

## **RESPONSE TO "INTERPLAY: EXPLORING INSTITUTIONAL INTERACTION"**

**(THOMAS GEHRING/SEBASTIAN OBERTHÜR)**

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Gehring and Oberthür have identified an immense range of research that involves institutional interaction. And, they rightly ask what is the "empirical relevance of institutional interaction"? The authors make compelling arguments that institutional interaction is a central but often overlooked feature of the institutional landscape involved in addressing global environmental change. This memo addresses one aspect of their approach, namely, the defining of institutional interaction as any case in which "institutions affect other institutions" (3).

Gehring and Oberthür's broad definition, while perhaps semantically accurate, proves analytically less useful than a more narrowly focused definition. As they themselves note, "the highly fragmented institutional landscape of international environmental governance generates an overwhelming amount of cases of inter-institutional interaction." Indeed, if we are interested in interactions not only among international institutions (international horizontal interplay) but also among domestic institutions (domestic horizontal interplay) as well as between international and domestic institutions (vertical interplay), then the term "overwhelming" only begins to cover it! To define the research agenda to cover all such interactions among institutions seems to be insufficiently discriminating, with the likely result being that future IDGEC research energy in this area is dissipated rather than concentrated.

Gehring and Oberthür thoroughly delineate the array of analytic cuts made by those working on the institutional interplay research program. The results of that review of important literatures could be more effectively prioritized and simplified as revolving around three major questions:

- How do interactions among institutions generate outcomes and impacts that differ from those we would expect in the absence of those interactions?
- How do existing institutions influence the structure of other institutions?
- When institutions or affected actors recognize institutional interplay is creating conflicts or generating synergies, how do those institutions or actors attempt to resolve those conflicts or protect and reinforce those synergies?

While there are a range of other questions that Gehring and Oberthür identify as of interest and potentially central to the institutional interplay research agenda, these three present the areas most likely to be fruitful in the future and most central to their main concern with the "empirical relevance" of institutional interaction. Most other questions, including much of the research into institutional interplay among domestic institutions and between domestic and international institutions can be and/or is being addressed by existing research programs. The rest of this comment elaborates the three questions in more detail.

**How do interactions among institutions produce outcomes and impacts different than we would expect in the absence of those interactions?**

As Gehring and Oberthür note, much of the extant literature on institutional interaction uses the regime/institutional effectiveness literature as its foundation. The crucial analytic distinction that must be made in this research in the future involves distinguishing four sources of outcomes and impacts, i.e., the influence of one institution (institution A), the influence of the other institution (institution B), the influence of the interaction between those institutions, and the influence of non-institutional factors. Careful identification of the influence of institutional interaction, and avoiding the erroneous attribution of various outcomes and impacts to such interactions, suggests conducting our analyses in the following way:

- First, explaining as much as possible of observed outcomes and impacts by reference to non-institutional factors.
- Then, determining how taking account of institution A increases the analysis' explanatory power,
- Then, determining how taking account of institution B increases the analysis' explanatory power,
- Then, clearly identifying what interactions between A and B has occurred,
- And only then, determining how taking account of that interaction increases the analysis' explanatory power.

Giving the "benefit of the doubt" to other potential determinants of outcomes and impacts is a pre-requisite to building a solid base for claims that "institutional interaction matters."

Whether quantitative or qualitative, positivist or interpretivist, methods are used, the strongest case can be made for the influence of institutional interaction on a foundation that shows that no other factors can explain what we observe.

### **How do existing institutions influence the structure of other institutions?**

A crucial second influence of institutional interaction that Gehring and Oberthür note is that institutions often influence the design and structure of other institutions. That is, institutional interaction may influence institutional design. As they note, this has been a less frequent focus of attention. Although certainly an important area of research, there are a variety of difficulties in terms of distinguishing what warrants IDGEC-related interest here. Thus, in the international realm, the design of any given international treaty or convention often reflects the influence of prior agreements. In some cases, these may be as meaningless as the simple "cribbing" of language regarding amendment or membership provisions from one agreement for

a subsequent one. In others, the relationship may be far more important, as in the very important role that the first Sulfur Dioxide Protocol under the LRTAP agreement had on all subsequent protocols, but particularly on the second Sulfur Dioxide Protocol or in the ways in which the environmental agreements regulating the Rhine influenced those designed to address the Elbe. Considerably more work must go into deciphering how to distinguish the "meaningful and substantive" influences that one institution may have on another from the often, though not always, much less important use by one institution of another institution's *non-essential* features as a guide or example.

A particularly useful vein of research in this realm, however, is the ability to tease out the "cognitive interaction" or learning that Gehring and Oberthür highlight. In several institutional environments, one institution has developed out of the failure and shortcomings of a previous institution. Whether involving the development of a string of protocols under LRTAP or the development of the current whaling convention in 1946 out of the failure of pre-World War II agreements, the prospect of determining when and how institutions learn from prior institutions seems central to the policy relevance of IDGEC work.

**When the institutions themselves or relevant actors institutional interaction that is recognized either by the institutions themselves or the actors influenced by them, how is conflict resolved and synergies created or protected and reinforced?**

Finally, a particularly exciting area of institutional interaction research that Gehring and Oberthür identify involves looking at how various entities (whether institutions or actors) respond to institutional interaction. The most salient cases, as the WTO/environment debate makes clear, will be those in which obvious institutional conflicts emerge that demand resolution, either in the form of increased and explicit institutional efforts to resolve the conflict

or more implicit efforts by those affected by the institution to take advantage of the conflict in their favor, as in forum shopping. Less salient but nonetheless worthy of attention are cases in which fortuitous synergies among institutions have emerged, or are possible but have not yet been taken advantage of. We might well imagine that institutional synergies that emerge -- whether by coincidence or by conscious institutional effort -- are unstable equilibria that require careful management to prevent them from vanishing. In a related vein, and more prescriptively, it may be quite useful to determine whether latent synergies can be identified and developed. In some cases, multiple institutions have increased their communications with at least one of their goals being to determine how they can reduce institutional conflicts before they arise, make more efficient use of limited resources, and work together to identify and achieve common goals.

### **Conclusion**

Research into institutional interplay is likely to be a central component of IDGEC research in the decade ahead. That research program is likely to produce more, and more useful, cumulative knowledge faster if the wide range of scholars contributing to it concentrate their collective efforts on a few central questions, moving onto other questions that are less central to that research agenda subsequently. This response has identified what I see as the best choices for those central questions. Those choices may be wrong but the need to prioritize the set of questions in this research area seems clear and is something that Gehring and Oberthür could address more directly.