

# Cooperation Under Anarchy: Why Do States Write Their Agreements Down?

PS 3210:001 – International Relations

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Fall 2014

## Introduction

Realists and institutionalists particularly disagree about whether institutions markedly affect the prospects for international stability. Realists say no; institutionalists say yes. Realists maintain that institutions are basically a reflection of the distribution of power in the world. They are based on the self-interested calculations of great powers, and they have no independent effect on state behavior. Realists therefore believe that institutions are not an important cause of peace. They matter only on the margins (Mearsheimer 1994-1995, 7).

As demonstrated in the above quote, Prof. Mearsheimer takes a decidedly cynical attitude toward the importance of international institutions in global politics. He is not alone in his perspective: in a 2012 Gallup poll, 61% of Americans reported that they believed the United Nations was doing a poor job “in trying to solve the problems it has had to face” (United Nations). This is in contrast to the remainder of the world; just 17% demonstrated disapproval (Gravelle and Ray 2011). Logjams in the Security Council over the crises in Syria, Somalia, and Darfur; the United States’ unilateral action in Iraq in 2003; and the activities of Japanese whalers, as exposed in the popular show, *Whale Wars*, only add to this skepticism.

Nonetheless, the number of international institutions and the attention they are paid in global politics raise a significant puzzle. To date, there are more than 300 intergovernmental organizations (IGOs) and 50,000 treaties on file with the United Nations Treaty Service. Rather than taking the creation of these institutions lightly, states are often deeply invested in the negotiation process to create institutions — an effort that seem contradictory to the realist perspective that these institutions matter very little.

For example, the World Trade Organization was created through the General Agreement on Tariffs and Trade after almost **9 years** of negotiation through the Uruguay Rounds. Likewise, the Open-Ended Working Group on the Question of Equitable Representation On and Increase In the Membership of the Security Council — the committee tasked with crafting a proposal to reform the structure and membership of the United Nations Security Council — has been working since 1993. After almost **30 years** of negotiation, the members have yet to come to an acceptable conclusion.

These two examples are illustrative of the measures that states take to carefully construct institutions so that they further their individual and collective goals. Thus, *if IGOs and international law matter only at the margins, then why have states created so many of them?*

## Exercise Background

The purpose of this exercise is to explore whether international institutions, on their own, matter in global politics. We will do this by examining the role that formal treaties play in making institutions unique, not only from norms and regimes, but from the temporary *harmony* that realists ascribe to IGOs and international law.

### Treaties: Why Write Them Down?

IGO charters, international law, and alliances are just a few examples in which states write and sign *treaties* (formal agreements that specify a signatory's rights and obligations in some area of international interaction) with the purpose of creating an institution to promote cooperation. However, the treaty is an interesting phenomenon in international relations. Because the international system is anarchic, institutions must be *self-enforcing* because no global institution has the authority to monitor and enforce actions, unlike courts and police in the United States, for instance.

In order for an agreement to be self-enforcing, each state signing the agreement must value the arrangement highly enough that it will act in accordance with the treaty when called upon. Likewise, every member-state must believe that the other members will follow-through with their commitments. What this means is that, having a treaty does not necessarily *cause* states to cooperate because the beliefs necessary for cooperation exist prior to a treaty's creation (Morrow 2000).

Treaties are also *not required* for states to cooperate. States in the international system often cooperate with each other without the benefit of a formal treaty (Morrow 2000). The alignment between the United States and Israel, for instance, is an example of significant coordination between two countries without having a formal alliance treaty. Another example is the Group of Eight (G8), the forum of the world's eight largest democratic industrial economies. These states, France, Germany, Italy, Japan, the United Kingdom, and the United States, meet annually to collaborate on major global issues.

*Given that treaties neither ensure nor are necessary for cooperation to be realized, why do states create so many of them and spend so much time and effort to negotiate their features?*

### What Purpose Do Treaties Serve?

Barbara Koremenos, Charles Lipson, and Duncan Snidal (2001) argue that "*states use international institutions to further their own goals, and they [rationally] design these institutions accordingly*" (761, emphasis original). Contrary to the realist suspicion, though, states construct institutions to advance their individual and collective goals because they understand that an institution's features affect the outcomes of interactions. Moreover, as Germany and Japan know all too well, institutions are not easily changed: the three decades long UN Working Group debate to reform the Security Council has kept these global powers out the most powerful international fora.

Institutions also create a public record of states' commitments. The transparency of a formal document clarifies the members' shared interests, provides assurances that future regimes within each country will honor the agreement, and signals the members' intentions to countries outside the institution (Morrow 2000).

## **How and Why Are Treaties Written as They Are?**

In order to fulfill these purposes, states focus on a few issues of an institution's design in order to make sure that the group will help facilitate cooperation.

IGOs and international law may all be described according to the following features (Koremenos, et al. 2001):

- **Membership** — Who belongs to the institution?
- **Scope** — What issues are covered?
- **Centralization** — How much authority do the institution's bureaucrats have, compared to how much authority member states have?
- **Control** — What are the rules by which decisions are made (e.g., super-majority, one-state/one-vote)?
- **Flexibility** — How will institutional rules and procedures accommodate new circumstances?

The way in which any institution is designed across these parameters depends on the how well the benefits from cooperation are distributed, members' incentives to cheat on their obligations, the number of actors who might become parties to the agreement, and the uncertainty that is created by the nature of the system and states' preferences.

In sum, treaties that produce IGOs and international law are the result of intense negotiation and bargaining. Writing down the rules creates a uniform set of expectations that helps states share information and ensure commitment — mechanisms intended to protect the results of the arduous process that produced the treaty in the first place!

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**Learning Objective:** To decide whether the treaty negotiation process is evidence for the notion that “institutions matter” in global politics.

**Directions:** Each group will be given a board game with the instructions missing. As a group, you should work to figure out a set of rules for your game and answer the following questions. Unlike in international relations, where states literally have years to negotiate some treaties, your group will have just 30 minutes to decide the rules. The group whose rules come the closest to the actual rules of the game will earn an additional **5 bonus points**.

### Group Work

1. What is the name of your game?
  
  
  
  
  
  
  
  
  
  
2. Describe the rules that you and your group established for your game.
  - (a) Who are the players in your game? Is it based on individual players or teams?

(b) What is the basic play like? How do players take turns (e.g., sequentially, simultaneously)? How are the different pieces of the game used?

(c) What is the objective of the game? Is the goal an individual one or a collective one?

3. Has someone in the group played this game before? Yes or No?

(a) If so, how did that person's knowledge of the game affect your group's ability to make decisions about the rules? Was it easier or harder?

(b) Do you think the individual who was familiar with the game had an individual advantage in setting up the rules?

## Discussion

4. Thinking about how *countries* negotiate to create treaties: What, if anything, has this exercise taught you about the liberal institutionalist argument that the lengthy and complex treaty negotiation process indicates that IGOs and international law *matter* in contrast to the realist contention that they do not?

5. A widely accepted international relations theory of cooperation is that hegemonic powers use their influence to simultaneously gain cooperation from minor powers by constraining themselves through institutions yet set up these institutions to ensure their continued preeminence (Keohane 1984). For example, the UN Security Council was set up so that the P-5 (China, France, Russia, United Kingdom, and United States) would be pivotal. This design has prolonged some countries' importance (e.g., France) and kept others at bay (e.g., Germany, Japan).
- (a) Now, consider the scenario where one of your group members was familiar with the rules of the game and used that knowledge to help the group determine the game's rules. Thinking about the experienced individual as the "hegemon," what from your experience with this exercise suggests to you that this may be a plausible explanation for the design of some international treaties?
- (b) How does the fact that the rules would be checked by an outside authority (i.e., the professor) affect your interpretation of the "hegemon" experience? How did this external monitoring affect your group's decisions more generally?
- (c) What other evidence — beyond this exercise and the above UN example — might suggest that this theory is generally valid?