

CONTENTS

Preface *ix*

Chapter 1 Introduction 3

International Law at Work 3

Methodology 15

Compliance and Effectiveness in International Law 22

The Scope of the Book 23

Chapter 2 A General Theory of International Law 25

Games States Play 25

The Three Rs of Compliance 33

International Tribunals and State Responsibility 49

Payoffs and Strategies over Time 55

Modulating the Level of Commitment 58

Coercion and International Agreements 60

Multilateral Cooperation 63

Chapter 3 Reputation 71

How Reputation Is Gained and Lost 73

Managing Reputation over Time 86

The Role of Information 91

The Compartmentalizing of Reputation 100

Limits and Caveats 111

Chapter 4 International Agreements 119

Why Do States Make Agreements? 120

Matters of Form 130

The Interaction of Form and Substance 154

The Scope of Agreements 161

| | |
|---|-----|
| Membership in International Agreements | 170 |
| Conclusion | 180 |
| Chapter 5 Customary International Law | 183 |
| The Traditional Definition of CIL | 184 |
| Rational Choice Critics | 188 |
| Compliance and CIL | 190 |
| Opinio Juris | 194 |
| State Practice | 201 |
| An Example of CIL: <i>Pacta Sunt Servanda</i> | 204 |
| CIL and Other International Law | 206 |
| Chapter 6 Understanding International Law | 211 |
| Notes | 219 |
| Bibliography | 237 |
| Index | 248 |