challenges the rationalist practice of treating the - allegedly - egoistic identities and interests of state actors as unproblematic starting-points for explaining regime formation and robustness. Especially Wendt (1994: 385f.) has argued that actors' conceptions of self and other as well as of their goals are in constant process of (re-)formation. Therefore, these conceptions should be treated as a dependent variable rather than pretheoretic givens.

Wendt does not deny that rationalists have a lot to say about "cooperation among egoists." However, once established, rule- governed cooperation can "lead to an evolution of community" (Wendt 1994: 390) 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 more collective identities. These identities "discourage free-riding by increasing diffuse reciprocity and the willingness to bear costs without selective incentives" (Wendt 1994: 386). Therefore, cooperative institutions in international politics are not adequately analyzed in terms of functional responses to collective action problems (the rationalist approach), unless rationalists find a way of integrating the evolution and internalization of new identities and interests which comes with the regular observance of agreed-upon norms and rules (Wendt 1992a: 399, 1994: 390f.)

To illustrate this *self-stabilization hypothesis of cooperation*, Wendt refers to the ongoing discussion about the future of the European security institutions. Prominent realists like Mearsheimer (1990) or Waltz (1993) warn that, in the post-Cold War world, Europe, before long, will have come "back to the future" and witness the renaissance of traditional balance-of-power politics. Wendt (1992a: 417f.) sees little if any justification in these dim expectations:

Even if egoistic reasons were its starting point, the process of cooperating tends to redefine those reasons by reconstituting identities and interests in terms of new intersubjective understandings and commitments. Changes in the distribution of power during the late twentieth century are undoubtedly a challenge to these new understandings, but it is not as if West European states have some inherent, exogenously given interest in abandoning collective security if the price is right.

In short, after decades of cooperation West European states now form a "pluralistic security community," making it highly unlikely that the future will look like the past.

Wendt (1992a: 393, 1994: 384f.) derives the self-stabilization hypothesis of international cooperation from a more encompassing theoretical framework that he refers to as "constructivism" (see also Onuf 1989). Constructivism (as applied to international society) emphasizes the social construction of world politics and state identities (Wendt 1992a: 393, 1995: 71). The central tenet of this approach can be summarized as follows: The international reality, which basically consists of the fundamental structures of the international system, the self-understandings of states, and intentional behavior on the part of states, is constituted by intersubjective knowledge which is itself dependent on the process of international interaction. In fact, it can be argued that constructivism dissolves systemic structures and identities into the "distribution of knowledge" in the international system. Intentional behavior, then, is interpreted both as a *consequence of knowledge* - insofar as action presupposes knowledge - and a *modifier of knowledge* - insofar as it can create new situations which lead to a re- evalution of traditional cognitions. In other words: Action and knowledge are mutually constitutive and, in the final analysis, irreducible to each other.

Foreign policy decisions are presumed to be dependent on how individual states conceive of their role in the social world of international politics. These perceived meanings, in turn, are derived from overarching intersubjective structures that consist of "shared understandings, expectations, and social knowledge embedded in international institutions" (Wendt 1994: 389). Similarly, identities are defined as "relatively stable, role-specific understandings and expectations about the self" that are "grounded in the

theories which actors collectively hold about themselves and one another and which constitute the structure of the social world" (Wendt 1992a: 397, 398). Identities are acquired through socialization into the intersubjective structures of the international system, or as Wendt (1992a: 397) puts it, by actors' "participating in [...] collective meanings." These intersubjective structures, in turn, enable states with particular social identities to calculate benefits and costs of different behavioral options and to make rational choices in view to their individual goals (Dessler 1989: 454; Wendt 1992a: 396).

However, the roles that define social identities "are not played in mechanical fashion according to precise scripts, [...] but are 'taken' and adapted in idiosyncratic ways by each actor" (Wendt 1992a: 419). What is more, microbehavior can change macrostructures. For example, more collective understandings of *self* and *other* can emerge from repeated cooperation. Thus, rule-governed cooperation initiated by egoistic actors within a state of nature can gradually lead those actors to change their beliefs about who they are. They get habitualized to cooperation and, as a result, develop more collective identities (Wendt 1994: 390). The emergence of collective identities, in turn, strengthens the readiness of these actors to cooperate even if the dominant strategy of a self-interested actor would be to defect. In the end, the interplay of cooperation and identity formation can trigger a sort of "positive echo effect" that can culminate in structural transformation, given that the deeper structures of the international system and the identities acquired through interaction must be compatible in the long run (Dessler 1989: 469; Wendt/Duvall 1989: 64-6; Wendt 1994: 391-3).

In contrast to rationalists who subscribe to methodological individualism, sociologists elaborate on a top-down explanantion of robust regimes in international politics. Basically, they hold that regimes which fit in with the deep structures of international life exhibit a higher degree of resilience than rationalist approaches would predict. This is seen as the result of the workings of an international society which regulates the conduct of states by either obligation ("the power of legitimacy") or socialization ("the power of identity"). (Footnote 16) In the first case, states are seen as abiding by categorically valid imperatives of the international community. In the second case, it is argued that the identities of states are fundamentally shaped by intersubjective structures of the international system such that they develop an internal disposition to reproduce established institutions.

The explanatory power of sociologist approaches for international relations is doubtful, though. As critics have pointed out, the level of institutionalization of international politics is still far too low to affect the identities and interests of states to a significant extent (Keohane 1989c: 6; Stein 1990: 26, n. 1). Others go so far as to argue that the norms and rules that exist are usually so vague that their interpretation becomes almost arbitrary and there are few foreign policy decisions that could not be justified by smart advocates as consistent with these norms and rules (Hollis/Smith 1990: 184). Consequently, scholars warn about the risks of uncritically importing into International Relations theoretical concepts which were designed to account for behavior at other levels of social aggregation. Although they recognize that there are constitutive institutions which enable state actors to play the international game, they insist that this game includes rule-compliance as well as rule-violation.

Scholars who subscribe to sociological institutionalism would probably concede that the international society is comparatively underdeveloped, that "the international arena is still but a 'negative community'" (Kratochwil 1989: 68). Consequently, there is a tendency in sociologist writings on regimes to look to the future. Wendt, for instance, seems to be much more concerned with the possible transformation of international structures by interaction than with the effects of current international structures on interaction. He expects collective identities to emerge as an unintended result of cooperation among

egoists. These new identities will then reshape existing structures, thus stabilizing the level of cooperation achieved. Fascinating as these possibilities are, they cannot explain the puzzling robustness of contemporary regimes when compared with rationalist expectations.

In addition, the relationship between role-playing and role-taking in international society is still quite ambiguous. Wendt leaves open the crucial question of when actors are likely (or able) to act against structures and when they are likely (or forced) to keep on reproducing structures. In other words: when does the identity-forming capacity of structures triumph over the structure-transforming power of agents and vice versa? It is this shortcoming of constructivism as social theory which Hollis and Smith (1991: 406) have in mind when they contend that "it is more a description of social life than a basis for explanation." In fact, it seems as though the agent-structure problem, from which constructivist theory-building in International Relations took much of its initial impetus (Wendt 1987), has not been solved, but has merely re-emerged in a different (though admittedly fascinating) guise.

To sum up, while rationalist approaches lead us to expect too few robust regimes in international politics, sociologist explanations of regime resilience presuppose an international society (or a level of integration of that society) which does not (yet?) exist. Moreover, it is doubtful that the identities of states can be attributed to systemic factors (as Wendt contends they can). Indeed, we would rather expect them to be constituted domestically (as Wendt fears they might be). This question, however, can only be decided on the basis of empirical research (Kratochwil 1989: 261; Wendt 1992a: 423, 1992b: 185, 1994: 391).

4.3. The Liberal Value Approach to Regime Robustness

Over the past years, there has been a growing discontent with systemic approaches to international relations theory (e.g. Haggard 1991). The idea that states can be treated as "like units" and that differences in domestic structures do matter only marginally - if at all - for explaining international politics is found increasingly less convincing. Critics of this approach which is shared by rational and sociological institutionalists argue that state-society relations and national political cultures have a strong and irreducible impact on foreign policy and consequently international politics. This conviction - that domestic factors matter and, indeed, matter most - has been described as the common feature of *liberal* approaches to international relations theory (Moravcsik 1992).

Thus, it is now regarded almost as a law of international politics that democracies do not wage war on each other (e.g. Doyle 1983; Rittberger 1987). Scholars have put this finding down to the particular normative and cultural framework in which democratic polities are embedded. Russett (1993: 31) explains:

If people in a democracy perceive themselves as autonomous, self-governing people who share norms of live-and-let-live, they will respect the rights of others to self-determination if those actors are also perceived as self-governing and hence not easily led into aggressive foreign policy by a self-serving elite.

The impressive empirical support that is enjoyed by the democratic peace hypothesis led the same author to the conclusion that

it is time to take seriously the proposition that the policies of states in international

relations, and their people's support for their policies, derive in large part from their fundamental values and images (Russett 1993: 130).

There is also a growing consideration of domestic factors in regime analysis. For example, Zürn (1993: 310) found that liberal trading states with corporatist domestic structures are more likely to conduct regime-conducive foreign policies. Ruggie (1993b: 24f.) has put down the multilateral form of most present-day regimes to the liberal constitution of the U.S., the hegemon of the early post-war era. Burley (1993: 147) has argued that the stability and decay of international institutions depend more on political processes at the domestic level than on systemic factors. In this connection, it is noteworthy that is has been repeatedly observed that it is becoming increasingly common among liberal states to convert international agreements into national law and that this is likely to strengthen their commitment to such agreements (Chayes/Chayes 1993: 185; Kratochwil 1993; Müller 1993). Similarly, Cowhey (1993) and Gaubatz (1996) found that institutional as well as cultural factors contribute to a higher reliability of democracies in fulfilling their international commitments. This finding is complemented by an observation frequently made (e.g. Rittberger 1987, Buzan 1993), according to which the "OECD-world" exhibits a particularly high density of stable regimes. Finally, Slaughter Burley (1993: 233) put forward the hypothesis that regimes between liberal states are in general more robust than those whose membership is composed of *either* liberal and non-liberal *or* exclusively non-liberal states.

At this stage, it would certainly be rash to talk of a liberal *theory* of the robustness of international regimes. However, the arguments, hypotheses, and pieces of evidence provided by the studies we have just cited indicate that we may be witnessing the formation of such a theory. At a minimum, they are promising enough to justify intensified efforts to work towards such a theory. As a contribution to this collective endeavor, we outline, on the following pages, a liberal value model of states' political support for regimes. (Footnote 17) The constitutive assumptions of this model are (1) that at least under certain conditions international action is more adequately explained in terms of value rationality (Weber's Wertrationalität) than in terms of strategic rationality. That is, (some) actors are (at least sometimes) more concerned with realizing self- consciously formulated (non-material) values than with maximizing utility. In this sense, value-rational actors follow a "logic of appropriateness." (2) In contrast to the sociological model, however, the values which guide foreign policy are not embedded in an international culture or society but in the respective national cultures or societies. Thus, not unlike rationalist approaches, the liberal value model is based upon an atomistic ontology (where the "atoms" are not individuals but societies). Consequently, the political support for a regime has to be explained in an "upward-looking" rather than in a "downward-looking" fashion. (3) The robustness of international regimes is accounted for in terms of the distribution of values in the respective issue area. The key variable here is value compatibility. Regimes are expected to be robust depending on the size of the "zone of overlapping consensus" (Rawls) in the participating actors' value orientations. Hence, in cases of low value compatibility, common institutions are expected to be comparatively brittle. In addition, it is assumed that the substance of the values that do or do not overlap has a bearing on the resilience of common institutions. In the following, these three points will be further elaborated.

Value-rational Actors. In "Economy and Society," Weber (1968: 20) distinguishes instrumentally rational from value-rational behavior. Persons behave instrumentally rational if they are

determined by expectations as to the behaviour of objects in the environment and of other human beings; these expectations are used as "conditions" or "means" for the

attainment of the actor's own rationally pursued and calculated ends. (Weber 1968: 24).

(Rationalist institutionalism relies exclusively on this notion of instrumental or strategic rationality.) Value-rational behaviour, by contrast, is defined as the actions of persons

who, regardless of possible cost to themselves, act to put into practice their convictions of what seems to them to be required by duty, honour, the pursuit of beauty, a religious call, personal loyalty, or the importance of some "cause" no matter in what it consists. [...] value-rational action always involves "commands" or "demands" which, in the actor's opinion, are binding on him.

In this sense, value-rational action is characterized by "its clearly self- conscious formulation of ultimate values governing the action and the consistently planned orientation of its detailed course to these values" (Weber 1968: 25).

Thus defined, value-rational and instrumentally rational behavior differ from one another in that the former is relatively independent of changes in the international environment. Value-rational behavior is constant and internally motivated. That is, systemic incentives have but a marginal influence on it - metaphorically speaking, the "price" elasticity of value-rational decisions is low. Value-rational behavior, thus, does not aim at maximizing the utility to be gained from scarce resources but at promoting values, while attaching only subordinate importance to the cost of this endeavor. (Footnote 18)

In the literature, value-rational actors not seldom appear as pathological cases. They are described as unable to compromise and are accused of acting without due consideration for foreseeable losses to themselves, to others, and sometimes to their cause as well. For instance, Welch (1993) found that conflicts escalate quickly and are handled with extreme intransigence if deeply entrenched convictions of justice are at stake. Juergensmeyer (1993) made similar observations with regard to the parties to religious conflicts. Finally, Doyle (1983: 325-7; see also Chayes/Chayes 1993: 186) pointed out that the value orientation of the United States led them to miss out opportunities in their security policy. The U.S. felt a strong resentment towards communist states which hindered cooperation with these - in their view illegitimate - regimes.

On the other hand, recent research on development assistance policy pointed to somewhat more positive implications of value-rational behavior (Lumsdaine 1993; Uvin 1994). Northern European countries with their pronounced welfare state orientation are shown to be apt to make relatively high contributions to foreign aid, even while other states cut back on theirs. Obviously, other states' failure to live up to their commitment to spend 0.7 per cent of their GNP on official development assistance could not prevent the Nordics from keeping theirs - although this means a relative loss to them. According to these studies, this "deviant behavior" can only be explained in terms of a morally motivated appreciation of the foreign aid programs on the part of these countries.

Although the concept of value-rationality primarily aims at explaining the constancy of an actor's behavior, it is possible, within this approach, to think of situations in which value-rational actors do change their behavior and might even seem to have given up their value-orientation. This is because a value-rational actor seeks to *realize* certain values. Value-realization, however, can be made problematic or even impossible by the circumstances. (In this sense, value-rational behavior is not strictly opposed to the "logic of consequentiality" that guides instrumentally rational actors.) Basically, there are two

situations to be distinguished. (1) The effective promotion of a value is not possible because actors lack necessary resources or because unilateral action is pointless and multilateral action unachievable. (2) The realization of a value, though not strictly impossible, would necessitate the expenditure of resources to such an extent that it would endanger the actor's own existence. (This includes situations in which an actor's value-orietation is exploited by others to the point of putting his survival at risk.) In both cases a value-rational actor may take distance and temporarily suspend, or even re-assess, his value orientation.

Thus, the liberal value approach acknowledges that there are situations in which an actor's values cannot effectively be promoted and, therefore, cannot guide his decisions. Yet, even then considerations of costs and benefits, which are central to instrumentally rational action, play only a minor role. On the basis of a cost-benefit analysis, who could decide which sacrifices are (still) *justified* in order to achieve a certain goal and which are not? Value-rational actors base such a decision on principles that are objective and independent of the situation at hand (Dworkin 1978). Thus, the first case delineated above takes account of the principle that "ought implies can." When this condition is not met, even a value-oriented actor does not have (and does not perceive himself to have) an obligation to further pursue his goal. In the second case, a principle is at work which recognizes that the basis for any value-realization (or -pursuit) is the existence of the value-rational actor. Therefore, situations in which his survival would be endangered are exempted from the moral imperative. It is important to note, here, that it is primarily *principles* not calculations that enable actors to make decisions in conflicts of values. By virtue of the existence of such principles, value-rational actors are in a position to suspend, in a particular situation, their value-orientation without falling back on the cost-benefit analysis characteristic of instrumentally rational actors.

Domestic Value-orientations as Constraining International Action. In contrast to sociologist approaches, the liberal value approach assumes that the support for international institutions is "unit-dependent" and autonomous. In the language of Wendt and Duvall (1989), behavior with regard to regimes is "choice-centric" rather than "institution- centric." It is not the constitutive norms of an encompassing society of states that effect the robustness of international regimes (presumably, according to their legitimacy [Franck 1990]) but the moral and political convictions that are widely shared within the individual societies concerned. It is not a sense of "we-ness" (a sense of community) which motivates political support for international institutions but a sense of justice. Stable political support for an international regime is thus explained with reference to internal attributes of the participating states.

The assumption that value convictions entrenched in a society are decisive for a state's foreign policy is indirectly confirmed by studies of domestic policy networks (Héritier 1993b) and of two-level games (Putman 1988; Zangl 1994). It is now generally accepted that the ability of a state to cooperate with others depends to a large extent on its ability to implement internally the policy changes it has undertaken to carry out internationally. With regard to international economic or environmental policy, one can observe, for example, that, although states still possess the uncontested authority to negotiate rules at the international level, their domestic implementation (as an important precondition of success) cannot be taken for granted. To comply with the rules they have accepted, states (i.e. governments), more often than not, have to see to it that domestic actors, whose behavior they can control only up to a point, alter their behavior (Chayes/Chayes 1993: 193; Levy/Zürn/Young 1995: 315).

Recent studies in policy analysis indicate that hierarchical coordination is losing ground in domestic policymaking, whereas horizontal self-coordination under state prodding is gradually becoming the rule. In this sense, the classic separation of international and national politics by virtue of differing

organizational principles is losing relevance (Milner 1991). Liberal states, in particular, are increasingly dependent on the voluntary cooperation of societal actors who are endowed with a high degree of autonomy (Chayes/Chayes 1993: 181; Héritier 1993a: 16). It is misleading, therefore, to assume hierarchically integrated societies in studies of international cooperation among highly industrialized democratic societies.

As pointed out by a growing number of scholars, voluntary self-coordination at the national and subnational levels presupposes a capacity on the part of the actors to bind themselves, which cannot be explained but by the assumption of a value-rational orientation of all actors involved. For, otherwise, stable cooperation would not be possible at all (Sabatier 1993: 130). In domestic policies of democracies social interaction is increasingly integrated by shared values and less and less so through power differentials, reflecting the fact that liberal systems of rule are primarily based on consensus rather than on coercion monopolized by state agencies.

If these observations are accurate a state's leeway in foreign policy is significantly shaped by the values entrenched in the respective society (Buzan 1993: 340). Decisive societal actors cannot just be forced to support whatever agreement their government has negotiated internationally. Moreover, their reliable cooperation is increasingly dependent upon the recognition of common values. (Footnote 19) In view of the high costs, or the sheer impossibility, of enforcing the compliance to rules, states have to make sure that their foreign affairs are organized so that they correspond with the values entrenched in their societies.

Value Structure. If policy changes (including those that are necessary in order to fulfill a state's international commitments) cannot just be decreed, but require the voluntary cooperation of domestic actors, and if this cooperation is likely to fail unless it can be based on shared values, it follows that societal values constrain the foreign policies of states. Since, however, international cooperation involves at least two states, the relationship between the value systems of the societies whose governments negotiate, continue to adhere to, and sometimes withdraw from international regimes moves into the center stage. This is why scholars such as Young (1989) and Hurrell (1993) suggest that "zones of overlapping consensus" (or the degree of value homogeneity) are significant for lasting cooperation between states. The less the principles of a regime are in tune with societal values, the more highly its benefits must be appreciated by the respective governments for the regime to get off the ground and to operate successfully. The reason is that, in this case, higher governmental benefits from the regime must compensate for the higher internal implementation costs - if it is possible to implement its rules at all. Therefore, regimes which do not conform well with domestic values are, ceteris paribus, more sensitive to changes in the systemic environment and thus less robust.

The expectation of the liberal value model that homogeneity and compatibility of values in an issue-area enhances the robustness of international regimes was expressed with regard to the liberal states in the OECD-world and also corroborated by two salient empirical findings (although we would not go so far as to claim that these findings provide a vindication for the liberal value model). (1) As Rittberger (1987), Brevin (1988: 321), and Buzan (1993: 349) pointed out, the network of international institutions is particularly dense between liberal states. (2) The institutions of the OECD-world persisted unharmed through the end of the East-West conflict and the profound structural changes in the international system that it triggered - a fact which may be seen as evidence for a remarkable robustness of these institutions. Ruggie (1993b: 31-5) attributes this stability to the multilateral "form" of these institutions, i.e. to the fact that the institutional relations among the parties concerned are organized on the basis of indivisibility,

generalized principles of conduct, and diffuse reciprocity (Ruggie 1993b: 11). Most important, however, these principles have not been chosen for adventitious reasons by the states involved. Rather, as Burley (1993: 143-7) has convincingly argued, they are deeply embedded in the value canon of liberal-democratic states.

A core feature of the state-society relations in liberal states is the respect for individual freedom (Doyle 1983). The necessity for a state to act under the rule of law is derived from this normative basis. The state is prohibited to exercise power in an arbitrary fashion, since the autonomy and dignity of the individual are regarded as inviolable. Moreover, the principle of individual freedom puts the coordination of action within society under the reservation of individual agreement. Legitimate expectations of behavior can be created by voluntary agreement only (Brennan/Buchanan 1985). Whenever such an agreement is made, however, it is individually binding by virtue of the principle of *fairness*.

The liberal principle of fairness requires that parties to a voluntary agreement perceive themselves to be bound to it as long as it is generally accepted. It establishes the right of those who comply with the agreed-upon rules to demand the same behavior from all other parties to the agreement (Rawls 1971; Elster 1989: 187-9). This "self-exemption taboo" is a central norm of liberal societies, for otherwise individual freedom could not be reconciled with social order (Burley 1993: 144; see also Doyle 1983: 226). (Footnote 20) The liberal value approach assumes that this internal appreciation of agreements which is part of the liberal way of life is reflected in the foreign policy behavior of liberal states as well. Hence, liberal states are expected to operate under a kind of *international fairness reservation*. That is, for these states the obligation to comply with an agreement only expires if other actors obviously break it and if this violation is seen as irreversible and inexusable. In the case of changes in the international environment which threaten to undermine the acceptability of the original bargain, this fairness reservation provides regimes between liberal states with a kind of "stability surplus" as compared to international institutions with a different membership. Due to their (mutually known or assumed) value orientation, liberal states can be expected either to continue to comply with the agreement despite diminishing returns or to attempt to achieve a consensual revision of the agreement in question.

As Müller (1993) has shown, the principle of fairness is also relevant to relations between liberal and non-liberal states. Thus, the United States eventually took the decision to abide by the ABM-treaty, even though parts of the government which had strong interest group support urged to sacrifice it in the interest of an unhampered pursuit of the SDI project. The strategy of those who wanted to circumvent the treaty is worthy of special attention. In order to secure the necessary internal political support for such a step, these politicians and lobbyists attempted to establish that it was the Soviet Union who broke the treaty first. Obviously, this was perceived to be the only way of justifying their calls on the U.S. to defect herself.

Apart from obvious and inexcusable violations of the fairness principle, an "existence-argument" can be deduced from liberal value convictions which also justifies the failure to comply with an agreement. Here, a domestic analogy is relevant. As citizens have the right to self-defense in situations in which other actors endanger their survival, liberal states (no less than others) consider themselves entitled to disregard agreements when compliance would mean jeopardizing their physical security or the survival of their liberal domestic order. Thus, Brevin (1988: 367) makes it clear that:

At a basic level, the first duty of liberal states is to safeguard this potential [i.e. the human potential for collective self-rule] within their own territories. The corollorary of

this duty is that they may renege on their international obligations when (...) there is a clear and present danger to the liberty and not just the interests of their own citizen which can be avoided by denying those obligations.

For a liberal state, however, a one-sided violation of an agreement must always be justifiable on the basis of appropriate and recognized principles. Furthermore, it is seen as preferable that the possibility of such a violation be announced in advance: hence the escape clauses that are part of many regimes. (Take for example the principle of embedded liberalism as institutionalized in the post-war trade regime [Ruggie 1983]).

To conclude, according to the liberal value approach, the value orientation of liberal foreign policy enhances the robustness of international regimes between liberal states. This is because changes in the international environment which affect the shadow of the future negatively are less crucial for these states than for actors with a different value orientation. At the same time, value orientation is not tantamount to blind obedience. A deviation from agreed-upon rules is seen as legitimate under specific circumstances. In particular, this is the case in situations when the value orientation has become pointless. For example, achievement of a goal stipulated by the actor's value orientation may strictly depend on the cooperation of others who are not willing to contribute their share. Furthermore, a deviation from rules is legitimate and likely when essential values (e.g. the survival of the liberal order itself) are endangered.

This is not to rule out that liberal states, on occasion, may be tempted to take unfair advantage of their partners. From the perspective of value- oriented liberalism, therefore, providing regimes with monitoring mechanisms makes sense and does not amount to a loss of efficiency. Nevertheless the hypothesis is upheld that the participation of liberal states in international regimes has a positive effect on their resilience because of the disposition of these actors to comply with freely negotiated institutions. It is this hypothesis in particular that sets the liberal value approach off against realist and rationalist approaches in international relations theory with their focus on cheating and the danger of exploitation as crucial barriers to cooperation.

To substantiate the ideas that are integral to the liberal value approach a good deal more empirical research is needed. First of all, further studies should seek to establish whether liberal states are indeed more reliable than non-liberal ones. This could be achieved through a systematic (and controlled) comparison of the robustness of agreements among liberal states and among non-liberal states respectively (see Gaubatz 1996). In so doing, one must be aware, however, that, in international reality, violations of rules are seldom unambiguous facts. Whether or not a given act constitutes a breach of an accepted obligation is often heavily contested among the states in question, making it rather difficult for a research program that aspires to the standards of empiricism to get hold of this phenomenon (Kratochwil/Ruggie 1986). At any rate, liberal states should be significantly more resistant in the face of temptations than non-liberal states. This, however, can only be examined if the external challenges, that is, the temptations, are comparable.

Additionally, systematic comparisons of negotiation processes as well as of the forms that regimes take should be considered. While rationalism suggests that both the course and the outcome of negotiations critically depend on the situation and problem structures, the liberal value perspective expects significant differences to surface in negotiations and resulting agreements according to the domestic attributes (liberal/non-liberal) of the participating states. If the robustness of an institution were mainly a function

of the constellation of interests within the issue-area (as rationalists suggest), the *negotiation process* should be long and complicated. In this case, the participating states presumably would spend a great deal of time on assessing the likely future development of the interests of their would-be partners, i.e. on assessing how long the shadow of the future may turn out to be. For their negotiating position must surely be influenced by this assessment. In contrast to this, according to the liberal value approach, liberal states, when dealing with liberal partners, can rely on the others' compliance with the agreed-upon rules, which should simplify the negotiation process significantly.(Footnote 21)

As far as the *form of institutions* is concerned, from a liberal value perspective, it is to be expected that the formulations of agreements among liberal states are substantially less specific than those among non-liberal states. This is because some fundamental trust is presumed to exist between liberal states giving rise to (or reflecting) the conviction that possible future conflicts will be solved cooperatively on the basis of mutual respect for the involved actors' interests. In contrast to this, agreements between non-liberal states should be far more specific as actors fear that insecurities on how to interpret the stipulations of the regime might lead to the unintended decay of a regime (Chayes/Chayes 1993: 189; Jönsson 1993: 206f.).

In a more theoretical vein, scholars representing the liberal value approach face the challenge of shedding further light on the relation between value orientation and justification. That is, they should show that the reasons for defecting are not arbitrary, but based on principles which preclude that every defection from agreed-upon rules can be plausibly justified. To do so, proponents of this approach should intensify their research on the argumentation patterns of defectors; on the processes in which defectors explain their behavior to their partners; and on the nature of reasons that are likely to be accepted. In the absence of such studies, one can hardly decide whether actors' behavior is significantly orientated towards principles and values or is ultimately determined by self-interest.

5. Conclusion

In this paper, we have examined international regimes as manifestations of international governance. We have sought to justify the claim that international society governs itself first and foremost through international regimes. Regime attributes such as intentionality and issue-specificity, as well as the combination of substantive and procedural components which is characteristic of this type of international institution, have turned out important in establishing this role. We have further argued that regimes create links between states which foster, and add a new - normative - dimension to, those inter-connections which are involved in interdependence as such.

The central position regimes occupy in the framework of international governance must direct scholars' attention to their effectiveness and robustness. While students of regimes have been, by and large, successful in rejecting the orthodox realist view that institutions matter little and in establishing a considerable robustness of international regimes, much uncertainty still surrounds this issue. In particular, we have argued that neither of the two schools of thought which have chrystallized in regime analysis provides a perfectly convincing explanation of the phenomenon of regime robustness.

While rational institutionalism has difficulties accounting for the remarkably high level of stable cooperation in international relations, the applicability of sociological institutionalism is questionable because it presupposes a degree of institutionalization and a strength of community at the international

level which not only realists are unable to find "out there." Although we have certainly not come up with an argument to demonstrate that any of the two schools is, by necessity, incapable of devising a more satisfactory account of regime robustness, we do think that students of regimes are well- advised not to restrict their attention to these two models and to invest time and energy in the construction of alternatives.

In the final part of this paper (sec. 4.3.) we have embarked on such an undertaking and given a brief and admittedly incomplete outline of such an alternative. This model which we refer to as "the liberal value approach" is inspired by, and seeks to systematize, a growing body of literature that stresses the limitations of the systemic theorizing which unites both rationalists and sociologists. Furthermore, the model, taking into account recent findings from both (domestic) policy-analysis and sympathetic to the literature on the role of ideas in world politics (Goldstein/Keohane 1993), emphasizes the value-orientation of at least some actors in international politics, thus challenging the hegemony of instrumental rationality in International Relations. Drawing, at this point, on ethical reasoning and on Weber's famous conceptualization, the liberal value approach outlines a rationality which is irreducible to either rationalism's "logic of consequentiality" or sociologism's "logic of appropriateness," yet overlaps with both. On this basis, the model seeks to provide a rationale for why liberal states act differently from other states and why regimes among liberal states are different from other regimes - in particular, so far as their (significantly greater) robustness is concerned.

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2 Keohane's (1989c) useful typology of international institutions also helps to establish the primacy of regimes as agents of international governance. Keohane argues that regimes are not the only form of international institution. In addition, there are international organizations and international conventions (in the sociological sense). Yet, *conventions* are not intentionally created, but arise through a spontaneous process. *Organizations*, for their part, arse not necessarily issue-specific, and, moreover, their efficacy is usually very limited unless they are embedded in international regimes. Thus, although regimes may not strictly monopolize international governance, a case can be made that it is primarily through them that the society of states governs itself.

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3 As we shall see below (sec. 4.3.), though, governments employ different strategies to encourage regime-consistent behavior on the part of their nationals, only one of which is hierarchical policymaking.

Indeed, the efficiency and feasibility of this traditional form of governance seem to be declining, creating a situation in which societal preferences and values increasingly constrain the processes of regime formation and maintenance at the international level.

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4 It is useful to make an analytical distinction between the "effectiveness" and the "robustness" (or "resilience") of international regimes: effectiveness in this sense is a purely static measure of the significance of regimes, whereas robustness incorporates a dynamic perspective (Powell 1994: 340f.). To be more precise, regime *effectiveness* comprises two overlapping ideas: first, that the members of the regime abide by its norms and rules, and second, that the regime achieves certain objectives or fulfills certain purposes. The most fundamental and most widely discussed among these purposes is, of course, to enhance the ability of states to cooperate in the issue-area. By contrast, regime *robustness* refers to the "staying power" of issue- specific institutions in the face of exogenous challenges and to the extent to which prior institutional choices constrain collective decisions and behavior in later periods, i.e. to the extent to which "institutional history matters" (Powell 1994: 341). Both effectiveness and robustness are important criteria when it comes to evaluating the performance of regimes as governance systems. In this paper, though, we focus on the latter property.

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5 Other realists, while less sanguine about the impact of international regimes on state behavior than their "neoliberal" colleagues, have long begun to take international institutions seriously and acknowledge that regimes make a difference in world politics (Krasner 1985, 1991; Grieco 1990: 233f., 1995).

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6 Other labels which are sometimes used to denote the sociological school of thought include "reflectivism" and "cognitivism."

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7 In the words of Wendt (1987), rationalist theories of regimes adopt an individualist ontology. To Wendt as well as other sociologists, individualism is flawed because it ignores the *social* dimension of states' identities (where "social" refers to the "generative" effects of *international* society). From this point of view, even strongly systemic theories - theories which reject "explanatory reductionism" - can be reductionist in another, more fundamental sense, viz. with regard to their underlying ontology. Thus, for Wendt (1987: 341), it is important not to conflate systemic (whether strong or weak) and "structural" theories of social phenomena. In particular, both Waltzean realism and rationalist theories of regimes are systemic, but not structural theories (in this terminology).

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8 A more common label for this body of literature is "neoliberal institutionalism." We have decided not to use it here to avoid confusion of this perspective on regimes with what we call the "liberal value approach." Moreover, the liberal character of "neoliberal" institutionalism has been emphatically called into question (Moravcsik 1992). Finally, even Keohane himself who once explicitly adopted the term,

"neoliberal institutionalism," as a tag for his approach (Keohane 1989c) seems to be no longer happy with it (Keohane 1993b: 298, n. 3).

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9 Remember that in single-play Prisoner's Dilemma the two players have a common interest in achieving the CC-outcome which, however, they cannot realize if they act rationally.

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10 Keohane (1984: 76) points out that the possibility of reversing decisions to cooperate "has an effect similar to that of iteration of the game, since it reduces the incentives to defect."

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11 He is well aware that such rules would not be any more self-enforcing than the rules whose observance they are intended to improve. The sanctioning problem involves a problem of collective action itself.

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12 The argument based on considerations of reputation and future gains is consistent with the argument stressing the strategy of reciprocity: retaliation takes the form of others being less willing to cooperate with the defector in the future.

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13 To be sure, Keohane points to hegemonic regime provision as a means of circumventing the collective action problems that make cooperation so difficult to achieve for states. Insofar, the explanatory circle is broken. However, he also makes it quite plain that his functional argument in principle applies to regime formation as much as to regime maintenance (Keohane 1983: 141, 1984: 83, 1993a: 36, n. 7). A more promising way of trying to rescue Keohane's argument would be to argue that our regressus thesis overstates the role that Keohane's theory attributes to regimes in international cooperation. It could be argued that this theory does not regard regimes as strictly necessary for international cooperation. Rather, regimes are hypothesized to *facilitate* cooperation among states by lowering transactions costs. Hence, it is possible to liken regimes to investments made by states: rational states may, at one point in time, be willing to bear high transaction costs (by establishing a regime) in order to save transactions costs in the future.

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14 It should be emphasized that sociologists do not claim that rationalist theorizing lacks explanatory power altogether. Rather, it is widely accepted among proponents of sociological institutionalism that, within certain limits, an analysis of social coordination in terms of utility-maximizing or -satisficing makes sense. What sociologists suggest, however, is that there are social *prerequisites* of rationality which cannot be accounted for by rationalism without circularity. Thus, the explanatory power of rationalism is inherently limited. The rationalist map of the sources of international behavior leaves white

spots which cannot be filled unless a completely different mode of analysis is adduced. Consequently, to appropriate Hollis and Smith's (1990: 7) felicitous language, there are always "two stories to tell," each representing an independent view on international politics. One focuses on the sociality of choices, the other emphasizes their rationality. Both stories grasp different aspects of the social world. Neither can utility-maximizing behavior be reduced to socialization nor socialization to utility-maximization. To attempt to do so would lead to the fallacy of determinism and holism, in the first case, and to the fallacy of decisionism and individualism, in the latter.

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15 The other three determinants of legitimacy are defined as follows: determinacy is measured by the textual clarity with which the content of a rule is communicated; symbolic validation refers to rituals of recognition that express the extent to which a given rule has taken root in the traditions of international society; and, finally, adherence refers to the extent to which a rule is validated by "an infrastructure of rules about rules [...] that define how rules are to be made, interpreted, and applied" (Franck 1990: 184).

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16 For a useful survey of the literature on state socialization see Schimmelfennig (1994).

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17 A similar model has been proposed and applied to the socialization of states into international institutions by Schimmelfennig (1996).

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18 As our qualifier "subordinate" indicates, we find it useful to relax somewhat Weber's rigorous idea of actors who in doing what they think is right pay no attention at all to "possible costs to themselves." Furthermore, it should not be forgotten that both value-rational and instrumentally rational action were introduced by Weber as ideal types, which have no perfect representations in reality.

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19 To be sure, it is still possible for the state to resort to its monopoly of legitimate force in order to coerce the compliance to commitments. This instrument, however, seems to be losing efficiency. Indeed, one might argue that a kind of "quantum leap" has occurred in the "mechanics of social coordination." Policy coordination is motivated less by external incentives and more so by discussion and internally motivated consensus.

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20 The term "self-exemption taboo" is Stephen Holmes's (quoted in Burley 1993: 144).

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21 In rationalist terms, the game states are playing will tend to be one of coordination, rather than

Prisoner's Dilemma (Snidal 1985). As a matter of fact, however, there is empirical evidence that coordination situations, though posing cooperation problems of their own, are more conducive to cooperative solutions than dilemma situations (Rittberger and Zürn 1990).

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