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# What Are International Institutions?<sup>1</sup>

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International institutions are a central focus of international relations scholarship as well as of policymaking efforts around the world. Despite their importance, our scholarly literature lacks a widely accepted definition of just what they are. Instead, scholars have employed a range of largely nonoverlapping conceptions, contributing to a fragmentation of the literature and hindering theoretical cumulation. This essay seeks to remedy this unsatisfactory state of affairs. It first reviews the principal ways in which international institutions have been conceptualized and identifies their shortcomings. It then develops a definition that promises to be inclusive of what are commonly regarded as the most important institutional forms without losing analytical coherence. A final section discusses some of the concrete benefits that may result from employing the new definition, both in improving existing scholarship and by suggesting valuable new avenues of research.

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There are at least as many definitions of (international) institutions as there are theoretical perspectives.

Thomas Risse (2002: 605)

Over the years, international institutions of various types--treaties, organizations, regimes, conventions, etc.--have grown greatly in numbers and importance. Paralleling this growth, the scholarly literature on international relations has seen successive waves of efforts to describe and explain institutional phenomena. Indeed, international institutions have frequently been at the center of leading theoretical debates in the field.

Nevertheless, this scholarly literature lacks a widely accepted definition of international institutions, an absence that has had several unfortunate consequences. First, the term is frequently used to refer to distinctly different empirical phenomena, such as intergovernmental organizations, international regimes, and sets of norms. Not only does this practice result in much potential for confusion, but it means that the findings of most studies of "international institutions" apply to only limited sets of institutional forms. For example, John Richard's (1999) "positive theory of international institutions," in fact, concerns only interstate regulatory agreements.

Second, a number of scholarly works may have been unnecessarily flawed because of their failure to recognize the various distinct forms that international institutions can take. As a

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result, some studies have defined institutions in one way, only to use the term later to refer to other forms. For example, Barbara Koremenos, Charles Lipson, and Duncan Snidal (2001: 762) define international institutions as “explicit arrangements, negotiated among international actors, that prescribe, proscribe, and/or authorize behavior,” yet they proceed to include in their analysis the very different form of international organization that performs various functions as actor or agent. More seriously, it may be unacknowledged variation in the nature of the institutions themselves rather than other factors that account for the patterns of outcomes that such studies seek to explain.

Third, the international relations literature remains unnecessarily balkanized as adherents of different conceptions talk past one another, when they attempt to communicate at all. In particular, the field is characterized by still largely isolated rationalist and constructivist camps, which emphasize more or less formal rules and intersubjective norms, respectively. Although significant progress is being made within specific research programs, the result has been a patchwork understanding of international institutions rather than the development of comprehensive theory. As Martha Finnemore (1996b: 326) has noted, “incommensurable definitions mean that despite similarities in labeling, [rationalist and sociological] approaches--all called institutionalist--have little in common.” Not only do general claims about the causes or consequences of “international institutions” possess only limited validity, but potentially important phenomena and interesting questions that transcend the conceptions employed by individual research programs may be overlooked.

In order to remedy this unsatisfactory state of affairs, a broad definition of international institutions that incorporates the most important institutional forms is required. Certainly, such a definition is a prerequisite for the development of any equally comprehensive theories on the subject. As Elinor Ostrom (1986: 4) has argued, “no scientific field can advance far if the participants do not share a common understanding of key terms.” Likewise, a comprehensive definition would provide a common framework within which one could locate more specific types of international institutions and relate them to one another, facilitating a fuller appreciation of their similarities and differences as well as the links between them.

This essay seeks to address this need. It first reviews the principal ways in which international institutions have been conceptualized and identifies their shortcomings. It then develops a definition of international institutions that promises to be inclusive of what are commonly regarded as the most important institutional forms without losing analytical coherence. To this end, international institutions are defined as *relatively stable sets of related constitutive, regulative, and procedural norms and rules that pertain to the international system, the actors in the system (including states as well as non-state entities), and their activities*. This definition integrates existing conceptions while expressing two important distinctions, one ontological and one functional, that are not simultaneously present in any existing definition. A final section discusses some of the concrete benefits that may result from employing this new definition. It is proposed that this new definition, both in improving existing scholarship and by suggesting new avenues of research.

### **Existing Definitions of International Institutions**

Robert Keohane’s (1988: 382) critical observation that “institutions are often discussed without being defined at all, or after having been defined only casually” is hardly less true today than when it was made nearly two decades ago. Indeed, even works that purport to provide general

surveys of institutional phenomena often offer only the most cursory discussions of the meaning of the term “institution,” if they provide any at all. In his landmark study *The Anarchical Society*, for example, Hedley Bull (1977) explores the contributions of the “institutions of international society” to international order without anywhere defining explicitly the former.<sup>2</sup> Likewise, two otherwise valuable recent overviews of the institutional literature fail to grapple with the fundamental question of just what international institutions are. At least Steven Weber (1997: 233) frankly acknowledges that he “will sneak by the challenge of defining an institution” with the justification that the approaches he discusses “are sufficiently different that to develop one definition that will travel across them would be difficult.” In contrast, the contribution by Lisa Martin and Beth Simmons (1998) on theoretical and empirical studies of international institutions to the special fiftieth anniversary issue of *International Organization* does not even raise the question of definitions, and the preface in Martin and Simmons’ (2001: 1) subsequent edited volume on international institutions offers only a one-paragraph “definitional comment.”

Where scholars have paid careful attention to definitional issues, they have sometimes offered conceptions that are excessively broad, including elements that are best viewed as distinct from institutions. For example, K.J. Holsti (2004: 20-23) describes institutions in terms of patterned practices and actions, sets of ideas and/or beliefs, and norms and rules. Although he is attentive to the causal links between these components, many scholars would regard one or more of them as unnecessary or superfluous to a definition of institutions *per se*.

No less frustrating for students of international institutions has been the existence of several generally nonoverlapping conceptions that are less than comprehensive. As a result, well-intentioned efforts to bring clarity to the subject have in some ways only added to the confusion. These conceptions can be grouped roughly into four categories: institutions as formal organizations, practices, rules, and norms.

### **Traditional Conceptions: Institutions as Formal Organizations**

Traditionally, scholars and others have frequently used the term “international institution” to refer to formal international organizations, for example, the international financial institutions of the International Monetary Fund and the World Bank. The equation of organizations with institutions may have made a certain amount of sense in the 1950s and 1960s when international organizations were the principal subject of institutional inquiry by scholars. As studies of other international institutional forms, such as regimes, have proliferated in the past three decades, however, such a restricted construction of the concept has become misleading and, as a result, inappropriate.

Nevertheless, the practice has remained common even in highly theoretical works. For example, Arthur Stein (1990: 27, fn.3) implicitly equates international institutions with international organizations. In “Institutions and Collective Action,” Wayne Sandholtz (1993) explicitly identifies the Commission of the European Community as an institution. In “Institutions for the Earth,” Peter Haas, Robert Keohane, and Marc Levy (1993: 397) focus almost exclusively on the activities of international organizations. And in “Credibility, Costs, and Institutions,” Lisa Martin (1993: 423) operationalizes international institutions in terms of international organizations.

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<sup>2</sup> See also Barry Buzan (2004: 169). More generally, Buzan (2004: 167) acknowledges that “[m]ost English School writers spend little if any time defining what they mean by ‘the institutions of international society.’”

## **Early Sociological Conceptions: Institutions as Practices**

The emergence of the literature on international regimes in the late 1970s and early 1980s led to the first conscious efforts by international relations scholars to view international institutions in broader terms and to define them systematically. Leading regime theorists such as Oran Young (1980:332; 1986:107) and Robert Keohane (1984: 57) argued that regimes should be conceptualized as social institutions, which, in turn, required that institutions be defined.

Young (1983:93) himself made the first careful attempt to provide a definition of international institutions. Borrowing from sociology, he developed an initial definition of social institutions as “recognized patterns of behavior or practice around which expectations converge.” In the late 1980s, Young (1989:506) presented a more refined version: “identifiable practices consisting of recognized roles linked together by clusters of rules or conventions governing relations among the occupants of these roles.” Thus, for Young, “International institutions are social institutions governing the activities of the members of international society.” Although path-breaking, Young’s initial attempt to define international institutions never developed a strong following within the community of international relations scholars. The precise reasons for this lack of popularity are difficult to ascertain. Nevertheless, one can identify at least three aspects of Young’s definition that limited its usefulness and attractiveness.

In one sense, this earlier sociological conception was too narrow. Young (1989:32; also 1986:108) drew a sharp distinction between social institutions and organizations, which he defined as “material entities possessing physical locations (or seats), offices, personnel, equipment, and budgets.” According to Young (1989: 12-13, 25), social institutions, in general, and international institutions, in particular, “may or may not be accompanied by explicit organizations.” In fact, this distinction was probably exaggerated. In focusing on the material aspects of organizations, Young overlooked the fact that many, notably intergovernmental, organizations are primarily sets of roles and rules.

In another sense, this sociological conception was too broad, at least in the view of many political scientists, as revealed by Young’s (1989: 33) statement that “even war is a social institution” (see also Young 1986: 107; Bull 1977). Certainly, the ways in which wars have been practiced at different times and places may have been shaped by social institutions, but many would disagree with the assertion that war-- “a state of open, armed, often prolonged conflict carried on between nations, states, or parties,” by one authoritative definition (Morris 1975)--is a social institution, since it is not necessarily rule governed (for example, Holsti 2004: Chap. 9).

Perhaps the most problematic aspect of the sociological conceptions from which Young drew inspiration, however, is the close degree to which they associate institutions with behavior. Whether the precise term used is “behavior” or “practice,” the primary emphasis is on the actions and activities of the actors concerned rather than other institutional features. Consistent with this interpretation, Young (1989:13, fn. 5) explicitly notes “the importance of a behavioral approach to the empirical identification of regimes.” Although this behavioral conception of institutions may have some uses, it nevertheless requires limiting one’s explanatory ambitions accordingly or risking committing the logical fallacy of first identifying institutions on the basis of observed behavior and then using them to “explain” that same behavior (Keohane 1993: 27).

## **Rationalist Conceptions: Institutions as Rules**

Much more common in the literature is the rationalist (or rationalistic) conception of institutions

as sets of more or less formal rules. In rationalist analysis, agents are assumed to act rationally to maximize their utilities, subject to external constraints. Figuring importantly among these constraints are institutions, which, in the rationalist conception, are consciously constructed frameworks established by agents seeking to promote or protect their interests (see Scott 1995: 27; Krasner 1999: 60).

According to Simmons and Martin (2002: 194), “most scholars have come to regard international institutions as sets of rules meant to govern international behavior,” where rules “are often conceived of as statements that forbid, require, or permit particular kinds of actions.” Somewhat more broadly, Keohane (1988: 343; 1989: 3) has defined institutions as “persistent and connected sets of rules (formal or informal) that prescribe behavioral roles, constrain activity, and shape expectations.”<sup>3</sup> This definition and variations of it have been widely, although not universally, cited in theoretical studies of international institutions (for example, Martin 1992: 39; Weber 1997: 233 ). Moreover, a leading critic of institutional theories has advanced a very similar definition (Mearsheimer 1994-1995: 8), thereby facilitating a constructive debate between those who find international institutions to be highly consequential and those who do not.

What have been the attractions of the rationalist conception of international institutions as rules, especially in comparison with the sociological conception as expressed by Young? Perhaps most importantly, it distinguishes sharply between institutions and behavior, since the purpose of much rationalist theorizing is precisely to explain actions and outcomes (for example, Simmons and Martin 2002: 194). Thus, this conception avoids the danger of tautological reasoning that has so concerned the critics of behavioral conceptions. Indeed, Young (1996: x) himself has offered a revised definition of institutions that, like Keohane’s, places primary emphasis on rules and clearly differentiates between them and behavior.

As a result, and in conjunction with rational actor assumptions more generally, this conception has proven to be very productive in terms of generating powerful yet parsimonious explanatory theories. Rationalist theories view international institutions as affecting behavior and outcomes by structuring the incentives and constraints that characterize the strategic environment within which instrumentally motivated, utility-maximizing actors operate. More specifically, institutional rules can reduce transaction costs, establish benchmarks for evaluating the behavior of others, provide information, promote issue linkage, and facilitate enforcement (for example, Keohane 1988: 386; Krasner 1988: 69; Martin 1992: 7, 39).

Despite its popularity and demonstrated usefulness, the rationalist conception of international institutions as sets of more or less formal rules also contains features that have limited its acceptance--and will in all probability continue to do so. As a practical matter, this conception, too, seems to omit important classes of international institutions. It leaves unclear the status of international organizations--some definitions include them (for example, Keohane 1989: 3-4) while others do not (for example, Simmons and Martin 2002: 194)--and international law. And it would appear to have no place for the most fundamental institutions of the international system, such as state sovereignty.<sup>4</sup> These omissions may follow from two more

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<sup>3</sup> Keohane did not himself describe this definition as rationalist. Indeed, he viewed it as being potentially useful for both rationalist and what he termed “reflective” approaches to the study of international institutions (personal communication). Nevertheless, the equation of institutions with rules is strongly associated with rationalist scholarship not only in political science but in economics and, in more recent years, sociology as well. And even Keohane (for example, 1990: 733) has sometimes emphasized the more formal forms.

<sup>4</sup> Keohane (1988: 385, 391) himself has treated sovereign statehood as an institution. He has repeatedly described it,

fundamental limitations.

First, the emphasis on rules that are consciously devised by those who would be subject to them necessarily obscures the intersubjective and deontic characteristics that are often associated with institutions. As an analyst of the kindred new institutionalism in economics has observed, “actors merely [acknowledge] the existence of the rule systems--recognizing the validity of the rules--without necessarily believing that the rules are fair or justified” (Scott 1995: 36). Yet, as Friedrich Kratochwil and John Ruggie (1986:364-368) argue in a seminal article on international regimes that could apply just as well to the broader concept of international institutions, “we *know* regimes by their principled and shared understandings of desirable and acceptable forms of social behavior. Hence, the ontology of regimes rests upon a strong element of intersubjectivity.” In addition, they note, “what distinguishes international regimes from other international phenomena--from strategic interaction, let us say--is a specifically normative element.”

Second, the rationalist conception’s emphasis on the behavioral consequences of rules diverts attention from the ways in which institutions may endow actors with certain powers and capacities and, in some cases, even create them. As Ruggie (1998: 871) has argued, rationalist approaches lack “any concept of constitutive rules.” Instead, actors and their interests are typically treated as given and exogenous to the institutions in question (see also Krasner 1988:69; Scott 1995: 29). In contrast, Young (1989: 15-16), to his credit, places equal weight on the roles inherent in international institutions and the rights associated with them.

### **Constructivist Sociological Conceptions: Institutions as Norms**

At least partly in response to the limitations of the dominant rationalist conception just discussed, yet another sociological conception of international institutions, which is commonly called “constructivist,” has emerged in more recent years. In the words of Finnemore and Sikkink (2001: 392), “constructivists focus on the role of ideas, norms, knowledge, culture, and argument in politics, stressing in particular the role of collectively held or ‘intersubjective’ ideas and understandings on social life.” Accordingly, the constructivist conception places primary, and often explicit emphasis, on the intersubjective aspect of international institutions. As such, constructivists regard institutions as fundamentally ideational phenomena involving ideas that are shared by members of a collectivity (Wendt 1999: 94, 96). In contrast to the rationalist conception, advocates of this perspective “emphasize that institutions are often not created consciously by human beings but emerge slowly through a less deliberative process, and that they are frequently taken for granted by the people who are affected by them” (Keohane 1988: 389; see also Barnett 1996: 159).

The term that is most often employed to represent these qualities is “norm.” Within this literature, social institutions are generally viewed as consisting of norms or sets of norms (for example, Klotz 1995: 19; Finnemore and Sikkink 1998: 891; Wendt 1999: 96). Norms, in turn, are usually defined by constructivists as socially shared expectations, understandings, or standards of appropriate behavior for actors with a given identity (for example, Klotz 1995: 14; Finnemore 1996a: 22; Katzenstein 1996: 5; Legro 1997: 33; Finnemore and Sikkink 1998: 891; Boekle, Rittberger, and Wagner: 2001, 106).

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however, as a “practice” (rather than as a set of rules *per se*) in the context of those institutions that consist of general patterns of activity, thereby verging on Young’s behavioral conception.

Constructivists typically go on to distinguish between two main types of norms (for example, Klotz 1995: 14-15; Katzenstein 1996: 5; Finnemore and Sikkink 1998: 891; Ruggie 1998: 871). First, there are *regulative* (regulatory or prescriptive) norms. These are similar to the rules stressed in rationalist conceptions insofar as they order and constrain behavior. Unlike more or less formal rules, however, they have an essentially evaluative or deontic quality. As Finnemore and Sikkink (1998: 891) have written, “it is precisely the prescriptive (or evaluative) quality of ‘oughtness’ that sets norms apart from other kinds of rules.”

Second, and representing a more fundamental departure from rationalist conceptions, there are *constitutive* norms (for example, Keohane 1988: 382; Krasner 1988: 67; Wendt and Duvall 1989: 60-63; Klotz 1995: 19; Barnett 1996: 159; Finnemore and Sikkink 1998: 891; Ruggie 1998). These components of institutions generate agents, endow them with certain capabilities and powers, and determine their underlying identities, interests, and preferences. They also define social activities and categories of action. Indeed, in the words of John Searle (1995: 27), “they create the very possibility of certain activities.”

Not only does the constructivist conception, in contrast to the rationalist approach, highlight the intersubjective and constitutive aspects of international institutions, it also distinguishes, if not always explicitly, between institutions and practices, unlike the earlier sociological approach (see, for example, Wendt and Duvall 1989: 62; Finnemore and Sikkink 1998: 892). Nevertheless, the constructivist conception has not yet had an impact on the international relations literature comparable to that of the rationalist viewpoint. In contrast to the sociological and rationalist conceptions considered above, it continues to lack a prominent definitional expression comparable to those provided by Young and Keohane. More generally, it is the least well developed of the various conceptions, in no small part because many of its adherents have not been primarily concerned with exploring the nature, determinants, or consequences of international institutions *per se* (an important exception is Risse 2002).

A more fundamental problem is that in its attempt to correct for the “thinness” of its rationalist counterpart, the constructivist conception may go too far in the other direction. In particular, it seems to neglect the formal features that are often characteristic of specific international institutions, at least as they are popularly conceived. Presumably, many scholars would disagree with the contention that one must necessarily probe beneath the surface for intersubjective norms before one can regard a particular treaty or organization as an international institution.

### **A New Definition of International Institutions**

Even though several useful conceptions of international institutions can be found in the international relations literature, each has limitations that prevent it from serving as an adequate foundation for the development of comprehensive theories of international institutions. Still needed is an analytically coherent, yet sufficiently encompassing definition that can facilitate theoretical progress on a broad front. The following section aspires to provide such a definition

This effort is based on several principles. First, an adequate definition should be comprehensive enough to accommodate all commonly regarded forms of international institutions. At the same time, however, a definition should not be so expansive as to be rendered analytically useless. One must guard against blurring the distinction between international institutions and related, but arguably distinct, phenomena such as ideas in general or international cooperation.



Second, in view of the diversity of international institutions, a definition should facilitate the differentiation and comparison among specific forms. But such a definition should not go as far as Elinor Ostrom (1986: 4), who has argued that “the multiple referents for the term ‘institution’ indicates [sic] that multiple concepts need to be separately identified and treated as separate terms.” Nevertheless, any definition that does not simultaneously lay the groundwork for a taxonomy of international institutions would be inadequate.

Third, and finally, the definition should contain a logical basis for this differentiation. It is not sufficient simply to provide a list and description of different types of international institutions. Rather, it is important to place any taxonomy on a solid analytical footing if it is to have a substantial empirical and theoretical payoff (see also Raymond 1997: 226).

In view of these considerations, it is proposed that international institutions be defined as *relatively stable sets of related constitutive, regulative, and procedural norms and rules that pertain to the international system, the actors in the system (including states as well as non-state entities), and their activities*. Any particular international institution need not contain all of these elements. Indeed, it might consist of only one, for instance, constitutive norms or procedural rules, although most international institutions are unlikely to be so simple. It is also important to acknowledge that the terms “relatively stable” and “related” are inherently subjective, so some clarification may be helpful. By the former is meant that an institution will exhibit at least some persistence, durability, and resilience in the face of changing circumstances. By the latter is meant that institutional elements are associated or connected in some meaningful way, such as by a functional or formal relationship. Nevertheless, where one locates the boundaries of any particular institution may not be obvious and may be disputed by others.

This definition clearly represents an amalgamation and synthesis of existing conceptions of international institutions and, thus, owes a substantial debt to the conceptual efforts of others, especially Keohane and Young. As such, though, it also seeks to express two important distinctions--one ontological and one functional--that are not simultaneously present in any other definition and that serve as the analytical basis for a comprehensive taxonomy of international institutions. These two distinctions are explored in some detail in the remainder of this section.<sup>5</sup>

### **Ontological Distinctions: Intersubjective vs Formal Elements**

The first distinction is between the intersubjective and formal elements of institutions as emphasized by the constructivist and rationalist conceptions, respectively. Although these elements may often be tightly intertwined as a practical matter, they can and should be distinguished conceptually. In order to express this distinction, let us employ the word “norms,” as used by constructivists, to refer to the intersubjective elements and the word “rules,” as used by rationalists, to refer to the formal elements. Admittedly, this linguistic choice is not unproblematic, and some readers may object to it. The words “norms” and “rules” have been assigned numerous meanings in the international relations literature. Typically, moreover, these meanings are quite similar and the words are often used interchangeably (see, for example,

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<sup>5</sup> These are not the only potentially important distinctions one can make among international institutions. For example, Young (1989: 13) distinguishes between international orders--broad framework arrangements governing the activities of all or almost all members of international society--and international regimes that are more specialized arrangements that pertain to well-defined activities, resources, or geographical areas and often involve only some subset of the members of international society. Similarly, the English School literature differentiates between primary institutions, which define the basic character and purpose of international society, and secondary institutions, which are more akin to regimes (Buzan 2004: xviii, 167).

Keohane 1988: 383; Kratochwil 1989; Onuf 1989: 129-30; Cortell and Davis 1996; Finnemore and Sikkink 1998; Risse 2002: 604; Holsti 2004). Nevertheless, such a distinction is not inconsistent with their broader usage and, for lack of better terms, would seem to provide an adequate way of expressing the ontological difference that is of concern here.

Although few institutions may be entirely ideational in nature, constructivists have made a compelling case for viewing them as intersubjective, at least in part. Thus, to an important extent, institutions may exist in the minds of people and need not be written down anywhere. As such, they may be characterized as “shared mental models” (Denzau and North 1994; Wendt 1999: 96; see also Kratochwil and Ruggie 1986: 764-65). These features of institutions typically arise spontaneously rather than through a process of negotiation, although they may subsequently be codified in writing or formal statements. This has been the case for many human rights norms, laws of war, and diplomatic conventions. Likewise, given their implicitly consensual nature, norms cannot be imposed, although they can be inculcated via such processes as persuasion and socialization (see, for example, the norm “life cycle” described in Finnemore and Sikkink 1998: 895-905).

The other fundamental characteristic of the intersubjective elements of international institutions that bears repeating is their deontic, evaluative, or “normative” quality.<sup>6</sup> They are shared beliefs about the way things should be or how things should be done. Norms, as the term is used here, carry “a sense of obligation, a sense that they *ought* to be followed” (Chayes and Chayes 1995: 113, emphasis in the original; see also Goertz and Diehl 1992: 638-639; Raymond 1997:217-218). One consequence of this characteristic of norms is that they “are counterfactually valid. No single counterfactual occurrence refutes a norm. Not even many such occurrences necessarily do.” Rather, whether a violation weakens a norm depends not least on “how the community assesses the violation and responds to it” (Kratochwil and Ruggie 1986: 767; see also Raymond 1997: 218; Finnemore and Sikkink 1998: 892). For instance, the fact that noncombatants are sometimes intentionally targeted in war does not necessarily mean there is no norm of noncombatant immunity.

Nevertheless, norms do vary in strength (Finnemore and Sikkink 1998: 892) and, as a result, are likely to exert differing degrees of influence. The strength of a norm is determined by at least two factors. One is the fraction of the members of a social system that share the norm, or what has been called “concordance” (Legro 1997: 35) or “commonality” (Boekle, Rittberger, and Wagner 2001). For example, there is near universal agreement that chemical weapons should never be used (Price 1995), while the legitimacy of humanitarian intervention remains highly contested (for example, Roberts 2003). Another is the intensity with which the norm is typically held by members of the social system. Some norms may involve little sense of obligation while others may be so deeply internalized as to be taken for granted. Contrast the proscription of the use of force with the anti-slavery norm.

How do we know whether such institutions actually exist? More specifically, how can we assess how widely shared a particular norm is or how strongly it is held? No scholarly consensus exists on the measurement of norms. Nevertheless, nonbehavioral evidence for the existence of norms can be culled from a number of sources, including surveys, experiments, interviews, and participant-observation (see, for example, Hechter and Opp 2001). And in the study of international norms, where it is often difficult to interact directly with the actors

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<sup>6</sup> Likewise, Finnemore and Sikkink (1998: 891) maintain that “both the intersubjective and the evaluative dimensions are inescapable when discussing norms” and Goertz and Diehl (1992: 635) write that the term “[n]orm reflects the deontological component that is lacking in the term rule.”

involved, one can and must examine what people say and write, using such methods as content, discourse, and historical analysis (see, for example, Raymond 1997).

As Finnemore and Sikkink (1998: 892) note, because norms exist in the mind, “we can have only indirect evidence of their existence just as we can only have indirect evidence of most other motivations for political action.” Nevertheless, precisely because “norms by definition embody a quality of ‘oughtness’ and shared moral assessment, norms prompt justifications for action and leave an extensive trail of communication among actors that we can study.” Indeed, norms must be expressed, from time to time, verbally or on paper, consciously or unconsciously, for otherwise they could not be shared by members of a social group. What people say and write not only reveals but reaffirms or reinforces their beliefs and in some cases even helps to create new norms.

Thus, a number of constructivist international relations scholars have pointed to the need to examine communicative processes or discourse in order to identify norms (see, for example, Klotz 1995: 29-33; Finnemore 1996a: 23-24; Finnemore 2003: 15). Indeed, Kratochwil and Ruggie (1986: 774) argued for the need for an interpretive approach to the study of regimes in view of their inherently dialogical nature as long as two decades ago. In this sense, identifying norms is akin to the process of determining whether a customary international law exists. States must perceive that a particular practice is obligatory or required by law. How then do we know this is the case? According to international legal scholars, an important part of the process is an examination of the statements of government leaders and spokespersons (Arend 1999: 48).

Nevertheless, reliance on evidence of this type sometimes poses novel challenges. For instance, the more strongly held a norm is, the less evidence there may be of its existence. Finnemore (1996a: 23) has pointed out that “many norms are so internalized and taken for granted that violations do not occur and the norm is hard to recognize.” As an illustration, she cites the norm of statehood as the only appropriate and legitimate political unit in international politics. Indeed, so deeply rooted is this norm that “most scholarship has treated and continues to treat states as naturally occurring and inevitable rather than as socially constructed and historically contingent” (Finnemore 1996a:23).

Intersubjective norms do not exhaust the characteristics of institutions, however. Institutions typically have formal elements as well, to which above we assigned the term “rules.” Indeed, it is these elements of international institutions that are most familiar. Consider, as illustrations, the United Nations (UN) Charter, the North Atlantic Treaty, the Kyoto Protocol, or the North American Free Trade Agreement (NAFTA). As these examples suggest, moreover, the formal elements of international institutions, in contrast to norms, can have an existence that is entirely separate from the agents that devised them. Norms and other intersubjective phenomena require human consciousness to be sustained.

A related feature of rules, as the term is used here, is that they need not correspond to what any affected party actually prefers or thinks should be the case. In contrast to the intersubjective elements of international institutions, they need not possess any evaluative or deontic content; no moral opprobrium is necessarily attached to their violation. Rather, rules simply concern what things are and how things are done, for instance, the membership of the UN Security Council, the dispute resolution mechanism of the World Trade Organization (WTO), and the voting rules of the International Monetary Fund (IMF). Indeed, as these examples suggest, rules may clash with the normative beliefs of many of the actors to which they apply. Thus, a rule may be imposed by one actor on others, whereas a norm may not, and those upon whom the rule is imposed may feel no sense of obligation to adhere to it, although they may

comply for other reasons.

Just as norms may vary in strength, rules may exhibit differing degrees of formality or formalization. Charles Lipson (1991) has distinguished between more or less formal agreements on the basis of the level at which the agreement is made within the government and the form that it takes. Thus a rule may be stated verbally, such as through an oral agreement, or written down, such as in an interstate treaty (Aust 2000). For their part, treaties may simply be signed, as in an executive agreement, or be subject to formal ratification by a legislative body. Other possibilities lying along this spectrum include memoranda of understanding, exchanges of notes, and joint communiques. Similarly, some international legal scholars have sought to make a distinction between hard legalization and various instruments of “soft law” (Chinkin 1989; Abbott and Snidal 2000). Among the latter figure interstate agreements that are explicitly nonlegally binding (such as the Helsinki Final Act), non-binding or voluntary resolutions formulated and adopted by international and regional organizations (such as those issued by the UN General Assembly), formal treaties that lack identifiable rights and obligations, and codes of conduct or guidelines adopted by intergovernmental organizations. The degree of formalization determines the strength of a rule, especially where it is made legally binding.

Intentionally omitted from this definition is any conception of institutions as practices or patterns of behavior. As noted above, some scholars have defined institutions in terms of practices, but this approach has found little favor within the field of international relations. Indeed, the need to distinguish institutional norms and rules from behavior is a leading area of agreement among rationalists and constructivists. One reason is that a pattern of behavior, such as recurring attempts to maintain a balance of power, may not conform to, or be influenced by, any particular norm or rule. More fundamentally, the equation of institutions with behavior or practices precludes the use of the former to explain the latter.

In practice, specific institutional elements can assume a wide range of forms. Some will be pure rules, others will be pure norms, and yet others--perhaps most--are best characterized by some combination of rule-like (formal) and norm-like (intersubjective) characteristics. For example, a formal rule may be accompanied by a strong intersubjective belief in its legitimacy. Moreover, the nature of a particular institutional element can change over time. Thus, a norm may become formalized--one can point to many illustrations from the laws of war, human rights, and diplomatic relations--while a formal rule may gradually lose moral force over time.

Nevertheless, it should be possible to locate any particular institutional element at a given moment within a two-dimensional ontological space. Figure 1 attempts to do so, using examples from a variety of domains. One of the dimensions—in this case the vertical--is defined in terms of the strength of the norm-like characteristics, if any. The other dimension—the horizontal here--is determined by the degree of formalization of the rule-like characteristics, if any. It is important to stress that in this ontology, the norm- and rule-like characteristics are orthogonal to one another rather than lying along a single continuum, as is sometimes suggested (see, for example, Steinmo 2001: 7554).

[Put Figure 1 about here]

## **Functional Distinctions**

The second important distinction captured by the definition concerns the functions that different institutional elements perform. These functions can be divided into three broad categories: the

constitutive, the regulative, and the procedural. The distinction between the constitutive and regulative functions is already quite commonly made. As explained below, it is also useful to distinguish a third, the procedural function. Before proceeding, it should be noted that some norms and rules may be both constitutive and regulative at the same time. For example, the rules regarding the movement of a chess piece simultaneously define what that piece is (see also Schauer 1991: 7). Likewise, the documents establishing many international bodies also stipulate what those bodies can and cannot do. But many are not both constitutive and regulative. Thus, it remains important to be able to distinguish analytically among these three functions.<sup>7</sup>

**Constitutive Function.** The constitutive function of international institutions is in a sense the most fundamental, since constitutive rules and norms “create the very possibility of engaging in conduct of a certain kind” (Schauer 1991: 6). Without the prior constitution of actors, for instance, there can be no action to regulate. Although some rationalist writings on institutions hint at their constitutive role (for example, North 1990), this aspect has been developed primarily in the work of constructivists and the closely related English School theory of international relations (see Buzan 2004).

It is useful to distinguish among several more specific constitutive functions. In the first place, institutional rules and norms can create social entities (actors) and determine their very capabilities and other endowments related to action, such as rights. Indeed, this phenomenon is perhaps most obvious in the realm of international relations, where virtually all actors are institutionally constituted to an important extent. The most familiar example of such entities is the sovereign state. By now, it has been well established that the state is a social construct (see, for example, Biersteker and Weber 1996; Hall 1999). As an actor in the international system, the state is essentially a bundle of roles and related rights associated with a given geographical territory that are determined by the “basic rules of authority that define international relations” (Philpott 2001: 3). The institution of state sovereignty has become increasingly formalized over the years, but it still rests on a strong intersubjective basis.

The state is not the only institutionally constituted actor of consequence in international affairs, however. A number of others are associated with international organizations. Most common among these are collective intergovernmental bodies, such as the Security Council and General Assembly of the UN, the North Atlantic Council (NAC), the Council of Ministers of the European Union (EU), and the Board of Governors of the IMF as well as supranational executive bodies, such as the UN Secretariat, the European Commission, and the staff of the World Bank. Also possible, but still quite rare, are supranational judicial and legislative bodies composed of elected or appointed individuals, such as the International Court of Justice, the European Court of Justice, and the European Parliament. Intergovernmental and supranational actors are typically constituted by formal treaties, agreements, and conventions among states, such as the UN Charter and the North Atlantic Treaty, or the decisions of intergovernmental bodies, such as the resolution establishing the UN Human Rights Council.

Yet other noteworthy institutionally constituted actors may involve individual persons.

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<sup>7</sup> Oran Young (1999) offers a typology of regime or institutional tasks that distinguishes between regulative, procedural, programmatic, and generative regimes. Despite the seeming similarity, his typology differs from the one offered here in an important respect. Young’s typology refers to the overall task or tasks performed by a regime or institution, while the present essay is concerned with the basic range of functions performed by institutional elements. Thus, any programmatic or generative regime, for example, can in principle be decomposed into some combination of constitutive, regulative, and procedural elements.

Consider, for example, the UN Secretary General, the NATO Supreme Allied Commander, the Director-General of the WTO, the President of the World Bank, and diplomatic envoys. Although the individuals involved already possess a physical existence, rules and norms endow them with significant roles and rights.

Before proceeding, it is important to recognize that international organizations are not institutions *per se*. Rather, they typically possess the qualities of both institutions, as defined here, and agents. The UN Security Council, for example, is simultaneously a collective actor and an arena or forum in which member states interact. In contrast to truly unitary actors, moreover, much of the activity of such collective bodies is aimed at setting regulative rules for members and authorizing, legitimizing, or condemning actions taken by them (see Claude 1966). Whether it is more fruitful to regard an international organization as an institution or as an actor will depend upon the precise question that one seeks to answer. As a practical matter, however, it may be difficult to distinguish between organizational actors, on the one hand, and the norms and rules that constitute them, regulate their behavior toward other actors, and determine their internal processes, on the other.

Analytically distinct from the creation of actors is the role that institutions can play in determining their identities, interests, goals, and preferences, which is a prominent theme in the constructivist literature on norms (see, for example, Klotz 1995; Jepperson, Wendt, and Katzenstein 1996; Katzenstein 1996). In some cases, these characteristics may be conferred simultaneously with the very creation of an actor. Thus, the secretary general of an international organization will generally possess an identity that is distinct from that of any other entity and an interest in promoting the well-being of the organization and its membership. In other cases, however, pre-existing actors, notably states and their leaders, may acquire new identities and preferences as a result of their presence, participation, or embeddedness in an international institution through processes of persuasion and socialization (Johnston 2001). In this regard, particular attention has been paid to socializing processes within European institutions such as the EU and NATO (see, for example, Checkel 2005).

Moreover, institutions may constitute activities and categories of action (Dessler 1989: 455; Schauer 1991: 6; Searle 1995: 27). To be sure, many forms of behavior, especially those of a physical nature, can and do take place without the mediation of institutions. But institutions often play a role in determining their social meaning, such as whether a use of force is to be viewed as an act of aggression or a justifiable intervention or whether a tariff is a violation of international law or a legitimate retaliatory activity. They specify what counts as a particular activity. And, in some cases, they may define activities that would not otherwise even exist, such as the exercise of the veto in the UN Security Council. Like sovereignty, the actions in which states may or must engage have become increasingly formalized over the years; consider the Vienna Convention on the Law of Treaties and the Law of Consular and Diplomatic Immunities. But formalization is not a prerequisite for their existence, although it may affect their impact and influence.

**Regulative Function.** Perhaps most familiar is the regulative function of institutions. Many rules and norms seek to regulate the everyday behavior of actors (see also Ostrom 1990: 52). In this sense, Young (1989: 16) has defined rules as “well-defined guides to action or standards setting forth actions that members [of an institution] are expected to perform (or to refrain from performing) under appropriate circumstances.” Similarly, constructivists typically describe norms as shared expectations or standards of appropriate behavior.

Regulative (or operational) norms and rules can assume three basic forms (Dessler 1989: 457; Schauer 1991: 7-8). They may be prescriptive, requiring or obligating actors to behave in certain ways. Examples include the provision of military assistance to allies when attacked, the payment of assessed dues to an international organization, and intervention to prevent or stop genocide. They may be proscriptive, prohibiting or forbidding various actions. Here one might cite the UN Charter's broad injunction to refrain from the threat or use of force, the ban on torture, and restrictions on the application of quotas to traded goods. Or regulative norms and rules may be permissive, allowing actors to engage in actions that nevertheless remain optional, such as self-defense, the imposition of tariffs up to agreed levels, and the exploitation of resources on the continental shelf. When fully specified, such norms and rules indicate the type of action, the relevant actors, and the circumstances under which they are operative.

Another useful distinction is between primary norms and rules of behavior and secondary or auxiliary regulative elements intended to increase the likelihood of compliance with the primary ones. The secondary category includes transparency norms and rules concerning the provision, gathering, and sharing of information about actors' policies and actions in order to facilitate determinations of compliance and noncompliance (Mitchell 1998). Examples are IMF reporting requirements, inspection provisions in arms control agreements, and surveillance rights such as those contained in the Open Skies Treaty. This category also includes rules and norms regarding how actors should respond to instances of noncompliance by others. Although such enforcement measures are somewhat rarer, one can readily point to prominent examples such as the Covenant of the League of Nations, which required members to sever all economic relations with an aggressor, and the provisions in the WTO agreements that allow members to impose trade sanctions in certain circumstances.

**Procedural Function.** The procedural function of international institutions bears a strong resemblance to the regulative function and might well be thought of as a subset of the latter. Nevertheless, institutional scholars have sometimes taken pains to differentiate between the two (see, for example, Young 1989; Ostrom 1990), and some self-described "institutionalist" studies have focused entirely on procedures (for example, Garrett and Tsebelis 1996). How do they differ? Regulative rules and norms typically concern behavior that directly affects the physical world (Ostrom 1990: 50), while procedures typically govern actions by actors with respect to one another within the context of institutions or with respect to the institutions themselves. In particular, procedural arrangements often provide mechanisms that allow participating actors to arrive at collective choices regarding problems that arise in the issue areas covered by an institution (Young 1999: 28).

Obviously, a clear line does not always exist between these two functions, in part because they are often closely related. For example, the UN Charter contains both regulative elements, such as the general prohibition on the threat and use of force, and procedural elements, notably the voting rules of the General Assembly and Security Council (as well as important constitutive elements). Likewise, the institutions concerning international imports both regulate the restrictions that countries can place on trade and provide procedures for the negotiation of lower trade barriers and the resolution of disputes.

Although the procedural function of institutions is often associated with formal rules, especially in the context of intergovernmental organizations (IGOs), in some contexts it is performed primarily or exclusively by intersubjective norms. Moreover, even the decision-making procedures of IGOs are not always formalized. Those of the Security Council, European

Union, and International Monetary Fund are spelled out in considerable detail in the agreements on which those bodies are based. In contrast, the North Atlantic Treaty is silent on the procedures to be followed by the North Atlantic Council, where decision making has consequently been guided by the norms of sovereign equality and consensus.

### **Potential Contributions of the New Definition**

It is one thing to argue in the abstract that a particular definition is superior to the alternatives but yet another to demonstrate that its adoption will result in better theoretical and empirical research. Accordingly, this final section discusses three potential contributions of the new definition.

#### **Clarifying the Nature of Particular International Institutions**

In the first place, this definition can help scholars make clearer the nature of the particular institutions that are the subject of inquiry and thus the range of phenomena to which their claims and findings actually apply. The ontological and functional distinctions expressed in the definition provide the analytical basis for a comprehensive taxonomy of international institutions as delineated in Table 1. Here, the columns are defined in terms of the ontological nature of the institution, ranging from the purely formal to the purely intersubjective or involving some combination of formal and intersubjective elements. The rows captures the various functions that institutions can perform.

[Put Table 1 about here]

Consistent with the objective of providing a comprehensive definition of international institutions, it should be possible to situate each of the distinct forms of international institutions within this taxonomy. To be sure, the task is complicated by the fact that many institutions have multiple elements, making it often difficult to assign them to a single category. As a result, some scholars may object to the specific characterizations suggested here. But such objections should not negate the value of attempting to clarify the nature of particular institutional elements.

#### **Improving Existing Institutional Scholarship**

The failure to recognize important variations in institutional forms can result in flawed research on the causes and consequences of international institutions. The definition proposed here can help to illuminate such flaws and suggest how they might be remedied or avoided in the first place. One potential problem that the definition may help to prevent is the failure to specify the full range of possible outcomes when treating international institutions as dependent variables. An example can be found in the Rational Design project as presented by Barbara Koremenos, Charles Lipson, and Duncan Snidal in 2001, which seeks to explain differences in the forms that international institutions take. An important recent contribution to the theoretical literature on international institutions as dependent variables, the project defines them as “explicit arrangements, negotiated among international actors, that prescribe, proscribe, and/or authorize behavior” (Koremenos, Lipson, and Snidal 2001: 762). By emphasizing the regulative function, however, this definition neglects the important constitutive choices that are often involved in the



creation of international institutions. Not only must actors decide whether or not to establish formal organizations, but they must choose between different types of bodies (intergovernmental, supranational, etc.) and determine what functions, authority, and capabilities to grant to those bodies. As a result of its constricted focus, the Rational Design project may overlook important trade-offs in the design of international institutions.

A second potential pitfall with which this definition may help is the failure to specify the full range of relevant institutional causal variables when exploring the effects of international institutions, thereby running the risk of omitted variable bias. For example, the explanatory framework employed in the Rational Design project overlooks the possibility that norms may also be an important determinant of institutional design. A design that seems optimal on efficiency grounds may nevertheless be regarded as inappropriate or illegitimate and thus may not be chosen on the basis of normative considerations. Indeed, one of the case studies executed for the project, on prisoners of war treaties, concerns a pre-existing set of norms that were formalized in treaty form (Morrow 2001).

A similar oversight mars Jeffrey Legro's (1997) otherwise valuable effort to compare the relative impact of international norms and organizational culture. Examining eight cases involving the use of particular means of warfare--chemical weapons, strategic bombing, and submarine warfare--during World War II, he finds that organizational culture provides a more consistent explanation of state preferences than do international norms. Legro's analysis does not, however, distinguish explicitly between the formal and intersubjective aspects of international institutions. In fact, some of the international "norms" that he considers, such as the 1925 Geneva Protocol, had important formal components. Indeed, the limited data presented by Legro suggest a stronger correlation between state preferences and international institutions than the study found if the latter are measured in terms of formalization. Consequently, instead of generating a single prediction for each of the three institutions under consideration, it might have been advisable to measure norm strength and rule formalization separately. Doing so would have made it possible to assess the influence of both intersubjective and formal institutional elements as well as that of organizational culture.

A third potential problem that the definition may help to avoid is the failure to identify and differentiate among distinct causal pathways, as suggested by Andrew Cortell and James Davis's (1996) path-breaking study of the ways in which international norms and rules affect state behavior through the actions of domestic political actors. A key condition, or intervening variable, in their model of institutional influence is the domestic "salience" of a rule or norm. They measure salience in terms of the legitimacy accorded the rule or norm in the domestic political context as well as level of domestic commitment indicated by declarations of support by authoritative actors, ratification, concrete alterations in policy choices, and formal incorporation into domestic processes. They, then, assess the model through an examination of two "heuristic" case studies of US policymaking: (1) the US semiconductor industry's efforts to persuade the Reagan administration to press Japan to comply with the rules of the General Agreement on Tariffs and Trade (GATT) and (2) Congressional efforts to pressure the Bush administration to pursue a multilateral strategy following Iraq's invasion of Kuwait.

Because the study explicitly does not differentiate between formal and intersubjective institutional elements, however, it obscures the possibility that very different causal mechanisms may be at work in different international institutional contexts, even if the outcomes are similar. In particular, the case studies suggest that different types of institutions lend themselves to different forms and degrees of domestic salience. More formal institutions such as the GATT

rules are more likely to be formally incorporated into domestic laws and procedures, whereas the impact of primarily intersubjective phenomena such as the norm of collective security depends largely on the extent to which they acquire legitimacy in the domestic context. Thus, explicit recognition of the ontological distinction proposed here could help to produce a richer, more differentiated theory of institutional effects.

A fourth potential problem with which the definition proposed here could help concerns the failure to select institutional cases that are as comparable as possible, which is suggested by Liliana Botcheva and Lisa Martin's (2001) useful effort to explain the effects of international institutions in terms of whether they promote convergence or divergence in state behavior. These scholars hypothesize in particular that convergence is more likely to occur when states recognize that noncompliance will result in substantial externalities and the relevant institutions possess adequate monitoring mechanisms. To establish the plausibility of this hypothesis, they explored three cases that exhibit variation in the level of externalities: (1) development aid cooperation among OECD countries, (2) the establishment of the Single European Market, and (3) international cooperation to limit stratospheric ozone depletion.

The three cases also, however, exhibit significant differences in the nature of the regulative rules and norms of state behavior on which the institutions were based. Both the Single European Market and international cooperation on ozone involved formally agreed upon, legally binding rules that lent themselves to enforcement. In contrast, the OECD development aid regime was based on a goal (0.7 percent of GNP annually) that was neither legally binding nor enforceable. Indeed, this aspirational target did not even command a normative consensus, as many OECD members expressed reservations and two had not accepted it even with reservations as late as 1985 (Lumsdaine 1993: 247). Arguably, these fundamental differences in the nature of the basic rules and norms could by themselves account for much of the variation in institutional effects that Botcheva and Martin found. Consequently, future research on this subject might benefit from the careful selection of cases involving institutions based on highly similar sets of regulative norms and rules.

### **Generating New Research Questions**

A further potential benefit of the definition proposed here is that it can help to generate useful new research questions that might otherwise be overlooked. The types of questions scholars ask are constrained by the assumptions that underlie their models. Thus, rationalists and constructivists by emphasizing the rule- and norm-like characteristics of international institutions, respectively, may have unnecessarily and inappropriately restricted the ambit of institutional research. In their otherwise laudable survey of the institutional literature, for example, Martin and Simmons (1998: 742-757) present a purely rationalist research agenda for the study of institutional effects, one which must perforce neglect the ways in which a large number of international institutions matter.

The definition suggests at least two broad sets of questions that seem worth pursuing. One concerns the differing causal relationships between regulative norms and rules as independent variables, on the one hand, and international behavior and outcomes as dependent variables, on the other. The reconsideration of the Legro (1997) data above suggests that, as a first step, it is important to study the relative impact of regulative norms and rules under different circumstances. Such work should, in turn, stimulate and inform efforts to develop a better comparative understanding of the different mechanisms through which formal rules and

intersubjective norms operate to shape behavior, the value of which is suggested by the Cortell and Davis (1996) study. And throughout this process, scholars should be attentive to possible interactions between the intersubjective and formal elements of particular institutions rather than treat them simply as alternative explanatory variables. What difference does it make, for example, whether or not a strong norm is formalized or a highly formalized rule is accompanied by a strong sense of obligation?

A second broad and potentially valuable area of research concerns the basic forms--intersubjective or formal--that international institutions take. For instance, some otherwise functionally similar institutions, such as the prohibitions on the use of chemical and nuclear weapons, have assumed very different forms. Why is this the case? A related question is when and how the basic nature of institutions change. Some primarily formal arrangements may acquire a strong intersubjective element of obligation over time, while others may not, and yet others may experience a loss of legitimacy. Conversely, states have formalized some international norms as treaties but not others. And what roles might formal rules play in the development of norms, and vice versa? For example, although Finnemore and Sikkink (1998: 900) do not explicitly differentiate between the two, they state that in most cases an emergent norm must become institutionalized in specific sets of presumably formal rules and organizations before it is widely adopted. Arguably, their path-breaking analysis of the norm life cycle would have been richer and more accurate if it had been informed by the definition presented here.

### **Conclusion**

This essay began with the premise that the formulation of adequate definitions of key concepts is essential to the process of theory development. The scholarly literature on international institutions has suffered from the lack of a widely accepted definition that includes all the most important forms. The purpose of this essay was to remedy this deficiency by elaborating a comprehensive, yet differentiated definition of international institutions that can serve as a solid foundation for the development of a better understanding of their nature, causes, and consequences. Integral to the definition are two distinctions--one ontological and one functional—that, in turn, serve as the basis for a taxonomy within which all types of international institutions can be located.

This definition promises to advance the study of international institutions in several ways. At a minimum, it should promote an appreciation of the full range of possible institutional forms and, simultaneously, help to clarify the extent and limits of existing and future studies of international institutions. In addition, the definition should help to improve work on the subject by making scholars more attentive to potential variations in institutional forms. Beyond simply helping to remedy or prevent the repetition of past mistakes, it should stimulate the development of both richer and more comprehensive theories of international institutions. And no less important, the definition should help to open potentially valuable avenues of research by generating new questions and inspiring fruitful comparisons. Theoretical progress will inevitably occur as scholars seek increasingly to relate different institutional forms to one another. At the same time, by facilitating the differentiation of institutions into their constituent ontological and functional components, the definition may help to deepen our understanding of specific institutional types.

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<b>Norm (Strength)</b>	<b>Strong</b> Peaceful dispute settlement, Racial equality, Just war theory, Anticipatory self-defense, Nuclear taboo, <i>pacta sunt servanda</i> <b>(Strong norms, not formalized)</b>	U.S.-Soviet measures to reduce risk of nuclear war, COCOM, Wassenaar arrangement, SALT II, NATO force goals, National self-determination, UNGA resolutions <b>(Formal rule, strong norm)</b>	Self-defense, ABM treaty, Chemical Weapons Ban, Anti-slavery convention, Partial test ban <b>(Formal rule, strong norm)</b>
	Spheres of influence, Humanitarian intervention <b>(Emergent norm, not yet formalized)</b>	U.S.-Soviet incidents at sea agreement, Universal Declaration of Human Rights, GATT rules, Climate Change Convention, Helsinki Final Act, Rio Declaration, Torture convention <b>(Formal rule, less than universal norm)</b>	Non-intervention, Land Mine Ban, Nuclear non-proliferation regime, Anti-corruption conventions, WTO rules, Comprehensive Test Ban <b>(Formal rule, less than universal norm)</b>
	General disarmament, Preventive war, Balance of power <b>(Weak norm, no formal rule)</b>	U.S.-Soviet "hotline" agreement, OPEC quotas, Interwar strategic bombing agreement <b>(Unratified rule, little normative content)</b>	General proscription of the threat and use of force, Protection of Wetlands Convention, Territorial waters, Navigational rules, Postal conventions <b>(Formal rule, weak or nonexistent norm)</b>
	<b>Low</b>	<b>Rule (Degree of formalization)</b>	<b>High</b>



**Figure 1. Locating Institutional Elements**

**Table 1. Typology of International Institutions**

		<b>ONTOLOGICAL FORMS</b>		
		<b>Intersubjective Norms</b> (includes customary international law, spontaneous regimes)	<b>Combinations of Norms and Rules</b> (includes but not limited to codified customary international law and some negotiated regimes)	<b>Formal Rules</b> (includes imposed regimes and some negotiated regimes)
<b>F U N C T I O N S</b>	<b>Constitutive</b>	Sovereignty statehood, racial equality	Status of diplomats and diplomatic missions (e.g., Vienna Convention on Diplomatic Relations)	IGO constitutions (e.g., IMF Articles of Agreement, ICAO Convention)
	<b>Regulative</b> (includes regime norms and rules)	Traditional laws of war (e.g., Just war doctrine)	Codified laws of war (e.g., Geneva Conventions), General Assembly declarations	Interstate regulatory agreements (e.g., 200-mile limit, GATT trade rules, postal conventions, Open Skies Treaty)
	<b>Procedural</b> (includes regime procedures)	Norms of consensus, unanimity, and sovereign equality (one state, one vote)	Procedures for treaty negotiation, ratification, and interpretation (e.g., Vienna Convention on the Law of Treaties)	Formal IGO procedures (e.g., Security Council voting rules, WTO dispute resolution procedure)