I. WHEN do institutions get created?
   A. Agenda needs to be “set” by concerned actors
      1. Can be states but can be nongovernmental actors
      2. Why NGOs? Because “outside” actors that feel the costs/externalities of the “game” (PD, upstream/downstream problem, etc) have different incentives than those within the game, and incentives that make cooperation by others very attractive for them
         a) Especially (though not only) on human rights issues
         b) Slavery pushed by abolitionists, who mostly didn’t have slaves
         c) Landmines pushed by activists, who don’t see themselves as benefitting from landmines but do feel that landmines are wrong.
         d) Fair trade issues in trade negotiations, likely to be pushed by NGOs
      3. Sometimes states can be pushers as well BUT “when” depends
         a) When changes in interests or perspectives of powerful states
            (1) US interests in Bretton Woods institutions
            (2) Moments of “crisis” or exogenous shocks that harm interests of powerful actors and make an existing problem “visible” and prompt calls for “we must do something”
               (1) 1948 Genocide Convention after Holocaust in Europe -- but not after Armenian genocide of 1915 in Turkey
               (2) Basel I, II, and III banking regulations in response to banking problems
               (3) Oil spills off the coast of developed countries despite bigger spills off developing countries
         b) When things get “bad enough”

II. Human Rights and Transnational Activist Networks
   A. Why do some issues get on agenda but others don’t?
      1. Carpenter, Setting the Advocacy Agenda: Article about what gets on the agenda of HR
         a) Nature of problems, e.g., identifiable actor, deliberate action, bodily harm
         b) Resonate with larger norms: e.g., rights, similar weapons, etc.
         c) Individuals championing an issue: problems are socially constructed by real people. Problems don’t just exist out there in the world, they get “created,” partly by how people talk about them and by gatekeeper organizations.
   B. Examples:
      1. No action on children born of wartime rape but action on child soldiers and girls in war
      2. Landmines vs. cluster munitions
      3. There are “gatekeepers” who make a difference
      4. Advocates are “highly selective” about what they champion
   C. Definition: “A transnational advocacy network includes those actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services” (Keck and Sikkink, 89).
      1. Basically, think of it as NGOs working together across borders rather than individually within borders -- common goals, ways of talking about issues, sharing information and other resources.
      2. Not unlike a programmatic regime, in Young’s terms -- pooling resources to address a problem
   D. “What is novel in these networks is the ability of non-traditional international actors to mobilize information strategically to help create new issues and categories, and to persuade, pressurize, and gain leverage over much more powerful organizations and governments” (Keck and Sikkink, 89).
   E. How they work
      1. Rights claims -- note the important reframing here simply by calling something a right -- moves away from logic of consequences to logic of appropriateness
      2. Boomerang processes: if your government is unresponsive, then work through TAN to get citizens of other countries to pressure their governments to put pressure on your government to take actions you couldn’t get it to take in first place.
3. Tactic 1: Information politics - move info to where it will have most influence. Raising issues of desaparecidos in Argentina wasn’t useful, so move it to where it is. Importance of credibility - e.g., Amnesty International


5. Tactic 3: Leverage politics - weak NGOs use their influence with powerful actors (governments) to get those with more power to use their influence with governments or corporations who NGOs can’t directly influence
   a) Material leverage -- logic of consequences. Issue linkage where powerful actors links money, trade, whatever to behavior after being pressured by TANs to do so.
   b) Moral leverage -- logic of appropriateness. “mobilization of shame” -- show the world what someone did in a context in which certain behaviors are “just plain wrong”. Note, that this assumes a normative context in which certain acts are already accepted as “just plain wrong”.

6. Tactic 4: Accountability politics - rhetorical entrapment -- get governments to say yes to things they can’t say no to and then get them to actually do those things they said they would. Make countries “be true to their word” or “walk the walk.”

7. Framing and discourse: Fancy words --- what do they mean?
   a) Core idea of framing -- that how we talk about things influences and is influenced by how we think about who we are (and who we want to be) and that, in turn, influences what we think we want to do and what we should do, and that in turn influences how we actually behave.
   b) Important point: states are not the only ones in control of how we talk about things
   c) Frame alignment and resonance -- using a particular frame because it links to other, already-accepted frames
   d) Causal stories -- the framing must lead to someone being blamed and therefore responsible for taking action (Keck and Sikkink, 1999, 99). Being convincing requires not too complicated.

F. Timing matters – windows of opportunity: “the issue fit the world views and beliefs of the Clinton administration, which was generally supportive of women's issues” (Joachim, 2003, 259).

G. Why it matters
   1. “Shared norms often provide the foundation for more formal institutional processes of regional integration” (Keck and Sikkink, 1999, 90).
   2. “promote norm convergence” that fosters integration
   3. “promote norm implementation” in terms of adopting new policies and monitoring compliance
   4. “changing the perceptions that both state and societal actors may have of their identities, interests and preferences, to transforming their discursive positions, and ultimately to changing procedures, policies and behaviour” (Keck and Sikkink, 1999, 90).

H. When will TANs emerge (Keck and Sikkink, 1999, 93).
   1. When domestic groups can’t get satisfaction from own government, so they seek outside channel to get satisfaction -- “boomerang’ pattern of influence characteristic of these networks”
   2. When ‘political entrepreneurs’ see networking as helping their goals
   3. When “international conferences and other forms of international contacts create arenas for forming and strengthening networks”

III. Institutional design hypotheses

<table>
<thead>
<tr>
<th>PROBLEM STRUCTURE</th>
<th>INSTITUTIONAL DESIGN</th>
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<tbody>
<tr>
<td>(Independent Variables)</td>
<td>(Dependent Variables)</td>
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<tr>
<td><strong>Conflict?</strong></td>
<td><strong>Institutional Type</strong></td>
</tr>
<tr>
<td>If both/all relevant actors prefer the outcomes of conflict more than any viable option for its resolution (Deadlock)</td>
<td>Will NOT form an institution, despite repeated efforts</td>
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<tr>
<td><strong>Capacities 1</strong></td>
<td><strong>Institutional Type, Membership and Primary Rule System</strong></td>
</tr>
<tr>
<td>If the CAPACITY to engage in BAD behavior depends on other actors</td>
<td>REGULATORY institution which LIMITS membership to states already capable of bad behavior AND COMMON obligations to ban behaviors that would allow others to engage in bad behavior</td>
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<table>
<thead>
<tr>
<th>Capacities 2</th>
<th>Institutional Type, Membership and Primary Rule System and Response System</th>
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<tbody>
<tr>
<td>If some actors lack the capacity to engage in good behavior (positive externalities plagued by incapacity)</td>
<td>Programmatic institution which expands membership to include donors and recipients and has differentiated obligations, with donors and recipients being required to do different things and response will involve capacity enhancements, not rewards or sanctions</td>
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<thead>
<tr>
<th>Incentives 1</th>
<th>Institutional Type, Primary Rule System and Response System</th>
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<tr>
<td>Coordination problem Up/Downstream problem Collaboration problem</td>
<td>Coordination: Regulatory institution with common obligations with no significant response system. Up/Downstream: Regulatory institution with differentiated obligations with response system based on linkage to other issues. Collaboration: Regulatory institution with common obligations with response system based on retaliation or &quot;reversion to status quo&quot;</td>
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<thead>
<tr>
<th>Incentives 2</th>
<th>Information System and Response System</th>
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<tbody>
<tr>
<td>If the incentives that states have to cheat on institutional rules are strong</td>
<td>Has clearly specified inspection rules and response rules. -- Inspection and response likely for collaboration and upstream/downstream but unlikely for coordination</td>
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<thead>
<tr>
<th>Information and Knowledge</th>
<th>Institutional Type, Information System and Response System</th>
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<tr>
<td>If actors lack information about consequences of good or bad behavior</td>
<td>Programmatic OR procedural institution with weak or non-existent information systems and response systems. Note: some problems can reflect multiple problems (e.g., some collaboration problems also have information problems)</td>
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<tr>
<th>Norms</th>
<th>Institutional Type and Response System</th>
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<tbody>
<tr>
<td>If the problem involves efforts by some to instill norms in others</td>
<td>Generative institution which does not rely on rewards, and relies on sanctions only if a strong pre-institutional norm against the behavior exists</td>
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<tr>
<th>Inherent Transparency</th>
<th>Information System</th>
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<tbody>
<tr>
<td>If easy for actors to get information about other actors’ behavior</td>
<td>Has weak or non-existent inspection procedures (same prediction as coordination but for different reason)</td>
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<tr>
<th>Response Incentives 1</th>
<th>Information System and Response System</th>
</tr>
</thead>
<tbody>
<tr>
<td>If states are very concerned about what happens if other states cheat</td>
<td>Has strong and specific inspection procedures. Has strong and specific response system OR allows states to leave institution easily</td>
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<tr>
<th>Response Incentives 2</th>
<th>Information System and Response System</th>
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<tbody>
<tr>
<td>If actors have weak incentives to respond if a violation occurs</td>
<td>Has weak or non-existent inspection procedures and weak or non-existent response procedures</td>
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IV. Environmental problems

A. Article was prompted by observation that all environmental problems are not alike and that, while many are Tragedies of the Commons, many are not.

B. Basic argument:
   1. Symmetric externalities (Tragedies of the Commons): all states prefer cooperation to status quo so enforcement via issue-specific reciprocity. Coercion/incentives possible but unnecessary.
   2. Asymmetric externalities (upstream/downstream): worse distribution and enforcement problems so need broader institution in sense that must link problem to some other area of exchange, either incentives or coercion. And whether incentives or coercion depends on power balance between up and downstream states.

C. Potential response strategies are three. BUT not all are available / viable for all problems
   1. Issue-specific reciprocity
   2. Coercion (negative linkage)
   3. Exchange (positive linkage)

D. Regulating the Fur Seal Trade: Symmetric/Tragedy of the Commons but Options
   1. US and Russia: land sealing; Canada and Japan: ocean (“pelagic”) sealing
   2. Typical Tragedy of the Commons
   3. Options for addressing
      a) Coercion (by US/Russia): possible but not in treaty
      b) Reciprocity (common obligations): all 4 countries reduce
      c) Exchange (positive incentives): C&J get 15% for free

E. Regulating Pollution of the Rhine: Asymmetric and only 1 option
   1. France/Germany polluting Rhine; Dutch being polluted
   2. Typical upstream/downstream problem
   3. Options for addressing
      a) Coercion (by Dutch): not possible (Dutch lack power)
      b) Reciprocity (common obligations): France/Germany reject
      c) Exchange (positive incentives): agreement only after cost-sharing proposed
   4. Risks of exchange: French “extortion”
   5. Institutional inertia: French, German, Swiss contribute to Dutch cleanup of IJsselmeer

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