

**TÜBINGER
ARBEITSPAPIERE
ZUR
INTERNATIONALEN
POLITIK UND
FRIEDENSFORSCHUNG**



Nr. 4

Volker Rittberger

**"Peace Structures" Through International
Organizations and Regimes**

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**ARBEITSGRUPPE
FRIEDENSFORSCHUNG**

**INSTITUT FÜR POLITIKWISSENSCHAFT
UNIVERSITÄT TÜBINGEN
MELANCHTHONSTRASSE 36
D 7400 TÜBINGEN 1
TEL. 0 70 71/29 64 63**

I.1

In recent years, peace researchers in Europe have emphasized again strongly the analysis of the possibilities and restrictive conditions of containing the confrontational elements in the East-West conflict and of transforming the conflict management in the direction of less offensive approaches. As a result, a new wave of books, articles and pamphlets emerged initiating and sustaining a "grand debate" about military strategy, the arms race and armaments dynamics, alternatives in security policy, and the like. This renewed scholarly concern about the East-West conflict can hardly be surprising for the peace research community has been alarmed - as most people in Europe have been - by the rapid and grave deterioration of the relations between the two superpowers beginning in the late seventies and accelerating during the first years of the Reagan Administration. This very justifiable interest in examining critically prevailing strategic concepts and in devising potentially less self-destructive security policies notwithstanding, peace researchers should heed Dieter Senghaas' warning against sharing a perspective on security and peace policy which reduces it to choices among strategic concepts and technological options. (Senghaas 1986, pp. 7 ff.)

By comparison, other topics of peace research have fared less well. Except for research on wars in the Third World, which has clearly expanded, North-South issues in general do not occupy center stage in the European peace research theater any longer. Similarly, peace research in Europe has not shown much interest lately in reinvigorating the analysis of international cooperation whichever its forms; put differently, existing cooperative mechanisms for conflict and crisis management have been ignored, by and large. Most conspicuously, the process of European integration, i.e. the building of an "amalgamated security community" (K.W. Deutsch) in Western Europe, is rarely, if ever studied by peace researchers as an example of building a "peace structure" in one world region which, historically, stood out for its tradition of warfare. By the same token, peace researchers do not seem to put much store in international, multilateral machinery for making collective choices - such as negotiations, conferences, organizations - as a method for advancing peace. In fact, these

elements of associative peace strategies - whatever their effectiveness in various contexts - have been, at best, an occasional topic in the peace research literature. (Czempiel 1986, pp. 82 ff.; Opitz/Rittberger 1986)

This is not to argue that peace researchers should refrain from getting involved in studying military-strategic aspects of security, examining the whole range of options already available in this field, and perhaps even putting forward still other alternatives. Nevertheless, the debate about peace policy, i.e. about building "structures of peace" would lead astray if it did not develop a broader horizon by giving a higher priority to the non-military foundations of peace policy. As part of re-introducing the politico-economic and institutional perspectives on peace policy peace researchers should take a careful look at the literature on "international regimes" which has grown substantially over the last five - ten years and which represents an interesting new research focus among U.S. political scientists and economists: It claims to offer a new approach promising to enlarge our knowledge about institutionalized cooperative responses to new collective situations impinging upon the security and welfare of states and their societies. (Keohane 1984; Keohane/Nye 1977; Krasner 1982; 1985; Ruggie/Haas 1975; Wolf/Zürn 1986)

It is suggested here that international organizations and regimes deserve serious consideration by peace researchers who do not equate "peace" with the "withering-away" of the state (as, e.g., Krippendorff 1985) or some other miraculous event or process. Since the state is here to stay and the conditions of "complex interdependence" are likely to prevail for the foreseeable future, meta-state mechanisms and institutions of policy coordination offer opportunities both for promoting and managing peaceful change - and for working against it. We shall be interested here in analyzing the conditions which would seem to facilitate putting such meta-state mechanisms and institutions to peaceful uses.

In order to illustrate the salience of institutionalized cooperation for building "peace structures" it may be helpful to refer to George Modelski's (1981, 1982) research on "Alternating Waves

of Innovations". It offers a model from which we can infer, normatively speaking, the functional necessity of creating equitable forms of cooperation in order to break out of the centuries-old cycles of global war and destruction.

This model is based on linking cycles of world hegemony defined by the prevailing distribution of over-all power in the international system with long-term economic fluctuations defined by periods of growth and depression. According to this model the history of the modern world-system can be analyzed in cyclical terms each cycle passing through four typical phases:

(1) The cyclical sequence begins with a global war caused by, and in turn causing, structural changes in the distribution of economic and political power in the international system. The end of this first phase is marked by the emergence of a hegemonic state (a "world power").

(2) The economic and political expansion of this hegemonic "world power" made possible by technical and social innovations tends to shape the second phase of the over-all cycle. At the same time, this phase also witnesses the spread of innovations and growth impulses from the hegemonic "world power" to other countries.

(3) The third phase is characterized by tendencies of world-wide economic stagnation, if not depression. These developments deprive the hegemonic "world power" of the abundance of resources which enabled it to maintain "order" with non-coercive means. It is an era of delegitimation in which competitors for hegemonic status as well as disadvantaged states become increasingly reluctant to continue their acceptance of the "rules of the game".

(4) In the final phase of the over-all cycle a further deconcentration of economic and political power in general and the relative status decline of the hegemonic "world power" in particular render the international system increasingly volatile. Technological-economic innovations which may occur in this phase tend to strengthen challengers without diminishing the over-all disparities existing in the international system. At the end of this phase and, thus, of the over-all cycle a new global war sets the stage for the next act in the history of the modern world-system.

Considering the physical limits to repeating this cycle after another global war today and assuming that the awareness of this condition is wide-spread among the world's policy-making elites, it is more than an abstract academic exercise if one opposes an alternative "peace cycle" to the traditional "war-cycle"-history of the modern world-system.²

Without relying on this model too schematically it serves to pinpoint nonetheless that the present international system needs a variety of institutionalized cooperation which mitigates the competition for power and wealth and the consequences deriving from the disparities in the distribution of these assets. Put differently, breaking out of the war-cycle and entering into a peace-cycle requires not only normative-institutional mechanisms of coordination and compensation such as international organizations and, more specifically, international regimes, but a process of meta-state institutionalization which satisfies criteria of both procedural and substantive fairness.

II.

Since this paper addresses itself to studying the interrelationships between building "peace structures" and the functioning of international organizations and regimes, it is necessary to explicate briefly the concept of peace as it will be used here. What do we mean by "peace"? (Rittberger 1985)

"Peace is more than no war!" - a commonly used phrase to which most peace researchers would be willing to subscribe. If "peace" is to represent something more than a no-war condition, how is this "more" to be defined? However, "peace" is sometimes said to be something else than no war, e.g. social justice; if so, does the achievement of peace defined as social justice require and justify the resort to arms (if all other means fail)? If "peace" is more than no war or even something else than no war, what is it? The unconditional negation of armed struggle and warfare or their conditional acceptance "to end all wars", i.e. to further the creation of a just society?

As is well known, the problems of conceptualizing "peace" have been given a starkly polarized expression by the terms: "negative" peace and "positive" peace. Peace researchers are well aware of the tension which obtains between the two types of peace thinking and which flows from using exclusively one or the other of these concepts. They pose an old dilemma: Conceiving of peace as including a categorical denial of collective physical violence opens itself to the charge of legitimating a "graveyard's peace"; conversely, equating peace with the achievement of social justice may be seen as actively sponsoring doctrines (and policies) of bellum justum. Yet, the rationale of peace research is certainly not to suggest opting out of this dilemma by reducing the complexity of peace thinking and peace policy. Peace research is better served by insisting that both negative and positive peace are twin values the joint achievement of which represents its fundamental "prejudice".

However, the joint achievement of negative and positive peace remains an abstract postulate if the apparent incompatibilities between the two concepts cannot be reduced or overcome. This prompts us to look for a missing conceptual link which would inter-connect both concepts. This inter-connection can be established by introducing the concept of peaceful conflict regulation. It refers to a normative-institutional framework for making collective decisions in which participants' strategies are not subjected to any form of direct violence and in which decision rules apply to which rational actors would freely agree. Put differently, peaceful conflict regulation refers to making collective decisions based on procedural fairness.³ Peaceful conflict regulation thus represents a link between negative and positive peace inasmuch as it facilitates reaching collective decisions about (positive) values such as liberty and justice without the use or threat of physical force and without an in-built bias discriminating arbitrarily between various categories of actors.

To further clarify the meaning of peaceful conflict regulation, another conceptual distinction will be introduced at this stage, i.e. the notion of effective conflict regulation. It refers to any kind of authoritative collective decision-making in an issue-area following decision rules and procedures which do not

satisfy standards of procedural fairness yet have been agreed to by actors under pressure but without being coerced. Put differently, these decision-making processes usually reveal strong in-built biases reflecting the power and wealth differentials among the participating states. The conceptual distinction between peaceful and (merely) effective conflict regulation appears necessary since it is conceivable that enlightened dictatorships in new, heterogeneous nations or hegemonical alliances between unequal, yet - in certain respects - close partners may lead to at least some desirable outcomes as far as the achievement or distribution of positive values (security, welfare) is concerned. However, such results being essentially imposed rather than negotiated, or achieved by any other method of authentic consensus formation, fall short of fulfilling the prerequisites of peaceful conflict regulation.

The basic argument underlying these conceptual explications runs as follows: Negative peace achieved or maintained between countries (and within them) needs to be based on the reliable operation of peaceful conflict regulation between (and within) them lest it turns out to be a hollow peace. The durable absence of collective physical violence between and within nations (including the absence of organized repression by state agencies) will not be possible if people and nations lack the recourse to mechanisms and institutions for regulating conflicts in any number of issue areas which operate according to rules of procedural fairness.

Such rules and procedures of collective decision-making will be considered legitimate, however, not only because, and to the extent to which, they foster negative peace and avoid "bias" or arbitrariness in the process of decision-making. Their legitimacy will also hinge upon their capability of facilitating policy initiatives aiming at achieving the allocation of values (satisfaction of human needs, protection of human rights, etc.) satisfying criteria of substantive fairness.⁴ However, by their very nature as consensus-based rules and procedures these mechanisms and institutions of peaceful conflict regulation will, more often than not, produce outcomes which transcend status quo conditions without ever satisfying the aspirations toward effecting a radical

departure from them. The price of peaceful conflict regulation almost invariably includes foregoing the option of revolutionary change while enhancing, though not guaranteeing, the opportunities for furthering structural adaptations which tend to reduce pre-existing inequities.

If the preceding conceptual explications and their underlying theoretical rationale are valid, then it may seem justified to conclude that the existence of a normative-institutional framework for peaceful conflict regulation constitutes an integral part of any "peace structure" which is characterized, moreover, by a "satisficing" joint achievement of both negative and positive peace. - Against the backdrop of this attempt at defining the dependent variable of the present paper its purpose can be stated more precisely: Do international organizations and regimes represent elements of a normative-institutional framework for peaceful conflict regulation and, if so, under what conditions?

III.

Earlier, Modelski's model of "Alternating Waves of Innovation" was introduced as a device for pinpointing the functional necessity of creating "fair international regimes". The following section will be devoted to discussing their feasibility. We proceed by taking a close look at some prominent contributions to the recent scholarly debate about international regimes.

Stephen Krasner (1985, p. 4) refers to "international regimes" as a set of "principles, norms, rules, and decision-making procedures around which actor expectations converge. Principles are a coherent set of theoretical statements about how the world works. Norms specify general standards of behavior. Rules and decision-making procedures refer to specific prescriptions for behavior in clearly defined areas. For instance, a liberal international regime for trade is based on a set of neoclassical economic principles that demonstrate that global utility is maximized by the free flow of goods. The basic norm of a liberal trading regime is that tariff and non tariff barriers should be reduced and ultimately eliminated. Specific rules and decision-making procedures are spelled out in the General Agreement on Tariffs and Trade."

In addition to the definition given by Krasner a detailed explanation of the concept of international regime provides the following elements filling out the full scope of its meaning (Wolf/Zürn 1986, p. 204 f.):

(1) An international regime as defined above covers one issue area. The concept does not exclude the existence of several regimes in different issue areas which may interact with one another and which may be characterized by substantially the same principles and norms.

(2) A normative-institutional arrangement to be recognized as an international regime needs to develop durability as well as a modicum of autonomy vis-à-vis the constellation of power and interest from which it originated. Put differently, international regimes presuppose that state actors (and perhaps politically relevant non-state actors, too) are prepared to comply with their norms and rules while foregoing the option of achieving short-term gains at the expense of others; i.e., a habit of non-cheating must prevail among the participants.

(3) Effectiveness is another condition for an international regime to be fulfilled. Even though deviating behavior does not jeopardize per se the validity of norms and rules, the balance between observance and infraction must be such that deviations remain the exception and compliance the behavior pattern which the participants can reliably expect from each other. Effectiveness may be enhanced if a particular regime facilitates the detection of "cheating".

(4) International regimes originate in areas of international policy-making in which isolated (un-coordinated) decision-making by state actors (behaving rationally by following current cost-benefit calculations) would yield suboptimal outcomes both individually and collectively. Thus, international regimes represent a normative-institutional framework which gives rise to behavior patterns which are different from what they would be if the "natural" constellations of power and interest remained unbounded.

International regimes and international organizations are not identical, yet they belong together as they overlap very frequently. Going back to Krasner's definition of an international regime it can be seen that the elements "rules" and "decision-

making procedures" are usually represented, in reality, by one or more international organizations with mandates pertaining to the issue area covered by a regime. Moreover, international organizations have often been a source for creating or adapting international regimes; they can thus be called "regime-generating or -adapting policy-making systems". (Cf. Hauser 1986; Rittberger/Wolf 1985)

Of course, international regimes can come into existence by a myriad of methods (Faupel 1984). For instance, multilateral, global or regional conferences have stood sponsor of international regimes or have given an explicit foundation in international law to nascent, informal regimes. Such a move, in turn, has often led to the establishment of an international organization specialized in collecting and disseminating pertinent information, supervising the compliance with the regime's rules, extending technical assistance to one or another group of participants, and even examining, from time to time, the need for adapting its legal basis (wholly or in part). As a consequence, there is no one-to-one relationship between international regimes and international organizations; yet, if an area of international policy-making is covered by a regime, it is safe to assume that one or more international organizations are active in it. The reverse does not hold, however; there are few international organizations which perform necessary functions for more than one regime at the time - and some international organizations do not engage in any regime-related activity at all. Summing up, it can be stated that international regimes and international organizations represent elements of a normative-institutional framework for conflict management short of using, or threatening to use, physical force. It remains to be seen whether or not they also represent components of an evolving "peace structure" among nations.

Rational decision-making-models are the starting point of most academic work on international regimes. Aside from tackling conceptual problems the debate about international regimes mainly focussed on the question of how regimes came into being. More precisely, this question has been phrased as follows: In which overall power configuration or issue-area-specific power configuration of the international system do international regimes

emerge? A widespread answer has been given by formulating the "Theory of Hegemonic Stability" (Kindleberger 1973, Krasner 1976, Keohane 1980).

This theory is based on Olson's (1965) work about the production of "collective goods". Collective goods are defined by two characteristics. First, the consumption of collective good implies no rivalry, i.e. if a collective good exists, the consumption of the good by actor A does not diminish the possibility of consuming it for actor B. Secondly, nobody can be excluded from the consumption of collective goods, i.e. in case a collective good exists, everybody can consume it. These two characteristics imply that it appears rational for every sovereign actor to attempt to have a "free ride" and to have others pay for the costs of producing the collective goods in question.

As a consequence, it is argued, collective goods cannot be produced in an environment in which "anarchy" prevails. Therefore, collective goods can be produced only by a central authority or by extremely dominating actors. Proceeding from the assumption that international regimes in general provide collective goods (for a critique of this assumption c.f. Russett 1985 and Snidal 1985), the theory of hegemonic stability suggests: In an international system which is characterized by anarchy international regimes can be created only by a hegemonic power, and the stability and durability of international regimes presuppose that the hegemonic structure of the international system remain in place. Thus, this theory seems to exclude the possibility of creating "fair" international regimes which have been said to be crucial to peaceful conflict regulation.

As several case studies have shown, the theory of hegemonic stability is capable of explaining the creation of international regimes particularly in economic issue areas, yet it cannot account for the fact that existing international regimes do not dissolve if and when the power of the hegemonic state declines. To be sure, international regimes are likely to change if the relative power of the hegemonic state declines, yet this change does not necessarily imply a demise of the regime - a consequence to be expected on the basis of the theory of hegemonic stability. Con-

fronted with this explanation gap regime analysis had to solve the puzzle of why existing international systems provide a normative-institutional framework for fostering and stabilizing cooperation in their respective issue-areas despite the absence of an uncontested hegemonic power.

In order to solve this puzzle, Robert O. Keohane (1984:85 ff.) introduced the "Coase Theorem" into the analysis of international regimes. Coase argues that collective problems arising from the collective situation of "market failure" (generation of externalities such as pollution or non-production of collective goods such as defense) can be solved without relying on a central authority. Adapting this proposition to the level of the international system it can be rephrased as follows: collective goods can be produced without the existence of a world government or a hegemonic power.

"To illustrate the Coase theorem and its counter-intuitive result, suppose that soot emitted by a paint factory is deposited by the wind onto clothing hanging outdoors in the yard of an old-fashioned laundry. Assume that the damage to the laundry is greater than the \$20,000 it would cost the laundry to enclose its yard and install indoor drying equipment; so if no other alternative were available, it would be worthwhile for the laundry to take these actions. Assume also, however, that it would cost the paint factory only \$10,000 to eliminate its emissions of air pollutants. Social welfare would clearly be enhanced by eliminating the pollution rather than by installing indoor drying equipment, but in the absence of either governmental enforcement or bargaining, the egoistic owner of the paint factory would have no incentive to spend anything to achieve this result. It has frequently been argued that this sort of situation requires centralized governmental authority to provide the public good of clean air. Thus if the laundry had an enforceable legal right to demand compensation, the factory owner would have an incentive to invest \$10,000 in pollution control devices to avoid a \$20,000 court judgment. Coase argued, however, that the pollution would be cleaned up equally efficiently even if the laundry had no such recourse. If the law, or the existence of a decentralized self-help system, gave the factory a right to pollute, the laundry owner could simply pay the factory owner a sum greater than \$10,000, but less than \$20,000, to install anti-soot equipment. Both parties would agree to some such bargain, since both would benefit." (Keohane 1984: 85 f.)

Inspecting the example used by Coase to illustrate his argument more closely, it becomes obvious that the cooperation between the two actors will only be forthcoming if three prerequisites are

fulfilled which, however, are not met by the international system in a state of anarchy: (1) There is sufficient communication among partners. (2) There exists an authoritative system for establishing property rights and liability for action. (3) The transaction costs for the negotiations between the two firms are zero or at least very low.

Keohane argues that international regimes can contribute to the fulfillment of these three prerequisites for cooperation between sovereign actors coexisting in an environment without a central authority. Inverting the "Coase theorem" Keohane argues that international regimes are created and maintained by states for their anticipated effects of establishing property rights and rules of liability, providing a sufficient two-way flow of information, and reducing transaction costs.

ad (1): International regimes increase the exchange of information between the participants simply because they generate regularized interactions; moreover, they involve the creation of a network for specialized information gathering and exchange, as e.g. in the case of "confidence-building-measures" according to the CSCE Final Act, or the adaptation of an international organization charged with the generation of information, as for instance in the case of IAEA's safeguards.

ad (2): Interactions within an anarchic environment are characterized by the fact, that there is no binding law, rather the opposite: everyone acts according to his (her) own determination of right or wrong. Obviously, international regimes cannot create a legal framework comparable to national law. But they provide a kind of "quasi-law" in the form of mutually agreed "rules of the game", which allow for a certain measure of trust that the rules will generally be complied with, and which contribute to the convergence of actor expectations. Put differently, international regimes provide a functional equivalent for an authoritative legal system, which we can call "quasi-law", "rules of the game", or "codes of conduct".

ad (3): International regimes decrease transaction costs by providing permanent transaction channels. This, too, increases the probability of cooperation.

In order to show that international regimes provide a normative-institutional framework for fostering and stabilizing cooperation in a given international issue-area even after the relative power of the regime sponsoring hegemonic state has declined, the game-theoretical model of "prisoners' dilemma" can also be used. It deals with collective situations which produce suboptimal results, if actors follow their individual strategic rationality, and it points to cooperation as a rational optimization strategy. This game-theoretic model is used to demonstrate that issue-areas regulated by international regimes have known collectively better outcomes than issue-areas in which ad-hoc cooperation, or no cooperation at all, have prevailed.⁵

(1) "What makes it possible for cooperation to emerge is the fact that the players might meet again. This probability means that the choices made today not only determine the outcome of this move, but also can influence the later choices. The future can therefore cast a shadow back upon the present and thereby affect the current strategic situation." (Axelrod 1984, p. 12)

The probability of future cooperation increases with the availability of a normative-institutional framework which can provide for a certain durability and calculability of interactions in a given action space. The reason is that present and future have become interdependent for every actor looking rationally at his (her) decision situation. In Axelrod's words "the shadow of the future lengthens"; in this way the costs of non-cooperation are raised.

(2) Cooperation under conditions of "prisoners' dilemma" will obtain only if and when both players expect the other to cooperate. It follows that convergent expectations are a crucial prerequisite for cooperation in such a situation. Thus, the relevance of international regimes for cooperation rests on their capabilities of generating convergent expectations among participants by pro-

viding easily recognizable "rules of the game" which are the more freely accepted the less biased they are, i.e. the less arbitrary discrimination among participants ("players") they involve.

(3) The brief discussion of the "Coase theorem" already showed the necessity of information in order to achieve optimal outcomes in collective situations of anarchy. With the help of the game-theoretical model of "prisoners' dilemma", it can be demonstrated further that increased information tend to foster cooperation in such situations:

(a) The possibilities for "cheating" will be less and, therefore, the likelihood of attempting it, too.

(b) Misinterpretations of the other side's behavior will occur less frequently; thus, the probability of refusing to cooperate because of misperceptions will be lower.

(c) Meta-communication among participants about the constraints inherent in a situation of "prisoners' dilemma" will be facilitated which, in turn, sensitizes for the pitfalls of "sovereign" cooperation.

To sum up these arguments in the briefest way possible, international regimes once established foster and stabilize international cooperation because of their functional utilities for sovereign states:

- (1) International regimes improve the communication among the potential participants by (a) decreasing the probability of cheating, (b) decreasing the probability of misperception and increasing mutual trust, and (c) providing a forum which allows for meta-communication about collective dilemmas.
- (2) International regimes provide "rules of the game", which
 - (a) make expectations about the mutual behaviour convergent and
 - (b) provide a functional equivalent for an authoritative legal system.
- (3) International regimes provide a framework for transactions which (a) decrease their costs and (b) increase the costs of non-cooperation by "lengthening the shadow of the future".

It is suggested that international regimes foster international cooperation in the sense that they contribute toward reducing constraints which are characteristic of interaction between "sovereign actors" by introducing a different set of constraints which follow from the characterization of international regimes as functional equivalents to central authority. This "realistic" perspective on international regimes takes the existence and continuation of the nation state system for granted; however, it does not rule out the emergence of a functionally diversified normative-institutional superstructure constraining states to adopt cooperative approaches to international policy-making.

The argument presented so far requires to two caveats:

(1) Even though it has been shown that international regimes can continue to exist in an issue-area no longer dominated by a hegemonic power, this does not prove in and by itself that "fair" international regimes are possible. Put differently, even if international regimes, and international organizations as parts of them, do foster cooperation among nations, it does not follow that this cooperation is conducive to building "peace structures". Cooperation leading in the opposite direction is by no means inconceivable and has been practiced by states time and again.

(2) It has been at the level of theoretical reasoning only that international regimes and organizations have been shown to foster cooperation among nations; it is not clear whether empirical evidence supports this theoretical proposition.

The final section will be devoted to examine, albeit briefly, the consequences of international regimes and organizations for enhancing both negative and positive peace; this examination will validate (or invalidate), at the same time, their earlier characterization as a normativ-institutional framework for peaceful conflict regulation.

IV.

A. Negative Peace

The most striking innovation at the level of principles and norms for state conduct in this century has been the delegitimation of ius ad bellum and the demise of doctrines of bellum iustum. This development has been furthered and given expression by the Charter of the United Nations and a host of other international legal instruments. Art. 2, para. 4 of the Charter reads:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

However, it should not be overlooked that the U.N. Charter itself as well as subsequent U.N. practice provide for three exceptions to the general principle of prohibiting the threat or use of force in inter-state relations: One exception, and the most sweeping in practice, represents the right to individual and collective self-defense (Art. 51). The enforcement measures under the Charter's collective security provisions (Chap. VII) are another lawful exception even though they have proved to be largely impracticable. Finally, armed struggle against colonial and Apartheid-rule in situations where the colonial powers or Apartheid-rulers have consistently defied U.N. resolutions mandating peaceful change have been considered a justifiable exception to the general principle of the non-use of force. Yet, it would amount to an over-interpretation of these exceptions if they were thought to indicate a resurgence of widely accepted doctrines of bellum iustum. On the contrary - and the large number of local wars since 1945 notwithstanding -, it appears that opposition to warfare and, thus, its delegitimation have been growing, particularly in countries which, traditionally, have been prone to armed conflict and between countries which display essential features of democratic rule. (Garnham 1986)

It is undoubtedly true that the prohibition of the threat or use of force in inter-state relations shares the fate of norms in general; i.e., that compliance by its addressees is not automati-

cally assured. Moreover, enforcement mechanisms at the international level are relatively weak, if they exist at all. Yet, this does not preclude the recognition of a normative principle as valid. Still, we cannot assume the existence of a no-use-of-force regime in international affairs. At best, we may think of a nascent regime taking into account the propositions advanced in neo-realists' writings about "complex interdependence" that military power has become inappropriate for dealing with issues which do not directly affect the status, the internal regime, or the territorial integrity of a country. In other words, the principle of no-use of force already applies in most issue areas excepting security matters strictu sensu.

Several international organizations and the United Nations, in particular, have been involved in collective efforts to prevent the outbreak of war, or to put an end to hostilities, through a variety of peace-keeping methods. In general, military and non-military enforcement measures, approaches to the pacific settlement of disputes as well as the use of peace-keeping forces did not prove to be effective instruments for strengthening negative peace. (Cf. e.g., Väyrynen 1985) In a recent quantitative study Ernst Haas (1983) demonstrated the low rate of successful intervention by international organizations, in international disputes, and he even concluded that the rate of success had actually declined since the end of the 1950s (see 1983:204). Again, these findings must be put into perspective; this means that in many issue-areas, e.g. foreign investment, international disputes, if they arise and involve governments, are no longer settled by the use of military force as was the case in the age of "gun-boat diplomacy".

There remains the question of international security regimes which are less comprehensive than a no-use-of-force regime, yet are capable of enhancing the likelihood of strengthening at least one aspect of negative peace, i.e. the prevention of nuclear war. At first sight, one is struck by the scarcity of international regimes in an issue-area such as security which seems to need them most. However, this fact can be explained, by and large, by the structural and behavioral constraints operating in this issue area: The conditions of "prisoners' dilemma" are much more pro-

nounced and cooperation appears to carry high risks since a "wrong" move may put the very existence of an actor in jeopardy. (Jervis 1982, p. 174)

Nevertheless, it would be inappropriate to dismiss the existence and importance of a number of security regimes with limited scope:

(1) The most significant of those is represented by the non-proliferation regime which, so far at least, has helped to prevent the spread of nuclear weapons. The normative-institutional framework through which it operates consists of the IAEA, the NPT as well as the informal arrangements of the Suppliers' Club.

(2) Another case coming under this heading may be called a crisis-management and -prevention regime based on the various "hot-line"-agreements, the declaration on "Basic Principles of Relations between the United States of America and the Union of Socialist Soviet Republics" (1972), the "Agreement on Prevention of Nuclear War" (1973) and the provisions of Basket One of the CSCE Final Act (1975). Since this regime originated in the era of East-West detente, it may have weakened due to the crisis of detente.⁶

(3) As a third example of a restricted security regime one might identify the denuclearization regime(s) of the global commons, albeit with considerable loopholes in the case of the oceans and outer space.

It should be noted that these limited security regimes have one characteristic in common: they are rooted, more or less, in the "bigemonic" overall power structure of the international system with the United States and the U.S.S.R. controlling most of the relevant resources. While these regimes can lay claim to a certain measure of effectiveness in enhancing negative peace, they exact a price, particularly from the non-nuclear participants, in terms of non-reciprocal losses of autonomy.

Summing up this section it can be stated that the consequences of international regimes and organizations for enhancing negative peace are not easily ascertained. Obviously, a comprehensive global security regime does not exist; at the same time, the resort to arms has vanished from issue-areas where dispute settlement

through the use of force has been commonplace less than a century ago. International organizations have had limited success, at best, in preventing wars from actually breaking out, in ending ongoing hostilities, and in advancing the pacific settlement of disputes involving security matters strictu sensu. A small number of international security regimes limited in scope can be said to function more or less effectively: While they contribute to international cooperation as regards the prevention of nuclear war, their decision rules and procedures do not, in most cases, fulfill the prerequisites of peaceful conflict regulation.

B. Positive Peace

International organizations and regimes can be said to assist in enhancing positive peace to the extent to which they provide for peaceful conflict regulation. If they do they represent the normative-institutional framework for an evolving "peace structure". It bears repeating that peaceful conflict regulation refers to processes of collective decision-making in which participants' strategies are not subjected to physical force and which follow decision rules and procedures to which rational actors would freely agree.

The American scholarly debate about international regimes often takes the Bretton-Woods institutions as well as GATT as its reference cases to illustrate the stability- and welfare-generating potential of "liberal" international regimes supported by a hegemonic actor - in this instance, the United States. However, since both IMF and the World Bank group apply starkly discriminatory decision rules and procedures they fall short, by definition, of being a framework for peaceful conflict regulation while they may qualify as effective international policy-making systems. Adapting the "difference principle" of John Rawls' theory of justice (in the sense of substantive fairness) to the purposes of this study one might say: International regimes and organizations qualifying as components of an evolving "peace structure" are those in which "social and economic inequalities are to be arranged so that they are ... to the greatest benefit of the least advantaged". (Beitz 1979, p. 151) To all accounts, the inequalities built into the Bretton-Woods institutions and regimes

do not disproportionately benefit developing countries. At least as far as the international monetary regime and IMF are concerned it is an open question whether developing countries derive any long-term benefit at all from participating in them. Thus, there is no convincing new evidence suggesting that the Bretton-Woods institutions and regimes have become more readily part of an evolving "peace structure" than was the case more than a decade ago. (Cf. Rittberger 1973)

As examples of international regimes and organizations approximating more closely the ideal of peaceful conflict regulation than the ones mentioned above one may cite:

(1) The ICAO-based international civil aviation regime which provides smaller developed as well as developing countries with a fair opportunity of getting access to the international air transport market. The origins of this regime go back to 1919 when at the Paris Conference, the "Aeronautical Commission" elaborated a convention which recognized the unlimited sovereignty of states over the airspace above their territories. At the end of World War II the International Civil Aviation Organization (ICAO) was founded, which provided a mechanism for the institutionalization of the state-centered civil aviation regime. The old civil aviation rules were reaffirmed by the Bermuda agreement in 1946. Even though some liberal provisions were included in the agreement (particularly with respect to transit rights) "... both the Chicago Convention and the Bermuda Agreement reaffirmed the basic principle that states had sovereign control over the airspace above their territories.

At the beginning of the postwar period, the Third World thus encountered an international regime for civil aviation based on the authoritative allocation of resources. States negotiated routes directly, and had the final right of approval for fares. States had the right to designate private actors in the system. Moreover, the accepted norm for the Chicago-Bermuda regime implied that national airlines had the right to 50 percent of the passenger load generated within their home country." (Krasner 1985:200 f.).

Thus, the civil-aviation regime seems to provide procedural fairness. Moreover, it is hardly surprising that the distribution of material benefits in this issue-area has turned out to be roughly equitable (Krasner 1985:202 ff.).

(2) In the issue area of transnational communication no comprehensive international regime has yet come into existence. Instead, narrowly defined issue-areas are dealt with separately in international policy-making. For instance, the flow of news, TV-programs and transnational data is not regulated by any regime. Rather these interactions are mostly controlled and coordinated by crude market- and power mechanisms (Zürn 1986:156 ff.) The same applies to remote-sensing activities. Not surprisingly the distributional outcomes in these non-regulated issue-areas are highly inequitable. Yet, with respect to the use of Direct-Broadcast-Satellites and the distribution of satellite-positions in the geostationary orbit international regimes seem to emerge which come close to satisfying the criteria of peaceful conflict regulation: Both incipient regimes provide for procedural fairness in the decision-making process by using the framework of ITU in which the one-state, one-vote rule applies.

A measure of substantive fairness is achieved by restricting satellites put into the geostationary orbit to using only very high frequencies. Thus the use of lower frequencies, particularly by developing countries, for earth-based communication is not infringed upon. Moreover, ITU policy-making processes regarding the geostationary orbit have sought to prevent the establishment of a user regime on the basis of the "first-come, first-served" principle; rather, it has tended to make allowances for technological late-comers. In the field of direct-broadcasting satellites the requirement of "prior consent" by potential receivers has been recognized. This provides every country, and the technologically less advanced countries in particular, with the possibility of negotiating participation in programming. (Cf. Zürn 1986)

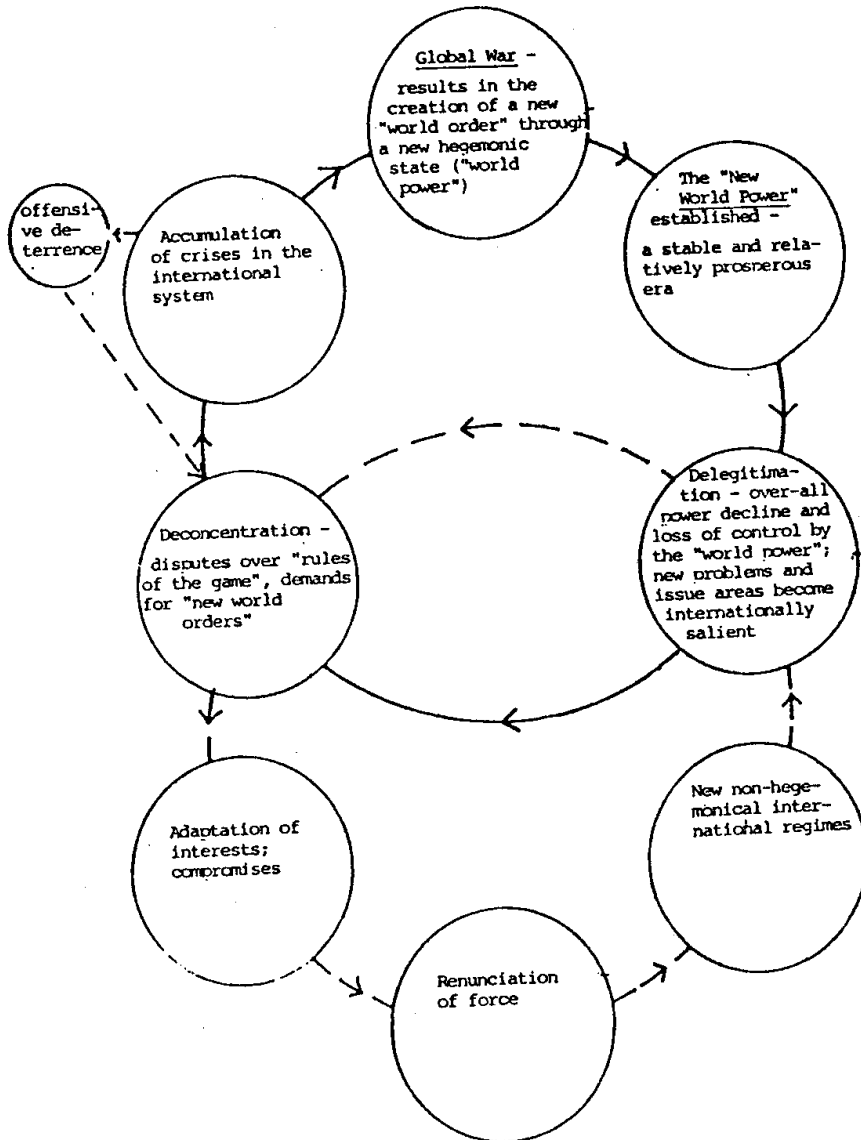
(3) The issue-area of ocean uses was to be regulated by a comprehensive international regime. However, the regime of ocean uses agreed upon at UNCLOS III has not yet taken effect. (Wolf 1981; Wolfrum 1984) In case this regime will come fully into exi-

stence, it can be stated that the regime would represent a bold step ahead in providing for more equitable uses of the global commons. One element of this would-be-regime in particular - the international seabed regime - incorporates the requirements of peaceful conflict-regulation to a very large extent. The seabed regime would approximate criteria of procedural fairness because its decision rules seek to prevent "automatic victory" for either developing or developed countries. Furthermore, the regime seeks to promote substantive fairness by distributing user fees charged for seabed mining operations to developing countries. However, both the international power distribution among the users of ocean space and the structure of the collective situation as regards deep sea mining may continue to render this would-be-regime ineffectual for some time to come.

The preceding analysis suggests that the possibility of peaceful conflict regulation in international politics cannot be ruled out. It has been shown that international regimes, and international organizations insofar as they facilitate their institutionalization, can be conducive to building peace structures; put differently, some of them fulfill basic requirements of procedural and substantive fairness. The examples of the civil-aviation regime, the regimes of DBS-application and of the geostationary orbit, and the ocean-regime suggest that the creation of peace-building-regimes is possible. - To return to our starting point: peace researchers should invest greater efforts in ascertaining the conditions under which such international regimes emerge, persist and expand; and they should help devise strategies of promoting conditions which may be conducive to peace-building international regimes.

1 The author wishes to thank Michael Zürn for his valuable assistance in preparing this paper.

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3 By procedural fairness we mean the application of certain rules to decision-making about the allocation of values such as the rule of consistency or the rule of representativity; the purpose of these rules is to exclude "bias" or arbitrariness in the decision-making process and, thus, to enhance the acceptance of both the process itself and its outcome. (Bierbrauer 1982; Luhmann 1975).

4 Substantive fairness refers to rules for the equitable allocation of values. One conceptualization is provided by John

Rawls through his "difference principle" which sets one single standard for evaluating allocative decisions. An alternative would consist in a multidimensional concept of substantive fairness (distributive justice) which takes an empirical approach toward ascertaining the criteria for evaluating allocation processes - such as the rule of proportionality, the rule of equality, or the rule of need. (Bierbrauer 1982) It should be obvious that consensus about standards of distributive justice, or substantive fairness, is less easily achieved than about rules of procedural fairness. However, procedural fairness sets the stage for decision-making processes in which all rules of substantive fairness will be considered, and which may thus enable the participants to reach fair compromises.

- 5 The following could also be demonstrated on the basis of other game-theoretical models (e.g. "Dilemma of Common Aversions", cf. Stein 1983). Indeed, the list of advantages of international regimes in overcoming collective dilemmas might be expanded by adding the results of all these possible analyses. However, this is not within the scope of this paper. Game-theoretical models have also been used to explain the creation of international regimes by referring to the structure of collective situations (Oye 1985, Zürn 1986). This kind of explanation represents an alternative to the theory of hegemonic stability since it explains regime-creation without referring to power-constellations in an international issue-area.
- 6 In a personal communication, Alexander L. George pointed out to me that the Nixon-Breshnev Agreements of the early 1970s have had little, if any standing with the Reagan Administration whereas President Carter had reaffirmed U.S. commitment to the Basic Principles Agreement during the Vienna meeting with Breshnev 1979. Neither the Geneva nor the Rejkjavik Summits produced any reference to the Basic Principles Agreement.

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