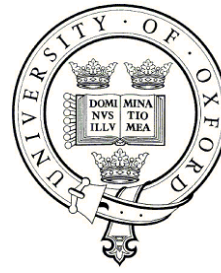


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**Conceptualising Interconnections in Global Governance:  
the Case of Refugee Protection**

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# Conceptualising Interconnections in Global Governance: the Case of Refugee Protection<sup>i</sup>

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## Abstract

In the context of growing complexity in global governance arrangements, it is becoming increasingly difficult to understand issue-areas – such as ‘trade’, ‘the environment’, ‘human rights’ and ‘development’ – in isolation from one-another. The way in which issue-areas are interconnected is an increasingly important factor in explaining political outcomes at the global level. However, the existing theoretical literature on interconnections, which is divided in this paper into agency-based accounts and structural accounts, is inadequate for systematically understanding the role that they play in world politics. This paper therefore sets out a new conceptual framework for understanding interconnections based on a structure-agency approach. It develops two main concepts: embeddedness (the structural relationship between issue-areas) and linkages (the way issue-areas are grouped together in bargaining), and explores the relationship between the two. It suggests that the embeddedness of issue-areas can be understood through the lens of four principal concepts (regimes, organisations, ideas, and identity). It argues that the ways in which an issue-area is embedded in turn enable and constrain the possibilities for actors to use issue-linkage within bargaining. It suggests that because the way in which issue-areas are embedded may differentially empower different actors, depending upon their preferences and standpoint, embeddedness can confer a form of institutional or structural power that may either reinforce or offset other forms of relational power in negotiations between actors. In order to highlight the framework’s wider applicability, the paper applies it to show how refugee protection is embedded in other issue-areas and the implications this has for negotiations on refugee issues.

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## 1. Introduction

International Relations theory has conventionally explored principles, norms, rules and decision-making procedures at the global level in terms of discrete ‘regimes’ that regulate specific issue-areas; for example, the ‘non-proliferation regime’, the ‘trade regime’, or ‘the climate-change regime’. In reality, however, few issue-areas exist in isolation from other issue-areas. Rather, they are generally negotiated alongside one-another, are connected by institutional structures, and are perceived by policy-makers and other political actors as interconnected in various ways. Interconnections between issue-areas are not new and apply at all levels of governance, whether domestic or global. However, as the extent and complexity of regulatory frameworks beyond the level of the state grows, so it becomes increasingly important to explore the interconnections between issue-areas of global governance and the ways in which they influence political outcomes. Yet, at the moment, there is insufficient academic work examining the role of interconnections, and the conceptual framework for exploring these questions remains underdeveloped.

The existing literature on interconnections can broadly be divided into agency-based accounts and structural approaches. The former approach characterises the literature on issue-linkages drawn from regime theory, and the latter characterises the emerging work on overlapping, parallel and nested institutions, for example. On the one hand, the literature on ‘issue-linkages’ has recognised how the way in which issues and issue-areas are grouped or ‘clustered’ within negotiations can affect outcomes by creating side-payments for different actors within a bargaining process (Haas 1980; Stein 1980; McGinnis 1986; Conybeare 1984; Martin 1993; Aggarwal 2000). This literature has most notably been applied to examine the implications of using issue-linkage for international cooperation. However, it has generally focused on the level of instrumental bargaining and hence paid little attention to the structural interconnections between issue-areas and the implications that these have for enabling or constraining the agency of actors to use issue-linkage within bargaining. On the other hand, some authors have pointed to elements of the structural relationship between issue-areas. For example, some authors have focused on the role that knowledge plays in connecting issue-areas (Haas 1980; 1990) and other have focused on the role of institutions in connecting issue-areas (King 1997; Alter and Meunier 2006). Meanwhile Duffield (2001) has offered a largely structural account of how security and development have ‘merged’ in global governance. However, there remain a number of shortcomings of the existing literature. Firstly, there is still insufficient attention paid to the structural relationship between issue-areas. The few authors that adopt a structural approach generally only address some of the elements of structure, rather than systematically conceptualising what a structural interconnection actually means. Secondly, there has been little attempt to integrate structural and agency-based approaches to explore how they influence one-another.

This paper therefore sets out a conceptual framework for understanding the role of interconnections between issue-areas of global governance that integrates agency-based approaches with structural approaches. The paper develops two key concepts: *embeddedness* and *linkages*. It defines embeddedness as the structural relationship between issue-areas of global governance; meanwhile it defines linkages as the creation of a relationship between issue-areas within bargaining. In other words, the former concept relates to structure and the latter to agency. The paper argues that issue-areas can be understood to be structurally interconnected by four principal concepts: regimes, organisations, ideas, and identity. It

explores the way in which these concepts of embeddedness constrain or enable of states and non-state actors to exert agency and use linkages within negotiations. The paper divides into three parts. The first part reviews the existing literature and makes the case for a structure-agency approach to interconnections. The second part sets out the new conceptual framework. The third part applies the conceptual framework to explore the way in which a given issue-area – refugee protection – is structurally embedded in other issue-areas. Furthermore, it illustrates the implications this embeddedness has for the use of linkages in negotiations on refugee issues. The paper then concludes by pointing to how the conceptual framework might be applied from the perspective of other issue-areas.

## **2. Agency-Based and Structural Accounts of Interconnections**

The role of interconnections between issue-areas remains underdeveloped and under-applied at all levels of analysis. However, it is clear that agency-based accounts dominate and there is still too little emphasis on the role of structural interconnections. This paper therefore attempts to set out a conceptual framework for systematically exploring the role of structural interconnections and to integrate it with agency-based approaches. Because this paper is trying to reconcile structural and agency-based approaches, it is important to be clear at the outset how the paper will define and distinguish between ‘structure’ and ‘agency’. Agency represents the transformative capacity of actors. In other words, it relates to their capacity, as individual actors, to reflect on their position and to transform situations on the basis of that reflection (O’Neill et al 2004: 158). Meanwhile, structure can be defined as the rules and resources which enable or constrain social action (Giddens 1984: 377). Structure can be conceived to exist at two principal levels: institutions and cognitive frameworks. In relating these concepts to interconnections between issue-areas, then, agency relates to how actors combine issue-areas within bargaining. Meanwhile, structure relates to, firstly, how issue-areas are institutionally interconnected, and, secondly, how issue-areas are connected by cognitive frameworks. This section draws upon the existing literature to show how, at the moment, different bodies of literature emphasise different aspects of the role of agency and structure in interconnections. It divides the existing approaches into what it calls agency-based accounts and structural accounts of interconnections.

### **2.1. Agency-Based Accounts**

The literature on issue-linkage focuses on “bargaining that involves more than one issue” (Haas 1990: 76). The literature on issue linkages generally focuses on both ‘tactical linkage’, which relates to how issue-areas are combined in negotiations, and ‘substantive linkage’, which relates to how actors understand issues to be inter-related (Aggarwal 2000: 16; Haas 1980: 367-371; Haas 1990: 76-80). It is the first of these that offers the principal source of agency-based accounts of interconnections. The literature on tactical issue-linkage emerged in the context of liberal institutionalist approaches to regime theory in the early 1980s (Stein 1980; Haas 1980; McGinnis 1986; Conybeare 1984). It began by exploring methods for overcoming collective action failure in relation to the provision of global public goods. Tactical linkages were identified, alongside factors such as ‘the shadow of time’, ‘iterative games’ and institutions as a means to address the collaboration or coordination problems of international cooperation that regime theory commonly illustrated using the analogy of game theoretic situation structures (Axelrod 1984; Keohane 1984; Krasner 1983; Caporaso 1993). Given its emphasis on the use of side-payments as a means to expand the

prospects for cooperation, the concept of linkages has been applied in particular to analyse North-South relations. This is because issue-linkage has been identified as a means to increase the bargaining power of the South within 'suasion game situations' (Martin 1993; Bhagwati 1984; Ravenhill 1990).

The principal problem with such approaches is that they have a narrow focus on instrumental bargaining and neglect an adequate consideration of the role of structure. Linkages are primarily conceived as side-payments that appeal to pre-defined interests. In that sense its approach assumes that states have individualistic agency subject to the constraints of the pre-defined situation-structure. No significant consideration is given to the role of structure and no attempt is made to explore the more profound question of how issue-areas are structurally embedded within global governance and the consequences this has for issue-linkage.

The agency-based accounts provided by the exploration of tactical linkages offer a useful framework of analysis at the level of bargaining. However, in isolation it cannot provide an adequate explanation of the structural constraints and opportunities that determine the possibilities for linkage. Instead, the static account of tactical linkages can only explain linkage in relation to power and interests. For both Haas (1980: 367) and Aggarwal (2000: 16), the conception of power that determines opportunities for linkage is therefore extremely limited. For Haas (1990: 13; 57-8), the notion of power in relation to tactical linkage is "direct imposition" or the institutional context of bargaining. Similarly, for Aggarwal (2000: 2-14), his idea of institutional bargaining takes place on the basis of states' "international power position" and a given "institutional context". Yet, if the role of structure were more adequately incorporated within their understanding of linkages, then this might enable other forms of constraining and enabling factors to be considered. Indeed, as Barnett and Duvall (2005:3) highlight, power in global governance is not purely confined to the notion of compulsory power ("relations of interaction that allow one actor to have direct control over that of another") that Haas and Aggarwal implicitly use. Rather, considering the role of structure opens the possibility that institutional or structural power (i.e. how the existing structures constrain, enable or constitute actors), inherent to structural interconnections might play an important role in issue-linkage. Indeed, it is even possible that the power conferred by the underlying structures might, in some cases, offset the type of compulsory power discussed by Haas and Aggarwal.

It is important to go beyond an instrumental account of issue-linkages to incorporate the role of structural interconnections for a number of reasons. Firstly, it is significant because the scope for effectively combining or clustering issues in bargaining is not infinite. Rather, the effectiveness of the use of issue-linkage relies upon the actors involved seeing the relationship between issue-areas in order for there to be the perception of a beneficial side-payment. The credibility of this side-payment in turn depends upon the existence of a structural relationship that can be drawn upon in order to make linkage persuasive. Secondly, integrating structure may highlight the way in which the existing tapestry of interconnections differentially affects different actors. For example, it allows exploration of the question of how Northern and Southern states may be differently constrained or enabled to use issue-linkage. Thirdly, in contrast to a purely agency-based approach to issue-linkages, a structural approach can explore change over time. This is because it allows an assessment of how structures have changed historically, with for example, globalisation or changing modes of governance, and an analysis of how structures enable or constrain agency and how agency, in

turn, (re)creates the structural relationship between issue-areas of global governance over time.

## 2.2. *Structural Accounts*

Although they would not describe themselves as such, there are pockets of literature that may be considered to be structural accounts of the interconnections between issue-areas. While none of them has systematically conceptualised the idea of structural interconnections and their relationship to tactical linkage, they nevertheless point to different elements of structural interconnection. As was explained at the start of this section, structural interconnections can be conceived as having two principal elements: institutional interconnections and cognitive frameworks that relate issue-areas. The way in which these are covered in the literature can be explained in turn.

In terms of *institutional interconnections*, issue-areas may be connected by the way in which elements of norms, whether formal or informal, or the work of organisations cut across issue-areas. A number of authors have explored ways of conceptualising how different elements of regimes intersect. In particular, this work has attempted to map out the relationships between institutions that span issue-areas and explore ‘institutional interplay’ (King 1997; Moltke 1997; Young 1996; 2002). The work has developed a number of concepts – most notably those of overlapping, parallel and nested institutions (Alter and Meunier 2006; Aggarwal 2006). Nested institutions have been defined as occurring when international institutions are part of multilateral frameworks which involve multiple issues. Parallel (or horizontal) institutions have been used to describe the division of labour between institutions relating to a given issue-area. Meanwhile, overlapping institutions describe the possible conflicts that arise when different institutions which exist have similar mandates. According to this literature, problems can arise because when states stand within nested institutions or overlapping institutions they may be able to engage in ‘forum-shopping’ across regulatory jurisdictions. This is the primary mechanism through which Alter and Meunier (2006) suggest that ‘nesting’ may play a role as an independent variable in influencing political outcomes. Although Aggarwal’s (2006) main theoretical focus is on instrumental bargaining, he points to how the institutional context of nesting, overlapping or parallel institutions influences bargaining by influencing the type of linkages that are used.

In terms of *cognitive frameworks*, issue-areas may be connected by actors’ subjective or inter-subjective perceptions of ideas or their own identities. The existing literature offers some insights into the role of knowledge. Ernst Haas developed his notion of issue-linkages beyond a purely rationalist approach to regime theory to incorporate consideration of cognitive factors and the role of knowledge in creating perceptions of a causal relationship between issue-areas (Haas 1990; Hasenclever et al 1997; Aggarwal 2000). The notion of ‘substantive linkages’ arises when “one actor convinces another (the target) of the impact of external ties involved in a particular set of negotiations and is able to convince its counterpart that issues are logically packaged” (Aggarwal 2000:16). Aggarwal regards the purpose of regimes as to regulate global public goods that respond to externalities. For him, substantive linkages arise from the creation of knowledge relating to the causal connections between ‘problems’ and ‘solutions’, and the implications this has for the role of existing institutions addressing a given externality. Haas’s work is particularly relevant in its analysis of substantive linkages (Haas 1980). His analysis is grounded in a cognitivist approach to perception, rather than a rationalist game theoretical approach. His argument is that defining

“areas of joint gain” and “convergences of interest” across issue-areas is based on knowledge and the perception of interdependence across issue-areas. The association and packaging of what constitutes an issue-area is not, for Haas, based on objective truth, but rather occurs when ideas about ‘problems’, ‘solutions’ and causal connections “succeed in dominating the policy-making process”. He demonstrates this in relation to the way in which the United Nations Law of the Seas (UNLOS) was defined and negotiated in the late 1970s. For him, it is consensual knowledge, defined as “generally accepted understandings about cause-and-effect linkages”, that determines the way relationships between issue-areas are defined (Haas 1990: 21-23). This creates a crucial role for epistemic communities, academic models or hegemonic knowledge to influence the packaging of issues within negotiation.

However, accounts of the structural relationship between issue-areas remain limited in two significant respects. Firstly, these areas of literature largely explore isolated aspects of structural interconnections – such as the role of institutions or the role of knowledge – rather than systematically integrating the different elements. For example, although Haas’ work sees knowledge as conferring a form of structural power that constrains or enables actors, knowledge is the only aspect of structure that he explores. Secondly, the relationship between structure and agency remains inadequately explored. For example, the work on institutional interconnections has yet to provide an adequate account of how, and through what mechanisms, these interconnections influence agency and hence political outcomes. Although Aggarwal (2006), for example, does connect the level of institutional structure with the level of issue-linkages, his focus is on how the institutional context shapes bargaining patterns rather than on how the relationship between institutions, for example, constrains or enables different actors’ agency to engage in issue-linkage.

The failure to reconcile structure and agency means that many accounts of structural interconnections remain overly structuralist. For example, Duffield’s (2001; 2005) work on the interconnections between development, security and humanitarianism, and their influence on North-South relations, has similar limitations in being an almost entirely structuralist account of the ‘merger’ of the issue-areas of global governance. Duffield’s work ignores the possibility of Southern agency, or indeed the agency of any other actors. Instead, as in the case of Haas’ use of Gramsci in relation to substantive linkages, he simply regards the structures of global governance as a function of Northern hegemony which are directly imposed upon, and are purely constraining of the South.

There is a need for a conceptual framework that addresses these two limitations. Firstly, it must systematically integrate both institutional and cognitive elements of structural interconnections. Secondly, it must explore the relationship between structural interconnections and the agency of different actors to use issue-linkage within bargaining. The following section outlines a new conceptual framework based on a structure-agency approach.

### **3. A New Conceptual Framework**

In order to address the concerns outlined above, this section sets out a conceptual framework based on two concepts: ‘embeddedness’ and ‘linkages’. Firstly, ‘embeddedness’ is defined as the structural relationship between issue-areas of governance. The concept of embeddedness draws upon anthropological and sociological analysis of the way in which



different issue-areas such as the ‘economy’ are interconnected with broader areas of society.<sup>ii</sup> Given the definition of structure provided above, embeddedness can be understood to have two main dimensions: institutional interconnections and cognitive frameworks. Secondly, ‘linkages’ are defined as the creation of a relationship between two issue-areas within a bargaining process. In many ways this definition is similar to the conventional definition of ‘tactical linkages’. However, where Haas regards knowledge to be structural and prior to negotiations, the present definition recognises that, as well as being structural, interconnections based on regimes, organisations, ideas, and identity can all be strategically used within bargaining.

In terms of the relationship between the two concepts, the structural interconnections between issue-areas (embeddedness) can be thought of as providing the resources that states or non-state actors can draw upon instrumentally to form strategic interconnections within bargaining (linkages). Embeddedness therefore defines the potential scope for and constraints upon linkage-creation within a given context. Although it is not determining of the agency of actors to engage in issue-linkage it establishes the boundaries for possible issue-linkage. The existing structural relationships provide the resources upon which states and non-state actors can draw in order to attempt issue-linkage; however, making full use of these resources requires reflection, awareness of structural opportunities and the capacity to ‘convert’ those structural resources into successful linkages. In other words, agency lies between the structural resources and their conversion into accepted linkages.

The relationship between structure and agency can also be thought of as partly two-directional in the sense that the bargaining process may in turn contribute to the creation of new structural relationships across issue-areas such that embeddedness may be partly the product of past linkages. In other words, drawing upon embeddedness to create linkages may in turn alter the embeddedness of the issue-area by creating new structural interconnections. This two-way relationship might be analysed from the perspective of structuration theory (Giddens 1984; Wendt 1987; 1992) in order to show how, over time, embeddedness and issue-linkages interact. However, given the methodological problems of showing this relationship over time and operationalising structuration theory (O’Neill et al 2004:154; Wendt 1987:365; Carlsnaes 1992: 259-260), the focus of this paper is mainly on conceptualising how embeddedness enables or constrains linkage.<sup>iii</sup>

Embeddedness thereby provides a resource that can be mobilised in actors’ interactions. However, it may not necessarily affect all actors equally. Rather, states or other political actors may benefit disproportionately from the structural resources that are available for linkage depending on their standpoint and preferences. Embeddedness may thereby confer a form of institutional or structural power on actors in ways that influence their relationship within bargaining.<sup>iv</sup> Depending on which actors are favoured by this, it may either offset or reinforce other forms of relational power that are present in the bargaining process.<sup>v</sup>

Given the definition of structure as having two main dimensions of institutions and cognitive frameworks, embeddedness can be conceived to have two main elements: *institutional embeddedness* and *cognitive embeddedness*. Distinguishing between these two levels of structure is important because the levels differ conceptually in terms of the roles that they play. All types of embeddedness have subjective and inter-subjective elements between actors. In other words, the way in which an interconnection is perceived will to some extent be unique to that actor and to some extent be shared between actors. However, in general,

institutional embeddedness can be understood to be more or less inter-subjectively shared between all actors. This is because the way in which regimes and organisations relate issue-areas can be conceived to be relatively objective. In contrast, cognitive embeddedness will have a stronger subjective dimension, with perceptions differing more greatly between actors. One actor's ideas about the relationship between two issue-areas may differ from that of another. This means that in order to effectively draw upon embeddedness to create a successful linkage in relation to another actor, that actor will have to be aware of the other actor's subjective view of its identity or of how it perceives causal connections. In other words, two different actors may internalise different discourses on causal connections that relate two issues or issue-areas. For example, it may be that two states, 'a' and 'b', have different perceptions of the causal relationship between issues 'x' and 'y'. In order for state 'a' to effectively use linkage in bargaining with state 'b', it will need to be aware of the subjective discourse on the causal relationship between 'x' and 'y' that is internalised by state 'y'.

The two first-order concepts of embeddedness can be further sub-divided. Institutional embeddedness can be conceived to relate to regimes and organisations. Cognitive embeddedness can be sub-divided into ideas and identity. Together these four concepts could then be further sub-divided in order to map out embeddedness in even more detail. For example, 'regimes' might be sub-divided into 'principles', 'norms', 'rules', 'norms', and 'decision-making procedures', each of which might shed light on different ways in which issue-areas are interconnected. Nevertheless, for the purposes of this paper, the four concepts of regimes, organisations, ideas, and identity offer a useful starting point for analysing embeddedness and the role it plays in relation to linkages.

Under each of these four concepts, one can conceive of a number of ways in which issue-areas might be structurally interconnected in practice. In relation to regimes, issue-areas might be structurally interconnected through normative and legal frameworks. In relation to organisations, issue-areas might be structurally interconnected through inter-organisational partnerships or cross-issue organisational mandates. In relation to ideas, issue-areas might be structurally interconnected through the way in which a discourse on causal connections connects issue-areas. In relation to interests, issue-areas might be structurally interconnected through the identity of actors. This is because identities define interests and how those interests are perceived to relate to one another, creating a structural resource that other actors can draw upon to attempt issue-linkage.<sup>vi</sup> Where embeddedness is drawn upon by an actor to create an accepted association between two or more issue-areas within a bargaining process, this can be considered a 'linkage'. As with embeddedness, linkages can be categorised according to which of the four concepts that they relate to. States or non-state actors might, for example, instrumentally draw upon normative and legal frameworks, inter-organisational partnerships, discourses on causal connections, or identity to attempt to use issue-linkage within bargaining. Each of these four concepts can be explained in turn.

### **3.1. Regimes**

Regimes are generally defined as the norms, rules, principles and decision-making procedures that regulate specific issues or issue-areas (Krasner 1983). The most important element of this is norms, which can be defined as "collective expectations about proper behaviour for a given identity" (Jepperson, Katzenstein and Wendt 1996: 54). In other words, they contribute to defining shared understandings of acceptable behaviour, whether at a

formal or informal level. Normative and legal frameworks are one of the principal means through which regimes structurally connect issue-areas. Where normative and legal frameworks cut across issue-areas they may create a form of embeddedness. For example, many elements of World Trade Organization (WTO) regulation connect trade issues to other issue-areas such as health, the environment and labour standards. Normative and legal frameworks that connect issue-areas can be drawn upon to attempt issue-linkage within bargaining. Invoking norms derived from previous agreements that span issue-areas can be done formally or informally. Formally, this might take place by citing a normative or legal framework that connects two issues so as to increase leverage in relation to the issue that is of concern. Informally, this might take place through mobilising normative banners such as ‘sustainable development’ (the environment and development), ‘burden-sharing’ (refugee protection and development assistance), and ‘the right to development’ (human rights and development) in order to influence bargaining outcomes through implicit issue-linkage.

### **3.2. *Organisations***

The organisations that oversee or administer global governance regimes can also be understood to structurally connect issue-areas. Indeed the mandates and work of international organisations are rarely confined to a single issue-area. Frequently, the adapting, expanding and overlapping mandates of organisations provide a structural connection between issue-areas. For example, the United Nations Conference on Trade and Development (UNCTAD)’s mandate connects trade and development; The North Atlantic Treaty Organisation (NATO)’s mandate evolved to connect democratisation and collective security; the World Intellectual Property Rights Organisation (WIPO) connects trade and technological innovation; the World Bank’s mandate developed to connect good governance with development; the International Monetary Fund (IMF) connects finance and development. The precise way in which the mandates and work of these organisations and agencies connect issue-areas provides a significant source of institutional embeddedness. Furthermore, many organisations agencies engage in collaborative partnerships. The United Nations Development Group (UNDG), for example, provides a permanent forum for insitutionalised collaboration between different UN agencies on issues relating to development. Meanwhile, certain agencies collaborate in quasi-permanent ways that span across issue-areas. The World Bank and the IMF; the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Development Programme (UNDP); the International Labour Organisation (ILO) and the International Migration Organization (IMO); and the WTO and WIPO, for example, all have varying degrees of formal and informal partnerships that create a structural relationship across issue-areas. This form of embeddedness can be used within bargaining. Such partnerships enable or constrain the use of linkages that connect issue-areas on agreements about how an organisation will work across issue-areas. Inter-agency partnerships and mandates represent a particularly important source of embeddedness because they can make side-payments possible in practical terms. For example, if an organisational partnership exists between, say, a trade organisation and a development organisation, this can allow one state to connect the two issues in negotiations in ways that might not otherwise be possible. Indeed, if the mandates or partnerships of existing organisations and agencies do not exist in a way that connects two issue-areas, ensuring side-payments within the context of a given set of multilateral negotiations is likely to be far more complex. For example, the instrumental use of this form of embeddedness has taken place in negotiations between European states across a range of issue-areas because the EU’s own mandate has been sufficiently broad to ensure that side-payments can be made. For organisations with more narrow mandates or without

permanent forms of inter-agency collaboration, linkages within the context of debates on organisational role are likely to be less viable.

### 3.3. *Ideas*

In contrast to rationalist approaches, which emphasise the role of power and interests in determining outcomes in international relations, cognitive approaches introduce the idea that knowledge, ideas and perception may play a role in the prospects for international cooperation (Kratochwil and Ruggie 1986; Kratochwil 1989). Meanwhile, Peter Haas (1989: 131-2) has identified the important role of 'epistemic communities' (as "a community of experts sharing a belief in a common set of cause-and-effect relationships as well as common values to which policies governing these relationships will be applied") in international politics. Indeed, ideas can also connect issue-areas of global governance because they influence the perception of the causal relationship that relates issue-areas. As Ernst Haas has argued, technical information and theories created by epistemic communities can contribute to creating inter-subjective understandings of the causal relationship between 'problems' and 'solutions'. These contribute to the creation of "generally accepted understandings about cause-and-effect linkages", which in turn influence the way in which issue-areas can be packaged within bargaining and the 'win-sets' they produce (Haas 1990: 21-40). The problem with Haas' conception of ideas and knowledge, however, is that it treats them as purely structural elements that are determined prior to bargaining. In reality, ideas connect issue-areas both at the level of structure and at the level of bargaining. It is important that this be reflected in the conceptual framework because, rather than being pre-determined ideas can be reflectively mobilised and drawn upon as a resource within bargaining. Consequently, while there is a structural component to knowledge-creation, as implied by Haas, there is also a need to recognise agency within the bargaining process in terms of *how* the stock of knowledge is used, argued and manipulated by political actors.

The way in which ideas structurally connect issue-areas is summarised by the notion of 'discourses on causal connections'. This refers to the way in which the relationship between issue-areas is understood by actors. As with culture (generally defined in anthropology as relating to shared ideas), such discourses may be held by different actors in different ways. The most dominant discourses on causal connections will be widely inter-subjective. For example, there is a fairly commonly held inter-subjective understanding of the causal relationship between the HIV virus and AIDS. However, different actors may have different understandings about the causal relationships between climate change and greenhouse gas emissions, development and terrorism, or development and migration, for example. Although to some extent such relationships may be falsifiable on the basis of empirical evidence, most ideas on causal connections also have contested elements that are subject to incomplete information or ideological influence and hence may vary depending on standpoint. Nevertheless, despite their possible subjective variation across actors, the various discourses on causal connections represent a structural resource that enables and constrains the effective use of issue-linkage within bargaining. If a given actor 'a' can be aware of how another actor, 'b', internalises a given discourse on the causal relationship between issues 'x' and 'y', this may create an opportunity to draw upon these discourses to attempt and effectively use linkages within negotiations.

### **3.4. Identity**

The concept of ‘tactical linkages’ has generally been used to refer to the instrumental creation of a relationship between issues within a bargaining process. As Aggarwal (2000:16) explains, this involves appealing to and persuading other actors that there is a relationship between a state’s interest in another issue-area and the specific area of negotiation. Whether based on inducement or coercion, the dominant conception of tactical linkage, and the original use of ‘linkages’ as referring to side-payments therefore represents an appeal to states’ interests in linked areas of global governance. From a rationalist perspective in regime theory, states have generally been conceived as self-interested, utility-maximising, atomistic actors that behave analogously to *homo oeconomicus* in economic theory. In particular, many rationalist approaches to international relations takes states as unitary ‘black boxes’ whose interests and preferences are exogenously given and are antecedent to interaction.

While the analytical focus on interests is generally associated with liberal institutionalism’s game theoretical approach, it is important to recognise that the role of interconnections between interests is of relevance even from a broader theoretical perspective. In particular, constructivists have recognised that interests and identity are mutually constitutive (Wendt 1992). From this perspective, a state that is attempting to create an issue-linkage vis-à-vis another state, may be constrained or enabled by the identity of that state and the way in which that identity relates issue-areas. Although the interests of the object state will be perceived, and to some degree subject to persuasion and renegotiation, there will be a degree to which the identity of that state, within the given context, will structurally limit the bounds of its perceived interests. Based on that premise, one can conceptually distinguish between embeddedness, based upon the identity of a state within a given context, on the one hand, and attempts by a linking state to appeal to the perceived interests that result from that identity, on the other. By defining the short-term bounds of their perceived interests, states’ identities contribute to defining the embedded structural relationship between issue-areas and so proscribe the immediate possibilities for instrumental linkage. As with ‘discourse on causal connections’, ‘identity’ represents a form of cognitive embeddedness which has a significant subjective component. Indeed, having the agency to create instrumental linkages in bargaining, relies upon actor ‘a’ being aware of actor ‘b’’s identity and hence how it perceives its interests.

## **4. Application to the Case of Refugee Protection**

In order to demonstrate how the conceptual framework can be operationalised, this section briefly applies it to the issue-area of refugee protection in order to highlight how the refugee issue is embedded in broader issue-areas and what implications this has for the use of linkages within bargaining on refugee issues. This has particular relevance because the issue of refugee protection is commonly seen in isolation from other issue-areas. Most academics, policy-makers and practitioners who work on refugee issues examine the elements of the ‘refugee regime’, which are commonly assumed to include the 1951 Convention and its 1967 Protocol, and handful of regional agreements, and a series of non-binding UNHCR Executive Committee Resolutions. Meanwhile, UNHCR is often assumed to be the only relevant international organisation in relation to refugee protection. However, in reality, refugee protection is interconnected with a range of other issue-areas including migration, security, development, peace-building, and human rights, and these interconnections have significant

implications for the politics of protection. Structurally, refugee protection is embedded in these areas through a range of normative and legal frameworks, inter-organisational structures and mandates, discourses on causal connections, and identity structures. Meanwhile, states have rarely contributed to refugee protection (particularly beyond their own territory) for its own sake or for altruistic reasons, but have largely done so insofar as doing so has met their interests in these wider linked areas (Betts 2003; 2005).

#### **4.1. Regimes**

The global refugee regime comprises a range of norms, rules, principles and decision-making procedures. Skran (1995:68) highlights how the regime is characterised by three main norms: asylum, assistance and burden-sharing. The dominant rules are provided by the obligations that are binding on states parties to the 1951 Convention and other regional treaties. The regime also incorporates a range of principles, which vary in the extent to which they are legally recognised, such as the concept of *non-refoulement*, which is part of customary international law. Meanwhile the main decision-making procedures of the regime relate to the workings of UNHCR's Standing Committee and Executive Committee. However, significantly, the refugee regime cannot be seen in isolation. From a structural perspective, many of the normative and legal frameworks that relate to refugee protection connect the 'refugee issue' to other issue-areas beyond the traditional scope of the refugee regime. For example, within the 1951 Convention there are references to international humanitarian law (in the exclusion clauses, for example). It is increasingly being recognised that international human rights law, as well as international refugee law, has implications for states' obligations towards refugees (McAdam (forthcoming); Gorlick 2000). Even from a strictly legal perspective, then, the refugee issue is connected to human rights through emerging sources of jurisprudence. Less formally, the premise that refugee protection relies upon international cooperation (outlined in the Preamble to the 1951 Convention and subsequent less binding UNHCR ExCom conclusions relating to 'burden-sharing') structurally relates the refugee protection commitment of states of first asylum to international assistance (whether in the form of financial support, humanitarian assistance or development aid).

These normative and legal frameworks that connect the refugee issue to other issue-areas have been drawn upon by state and non-state actors in negotiations in relation to refugee issues. For example, UNHCR can draw upon the way in which the refugee issue is embedded in the broader human rights regime in order to persuade many states of their obligations to refugees – invoking treaty obligations such as Article 3 of the European Court of Human Rights (ECHR) and Article 3 of the Convention Against Torture (CAT). Meanwhile, in the context of both regular UNHCR activities and *ad hoc* attempts by UNHCR to facilitate North-South cooperation, Southern states, UNHCR and NGOs have frequently called on the notion of 'burden-sharing' in bargaining. 'Burden-sharing' has been invoked in order to normatively connect refugee protection (generally provided by Southern states) with the provision of development assistance by Northern states. In cases such as the International Conferences on Assistance to Refugees in Africa of the early 1980s or the Convention Plus negotiations between 2003 and 2005, for example, African states frequently invoked burden-sharing in order to try to persuade Northern states of a normative obligation to provide development assistance in compensation for the infrastructural and social costs of hosting refugees.

## 4.2. *Organisations*

UNHCR has developed both highly institutionalised forms of collaboration with other UN agencies and a range of less formal partnerships with other actors. In terms of UNHCR's work to promote repatriation or local integration and self-sufficiency in host countries of asylum this has led the organisation to seek institutionalised collaboration with development organisations. For example, it has joined the United Nations Development Group (UNDG), in which it has been able to contribute a Guidance Notes on 'durable solutions' to influence the role of UN development organisations in relation to refugees. In attempting to contribute to the protection of internally displaced people (IDPs), UNHCR has also created institutionalised relationships to a range of other UN actors, especially humanitarian agencies. For example, the 'collaborative' approach to IDP protection, which ran until 2005, created an institutional arrangement across UN agencies through the Office of the Coordinator for Humanitarian Affairs (OCHA). Meanwhile, the 'clustered' approach to IDP protection that began in 2005 creates a more direct institutional relationship between UNHCR and UN actors such as the World Food Programme (WFP) and the United Nations Children's Fund (UNICEF) (UNHCR 2006). Additionally, UNHCR has developed a range of less formally institutionalised partnerships with UN agencies in ways that have connected refugee protection to other issue areas. For example, UNHCR has worked closely with UNDP and has developed memoranda of understanding with IOM in ways that have structurally connected refugee protection to development and migration issues.

This type of embeddedness has created an opportunity for linkages that instrumentally draw upon organisational partnerships and mandates within bargaining. In particular, the partnership between UNHCR and UNDP has served as a structural opportunity for Southern states to link refugee protection with development assistance in the context of bargaining with Northern states. This has been evident in a range of UNHCR-led attempts to facilitate North-South cooperation in relation to specific regional mass influxes or protracted refugee situations. For example, regarding the International Conference on Assistance to Refugees in Africa (ICARA I and II) and the International Conference on Central American Refugees (CIREFCA), the relationship has made the idea of using integrated development assistance to enhance refugee protection or improve access to durable solutions (local integration and repatriation) practically viable. In both cases, it was only because of UNDP's involvement with the 'refugee issue' that the states in the region were able to effectively link development and refugee protection. UNDP's involvement made it technically and practically possible to conceive of UNDP-coordinated development assistance as a means through which donor states' concern to enhance the quality of refugee protection and refugees' access to durable solutions could be met. The inter-organisational structures therefore provided a resource that allowed Southern states to link refugee protection to development assistance.

## 4.3. *Ideas*

There are three dominant discourses on causal connections that have connected refugee protection to other issue-areas, each of which has evolved since the 1980s. The discourses emerge from the interaction of epistemic communities with policy-makers, particularly through the interaction of academics with UNHCR staff. In the first instance, the *Refugee Aid and Development* (RAD) debates of the 1980s defined a relationship between refugee protection and development. The RAD debates drew attention to the role that development assistance could play in improving the prospects for refugees' self-sufficiency, as a means to

reduce the long-term costs of hosting significant camp populations, and local integration, as an alternative durable solution. It argued that developmental approaches, incorporating a role for development actors such as UNDP, could play a central role promoting integrated community development and infrastructure projects to address the concerns of refugees and host communities simultaneously. These ideas, which were partly developed as a result of dissatisfaction with ongoing UNHCR practice, were supported and developed within the context of academic debate (Gorman 1986, 1993). Although the discourse became less prominent in the late 1990s, it was revived by UNHCR after 2002 under the banner of 'Targeting Development Assistance' (Betts 2004). In the second instance, the *Asylum-Migration Nexus* describes the causal relationship between asylum and migration. This label emerged in the early 2000s within both academic discussion and policy debate. The academic literature under this rubric highlights the growing difficulty in separating forced and economic migration; their closely related causes; the similarities between the migratory processes; and the lack of differentiation in the policy responses to both categories. (Castles and Van Hear 2005; Papadopoulos 2005; Betts 2006a). However, awareness of the phenomenon dates back to the late 1980s when, in the context of the mass exodus of Vietnamese 'boat people' to South East Asia and Hong Kong, policy-makers and academics recognised the complex relationships between asylum and migration and the problems these pose for identifying legitimate claims to refugee status (Robinson 1998). Thirdly, the *Security-Development Nexus* highlights the growing academic acknowledgement of a relationship between security and development. There is an emerging academic acknowledgement of a causal relationship, both analytical and political, between security and development (Tchirgi 2003; Duffield 2001, 2005). However, this increasingly acknowledged relationship has existed as part of a discourse on causal connections in relation to refugee protection for some time. During CIREFCA, for example, UNHCR recognised the need to consolidate peace and security alongside development, as a precursor for ensuring refugee protection. It was partly this logic that led UNHCR to ensure that the refugee protection component of CIREFCA was institutionally connected to the wider post-conflict reconstruction and development initiative for the region. In the context of the 'War on Terror', the security-development nexus has also developed a particular form, which asserts various forms of relationship between the terrorist threat and the long-term encampment of refugees and their limited access to livelihood opportunities and freedom of movement, for example (Kagwanja and Juma 2006).

All three discourses have been instrumentally drawn upon by states in order to attempt to create linkages within bargaining on refugee issues. Firstly, the RAD discourse allowed African and Central American states in ICARA and CIREFCA to make linkages between development assistance and refugee protection, using the existence of long-standing refugee situations as a means to attempt to acquire increased levels of 'additional' development aid. Meanwhile, it allowed UNHCR an opportunity to create a linkage between the ongoing work of UNDP in relation to the displaced and the promotion of self-sufficiency and local integration for refugees. This was because it enabled UNHCR to argue that if Southern states provided self-sufficiency and local integration for refugees within a UNDP-led integrated development framework this might yield developmental benefits for the host states and their citizens. Secondly, the so-called 'asylum-migration nexus' described above has been drawn upon by European states in order to make contested claims about the need to 'ensure refugee protection within the broader context of migration control'. This has added legitimacy to a host of new policies on migration control and allowed European states to divest themselves of some of their responsibilities for refugee protection. However, the same



discourses have also been mobilised by UNHCR and Southern states, for example, in order to argue that there is a need to greater investment by Northern states ‘in regions or origin’ in order to reduce the underlying need for onward migratory movements by asylum seekers. Thirdly, in the context of the ‘War on Terror’, UNHCR has used the language of security to promote a commitment to humanitarianism and targeted development assistance for refugees. Meanwhile, Southern states used the appeal to security as a means to attract increased donor commitments to refugee protection. In particular, protracted refugee situations were argued by academics to be linked to insecurity for both states and individuals (Loescher and Milner 2005), providing a discursive framework that could be mobilised by states to connect refugee protection with security concerns within and beyond regions of refugee origin.

#### **4.4. Identity**

States have rarely contributed to the protection of refugees beyond their own borders for altruistic reasons. Rather, they have generally done so on the basis of some perceived interest in a related issue-area beyond refugee protection. Indeed, as was explained earlier, the structural corollary of an actor’s interests is its identity. Indeed, issue-areas are embedded within other issue-areas through the identity of actors. The dominant identities that have connected refugee protection to other issue-areas have changed over time. In the Cold War context, one of the dominant identities was, Communism-Capitalism, which defined the scope of the motives a given state would have for seeking to contribute to the protection of a given group of refugees. Indeed, it was through, for example, its Capitalist identity, in opposition to Communism, that the United States’ identity connected refugee protection for certain privileged groups with wider foreign policy concerns. Because refugees were often exiled from the proxy conflicts of the Cold War or from the Soviet Union and its spheres of influence, they were often perceived by the US in particular as potential allies or enemies within the struggle against Communism. In the post-Cold War era, North and South are amongst the dominant identity categories that structurally connect refugee protection to other issue-areas. In relation to refugee protection, the North-South dynamic is particularly significant because Organisation for Economic Cooperation and Development (OECD) states generally represent donor states or resettlement countries, while Southern states host the overwhelming majority of the world’s refugees (over 70%) because of generally being in close proximity to conflict and human rights-abusing states. Southern host states also generally have far less capacity to control entry and exit than do Northern states. This structural relationship between North and South means that, very broadly speaking, the identities of states connect the issue-area to other issues in different ways. For example, the identity of Southern states as ‘Southern states’ creates a strong basis for a Southern interest in connecting refugee protection to development, while the identity of Northern states as ‘Northern states’ creates strong incentives to connect refugee protection to issues such as security and migration.

Consequently, the recognition by other actors of a given actor’s identity and how it structurally connects issue-areas represents a resource that can and has been used to create linkages within bargaining. Indeed, the instrumental use of actors’ identities in order to use linkages to appeal to the perceived interests of those actors has been a common basis on which states have been induced to contribute to refugee protection or durable solutions. States’ foreign policy concerns and security interests have generally defined asylum and refugee policies. For example, the two most commonly cited examples of successful international cooperation in the refugee regime – the International Conference on Refugees in

Central America (CIREFCA) and the Comprehensive Plan of Action for Indo-Chinese refugees (CPA), both of 1989, relied upon instrumental linkages that recognised and appealed to actors' identities. In the former case, the main donor states from the emerging European Community (EC) were prepared to contribute mainly because of their ideological interest in promoting human rights, peace and security, and because of a desire to foster trade links with Central American states. In other words, the recognition by UNHCR that the EC's emerging identity was linked to trade and human rights, allowed UNHCR to appeal to these wider interests as a means to induce a commitment to refugee protection in Central America. In the latter case, UNHCR was able to facilitate inter-state agreement by recognising aspects of the main stakeholders' identities and trying to appeal to them through instrumentally relating them to the refugee issue. For example, the US's commitment to resettle Vietnamese refugees from the ASEAN states related to the way in which its identity had been shaped by the legacy of the Vietnam War, which shaped its wider commitment to regional security. For the most important ASEAN states involved in the CPA – Malaysia and Indonesia – their ethnic identities contributed to their concerns to establish legitimate restrictions on the immigration of ethnic Chinese. Recognising the source of these interests allowed UNHCR to appeal to those states to continue to offer first asylum in exchange for the US's commitment to resettlement and the establishment of restrictions on migration. Meanwhile, the Socialist Republic of Vietnam (SRV)'s identity as Socialist, and hence isolated, in the immediate aftermath of the collapse of the USSR, provided an opportunity for UNHCR and other actors to instrumentally relate the SRV's commitment to facilitating the return of Vietnamese 'boat people' to greater political legitimacy and economic support for the existing regime (Betts 2006b).

## **5. Conclusion**

Existing accounts of the interconnections between issue-areas generally underplay the role of structure and power. The few accounts that do explore structural aspects of the relationship between issue-areas tend to focus either on institutional interplay or the role of knowledge, rather than offering an overarching framework for understanding and conceptualising the role of structure in issue-interconnections. This paper has set out a conceptual framework for exploring and understanding interconnections between issue-areas of governance. It has suggested that issue-areas can be connected by four concepts: regimes, organisations, ideas, and interests. These have both a structural dimension (embeddedness) and can be drawn upon in instrumental bargaining (linkages). Embeddedness has been conceived as a structural resource that constrains or enables states and non-state actors to use issue-linkage with bargaining. The relationship between embeddedness and linkages, though, is not deterministic. Rather, agency remains important insofar as drawing upon and using embeddedness within bargaining requires reflection and awareness of the opportunities and constraint provided by existing cognitive and institutional frameworks. Nevertheless, in contrast to the literature on issue-linkage, the conceptual framework in this paper argues that structure is crucial because it defines the range of possible and effective linkages. It is also important because it does not necessarily affect all actors equally. Rather, the way in which issue-areas are embedded may benefit some actors more than others and present different opportunities to actors depending on their standpoints and preferences. In that sense, embeddedness can confer a form of institutional or structural power that can be used in attempting issue-linkage and may either reinforce or off-set other forms of relational power.

The framework, although applied here from the perspective of a particular issue-area (refugee protection), is intended to have wider applicability. In applying the framework to other issue-areas, a range of questions can be asked. Firstly, how is the given issue-area structurally interconnected with other issue-areas in relation to the concepts of regimes, organisations, ideas and identities? Secondly, how are these structural interconnections instrumentally used within bargaining? Thirdly, what are the implications of embeddedness for political outcomes, and to what extent does its use offset or reinforce other forms of power (especially compulsory power) within bargaining? Applying it, and adapting it where necessary, from the perspective of a range of other issue-areas may shed light both on the governance and politics of those issue-areas and a range of theoretical debates. For example, it may highlight types of power that can be derived from the way issue-areas are embedded, revealing sources of institutional or structural power and how they are and could be mobilised in political negotiations. Analytically, this may reveal mechanisms through which a range of state and non-state actors are being differentially empowered or constrained by the growing complexity of governance arrangements (e.g. those between North and South). In practical (and normative) terms, understanding the role of embeddedness from the perspective of a range of issue-areas is important because it may shed light on unexplored structural opportunities for actors with little recourse to compulsory power to effect political change.

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<sup>ii</sup> The concept has been used by Ruggie (1982) in his notion of 'embedded liberalism', in which he has argued that deeply embedded ideas have underpinned the continuity of the global capitalist and world trade order since the late Nineteenth century. In anthropology, the concept examines how areas such as 'economics', 'religion' and 'politics' are often inseparably inter-related within certain social and cultural contexts, defying conventional Western categories (Wilk 1996). It has also been used in sociology to critique the idea that actors make decisions in isolation from other social actors or other issue-areas (Granovetter 1985).

<sup>iii</sup> However, the question of how embeddedness *constitutes* actors such that they are able to use linkages could also be explored.

<sup>iv</sup> Barnett and Duvall (2005: 15) define institutional power as the way in which an actor exerts indirect influence over another actor through the way in which formal and informal institutions enable or constrain actions. In contrast structural power describes how social structure constitutes actors' relational capacities (Ibid: 18-19).

<sup>v</sup> This may have implications for North-South relations, for example, and the question of whether or not linkages represent an opportunity to enhance Southern bargaining power vis-à-vis the North as Ravenhill (1990) suggests.

<sup>vi</sup> For constructivists in international relations, identity is the structural corollary of interests, and the two concepts are conceived as being mutually constitutive.