

# POSSIBLE DIALOGUES BETWEEN ACF AND INTERNATIONAL REGIME THEORY

Henrique Campos de Oliveira for the ACF conference<sup>1</sup>

João Lucas Sales<sup>2</sup>

**Abstract:** The ACF (Advocacy Coalition Framework) does not explicitly address international influence on the policy process, as highlighted by Henkins-Smith, Northstead, Weible and Ingold (2017). However, the public policy analysis must consider the external context within the current international environment marked by significant interdependence between nations and geopolitical disputes. Likewise, the studies of the international scope lack methodological consistency to describe global coalitions and the international regime decision process. Thus, we can outline the following theoretical questions: What boundaries are possible to identify between those two perspectives placed in different contexts? How can these comparisons be mutually helpful to improve both perspectives? In order to answer these questions, this proposal aims to compare conceptual and methodologic aspects of the ACF and the theory of International Regimes. So far, it is possible to identify epistemology convergence between the cognitive current of the Ernst Haas International Regime Theory and the ACF model. Both assume that actors have limited rationality and that a share of beliefs guides their actions over time. Those actors who share beliefs can become a coalition and coordinate the actions. According to Sabatier and Jenkins-Smith (1993), if advocacy coalitions are starting points for the political subsystem, epistemic communities are also the fundamental unit analysis for the international regime in Haas's (1993) perspective. Therefore, for both, the actor beliefs system's changes may represent substantial policy and regime transformations. ACF would apply to International Regime Theory by systematizing the coalition's attributes. Furthermore, in a reverse way, International Regime Theory can contribute to understanding how international actors and their beliefs deal with the local advocacy coalitions.

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<sup>1</sup> Doutor, 2020, e Mestre, 2011, em Ciências Sociais pelo Programa de Pós-Graduação em Ciências Sociais (PPGCS) da Universidade Federal da Bahia (UFBA). Realizou doutorado sanduíche na University of Colorado (UC) na School of Public Affaris (SPA) em 2018.2. Graduado em Negócios Internacionais pela Universidade Salvador (Unifacs) em 2008. Atualmente, é professor do programa de Pós-Graduação em Direito, Governança e Políticas Públicas da Universidade Salvador - UNIFACS. Integra o grupo Instituições Políticas e Políticas Públicas do Centro de Estudos e Pesquisa em Humanidades (CRH).

<sup>2</sup> Mestrando em Desenvolvimento Regional e Urbano e Bacharel em Relações Internacionais pela UNIFACS. Bolsista de Pós-Graduação – CAPES/FAPESB. Membro voluntário do Grupo de Pesquisa em Relações Internacionais, Políticas Públicas e Governo (RIPPG), com ênfase no estudo da relação entre O Mar e as RI (2023-presente). Membro voluntário de iniciação científica no campo da Ciência Política, acerca das Crises Constitucionais Intencionais e Continuadas, ênfase no caso venezuelano entre as décadas de 1990 e 2010 (2020-2021). Ex-membro da Comissão de Organização do Núcleo de Práticas em Economia e Relações Internacionais da UNIFACS (2020-2021). Ex-membro da Comissão Editorial da World Review Magazine (2019-2020). Ex-membro do Setor de Inteligência da Chronos (2019).

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## **Introduction**

The ACF (Advocacy Coalition Framework) does not explicitly address international influence on the policy process, as highlighted by Henkins-Smith, Northstead, Weible and Ingold (2017). However, the public policy analysis must consider the external context within the current international environment marked by significant interdependence between nations and geopolitical disputes. Likewise, the studies of the international scope lack methodological consistency to describe global coalitions and the international regime decision process.

Since 1950, the role of public power over people's lives sedimentation has occurred nationally and internationally in the direction of greater interdependence among countries. The expansion of the guarantee of rights via public policies and the creation of international organizations are examples of this.

Permanent international organizations replaced Ad hoc agreements and treaties with looser links and lower attendance costs. However, specific organizations were already a trend, especially on issues intrinsic to the international environment, such as transport, trade, and communication. Under Woodrow Wilson's aspiration, the League of Nations outlines an attempt to build a generic international organization to give predictability to the relations between states to provide peace within a bureaucratic routine of diplomacy. After the League of Nations implosion due to attacks, especially by the fascist governments, the UN emerged in the post-war period. The organization is also the primary vector for the decolonization of former colonies resulting from the dynastic imperialist order of the West itself. Concomitant to this process, countries at home, especially the Western bloc (the USA and Europe), were advancing with public policies to expand civil, political, and social rights.

Coalitions and ideas were disputed in these arenas, domestically and abroad, to the extent that protocols and objectives discussed in international relations were absorbed in the decision-making processes of public policies. On the other hand, Countries with diplomatic prominence began to guide these agendas through international institutions based on domestic issues. Domestic public issues become global problems, and global problems occupy domestic public agendas. Why wouldn't it be interesting to bring a dialogue between these pieces of literature if their themes are intertwined?

To specify the discussion: how did the UN come up with the definition of the SDGs? Why do the SDGs exert so much influence on domestic public policies? In times of technological disruption, which creates a lawless land environment, such as the internet today. How do coalitions intertwine from the international to the domestic and from the domestic to the international?

The article has four parts. The first brings a brief review of Regime Theory, pointing out the main theoretical arguments, concepts and criticisms. Next, The Epistemics possibilities in International Regime Theory point out the bases of the theory that approaches the ACF that will be compared in the third part of the paper. Finally, it presents analytical schemes that contribute regime theory to the ACF and vice-versa.

Thus, establishing a dialogue between Regime Theory and ACF may be an essential exercise to find answers to questions pertinent to the current moment we are going through with international coalitions against the UN and the democratic regime itself, with reverberations in public policies.

Thus, we can outline the following theoretical questions: What boundaries are possible to identify between those two perspectives placed in different contexts? How can these comparisons be mutually helpful to improve both perspectives? In order to answer these questions, this proposal aims to compare conceptual and methodologic aspects of the ACF and the theory of International Regimes.

### **Paper structure.**

So far, it is possible to identify epistemology convergence between the cognitive current of the Ernst Haas International Regime Theory and the ACF model. Both

assume that actors have limited rationality and that a share of beliefs guides their actions over time. Those actors who share beliefs can become a coalition and coordinate the actions. According to Sabatier and Jenkins-Smith (1993), if advocacy coalitions are starting points for the political subsystem, epistemic communities are also the fundamental unit analysis for the international regime in Haas's (1993) perspective. Therefore, for both, the actor beliefs system's changes may represent substantial policy and regime transformations. ACF would apply to International Regime Theory by systematizing the coalition's attributes. Furthermore, in a reverse way, International Regime Theory can contribute to understanding how international actors and their beliefs deal with the local advocacy coalitions.

### **1. A brief review of Regime Theory.**

The ACF does not explicitly address international influence (Sabatier and Weible, 2007; Jenkins-Smith, Northstead, Weible and Ingold, 2017). However, within the current reality marked by significant interdependence between nations, the external context must be considered in public policy analysis.

In order to further explore this link between international politics and public policy, the paper will seek to work with the theory of international regimes. We believe that this theoretical approach maintains epistemological convergence with the models of public policy analysis and can contribute to understanding the external factor's influence on domestic public policies. Notwithstanding this proximity, Both are theoretical approaches that cherish the meso-structuralist perspective, which attempts to give an analytical balance between the structural variables and the actors' actions. As well as the models of policy analysis published prominently, the analytical clipping of regime theory addresses international agreements, organizations, associations, and coalitions, reaching the level of actors.

Krasner (1983), Haas (1983) and Strange (1983) situate the conceptual debate about the international regime in the historical context of the second half of the twentieth century, marked by the emergence of several independent countries and the rise of inter and nongovernmental organizations. Krasner (1983) assumes that international regimes are long-lasting and have cooperation between states on the horizon. Based on customary international law, the

principle of reciprocity can create constraints on short-term interests in order to avoid instability. At the same time, Krasner (1983) understands that changes in principles and their norms are necessary changes in the regime. With this, there is space for contingency and the actors' agency.

For Haas (1983), the negotiation around UNCLOS illustrates how the regime is a process of construction of conventions and lasting rules, which began in 1945 with significant changes. The boundaries of maritime territories widen simultaneously as issues such as environmental preservation, traffic restrictions and international controls take up a wider space. The sovereignty over the marine territory mainly checks in international waters when, until then, there were no explicitly agreed limits.

The central thesis in Haas is that there is no single way of approaching regimes<sup>3</sup>, but it is necessary to reach a mutual understanding without necessarily falling into a valuative and generalizing position. The various ways of approaching international regimes share a moral vision, scientifically legitimized as a true vision. Based on a structuralist perspective, this moral bias has on the horizon the regime as the search for equilibrium. However, concepts such as hegemony and coalition bring greater analytical capacity to understand regimes. That is, the actor matters, and general assumptions are rare.

So, it is necessary to differentiate the system from order and system. Regimes are agreements men make (social institutions) to manage conflicts in interdependence. Haas (1983, p. 26), based on Ora Young (1983), believes that: "increasing interdependence extends the capacity of all relevant actors to harm each other." Interdependence implies a network of non-random links between the actors. Regimes are part of a system as a whole. Already the order refers to the benefits that a regime can bring as equality, efficiency, justice, survival or any other value aspect in the sense of becoming.

Regimes are all agreements that reflect the contingency of a policy, a situation in that actors carefully considers the opportunity cost of breaking a relationship that

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<sup>3</sup> Haas points out six perspectives on international regimes: eco-environmentalists; eco-reformers; egalitarianism; liberalism; mercantilism; and mainstream.

threatens self-interest. According to Arthur Stein, there are two types of policy contingency for Haas (1983, p. 27):

- (a) Common interests regimes; actors agree that if each one follows its strategic rationality will be worse for all, be the optimal decision. Finally, collaboration involves agreeing on rules to avoid certain behaviors and cooperating with powers to monitor and mediate conflicts. Perhaps a good example would be IMO and safety standards in shipbuilding.
- (b) And regimes of common aversion. The grouping is around outcomes that everyone prefers to avoid. In these regimes, coordinated actions are sought, but not necessarily cooperation. Bans are accepted, but centralized monitoring and conflict resolution are not required, and policies with shared intentions are rare. Haas (1983, pp. 27-28) exemplifies UN practices in the security sector. Keohane distinguishes between control and safety regimes<sup>4</sup>.

Although Stein may find much convergence between Krasner and Haas, the discussion of the regime is not necessarily a consensus in International Relations. It is even a specific theory.

The contribution of Strange (1995) explores five critiques of the concept of regimes that we will discuss in the following paragraphs when contrasting with Haas and Krasner:

1) A fad. The term, international regime, is tied to Americans looking for generalist and superficial models to explain more complex issues. It is an imperialist stance to sound like multilateralism. After all, the US can enforce the rules because of its economic and military power.

Thus, international agencies serve three purposes of the United States: a) Strategic to serve the structural interests of US foreign policy; b) adaptation, providing agreements at the multilateral level without sacrificing economic dividends of the market and global production; and c) symbolic for positioning the US as responsible for freedom and equality.

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<sup>4</sup> Recalling that these are ideal types and that there are no regimes constituted purely of one or another way, but that one may predominate in relation to another form as the regime is characterized.

Such criticisms are not necessarily congruent with Krasner and Haas' perspectives. For them, countries may present more influence than others, thus opening up the possibility of US hegemony or even a coalition led by a small group of countries, as much of International Relations literature points out. However, there is also a limitation to this deterministic capacity. After all, in both authors, we have the possibility of contingency, in which the actor with more capacity can make unpredictable events in his favor. For example, if technology revolutionizes commercial relations, countries with greater technological capacity will likely follow the protagonist and surpass it, even if the new technological paradigm does not start from it.

The criticism about the origin of the theory of regimes coming from the United States is valid, and this criticism also falls on models of public policy analysis. However, it does not disqualify the work. It requires the need for adaptation to the context. After all, these open-ended perspectives excel in being careful about generalizations. The ACF itself has changed as its application has been extended outward.

2) Inaccuracy. People give different meanings to the regime. For example, it is a vague concept such as integration. Perhaps this criticism refers to other authors. Nevertheless, as it turned out, Haas was careful to work on the concept of the regime and delineated distinctions with other concepts commonly confused as order and system. As we shall see below, Krasner will further develop the concept of the regime based on other authors who have conducted empirical studies from this theoretical approach.

3) Value bias. The regime refers to the nutritional sense of deprivation of certain foods due to health or aesthetic issues, as well as having the political meaning referring to a political type that can be democratic or authoritarian. Aside from such an ordering not be possible due to the anarchy inherent in international society, as Hedley Bull would say. This perspective in search of order, present in Krasner, according to Strange, is nonetheless a moral value. The order would be no different from justice, efficiency, or legitimacy.

Although this idea of order may be more substantial in Krasner (1983), it can also be interpreted more as predictability, rescuing what we have already discussed

from Haas. However, this is not his interpretation of the regime. It would be the opposite; the regime results from a contingent political interaction from the dispute between actors to make their moral judgment predominate within an issue of the international system and thus print an order. Therefore, this is a criticism that corroborates Haas' concern.

4) A very static view. The idea of a regime presents a characteristic of static, something permanent. However, in practice, areas like security, commerce and monetary are more dynamic. They are susceptible to changes and adaptations.

The regime change is also a focal point for Haas and Krasner. Not only do they both understand this possibility, but they also preach the importance of this question in regime studies.

Strange (1983) adds that technology and the market are essential factors misused by regime theory. Both bring changes in the distribution of costs and benefits, in the risks and opportunities for national governments to change rules.

With the current technological changes in the port activity and in the construction of the ships, there was a need for updates that came to be discussed in the Draft Convention in 2008, mainly regarding the responsibility of the transporters and shipowners, on cargoes. The same happens with e-commerce and communication law with the internet. The International Regime has various multilateral bodies and forums between States, support, arbitration chambers and organizations formed by private actors, such as the International Chamber of Commerce (ICC) or Internet Corporation for Assigned Names and Numbers (ICANN).

5) State-centered. International Relations lie beyond relations between states. Many decisions occur on the fringes of what they call a regime. In addition, more areas in the international system have more disagreements than agreements.

The State-centered focus can be considered more as a research clipping. Regime theory is not necessarily limited to the State; it further incorporates the participation of non-state actors and international organizations of private international law. To understand that international relations are more contentious than agreement in their routine is to disregard the tacit and written rules that guide



the daily routines and practices of international actors. Considered a foreign affair routine is a crucial point in international organizations. When they achieve the goal of predictability, they become invisible until a dispute arises, hence this impression that there is more disagreement than agreement. It would be essential to deepen the studies and the international ramifications of coalitions beyond state organizations, as the ACF studies have done without losing the centrality of public power in decision-making processes. Also, ACF can help to understand the international coalitions - based on values, beliefs and coordinated action - both in the maintenance of a regime and in the contestation for its change beyond the public arena.

Strange's criticisms are fundamental to the cautious use of regime theory, yet there are contradictions between them. Exogenous variables with the ability to change regimes, such as technology and health crises, as we now see in the short term, demonstrate that the US does not have this deterministic ability to influence a regime, as it may appear in Strange's criticism. For example, Germany and Japan in the 1970s and 1980s outperformed US commercial and productive capacity. It forced the country to contradict the rules of the GATT advocated by the same. The same goes for the position that China conquered today. Although it has a high capacity to influence the regime, it does not fail to expose the lead country and demand action to respond to the situation.

To understand multilateralism as, in the last consequences, a tool to serve the specific interest of a state also exposes Strange's contradiction by accentuating, thus, a state-centered vision so criticized by her. After all, some decisions come from other actors, such as non-intergovernmental international organizations and companies, as we are today experiencing with information technology and the pandemic crisis. It ends that politicians and bureaucrats begin to re-scale the gains and redesign strategies to contain the loss of relative power. Taking a stand for either a Centric or anti-statist state view becomes challenging.

Hasenclever, Mayer, and Rittberger (1997, p.11), after a decade and a half to Krasner (1983), reviewed the main currents of the Theory of International Regime. One of the main points in this work was the conceptual discussion about International Regime, whether it would be broader and more subjective as norms and customs or would be summarized by international organizations. According

to the authors, Young (1986) understands that Krasner's (1983) definition of international regimes, presented above, is detached from reality, ambiguous and tenuous. Thus, as an alternative, Keohane (1989) defines "Regimes are institutions with explicit rules, agreed by governments, that deal with a specific set of themes in international relations."

This definition would focus on the regime as rules, not necessarily as norms and customs. Keohane's concept would reduce ambiguity by focusing on rules and institutions (HASENCLEVER; MAYER; E RITTBERGER, 1997, p.11). However, the authors point out that this adoption impedes understanding of changes in international regimes in Krasner (1983), for which only principles and norms change the regime. All other changes are within the regime. Thus, Krasner relies on the comprehensive theory.

## **2. The Epistemics possibilities in International Regime Theory.**

After all, regime theory brings remnant and similar questions to the field of public policy analysis: why and how are regimes changed? What variables help us explain this change in course? What is the participation and hierarchy among the actors in this process? As we have already discussed, the starting point is that there is no consensus on the asymmetry of power among actors. Just as there is no general understanding of the international regime concept and what causes its transformations, the answers to the above questions depend on the theoretical assumptions and perspectives on which the analyst relies. Not far from the field of public policy analysis.

In this sense, Krasner (1983) points out that Keohane (1983) and Stein (1983), within a modified realist perspective, argue that regimes are supported by game theory. Jervis (1983), based on the modified structural view, understands that regimes are appropriate to specific situations such as economic relations. The third group - Puchala and Hopkins (1983) and Orange Young (1983) - is based on the Grotian view, regimes as widespread phenomena in all political systems, i.e., are present in thematic areas. Thus, Puchala and Hopkins (1983) understand that elites with transnational ties are the real actors in international relations. States would be rarefied abstractions, sovereignty being a behavioral variable,

not a premise. Therefore, states would have limited actions. Therefore, the latter group regimes should be taken as a premise to be described differently from the realists who still see the need to explain or as superficial clipping.

Hasenclever, Mayer and Rittberger (1997, p.6) group these different perspectives in the following table:

Box 1. Epistemic Escolars from Hasenclever, Mayer and Rittberger (1997, p.6)

<b>Escolars epistemic</b>			
	<b>Realism</b>	<b>Neoliberalism</b>	<b>Cognitivist</b>
<b>Central variable</b>	Power	Interest	Knowledge
<b>Institutionalism assumption</b>	Weak	Medium	Strong
<b>Meta-theoretical orientation</b>	Rationalistic	Rationalistic	Sociological
<b>Behavioral model</b>	Concerned with relative gains	Absolute grains maximizer	Role-player

As shown in the table, realism has as its primary explanatory variable for the existence of regimes and their transformation of power. In this way, the institutionalism is weak. The institutions serve to attend those who have the power. Actors, predominantly states, are rational and seek to gain relative gains in their positions. The basic premise underlying realism is anarchy in the international system, in which no sovereign entity such as the State, exists in the domestic sphere. Decisions are the result of alliances for survival in this anarchic context. That is why the states seek rationally for power, to preserve and guarantee their sovereignty. This school is fundamental to understanding the dynamics, above all, the area of defense and international security.

Interests are the bases for Neorealism. They show greater convergence to institutionalism when they understand that, in the search to maximize interests, states and other actors can create rules that guarantee minimum predictability to meet, within the best possibility, the interest of all. Analogically, as if the international regime managed to extract the maximum standard multiplier from the interests of the actors involved. The actors calculate the trade-off when they give up in favor of greater interdependence in light of the possible gains. It

consists of a school widely used to understand phenomena in international trade and economic regimes.

Cognitivism is distinguished from the previous two because they guide the explanation for the existence of regimes and their changes in knowledge, that is, the learning acquired through the interaction between actors. Shared and secularized norms and customs create tacit or noncompliant institutions that constrain and, at the same time, reinforce the actors' actions. Human complexity and the diversity of actors and levels in the composition of a regime do not summarize the action to a teleological orientation present in the other perspectives. Thus, this perspective escapes from rationalism as a theoretical orientation and falls on the sociological perspective, especially the undercurrent, which the authors call strong cognitivism<sup>5</sup>.

The other undercurrent, weak cognitivism, converges with the perspective of Haas and Krasner, absorbing the possibility that interest and power drive the actors. Knowledge in the formation of regimes is a variable that presents the following definition: "the sum of the technical information and theories about this information that generates a full consensus at a given moment between the interested actors and aims to serve as a guide for public policies achieve some social goal "(HAAS, 1980, pp. 367-368).

### **3. Regime Theory and ACF.**

We will focus on comparing Haas and other authors of the linked cognitive stream because of the epistemological proximity to the ACF, which does not detract from the explanatory capacity that the other streams may have on the intersection between International Organizations and Public Policy. After all, starting from similar points while absorbing premises such as power and interests reduces conceptual contradictions and strengthens analysis.

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<sup>5</sup> Within this subcurrent, there are other approaches, but starting from this post-positivist critica, like: the dialectical historical approach, referred to by Robert Cox, among others; approach to communicative action with Habermas (1981), Kratochwil (1989), Muller (1994) and Nernstein (1985); Approach of the International Society with Hedley Bull and Martin Wight.

Both Sabatier (1993) and Haas (1992) depart from the fact that actors have limited rationality. Instead, their actions are guided by the experience gained through the intersection. However, they do not discard interest and profit maximization.

Both work with the notion of grouping the actors around groups linked by sharing values and beliefs. In the case of Sabatier (1993), it would be the advocacy coalitions, and in Haas (1983), it would be the epistemic coalitions.

Knowledge thus constitutes the regime and public policies. Therefore, the change in this knowledge, the rupture of paradigms, can represent substantial transformations in the politics/paradigm. This interaction consists of unspoken rules (domestic, conventions and treaties at the international level) or unpolitical ones such as the reciprocity that governs international relations from the earliest stages of the modern State's constitution.

In addition to working in the same area<sup>6</sup>, environmental policies consider the scientific aspect as a relevant point to understand the norms and rules instituted to solve problems that affect public life.

The interaction between these communities or scientific networks takes place internationally, as Haas (1993: 32) points out:

International relations scholars have also identified and pointed to the significance of transgovernmental and trans-national channels through which political alliances are forged and information on technical issues is transmitted between government officials, international secretariats, nongovernmental mental bodies, and nongovernmental actors, including communities of professional scientist

Haas (1992, p 31) still takes Sabatier (1987), among other authors of the field of public policy analysis of the period, as a reference to dealing with the dynamics of intergeneration in the domestic sphere:

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<sup>6</sup> This would not be the only coincidence, as well as contemporaries. Haas and Sabatier were fellow countrymen, they developed their teaching activities at the University of California at Berkeley, except for the generic citation, discussed below, of Haas in relation to Sabatier, it was not possible to deny the opposite sense, Sabatier citing Haas . In addition to Haas himself who established direct dialogue with Sabatier, so far we have identified only Bennett and Howlett (1992), within a theoretical revision on theories of policy-oriented knowledge, briefly quoted Haas (1990) as an example of epistemological convergence with Etheredge (1981), both linked to Lindblon perspectives related to governmental knowledge. However, from what we have hitherto presented, this interpretation needs further elaboration.

Numerous scholars have argued that domestic regulation in cases involving complex and highly technical issues is often the result of collusion among interested parties. Decision making, rather than being centralized, occurs within an amorphous set of subgovernments. Whether the parties involved are characterized as interest groups, iron triangles, advocacy coalitions, issue networks, or policy networks, the point is the same: small networks of policy specialists congregate to discuss specific issues, set agendas, and formulate policy alternatives outside the formal bureaucratic channels, and they also serve brokers for admitting new ideas into decision-making circles of bureaucrats and elected officials.

Here is another repeated similarity of the concern of the two with the different governmental and nongovernmental levels in a decision, not limiting the public decisions to the institutional walls and centralized in the State. However, in the continuation of the above quotation, Haas (1992) points out that the literature on the analysis of public policies in the USA is more descriptive than analytical. It is not possible to identify if he considers Sabatier within this group, but the fact is that although both have an epistemological convergence, perhaps this does not translate into a methodological convergence. After all, it has not yet been possible to verify Haas (1983) and Haas (1993) efforts to systematize an analytical model as it can be verified in the public policy analysis referring to the group to which it refers. Haas points out Keohane and Nye (1971 and 1974) as leading exponents concerned with analyzing the transactional influences of groups, such as bureaucrats, on public policy. It is necessary to improve the bibliographic revision in this sense and works that refer to them.

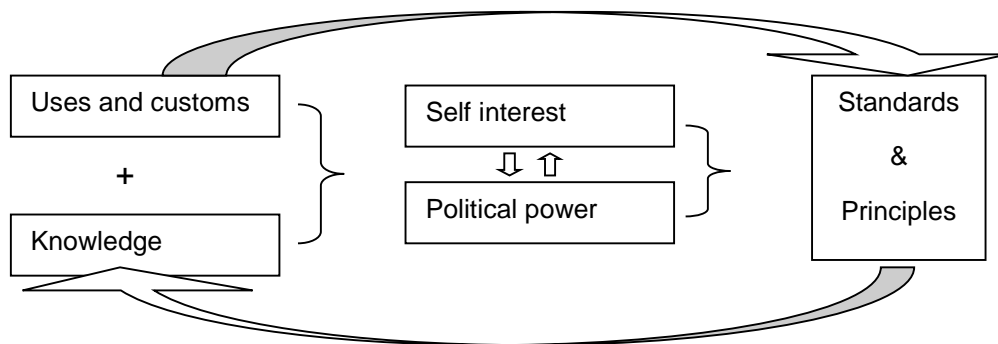
However, as Hasenclever, Mayer and Rittberger (1997) have posited after Haas (1992), Keohane starts from a definition of an international regime limited to rules that hamper convergence with the cognitive perspective neoliberal approach.

The comparison between domestic and international politics is subject to severe caveats and delimitations. Regimes are based on more fragile foundations than policies on enforcing rules. In some countries, due to the absence of a sovereign, states tend to have the final say in regulating and implementing policies. Thus the realistic perspective weighs on specific topics, mainly those of teaching as security and territory and those that the scientific debate does not have strong legitimacy.

#### 4. Proposed analytical scheme.

Having reviewed the literature on the subject, comparing ACF with international regimes, we intend to present the proposed analytical scheme coupling them up. Below is the schema based on Krasner (1983) and Haas (1983 and 1992), followed by a brief and superficial attempt to exemplify the application of this theory with navigation conventions and procedures.

Figure 1. Krasner regime theory framework



Uses and customs are exogenous, structural variables capable of generating regimes by themselves. They influence the motivational variables of the actors' actions, such as political power and self-interest, as they directly influence norms and principles (KRASNER, 1983). They reinforce and sustain the pressures associated with selfish self-interest, political power and disseminated values. Thus, standardized customs are instituted over time, generating routine practices. The author draws attention to the fact that practices restricted to private agents in Western international trade have become the basis of official commercial law. To consider foreign affairs routines as the outcome of outputs (agreements and protocols) of a learning process among international actors over time is evident by the antiquity of the ICC, prior to the UN itself.

The interaction between international public and private bodies of arbitration and standardization organizations is related to the interaction between the UN and the ICC, for example. A letter of credit, or other forms of payment, become documents of wide and unrestricted use in private international business. The same applies to the types of cargo liability contracts between exporter, importer

and carrier with the Incoterms<sup>7</sup>, in addition to possession of cargo in international waters being established by the bill of lading issued by a shipowner, a private company. Such standard practices gained regimental support from the creation of the UN and other multilateral bodies. After all, if these customs and routines of foreign trade were not institutionalized, there would be little predictability to ensure the movement of commodities, as is the case today. Selfish interest arising from trade is a mark of habits and customs.

Knowledge in the formation of regimes is also an exogenous variable. We can highlight, once again, the transformations caused by information technology, which have facilitated the financial flow in trade.

Specifically, concerning international shipping, the container and the expansion of the ships' transportation capacity changed the conventions, as discussed above, creating pressures on the domestic rules of grants for the construction and operation of ports. Furthermore, the container, associated with the virtual cargo management systems, allowed the verticalization of the productive chain of the maritime transport of loads. As a result, shipowners are not limited to building and operating ships. They also started to operate the ports. As a result, shipowners gain in scale by being responsible for end-to-end cargo and stimulating a downward market structure trend.

In the regime's definition, political power can be cosmopolitan, relatively deconcentrated, or instrumental, aimed at maximizing gains. That is, it seeks to generate compliance with irrigation to guarantee economic activity predictability. Within this approach, Kindlenberg (1978) lists the functions that the states play in the commercial system to provide economic relations and build public goods such as ports and domestic transport systems. Public transport policy, therefore, while at the same time being under international trade through trade in transport services and port services, is a condition for trade itself to function by ensuring the physical flow of trade. After all, it is not a final consumer good. Instead, it is a service to generate the consumption of goods.

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<sup>7</sup> Contracts parameterized by the ICC pre defined on the responsibility of the cargo, contracting of the freight and insurance.



The other way of explaining the influence of political power in the regime's development is the particularistic approach to increase the power of a particular actor, such as the US leadership towards the International Trade Organization (ITO). Thus, the hegemon would play a critical role in providing the collective goods necessary for the effective functioning of the regimes since any sanction in this relationship would be harmful to the commercial terms.

The international system would be closer to an oligopoly than a perfect market. However, as we have seen, through the cognitive perspective, one approach does not necessarily exclude the other since this asymmetry of political power can guarantee more efficient use of the gains from integration—no wonder the World Trade Organization was created at a time of significant US relative power. With China's rise in the international economy, it is under the leadership of the US itself that the WTO itself is drained because of the saturation of the possibilities for agreements to reduce tariff and non-tariff barriers that benefit them.

Regarding norms and principles, sovereignty and reciprocity become the basic principles for any regime (KRASNER, 2012). In the field of international trade, it is no different. Within their territory, countries have a monopoly on the creation of laws and may impose tariff and administrative barriers to imports, as well as concessions or authorizations for the construction and operation of ports or shipping lines. However, the crucial point concerns that in the shipping, maritime and air modalities, the goods cross international areas where no State has sovereignty. Hence the big question: how to establish order to this apparent regulatory gap?

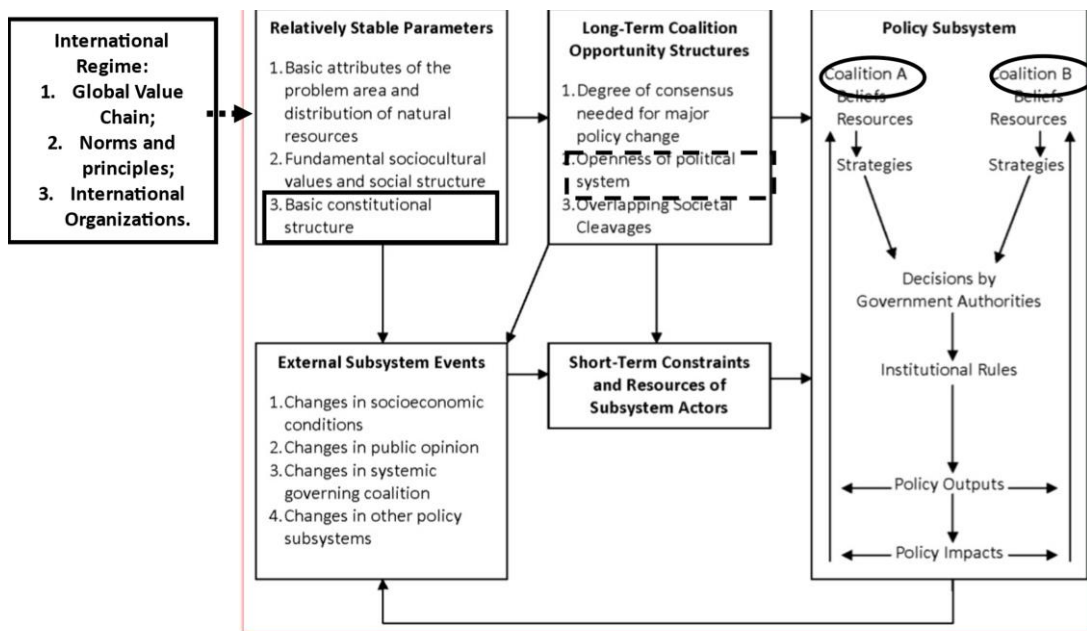
Standards and principles are the key points. Concerning ports, this aspect of the international environment does not have an impact, but about navigation, yes. The need to order the carrier's responsibility on the cargo transported, on the chartering contracts of ships and the right of passage of foreign vessels on the circulation of goods close to their territory is old (ROJAS, 2014). The looting marks the history of the Caribbean, Asia, and Latin America Coast. Nevertheless, after World War I, a framework of rules was adopted to adapt to the technological transformations, as can be seen in the conventions on maritime transport of goods: Hague Rules, in 1924; Hague-Visby Rules, in 1968 and 1979; UN

Convention on the carriage of cargo by sea, 1978; Uncitral (United Nations International Commercial Law Commission) in 1996; and finally, Draft Convention with 13 sections from 2002 to 2008 (TONG-JIANG; PENG 2009). Nevertheless, there are also agreements and treaties dealing with the flags of the countries of the vessels<sup>8</sup>.

We can divide cargo shipping into five axes of the policy subsystems or regime, as an analogy for: 1) Port activity and navigation; 2) Working regime of ports and ships; 3) Routines and practices of foreign trade; 4) Flag and registry of naval vessels; 5) Maritime and naval security and defense. However, the last two axes are defined in the international context as a priority for this exercise. Furthermore, the environmental dismissal interferes with the construction of ports and will not have space in this work due to its complexity compared to the resources available to carry out this research.

Thus the Regime Theory can influence the ACF as follows:

Figure 2. ACF with the international regime as a variable



The variable international regimes would be outside the scheme of the ACF, focusing directly only on the relative stability parameters. After all, the regime

<sup>8</sup> Merchant ships are a territorial projection of their countries registered in notary. In this way, the laws of your country are applied when you are in international waters, as well as regulate the working relationships within the vessel. The United Nations Convention on the Law of the Sea (UNCLOS) in 1982 is the main guideline.

does not change from day to night. The variables would constitute it: global value chain constituted by transnational actors that have a significant influence in the scientific and technical discussion about the way the maritime transport service is offered; Norms and principles would be the common treaties and practices immersed in the international traffic routine of vessels for example as discussed above; Finally, international organizations and institutions of public and private law that act as a locus of debate and deliberation.

Within this set of variables, the constitutional structure would be armored. The structure of a state may even undergo international influence, as it did throughout the late nineteenth century with the rise of the republics and the end of many monarchies and empires, or the democratic regime spread after the Second World War. However, an international thematic regime has no such effect. It was bringing, yes, implications on the attribute of the problem and the distribution of natural resources as a delimitation of the exclusive maritime economic zone, for example.

The openness variable of the political system, present in the set of long-term opportunity variables for coalitions, should have its concept expanded to include the international sense of openness. Alternatively, insert a new variable, such as the international opening of the political system with significant foreign policy as an intermediary.

Already the subsystem coalitions, as part of the literature, both ACF and Theory of International Regime, are addressed and are inhabited by inter and transnational actors.

On the other hand, the ACF can contribute to Regime Theory when we consider a Regime as a policy subsystem. Extending the analogy between the concept of policy and regime to the other categories of the ACF diagram may be harder and with significant limitations. The international system distinguishes, by definition, from the hierarchical centralization of the state. But it does not compromise the central concerns of ACF that coincide with regime theories: trying to unravel the changes, the learning process, and the characterization of policy actors, in this case, the international regime actors. Nevertheless, we believe it is worth the exercise in making analogies to adapt the original ACF diagram for Regime

Theory. This attempt can help characterize the context in which a given regime is immersed. But more understanding is needed to identify the impossibility of adaptation, which would require more theoretical effort and empirical application, with which this work has not been able to advance. There is an exercise to punctuate the possibilities and impossibilities in the box below.

**Box 2. ACF analogy to Regime Theory.**

		Variable and categories of the ACF Diagram (2018).		Analogy for International Regime Theory	
Variables	Externals	a. Relatively Stable Parameters	1. Basic attributes of the problem area (good) and distribution of natural resources	a. Relatively Stable Parameters	1. Basic attributes of the problem area (good) and distribution of natural resources
			2. Fundamental social-cultural values and social culture.		2. Diffused social-cultural values and social culture.
			3. Basic constitutional structure		3. Prevailing international order
		b. External (System) Events	1. Changes in social-economic conditions	b. External (System) Events	1. Changes in global social-economic conditions
			2. Changes in public opinion		2. Changes in global public opinion
			3. Changes in systemic governing coalition		3. Changes in Hegemonic Block
	Intermed	a. Long-Term Coalitions Opportunity Structures	1. Degree of consensus needed for major policy change	a. Long-Term Coalitions Opportunity Structures	1. Degree of consensus needed for major regime change
			2. Openness of political system		2. Power balance status
		b. Short-Term Constraints and Resources of Subsystem Actors	3. Overlapping societal cleavages	b. Short-Term Constraints and Resources of Subsystem Actors	3. Overlapping geopolitical cleavages
	Dependent	a. Policy Subsystem	1. Antagonism between coalitions, their beliefs, resources and strategies.	a. Regime Subsystem	1. Antagonism between coalitions, their beliefs, resources and strategies.
			2. Decision by Governmental Authorities		2. Decision by International Organization or ad hoc conventions
3. Institutional Rules			3. Agreements.		
4. Policy Outputs.			4. Regime Outputs.		
5. Policy Impacts.			5. Regime Impacts.		

To make this adaptation, we first divided the categories of the diagram into three types of variables: external, intermediate and dependent. The external and intermediate variables contribute more to contextualization and address intervening aspects that escape the most direct influence of the actors. Hence, they are variables closer to the structure and generic. On the other hand, the explanatory variables are concerned with the subsystem, a relevant category to explain the main concerns that the ACF is more concerned with addressing. Not surprisingly, the only one to be adapted is precisely the policy subsystem for the regime subsystem. The others are generic enough to be maintained in an analytical framework for the international sphere. First, however, the subcategories need to be adapted, as we will detail.

About Relatively Stable Parameters, we tried to maintain the Basic attributes of the problem area (good) and distribution of natural resources. Diffused social-cultural values and social culture are adaptation because it is not about fundamental values and cultures. Since the international system presents an

even broader and more intense diversity of cultures and peoples, it is even more challenging to define a unifying value that contemplates the identity of a nation. With no constitution per se for the international system, Prevailing international order is also a requested adaptation. After all, the Letter of The United Nations is an aspiration of the prevailing liberal western order.

With External (System) Events, the adaptation was to insert the global dimension for the first two subcategories (Changes in global social-economic conditions; Changes in global public opinion). Changes in systemic governing Coalition were replaced by Changes in Hegemonic Block. That is the term used in the literature to define the group of countries with more capacity to influence the prevailing order in the international system but not necessarily equivalent to a state government. Moreover, Change in other policy subsystems replaces Change in other regime subsystems.

In the categories with intermediate scope, between structure and action, changes were only made in the subcategories of the Long-Term Coalitions Opportunity Structures category. Thus, it now has Degree of consensus needed for major regime change, again, the substitution of policy for regime. And here, the two most significant modifications with Power balance status; Overlapping geopolitical cleavages. The balance of power would be equivalent to the Degree of openness. The balance could be unipolar (rare historical examples), bipolar or multipolar. Regarding cleavage, we do not see fit to use the term social due to societies' heterogeneity since the country's political and legal system works to solve internal social division. What does not occur in the international sphere, hence the simplification to a geopolitical cleavage that pulls more towards the survival of the sovereignty of states and the alliances and disputes that are sometimes tenuous, sometimes less so.

The category regime subsystem is the one that presents the highest Degree of operationalization and is the main focus of the empirical work of the ACF, as well as the one where one can also contribute a lot to regime studies by identifying coalitions with more acuity. Here, the change happened with the subcategory Decision by International Organization or ad hoc Convention. Here there are two ways in which countries that are part of a regime decide on something, in standard conventions of international organizations, such as negotiation rounds

and routine meetings, as the General Assembly or United Nations Security Council meetings, or specific treaties and agreements. We have changed Institutional Rules to Agreements due to the same explanation pertinent to the last subcategory. Once again, the remaining two (Regime Outputs and Regime Impacts) were changed only from Policy to Regime. Still, in this dimension closer to the action of the actors, it is worth noting that the concept of Devil Shift worked by Sabatier, Hunter and Mclaughlin (1987) has reference in the international dynamics of geopolitical conflicts between nations.

### **Final considerations.**

From this exercise of establishing a dialogue between FCA and theories of international regimes, it is possible to affirm that the two proposals have epistemic convergence, a relevant criterion for the theories to be feasible to complement each other in the empirical application. Both start with questions about change, learning processes and shaping actors in decision-making that affects the public sphere. Regime theory is concerned with decisions and routines in relations between states, which also affect public policies, the focus of the ACF.

As a result of this work, we propose coupling them into analytical frameworks that allow for symbiosis between them. As a result, ACF can contribute conceptual and analytical rigor in the characterization of coalitions in decision-making processes inherent to regimes. Furthermore, Regime Theory can illuminate aspects of the dynamics of international interdependence that affect the more exogenous ACF categories and the policy subsystem itself—taking into account essential caveats.

Thus, as a product of the article, we defend the theoretical proposal, to be empirically tested, of making an analogy between the ACF policy subsystem category to the regime subsystem. However, this is not to make the concept of public policy synonymous with the international regime. As discussed, the anarchy of the international system is a condition for state-building, and foreign policy is a public policy itself. The regimes deal with agreements and decisions much looser than public policies and depend on internal ratification, creating constraints for national and international actors. If parties and interest groups

have relevance in the domestic decision-making process, the states, with their governments, exert influence in defining agendas and agreements that will direct the routine in international regulations and domestic public policy broadly. So, treaties, agreements, embargo decisions, and even invasions reverberate in the domestic sphere. Thus, a particular diplomatic delegation representing a country becomes an actor in a coalition built on beliefs and values in a regime decision process.

It is still worth testing this provocation more thoroughly in empirical studies, as has been done over the past 30 years of the ACF learning process. Thus, it would be valid to verify the adaptation and the consecutive applicability of the 10 ACF hypotheses raised throughout this time, compiled in Jenkins-Smith et al. (2018), with the dynamics of international regimes. Also, would it be possible to establish any new hypothesis in the ACF based on the influence of the international context?

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