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Constructivism and human rights locating values in a divided approach

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Constructivism and Human Rights
Locating Values in a Divided Approach

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Abstract

Constructivism is sociological, constitutive and manages to incorporate both positivist and post-positivist methods of analysing the international system, although how well it combines the two is much disputed. It has produced a large amount of theoretical and empirical work detailing the constitutive and procedural norms of this system, and it has (largely) done so by placing a premium on the lives, characteristics and contributions of humans within it. As such it is often regarded as the most fertile ground within International Relations (IR) theory for bringing together theory and practice into a coherent whole.

But how *normative* should it be?

Critical scholars, mindful perhaps of the Third Debate origins of constructivism, strongly suggest that it should be more normative in its outlook, and thus able to direct the flow of international theory and practice rather than simply report on it. It is adept at cataloguing and interpreting the institutions and standards which constitute the international system, and the procedures and behaviours that govern it, but not the values which many see as underpinning it. This thesis will test this claim. It will do so by using the currently most visible and even tangible expression of values in the international system – the Universal Declaration of Human Rights – to anchor an otherwise metaphysical concept. The capacity of constructivism to engage more consistently with human rights will be assessed by critically analysing three key expressions of the

approach – namely those of Alexander Wendt, Nicholas Onuf and Andrew Linklater.

This triangulation opens up a new intellectual space which enables an exploration of the

broad range of constructivist positions, in order to appraise how they cohere and diverge

on this subject. This in turn allows for the conclusions that constructivism does engage

with values, but that it is not suited to furthering a purposive, moral agenda. Any attempt

to push its boundaries towards a more critical formulation divest it of any meaning as a

category of international theory.

Contents

Introduction

Constructivism is sociological, constitutive and manages to incorporate both positivist and post-positivist methods of analysing the international system, although how well it combines the two is much disputed. It has produced a large amount of theoretical and empirical work detailing the constitutive and procedural norms of this system, and it has (largely) done so by placing a premium on the lives, characteristics and contributions of humans within it. As such it is often regarded as the most fertile ground within International Relations (IR) theory for bringing together theory and practice into a coherent whole.

But how *normative* should it be?

Representing the broad middle ground in international theory, constructivism occupies a space between 'orthodox' and 'progressive' poles, loosely tying them together. As such, many claims are made of it by those who see its potential for pushing back the boundaries of how theory is done in IR whilst maintaining a foot in either camp. For many traditionalists, constructivism is an opportunity to experiment with what is 'social' about the stuff of IR without compromising their epistemological position. Critically-inclined scholars, on the other hand, see constructivism as having the necessary sociological and empirical tools needed to substantiate their more abstract vision. In this case, constructivism lacks the type of value-normativity expressed by other approaches, namely the English School.

This critical perspective is the focus of this thesis. The main research question is in two parts:

> To what extent do key constructivist accounts engage with
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> values, and what effect do values have on our understanding
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> of 'constructivism' as a category of international theory?

In other words, to what extent *is* constructivism a value-led approach, and to what extent *should* it be?

Is constructivism failing, somehow, to live up to expectations? The most straightforward answer to this question again comes in two parts, and these in turn create two interconnected strands of inquiry which together form the core analytic content of this thesis: all of this depends both on what constructivism is, and what is being expected of it.

It is, almost by definition, a contested approach. Critical scholars, mindful perhaps of the Third Debate origins of constructivism, strongly suggest that it should be more normative in its outlook, and thus able to direct the flow of international theory and practice rather than simply report on it. It is adept at cataloguing and interpreting the institutions and standards which constitute the international system, and the procedures and behaviours that govern it, but not the values which many see as underpinning it. In other words, this would be a moral undertaking which goes beyond the normativity usually associated with constructivism. Values are the norms which constructivism lacks. It is not a purposive approach, and this identity is being tested here.

So how should constructivism be represented as a subject, and what is 'value normativity' as the term is employed here? Firstly, the fact that constructivism is a label for (sometimes loosely) associated approaches which all profess to offer a constitutive account of international relations by incorporating its many and various social aspects, and the way in which it does this – by ranging across the positivist-postpositivist epistemological spectrum – has resulted in the emergence of several different constructivisms. They each focus their energies on different aspects of the 'social' international, yet have still managed to persist throughout two decades of international theorising beneath a single umbrella term.

Secondly, the normativity demanded of constructivism is value normativity as distinguished from constitutive or procedural normativity. The difference between these types is a difference of purpose, as mentioned above. Constructivism – as is usually agreed upon – has the stated purpose of delivering an ongoing constitutive account of how the world works. Alternatively, some suggest that it can be *purposive* and deliver this account as part of a moral agenda. It is this value normativity which tests constructivism, as otherwise it is generally considered to excel at the more traditional constitutive and behavioural or procedural matters of international relations – the norms of action, habit and convention.

The way in which this thesis tests the value-normativity of constructivism is to frame the issue against a more substantive backdrop – human rights norms. This is done for several reasons. There is a need for this test to account for the more positivistic aspects of constructivism if it is to engage with this approach as holistically as possible. This requires a more concrete representation of values as they operate in and impact upon the international system. Without this, we are dealing with a concept – values – that can all too easily be detached from its ethical meaning and

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become entirely metaphysical. To have this act as our sounding board for the normativity of constructivism is simply too critically-inclined as a starting point for the following analysis to incorporate a truly representative sample of constructivism as a whole. At best, having the test begin from a moral prescription rather than an ethical perspective is to assume that any meaningful outcome must stem from the critical wing of constructivism itself. At worst, it makes for a very confined and biased analysis.

Instead, an ethical instrumental approach will be taken, as this is considered to be the best way of discussing the spectrum of constructivism together with the 'good' of values. Both constructivism and this thesis require a more concrete representation of values if either is to come to a satisfactory conclusion on the matter. That is, a conclusion not dominated by the abstractions of metatheory. The *Universal Declaration of Human Rights* allows us to point to these rights, to quote them even, which then allows us to be relatively happy that they do actually exist, and that they can therefore be accounted for by a constitutive approach. This codification of the liberal human rights agenda in 1948 encapsulates the moral challenge for constructivists, and will be referred to throughout the thesis for precisely this reason – it substantiates the otherwise abstract issue of values in the international system.

Division and ethics are two important themes for this thesis. Before detailing its running order, certain key areas require some elaboration. That is, the nature of the normative challenge and the constructivism(s) being brought to the table.

The normative challenge

International theory does not have a unitary response to values. Much of the analysis in this thesis will range across the positivist/postpositivist divide which persists not

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only in international theory but within constructivism itself. Any review or analysis of constructivism demands that this epistemological split be given equal weighting. Indeed, it seems to be an essential and defining part of what constructivism is. Taking up a critical theory challenge involves testing a positivist belief against a postpositivist belief. Traditional or orthodox approaches do of course acknowledge that values play a role in how norms shape and reflect our world, but it remains a case of 'values do matter but are not essential' versus 'values are essential'.

To engage with this divide is to make the key assumption that states matter *and* humans matter, and distinguishing between them in a hierarchical arrangement does not benefit our understanding of the international system. That, at least, is our premise. This premise is made more interesting by the fact that Wendt, Onuf and Linklater can appear to be irreconcilable, but they do in fact speak to each other on several key levels.

A concern over constructivism's normative lack has circulated throughout this subfield of IR and has been voiced by critically-inclined theorists either implicitly or explicitly. As notable examples of the latter, Christian Reus-Smit and Richard Shapcott have asked a series of questions, and have made a number of statements, regarding the normative credentials of constructivism. One such prompt has constructivism as the poor relation where normativity is concerned: 'constructivism can be enriched by learning from the English School's normative reflections.'[1] That it can be 'enriched' presupposes a lack of moral fibre, and that by instituting this morality constructivism should somehow become more complete.

There is a suspicion, essentially, that constructivism is not performing as it should. In more detail,

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[1] Christian Reus-Smit, 'Imagining society: constructivism and the English School', *British Journal of Politics and International Relations*, vol. 4 (3), (2002), p. 499

there is a certain coyness about much constructivist writing. Constructivists are united by their emphasis on the role of intersubjective values in constituting social actors and action, and much of their empirical research focuses on the development and impact of cosmopolitan or liberal values, such as human rights, arms control, environmental protection, multilateralism and international law. Yet the fact that this explicit analytical interest in norms coexists with an implicit normative sympathy for, and commitment to, these 'progressive' values is seldom admitted, let alone justified.[2]

This passage raises many of the themes which shall be investigated by this thesis: that, for example, 'intersubjective values' remain utterly metaphysical and have yet to be tested in any substantial way; that an approach bearing the label 'constitutive' should be tied to this commitment, however ill-defined or even paradoxical it may be; that studies into the 'development and impact' of normative concerns fail to cohere unless, in the end, they confirm a liberalising agenda; and, most pertinently, that 'sympathy' for 'progressive values' is the proper focus of constructivism, given its critical heritage and leading contemporary expression.

Certainly, constructivism, along with the English School and critical international theory, has been part of the movement to bring norms 'back in' to a more idea-receptive and humanist IR. But certain quarters of international theory are becoming increasingly dissatisfied with the level of inquiry offered by these schools

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[2] Ibid., pp. 499-500

and would like answers to their many worthy questions. They would like an outcome, a product, for all of the normative promise.

In Shapcott's words, 'the constructivist account in particular has been central to the 'return' of normative concerns to IR.' As part of a group of approaches similarly placed in raising 'important normative questions, to date, none has demonstrated possession of the resources by which such questions can be answered.'[3] Looking for 'answers', of course, is a fundamentally metaphysical pursuit. It is not something that IR is particularly well set-up to do. In this respect, it mirrors much of social science. Branches of it do make normative statements, of course, but could constructivism be one of them? Constructivism addresses normative issues. But addressing issues *normatively* is not the same thing, however counter-intuitive that may seem. To begin with, 'norms' are such a broad and pervasive social concept that they apply to many human and institutional capacities: to act, to force, to persuade, to need, etc. Yet to address these aspects of the international system as if they are, *a priori*, unfinished projects, strongly suggests a particular political agenda.

We have touched upon the challenge which has been laid down for constructivism, but how best to go about addressing it? That the international system should be governed more by the values people hold than by the material needs of states concerns an increasing number of IR scholars, just as it appears to concern an increasing number of states. The normative problem, if we can phrase it in this way, is to match a burgeoning academic perception of the 'needs' of humans with the actions of states. Which is no small task, not only because of the philosophy involved with this, but because of the variety and vagaries of international theory. This thesis is an analysis of the latter, rather than the former.

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[3] Richard Shapcott, 'Solidarism and After: Global Governance, International Society, and the Normative 'Turn' in International Relations', *Pacifica Review*, vol. 12 (2) (2000), p. 148

The 'ought to' element of normative enquiry is complicated by the 'does' of international theory – if we cannot pin down what each school or branch of international theory even *does*, let alone what we would like it to do, then where to begin with this task? We begin with certain assumptions.

Firstly, that constructivism operates within the poles of positivism and postpositivism. This is a way of ordering the knowledge that international theory produces into categories based on generally agreed principles of its origin. Is it more or less scientific, and is its legitimacy affected by this?

Secondly, the assumption that values are a legitimate area of concern for international theory. If this premise seems obvious, then that is its downfall. Why should values held by people cross the borders created by and for states? By what process of logic might these values then become embedded in states? Our assumption here, then, is that values do cross borders, and they do affect the activities of states. The extent to which this makes the world a different place is not necessarily our concern.

These are the fields of our inquiry: that constructivism is a contested approach within international theory which may or may not be capable of answering the critical call, and that values are international phenomena which currently lack the sort of grounding which would cement their institutional and normative presence. Is constructivism up to the task? Should it be even thought of in this light?

A triangulated approach to the 'problem' of constructivism

The constructivism to which this test of values is to be applied is clearly not a singular entity. This being so, in order to extract as much analytical material from it as possible within a thesis-length treatment, it will be divided into three different types.

The typologies literature is itself a sub-field of constructivist critique, and will be

addressed in much greater detail in Chapter One. Briefly, Alexander Wendt, Nicholas

Onuf and Andrew Linklater have been chosen here to represent not just simplistic

'types' of constructivism, but also more subtle aspects of it: not just what it is, but

what it might also be, or become; not just more common perceptions of a

conglomerate of approaches, but what this 'whole' might look like when stretched

towards either the positivist or postpositivist end of the spectrum of international

theory.

Chiefly, they have been selected because they are keystones in the

development of the approach. This is not necessarily on merit, because the wider

(predominantly Anglo-American) perception of what constructivism is has arguably

contributed to the distortion of it by the crowning of key figures – most notably

Alexander Wendt, but also to an extent Nicholas Onuf. Andrew Linklater is

undoubtedly the most controversial inclusion in this 'constructivism' triumvirate, but

that is precisely the point. The critical challenge *is* controversial. It demands that

constructivism be pushed and pulled by competing interests until it might one day

declare its own, settled, identity. This thesis is a somewhat sceptical appraisal of this

possible end product.

This 'keystone' philosophy towards constructivism is also manifest by having

the key text of each scholar as the primary focus of the present inquiry. *Social Theory

of International Politics*[4], *World of Our Making*[5] and *The Transformation of Political

Community*[6] (hereafter referred to as *Social Theory*, *World* and *Transformation*

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[4] Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999)
[5] Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia: University of South Carolina Press, 1989)
[6] Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Cambridge: Polity Press, 1998)

respectively) all loom large over the discipline and are all rich expositions of how the world ought to be viewed if we are to make sensible judgements regarding its past, present and possible futures. They are as self-contained and unitary as this branch of international theory gets, and as such are taken here as the most appropriate entry point for this debate. Of course, each contains threads of arguments and concepts which can be further traced to other key works of their respective authors. It would be remiss not to follow these leads when necessary. Nevertheless, each approach is measured by its most authoritative, singularly contained statement.

Triangulating the three approaches in this way opens up an intellectual space. It is the breadth and dimensionality of this space which has the potential to provide a more accommodating framework to allow some movement forward on this issue of values. There can be no single answer, just as there is no single constructivism, nor is there any single claim to human rights. We might expect, though, to be able to pronounce with some authority upon the suitability of constructivism to take on this role preferred by those more committed to critical themes.

The thesis will proceed in three stages. The first stage, which encompasses chapters One and Two, will establish in more detail the contested and frequently complex nature of constructivism and also the narrative of human rights in international theory. The primary purpose of these chapters is an exposition of how and why these concepts and ideas are relevant to this argument, and by the end of this stage we will have a much clearer picture of the complex parameters facing our key subjects. The second stage encompasses chapters Three, Four and Five, and comprises the main analytical drive of the thesis. Each component of our triangulation will be tested in turn to ascertain not only whether it *should* account for human rights norms, but

whether it even *can* in a sustainable and meaningful way. The third stage is contained in Chapter Six. Here, this 'intellectual space' will be tested by bringing together the three constructivisms to ascertain whether they can be said to 'synthesise', both as a whole and (either separately or in combination) with the issue of values.

This final chapter will bring together the three most prominent analytical strands of the thesis and make concluding statements about them. Firstly, there will be an analysis of how these constructivisms cohere regarding the issues of values in theory and values in practice. Then the question of 'modernity' will be explicitly dealt with. That is, the extent to which each type of constructivism can (and wishes to) challenge the assumptions of modernity in a way that would bring critical approval. Thirdly, this stretching-to-fit of constructivism will be considered, with conclusions being drawn on where this critical challenge would leave it as a category of international theory. In other words, is a value-led constructivism still *constructivism* as this term is generally understood?

1. Constructivism in IR

There is no simple definition of constructivism. Any attempt to be parsimonious with this masks hidden depths and complications. We shall begin with one such example: *Constructivism is about identity.* For many traditionalists, this is about as far as it should be pursued. Having undertaken to write a thesis-length work on constructivism, though, it is probably best to push a little further with this. Why does identity matter? After all, identity is also the concern of postmodernists. It matters because, for constructivists, the world is not a finished product, and humans through their interactive existence can change it. Why should humans want to change the world? Because it is somehow flawed, and this has led to institutionalised inequity, injustice and suffering. Already, with this logic-by-numbers, we are beginning to create our own definition of constructivism to suit our purposes.

Others have provided their own perspective. In Christian Reus-Smit's words, 'constructivism is characterized by an emphasis on the importance of normative as well as material structures, on the role of identity in shaping political action and on the mutually constitutive relationship between agents and structures.' In addition to this, the approach 'challenge[s] the rationalism and positivism of neo-realism and neoliberalism while simultaneously pushing critical theorists away from

metatheoretical critique to the empirical analysis of world politics.'[1] This appears to be a general description, but it too points to Reus-Smit's own convictions regarding what constructivism should be for.

Having these comparisons as the parameters of this approach suggests that IR has traditionally been a narrowly conceived discipline, and that quantities rather than qualities have been its currency. Moreover, concerning the theory-practice nexus, constructivism is drawn as a righter of (theoretical and disciplinary) wrongs. Emanuel Adler adds more detail to this outline: 'Constructivism... describes the dynamic, contingent and culturally based condition of the social world... It stresses the reciprocal relationship between nature and human knowledge and suggests a view of the social sciences that is contingent, partly indeterminate, nominalist, and to some extent externally validated.'[2]

There are two points of note here. Constructivism 'views' the social sciences, and not just IR, which is often considered the narrower province of realism, neorealism, neoliberalism, etc. This is due to its social theory origins, a field of inquiry inextricably woven into what constructivism is for, and how it should go about doing it. Secondly, as an approach, it strives to define very little, preferring to focus instead on how both subjects and understanding are amorphous and organic. This has one clear benefit and one clear disadvantage; respectively, it is an accommodating yet insufficiently delineated area of theoretical enterprise. It is descriptive, but is this the sum of constructivism? This thesis will test how constructivism describes values, and whether this compromises our understanding of its own boundaries.

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[1] Christian Reus-Smit, 'Constructivism', in Scott Burchill, et al., *Theories of International Relations* (3rd ed.) (Basingstoke: Palgrave Macmillan, 2001), p. 188
[2] Emanuel Adler, 'Constructivism and International Relations', in Walter Carlsnaes, Thomas Risse and Beth A. Simmons (eds.) *Handbook of International Relations* (London: Sage Publications, 2002), p. 96

Constructivism's development over the last thirty years or so,[3] as the aggregation of various (mainly) socio-philosophical influences, has not simplified the task. Ronen Palan, for example, cites several examples of corresponding positions, stating that constructivism is 'an incredibly broad movement encompassing, among other schools of thought, Weberian interpretative sociology, Symbolic Interactionism, variants of Marxism, Veblenian institutionalism, post-structuralism(s) and hermeneutics.'[4] Martha Finnemore and Kathryn Sikkink manage to capture all of this confusing diversity in a statement which manages somehow to be once pithy, vague and insightful. Constructivism 'operates at a different level of abstraction.'[5] It is certainly 'one step removed' from both positivist and postpositivist positions if we imagine them as epistemologically polar, but the key to having this 'difference' mean something when engaging with values is for practical considerations (i.e. real human lives and not metatheoretical texts) to come to the fore.

All of these examples of what constructivism is come from either a textbook or a 'state of the discipline' review. They are necessarily broad because, as we shall see, constructivism is what we might call a transdisciplinary approach. In other words, it readily shares the frontiers of theory and knowledge with the other 'isms' of international theory, and is also itself frequently re-drawn by scholars interested in ideas, socialisation and shared beliefs (often labeled 'intersubjectivity'), but whom wish to attribute change and development within the international system to often contrasting genealogies and uses of these concepts.

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[3] Nicholas Onuf first used the term just over twenty years ago, but of course it has deep and complex socio-political roots. See Onuf, 'Rules in Moral Development', *Human Development* vol. 30 (1987)
[4] Ronen Palan, 'A world of their making: an evaluation of the constructivist critique in International Relations', *Review of International Studies*, vol. 26 (4) (2000), p. 576
[5] Martha Finnemore and Kathryn Sikkink, 'Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics', *Annual Review of Political Science*, vol. 4 (2001), p. 393

This sense of friction (expressed both implicitly and explicitly) amongst constructivists themselves is at the very root of this thesis. Being a contested approach, expectations or challenges are often laid at constructivism's door by scholars who would prefer it to take a particular path over another. This goes hand in hand with an additional, perhaps exemplary, feature of constructivism: It is not controversial to assert that it is not only contested but also a divided approach. Whether these disconnections are somehow terminal for constructivism dictates how this thesis will develop. First, though, the challenge which it is responding to shall be considered.

According to Reus-Smit, 'exploring the development and impact of the normative and ideational foundations of international society is the constructivist stock in trade, and dialogue between constructivists and those engaged in the more philosophical project of normative critique and elaboration is the most likely path toward true praxeological knowledge.'[6] Having constructivism fulfill this role stems largely from its critical theory roots – that it should have a purpose rather than exist as just another analytical tool. That is, it should have a *moral* purpose.

By and large, constructivists have not taken this path, or if they have ventured upon it, they have not stayed with it as a means to a purposive end. One way of interpreting this is to consider it due to an unwillingness to commit to values: 'most constructivists remain backward about coming forward with their values. Constructivists have often worked at the hard edge of human misery…, showing how humanitarian norms can be constructed and produce real, valuable change. Yet the

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[6] Reus-Smit, 'Constructivism', p. 204

clear normative sympathies and purposes that lie behind this research are generally left unspoken.'[7] Unspoken or unnecessary?

Much normative theorising in IR is compromised by asking questions that are 'wrong' according to Reus-Smit, or at least questions which can only lead to an incomplete answer.[8] They are empirical and not ethical questions. To what extent is the present thesis an example of this limited empiricism? Professedly, it starts and ends with constructivism. Its primary focus is to extract values from each of three different constructivist approaches. This being the case, it is leaning towards the empirical end of the normative spectrum by asking 'how' questions regarding the incorporation of values. But does it completely lack an ethical dimension? It is, after all, concerned with a subject (human rights) usually considered to be either a moral or an ethical matter. This is indicative of the complexity of the moral/ethical question, which is particularly evident when applied to the international system. With an investigation of this type, is something moral or ethical being revealed? Or, from a different angle, is the subject being revealed in a moral or ethical way?

To clarify, this thesis makes an explicit distinction between what is 'moral' and what is 'ethical'. The distinction can be framed in the most basic terms – morality is concerned with advancing or promoting the good, whereas ethics is about *finding* the good. Morality has a preconceived notion of what is being aimed for – what the end product looks like. It is evidenced by much if not all of the liberalising project of modernity: the good in politics is manifest in liberal democracy, the good of human rights is manifest in the *Universal Declaration of Human Rights*. It has a shape, a form, and international theory can be used for its development.

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[7] Reus-Smit, 'Imagining society', p. 500
[8] See Christian Reus-Smit, 'In Dialogue on the Ethic of Consensus: A Reply to Shapcott', *Pacifica Review*, vol. 12 (3) (2000), p. 306

Ethics, on the other hand (as the distinction is made here), is about the process of politics. In other words, it is about how best to carry on, rather than the end purpose to carry on for. Engaging with human rights can be either an ethical or a moral pursuit. The point that Reus-Smit rightly makes is that many projects are not ethical *enough* (and we might suppose for a moment that the present thesis falls into this category). This is the problem of politics in IR, and it is arguably one which plagues the entire discipline – IR is not, by this token, ethical enough. The counter-argument to this is quite simple. Without a properly worked out epistemology, how can we avoid the sorts of prejudices and dominant agendas which dilute ethical meaning? Of course, we can be circuitous, and reverse this to ask how do we know what to look for in the first place?

This is the critical challenge for constructivism. That it ought to have something to say about the morality of politics and, moreover, it ought to have its sociological toolkit somehow put to use by bringing together what is material and what is moral in international politics. And it is a clarification of the ethical and/or moral position of constructivism which is being sought in this thesis. These important issues will be expanded upon in Chapter Two.

Concerning this categorization of normativity, the position of this thesis rests on the following: We know what the values are which we are looking for (or to be more accurate, we know what they look like) – human rights norms as decreed by the *Universal Declaration* in 1948, and further established by succeeding declarations and treaties. What we lack is a coherent constructivist epistemology and methodology of these norms. How is this lack manifest? By a failure to account for the values inherent in these norms, something compounded by an overriding focus on the two other aspects of the normative triad – constitutive and behavioural/procedural norms.

Constructivism deals with these latter two aspects well. It is not so explicitly attuned to values. Are values wholly different? Not in an instrumental sense, the analysis of which looks at their effects more than it does their origin.

This is the way in which this thesis will approach the normative spectrum of 'empiricism to ethics' as described by Reus-Smit – by analyzing certain constructivist positions with a view to extracting their understanding of values in the international system. The end product (as organic and amorphous as this may be) will take either a maximal or a minimal form: the former will be a coherent constructivist position on human rights, and the latter will at least have clarified key connections and disconnections on this matter with the aim of mapping out a clearer path forward. Achieving the former is not inconceivable, given the criteria and parameters which we are beginning to develop. A clear exposition of the origin and current place of human rights norms in IR, why they matter to constructivists, and how they fit constructivism's current normative approach empirically and as universals, will be the role of the next chapter. The task of this chapter is to draw the parameters of constructivism, primarily as a divided approach, and then to explain why the focus of the main body of the thesis will be on Alexander Wendt, Nicholas Onuf and Andrew Linklater.

It will proceed as follows. In order to set up the specifically constructivist problematic of the thesis, namely how and why it is a divided approach, and how this might best be developed into a more coherent plan for addressing the issue of human rights norms, the first part of section one will address the critical roots of constructivism. Rather than attempting to shoe-horn in the many and various intellectual and social histories that could conceivably be linked to constructivism, its status a an outgrowth of critical social theory – and therefore its origin within IR –

will be focused on as having sowed the seeds of discontent which have led to the many-faceted approach we see today. This will be followed by an analysis of the typologies literature which underpins many attempts to bring some 'order' to ascertaining what constructivism is. This will then move on, finally, to a discussion of the specific divisions which form the basis of this thesis – the triangulation of Wendt, Onuf and Linklater, intended as a general introduction prior to the more specific assessment in Chapters Three, Four and Five.

The origins of constructivism

Before illustrating the pathways available to constructivism on the matter of human rights, and in order to properly set-up our triangulation as part of the typologies literature, the divided approach it is today must be traced back to its disciplinary roots. This is necessarily a discriminatory process. Any attempt to trace constructivism back to a single point, a theory, a seminal figure, would a meandering and ultimately fruitless exercise. Who, after all, is the father of philosophy? Does knowing this tell us what philosophy is today? Rather, it would be more productive to note how the several histories of constructivism have put in place certain ways of (or reasons for) thinking 'critically' and/or 'normatively' in order to give foundation to our concern with human rights. This brief summary will describe how the critique of Marxism, the 'Third Debate', and the importance of 1989 have all enmeshed to produce constructivism. This is by no means exhaustive, and many other scholars provide excellent discrete and overlapping analyses of these issues, but instead they are included here to illustrate why we might expect constructivism to be more interested in humans as international actors than it appears to be.

Without an orthodoxy or standard, there can be no criticism. 'Revolutionary' international theory is that which admits morality and justice to the judgement of international political standards.[9] Kant is therefore revolutionary, as is Marx. Marxism's more direct link with critical theory suggests that, given the focus of this thesis, and certainly this chapter, is primarily on constructivism, we start with this as Kant will feature more in Chapter Two.

The 'black and white' good and bad of the Others 'out there' has shaped a rationalist approach to international politics based on prior assumptions, which are in turn at best based on old histories. Kimberly Hutchings offers a clear exposition as to why Marxism has led to a critical-normative international theory, beginning with its reversal of the domineering discourse:

> Marxism does not premise its theory on specific assumptions
> about the goodness or badness, rationality or irrationality of
> human individuals. In particular Marxism rejects the dualistic
> metaphysic of idealism and tragic realism in which humans
> are caught between natural and ideal determination. In place
> of this Marxism presents an account of human individuals,
> societies and states as the ever changing product of complex
> determination, essentially to be understood in terms of the
> struggle to produce and reproduce the means of human
> existence.[10]

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[9] See Martin Wight, *International Theory: The Three Traditions* (London: Leicester University Press, 1991), pp. 40-47
[10] Kimberly Hutchings, *International Political Theory: Rethinking Ethics in a Global Era* (London: Sage Publications, 1999), p. 64

The assumption is that 'normativity (in the sense of values, ideals, principles of judgement and prescription) is not something absent from or qualitatively distinct from real material existence.'[11] Marx's own project, though, has been somewhat jettisoned in favour of a broader approach not necessarily dependent on the prevailing winds of capitalism. Social exclusion has long been the focus of approaches unsatisfied with the rationalisation of politics. Having class power as the fundamental form of this exclusion denies other forms of repression an equal voice in this working-out of the potential of international politics. And this is, in its most basic form, the leap which critical international theory originally made. Other key differences of the approach, relevant to the foundations we are building for this thesis, include critical theory's 'historicist re-thinking of the relation between theory and its object.'[12] Further, 'the claim that critical theory transcends idealism rests principally on its (critical theory's) proclaimed refusal to attribute universal significance to historically particular standards of judgement.'[13]

What then, of the localised (i.e. Western) production of standards such as emancipation or democracy (to which we add human rights here)? Have they not been proselytised outwards from a modern centre? In Hutchings's words, 'the response which critical theory makes to the charge that it repeats the idealist mistake of identifying historically particular standards of judgement with transcendentally universal ones is to redefine the concept of universality.' This redefinition means that 'the kind of ideal universalism involved in critical theory is inclusive and procedural rather than the imperialist imposition of Western values on the world as a whole.'[14] This reasoning utilised by critical theory is indeed problematic, as universalism will

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[11] Ibid., p. 64-65
[12] Ibid., p. 74
[13] Ibid.
[14] Ibid.

be, but it *is* the essence of the theory, and we can assume for our purposes that it holds, at least to the extent that it has set up an orthodoxy-challenging way of thinking about international politics, which in turn led to constructivism.

How exactly did this 'lead' to constructivism? Having such a sustained critical reaction to rationalism *within* international theory culminated in the discipline's own 'Third Debate' which mirrored the *geist* of the social sciences.[15] This positivist/post-positivist clash seemed to demand of scholars an approach to international politics capable of *doing* critical theory, and not just thinking it. This required a critical theoretical eye capable of discerning ontological constants – sometimes tied to material reality, sometimes more metaphysical than this – which engaged with the stuff of rationalism whilst trying to add further dimensions to it.

The Third Debate legitimised a theoretical shift in the hierarchical importance of hard data or 'facts'. Data still constitutes premises and outcomes, but not entirely – not even overwhelmingly. Rather, 'perspectivism in the sense of a strong post-positivist focus on thematic premises and assumptions has been internalized as a foremost characteristic of the third debate in international relations theory.'[16] For some, constructivism *is* the Third Debate.[17] Much, in fact, of what constitutes the Third Debate is intertwined in an ongoing socio-philosophical argument over the validity of different systems of knowledge production. Relating this to IR can either be itself a disarmingly simple process, or one which conveys apparently inscrutable complexity.[18] Perhaps the key to finding our own 'middle-ground' here (given the

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[15] For an early identification of this within IR, see Yosef Lapid, 'The Third Debate: On the Prospects of International Theory in a Post-Positivist Era', *International Studies Quarterly*, vol. 33 (3) (1989)
[16] Lapid, Ibid., p. 243
[17] See Jennifer Sterling-Folker, 'Competing Paradigms or Birds of a Feather? Constructivism and Neoliberal Institutionalism Compared', *International Studies Quarterly*, vol. 44 (1) (2000), p. 113
[18] For discussions which focus on IR whilst doing justice to the complex epistemological origins of the debate, see Lapid, 'The Third Debate', K.J. Holsti, 'Mirror, Mirror on the Wall, Which are the Fairest Theories of All?', *International Studies Quarterly*, vol. 33 (3) (1989) and Jim George, 'International

constraints of space and proper focus of this thesis) is to take this relatively

straightforward notion that one particular narrative of the birth of IR constructivism

has it emerging from a critical reaction to the mainstream, and thereafter staying

within reach of the mainstream in order to shore up normative gaps without losing

sight of 'reality'.

As just mentioned, though, the Third Debate is a narrative, or even a long and

drawn out argument. It is (or was) not an event or tipping point which set in motion

newly-formed epistemologies. How singular the Debate is in having established

normativity as the legitimate province of IR depends on how deep the roots of some

of these arguments and concepts run.

This idea of it being somehow a discrete shift of focus within the discipline is

not without its discontents. Emanuel Navon, in evaluating the 'novelty and validity of

constructivism,'[19] is keen to stress that the first and second debates are still with us

and still have plenty to say regarding the development of knowledge. Indeed, they

serve as a reminder that nothing much is new beyond tried and tested conceptual

labels. Rather, the intention to challenge notions of how best to go about the business

of IR is the key to stepping out of these epistemological shadows. The particular focus

of the 'Second Debate', concerning the relative merits of scientifically versus

historically derived knowledge, has something to say regarding the integrity of the

radical aspect of non-positivist foundations. Referencing Burke's assessment of the

French Revolution, Navon frames the ideological conflict thus; 'civil society endures

thanks to the experience of generations and is constantly endangered by the

Relations and the Search for Thinking Space: Another View of the Third Debate', *International Studies Quarterly*, vol. 33 (3) (1989)
[19] Emanuel Navon, 'The 'third debate' revisited,' *Review of International Studies*, vol. 27 (4) (2001) p. 611

revolutionaries who 'despise experience as the wisdom of unlettered men.''[20] Further,

'the revolutionaries, by trying to redefine human nature through 'pure reason' and to

reorganize society through abstract concepts, 'are so taken up with their theories

about the rights of man, that they have totally forgot his nature.'[21]

Navon's 'revolutionaries', in other words, have had the effect of diminishing,

or even belittling, the role of consistency in social change. It seems that it has not,

after all, been necessary to re-invent man in order to meet his basic needs. Fast-

forward two hundred years from the *Declaration of the Rights of Man and of the*

Citizen and in the interim the natural state of man has not progressed beyond Hobbes'

pithy denigration to the stage where a structural 'reigning-in' of natural tendencies has

been diluted, contained or even overcome by the 'rationalist epistemological

conceit'[22] of 'scientific realism.'

Given the synonymous vocabulary of IR (and constructivism is as culpable of

this as many other sub-disciplines), we are left with the situation where

'positivism…is another word for rationalism, as it purports that reason can reach

perfect knowledge and truth including within the realm of social sciences.'[23] Navon's

critique concludes no less scathingly; 'thus, the allegedly 'third debate' does oppose

an outdated and discredited approach to the social sciences (positivism) to an

academic fad (postmodernism) which combines aberrant assertions ('there are no

facts') with valid claims that have already been convincingly made in the last

century.'[24]

The threads of Navon's review do not, however, remain so convincingly tied

when asserting that 'constructivists…claim that facts are *produced* by human

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[20] Ibid., p. 617
[21] Ibid.
[22] Ibid., p. 619
[23] Ibid., p. 621
[24] Ibid., p. 624

consciousness,'[25] (italics in original) – which is an apparently 'unacceptable' claim. This, however, comes soon after stating that 'it is not human consciousness that conceived our institutions or developed our civilization, but rather human consciousness and civilization which developed and evolved concurrently.'[26] Drawing an indelible line between the two on which to base a criticism is simply not possible, especially given that the latter point of Navon's is precisely the constructivist position.

Navon is using a critical sledgehammer to crack a constructivist nut, and frequently conflates the latter with postmodernism. This seems to be a result which flows quite naturally from the tendency to position postmodernism so closely with constructivism, something which frequently occurs as evidenced in the review of the typologies literature below.

Rather than follow this line, it is possible to assert that what constructivists have done for the past few decades (under the same or different disciplinary title) is to problematise the *current* intellectual landscape by forcing the social issue against the conceit of a positivist world. It is a crude caricature, but nevertheless realism, divorced for a moment from the conciliatory tendencies of rationalism, is generally perceived as exactly the monocle-sporting world view that international politics *is only* and *can only be* the two-dimensional model as observed, categorised and filed by proxy.

Navon, in keeping with the longer view of the 'debate' history, quotes Raymond Aron's thoughts on the intentions of IR theorists; '(he)…noticed that the desire of political scientists to produce a general theory of international relations and to imitate the goals and methods of economics and of the natural sciences 'has the

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[25] Ibid.
[26] Ibid.

unfortunate effect of making it seem more important to do than to know what one is doing.'[27] This cuts both ways. If critical theorists or practitioners of whatever ilk 'do', then the implication is that there is not the legitimate knowledge producing system in place beforehand, and that whatever is 'done' is hence meaningless. On the other hand, if traditional empiricists (or the 'neos' of rationalism, for that matter) also 'do', in much the same environment, then the claims for baseless imitation are more resonant, for the quasi-scientific accusations are much closer to home.

What is clear is that the lack of a real consensus as to dividing lines between, most notably, constructivism and critical theory, but also between the former and moderate rationalism, has had the cumulative effect of widening the scope of a socially-inclined IR. It has also led to the challenge taken up by this thesis, which holds that dwelling on a 'lack of consensus' is misleading. There are clear differences, not least the willingness of these approaches to stake their claim to either moral or ethical knowledge, and there are, as yet, no clear gains to be made by imposing the need for a consensus on constructivism as a whole.

Certainly, constructivism is usually set apart from critical social theory by its empirical aspirations – the socially informed substantive analysis that is *applied* IR. For these intentions to be realised, a foundational normative theory is essential to the constructivist agenda, but observers question the knowledge-generative capacity of the 'middle-way' on this point. Richard Wyn Jones cites Price and Reus-Smit's overview: 'they strongly imply that the role of critical theory in the "new phase" that they claim constructivism represents is to supply the normative orientation toward which constructivists, because of their "underlying ontological and epistemological

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[27] Ibid., p. 625

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assumptions," are predisposed but are apparently unable to generate themselves.'[28] In

other words, constructivism can apply knowledge gathering techniques without

knowing why. Put in these terms, it does seem to suggest that the approach possesses

a base simplicity which requires outside help if it is to be overcome. Is this really the

case? Or is this purely a critical position?

Having a critical version of constructivism under investigation here allows us

to define the spectrum of variants we are interested in. It also serves as a device to

problematise an approach usually considered more mainstream than not. Applying the

basic tenets of critical theory to constructivism would, hypothetically, result in an

approach constantly mindful of how underlying power structures can distort any

apparent gains made towards universal emancipation or community, whilst at the

same time setting this as a legitimate goal, or at least as a legitimate source of

knowledge for understanding 'human rights as change/progress' in the international

system.

In the words of Richard Price and Christian Reus-Smit,

> critical theory of the Third Debate focused on
>
> epistemological, methodological and normative critique,
>
> but neglected conceptual elaboration and sustained
>
> empirical analysis. Constructivists have taken up these
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> neglected dimensions of the critical project, employing the
>
> ontological propositions, conceptual frameworks and
>
> methods of critical social theory to illuminate many aspects

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[28] Richard Wyn Jones, 'Introduction: Locating Critical International Relations Theory,' in Richard
Wyn Jones (ed.) *Critical Theory and World Politics* (London: Lynne Rienner Publishers, 2001), p. 13

of world politics, particularly those pertaining to the

parameters and dynamics of moral community.[29]

The characterisation here is that of a proximate discipline constituted by a

base theory that discriminates against (the negativities associated with) positivism.

The differences between critical theory, constructivism and even post-modernism are

observable but not definitive; all occupy a post-positivist space in which

constructivism appears to be centrally situated, but objectives within each are

primarily emancipatory – it has not yet been decided how to rank freedoms of

method and knowledge production against claims to human rights. What separates

constructivism from more radically inclined positions is a desire to manifest

theoretical innovation in *material reality* in order to at least offer a *facility* for

political change.

Three ontological positions have been identified as 'critical' *and*

'constructivist.' Firstly, the emphasis on the importance of normative or ideational

structures as well as material structures. Secondly, the notion that identities constitute

interests and actions. Thirdly, that agents and structures are mutually constituted.[30]

The 'reality' describing knowledge of ontology is perhaps the element that contributes

most to the blurring of the lines between each post-positivist strand. General

consensus is reachable on the issues of relative importance, but whereas

constructivism is bound to a mid- and long-term horizon of outcomes,[31] critical theory

is often unable to see any relevance beyond emancipatory theory as an end achievable

without recourse to any substantial engagement with (or, *in extremis*, recognition of)

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[29] Richard Price and Christian Reus-Smit, 'Dangerous Liaisons? Critical International Theory and Constructivism', *European Journal of International Relations*, vol. 4 (3) (1998), p. 264
[30] See Price and Reus-Smit, 'Dangerous Liaisons', pp. 266-7
[31] some observers take issue with this point (see below)

material factors. There are of course key exceptions, and the prominent existence of such *constructive* critical theoretical thinkers (for example, Andrew Linklater) underscores the design of this thesis.

What this has left the discipline with is a critical school of thought that has many facets and only limited consensus. What has enabled it to progress so (arguably) successfully is its motivational foundation, set apart from issues of epistemology, which provided a legitimating and enabling social context. This notion of context as a defining, or at least identifying, feature of constructivism is a complex issue. It will be discussed in more detail in Chapter Six. Here, though, it is a useful entry point into the third of our points regarding the histories of constructivism – the importance of 1989.

It is no coincidence that constructivist thought was labelled as such and came to prominence on its own terms at the end of the seemingly great theoretical petrifaction that was the Cold War. Factors other than competing military capabilities undermined the foundations of the *realpolitik* stand off. Scholars with what was then termed a 'radical' inclination, unconvinced by the abstraction of post-structuralism in the preceding decade or so, could now point to actual shifts in geopolitical tectonics that signified socially contingent change, which, further, 'rests on an irreducibly intersubjective dimension of human action.'[32] This coming together of history (was it an event? A process? Who or what *caused* it?) with a vast diffusion of techniques and subjects, and the quantity of imported extra-disciplinary knowledge into IR, indelibly etched onto political theory the meta-theoretical complexities of social theory, linguistics and other more 'mainstream' philosophical insights.

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[32] John Gerard Ruggie, 'What Makes the World Hang Together? Neo-utilitarianism and the Social Constructivist challenge', *International Organization*, vol. 52 (4) (1998) p. 855

Is it the tools or the practical application of such that is preventing constructivism from a fuller 'critical' realisation? Academic obituaries for the Cold War, and the analysis thereof, has been one way of contextualising the struggle for theories and their progeny. Margarita Petrova's review summarises the theme of many: 'most of the accusations of theoretical inadequacy in IR were levelled against realism, and neorealism in particular, though *no other approach in the field fared better at predicting the changes*'[33] (italics added). Equally, the point might be made that the birth of constructivism wasn't registered until 1989, but it is likely that the relevance of this would be questioned by the scholars themselves who worked within much the same parameters but without the label well before this date.

Petrova contends that, as the theoretical landscape at the time was focused more (but not entirely) on stability and key constituent elements (how many 'dissident' theorists explicitly predicted the collapse of the Soviet Union?), that there was a lack of searching for 'sources of change. Accordingly, there was no anticipation of how the Cold War might end because such a question was not asked in the first place.'[34]

In retrospect, a complex interplay of ideational, domestic and international factors, with the emphasis firmly on the social genes of all three, is the most attractive proposition for theorists looking beyond reductivist method. But man has not yet devised a method for observing the horizon in hindsight. This still resonant event and its fallout provides a good example of the division bell that still chimes in constructivism, empirical or otherwise, calling for the opinions of 'for' or 'against' in the internal debate over whether a systemic level of analysis is sufficient. Because

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[33] Margarita H. Petrova, 'The End of the Cold War: A Battle or Bridging Ground Between Rationalist and Ideational Approaches in International Relations?', *European Journal of International Relations*, vol. 9 (1) (2003), p. 116
[34] Ibid., p. 117

there is no outcome, or 'End of Theory', and because constructivism sits uneasily between the poles of utter diffusion and 'scientific' positivism, the accumulation of empirical research has not yet built a recognisable edifice.[35]

1989 was also a key date within constructivist circles. In this year, *World of Our Making* and *Rules, Norms and Decisions* were published by Nicholas Onuf and Friedrich Kratochwil respectively. The relative importance of this is sometimes dismissed: 'another common narrative, which, though it gives due credit to some pioneers of constructivism, is narrow and suffers from a short memory, is that in the beginning there was Onuf..., who coined the concept of constructivism in IR; then there was Wendt... – and the rest is history.'[36] In these bare terms, it *is* a truly simplistic and linear view of constructivism. However (and this is a key contention of this thesis), Onuf's contribution to constructivism has been, if not lost, then misapplied by succeeding scholars keen to utilise a linguistic approach, but not so explicitly keen to integrate *World of Our Making*'s philosophical rigour, historicism and overall grasp of the intramundane in IR. How much Onuf can contribute to our study of human rights norms will be discussed in due course, but to dismiss his approach as purely 'meta-theoretical'[37], and therefore without any meaningful grounding, is surely premature, as his approach has rarely been given the space it arguably deserves.

These very brief histories have at least illustrated how they have left the critical and constructivist incarnations of IR (as firmly distinguished from positivist IR theory), with a paradox. Many new platforms from which to view the world and its structure and inhabitants were (and are) resting on foundations that lack the solidity that apparently exists elsewhere, both within but especially outside of the discipline.

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[35] See below for a further discussion of these points.
[36] Adler, 'Constructivism and International Relations', p. 99
[37] See Reus-Smit, 'Constructivism', p. 195

From a wider perspective, 'books, articles, and conference papers explaining the world at the turn of the millennium are a Tower of Babel,'[38] – a tower of disparate language and one that has the effect of walling off scholarly exchange from external recognition. Authority on world politics is no more the exclusive domain of IR than it is of politicians, journalists, geographers or social historians. Even more apparent is that the public relations of world politics (the PR of IR?) belongs more to these other disciplines. The result has left IR as a discipline in the unenviable academic position of having 'accumulated a huge intellectual balance of trade deficit.'[39] This lack is no doubt in part due to certain branches of IR theory (to include constructivism) failing to establish a consistent voice on matters of importance to humans in the international system. States, yes. But humans and states? Arguably not. This may be a side issue, but it does point to the need for an approach to have an identifiable and meaningful stance if it is to persist in anything other than a closed disciplinary context. The ethics versus morals tension which this thesis investigates, and the suggested resolution of it, supports this view.

As an intellectual structure IR arguably suffers from its own peculiar 'greenhouse effect' as much as a 'Babel Syndrome' – any amount of extra-disciplinary influence permeates inwardly, but there is little if any consistent reciprocation from within in terms of contribution to and standing in general world affairs. Vendulka Kubalkova et al describe this imbalance as a symptom of a deeper, linguistic cause – the transience of key terms including *positivist* and *critical* have led to the promotion of a proposed 'middle-way',[40] one that remains inhibited by over-reliance on the 'post' prefix to explain difference, wherein *post*-positivism becomes

[38] Vendulka Kubalkova, Nicholas Onuf, and Paul Kowert, 'Constructing Constructivism' in Vendulka Kubalkova, Nicholas Onuf, and Paul Kowert (eds.) *International Relations in a Constructed World* (London: M.E. Sharpe, 1998), p. 3
[39] Ibid., p. 5
[40] See Ibid., p. 8

semantically conflated with post-modern and its attendant brand of anti-foundationalism.

These histories (and many others not recounted here) have left the historians of constructivism with an abundance of theoretical and conceptual threads that are unfinished, interwoven, and generally unkempt. That there are several 'constructivisms' should not be so surprising, as there are many variants of positivistic approaches in IR, and, after all, these are the original gatekeepers of 'material reality' within the discipline with which constructivism also wishes to engage. These typologies are the focus of the next section.

Divided they stand?

As we have seen, as a school of thought within IR, constructivism occupies an ill-defined space. As such, it both internalises and produces disparate contributions to the field. One reason for this may be that there are a growing number of scholars who collectively prefer the philosophy and tools offered by constructivism (or who can be identified as doing so), but who actually draw upon sometimes strikingly different sources and lineages for inspiration and legitimation, as we have seen. Firstly, what are these types, and secondly, where do they come from?

Typologies, classifications, categories or just plain lists of different 'types' or 'aspects' or 'variants' of constructivism dominate general reviews of the approach. Depending on who is counting, there could be up to five different approaches all vying to exert a constructivist influence on how we do IR. Emanuel Adler details four types:[41] *modernist, modernist linguistic, critical* and *radical*. According to Adler,

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[41] Adler, 'Constructivism and International Relations', pp. 97-98

modernist constructivism ('John Ruggie calls it 'neo-classical''[42]) includes the work

of Alexander Wendt (who Adler situates most notably alongside Jeffrey Checkel,

Peter Katzenstein and Thomas Risse-Kappen), and aims to 'uncover the causal social

mechanisms and constitutive social relations that make IR more intelligible.'[43]

Modernist linguistic constructivism includes Nicholas Onuf (amongst others such as

Friedrich Kratochwil, Neta Crawford and Jutta Weldes) and 'results from the

combination of subjective hermeneutics with a 'conservative' cognitive interest in

explaining and understanding social reality.'[44]

Radical constructivism includes the work of Richard Ashley, James Der

Derian, David Campbell and R.B.J. Walker and, according to Adler, 'results from a

radical turn to language (and thus to subjective hermeneutics) with a dissident

emancipatory or deconstructionist attitude toward knowledge in general.'[45] It is, for

many, too extreme and too postmodern (in fact, it is essentially postmodernism) for it

to be usefully considered part of the constructivist extended family. We shall come

back to this presently. A not-so-black sheep is critical constructivism, which includes

Andrew Linklater (as a key figure alongside Robert Cox) and 'results from the

combination of objective hermeneutics (mainly the approach of Habermas and his

followers) with a dissident interest in the emancipatory effects of knowledge.'[46]

For the purposes of this thesis, the most useful reading of the split in these

terms is two-fold. First, modernist linguistic, critical and radical constructivism stand

apart from modernist constructivism primarily on the grounds of knowledge

production. Secondly, and more specifically, modernist constructivism (personified,

perhaps unsatisfactorily, by Alexander Wendt) has come to be identified by its

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[42] Ibid., p. 97
[43] Ibid., p. 98
[44] Ibid.
[45] Ibid.
[46] Ibid.

reliance upon an explicitly empirical base on which ideas flourish. Modernist

linguistic, critical and radical constructivism are all much keener to push back

knowledge boundaries with the device of a post-positivist methodology running

alongside implied dissidence.

Ruggie casts a wide net to cover a discipline-spanning range of contributors,

but does so as a way of illustrating how his resultant categories are populated. 'There

are sociological variants, feminist variants, jurisprudential approaches, genealogical

approaches, an emancipatory constructivism and a more strictly interpretive kind.'[47]

These broad swathes are reduced to three more contained types: (1). *Neo-classical*.

For Ruggie, this indicates an approach which 'remains rooted in the classical

tradition.'[48] On this basis, Adler's claim to an affiliation with his own 'modernist'

variant seems to be fair. However, it is Ruggie's fleshing-out of this category which

demonstrates very clearly the incongruity present in both the content of these lists,

and the very act of categorising itself. Modernism, which stresses conservatism based

on objective hermeneutics, is correlated with

> an epistemological affinity with pragmatism; a set of
>
> analytical tools necessary to make sense of intersubjective
>
> meanings, be it speech act theory, the theory of
>
> communicative action, their generalization as in the work of
>
> Searle, or evolutionary epistemology; and a commitment to
>
> the idea of social science – albeit one more plural and more

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[47] Ruggie, 'What Makes the World Hang Together?', p. 880
[48] Ibid., p. 881

social than that espoused in the mainstream theories, while

recognizing that its insights will be temporary and unstable.[49]

'Temporary and unstable' insights, as we shall see, would not appear to describe

Onuf's rendering of the underlying history of exclusion in modernity.

And having Ruggie, 'Ernst and Peter Haas, Kratochwil, Onuf, Emanuel Adler,

Finnemore, recently Katzenstein, as well as some feminist scholars, such as Jean

Elshtain'[50] all stewing in the same pot asks a question which might not be

immediately obvious, but which has stayed with constructivism. Why bother with

such broad generalisations? And, moreover, if this is done for the benefit of

constructivism, some consistency must surely be aimed for. Knowing *why* Onuf and

Wendt should or should not be thought of as the same ilk does have repercussions for

the way in which constructivists do theory, which is an underpinning tension of this

thesis. Whether it is differences or connections which ultimately benefit a subject

such as, say, human rights norms, does matter if we are to be able to judge between

competing claims to knowledge.

(2). *Postmodernist*. Marked by 'a decisive epistemic break with the precepts

and practices of modernism,'[51] this category is most similar in terms of its

constituency to Adler's radical type – Campbell, Der Derian and Walker are again

present, this time alongside Spike Peterson. This break with orthodoxy is achieved by

focusing on linguistic construction (as a part of discursive practices), and casting

doubt on both the legitimacy of social science and causality in general. This is too

close to the diverting paradoxes which characterise the moral questions in IR. The

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[49] Ibid.
[50] Ibid.
[51] Ibid.

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limits of constructivism (discussed in more detail in Chapter Six) are barely recognisable here.

These first two categories are polar opposites (as far as we can sensibly speak of such a thing in the context of knowledge gathering). The middle ground is (3). *Naturalistic*. Ruggie's description of this variant is a good example of why these categories matter for constructivism, and for this thesis. The notion of a 'middle-ground' approach is emblematic of constructivism. Its frontiers overlap with both positivist and post-positivist epistemic camps, and so having it somehow in the middle of each provides the researcher, teacher or student with a clearer ordering of approaches which can then be mapped on to problems or issue areas. So the centre of this centre, it is often assumed, must *be* constructivism for all intents and purposes – that is, its essential form. How far is this the case?

Alexander Wendt and David Dessler are key figures here, and both follow Roy Bhaskar's interpretation of scientific realism.[52] The result is a more naturalistic approach. On the basis of scientific realism,

it is no longer necessary to choose between "insider" and "outsider" accounts of social action and social order – not because social science is made to emulate the natural sciences, as it was under the old naturalistic monism, but because there is little difference in their respective ontologies to begin with. Scientific inquiry of both material and social worlds deals largely in nonobservables, be they quarks or international structures, and much of the time even the

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[52] Ibid.

intersubjective aspects of social life exists independently of

the mental states of most individuals that constitute it.[53]

There will be a more indepth analysis of Wendt's position, how it fits into a

wider conventionalist context and what we can take from this, in Chapter Three.

What is striking, though, not least in terms of the ordering of types of constructivism

in this thesis, is that this epistemological splitting of naturalism is a considerable

burden for Wendt to shoulder. How well he does this, and, indeed, how reasonable an

expectation this is, has implications for constructivism generally as other types in turn

can be analytically framed as a reaction against or complimentary addition to this

focus.

Mindful of the risk of overdoing this 'typology' thread, one more key

contribution to the literature needs to be considered. Ted Hopf distinguishes between

just two types – conventional and critical. Hopf himself clearly inclines towards the

possibilities offered by a more conventional view.[54] The outcome of this centre-right

positioning is that conventionalism is thought to 'resolve[...] some issues by adopting

defensible rules of thumb, or conventions, rather than following critical theory all the

way up the postmodern critical path.'[55] He is quick to point out that this view is not

the 'natural' theoretical progression one might expect considering its critical theory

source,[56] but is unclear in his text as to how 'critical constructivism' is at all possible.

Conventionalism, as the name suggests, is focused upon continuity rather than

change, and so incorporates an element of prediction based on patterns of social

construction: 'conventional constructivism, while expecting to uncover differences,

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[53] Ibid., pp. 881-882

[54] For a discussion of the problems associated with this, see Chapter Six, below.

[55] Ted Hopf, 'The Promise of Constructivism in International Relations Theory', *International Security*, vol. 23 (91) (1998), p. 181

[56] Ibid.

identities, and multiple understandings, still assumes that it can specify a set of conditions under which one can expect to see one identity or another.'[57] Critical theory 'rejects either the possibility or the desirability of a minimal or contingent foundationalism.'[58] It also asserts that 'constructivism can offer an understanding of social reality but cannot criticize the boundaries of its own understanding, and this is precisely what critical theory is all about.'[59]

Where is critical *constructivism* in this critique? Hopf seems repeatedly to present conventionalism, only to have this followed by classic critical theory rebuttals. There is a consistent blurring of the terms of reference. 'Whereas conventional constructivists accommodate a cognitive account for identity, or offer no account at all, critical constructivists are more likely to see some form of alienation driving the need for identity.'[60] This, certainly, seems to be characteristic of constructivism,[61] and touches upon how tension between cognitivism, sociology and historicism has the dual effect of developing distinctive epistemologies whilst also providing the basis for a 'productive/praxeological' element which sets (critical) constructivism apart in the post-positivist world.

Almost immediately, though, Hopf returns to 'critical theory' as his reference point. Despite hinting at how clearly we might distinguish between approaches, and therefore, crucially, how we might begin to systematically compare them and even, perhaps, draw them together on a specific subject, Hopf's categories fail to reference *each other* satisfactorily. We are left with two poles which we can see, or sense, are clashing, but within which we cannot place down any markers as to how things might

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[57] Ibid., p. 183
[58] Ibid.
[59] Ibid.
[60] Ibid., p. 184
[61] See Onuf's 'exploitation' and Linklater's 'harm' in chapters Four and Five below.

be approached differently. What is missing is further discrimination, of the type offered by both Adler and (to a lesser extent) Ruggie.

In other words, constructivists might be conventional, and this might explain some things, e.g. why states do what they do having assumed a given identity. They might be critical, and this also might explain some things, e.g. why identities are historical, and why this matters as a justification for pursuing a line of enquiry. Do the two currently meet, neatly, in the middle? We have the 'inside' of the state, and we have the 'outside' of the state, and can therefore pair them up to produce a theory? No. Not when the subject matter is normative – in this case the norms of human rights. This strongly suggests the need for a more clearly demarcated ethical approach for constructivists interested in engaging with values, something which is missing from the current literature.

Conventional constructivism, for many, sets up what constructivism is about – what its focus is and what its capabilities are for meeting its (state-focused) goals. Critical constructivism, on the other hand, refutes this. Instead, it points towards a purposive goal – emancipation, and it also points towards a means of getting there through the adaptation of critical philosophies and techniques. What are we to make of the resultant gaps in knowledge and theory? We cannot hope to 'answer' or solve them, but we can step outside of this dualism and offer a third clear reference point. This will provide a way of triangulating an intellectual space which surrounds the subject whilst simultaneously unsettling each 'type' of constructivism we are applying to the issue. This is the primary reason for grouping conventionalism and critical constructivism in this thesis with a more discretely drawn linguistic approach which acts, on one level at least, as something of a bridge between the two.

Positivism versus post-positivism is utterly representative of dichotomous IR. Not for a moment is it being suggested that here, present in this thesis, is a new epistemology for the discipline. What is being asserted, however, is that there are two things which constructivism needs, and which it presently lacks, if it is to talk to the mainstream of statism whilst listening to compromised and suffering humans. Why human rights norms matter for the international system (and more importantly for this thesis, why they matter from a constructivist perspective) requires clarity of terms and purpose, and a broader notion of why and how constructivism should address the issue. With this pressing need in mind, the next section will clarify the triangulated intellectual space which will drive the analytical engine of this thesis.

In broad terms, we shall be setting up a triangulation which moves from one end to the other across the positivist/post-positivist spectrum, hopefully allowing for the complexities, nuances and overlaps between the three. What is intended here is a brief and general summary of their positions in order to set them up as three ostensibly distinct approaches. They are; *modernist/conventionalist, linguistic* and *critical*, and each is represented by the work of a leading scholar, primarily focusing on their respective 'key' texts within the discipline. How each treats human rights norms as values affecting the international system (either implicitly or explicitly) will be subjected to more rigorous analysis in Chapters Three, Four and Five. How they do or don't complement each other on this issue will be the focus of Chapter Six.

Three sides of the same coin?

Alexander Wendt

Wendt defines a 'constructed order' as one in which 'the parameters of social order are intended rather than unintended; freedom rather than determinism drives

evolution; agency rather than structure is what counts.'[62] The 'intention' here is on the part of the individual as an actor *within the state* as opposed to any other, cosmopolitan, personification.

Although his development of the state is a signal feature of his theory, Wendt's project is, arguably more so than any contemporary constructivist account, characterised by one key notion – the *via media* – the development of a middle-way between rationalist and reflectivist theory. The term is used here to describe the mechanism that might construct a bridge between the polarisation that continues to distort, fracture and prevent a 'whole' IR. The end product is an idealist/holist ontology which is set-up to sidestep the epistemology/ontology problem which bedevils communication between polar opposites.

For Wendt the positivist/post-positivist debate about what the relative merits of a social approach are and what they can do for IR is fundamentally flawed. It simply misses the point; there cannot be a theory of knowledge of that which does not exist. This begs the question then; what of that which does exist but cannot be observed? Wendt's own brand of moderate constructivism is thus revealed. He sides firmly with positivists on the epistemology question, preferring the 'reality' of an empirical starting point. Ontologically, the substance of the social world is ideas, and for IR to properly account for this world, it must necessarily extricate itself from a stifling, purely science-driven mode. From here, Wendt takes a step into the post-positivist camp in engaging the stuff of IR, the deeper social structures which themselves constitute agents; 'interpretivists and postmodernists are tacit common-sense realists, but...reject scientific realism because they reject the reality of

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[62] Alexander Wendt, 'What is International Relations for? Notes Toward a Postcritical View', in Richard Wyn Jones (ed.) *Critical Theory and World Politics* (2001), p. 209

unobservables.'[63] This compatibility between science and society suggests a way of conceiving how human rights norms can be at once codified and intangible, yet meaningful. But is Wendt's theory sophisticated enough to satisfactorily describe what seems to be only an intuitive link between these elements?

Wendt frequently makes reference to the duality of theory and theorist, wherein the two often fail to recognise that what we can know and how we can know it are both the product of merging fact and ideas into a single logical process. The concept of a 'rump materialism'[64] is the base unit of the international system which acts as the manifestation of a necessary and enabling scientific-realist epistemology. Without this material foundation there is nothing upon which to introduce the ideas which shape higher interaction.

Referring to Waltz's earlier impact on IR, and the (neo)realist and (neo)liberal projects thereafter, for Wendt the concept of a materially influencing 'interest' should instead actually be understood as an 'idea', and the security of actors is to be found in the shelter of a collective identity.[65] We can therefore know the product and meaning of ideational forces as they stem from *and so become* reality themselves. But how far do concepts such as 'security' and 'collective identity' (as comprehensively theorised as they are in Wendt's work) go towards furthering our understanding of human rights norms?

By relying on self-knowledge of ideational forces, Wendt's vision might be conceived as a re-configuration of the elements of rationalism to incorporate the nature of contemporary change. He makes a useful point on what it means to act rationally in the international system (as opposed to being a 'rational actor' by the traditional formulation):

[63] Wendt, *Social Theory*, p. 52
[64] Ibid., p. 96
[65] See Ibid., pp. 104-6

through this process of interacting with reality, states have

learned a great deal about each other, and today can often

assign reasonably confident probabilities to inferences

about what others want. Would it be rational for states to

forego this knowledge because it is merely probabilistic,

and instead make judgements based solely on worst-case,

possibilistic reasoning?…Not in my view.[66]

Assuming a central position – and, moreover, one that describes 'reality' – enables

positivist logic to be removed from its association with such 'scientific' premises as

the binary outcomes of game-theoretical reasoning and action. The 'real world'

beckons. We must decide whether Wendt's preferred level of analysis is sufficiently

explanatory.

Wendt is keen to re-iterate the purpose of IR as understanding beyond

explanation and sees the social kind in question, the international 'culture' of states,

as having both constitutive and causal, active and reactive, effects. Thus, with

reference to his explicitly stated project, 'holism is not a focus on the macro-level, but

on constitutive more than causal effects. If such effects are present, then there is at

least some sense in which the relationship between agency and structure is not one of

"interaction" but of "mutual constitution" instead.'[67] Wendt follows the constitutive

line with an explanation of how 'causal' matters *individually*; 'the individualist

[66] Ibid., p. 109
[67] Ibid., p. 171

intuition (is) that mental states have an independent explanatory status (a "rump" individualism), and therefore that culture has causal effects on agents.'[68]

The argument is that a radical formulation of holism versus individualism is self-defeating, that culture cannot constitute nor cause agency if one cancels the other out in entirety – constitution cannot solely explain the 'why' of interaction (it logically correlates with intention but not behaviour) and interaction cannot *in itself* explain the 'how' of its source or cause. This formulation sees constitutive effects linked in some way to causal effects. Criticisms of Wendt's extension of scientific realism often cite this as an example of failing to provide a properly theorised alternative for social theory – a simplistic 'best of both worlds' scenario, perhaps.[69] One of the roles of the extended analysis in Chapter Three is to test the explanatory power of this approach. A thesis more interested in the ethics of value-norms than their moral fibre does suggest that Wendt's less than radical holism has a role to play in the investigation of human rights.

Wendt accounts for this duality theme that runs through the essential elements in the relationship between structure and agency (and therefore culture) by distinguishing between individuality and its social terms: 'two kinds of properties are involved in constituting agents, self-organizing properties and social properties."[70] The happy medium exists via moderation – again, a radical ontology for either precludes any further meaningful discourse.

Regarding the practicalities of how this social theory works in international politics, Wendt frames his discussion again with rationalism firmly in mind, but with a view to extending the relevant ontological vocabulary: 'the social process consists

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[68] Ibid., p. 178
[69] See Steve Smith, 'Wendt's world', *Review of International Studies*, vol. 26 (1) (2000), esp. p. 152 onwards
[70] Wendt, *Social Theory*, pp. 183-4

of interlocking actions seeking to satisfy identities and interests by adjusting

behaviour to changing incentives in the environment.'[71] Behaviour can still

legitimately be a rational product, 'but the assumption is made that more is actually

going on in those choices than just the squaring of means to ends: actors are also

instantiating and reproducing identities, narratives of who they are, which in turn

constitute the interests on the basis of which they make behavioural choices.'[72] This is

a good example of the holism that characterises Wendt's entire approach. Until now,

theoretically, the ontology of post-positivist factors has been enabled by an

epistemology of positivist origin. Now, in the field, behavioural choices that might

well, on the face of it, be interpreted as purely rationally motivated, are supported

(formed or legitimated, even) by the logic of constructed interaction.

Wendt actively accommodates and encourages the bringing together of the

dominant theories of IR to explain all behaviour. It is simply a mistake to discount

what each can offer in any given situation. Thus; 'rational models would be most

useful when it is plausible to expect that identities and interests will not change over

the course of an interaction, and constructivist models would be most useful when we

have reason to think they will change.'[73] Further, 'since change is more likely the

longer the time frame, this suggests a temporal division of labor: rationalism for today

and tomorrow, constructivism for the *long durée*.'[74]

There is something here which is confusing, regarding the question of

observer bias. If actors, active or passive, are engaging in and assessing the qualities

of a situation, they are conscious of it and are then projecting their expectations onto

it. At what point does an actor's reasoning discriminate between dynamic and static

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[71] Ibid., p. 366
[72] Ibid.
[73] Ibid., p. 367
[74] Ibid.

interaction? In order to 'know' this moment their (positivist) epistemology must be much more contemporaneously active throughout their (post-positivist) ontological experience of it. If so, Wendt's bifurcation is dominated by positivism (scientific-realism in this case) to the detriment of any socially conceived elements or reasoning of constitution and behaviour. Or, from another angle, *when* does tomorrow become the *long durée*, and with this reasoning, could it ever?

Friedrich Kratochwil also notes this point, and questions the logic of a protracted timeline. 'Since rationalist models – through their simplifying assumptions concerning interests and identities – can be shown to be a special case of constructivist models, their relationship is not one that can be described in terms of their fitness for short versus long-term types of analysis.'[75] Also, taking the broader view of how human/social factors fare as the span of ages forms memory and history, 'anyone familiar with Fernand Braudel's work will realise that the *longue durée* is the domain for structural explanations precisely because identities and interests do not matter because they 'wash out' over long periods.'[76] Which is a particularly valid point given Wendt's emphasis on process.

Wendt's response might be a shift of emphasis, which would affect outcome and meaning; 'the distinction between Explanation and Understanding is not one between explanation and description, but between explanations that answer different kinds of question, causal and constitutive.'[77] It is the assumption underlying this point that brings Wendt into the realm of traditional philosophical problems, and face to face with all the consternation and exercised opinion which that entails. The issue is

[75] Friedrich Kratochwil, 'Constructing a New Orthodoxy? Wendt's 'Social Theory of International Politics' and the Constructivist Challenge', *Millennium: Journal of International Studies*, vol. 29 (1) (2000), p. 87
[76] Ibid.
[77] Alexander Wendt, 'On constitution and causation in International Relations', *Review of International Studies*, vol. 24 (1998), p. 104

encapsulated by the question, 'Can reasons be causes?'[78] For Wendt, the answer is

yes. This is largely due to his 'externalist' rather than 'internalist' reasoning.

Attitudes, opinions and ultimately *intentional* behaviour are all the products of a

socially affected actor existing in an exogenic world where meaning is (and can only

be) communal.

For transposing this to IR theory, Wendt uses the example of hegemonic

intervention to assess the nature of the constitutive effects of culture upon behaviour

and identities/interests. Actual 'hegemonic' intervening behaviour will be construed

only by reference to intersubjective context,[79] and meaning would be constituted as

either 'legitimate' or 'illegitimate.' Accordingly, constitution in terms of

identity/interest is not based on belief, but on the existence of Other to give meaning

to Self. Wendt takes this holist view as a rejection of traditional individualism's

inability to account for behaviour any further than as a manifestation of personal

belief without the need for recognition by others. The radical holism advocated by

post-structuralist and 'post-Wittgensteinian' theorists goes too far in pre-supposing no

'meaning' in being an individual to the point of removing any notion of a relationship

between agent and culture.

Wendt's *via media* thus constructs a synthesis of individualism and holism.

This is done by formulating a moderate holism which is the sum of base individual

qualities linked to an enabling social whole. Subjective meaning as a pre-condition of

action can and does override the purely social contexts of discourse and shared

knowledge. Properties of agency can be material or cognitive; genetically constituted

bodies do not depend on each other for their existence, and individual thought

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[78] See Smith, 'Wendt's world', p. 158
[79] See Wendt, *Social Theory*, p. 176

prevails regardless of direct external influence.[80] The philosophical argument is relatively straightforward and based on semantics – 'individuality' cannot exist in the singular; 'the *terms* of individuality refer to those properties of an agent's constitution that are intrinsically dependent on culture, on the generalized Other.'[81] There simply is not One without the Other. It is difficult to disagree with this reasoning. Related criticism seems to often come in the form of objection to the terminology Wendt uses (idealism as opposed to materialism in this case) to enable a central, moderate position.[82]

'Moderate constructivism' is not so palatable for some as it is for others, such as Robert Keohane: 'My own view is that most of Wendt's argument is sensible, but I am not sure who the opponents are.'[83] Further,

> it should be clear that Wendt's dichotomy between 'material'
>
> and 'idealistic' arguments is exaggerated and misleading.
>
> Neither classical realism nor institutional theory is materialistic
>
> in the sense in which Wendt defines the term. Both theories
>
> take for granted that foreign policy derives from a combination
>
> of material capabilities and interests, on the one hand, and
>
> ideas and values, on the other. Selecting which of these is
>
> 'fundamental' would not be a sensible enterprise.[84]

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[80] See Ibid., p. 181

[81] Ibid., p. 182

[82] See Smith, 'Wendt's World', pp. 158-60

[83] Robert O. Keohane, 'Ideas part-way down', *Review of International Studies*, vol. 26 (1) (2000), p. 128

[84] Ibid., pp. 128-9

It remains that Wendt's work inspires contradiction: '[It] is important because it provides a *coherent, philosophically grounded way* to understand world politics in a socially constructivist way'[85] (emphasis added). One particular example of the realist response to Wendt is, perhaps unsurprisingly, quietly supportive if not overtly approving: 'He puts to rest the notion that constructivism is necessarily postmodern,'[86] but 'Wendt's argument, however, is unsupported by empirical data and confounded by the thinness of norms in the international environment.'[87]

This is the very same 'thinness' to which constructivism otherwise seems to respond most readily. Is this a paradox, then, or perhaps a pre-determined failure on the part of Wendt's theory? There are two possible answers to this. The first is metaphysical, and so will not detain us here: if the subject matter under investigation, i.e. values, is moral, and therefore absolute, it is based on a foregone conclusion and not an ongoing investigation. Constructivism, in the main, deals with the latter and not the former. The second is much more informative for this thesis: Wendt's insight is into how states work in the international system. The 'thinness' of norms such as human rights depends on how well they attach to states – the extent to which they become the business of states. Whether Wendt's states admit the sort of values we are dealing with here (see Chapter Two) depends on the depth to which they are theorised (see Chapter Three). This may indeed have consequences for whether constructivism 'succeeds' or 'fails' in answering the critical challenge (see Chapter Six).

Wendt responds to this charge of Keohane and others largely by reiterating certain key points. This serves as a useful indicator as to the essential points that he deems worthy of explicitly supporting. He is keen to remove the philosophical

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[85] Ibid., p. 130

[86] Stephen D. Krasner, 'Wars, hotel fires, and plane crashes', *Review of International Studies*, vol. 26 (1) (2000), p. 131

[87] Ibid.

barriers that stand between a theory that not only incorporates but merges ideational and scientific-realist elements.[88] Therefore, '[t]he antidote to this tendency (to 'fetishize' materialism) is to focus on the ways in which social relations constitute material forces with particular meanings, to strip out or leach the ideational content from seemingly 'material' arguments.'[89]

The ontological aspect of Wendt's constructivism is essential. Disagreement with Robert Keohane's belief that there is no meaningful choice to be made between materialism and idealism is postulated thus: 'first, international politics can only be observed with the aid of a very substantial conceptual and theoretical apparatus that tells us what kinds of objects there are in this world and how they are related...[a]nd, second, there is the question of theoretical coherence and progress.'[90] In other words, (ironically) there can be no middle-way or under theorised notion of how materialism and idealism fit in the case of determining what is potential or actual 'knowledge.' Meaning must have a fully theorised and coherent apparatus to be realised. Does Wendt's conceptual and theoretical apparatus admit values to the satisfaction of either critical theory or constructivism, particularly as it is triangulated here?

Nicholas Onuf

The linguistic turn in constructivism has a strong heritage. From the early work in the mid to late 1980s through to Andrew Linklater and beyond,[91] it has in various guises (e.g. rules/language in use and discourse/dialogue) challenged the boundaries of both what we can know and how we can know it. Yet somewhere along the way the

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[88] See Alexander Wendt, 'On the Via Media: a response to the critics', *Review of International Studies*, vol. 26 (1) (2000), p. 138

[89] Ibid., p. 169

[90] Ibid., pp. 169-70

[91] See, for example, the many attempts to bring in Jürgen Habermas and the work of the Frankfurt School.

journey to a fully-theorised linguistics-based system of social knowledge came to a

fork in the road, separating the old from the new. This has since been the sole

occupation of many scholars who have (curiously within such a professedly open and

inclusive strand of IR) taken to supporting one or another theorist. This is particularly

the case with the legacy of Nicholas Onuf who (along with Friedrich Kratochwil[92])

was at the late 1980s vanguard of constructivism as it is now known, and achieved

this position with a methodical system that both cleared the ground for socially

motivated factors and was also philosophically systematic and rigorous, in a way that

has arguably not been surpassed since.

Onuf lays down an early marker for scholars following his lead, one which

decries the practice of under-theorised work which blights traditionalists, particularly

realists, as much as it does progressivist schools. Social theorists with constructivist

inclinations 'do not start early enough.'[93] Onuf's construction of IR is through a

discussion of rules, the starting point being that

> the discipline of international relations constituted itself on
>
> the belief that it corresponds to an operative paradigm. This
>
> is exactly the meaning of claims that international relations
>
> make up a bounded and distinctive social reality. Such claims
>
> have some plausibility, if they are taken to refer to the
>
> ensemble of activities engaged in by a bounded and slowly

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[92] See Friedrich Kratochwil, *Rules, Norms, and Decisions: On the conditions of practical and legal reasoning in international relations and domestic affairs* (Cambridge: Cambridge University Press, 1989)
[93] Onuf, *World of Our Making*, p. 53

changing set of entities conveniently denominated by the term "states".[94]

Paradigms are susceptible to the post-positivist charge of being epistemologically binding. Indeed, 'paradigmatism...asserts that meta-scientific constructs come and go in complete packages.'[95] Conceiving the realm of IR as operative, though, provides opportunities for analysis and re-definition worked out by using tools which problematise any assumptions attached to specific temporal existence. This sets up an interesting interplay between the idea of human rights as change and the manifestation of human rights in the *Universal Declaration*. Whether Onuf's preferred operative approach to international relations can adequately account for how these two elements interact and result in the ethical instrumentality of human rights will be discussed in more detail in Chapter Four.

How humans (and therefore states) generate and develop rules which govern social and political activity forms the basis of Onuf's account. Of key importance is Onuf's departure from what he labels the 'time-honored distinction'[96] that assigns 'rules' different roles or capabilities, and instead opts for the theoretically fluid and more ergonomic formulation wherein 'rules' can be and are simultaneously constitutive *and* regulative. Conceptualising rules as multi-functional in this way offers a contribution to the epistemology issue by virtue of, rather than despite, their social utility.

Even so, Onuf reaches this point without any suggestion of radicalism and, with reference to Roy Bhaskar, signals that his particular formulation of a constructed world has a material base;

[94] Ibid., p. 16
[95] Lapid, 'The Third Debate', p. 240
[96] Onuf, *World of Our Making*, p. 51

the sentence…quoted from Bhaskar reads: "it [referring to 'a rule'] does not normally tell us how to carry on." This is exactly wrong. Rules do indeed tell us how to carry on…(However) (t)hey do not tell us everything we would like to know as we carry on. No human creation could do that. In other words, rules cannot provide closure for the purposes of carrying on because rules are not the sufficient agency whereby intentions become equivalent to causes.[97]

Onuf is not as explicit as Alexander Wendt in using a positivist base for ideational factors. Still, though, this base exists in some form primitive to any post-positive imaginings. That is to say, 'the fact [is] that all rules in a socially constructed reality are related to *practice*'[98] (emphasis in original). This suggests an inherent dynamism to the empirical baseline which seems to complement both positivism and post-positivism alike. More explicitly, 'rules are the social component, resources the material component in all human endeavour…resources are nothing until mobilized through rules, rules are nothing until matched to resources to effectuate rule.'[99] In these terms, it is difficult to see past what is generally labelled 'positivist' epistemology. This maybe so, but it nevertheless remains that whatever is 'material' only exists in any *meaningful* sense of the word if it is employed in social endeavour. A picture is beginning to emerge of how rules and language seem able to provide the general categories required by constructivism if it is to account for and engage with the human rights discourse.

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[97] Ibid., p. 51
[98] Ibid., p. 52
[99] Ibid., p. 64

In investigating the genealogy of realist/positivist morality, Onuf's natural progression is to utilitarianism, which essentially 'permits a plurality of moral possibilities – a moral relativism its critics equate with the denial of morality.'[100] In other words, a plural manifestation compartmentalises morality leading to its eventual loss by dissipation as something capable of being meaningful or relevant beyond its original locale. He goes on: 'To think that moral considerations and social rules can never be more than the facts they are suggests an ontological shift as much as a shift in epistemology and ethics.'[101] In other words, where did morality go? Its apparent elusiveness might suggest the possibility of only a 'collaboration' or rapprochement between discrete entities on the moral question which is uneasy at best.

Onuf's elaboration on the source of rules – 'although social rules necessarily have authors and histories, neither need to be known for rules to work as such'[102] – seems a curious conclusion to make given the convention of contemporary constructivism that suggests that such qualitative social knowledge is paramount in the search for a sound methodology. Onuf, though, is using the basic logic of gains (similar, perhaps, to the effects of Braudel's *longue durée*?) which dispenses of the need for historical pre-occupation to be replaced with a rather more desirable and progressive awareness of what has gone before.

Onuf uses this materialist epistemology to bring in certain features of linguistic communication that shed light on wider interaction – introducing to IR socio-linguistic categories which explain, amongst other things, how ideas are disseminated and hierarchies maintained. Types of speech act relevant to social motivation are those which have 'illocutionary force', that is, 'the part of speech

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[100] Ibid., p. 68
[101] Ibid.
[102] Ibid., p. 80

constituting an action of social consequence,'[103] and (taken from Jürgen Habermas) 'perlocutionary acts' wherein the speaker 'brings about something in the world.'[104]

These speech acts are not emitted into a vacuum. 'It is not true that all sentences endowed with illocutionary force are rules. At best we can say they are rule-candidates. Whether such rule-candidates become rules depends on their reception.'[105] This in turn suggests an element of complementary discourse, or conversation as a method of producing actual gains. At this point Onuf goes further to explain the means by which speech acts affect norms and behaviour, and this will be discussed in more detail in Chapter Four.

This particular example of the explicit history of constructivism (labelled as such) offers an interesting and fruitful precursor to disciplinary developments. Onuf's work, containing elements of both modernist and modernist linguistic constructivism (in Adler's terms), provides us with a foundation for discussing these strands that are now perceived as dichotomous. Whether or not Onuf's explicit focus on the recognition of human suffering as a historical constant tells us enough about 'values' as defined here (or, moreover, whether Onuf's categories satisfy the critical challenge to constructivism), will shape this discussion.

Andrew Linklater

As was noted above, the linguistic turn in IR, and more specifically in the constructivist approach, took two directions from its place of origin. Onuf's rules-based system describes a structured environment in which language is utilised in an active-passive relationship between adherents to the system itself, and understandings become layered through experience. Linklater's dialogue-based system is similarly an

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[103] Ibid., p. 81
[104] Ibid., p. 83
[105] Ibid., p. 84

environment wherein mutual gain is the aim, where there is no struggle for a 'definitive' end, but rather where participant aims are achievable through the process itself, which might well be indefinite. The difference is that Onuf works within the confines of modernity whereas, as we shall see, Linklater seeks to break out of this by facilitating new political forms for otherwise oppressed people. The impact which this difference has not only on constructivism's ability to engage with values, but on the identity of constructivism itself, will go some way to framing a constructivist answer to the critical challenge.

As the principal example of Linklater's work on dialogue-led theory, *The Transformation of Political Community* is an investigation of modern ideas about citizenship, their limits and what a new political form might look like.[106] Specifically, it is a reassertion of the role of morality within the discipline and how universalised ethics can be imagined therein. How this normative balance is struck is crucial for this thesis. This task is undertaken with the aim of 'creating social relations which are more universalistic, less unequal and more sensitive to cultural differences,'[107] and these are 'the three dimensions of the project of transformation.'[108]

This three-dimensional starting point of *Transformation* is not in accord with the strong discretionary impulse of realists. That is to say, for the project to work, 'one must naively assume...that there is an underlying global harmony of interests from which a consensus can be forged on important political and social issues.'[109] Perhaps so, but Linklater's foray is expressly into the *possibilities* of linguistic engagement – an enquiry into a social theoretical position, albeit one that has designs on practice. Staying for a moment with a realist critique (and a particularly hard-line

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[106] Linklater, *Transformation*, p. 6
[107] Ibid, p. 7
[108] Ibid.
[109] Randall L. Schweller, 'Fantasy theory', *Review of International Studies*, vol. 25 (1) (1999), p. 147

example at that), 'unless one desperately wants to believe in this alternative future world, Linklater's book will appear as little more than an intellectual exercise in historical speculation and theoretical wishful thinking along familiar liberal lines.'[110] Which would leave the exercise apparently languishing in the realm of Utopian science-fiction, or what might in the literary world be more accurately termed 'magic realism.' This, arguably, says less about constructivism itself than about its relationship with sceptical realists, although more cogent critical observations are noted below.

Transformation's critical approach is two-tiered:

> Reconstructing the modern state and the international system
>
> to permit the development of higher levels of universality is
>
> one dimension of an alternative practice to state-formation
>
> and nation-building. Transforming exclusionary political
>
> communities so that higher levels of respect for cultural
>
> differences can evolve is a second element of the practice of
>
> superseding the totalising project.[111]

Linklater's imagining of the 'totalising project' is important for its epistemological and ontological ramifications. Schweller marks this as the representation of 'an insidious, centuries-long conspiracy' which was effected in conjunction with policy-makers as 'the final culmination of the grand realist plot to enslave and divide the human race by means of the state's monopoly power.'[112] Although this may not be Linklater's intention, even the hint of conspiracy will taint

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[110] Ibid., p.148
[111] Linklater, *Transformation*, p. 16
[112] Schweller, 'Fantasy theory', p. 148

the empirical potential of a theory in the eyes of the more 'scientific' IR community. Even from the other side of the IR spectrum, a similar criticism is made (this time, though, regarding the project as a whole). R.B.J. Walker found himself 'left more with an impression of how the central argument is supposed to work than with any clear sense of either its logical or empirical force. Many of its key theoretical engagements remain elusive and difficult to evaluate.'[113] This certainly seems to be the case, and so we are left to gauge how far possibility and potential can take us down the road towards a value-led constructivism. Taken out of specific context, might these doubts apply to the dialogue/discourse project as a whole?

In *Transformation*, first the state and then the collaboration of states are re-imagined in order to set up systematic transformation. The essence of Linklater's project is the 'communication community' in and across which ethical universals are disseminated and adhered to. What realism has done (or does, even) is promote stasis 'by converting humanly produced circumstances into a quasi-natural condition,' so that 'accounts of the immutability of political orders contribute to the formation of subjects who succumb to the belief that the relations between independent political communities must remain as they are.'[114] Now, there exists the agenda and motivation to 'develop more complex analyses of the prospects for, and character of, new forms of political communication.'[115] *Transformation*'s theme is that this fracturing of 'traditional' statehood has had the inevitable result of opening up previously disabled channels for dialogue.

The philosophical roots of this line of enquiry – dealing with the processes of change – are Kant and Marx. Theirs, collectively, is 'an insightful account of bounded

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[113] R.B.J. Walker, 'The hierarchicalization of political community', *Review of International Studies*, vol. 25 (1) (1999), p. 151
[114] Linklater, *Transformation*, p. 21
[115] Ibid., p. 23

communities which unite…normative, sociological and praxeological inquiry.'[116]

From Kant, Linklater reads that his 'praxeology offered a vision of future possibilities in the expectation that theory can play a transformative role by delegitimating existing structures and by steering human action to new political objectives'[117] – that is to say, 'the gradual transformation of oppressive structures.'[118] But the clarity of this assertion is obscured by the fact that '[Kant's] belief in immutable and universal laws of reason clashes with modern sensibilities which emphasise the social construction of knowledge and the diverse, and changing, cultural conceptions of moral truth.'[119] This point seems to counter the one immediately preceding it if Kant's 'immutable and universal' reasoning is the same as that employed in delegitimating structures. Linklater's use of Kant is questioned much more adeptly by Walker, specifically his failure to engage fully with Kant's interest in situating universality *in* particularity.[120]

The following key criticism has implications not only for Linklater, but for the 'philosophy' of the constructivist cause as a whole, and as such is quoted at length;

> The extent to which Kant struggled with the paradoxes and
> contradictions of modern subjectivity – with a relation
> between unity and diversity in a modern subjectivity of
> freedom and autonomy and not simply with some moral
> impetus towards universality – is kept rather quiet in
> Linklater's analysis. This has significant implications for
> the way in which Linklater's entire argument proceeds. It is

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[116] Ibid., p. 35
[117] Ibid., p. 37
[118] Ibid.
[119] Ibid., p. 39
[120] Walker, 'The hierarchicalization of political community', p. 151

especially helpful in enabling him to evade any serious

engagement with the problems of modern subjectivity.[121]

At its most basic level, selective incorporation and interpretation carries with it

the risk, at the very least, of providing critical ammunition for the defenders of varied

epistemological faiths, which includes constructivism of course, which is generally

considered to be well equipped to deal with subjectivity. In other words, Linklater

does not dig out the best foundations for his building blocks. Further, Linklater might

preferably have engaged 'more rigorously with the key texts that he believes can

sustain us on the road to universality.'[122] 'Key texts', of course, may or may not

contain answers, or the formulations thereof, to newly contextualised questions. This

depends on how they are interpreted. Linklater responds to the Kantian issue with an

interpretive shrug of the shoulders; 'none of the post-Kantians succeed in salvaging

universalism from the withering criticisms of the Nietzcheans.'[123]

As for Linklater's reading of Marx, 'the critics have argued that historical

materialism consolidated a binary division between progressive Western civilisation

and retarded non-Western humanity',[124] and that Marxism 'underestimate[d] the

tenacity of nationalism and the state.'[125] Kant and Marx together, however, 'sought to

identify immanent forces which ran counter to the state's totalising project.'[126] Theirs

was the seminal work in this area.

Linklater also re-interprets the agenda of apparently countervailing schools of

thought to demonstrate a convergence of methods:

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[121] Ibid., p. 152

[122] Ibid., p. 154

[123] Andrew Linklater, 'Transforming Political Community: a response to the critics', *Review of International Studies*, vol. 25 (1) (1999), p. 168

[124] Ibid.

[125] Ibid.

[126] Linklater, *Transformation*, p. 40

postmodern critiques of Western forms of cultural superiority

and feminist challenges to universalist ethics implicitly draw

from the reservoir of moral universalism while criticising its

untenable and politically dangerous formulations. Although

this is not their central intention, postmodern writings on

responsibility to otherness and their related approaches to

dialogue and difference contribute to the development of a

radically improved universalism.[127]

Universalism is radically improved by this various theorising to the end that a thin

rendering (it will therefore have no fixed vision) is better than a thick

cosmopolitanism (it will therefore not be tied to a singular conception).

For Linklater, post-Kantian Hegel is also influential, particularly in theorising

the social nature of morality. Hegel 'rejected the conception of the moral self which

underpinned Kant's political thought.'[128] He 'believed that the modern state was the

only political community which could ensure that individuals enjoyed the institutions

which realised their potential for leading free lives,'[129] and that 'freedom must be

sought out and won within each society.'[130] So cosmopolitanism is theoretically sound

as an earned right within a recognised structure.

Regarding existence outside the recognised structure: 'The key claim is not

that a concern for the whole of humanity should displace all other attachments but that

political communities have a fundamental moral duty to assess the impact of their

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[127] Ibid., p. 48
[128] Ibid., p. 52
[129] Ibid.
[130] Ibid., p. 53

actions upon outsiders and to avoid causing them unnecessary harm.'[131] This suggests

a rational element to his cosmopolitanism which in turn implies choice – the choice

whether or not to act positively in discharging a 'duty' and not a natural impulse.

Linklater's concept of the 'fundamental moral duty' is galvanised by a

discussion of the difficulties regarding the nature of essential truth. Kantian

perspectives correlate human progress with the contingent development of a 'natural'

ethical truth. Richard Rorty places the 'truths' we speak of as particular to twentieth-

century liberals.[132] Linklater, perhaps unsurprisingly given the general tone of

Transformation, draws out the positive implications:

> This quasi-Hegelian aversion to having to choose between
>
> fixed moral absolutes and incommensurable social realities
>
> abandons the grand metanarrative in which the lower cultures
>
> fall by the wayside as reason unfolds in history. What is
>
> substituted is a thinner notion of progress that refers to the
>
> expanding circle of human sympathy which ought to be the aim
>
> of those who identify with the liberal community.[133]

There is, then, a 'middle way' that allows legitimate progress which is the essence of

universalism – something justifiable by virtue of its nature as a reflection of how

human social/political progress happens: It evolves. Whether this particular

conception of the 'middle way' (and certainly a conception of progress rather than

process) is *constructivist*, is something which must be addressed in more detail.

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[131] Ibid., p. 57
[132] See Ibid., p. 76
[133] Ibid.

The excision of culture from a morally absolute 'truth' is surely a step towards a clearer statement of how peoples come together, even when that meeting is reliant upon values, as when human rights norms are the issue at hand. Truth is neither mono- nor omni-cultural. Indeed, 'anti-foundationalism argues that there is no transcultural standpoint, no view from nowhere, which allows the knowing subject to establish moral principles which are transculturally valid.'[134] The problem with this is that there must at least be a thread of common meaning that can be held to resonate across cultural thresholds. For Linklater, the path forward lies with dialogic communities.

The underlining principle is that 'most communities rest on special ties and harmonies of social disposition but they are always vulnerable to the claim that they unjustly exclude those who do not share the dominant identity. The goal of dialogic relations with the members of systematically excluded groups therefore emerges as a normative ideal.'[135] The dialogic community as described by Linklater is a way of cutting through the affecting accumulations of history. These are the same accumulations that Onuf is more overtly critical of, but of which Wendt stays largely silent.

However, it is invariably the case that, when (meta)theoretical exercises stray close to the empirical world, practicalities emerge. Indeed, it may be the case that 'the biggest problem with Linklater's analysis overall (is that) it is nearly impossible to discern what this international dialogue is going to be about.'[136] What is 'really happening' is of paramount concern to Jean Bethke Elshtain, who maintains a steady eye on the international political focus of constructivist work, urging like-minded

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[134] Ibid., p. 77
[135] Ibid., p. 85
[136] Jean Bethke Elshtain, 'Really existing communities', *Review of International Studies*, vol. 25 (1) (1999), p. 143

theorists to 'get real'. 'There are millions of people in the world, unnoticed by Linklater, who have already widened 'the moral boundaries of political communities' in light of the universalistic communities in and through which they were formed.'[137] This critique of just what it is that Linklater is providing over and above what already exists in practice – and the further implications this has for our questions regarding critical theory and constructivism – are questions which needs answering, and which shall be addressed in Chapters Five and Six.

In terms of theory, Linklater brings in Jürgen Habermas to discuss the nature of universalism *via* dialogue. For Habermas, it involves recognising a kind of personal humility which enables the perpetuation of discussion, and it is through the actual process of dialogue that moral universalism can be legitimated. Linklater draws Kant and Habermas together but notes a key difference: 'Kant believed that separate moral agents had a duty to ask if it was possible to universalise the maxim underlying any action. Judgements concerning universalisability involved a process of private ratiocination for individuals rather than any dialogic encounter with others', whereas for Habermas, the test of 'universalisability is found not in private reason but in associating with others in wider communities dedicated to open and unconstrained dialogue.'[138] The division is between personal and shared experience.

Dialogic communities seem to offer something conceptually different to the universals debate: 'Wider universalities of discourse which increase the range of permissible disagreements would represent a significant shift beyond the Westphalian era of classical sovereign states and their totalising projects.'[139] Dialogic communities are effectively chaotic in the sense that they are ungovernable. In Linklater's terminology, 'no cunning of reason oversees the development of dialogic

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[137] Ibid., p. 144
[138] Linklater, *Transformation*, pp. 91-2
[139] Ibid., p. 108

communities; no teleology has steered them to this point.'[140] This is quickly followed

by a prescription for their longevity; 'critical theories which are sensitive to these

issues need to develop philosophical, sociological and praxeological inquiries into

how some human beings are included in, while others are excluded from,

communities of discourse.'[141]

Norman Geras raises the salient point that 'going into that dialogue, a certain

ethical position is already presupposed before it occurs; it is not an outcome of the

dialogue itself.'[142] This ends up, it would seem, as being the 'fact [that] vitiates the

strict argument for discourse ethics, since the objection that can be made against a

non-discourse-ethical position can be made also against the principle undergirding

discourse ethics.'[143] The implication for an ethical solution is that it requires an ethical

foundation which has to be generated from *somewhere*.

Modernity in conjunction with the meaning of morality is fundamental to

Linklater's entire exercise. How it has been formulated and what it is capable of

engendering is central to *Transformation* and the constructivist project. Linklater

describes this in the following passage,

> modernity has been the site for movement along three separate
>
> axes: first; the moral relevance of many social differences has
>
> been questioned and frequently been found to be wanting;
>
> second, the value of creating the same rights for all members of
>
> society without ensuring that they have the resources to
>
> exercise these rights has been called into question; and, third,

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[140] Ibid., p. 110

[141] Ibid.

[142] Norman Geras, 'The view from everywhere', *Review of International Studies*, vol. 25 (1) (1999), p. 159

[143] Ibid.

the practice of treating all citizens as if they were identical (as

if they did not have different cultures and rights to cultural

integrity) has been brought into disrepute.[144]

The modern political community has problematised certain key conceptions of

what morality is and how it affects the order of things. Linklater suggests that there

exists interplay between the characteristics of (Westernised) modern statehood –

geopolitics, capitalism, industrialisation etc. – 'and the process of moral-practical

learning which includes the development of principles of social coordination and the

evolution of more complex moral assessments of the legitimacy of systems of

exclusion.'[145] The inference here is that there must be all of these factors present,

together, to enable the moral element to be realised. Westernisation enables the social

coordination that Linklater speaks of and the attendant complexity. All flows from the

West to the other, which, on the face of it, is not necessarily problematic for

emancipation – an(y) origin is arguably sufficient for that aim, without the need for

specifics in terms of geographical or ideological situation – but it is epistemologically

flawed if 'universality' is the key point. There is much talk of morals here. This alone

does not endanger Linklater's place in our triangulation, but in many ways is the

reason for it, not least that *Transformation* is a very prominent statement of

normativity in the international system delivered in the language of critical theory.

How this translates to constructivism, or more specifically the 'goals' or 'aims' of

constructivism is particularly instructive.

This 'bilingualism' across approaches seems to be characteristic of Linklater's

underlying theme – that the separation and division of key constitutive elements that

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[144] Ibid., p. 144
[145] Ibid., p. 150

make up the modern state in the globalised post-Westphalian world are continually demonstrating a viability over time to 'provide a more effective means of reconciling the claims of universality and difference.'[146] The newly configured states that make up the current international system 'represent... progress in institutionalising a thicker version of transnational citizenship because the members of different societies possess concrete rights and duties as citizens of a wider political community.'[147] What is missing, conversely, is a wider sense of international, or even fraternal, coherence that can only be gained from the relevant element of statehood (i.e. citizenship) and the moral imperative being not only fully theorised, but completely experienced also.

Indeed, Linklater ends with the following: 'by unfolding their distinctive moral potentials, modern societies may yet prove capable of creating dialogic arrangements which are unique in the history of world political organisation. Realising the promise of the post-Westphalian era is the essence of the unfinished project of modernity.'[148] He clearly believes that this widening of experience and, crucially, its legitimation and utilisation, is the key to transformation in world politics, but does it involve the advancement of 'constructivist ideals', or is this a contradiction in terms?

Conclusions

Thus we have our triangulation, explicated in general terms, and several key points have been developed to take forward into the following chapters. This is the culmination of a review of constructivism that has focused on how and why it is a divided approach. That it is so divided that each strand cannot mutually bridge epistemological and ontological gaps is not a foregone conclusion at this stage. We

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[146] Ibid., p. 203
[147] Ibid., p. 206
[148] Ibid., p. 220

have at hand a subject – human rights norms as representative of values in the international system – designed to test this.

What does each of these three brief reviews put in place for Chapters Three, Four and Five, and of course the thesis as a whole? Wendt offers a theory of the state. In its baldest terms, many critically-inclined scholars, to include constructivists, are unhappy with this representing the sum of constructivism and the sum of what matters in the international system. Yet Wendt's theory of state socialisation is richer than this. It contains a complex working out of how 'we' learn as international animals. The 'we' in this sense is of course referring to the personhood of states. How far this can be stretched to account for how values are learned and transmitted, and exactly the depths to which Wendt's approach can be mined for the socio-cultural relevancies of human rights norms is up for discussion. Is there anything here we can use as a launching pad for a better understanding of how domestic and international features interact under the auspices of 'humans' and 'human rights norms', or must we look elsewhere?

Onuf's approach in *World* seems almost tailor-made to fill in these gaps in our knowledge of what can be said to constitute the international, and why human experience is integral to this. Which begs the question, why or how are these two approaches understood as 'constructivist' within IR theory? What links them? Epistemological and ontological puzzles tend not to work like jigsaws, and so they don't offer neat interlocking solutions which we can arrive at just by matching up concepts. In this sense, Onuf does appear to be very different from Wendt, which fits the hypothesis that it is this divergence that constructivism actually requires in the first place – it needs a broadly constituted triangulation in order to have a hope of accounting for the numerous complexities of human rights norms. Onuf is the best

representative of how constructivism can make this shift. So what is being brought to the table?

With Onuf, it appears to be two key things. Firstly, his telling of the history of human experience, characterised by the consistency of exploitation, speaks to the critical theory staple of having a historical material referent to be critical about. The contained way in which he describes this (as vast as the parameters may be, this history is cyclical) mark this out as a constructivist endeavour – in other words, there is enough for us to contend with *ethically*, without making *moral* claims based in no recognisable reality. Whether or not the challenging nature of the *Universal Declaration* can be said to fit Onuf's categories is of key importance.

Secondly, how linguistic constructivists have gone about charting international interaction – how this is defined, the extent to which human rights have explicitly been addressed – is something of a gauge of how successful Onuf's often extremely complex insights into what constructivism is have been in the past two decades. If they have not done this prolifically, or can be said to have failed in some way, is this a reflection on the groundwork done by Onuf? Or, alternatively, does Onuf provide something more in *World* than has been picked up on by his successors?

The step to Linklater from Onuf can be interpreted as more or less a natural one. More, because he carries on the linguistic thread, and less because it is taken towards the critical frontiers of constructivism. In both senses it finds its justification for inclusion here. If human rights norms are a transformation of the international system, then constructivism needs to be able to theorise them as such. But is this still *constructivism*? This is a key question which will stay with us throughout this thesis. Whilst keeping this in mind, there are other elements of Linklater's work which are particularly relevant.

As with Onuf, Linklater also tells a history of the 'totalising' project of modernity. Is this a point of comparison by which we can really tie the two approaches together? In *Transformation*, Linklater points out that modernity has skewed our collective moral compass, and that what is essentially human is made 'natural' and so robbed of any meaning. The morality vividly rendered by Linklater is the reason for, and the aim of, the entire project of transformation. It almost seems that the work required of constructivism in accounting for values is done by Linklater. But this poses constructivism an interesting problem. Is there too much morality here? Is the naturally ethical framework of constructivism compromised by the necessary moral content of dialogic communities? Or is this the very constructivism of which critical theory observers speak when insisting upon a normative formulation?

All of the points and questions raised in this summary are at the heart of this thesis, and will be worked out systematically through the course of Chapters Three, Four and Five, with a cumulative critique in Chapter Six. The focus will stay on constructivism, but is of course shared by human rights. It is to these complex normative entities we now turn, in order that we are more confident of the nature of the values spoken of throughout the main body of the thesis. Precisely how they are constituted, how values relate to constitutive and procedural norms, and how this (singular? Transient?) constitution is already a part of IR are contested issues. In order that our triangulation has parameters to work to that are specific (as much as a normative concept can be specific), we must clarify our terms.

2. Human rights as value norms

The general aim of this chapter is to understand why value norms, as currently

exemplified by human rights, should matter to constructivism. The contention is that

constructivism's overwhelming normative focus has been on constitutive and

procedural/behavioural norms, and that this amounts to an ongoing failure to fulfil the

potential that many (mainly critically-oriented theorists) see in it. To do this with

some coherence in a single chapter, the parameters of the issue must first be set out.

We must first define in more detail what is meant by a 'value norm' as

distinguished from any other norm. Then we must be selective about which features

of the wider human rights discourse are not so relevant to this thesis. The interest for

this thesis lies in how this triangulation of approaches might be more accomplished,

and therefore more prolific, regarding their (singular and combined) output on values.

To be more 'accomplished' is not to suggest any agenda or criteria against which they

might be judged, but rather that they are more analytically coherent and therefore

consistent. In order to do this, we must decide what the essential characteristics of

human rights are that fit with the stated interests of constructivists. What this means is

that human rights norms have two key aspects which help us distinguish what it is we

might hope to achieve by applying any given international theoretical approach to

them. These aspects are a). their morality and b). their instrumentality.

Designing a research agenda around the question of why human rights matter is a different task from ascertaining what they essentially *are*. This latter exercise is deontological, whilst the former is ethical. Of course, that human rights norms are essentially the products of our moral imagination unavoidably forms the background field to any inquiry similar to this thesis. Attempting to answer deontological questions is not the task of constructivism, though. This thesis is starting from a critique of a critical challenge, and so must be sceptical about moral claims. Perhaps the pull of critical theory will change this. In the meantime, it certainly seems that sufficient complexity attends human rights norms without constructivists having the added burden of deciding between the merit of competing claims.

To associate human rights norms with an approach such as constructivism – namely, one which spans a fluctuating positivist/postpositivist spectrum – requires that these norms be manifest in a way more concrete than metaphysical. We can grasp at what values are, and what they might have been throughout history, but without a manifestation as a norm, we cannot confidently identify them, much less make educated judgements as to how they affect the international system. For example, emancipation in its various forms – the abolition of slavery, universal suffrage and market democracy, etc. – has stayed with us as a collective of humanist concepts, but these concepts have been institutionalised and therefore, to an extent, are observable and measurable. The exact nature of what reformers and progressivists were *thinking* when these international changes were decreed politically necessary is beyond us (or at least, it is certainly beyond the scope of this thesis). The specific rules, legislation

and doctrines that were set in motion are not. The way in which this thesis analyses

human rights is in that sense which has been labelled 'theorising a social fact.'[1]

We have values which have been contemporarily enshrined – by the *Universal*

Declaration of Human Rights and its many succeeding and related documents – which

require (or dictate? Or encourage?) international actors to behave in a certain fashion

to uphold certain standards. The prevailing use of the *Universal Declaration* here is

due to what the rights contained therein represent, and what they mean for the

international system. The first point to acknowledge must surely be that the

contemporary human rights regime, in development now for sixty years, is a

somewhat complex (perhaps even contradictory) subject for postpositivist IR. This is

the branch of international theory to which critical theory and much of constructivism

belongs, as distinguished from the liberal agenda which gave particular form to a

particular vision of humanness and virtue. That is, the critical challenge would have

constructivism perform in a more explicitly normative fashion, which must include

values, whilst simultaneously railing against the rational illusions of modernity.

Having the two hypotheses sit together is problematic, and reference to the *Universal*

Declaration is a very useful, concrete reminder of this.

If this first point is metatheoretical, then the second is not. The *Universal*

Declaration is effectively a constitution for the international system. It is becoming so

emblematic of justice and fairness that it demands the full attention of any branch of

international theory claiming to be constitutive and cognisant of humans and their

(individual and collective) consciousness. It must be engaged with more consistently

than it has been. This thesis is a preliminary contribution to constructivism's more

explicit treatment of this regime. As such, the *Universal Declaration* will be referred

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[1] See Anthony Woodiwiss, *Making Human Rights Work Globally* (London: Glasshouse Press, 2003), pp. 11-20

to time and again as representative of human rights norms in the international system, but its actual statements will only be briefly touched upon. More sustained investigations of specific rights and their relationship with constructivism is for future projects.

Even at the most basic and preliminary level of analysis, this codification of human rights norms adds an important dimension to the identities and interests of states and people(s) as constituents of the international system. It is this instrumentality which is commensurate with our general understanding of constructivism. The normative study of international relations, however, is usually assumed as being led by, or even embedded in, a moral approach, and so we must gauge what it is that distinguishes ethics from morals. Morality/instrumentality is a fine line which is sometimes blurred either in theory or in the interpretation of empirical results. It is our task here to clarify this and then move on from it.

The second task is to assess how the constructivism-normativity nexus can accommodate these instrumental value norms *empirically*. This involves three steps which will flow organically from the first task. The first two will be discussions of empirical constructivism and normative theory – along which lines the two coalesce, and where there is any divergence. The third step is to engage with the universalism which attends, and effectively defines, human rights norms.

The chapter will proceed as follows. As a brief precursor to the main analytical content of the chapter, the concept of a value norm will be clarified. The first main section will start this analysis by investigating how the human rights discourse has been interpreted as instrumental by IR scholars – how the jump is made from *why we should* to *how we do*. The discussion will then move inwards from this more general review and start with a brief outline of the kinds of normativity

investigated by constructivists in their empirical work. This will be followed by a review of several examples of empirical work on human rights as value norms as a way of drawing out areas of ethical (as opposed to moral) significance to constructivists.

Following this, the next section will consider universality – a key area of contestation and complexity in IR, but nevertheless one which constructivists must engage with given the subject of human rights. How we might 'work through' the universals debate is the purpose of this, again with the guiding notion of 'instrumentality' in mind.

The end result will be a clearer picture of why human rights matter for IR, how they complete the normativity which inspires constructivism, and how both of these things can be thought of in universal terms.

Making a distinction: value norms

Normativity in IR occupies the strange position of being a truly central concept, but one which is widely and consistently under theorised. This is the case on at least two counts. Approaches such as constructivism seem reluctant to commit to a moral position, and the term itself is very often left unclear in the sweeping, comprehensive way that it is used. The first of these issues is a problem explicitly under investigation in this thesis. It requires that some groundwork be done regarding the second point.

In a sustained expression of discontent directed at the lack of understanding of how language use is integral to the dynamics of international politics (and the discipline of IR), Neta Crawford offers an account of what might be called the

'forgotten' aspect of normativity.[2] As this is central to this thesis, quoting her

discussion at length will be a worthwhile exercise in clarifying some key premises

and terminology. Essentially,

> international relations scholars frequently talk about "norms"
>
> but do so in ways that frustrate analysis by blurring the
>
> distinction between behavioural norms and normative beliefs.
>
> They also emphasize common knowledge properties of
>
> "norms" that are not unique to "norms." Further, it is not
>
> uncommon for the "norms" literature to proceed as if the
>
> dominant practice were the same as normative belief.[3]

Which is patently not the case. Confusion and conflation may arise because

'behavioural norms and normative beliefs are both constitutive (meaning making) and

regulative (constraining).'[4] Furthermore, values are at play in international politics

regardless of whether they are acknowledged by 'conservative' or positivistic scholars

and policy-makers. Yet behavioural norms and normative beliefs can represent very

different ways of thinking about and doing international politics.

Human rights norms are frequently referred to here as 'value norms' because it

is their ethical instrumentality which is being stressed, and it is also intended to reflect

the otherwise generally unspecific treatment of values which is characteristic of IR

theory. These are Crawford's 'normative beliefs', which are 'beliefs about what it is

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[2] Neta C. Crawford, *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention* (Cambridge: Cambridge University Press, 2002)
[3] Ibid., p. 86
[4] Ibid., p. 88

right to do'[5] (emphasis in original). Ethical arguments, however, do permeate the full

spectrum of approaches to IR,[6] and so we must be careful here not to overstate how

'good' these normative beliefs or value norms are to an extent which risks

impartiality. This might be to our advantage, though, in establishing that the critical

challengers to constructivism must not overstate their own case on the grounds of

originality. Crawford's own distinction is illustrated by a dissection of ethical

arguments:

> Ethical arguments that we already believe thus support and
>
> reproduce a larger cognitive world order (because people
>
> believe the normative prescriptions and ethical arguments),
>
> and help maintain relations of power as people act in
>
> accordance with the prescriptions applied by the dominant
>
> normative beliefs... much of the work done by ethical
>
> arguments occurs in the context of upholding existing or
>
> dominant practices and remains part of the background, taken
>
> for granted.[7]

We can take two things from this. There is a procedural point for this thesis as

a whole regarding the potential richness of values as ethically affective rather than

morally incumbent, and there is a theoretical point concerning the potential within

constructivism to combine this 'whole' normativity. That is, it can 'do' behavioural

normativity, so why not values as well?

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[5] Ibid., p. 86
[6] See Ibid., p. 101: 'world politics is already based on ethical argument.'
[7] Ibid., p. 99

Human rights as a concern of IR

It has been asserted that human rights are 'unquestionably the dominant and most broadly accepted language of morality in the international system.'[8] Assuming that this is the case, how has the acceptance of this 'language of morality' been developed in IR? It has not been done systematically, and there is no consistent chronology of advancements since the *Universal Declaration* in 1948, but it has instead been led by scholars inclined to believe that IR theory is itself purposive.

But how far would this disciplinary narrative set an agenda for constructivism if it were allowed to do so – an agenda which would appear to be the antithesis of its constitutive philosophy? R.J. Vincent, for example, a key contributor to the human rights literature in recent IR, puts forward a reasoning for 'priority' rights which effectively has international theory as a political act: 'as a project for international society, the provision for subsistence rights has a strong claim to priority over other human rights…[because] the suffering of the starving and malnourished [is] the worst offence to human rights in contemporary world society.'[9]

This is a bold and, indeed, purposive theme. Constructivism, though, would have difficulty endorsing its singular logic. To fulfil its guiding constitutive remit, constructivism must account for subsistence issues only as much as it should the entire spectrum of human rights. The notion of 'priority', as used here, serves to highlight how, for example, an idealist/holist constructivist epistemology might be problematic. How can one human right be more important than another, if we have

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[8] Kate Schick, 'Beyond Rules: A Critique of the Liberal Human Rights Regime', *International Relations*, vol. 20 (3) (2006), p. 321
[9] R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), p. 2

not already somehow decided what the totality of knowledge is, and what it is 'for'? If

the priority in question is the specific norm itself, as Vincent suggests, then it would

surely have a distorting effect on constructivism. Its (purposive) role would already be

defined. It is unclear why discriminating between (and within) the wide variety of

'types'[10] of human right would be the best way forward for constructivism.

Vincent, however, does provide a more rationalised view of how the morality

of human rights can sit alongside frequently divergent approaches to international

theory. The moral aspect is still present (perhaps due to Vincent's direct conflation of

human rights with natural rights), but it is tempered somewhat:

> At least since the seventeenth century, human rights or
>
> natural rights have been a conventional liberal starting-place
>
> for political theory, so that in pursuing reason we would be
>
> following tradition. The difficulty with this is that it puts
>
> history in the ascendant when the point of natural rights: they
>
> fulfil the function once fulfilled by the theory of natural law
>
> in putting certain claims about how humans are to be treated
>
> beyond the whim of tyrants, but within realist estimates of
>
> the limits of the possible.[11]

The argument here is essentially for 'pursuing rights' – the notion that this is a

legitimate thing for international theorists to be doing. This speaks more directly to

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[10] That is, 'civil and political', 'economic and social' and 'collective' types favoured, for example, by
Vincent. Other typologies distinguish between the rights of women, minorities, indigenous people,
children, refugees and migrant workers, etc., but this is for taxonomical rather than analytical purposes.
See Rebecca Wallace and Kenneth Dale-Risk, *International Human Rights Text and Materials*
(London: Sweet & Maxwell, 2001)
[11] Vincent, *Human Rights*, pp. 111-112

the problematic of this thesis – the question of deciding between morals and ethics. Vincent goes on to develop an argument which characterises the international community we have constructed as one forcibly altered (by humanitarian intervention) in the name of the individual.[12] This is his own 'modification' of the wider 'morality of states' position adopted by many normative theorists. It is concerned with reorienting how international theory approaches human rights on the stage provided by the international community. We can sense, here, how the moral aspect of the human rights discourse pushes for development, or 'progress' in a certain fashion, or a certain direction. Vincent himself chooses to pursue the idea and practice of intervention, which is not our remit here. The notion of a 'morality of states' – a grand *ought* for the international system – does however seem to exist in the same encompassing normative sphere as the critical (and perhaps even the modernist) rendering of constructivism. This is philosophical, though, and does not take priority in constructivism over the theoretical aim of gathering knowledge about why human rights matter (i.e. how should constructivists do this? By focusing on a statist, linguistic or dialogic approach, for example?).

Jack Donnelly, alternatively, theorises human rights as part of a structure of redress, and this seems to reveal (or begin to, at least) how they fit into generally accepted schema of governance – primarily when 'legality' fails as an avenue for restitution. If their status is conceptualised as part of a claims-hierarchy, then human rights can be comprehended in terms of identity: what measures must be taken to see that they are 'achieved'; how this affects social relationships; how this achievement ultimately affects the status of an individual. These points all speak of identity politics which has come to be associated with constructivism.

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[12] See Ibid., esp. Ch. 7

The 'place', and therefore the political parameters of human rights are characterised thus:

> What is striking is how far one can go before human rights arguments become necessary. For example, appeals may be made to moral human rights at "lower" levels in order to add moral force to the claim. Such appeals, or even their possibility, may have an impact on those who are in a position to respect or violate the right. But one typically has direct recourse to human rights claims only where legal or other remedies seem unlikely to work or have already failed. In fact, the special function of human rights virtually requires that they be claimed precisely when they are unenforceable by ordinary legal or political means.[13]

Can even these 'ordinary legal or political means' be equated to the understanding of rules expounded by Onuf? Are they somehow superseded by Linklater's universal communication community on the grounds that they do not properly represent the individuals concerned? The idea of a 'special function' for human rights is ultimately vague and speculative, but is there a challenge in here for the way in which Wendt describes the socialisation of states?

According to Donnelly, what is being done politically (in terms of normative structure) by the claim to, and exercising of, a right? 'Systematically advanced human rights claims seek to establish or bring about more effective enforcement of a parallel

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[13] Jack Donnelly, *Universal Human Rights in Theory and Practice* (London: Cornell University Press, 1989), p. 13

"lower" right – which will eliminate the need to claim that human right.'[14] Therefore,

if a particular human rights claim is politically effective, the substance of it will no

longer need to be claimed as a 'human right'. 'Human rights claims thus are

essentially extralegal; their principal aim is to challenge or change existing

institutions, practices, or norms, especially legal institutions.'[15]

This break with legality is problematic. Yes, there may be room for

manoeuvre in how we formulate and uphold the rules which govern us, and even in

how we therefore define 'rule'. But as Chapter Four will demonstrate, the narrative

which Onuf relates is nothing if not complex, and disconnecting what is 'human' from

what is 'legal' seems a paradoxical end for a universal and secular human institution –

the law. Moreover, it is through legal machinery that claims to human rights,

ultimately, find redress.

Perhaps a more fruitful line of enquiry for constructivism leads from this

image of rights which has them challenging institutional orthodoxy as a natural part of

the process of becoming enshrined within that orthodoxy. This contains much (if not

all) of the groundwork to the answer of how it is that human rights become

institutionalised. The process from contested values to institutionalised norms troubles

what are usually perceived to be irreconcilable positions, and so fits the challenge

which constructivism sets itself regarding the understanding of world politics.

Conducting (and constructing) normative research

So how does constructivism go about the business of 'doing' IR? So far in this thesis,

the influence of critical theory has been pushed forward as the way in which

constructivism might best develop itself along more emancipatory or humanist lines.

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[14] Ibid., p. 14
[15] Ibid.

Certainly, this seems to be a natural path to take, considering that this area of social

theory has provided the most probing question for constructivism to answer, the one

which drives this project. But the implication is that empirical constructivism, as a

body of work, currently lacks this 'human' element. To what extent is this the case? A

quick appraisal of recent literature reveals a consistent flow of empirical constructivist

work that goes beyond metaphysics and metatheory. Topics that would traditionally

have been the preserve of 'positivist' paradigms now constitute the research interests

of constructivists. But has the normative potential which Reus-Smit and others see in

constructivism been tapped?

Empirical constructivism includes the following examples amongst many

others; intra-state relations in Sub-Saharan Africa in the context of the relationship

between economic growth and armed conflict[16]; analysis of the 'almost' war between

the US and India in 1971[17]; the parallel process of EU and NATO enlargement[18];

Southeast Asian security[19]; the characteristics of 'rogue' states as a contributory factor

to interstate conflict behaviour[20]; theories of interaction in late colonial India[21];

analysis of 'agreement' as opposed to a logic of force in the context of the

Iraq/UNSCOM crisis.[22]

[16] Margit Bussmann, Gerald Schneider and Nina Wiesehoneier, 'Foreign Economic Liberalization and Peace: The Case of Sub-Saharan Africa', *European Journal of International Relations*, vol. 11 (4) (2005)
[17] Wesley W. Widmaier, 'The Democratic Peace is What States Make of It: A Constructivist Analysis of the US-Indian 'Near-Miss' in the 1971 South Asian Crisis', *European Journal of International Relations*, vol. 11 (3) (2005)
[18] K.M. Fierke and A. Wiener, 'Constructing institutional interests: EU and NATO enlargement', *Journal of European Public Policy*, vol. 6 (5) (1999)
[19] See Seng Tan, 'Rescuing constructivism from the constructivists: a critical reading of constructivist interventions in Southeast Asian security', *The Pacific Review*, vol. 19 (2) (2006)
[20] Mary Caprioli and Peter F. Trumbore, 'Identifying 'Rogue' States and Testing their Interstate Conflict Behaviour', *European Journal of International Relations*, vol. 9 (3) (2003)
[21] Sanjoy Banerjee, 'Narratives and Interaction: A Constitutive Theory of Interaction and the Case of the All-India Muslim League', *European Journal of International Relations*, vol. 4 (2) (1998)
[22] K.M. Fierke, 'Logics of Force and Dialogue: The Iraq/UNSCOM Crisis as Social Interaction', *European Journal of International Relations*, vol. 6 (3) (2000)

These examples and the larger body of work they represent utilise a range of methodologies to add to knowledge and to further constructivist principles. According to Finnemore and Sikkink's review, 'constructivists have used a variety of tools to capture intersubjective meanings, including discourse analysis, process tracing, genealogy, structured focus comparisons, interviews, participant observation and content analysis.'[23] This list has been further augmented by a textbook approach to best practice regarding ethnography, sequencing, selection/interpellation, categorisation/articulation, communicative action and language games.[24] Issue areas usually considered the domain of security studies, area studies, political economy, historical reconstruction and democratic peace theory, amongst many more key areas of IR, are becoming subsumed under the constructivist banner.

The studies listed above provide a broad example of the evolution of practice in the debate about how best to carry on in constructivism. Some are explicitly discourse-led and some blur the lines between where this meets narrative and text analysis. Some are more recognisably 'scientific', employing quantifiable techniques that can characterise and measure. Further still, it is more common to find examples which blend this 'thick' empiricism with social observations to produce a 'thinner' method in going forward. The question for us is how broad is their normative scope? Are values at all present?

As good an example as any (from those listed above) for providing an empirical, *practical* grounding for the meeting of theory and 'reality' is found in Southeast Asia studies – the field has embraced constructivist principles to the effect

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[23] Finnemore and Sikkink, 'Taking Stock', p. 395
[24] See Audie Klotz and Cecelia Lynch, *Strategies for Research in Constructivist International Relations* (London: M.E. Sharpe, 2007)

of establishing a 'constructivist orthodoxy.'[25] Tellingly, by See Seng Tan's

assessment, 'the concern...has to do with the appeal by constructivists to a particular

methodology that...reveals more about their specific metaphysical and ontological

commitments, which at times contradict one another, than it actually does the lives,

histories and customs of the localities under scrutiny.'[26] Constructivist endeavours are

beset by contradictory intentions: the empirical drive is tempered by certain

epistemological and conceptual problems; an explicit stance is (or must) be adopted

towards rationalism; and a unitary stance is desirable, which could conceivably end in

'*de*constructing the very foundations it seeks to establish.'[27]

Tan explains the apparent contradiction thus: 'On the one hand, constructivism

presupposes a voluntarist subject that socially constitutes identities and ideologies

through instrumental actions...On the other...constructivism also understands social

production in terms of discourses and ideas that operate deterministically to constitute

reality.'[28] Tan's reading has constructivism personified as the 'Everyman' of IR

theory, which lends itself to broad application coupled with a self-imposed limited

'life-span' or effectiveness. The logic of Nicholas Onuf's 'structuralist interpretation

of language-game theory, which emphasises the completeness of language and sees

meaning emerging out of relationships internal to linguistic systems'[29] is a logic that

can be discerned from Alexander Wendt's 'ideas all the way down' constructivism

that 'presuppose(s) subjectivity.'[30] Do these approaches really tie together so readily?

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[25] Nicholas Khoo 'Deconstructing the ASEAN security community: a review essay', *International Relations of the Asia* Pacifi,c vol. 4 (1) (2004), p. 45
[26] Tan, 'Rescuing constructivism', p. 240
[27] See Ibid., pp. 240-41
[28] Ibid., p. 241
[29] Ibid., p. 242
[30] Ibid.

The issue facing 'constructivist empiricism' in the case of Southeast Asia studies is the constitution of subjectivity, which may occur 'either through state-centrism or an ideational or normative determinism...in ways that mimic various naturalizing and delimiting practices that constructivism claims to avoid.'[31] Which type of constructivism claims to avoid naturalising or delimiting practices? Not Wendt's, according to Ruggie. De-centring the state as a means to understanding the complexities of social motivation and social learning, and for moving towards a blurring of boundaries through the (communal) cognitive construction of regions (moving from Wendt to Adler, for example), still leaves a neo-rationalist, epistemologically positivist rendering of the state as a 'voluntarist subject.'[32]

The conclusion that Tan reaches, in view of subjectivity as a given, is that 'Southeast Asia constructivism ultimately fails to deliver on its promise to take us beyond the shortcomings of rationalism.'[33] This 'ultimate' failure suggests that the body of work is compelling but only up to a definitive point. There comes a moment when the factors of enquiry are no longer contemporaneously compatible for the advancement of knowledge – it seems that the state, ideas/norms and practice cannot all be simultaneously reified.[34] It is worth remembering, though, before charting an inherently limiting, and somewhat pessimistic, course that (in Ruggie's words) 'what social constructivists reject...is the presumption or pretense (sic) that their study constitutes the totality or even the main part of the social scientific enterprise.'[35]

David Dessler, in assessing empirical constructivism as a contribution to a positivist field, claims that it has 'emerged as a significant force in empirical

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[31] Ibid.
[32] See Ibid., p. 246
[33] Ibid., p. 254
[34] See ibid.
[35] Ruggie, 'What Makes the World Hang Together?', p. 856

research.'[36] In his review article, those being reviewed (Gil Friedman and Harvey Starr,[37] and Peter Katzenstein[38] – the latter as editor of a collection) 'would very likely recognize and endorse the core beliefs of epistemological realism,'[39] the first of which is that 'we inhabit a world whose nature and existence is neither logically or causally dependent on any mind.'[40] There is, in effect, a perceived reconfiguration of stated constructivist principles taking place in order to facilitate positivist 'rules.'

Dessler identifies two distinct research strategies that enable the explanatory logic of positivism – a generalising strategy and a particularizing one, where the former is normally preferred.[41] The inductive reasoning utilised by 'generalising' is traditionally difficult to counter. The two 'neos' – realism and liberalism 'are firmly rooted in the generalizing approach' – the contrast is made between economic and sociological models which view action as instrumentally rational and value-rational respectively.[42]

What Dessler claims that is largely missing (most notably in the Katzenstein volume) is a 'value-rational covering-law account that might be tested against neorealist and neoliberal rivals.'[43] But this is not insurmountable. Dessler redresses the balance somewhat by observing that the lack of a 'covering-law theory' is not a direct block to progress, and that 'it would be a mistake to interpret the preliminary steps toward theory these constructivists take as a failure to theorize – as if every leg of a long journey should be judged a failure simply because it does not take us all the

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[36] David Dessler, 'Constructivism within a positivist social science', *Review of International Studies*, vol. 25 (1) (1999), p. 123
[37] Gil Friedman and Harvey Starr, *Agency, Structure, and International Politics: From Ontology to Empirical Inquiry* (London: Routledge, 1997)
[38] Peter J. Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996)
[39] Dessler, 'Constructivism', p. 124
[40] Ibid.
[41] Ibid., p. 128-130
[42] See Ibid., p. 131
[43] Ibid., p. 134

way to our destination.'[44] Is this incremental theoretical foundation, as described by Dessler, the most appropriate way of analysing that which concerns us here – normativity, values, and human rights? It is arguably the case that the divisions within constructivism dictate that any steps in this direction be incremental.

Returning to the question regarding normative potential posed at the beginning of this section, we are left with an equivocal answer: constructivists do norms. The purpose of the brief exercise above was to elucidate that a constitutive and procedural approach to norms can be utilised in a wide range of analytical subjects. What has become clearer, however, is that values are not something we can ascertain as an adjunct to these norms – as something somehow secondary or contingent. We cannot extract values from procedures. That is, we know what constitutive and procedural norms are in play in a given set of circumstances, so therefore values somehow fit nicely onto this. Values, certainly in their manifestation as human rights, are ontologically equal to other types of norms (maybe they are even ontologically prior, but this, as stated, is not the focus of this inquiry).

Tan's assessment demonstrates how intricate the web which constructivism weaves can be, but that in the end it only somehow 'matches' rationalism. That is, it offers nothing qualitatively innovative. Dessler also has a similar conclusion, but it is ultimately that there is hope for the future of constructivism as a theory *on the terms of rationalism*. Constructivists have conducted research into human rights, and these empirical examples will be discussed in more depth as the thesis progresses, but again these forays are problematic. An implicit (and sometimes explicit) liberal agenda seems to prevail in many cases. The gaps which this thesis is interested in are

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[44] Ibid., p. 135

becoming clearer. *Instrumental* values represent a challenge to IR theory which

involves finding a path between rational and critical agendas.

Moving towards values: constructivism, normative theory and ethics

Norms and their recognition by way of a normative approach are either widespread

and a natural part of IR, or trouble only its margins, depending on which world we

see. In many senses, constructivism *is* normative theory, with its socially defined

agenda. But talk of *theory* is premature, suffice it to say that many of this particular

critical hue subscribe to the belief of Hugh Dyer that 'in providing a framework of

political understanding that remains flexible in its foundations, while recognising the

need for structured knowledge (viewed as a normative structure in this case), a

normative approach offers a *potential universal background theory* for the study of

international relations'[45] (emphasis added).

Precisely because of this it would be impossible to consider how human rights

impacts upon constructivism without analysing the confluence from a normative

theory perspective. To reduce this complex discourse to elements meaningful to this

thesis, we will start from a working assumption that the intellectual space which

constructivism populates is equally home to norms and their effects. This is a

preliminary step in an attempt to answer the question, why should constructivism

prioritise an ethical rather than a moral approach to human rights norms?

The dualism involved is derived from the starting position that ''ethics' and

'morality' are not isomorphic and to conflate the two terms is to truncate the overall

power of the normative theorist.'[46] This is not to suggest that simply settling on a

definition of 'moral' and 'ethical' will enlighten the constructivist agenda. Rather, the

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[45] Hugh C. Dyer, *Moral Order/ World Order* (London: Macmillan Press Ltd., 1997), p. 5
[46] Deiniol Jones, 'The origins of the global city: ethics and morality in contemporary cosmopolitanism', *British Journal of Politics and International Relations*, vol. 5 (1) (2003), p. 51

question is, what is it about either a moral or ethical approach which facilitates the best development for constructivism if it is to have a more productive engagement with human rights norms in the international system?

How much does the difference even matter? Hopefully by delineating the two it will become a little clearer. Deiniol Jones offers one interpretation of the split, as situated against a backdrop of IR theory which pays little attention to global processes;[47] he defines ''ethics' as the study of the powers, dispositions and capacities of the body, how they are formed, related and combined and ultimately, their 'expression'- i.e. their coherence, directedness and effects in relation to virtue.'[48] This is in opposition to 'the 'morality' of the 'deontological' inquiry that presently dominates the normative analysis of international relations 'summarised as the study of the subject's universal duties and rights, plus the validity of intersubjective social norms.'[49] The clear implication is that morality is a hindering or stifling foundation too pre-occupied with metaphysics, best left to philosophers, whilst ethics offers the right set of intellectual tools for practical, political advancement.

Chris Brown offers a perspective of this wider issue from the notion of identity, and the divisive competition for its proper foundation:

> Global solidarities clash with particularist loyalties in a
> number of different contexts, but at the heart of each such
> clash is a contest between differently based normative claims
> on the individual, often reaching to critical questions
> concerning his or her sense of identity. Ought women in
> countries where Islamic law is in force see themselves as

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[47] See Ibid.
[48] Ibid.
[49] Ibid.

victims of discrimination – as the international women's

movement would have it – or as participants in a living and

sacred culture, as their co-religionists see the matter? How is

a Brazilian environmentalist to reconcile within his or her

own mind the claims of national development with the need

to protect the common heritage of humanity?[50]

The point is that starting from a differently conceived notion of the good leads

to a different outcome. Not only that, the outcome is embedded and sustained by

reification of the chosen, dominant mode. Historicising the value of our source for

judging the best way forward – from 'within' or 'without' – has led to a dualism

based on periods or trends. Mark Hoffmann describes four phases in the evolution of

normative international theory, the latter two of which occupy contemporary ground.

Alongside the 'great methodological debate' there developed a phase 'characterized

by a concern with the effect values have on theoretical orientations,'[51] and 'these

concerns were reinforced by developments in the philosophy of science and the return

of 'grand theory' in social and political theory.'[52] Also, now, there is the post-Cold

War post-positivism in IR (the 'post-' roots of which are at least a decade older)

which has 'created the opening for radical forms of theorizing which privilege

[50] Chris Brown, 'International Theory and the Idea of World Community', in Ken Booth and Steve Smith (eds.) *International Relations Theory Today* (Cambridge: Polity Press, 1995), p. 97
[51] Mark Hoffmann, 'Normative international theory: approaches and issues', in A.J.R. Groom and Margot Light (eds.) *Contemporary International Relations: A Guide to Theory* (London: Pinter Publishers, 1994), p. 28
[52] Ibid.
[53] Ibid.

ontological concerns over epistemological problems and compel IR scholars to recognize its unavoidably normative content and orientation.'[53]

Does this apparent rejection of a strictly moral grounding stem from the seemingly intractable nature of its arguments? Brown offers a brief summary of the positions, with the emphasis on associated philosophical movements. 'Kant and Kantians are 'deontologists'; they believe that moral behaviour is a matter of acting on the basis of moral principles and with moral motives – the only thing that is good itself is a good will, to paraphrase the opening of the *Groundwork of the Metaphysics of Morals*. Utilitarians are 'consequentialists'; they believe that the only factor determining whether an action is right or wrong is its consequences.'[54]

As problematic as these touchstones of political theory are, for this to be a meaningful exchange, the motive and the act must be contextualised, and for that to be done, there must be a *purpose*. Brown himself has labelled this aim 'world community,'[55] the prospects for which depend on whether there are 'good reasons for thinking that the gradual, recently quite rapid, widening of the range and scope of contacts between individuals groups and peoples has been accompanied by some kind of corresponding recognition of common interests and a common identity?'[56] Linklater, alternatively, would point to the development of a 'universal communication community,' and we shall discuss this apparent conflation of the moral and the ethical in more detail in Chapter Five.

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[54] Chris Brown, *International Relations Theory: New Normative Approaches* (New York: Columbia University Press, 1992)
[55] See Brown, 'International Political Theory and the Idea of World Community'
[56] Ibid., p. 94
[57] Finnemore and Sikkink, 'International Norm Dynamics', p. 896

There is a brief yet telling statement in Finnemore and Sikkink's work on the origin of the normative idea: 'Norms do not appear out of thin air; they are actively built by agents having strong notions about appropriate or desirable behaviour in their community.'[57] We might characterise this as the essential problem facing the ethical/moral debate on how best to pursue human rights within the international system. The moral aspect, certainly, remains with the theorist. Any critical inclination, even of the most minimal kind, demands this. Here, we must have this dimension inform this thesis, and in a metaphysical sense, oversee it. And this is the key – it can only be a metaphysical concern. Philosophers, social theorists, anthropologists, etc. have not yet found an uncontested way of anchoring the morality of human rights to the substance of daily lives. The instrumentality of human rights *norms*, on the other hand, starts from their 'existence' in the *Universal Declaration*. How and where they exist is the focus of the next section.

Universalism, human rights and the 'middle-ground'

With human rights, constructivism faces a challenge which is both sociological and geographical. That is, the need to make a clear distinction between 'top-down' and 'bottom-up' notions of the origins of rights, if only to eventually disregard the inherent liberal morality of that distinction. The human rights literature within international relations (much of which is imported from other, related disciplines) tends to characterise the problem as stemming from the West. Specifically, it is a product of modernisation, which itself evolves from Enlightenment thought. This, according to the narrative, is not so much the source of rights, but the revealing of that

source as a truth. These are rights as matured in courtrooms or lecture theatres, and are deemed to be deeply and divisively unrepresentative because of this.

The cultural argument, on the other hand, admits all on equal merit and is largely dismissive of international legal provisions for human rights.[58] There is a polarity here which too-easily becomes entrenched. Although the following section will analyse how this can (in theory) be overcome, the admittance of cultural perspectives is still required of constructivism, and this will be addressed in more detail in the following chapter.

For constructivism to have designs on a more 'complete' notion of normativity described here, it must facilitate values predominantly conceived of as universal. But it must not offer or be part of a *universalising* doctrine. The positives and negatives which characterise universalism as a feature of the human rights discourse require some (if not definitive, then at least critical and probing) questions to be asked of the boundaries between what is useful and what is detrimental.

That universalism is a problematic issue, and that it seems to inspire and nullify critique in equal measure, is a common perception. But what are human rights norms if they are not universal (at least as directed by the *Universal Declaration*)? What might there be within the universalism debate which can properly sustain a constructivist dialogue with human rights?

It is arguably the case that it is the metaphysical aspect of the 'whole' of human rights – its deontological origin discussed above – which freezes its utility as little more than a metatheoretical distraction. It is this element which has a strong relationship with 'truth' – that there is something about human rights which is ultimately, and *humanly*, good, and that it simply requires discovery or the correct

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[58] For a discussion of this, see Richard Falk, 'Cultural Foundations for the International Protection of Human Rights', in Abdullahi Ahmed An-Na‹im (ed.) *Human Rights in Cross-Cultural Perspectives: A Quest for Consensus* (Philadelphia: University of Pennsylvania Press, 1992)

formulation for a global epiphany. Truth itself is a useful philosophical analogy which

enables us to contextualise this moral-ethical desideratum.

It is of more than incidental interest that recent philosophical texts are

mirroring this disciplinary turn towards the idea of a useful, workable universal based

on the practical good. 'The philosophical debate on truth has taken a new and

distinctive turn in contemporary philosophy: *a normative turn.*'[59] This wider debate is

useful here in providing a context for the inevitable questions and issues of an inter-

disciplinary nature. As is the case with the issue of human rights in IR theory, 'the

[current philosophical] debate on truth covers questions concerning objectivity,

reality, knowledge, communication, standards of correctness, identity, authenticity,

freedom and creativity (among others).'[60] Furthermore, 'the philosophical discussion

of truth can be a *bridge* between philosophical traditions and schools of thought.'[61]

This notion of bridging intellectual gaps across often entrenched approaches is a key

motivation of this thesis.

We can make use of a further foundational insight from Medina and Wood.

'The normativity of truth does not just mean that truth claims are simultaneously

value judgements. It means that "truth" is a space with its own ends, ends that are

inseparable from other ends such as freedom and justice. "Truth" designates a

normative space, a constellation of desiderata or principles that regulate discourse and

agency and what can be disclosed in and through them.'[62] So how has IR accounted

for the human rights nebula? How does universal become useful in this context?

Circumnavigating the 'problems' of universals – often characterised by

relativism, pluralism, even communalism – has largely centred on finding the *type* of

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[59] José Medina and David Wood (eds.) *Truth: Engagements Across Philosophical Traditions* (Oxford: Blackwell Publishing, 2005), p. 1
[60] Ibid.
[61] Ibid.
[62] Ibid., p. 3

the universal in question which best fits the criterion of transferability demanded by practical, political application. Is it thick or thin? Can a clear enough distinction be made between moral origin and ethical praxis when universalising human rights?

Within the loosely-defined boundaries of approaches more critical than not, this process has tended towards describing a polar continuum, and then suggesting how to overcome the oppositional stance this implies. Jack Donnelly and Bhikhu Parekh provide two similarly conceived and yet ultimately contrasting types.[63] Donnelly describes three models of International Human Rights. Firstly, there is the traditional state-defined model, wherein statists 'insist that human rights remain primarily a matter of sovereign national jurisdiction and (ought to continue to be) a largely peripheral concern of international (interstate) relations.'[64] Too easily characterised (that is to say, dismissed) by the critical corpus as a (neo)realist tenet, statism remains resolutely at the core of definitions of a range of constructivist approaches. Secondly, this faces the cosmopolitan model which sees states as the problem, moves away from their status as fact, and instead posits individuals, along with NGOs, as the challengers from 'below'.[65] This model embraces intervention as the vehicle for an attainable future ethos of human equality.

Cosmopolitanism and statism together form the poles of a human-state continuum upon which the middle-ground is occupied by the third model, internationalism.[66] This version or perspective throws a wider, inclusive arm around the society of states and the individuals, NGOs etc. which together constitute a community of active participants. Donnelly sees the formulation which constitutes the

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[63] For a further example of continuum imagery, see Tom Hadden, 'The Pendulum Theory of Individual, Communal and Minority Rights', in Simon Caney and Peter Jones (eds.), *Human Rights and Global Diversity* (London: Frank Cass, 2001), pp. 77-90
[64] Jack Donnelly, *International Human Rights* (Boulder, Westview Press: 1998), p. 28
[65] See Ibid., p. 28-9
[66] Ibid., p. 29

'third way' in terms of producing the most fruitful research agenda as 'some sort of internationalist model – or a very heavily hedged statism – [which] provides the most accurate description of the place of human rights in contemporary international relations.'[67] Importantly, though, this 'does not mean that internationalism is the best, or even a good way to treat human rights in international relations.'[68]

Donnelly's decision to focus his attention and research resources on the possibilities of this essentially middle ground approach echoes the groundswell of (more pragmatic) critical theorists who tend towards the practical inclination of constructivists. By doing so, the implication is clear that extremes of primacy or priority for concerned parties is, on a dialectical/theoretical level, intellectually desirable yet it is, on a practical level, unworkable. Is it necessarily therefore a short-term, and purely academic, solution? What at least is clear is that, as a formulation, it shares the common IR interpretation of a constructivist 'middle ground'.

Bhikhu Parekh, on the other hand, touches upon the difficulties mentioned at the beginning of this section, and starts from a more recognisably *philosophical* position as a means to liberate universalism from its ethnocentric bias. That he does so by way of a continuum offers a very useful comparison with Donnelly's more recognisably international political terminology.

Parekh's polar model consists of the extremes of relativism and monism intersected by the median ground of minimum universalism. Where universalism can't be 'done' or is unimaginable or obsolete is the space occupied conjointly by relativism and monism. Each has merit, and each forms the basis of the intellectual opportunities that inevitably arise when entrenched convictions clash. The key

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[67] Ibid.
[68] Ibid., p. 30

analytical step is the accommodation of difference without resorting to an all-defeating relativism.

Parekh's insights into the obscurantism which adjuncts relativism are therefore particularly useful. At length,

> Relativism contains an important truth, and hence it has continuing appeal. It rightly insists that no way of life is objectively the best or suits all, that the good life cannot be defined independently of the character of the individuals involved, and that moral beliefs and practices cannot be detached from the wider way of life and abstractly judged and graded. While these are important insights, relativism exaggerates and offers a false account of them. As we have seen, it advances the following theses. First, individuals are determined, constituted or profoundly shaped by their culture or society, and as a result are unable to rise above its beliefs and modes of thought. Secondly, different societies entertain different bodies of beliefs and we have no means of judging these. Thirdly, the prevailing system of beliefs and practices best suits its members, who are therefore right to live by it. Each of these theses is wholly or partly true.[69]

For Parekh, each theses, mainly perpetuated by the enduring human traits of accepting the existing order of things and an aversion to difference, is an illusory

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[69] Bhikhu Parekh, 'Non-ethnocentric universalism', in Tim Dunne and Nicholas J. Wheeler (eds.) *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), p. 133

fiction which on closer inspection barely holds water. Culture and even society itself

are not self-regulating entities which dictate in a top-down fashion to passive

members, and they are certainly not static or discretely measurable.

The issue of judging the standards of others touches at the very heart of the

universalism 'problem'. That judgement cannot be legitimately passed is a view

which is 'deeply mistaken'.[70] There is indeed an embedded 'broad consensus' on

values which exists and thrives, albeit not always at the forefront of our personal or

political consciousness, but which nevertheless is manifest in international politics.[71]

'To be sure, many relativists acknowledge this but dismiss the consensus as mere

coincidence. This is too lazy and superficial a response to be acceptable, especially

when the consensus is deep and persistent.'[72]

Judgement in relativist terms is subjective and therefore not reproducible. But

this misapprehends what judgement entails. Judgement is not the equivalent to an

interrogation of the truth, but is rather a tool to ascertain value, at least in a

reproducible, academic sense. It needs, therefore, to be removed from its ivory tower

connotations of a 'pronouncement'.

As for monism, by Parekh's assessment

> moral monism...rightly argues that morality is a matter of
>
> rational reflection, that it presupposes some conception of
>
> human being, that at least some moral principles are
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> universally valid and that ways of life can be critically
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> evaluated. However, it misrepresents and draws wrong

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[70] Ibid., p. 135

[71] See Audie Klotz, *Norms in International Relations: Struggle Against Apartheid* (Ithaca: Cornell University Press, 1999)

[72] Parekh, 'Non-ethnocentric universalism', p. 135

conclusions from these insights. Although morality involves rational reflection, it is too complex a system of beliefs and practices to be excogitated by reason alone.[73]

Monism is a bias which cannot explain difference, nor can it account for the variation in perceived experience. That is to say, good without a conceivable opposite (be it 'wrong' or 'unjustness') is also an illusory fiction. It is also an abstraction which constructivism can ill-afford. 'In short, every way of life, however good it might be, entails a loss. And since it is difficult to say which of these values is higher both in the abstract and specific contexts, the loss involved cannot be measured and compared, rendering unintelligible the idea of a particular way of life representing the highest good.'[74] Still, though, by definition universal human rights must be of a standard to be recognised and, at some identifiable level, unifying. Perhaps this qualification of the monist trap suggests more of a floating standard of fuzzy parameters rather than a fixed level. This again, though, runs dangerously close to metatheorising in the abstract which is at best unhelpful for substantive, defendable theses.

The middle ground which feeds off and defines itself by the less radical aspects of each pole is minimum universalism.[75] It is at this point that the difference between how Donnelly and Parekh treat the range of possible outcomes offered by a continuum image of oppositional positions becomes clear. In Donnelly's more explicitly *political* rendering of universalism, human rights are 'achievable' in a compromised mix of the two polar opposites. 'If it is not one or the other then it must be both' is effectively the message.

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[73] Ibid., p. 136
[74] Ibid., p. 137
[75] See Ibid., p. 138-9

Minimum universalism, on the other hand, is not so much a way of imagining the social configuration of people(s), but is rather a step back – a moral foundation for imagining existence itself. As such, with its proposed solutions of ideal types sustained by a thin baseline, it still falls foul of the most basic objections to universals, namely ethnocentrism and flawed consensus.[76] What Parekh does is isolate the continuum as an ahistorical conceit, the categories of which should not bind theorists. The key for Parekh in circumventing this is dialogue, specifically 'uncoerced cross-cultural dialogue.'[77]

For our triangulation, dialogue is of key importance, so at first glance this would appear promising. The agenda for debate, however, is to be guided by core universal moral values, which sounds a note of caution, given the deontological misgivings expressed throughout this chapter. There are five of these values, and each serves to frame the whole that is the quality of being 'human'; 'human unity, human dignity, human worth, promotion of human well-being or fundamental human interests, and equality.'[78] It is worth briefly noting the substance of Parekh's categories for the implications they have for this thesis. At first glance it might be assumed that they fit the natural law tradition – that they are qualities somehow immanent to our humanity. If this was indeed the case, primacy must be assigned to the reasons for elevating these particular qualities, which in itself leads to the culturally specific origins and problematic transferability often associated with natural law. Instead Parekh stresses that

> the values are not *chosen* by us for that implies they exist
>
> independently of our choice; rather we have decided for good

[76] See Ibid.
[77] Ibid., p. 139
[78] Ibid., pp. 149-50

reasons to live by them and confer on them the status of

values. They are not specific to a particular culture or society,

for they grounded in an interculturally shared human identity

and are capable of being defended by interculturally

shareable good reasons. And they are not derived from a

transcultural conception of human nature either for we do not

abstract out the human capacities, desires, dispositions etc.,

that they presuppose and instantiate.[79]

With particularly the first and third reason for upholding these values, Parekh

historicises the origin and continuing context of rights. By doing so, this conception

of why rights are valid and how they can work in a sustained fashion joins a wider

groundswell of opinion that for rights to be properly theorised, or 'brought into'

theory, then this anchor is indispensable.[80]

From a wider IR theory perspective, the need for a properly historicised

account of concepts has long been recognised by the English School as a requirement

not only for sound theory but the discipline itself.[81] This is one methodological

argument for the effective integration of human rights which for constructivism is

convincing, perhaps even compelling. Put most simply, human rights are the

manifestation of the emancipatory project. Currently, any alternative position is

usually at best a critical response to this project, or is diametrically opposed to it by

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[79] Ibid., p. 150
[80] See, for example, William J. Talbott, *Which Rights Should be Universal?* (New York: Oxford University Press, 2005). Here, the methods of social positivism draw out the importance and necessity of thinking in terms of millennia of accumulated experience. Also, Chris Brown describes passing over history and concentrating on the present as 'a mistake, and moreover a mistake with serious political implications for intercultural relations', in 'Universal human rights: a critique' in Dunne and Wheeler (eds.) *Human Rights*, p. 103
[81] See Barry Buzan and Richard Little, 'Why International Relations has Failed as an Intellectual Project and What to do About it', *Millennium: Journal of International Studies*, vol. 30 (1) (2001)

sustaining a different view of what constitutes progress in international theory (and the 'facts' of international history also). For constructivism and human rights to co-exist productively, then the debate must be allowed to move beyond this foundation issue.

If there is to be one problem, it is the same which persists in troubling the margins of similar (as yet) unproven projects.[82] That is, Parekh expends a great deal of time and effort extolling the virtues of dialogue without actually elucidating its practicalities. There is brief mention of the U.N., but otherwise the fora and structure of such important debates are far from settled criteria.

But we can take from this a method possessing some degree of philosophical weight. We can also take Donnelly's political stance, but only if we wish this to be constructivism's own role. Whether the politicisation of constructivism is somehow a logical step forward for the approach is a key question which must be asked of its value-led normative configuration. We have at least begun to address how rights themselves are deeply moral and political, but how they can also be imagined as universally workable.

Conclusions

Both Donnelly's and Parekh's use of continuum imagery in locating the opposing interests embedded in human rights tells us much about the relationship between the framing of political and theoretical problems and their possible solutions. An embedded statism governs the possibilities of the traditional and political categories, whilst a historical context for rights opens the door to some form of dialogue.

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[82] This is said with Linklater's transformative thesis in mind. How fair this assessment is will be gauged in Chapters Five and Six.

The aim of this chapter has been to provide a brief introduction to the key concepts and themes within the contemporary human rights discourse which impact upon the ontology of constructivism. This has ranged from theoretical perceptions of human rights, to their presence (both potential and actual) within the empirical work of constructivists, and then on to the wider normative theory which it seemingly must engage. We have built up a picture of human rights as ethically instrumental norms which are best served by a minimally universalistic ontology if they are to be subsumed more effectively into constructivism. This is the theory. How the edifice(s) of constructivism can incorporate this type of normativity depends entirely on their existing constitutive features, and the extent to which they are actually, rather than simply assumed to be, malleable to change.

What, specifically, can be taken forward to the following chapters? A key issue prevails: does the human rights narrative which threads throughout IR compromise the constitutive nature of constructivism? The discussions in this chapter and those that follow are framed by having aspects of constructivism come face-to-face with *value* normativity. Values are contested in such a fundamental way that they cannot but open the door to a dialogue with constructivism. That they are manifest in the *Universal Declaration* supports this claim. That the *Declaration* is entering its sixth decade is testament to the practice-orientation of this (relative) concretisation of what is otherwise too-often dismissed as a purely, or even *simply* metaphysical notion. It offers a universalism which constructivists must engage with.

Yet, and this is the point which sustains much of the debate often framed as either positivist/postpositivist or orthodox/critical: human rights continue to elude anything more than minimal codification in the political and legal apparatus of states. Donnelly picks up on this problem in the claiming of human rights. In describing the

'special function' of human rights which renders them virtually unenforceable – at least by 'ordinary legal or political means,' he questions the permanence of both the human right and the claim. In other words, the context moves on. He argues that human rights affect the machinery of international statehood by themselves affecting a less contentious right (i.e. a more established political or legal right). There is thus no need for the continuation of the human right. Its role is only one of instigation.

Perhaps this is so. With more certainty, this is an aspect of how human rights 'work' which constructivism must engage with but not necessarily be stifled by. It is part of the always present discourse regarding the questionability of human rights – that they are often un- or misrepresentative of a complexly universal world. The problem is most often characterised as stemming from the impious trinity of the West, modernity or the Enlightenment. Or, of course, from a collusion of all three. This dissatisfaction with the manufacturing of morality is a strong thread to be analysed in the main body of the thesis, and particularly throughout Chapters Four and Five. What Wendt does or does not do with modernity is an equally interesting counterpoint, if only less prominent in his approach.

The one thread more fully developed in this chapter – which must be upheld for this thesis to hang together – is that the instrumentality, and therefore the more normatively observable effects of human rights, are to be found in their being framed primarily as ethical statements derived from the *Universal Declaration* rather than moral principles derived, possibly, from nature. It is against this that we can test the moral claims of critical theorists. It is to this more sustained appraisal which we now turn.

3. A conventional approach
Alexander Wendt

In order for this chapter to do the work we might hope for, in framing and analysing how a particular approach to constructivism accounts for human rights norms in the international system, certain assumptions must be made. There is a certain type of constructivism to which Wendt's approach can be said to belong. Differences between them exist, of course, but on the whole they speak the same conceptual language which is applied to the same or very similar world view. It is therefore assumed that it is an appropriate analytic device to have them share a critique.

These familial approaches regard humans as relevant international actors, but vary as to how *important* they are. The assumption follows that both the conventional and the Wendtian approach must be discussed, but in order to take account of its impact on the landscape of international theory, we must lean towards Wendt's formulation as a more systematic and coherent representative of a certain constructivist way of thinking.

This being the case, this chapter will be separated into two parts and will proceed as follows. The first section will begin with a discussion of conventionalism as a whole, and the place of value norms within it. It will then move on to critically analyse the specifics of how Wendt develops his socialisation thesis, always with a view to either drawing out or exposing the lack of values therein. The second section will be a more sustained critique, calling into question both the image of the state we are left with, and whether human rights are subsumed or rejected by this 'person'.

I. Conventionalism and values

Those constructivists Ted Hopf has usefully labelled 'conventional' have an ontological vision which has its roots in a world-view more positivist than not. This branch of constructivism is by nature aligned with social scientific precedents, and follows an established structural blue-print, whilst also adding to this by forging newer ideational paths to knowledge. When normativity is the matter at hand, it too is unavoidably subject to these competing interests and perspectives, although conventional and behavioural norms have received more coverage than value norms.

So what are the broadly identifiable characteristics of this conventional approach? Contra to rationalist empiricism, 'constructivism instead assumes that the selves, or identities, of states are a variable; they likely depend on historical, cultural, political, and social context.'[1] *Conventionally* speaking, 'states have more agency under constructivism, but that agency is not in any sense unconstrained. To the contrary, choices are rigorously constrained by the webs of understanding of the practices, identities, and interests of other actors that prevail in particular historical contexts.'[2]

Within this inclusive framework, constructivism offers a more explicit questioning of the relative merits of ideas and interests. But how big is an idea? How encompassing, or limited, might it be? Where do its roots lie? The source of values, as we have seen, is a much contested issue. These 'ideas' themselves bring into sharp focus philosophies, histories and narratives, outside of the limits of liberalism, that conventionalism has had but a fleeting association with.

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[1] Hopf, 'The Promise of Constructivism', p. 176
[2] Ibid., p. 177

The Westphalian state is the traditional anchor of constructivism as a whole,

be it conventionalist or otherwise. What sets this approach apart is the legacy of this

idea – the dominating role which the state plays. This has led to comparisons with (or

even conflations with) neorealism, but there are key differences. Regarding the

interests of the state, for example, 'constructivism and neorealism share the

assumption that interests imply choices, but neorealism further assumes that states

have the same a priori interests. Such a homogenizing assumption is possible only if

one denies that interests are the products of the social practices that mutually

constitute actors and structures.'[3] States clearly have different views on human rights,

but is this the same thing as having different interests *because of* human rights?

As we saw at the beginning of Chapter Two, normative clarity can be in short

supply, and this is particularly the case with approaches that incline more towards the

rational or positivist end of the IR spectrum. To a critical eye, the lack of clear

intentions or subtlety of exposition in this respect effectively blunts what might

otherwise be an incisive constructivist foray into this area. The extent to which

conventional constructivists are guilty of this practice depends, of course, on whether

they are addressing values at all.

Broad conceptions of 'intersubjectivity' or 'common knowledge' make the

exercise of *de*constructing constructivist insights into human rights much more

problematic than perhaps it ought to be. Human rights norms are issues of seismic

political and cultural significance, and at what level they are considered theoretically

useful varies to a degree within this approach. Wendt, as we shall see, focuses on a

Waltzian 'third image' analysis of anarchy.[4] Other conventionalists probe further

'down' into second and first level analyses, but how effectively they do so is

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[3] Ibid., p. 176
[4] Kenneth N. Waltz, *Man, the State and War: A Theoretical Analysis* (New York: Columbia University Press, 1954)

questionable. Put (all too) simply: Ideas matter; human rights are an idea; therefore human rights matter. This basic logic loses its way somehow in conventional approaches. That human rights *do* matter is not something that many conventionalists would disagree with. *How* they matter is an entirely different prospect.

For example, according to Neta Crawford, 'Finnemore and Sikkink may be on the right track [with their 'life-cycle' image of normative incorporation], but normative content has faded from view with the emphasis on stages.'[5] We will come to these specific stages presently, but the overall impression we can take from this criticism is that theirs is a functional sterilisation of what should be an organic process. Finnemore and Sikkink certainly ask the sort of questions which interest us here, and, one might assume, Crawford also: 'How do we know a norm when we see one? How do we know norms make a difference in politics? Where do norms come from? How do they change?'[6] These questions are being asked from firmly within the conventional camp: 'We address theoretical issues facing those of us interested in empirical research on social construction processes and norm influences in international politics.'[7] They also work from the assumption that the problem with constructivism is a problem with *change*, something that will be discussed late in this chapter

In what way, then, is Finnemore and Sikkink's triadic norm 'life cycle' an insufficient explanation of how norms function within the international system? Is it because it lacks a clear statement on values or even human rights? Is a three stage process too parsimonious?[8] Each of the stages, 'norm emergence', 'norm cascade'

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[5] Neta Crawford, *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention* (Cambridge: Cambridge University Press, 2000), p. 97

[6] Martha Finnemore and Kathryn Sikkink, 'International Norm Dynamics and Political Change', *International Organization*, vol. 52 (4), p. 888

[7] Ibid.

[8] See Ibid., pp. 895-909

and 'internalization' undoubtedly augment our knowledge of how norms 'work' (and of course, how humans function socially), and it is difficult to see how this logic could be refuted, but there is still a caveat. Even though Finnemore and Sikkink stress that there is significant room for conceptual manoeuvre within each stage, that this is enough for *values* – for human rights – remains unclear.

For instance, 'the characteristic mechanism of the first stage... is persuasion by norm entrepreneurs.'[9] Immediately we are drawn into a simple yet fundamental assumption – that entrepreneurship of this kind is possible for those with the most pressing need. This appears to be a logic which privileges power (and the power of opportunity) over substance. Perhaps this is symptomatic of the norms on which Finnemore and Sikkink base their cycle. 'Women's suffrage' and the 'laws of war' are indeed situated somewhere around that threshold which both connects and differentiates between, in Crawford's terms, normative behaviour and normative belief. Yet to function – and to progress - they depend utterly on two key assumptions about the (political, social and cultural) structure within which they operate. Firstly, that it exists and is of a particular *developed* form, and secondly, that entrepreneurs are privy to the workings of it and therefore what is required for change.

This is socio-structural 'engineering', but it lacks complexity and real breadth, something illustrated in part by the empirical scope of the project: Data focusing on the United States, the United Kingdom, New Zealand, Australia and Finland[10] is not universally representative of women's rights struggles any more than Western mores are a microcosmic image of macro global concerns. Lacking here is a foundation which takes recognition and difference at anything more than a purely instrumental level; there is no reference made to an informing or 'background field' of morality

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[9] Ibid, p. 895
[10] See Ibid., p. 896

against which decisions are made. By this stage, anything even thinly universalistic about 'value' motivations is lost, or at least clouded and compromised for it.

What the life-cycle model does provide is a broader attempt (limited though this may actually be) to reconcile normative behaviour with state behaviour. Along with the 'spiral model', it also demonstrates that human rights, if constituted by recognisable criteria, can be and are incorporated, or 'naturalised', into policy in a meaningful and lasting fashion. That it is not done so without the need for formalised systems of incorporation, that it requires a minimum level of consciousness of a 'problem' on the part of immediate observers and then a further campaign to raise wider awareness, perhaps jars with how constructivists conceive of objects as holistically and inclusively constituted.

Risse, Ropp and Sikkink's 'spiral model' seems to offer a link between fixed ontology and unstable normativity, as it is explicitly focused on human rights – specifically on the activities of 'transnational advocacy networks.'[11] In providing a much-needed analytical deepening of what might be perceived as the limits of a 'conventional' ontological approach, there is promise here for a better understanding of the constitution of the state as a vessel for good, which would be a significant step towards engaging with values in the international system, albeit one limited by the ambitions of conventionalists. Is this promise realised?

Within five phases, we have repression, the denial thereof, the awareness thereof indicated by tactical concession-making, acceptance of the true (value-specific) nature of the issue, and finally compliant behaviour.[12] Certainly, regarding human rights norms, each of these stages is a more nuanced and relevant account than

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[11] See Thomas Risse and Kathryn Sikkink, 'The socialization of international human rights norms into domestic practice: introduction' in Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999), p. 18
[12] See Ibid., pp. 22-35

that of the 'life-cycle', almost to the extent that it would appear to do the lions-share

of the work of this thesis. There is one crucial element which prevents this from being

the case.

This spiral process is set up as a model for describing how normatively weak

states (in terms of the values they hold and express) might best follow the road to

becoming liberal democratic states.[13] If constructivism is to be the best placed

approach for theorising the 'good state', there is nothing intrinsic to it (either

constructivism or the state) which suggests that a particular vision of democracy is the

political culture to be coveted. Indeed, having this type of organisational, structural

and history-ending goal would not be in keeping with the constitutive potential of

socialisation, and would instead only serve to confirm suspicions regarding its

failings. Furthermore, it is a worldview utterly at odds with other constructivist

approaches.[14]

By Martha Finnemore's assessment, constructivist accounts of structure are

not sociologically deep enough: 'sociology's institutionalism provides a much richer

and more detailed theoretical framework than has constructivism. Sociologists specify

the substantive content of social structure. They do more than simply argue that social

structure matters; they tell us what the social structure *is*'[15] (emphasis in original).

Constructivism's lack of integration leaves many similarly constituted norms without

any clear direction or purpose. The logical conclusion to draw is that 'without… an

argument about the content of a systemic social structure, constructivism cannot

provide an alternative to systemic theories.'[16]

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[13] Ibid., p. 9
[14] See chapters Four and Five.
[15] Martha Finnemore, 'Norms, culture, and world politics: insights from sociology's institutionalism', *International Organization*, vol. 50 (2) (1996), p. 327
[16] Ibid.

Is constructivism failing in some way to properly address the systemic issue, given the contrasting demands made of it from conventional and critical variants? This is not necessarily the case. Or, rather, it need not necessarily be the case, and for two reasons. Firstly, constructivism *is* beginning to ontologise the value norm as we have seen. This is qualified, and the systemic failure claim holds to an extent, because human rights norms are obdurately problematic, and a certain constant image of structure is still being reified by conventionalists. The second reason depends on what we deem the purpose of a constitutive *international* approach to be. Social structures can be described in rich and useful detail in terms of their internal features and their outward-facing relationships but, ultimately, what links the two? This is constructivism's remit.

Human rights norms themselves currently work *across* the structure of the international system, but their engagement *with* international actors is not so immediately observable. Is this due to the under-theorising of the individual, or the over-theorising of the importance of the state? Conventional constructivism is an approach 'that treat[s] states as actors [and has] little to say about individuals and provide[s] no reason to expect that individuals would be able to make claims against states that in any way compromise state sovereignty or control over citizens.'[17] Is it utterly bereft of politics? We must take these concerns to what is considered by much of the academy to be the exemplar of modernist, conventional constructivism.

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[17] Ibid., p. 338

Where does the Wendtian state get its values from?

Wendtian constructivism is explicit regarding the state. It is an irreducible feature of

the international system by which all else is measured. This modern approach[18]

actively engages statehood as an integral part of explaining what is social about the

international. In *Social Theory*, Wendt states the basic position thus; 'system change

ultimately happens through states. In that sense states still are at the center of the

international system.'[19] Furthermore, by historical analogy, it is a tributary system of

the Sinic tradition – everything, including the qualities of individual and collective

humanity, is drawn up into a statist product, regardless of how well it has been

theorised.

That such state-centrism should be practised in the name of constructivism to

the extent, it seems, of reification, is a significant point of contention. Christian Reus-

Smit lobbies for a wider perspective: 'Recognizing that the identity of the state is

grounded in a larger complex of values than simply the organizing principle of

sovereignty is the first step in formulating a more satisfactory constructivist account

of basic institutional practices.'[20] This being so, a singularly conceived and

ontologically prior state must ultimately place a limit on the particular quality and

eventually the scope of any possible further development of constructivism, and it is

this feature of modernism which is of most interest here. Sovereignty, within both a

domestic and systemic jurisdiction, must always be a tool for the use of man, and not

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[18] The term 'modernist' here denotes an identifiable intellectual approach. Although Wendt himself
lists others as being more representative of this label (namely John Ruggie and Friedrich Kratochwil,
see Wendt, *Social Theory*, p. 3), the ontological, epistemological and (to the extent they are developed)
methodological approaches Wendt takes arguably place him within this positivistic bracket. For this
thesis, this would be at the expense of Kratochwil, whose insights are better understood as part of a
linguistic tradition (see Chapter Four).
[19] Wendt, *Social Theory*, p. 9
[20] Christian Reus-Smit, *The Moral Purpose of the State: culture, social identity, and institutional
rationality in international relations* (Princeton, NJ: Princeton University Press, 1999), p. 30

vice versa. The strength of a more broadly-conceived constructivism, as contrasted with more traditional approaches, is its treatment of sovereignty as a variable.[21]

The Wendtian analysis of the state is outwardly more complex than a realist or liberal explanation. It does not break entirely from them, but essentially supposes that there is more going on than has previously been considered. Upon closer inspection, though, it is arguably a simplistic approach, as is the case, many would equally argue, with its 'orthodox' kin. Wendt illustrates this connection with the following statement; 'Lots of things come under the heading of "IR." The states system is just one.'[22] Realism and liberalism also include 'many things' in their traditions, but always maintain singular political outcomes. The states system *is* just one thing, but here it is fundamental, like having only one sun.

The Wendtian state draws its characteristics from three strands of political thought: Weberian, Pluralist and Marxist.[23] Wendt's summary of what a 'thin' combination of all three might look like recognises the embedded societal element of statism. 'Traditional' Weberian thinking is augmented to produce a state 'conceptualized as an organizational actor that is internally related to the society it governs by a structure of political authority.'[24] That a state can be 'Weberian' in this context – that it can ever be more than the sum of its parts – is disputed.[25] Wendt qualifies this further, expressing his concerns that 'a 'Weberian' state need not satisfy

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[21] Ibid., p. 32
[22] Wendt, *Social Theory*, p. 194
[23] Elsewhere, a footnote of Wendt's hints at other types: See Alexander Wendt, 'The State as a Person in International Theory', *Review of International Studies*, vol. 30 (2) (2004), p. 291, note 11. Unfortunately for us, Wendt does not elaborate further.
[24] Wendt, *Social Theory*, p. 201
[25] Iver B. Neumann, 'Beware of organicism: the narrative self of the state', *Review of International Studies*, vol. 30 (2), p. 260

the more stringent requirement of a 'Hegelian' state, namely equal recognition of all its members.'[26]

In order for the state to be theorised, Wendt assumes that it must conform to a 'minimalist view...stripped of its contingent forms.'[27] This is a problematic exercise. The position Wendt takes is that a theoretical state cannot be historical and that a 'common core' is needed to progress. Furthermore, 'the purpose is not to help us analyze real historical states.'[28] For what material gain? The elegance of theory? Wendt acknowledges here that this is a very 'un'constructivist way of going about the business of IR, and insists instead on the 'common core' of states as the best guide for empirical research. He reaches this point, not incidentally, by apparently equating social constructivists with anti-essentialists.[29] But is such a broad sweep necessary? The Spain of Ferdinand II, the Habsburgs and Franco was at all times to the outside world a state recognisable just as we know 'Spain' to be presently, regardless of changing capabilities and intentions. It is also arguably the case that the cultures of the majority of states extant since the end of the First World War are by and large the same now (regardless of changes to boundaries and political systems). In other words, states can endure *with* culture or, indeed, despite it, across time. This of course depends on how we distinguish between anthropological culture and political culture when doing theory, which Wendt's approach does in a wholly unsatisfactorily way, by omission of the former.[30]

Wendt prefers to visualise the state as a 'fuzzy set, no element of which is essential but which tend to cohere in homeostatic clusters. The state does not seem

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[26] Alexander Wendt, 'Why a World State is Inevitable', *European Journal of International Relations*, vol. 9 (4) (2003), p. 504
[27] Wendt, *Social Theory*, p. 201
[28] Ibid., p. 201
[29] Ibid.
[30] See below.

particularly "fuzzy" as social kinds go, but it too has borderline cases, which indicate that our emphasis should be on the cluster of properties, not individual ones.'[31] The 'fuzziness' of states refers to their contradictory constitutions, but whether this admits sufficient complexity to provide useful information about a state's relationship with human rights norms is doubtful, and depends entirely on a full and inclusive definition of normativity.

We must assume for our critique that this image of state constitution impacts upon the integrity of any model of state identity formation. Wendt's triadic 'cultures of anarchy'[32] describe the identities of the Selves and Others which populate the international system. Enemies, rivals and friends operate as the projections of states following logics of interaction that are either 'Hobbesian', 'Lockean' or 'Kantian', respectively. On the face of it, we might assume that 'enemies' do not share a similar system of values which might be explicit and demonstrably manifest in an active commitment to human rights. 'Rivals' are a greyer proposition. This is, according to Wendt, most characteristic of the international system at present, having developed itself beyond pure militarism. Here, Wendt admits some degree of 'rights talk' but in a curiously statist context: 'Unlike enemies, rivals expect each other to act as if they recognize their sovereignty, their "life and liberty," as a *right*, and therefore not to try to conquer or dominate them'[33] (emphasis in original). This is an assertion of sovereignty, and contains nothing that is hugely innovative. Life and liberty *within* the state is of no apparent concern, let alone how that might in turn affect the outward functioning of the state, or perceptions of it.

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[31] Wendt, *Social Theory*, p. 202
[32] See Ibid., pp. 246-312
[33] Ibid., p, 279

Equally, Wendt's supposition that the future will be a place of Kantian friendship[34] satisfies only the idealist-constructivist merging that he himself has chosen. This unfortunate amalgam serves to guide constructivism towards an end-state reminiscent of Risse, Ropp and Sikkink's 'power' analysis in the name of liberal democracy. Having such a limited amount of anarchical constituents utterly lacks the political and normative subtlety expressed by a human rights-observing state. Human rights norms themselves are failing to have the kind of conceptual impact we might expect if they were being addressed by a less positivistic approach to the question of states and their make-up.

Continuing with Wendt's rendering of the state, 'much depends on how deeply states have internalized their shared culture. This can have three degrees, which generate three pathways by which cultures can be realized, coercion, self-interest and legitimacy.'[35] It is the ways in which these shared cultures are internalized which offers something more than a hint at what goes on beyond the surface of the outward-facing state, and perhaps will shed some light on how human rights norms affect the Wendtian state.

These three categories do require us to consider for a moment what it is that constructivists might hope to gain by a better incorporation of human rights norms into their worldview. Constructivism's oft-stated aim is to push back the boundaries put in place by rationalist approaches, but how should this be most efficiently achieved? To continue with Wendt; 'Cultural forms reproduced primarily by coercion tend to be the least stable, those by legitimacy the most. In IR scholarship today these pathways are associated with competing theories, Neorealism, Neoliberalism, and

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[34] Wendt does qualify this 'direction of time' thesis, but still the emphasis remains on the likelihood of forward motion (i.e. progress) as opposed to regression (see *Social Theory*, p, 312)
[35] Wendt, *Social Theory*, p. 310

Idealism? (constructivism), but since it is an empirical question which pathway realizes a given cultural form, all three theories have something to tell us.'[36]

Aside from the awkward connection of idealism with constructivism already alluded to, we can perhaps at least take *something* from this regarding the relevance of human rights norms for states (inter)acting in the international system. If states are forced to internalise human rights norms, it is unlikely they will have any lasting effect or even immediate focus. Speaking in terms of 'legitimacy', however, suggests two possible avenues that states, and therefore human rights norms within them, might take.

If the legitimacy in question is that which is conferred upon a state by other states, then human rights norms can be said to be working, as such, but only as detached instruments. In other words, they are not the end in themselves – the legitimate state is. Alternatively, if the legitimacy spoken of is attained via an *ethically* instrumental approach to human rights norms – one which has humans on an equal footing to states – then norms have a much better prospect of being elevated to an equal ontological status, and are not just existing as a stepping stone for an institution. It is not for constructivism to judge the merits of these legitimacy issues *per se*, but in terms of this thesis, it is clearly the case that the latter scenario offers a more fruitful engagement if its practitioners wish to account for the 'whole' of normativity.

Ultimately, however, if they are the end result of a Wendtian socialisation process, then state values stem from and are forevermore tied to the values (needs, desires, etc.) of other states. This would be a defendable position if the international system consisted entirely and purely of states, in simple anarchical abstraction. But

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[36] Ibid.

how and why states communicate is underpinned by structural and institutional rules and methods of best practice.[37] Constructivism listens to and focuses on what we can learn from these bodies which Reus-Smit labels 'fundamental institutions' and defines as 'the elementary rules of practice that states formulate to solve the coordination and collaboration problems associated with coexistence under anarchy.'[38] Where constructivism continues to fail is in its lack of a better understanding of the binding levels which exist and interplay beneath this more tangible institutionalism.

Conventional limitations are characterised as 'oversimplifications': 'First, constructivists have failed to appreciate the full complexity of the deep constitutive values that define the social identity of the state, placing too much emphasis on the organizing principle of sovereignty. And, second, they have paid insufficient attention to the discursive mechanisms that link intersubjective ideas of legitimate statehood and rightful state action to the constitution of fundamental institutions.'[39] An illustration of these failings does not alone render an image of the good state before us, fully formed. But it does set us along the path towards a more norms-focused understanding of the state (in both its formative underpinnings and behaviour) which in turn should allow us to imagine a structure which is able to accommodate the ethical policies and practices of states.

This deeper, 'conditioning', foundation is defined thus: 'Constitutional structures are coherent ensembles of intersubjective beliefs, principles, and norms that perform two functions in ordering international societies: they define what constitutes a legitimate actor, entitled to all the rights and privileges of statehood; and they define

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[37] Which is something constructivists frequently (and unhelpfully) consider to be transcendent. See Christian Reus-Smit, 'Politics and International Legal Obligation', *European Journal of International Relations*, vol. 9 (4) (2003), p. 603, and further discussion in Chapter Six of this thesis.
[38] Reus-Smit, *'The Moral Purpose of the State'*, p. 14
[39] Ibid., p. 26

the basic parameters of rightful state action.'[40] Again, though, this alone is still insufficient as an argument for the institution of a good state. However, Reus-Smit continues, 'constitutional structures can be said to incorporate three primary normative elements. These are... a hegemonic belief about the moral purpose of centralized, autonomous political organization, an organizing principle of sovereignty, and a norm of pure procedural justice.'[41]

This latter element, 'pure procedural justice', is 'good' in both a moral deontological and an ethical instrumental sense as it formalises requirements of equality and fairness. Thus, 'the moral purpose of the modern state lies in the augmentation of individuals' purposes and potentialities, in the cultivation of a social, economic and political order that enables individuals to engage in the self-directed pursuit of their "interests."'[42] This is the state-as-facilitator, a morally-encompassing body which enables individual self-fulfilment. It is therefore a 'moral' state.

But having fairness and equality 'enabled' in this way does not form the totality of the possible international outcomes of the human rights discourse. The origins of the 'value' norms which constitute human rights still lie with the contested claims of both domestic and 'state-less' individuals and groups whose lives are compromised daily. The extent to which the conventional state mirrors the ethics of its constituent human lives is a key question to be asking of Wendt, given the focus in social theory on states as 'people'.

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[40] Ibid., p. 30
[41] Ibid., p. 31
[42] Ibid., p, 123

The state as a (good) person?

The substance of Wendtian states is that they are 'purposive actors with a sense of Self – "states are people too".'[43] Patrick Thaddeus Jackson asks whether this means that states are 'principal persons in world politics.'[44] What concerns us here is whether states can be *principled* persons in world politics. Are the ways in which states react to and absorb the international human rights discourse the same ways that humans do? This, of course, is an exceptionally broad question. No thesis such as this could begin to answer in any specific detail. Rather, that the depth of personality exists in humans is the point. How deep is the state as a person, and is that person guided by moral absolutes or a more ethical sensibility? We might hope for the latter, but how much of a struggle will it be to find it in Wendt's description?

This 'personification' enables observers of the state to discern a unitary actor at work. By Wendt's analysis, this results in a limited identity (which is either Hobbesian, Lockean or Kantian). This has implications for the achievement of goals, the dissipation of fears, the choice of alliances, and so on. Taken to the extreme, it necessarily involves the suppression of discordant internal views and practices. As a point of clarification, 'to say that states are 'actors' or 'persons' is to attribute to them properties we associate first with human beings – rationality, identities, interests, beliefs, and so on.'[45]

People have beliefs which are shaped and nurtured by their various life experiences, but they are always singularly expressed. Even at the communal level, group beliefs are only ever such as they are held by constituent members (and even then one 'voice' is not a guarantee). One problem associated with

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[43] Ibid.
[44] Patrick Thaddeus Jackson, 'Forum Introduction: Is the state a person? Why should we care?', *Review of International Studies*, vol. 30 (2) (2004), p. 258
[45] Alexander Wendt, 'The state as a person', p. 289

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anthropomorphising the state is located in the intentionality of its working parts. Like the human body, it consists of innumerable elements which constitute the whole. Unlike the human body, however, each constituent part is not genetically programmed to work harmoniously, effectively blindly, and without individual consciousness.

Wendt prefers the view that the actions taken in the name of the state are not really those of powerful individuals.[46] They are not reducible to identifiable humans. There is 'one' state, the invisible hand of which is the internal structure of corporate agency at work. To understand corporate agency, Wendt invokes an image of micro- and macro-theorising. In order to place the structure of any given state in time, then a distinction has to be made between individuals and their office, which is what endures and gives meaning to our understanding of that which exists but cannot be observed.

So how are values expressed, and by what standard? We might begin to answer this question by addressing something that *can* be recognised as a defining element of personhood: Identity. The Wendtian state, as we have seen, is a fluctuating combination of differing kinds of identity, all of which have something to say about appropriate behaviour and action. These identities move a step further from the relationship-dependent formulations discussed above, which might suggest some more depth from which human rights norms might benefit. They all start, though, from the same place: 'Processes of identity-formation under anarchy are concerned first and foremost with preservation or "security" of the self.'[47] Is this, therefore, an inward looking self which Wendt describes? If it is, then it is a limited introspection: 'the situation facing states as they encounter one another for the first time may be

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[46] 'the aggregate of concrete individuals who instantiate a state at a given moment.' Wendt, *Social Theory*, p. 216
[47] Alexander Wendt, 'Anarchy is what states make of it: the social construction of power politics', *International Organization*, vol. 46 (2) (1992), p. 399

such that only self-regarding conceptions of identity can survive; if so, even if these conceptions are socially constructed, neorealists may be right in holding identities and interests constant and thus in privileging one particular meaning or anarchic structure over process.'[48]

Of the four identities described in *Social Theory* (personal or corporate, type, role and collective),[49] it is 'type', 'role' and 'collective' identity which offer the most interesting avenues for discussion. Possession of a particular 'type' identity denotes membership of a social category with shared characteristics, which can include attitudes and values. Wendt borrows the term from Fearon, where it was first used to describe the group dynamics of individual personalities, which Wendt extrapolates from. Promisingly, they have a cultural dimension, but Wendt also notes that they are intrinsic, and not dependent upon wider recognition. That a quality or qualities may be inherent or self-generated lies at the heart of the 'natural' morality problem discussed above, and there is perhaps the potential for marginalisation when such a fundamental 'type' precludes observation at an instrumental level.

Wendt employs examples of this 'simultaneously self-organizing and social quality'[50] as corresponding to types of state, 'like capitalist states, fascist states, monarchical states, and so on.'[51] Here, the discussion is of forms of state 'constituted by internal principles of political legitimacy' which 'may be caused by interaction with other states.'[52] The types of states mentioned here are symptomatic of Wendt's ontology and the models of legitimacy which it admits. The reliance upon 'internal principles of political legitimacy' suggests a strong methodological association with the norms of democracy, non-intervention, sovereignty, etc. and is silent regarding

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[48] Wendt, 'Anarchy', p. 403
[49] Wendt, *Social Theory*, p. 224
[50] Ibid., p. 226
[51] Ibid.
[52] Ibid.

human rights norms of association, self-determination, etc. which do not translate so well internationally as a uniform product or practice indicative of a 'type' of statehood.

This institutionalised form of identity can be and is 'self-sufficient' and can be generated and exist automatically without any form of external prompt or reason. This would (paradoxically) obviate the spread of human rights norms unless those rights were *only* naturalistic and required no external referent to be meaningful. The normative element of the good state must require some form of communal agreement on terms.

'Role' identities offer a way out of this introspective thinking, as they 'are not based on intrinsic properties and as such exist *only* in relation to Others.'[53] It is the existence of opposite meaning which legitimises the type in question. 'One can have these identities only by occupying a position in a social structure and following behavioural norms towards Others possessing relevant *counter*-identities.'[54] This makes sense inasmuch as a 'role' as a human function is a state of being which requires interaction at a level beyond that required by mere existence. Being process-focused, it is potentially an ethical conception, too.

Wendt notes that the application of role identity in IR has been limited largely to foreign policy analysis, and the social structuralism to which it seems to speak quite clearly has been neglected. This appears to rest on the definitional weakness inherent in socially derived concepts which cannot properly account for role expectations.[55] This expectation element suggests that roles are not only constituted by social interaction, but that there is a measure of control attached to their makeup which might be exploited by the more powerful of the concerned parties. The

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[53] Ibid., p. 227
[54] Ibid.
[55] See Ibid.

implications this has for addressing the good state and its adherence to human rights

norms lies in its ability to resist such pressure to conform or change with the result of

values being distorted by an alternative agenda. The power of human rights must, it

seems, be sufficient to deter this diluting effect.

Imagine the scenario where the good state faces pressure over the course of

'appropriate' action: If there is a state (of existence) that is good, then all (nation)

states *may* possess it by default of their own existence. Based on the priority of 'right'

over 'wrong', the argument for the *inevitability* of the good state falls short because

we cannot recognise 'good' without the associate referent 'wrong' or 'bad'. There

must, then, be a *decision* made regarding how to live (or how to function, in this

case). Thinking in terms of the good state as role identity would seem to offer a way

of perpetuating this alternative, value-normative basis, but only if the 'deep structure'

of the international system is penetrated.[56]

With this in mind, Wendt's reading of 'collective identity' would appear to

answer our questions regarding constitution and feasibility. Taking identification

between Self and Other as its start point, and 'extending the boundaries of the Self to

include the Other,'[57] the end point seems to suggest a considerateness which might

transcend the impulses of selfishness. This seems too good to be true – a formulation

for near-altruism which will enable the good state to flourish. This treatment of

collective identity tells us what the predominant characteristics of an interacting,

structural good state might look like, but we are left wondering how to achieve this

identity in the first instance. Wendt's description of the state as a person does not go

deep enough into the analogous psyche. The main cost of this is that we cannot decide

whether Wendt's state/person is guided by moral absolutes or prefers to work with its

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[56] See Ibid., p. 228
[57] Ibid., p. 229

peers on the issue of human rights norms in an ethically instrumental way. Perhaps

there is more to be extracted from how Wendt conceives of change – i.e. how it

happens and how it is directional.

Values versus structure: how change occurs in Wendt's world

Wendt's analysis allocates a roughly even hand to the roles of agents and structure in

shaping the international system, which in turn would suggest a logic of balancing

over time so there can be no dominance of one over the other. How do (or rather, how

would) values affect this balancing? Much of Wendt's discussion of how things

change is couched in the language of 'process' which, at the outset, suggests no

particular commitment to the alteration of the *status quo*.[58] At its very root is the

implication that this is the study of *how things are done*. We must make the

preliminary assumption, then, that values are 'things' that are 'done'. Which doesn't

appear to allow much room for complexity or even difference.

For Wendt, 'process' is 'about how state agents and systemic cultures are

sustained by foreign policy practices, and sometimes transformed.'[59] These practices

are phenomena which surely must involve some repetition, some reliability of form in

order for general reproduction to occur, and have been characterised elsewhere as

averse to universals.[60] This does not affect, of course, the validity of what we can

learn from case-specific variables. Indeed, 'practices are governed by preexisting

structures and entered into by preexisting agents, but the possibility of referring to

either as "preexisting" presupposes a social process stable enough to constitute them

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[58] See Ibid., ch. 7
[59] Ibid, p. 313
[60] See R. B. J. Walker, 'Realism, Change, and International Political Theory', *International Studies Quarterly*, vol. 31 (3) (1987), p. 72

as relatively enduring objects. Agents and structures are themselves processes.'[61] This 'pre-existence' notion or criterion would seem to preclude anything (structurally or agentically) new, such as a norm of human rights, from impinging upon process, particularly if this is confined only to foreign policy analysis.

By using the term 'process' we can infer that Wendt is taking as his starting point the view that the international system is ordered and in a sense *naturally* evolving over the progression of time. The fundamental question which this position begs, given its emphasis on structural and positivist thinking, is what counts as change? Is a human rights norm (of association, against torture, to subsistence, to life, etc.) of such a character as to disturb 'the order of things' at a fundamental level? And how would this impact on the ability of the characteristic features of 'normative' constructivism to account for and understand values?

Regarding systemic upheaval, the experience of change which Wendt sees is fundamentally a unifying one, so that 'with each change the international system has achieved a qualitatively higher capacity for collective action.'[62] Does this include norms of human rights? If it does, then process becomes political progress. This is a view of a unified approach as purposeful, developing and therefore historical. Both the instigation and product of change, by virtue of their cyclical and dependent growth, are social facts. Taken towards its logical conclusion, though, this line of thought arguably pursues the *ultimate* social fact, if indeed there is a start point and an end point to it, which fits the image of a grand theory.[63]

Importantly, though, there is a caveat. 'Like other constructivists I think it is important to show how social facts are constituted by shared ideas because this may

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[61] Wendt, *Social Theory*, p. 313
[62] Ibid.
[63] Which of course is not an uncontested good. Relating this critique to Wendt, see Andreas Behnke, 'Grand Theory in the Age of its Responsibility: Contemplations on Alexander Wendt', *Cooperation and Conflict*, vol. 36 91) (2001)

reveal new possibilities for change, but I would also emphasize that these facts might

not be malleable in some historical circumstances,'[64] which strongly implies that

structure holds the trump card. (Cultural) structure is entrenched, having 'natural

homeostatic tendencies,'[65] and it is not difficult to see how such an epochal human

concept would be so. However, regarding our specific concerns, 'conflicting and

incommensurable conceptions of the good' are a 'fundamental social fact.'[66]

The permanence of these 'social facts' is disputed.[67] Wendt's own analysis of

potential change rests on the reproducibility of agents, which are either exogenous or

endogenous to the process. For the purposes of this thesis, we will concentrate on the

latter, as this is Wendt's chosen direction. The former is too embedded in an abstract

rationalist logic which demands that agent preference formation takes place one step

removed from actual interaction, and so lacks complexity and recognition of

contingent subtleties. How might a 'change from within' perspective impact upon our

project?

An endogenous view of the constitution and role of agents holds more

potential for social theory and also, perhaps, normative constructivism. Referring

back to an interactionist perspective;

> the... constructivist approach to process, exemplified I think
>
> by symbolic interactionism, assumes that more is "going on"
>
> in interaction than the adjustment of behaviour to price. The
>
> reproduction of agents, their identities and interests, is also at
>
> stake. In interaction states are not only trying to get what they

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[64] Wendt, *Social Theory,* pp. 314-5
[65] Ibid.
[66] John Rawls, 'Justice as Fairness: Political not Metaphysical', *Philosophy and Public Affairs*, vol. 14 (3) (1985), p. 245
[67] See Bohman, 'How to Make a Social Science Practical', p. 511

want, but trying to sustain the conceptions of Self and Other which generate those wants. Agents themselves are on-going effects of interaction, both caused and constituted by it.[68]

There are several points of note regarding symbolic interactionism which in turn speak of three issues; change, change in the Wendtian project, and Wendt in the wider constructivist canon. Our focus is on all three. Symbolic interactionism is effectively taken to be the language of change. As such its utilisation has the potential to be susceptible to the common epistemological paradox of speaking across the gaps in our knowledge and so widening them. Again, as throughout Wendt's work, the focus is on the state. We must work a little harder to discern what might actually be possible within this framework for change regarding the admission of human rights norms. We must look a little closer at the more fundamental elements of Wendt's approach to discern exactly what is subject to change, and what it can also encompass.

Wendt's preferred ontological approach is 'idealist-holist,' and this is the 'background and organising axis for [his] treatment.'[69] It is not a uniquely formed ontology amongst constructivists.[70] On the surface, it does seem to be appropriate territory for human rights. Both of these elements speak of universality, but with different emphases. Idealism is *directed* universalism which has tended to create an untenable situation regarding its reproducibility for admittance to the real 'science' of IR. Holism in IR is more often than not presented as the polar opposite of individualism, and this seems entirely logical. In building his social theory, Wendt concentrates on closing this dualistic gap. This is done by focusing on the relationship between structure(s) and agent(s).

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[68] Wendt, *Social Theory*, p. 316
[69] Kratochwil, 'Constructing a New Orthodoxy?', pp. 80-81
[70] See Finnemore and Sikkink, 'Taking Stock'

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Regarding the traditional 'logics' of holism and individualism, 'the latter aggregates upwards from ontologically primitive agents, the former works downward from irreducible social structures.'[71] For Wendt, the difference between the two is a result of their particular image of structures in terms of their capabilities and in particular how they 'construct' agents. The focus is on a matrix of the causal and constitutive effects of structures, and then how they affect the properties and behaviour of agents.[72] It is the language of what structures 'do' which interests Wendt: 'To say that a structure "constrains" actors is to say that it only has behavioural effects. To say that a structure "constructs" actors is to say that it has property effects.'[73] But the effects spoken of here are those on states, not people.

Individualism for Wendt represents the failings of neorealism and neoliberalism. However, as a representative of how the levels of inquiry of Wendt's approach must be expanded upon – primarily in terms of its philosophical and sociological merit – individualism plays a key role in how normative potential might be realised. In Hidemi Suganami's critique, Wendt's 'individualism is... inadequate because it assumes that the agent's properties – or identities and interests – are logically or conceptually independent of the social structure. In fact, the identities and interests of the agents are *not* independent of the social structure logically or conceptually.'[74]

For Wendt, it is the 'indivisible' nature of the individualist worldview which limits the theorising potential it offers to causal and behavioural factors and outcomes. There is implicit in this line of argument the belief that holism is more

[71] Wendt, *Social Theory*, p. 26
[72] Ibid.
[73] Ibid., pp. 26-7
[74] Hidemi Suganami, 'Wendt, IR, and philosophy: a critique', in Stefano Guzzini and Anna Leander (eds.) *Constructivism and International Relations: Alexander Wendt and his critics* (Abingdon: Routledge, 2006), p. 65

theoretically interesting and valuable than individualism in this respect because it has

the capacity to explain 'more', at least by a conventionalist analysis. An individualist

pre-judgement of the role and appearance of structures leads inevitably to an

incompatibility between how they might be constitutive and the limits of an

ontologically settled worldview. Indeed, 'the constitutive possibility is the

distinctively holist hypothesis.'[75] Individualism, however, cannot be cast aside so

easily. The conventional-critical continuum of constructivism relies on a degree of

tension regarding relativism if it is not to collapse into one pole or another.

By sustaining the conceptions of Self and Other which existed prior to any

specific case or general trend of interaction, structure remains predicated upon a

firmly statist base (and therefore, it must be noted, one possessing a certain moral

character) and traditional and familiar categories are maintained which, perhaps above

all else, allows for more controlled interaction (if the moral-ethical link can be

legitimately and usefully established). Agents are the *effects* of interaction, and so are

not equal partners as the balance shifts in favour of structure, even if the relationship

is blurred somewhat by their being constituted by it.

Wendt describes the rationalist/constructivist divide on this point thus;

> the rationalist model is saying that the boundaries of the self
>
> *are not* at stake in and therefore do not change in interaction,
>
> so that in learning states do not come to identify with each
>
> other. The constructivist model is saying that the boundaries
>
> of the self *are* at stake in and therefore may change in

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[75] Wendt, *Social Theory*, p. 27

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interaction, so that in cooperating states can form a collective

identity[76] (emphasis added).

If this is so, then normative constructivism has to accommodate an issue – what the

boundaries of the Self are which contribute to the forming of a state's identity –

which is integral to how the socialisation process works. The wider concern is a). how

far the Wendtian constructivist approach really does subscribe to its nominal

principles, rather than those of its rationalist cousins, and b). the extent to which a

deontological understanding of the Self and Other – *as opposed to a process-oriented*

one – illuminates how the mechanics of systemic change exert forces which

materially alter the well-being of the oppressed.

Although based largely on the substance of ideas, Wendtian constructivism is

structuralist, and so must to an extent reflect the tradition of IR structural approaches

which offer a materialist ontology. In theorising process (and therefore the possibility

of change) two debates – rationalism/constructivism and materialism/idealism – must

be reconciled or integrated, and this is to be done, according to Wendt, by adopting an

'evolutionary' approach.[77]

There are three criteria which must be met in order for a theory to be

evolutionary in this context, and they are worth noting here. Firstly, 'it must explain

the movement of a variable over time.' The variable in question is a trait within a

single 'species' (i.e. the state as opposed to, say, the European Union), which in this

case takes the form of identities or interests; Secondly, 'it must specify a means for

generating variation in the dependent variable, and a mechanism for winnowing the

effects of that variation on the population..., [variation] comes from unit-level

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[76] Ibid., p. 317
[77] Ibid., p. 319

changes in the structure of state-society relations and from the strategic choices of

foreign policy decision-makers.' Of most interest here is the mechanism for

'winnowing' the effects of variation – how is this decision made? Thirdly, 'it must

incorporate inertial tendencies that stabilize these changes in the

population...provided by states' commitment to their identities, reinforced by

institutional structures at the domestic and international level.'[78]

These criteria of evolution suggest the speed at which we might expect

normative change to happen. A commitment to directional change is the framework

for Wendt's model. Regarding its constituent parts; 'in nature there is only one

winnowing mechanism: natural selection. In society a second family of mechanisms

exists and is usually much more powerful: cultural selection. Natural and cultural

selection form two causal pathways through which identities may evolve.'[79]

All of this of course depends on the extent to which human rights norms

represent change. There are two paths of varying complexity which we might take in

responding to this. The first is, again, an unrealistic option for this thesis as it involves

an investigation into the 'true nature' of human rights norms, to be compared with the

'true nature' of the international system – neither of which are likely to be settled in

the near future. The second is more to the point. The way in which our triangulation

of approaches can be said to account for values as change, and specifically Wendt in

this case, depends very much on the characteristics that approach puts into place. Yes,

we can interpret this content to an extent, but the key to the assessment is the

ontology of the approach, i.e. is it statist, linguistic, dialogic, etc.? Equally, how

Wendt characterises his IR competitors tells us just as much about the attitude of his

own approach to values.

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[78] See Ibid.
[79] Ibid., p. 320

Wendt likens neorealists to 'Darwinians' as 'materialists who minimize the role of ideas by arguing that cultural forms must be adaptive in a genetic sense.'[80] Clearly, Wendt prefers Lamarckism, as followed by institutionalists, with both groups being 'idealists who highlight the importance of ideas by pointing to the variability of cultural forms under similar material conditions.'[81] Although Lamarckism jars somewhat with Darwinism, Wendt is keen to site his evolutionary theory alongside the former, which expounds a '"co-evolutionary" model of social evolution (genetic and cultural factors working in conjunction) rather than a complete cultural reductionism, but it is a model in which cultural selection does most of the explanatory work.'[82]

This suits the *via media* approach, and perhaps also lends it some extra-disciplinary intellectual weight. However, it may not have been necessary for Wendt to have compartmentalised Darwinism and neorealism as being of a kind apart from his approach, as there is arguably some scope for the *inventiveness* of genetic development to correlate with the traditional social terminology of *ideas*. In other words, the varying ethics of human rights norms – in terms of their generation and application – must never be taken for granted by normative constructivism if it is to follow this model.

The natural selection logic apparently favoured by realists is dismissed on the grounds that it characterises states as self-interested egoists. So far, so familiar, in terms of a characterisation of realism. Wendt points out a potential flaw in applying evolutionary logic to what are essentially events which are the product of something even more complex than the human brain or mind. That is, *two or more* humans involved in the process of making a decision. The problem is revealed by the

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[80] Ibid.
[81] Ibid.
[82] Ibid.

application of social identity theory. Specifically, 'the experimental findings supporting this theory strongly suggest that states may indeed have a predisposition to be self-interested, since the members of human groups almost always show favouritism toward each other in dealing with the members of out-groups.'[83] This, as it stands, appears to be an adequate description of a certain kind of conventional behaviour. It does not, however, explain Hobbesianism 'since a tendency toward in-group bias is not the same thing as a tendency toward inter-group aggression.'[84]

Essentially, aside from the contested nature of intentions (explicit or implicit), which sustains the critical/orthodoxy debate, one type of behaviour is not logically corollary to another, nor must it pre-empt it. Wendt's way through this 'meaning of behaviour' morass is to point to the reduction throughout the course of history of the number of states[85] in the international system with the explanation that 'a lot of states obviously failed to reproduce, and an inability to play power politics as well as others *probably had something to do with it*'[86] (emphasis added), which seems a little strange if only for its lack of conviction relative to other aspects of Wendt's rationalist inclinations.

So natural selection fails to account for the way the international system works with respect to the character and longevity of statehood. But what of the strange distortion of our perception of the 'state' – as the repository of humans as social beings – caused by a reliance on the origin myth of 'Westphalia'? The institution of sovereignty maintains even apparently 'weak' states by affording them

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[83] Ibid., p. 322
[84] Ibid.
[85] See Ibid., p. 323
[86] Ibid.

enough of a buffer – or 'slack'[87] – between how they are perceived, their treatment and its consequences.

This attempt to concretise the passage of time as a process with recognisable constituent parts which develop, and not just characterise it as 'change' without meaning, points to a pragmatic and practice-oriented undercurrent to Wendt's constructivism. But how powerful is it? Is it sufficiently theorised to affect how well value-norms are accounted for within IR? The preceding discussion suggests that much probing and testing of the intellectual and practical boundaries of Wendt's approach still needs to be done. We are indeed struggling to find the account of complexities and difference we need in order to have a value-led constructivism based on Wendt's template.

II. The limits of socialisation

Universalism: the need to represent culture(s)

There is one distinct advantage of constructivism's basic (and perhaps defining) relationship with the state. From Toni Erskine's understanding of institutional moral agency, the state is a moral agent by virtue of its decision-making structures.[88] It possesses this quality where the international community does not, if we abide by the traditional anarchical image of it. The state has 'an identity which is independent of the identities of its constitutive members.'[89] But this is almost incidental to Wendt's

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[87] Ibid., p. 324
[88] See Toni Erskine, Assigning Responsibilities to Institutional Moral Agents: The Case of States and 'Quasi-States', in Toni Erskine (ed.) *Can Institutions Have Responsibilities? Collective Moral Agency and International Relations* (Basingstoke: Palgrave Macmillan, 2003), p. 25
[89] Ibid.

state which lacks internal foundation. Wendt does broach the subject of society, but in a very limited and qualified way, preferring to 'offer some intuitions that could in principle be developed into an argument,'[90] which suggests that he is, at best, content to let others make that argument regarding the key constitutive features of social groups that can be simultaneously distinct and overlapping.

Concerning identity, David Runciman makes a very useful distinction between the 'collective' and the 'corporate' character of groups – 'according to this distinction, a collective entity is nothing more than the sum of its parts, whereas a corporate entity is somehow separate from these, and has an irreducible identity of its own. The corporate character of the state is what helps to determine its character as a moral agent.'[91] The argument here, essentially, is that Wendt's forming of the corporate identity of statehood does not make sense without a much better understanding of how the requirements of moral agency impact upon the state as a whole, an entity which consists of defining factors that are at once domestic and international, internal and external.

As a corporate body, the state has a 'representative' duty[92] which must be considered both plural and singular as, in its most 'pure' or good inception, it acts equally in all cases. It is a proper understanding of this representative duty which conventional constructivism lacks. In order to 'bring it out' or at least graft it on (not too artificially or painfully), we can draw from a concept – culture – which is both particular and universal (internal and external), can be understood geographically, and which – in its discrete forms – is defined by the values it promotes.

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[90] Wendt, *Social Theory*, p. 209
[91] David Runciman, 'Moral Responsibility and the Problem of Representing the State', in Erskine, *Can Institutions Have Responsibilities?*, p. 41
[92] See Ibid.

The Wendtian approach is concerned with building the culture *of* the state,

which leaves little or no room for the role of culture(s) *within* it. As such, Wendt's

treatment of culture is what might be termed 'second-level', as it rests upon the sparse

'definitional' approach which characterises the functional necessities of a diplomatic

view of world politics.[93] It is the statesman's realm which is home to Wendt's reading

of 'micro-level' culture based primarily on a sociological approach, which in turn is

fed by advances in game-theory.[94] Not, then, what most constructivists might think of

when asked about culture and cultures – that is, the socio-anthropological view. This,

of course, is only to be expected from the very detailed explanation in *Social Theory*

of the socialisation of states, not the socialisation of people.

We are dealing with a singular 'whole' of culture which has been forcibly split

by Wendt's focus on one aspect of it. This has left conventional constructivism with a

divide between what is anthropological (i.e. human and/or social) and political, and

what is systemic and functional, in a clearly demarcated domestic and international

dichotomy. In many ways, the problem of culture is the problem of Wendt's

approach, and of conventionalism generally, when considering the central issue of this

thesis. Cultures are invested with values. They generate, represent, display and uphold

them. Of course, cultures are manifest in forms other than the state. But this is

precisely why a better understanding of them allows for a broader understanding of

how the ethics of human rights relate to the state and the international, not to mention

individuals as well.

This being the case, constructivism (and this thesis) does not have to labour

under a forced metaphysical conflation of the anthropological and the systemic.

Culture and cultures, rather, act as a device for grounding what would otherwise be an

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[93] See Wendt, *Social Theory*, p. 158. And, moreover, one which is not 'sociological' enough? See
Finnemore above.
[94] Ibid., p. 159

abstract discussion. Wendt, as we have seen, deals in sweeping abstraction, and the need to forge a link to practice is apparent. To do this here, the focus must remain on the instrumentality of the articles of the *Universal Declaration*.

By drawing the *value* normative state, we are necessarily pushing against the boundaries which define its original form. *But in which direction?* Naturally, we might assume that to be guided by values is to be critical; all that is unorthodox, that which perpetually challenges givens, must lead to 'good,' or something along these lines, and all that is normatively conventional and behavioural (without this value referent) is a caricature of evil.

The problem with allowing this mode of thinking to prevail is that it leads us exactly where we do not wish to be – a place where universalism has been distorted and anchored at myriad culturally relativist points. Normative constructivism, as it is being drawn here, is not best served by a closed, relativistic view of culture. A much broader view is required, wherein the mechanics of human sociality – and the reasons it takes the shapes that it does – can contribute to a fuller understanding of the international.

Seyla Benhabib offers one such vision,[95] and provides a useful contrast with Wendt's own type of 'statebuilding' project. Benhabib bases a non-relativist multiculturalist approach largely on an interpretation of sociological constructivism: 'A social constructivism that considers the interplay between structural and cultural imperatives is possible as well as desirable.'[96] Much of Benhabib's project lends itself more to dialogue-based constructivism which will be discussed in more depth in Chapter Five. It is her understanding of the state and institutions which is of most interest here.

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[95] See Seyla Benhabib, *The Claims of Culture: Equality and Diversity in a Global Era* (Princeton, NJ: Princeton University Press, 2002)
[96] Benhabib, *The Claims of Culture*, p. 11

Of course, before continuing, we must be aware of the caveat that a more developed view of culture and cultural practices has the ability to seriously problematise the 'human' element of our rights/values project. The human rights discourse traditionally abhors certain practices such as female genital mutilation and Hinduism's sati, which a relativist perspective might tolerate. The type of analysis which Benhabib represents, however, advocates a much deeper reading of these activities and practices,[97] of the sort which constructivism must engage with if its normative ontology is to be sufficiently theorised for meaningful and lasting 'identities' to take shape.

How would a differently composed ontology from that of Wendt, yet one still based on the primacy of the state, impact upon the relationship of human rights with constructivism? Benhabib's approach moves away from the inherent limits of 'individualism' or relativism. Rather than being tied into the recurring requirement to section-off one culture from another, and therefore to maintain a strict collection of definitions, constructivism would be better served by adopting a cultural standpoint, as 'any view of cultures as clearly delineable wholes is a view from the outside that generates coherence for the purposes of understanding and control.'[98]

Wendtian or conventional constructivism, in assuming a clear middle-ground position, is arguably condemned to always looking *at* individualism, and therefore pronouncing upon and dismissing it. Equally, though, the holism of which it speaks arches over us so intangibly that it is almost impossible to anchor any meaning from it. Benhabib's project enables a 'view from the Self' which negates neither cause nor constitution. And so constructivism would be compelled to extrapolate from one setting for identity (domestic) to another (international).

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[97] See Ibid., p. 6
[98] Ibid., p. 5

This 'deeper' approach shares features in common with the rules-based constructivist approach to be discussed in the following chapter, as 'human actions and relations are formed through a double hermeneutic: We identify *what* we do through an *account* of what we do; words and deeds are equiprimordial, in the sense that almost all socially significant human action beyond scratching one's nose is identified as a certain *type of doing* through the accounts the agents and others give of that doing.'[99] This might suggest a point of synthesis, but only if the type of approach offered by Benhabib speaks on the same level as Wendt, which is not so apparent. For example, Wendt asks the questions; 'what is the mechanism by which culture moves a person's body if not through the mind or Self? If an actor is *unaware* of shared knowledge, or does not care about it, how can it explain his actions?'[100] But if an actor was *not* aware of shared knowledge, it would precisely explain her actions (or lack of them) if she were to remain clueless as to what she should do in the following value-dependant situation: *'Is it right for me to support policies which are ultimately harmful to vulnerable peoples?'*

Ultimately, the specific social examples offered by Wendt do not provide a clear way for us to integrate values into the international as part of a wider understanding of culture and identity. It is surely a premature dismissal of culture and context which inspires the sentiment that 'people move all by themselves, and culture cannot explain that behaviour unless it somehow gets inside their heads.'[101]

Significant mention must be made, though, that individualism is reluctantly discarded by Wendt. He states that 'agents exist partly in virtue of their own thoughts.'[102] We can look at this sentiment through the lens of a more traditional

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[99] Ibid., p. 6
[100] Ibid.
[101] Ibid., p. 181
[102] Ibid., p. 181

international theory perspective; 'if Wendt is willing to make this degree of concession to individualism, then his effort to undermine neorealism and neoliberalism because of their rootedness in individualism begins to lose its edge.'[103] This is undoubtedly so, as this kind of re-alignment of international theory is Wendt's primary focus. However, whatever is promised by this enigmatic statement by Wendt is not followed through sufficiently for us to make headway with values.

If the internal institutional make-up of a state is of, say, 'x' normative quality, then it follows that that quality would, if not entirely form, then at least *shape* the external, international identity of that state. Similarly, the upholding of human rights norms is still only a part of what a state is and does. Yet the act of doing so must as a minimum requirement ask questions of an entrenched institutional structure: 'In the allocation of distributive benefits, why not find programs and procedures that foster group solidarity across colour, ethnic and racial lines?'[104]

There is another caveat here which asks questions of the objectivity of the state as a corporate identity, which Benhabib recognises. 'The constitution of collective identities is now subject to bureaucratic and administrative control, direction and manipulation.'[105] The point is that when normativity and statehood come together – in the question of liberal democracy with Benhabib, but equally human rights norms for our purposes – there is a vastly complex layering of intentions and pressures which affect the functionality of the good state. Again, it is a part of constructivism's role to be equipped to take full account of these factors.

What constructivism must guard against is any reaction to the one-dimensional culturalism of Wendt which treats culture as the end in itself, rather than an important, directing variable. Within the discourse of human rights which sees

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[103] Suganami, 'Wendt, IR, and philosophy', p. 71
[104] Benhabib, *The Claims of Culture*, p. 76
[105] Ibid., p. 80

these norms as 'core' rights, 'there are difficulties with the ahistorical quality of this mode of inquiry, and also with its wishful character – suggesting that anyone determined to find (or not to find) similarities across cultures will shape the evidence to fit the thesis.'[106]

The modernist approach lacks a body of work which interrogates similarity and difference across cultures, which suggests that a strong comparison can be made with similar (rationalist) approaches within the international theory spectrum on this issue. Within the rationalism with which Wendt is often associated, there is no room for an argument-centred approach. As such, domestic fora set up with the purpose of discussing and reconciling normative issues have no bearing whatsoever on the politicking which takes place internationally. Cultural relativism would always be an impasse.[107]

Wendt's argument is that 'agents have a role to play in social explanation which cannot be reduced to culture. Radical holists conflate acting with a reason with acting for a reason, but his does not mean that society is merely an aggregate of independently existing idiolects.'[108] The 'independent idiolect' reading of culture is sympathetic to the notion that culture and cultures must be compartmentalised and stifled by misguided policies of recognition which leads to a static view of development. As might well be expected, the argument does indeed progress beyond the limited dimensions of internal 'biological' explanation and into 'a social scientific idiom by distinguishing between individuality *per se* and the social *terms* of

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[106] Vincent, *Human Rights*, p. 49
[107] See Leo McCarthy, *Justice, the State and International Relations* (Basingstoke: Macmillan, 1998), p. 67
[108] Wendt, Social Theory, p. 181

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individuality,'[109] but the points made by Wendt remain deeply contentious, and only

for the benefit of the state.

Wendt speaks of the difficulties of holism gaining a meaningful foothold in

theories of the international system as a result of the latter's 'low density [which]

means that the identities and interests of the states may be more dependent on

domestic than systemic structures.'[110] The difficulty of using the terminology of

holism in association with concepts as essentially vague as the international system is

that it strays into what is frequently perceived as metaphysical territory, somewhere

far above the certainties of domestic politics.

For Wendt, the real potential for some kind of breakthrough as far as the

'acceptability' of holism is concerned lies in the inability of individualism (under the

influence of rationalism) to 'acknowledge even in principle any *constitutive* effects

that systemic structures might have on states. I believe the structure of the

international system exerts both kinds of effects on state identities'[111] (emphasis in

original). Explaining the origins of state identities, as Wendt points out, may be a part

(but not the entirety) of explaining the nature and effects of international structure,

which is his aim.

The utterly entrenched polarity of the individualist-holist debate is

problematic. Wendt makes use of the poststructuralist position, and the later

Wittgenstein, in order to convey not only the meaningful source and consequences of

action into the social realm, but also our thinking about it. This is done, in the most

simple terms, by broadening the frame of reference which we use to recognise and

manage behaviour as both a private and public phenomenon. What this does,

effectively, is obviate any kind of causal relationship between agents and culture, as

[109] Ibid.
[110] Ibid., pp. 27-8
[111] Ibid., p. 28

their relationship is irreducibly constitutive.[112] A focus on cause is, in Wendt's words, *radical* holism, which does not expedite his project. Rather, it is to be defined by a synthesis which aims for a moderate holism.

Radical holism is, in Wendt's critique, limited on two counts; what he labels 'the intrinsic power of agents' and 'the limits of structural explanations.'[113] Firstly, regarding the immanent knowledge of individual behaviour, 'no matter how much the meaning of an individual's thought is socially constituted, all that matters for explaining his behaviour is how matters seem *to him*.'[114] At first glance, this would seem to be apparent. However, it holds only if the reason for ascertaining the cause of certain behaviour is only for the benefit of the individual, as would be the case in a psychoanalytic or medical context (the example of Wendt's choice), in which the focus is on the perceived primary fact of behaviour – internal experience. In (external) reality, though, what matters is the context of what happened.

It is moderate holism which touches upon the more commonly held perceptions of what might constitute a 'universal' property, and is open, inevitably, to charges of naturalism. That is to say, inherent to this line of argument is an essential, individual (and quite possibly subconscious) motivational force which is projected from within. Reconciling this logic to a poststructuralist inspired critique, however, throws up a common side-effect. By destroying the privileging of a mode of thought or expression thereof (individualism and the ontological primacy it upholds), the theorist must necessarily replace it with some other dominant technique or approach.

The modernist approach reads the individual as if it were a published text. This being so, Wendt's treatment of state culture fails to engage properly with the human contents of states. The 'drawing out' of the individual into a more holistic

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[112] See Ibid., p. 179
[113] Ibid., p. 180
[114] Ibid.

arena is certainly a beginning of sorts but, to paraphrase the apocryphal country

dweller, he probably shouldn't have started from there. Wendt's establishment of a

constructivist system which neglects change requires an observer who is equally

happy to accept this system. It does not provide for the speed at which internal cogs

can affect the external machinations of the outward-facing state, the equal speed with

which constructivism should react, and the diversity which motivates all of this.

By establishing this particular systematic approach to theorising the

international system, Wendt adheres to much of what characterises a 'conventional'

approach. He also diverges from it in certain key respects. Both these similarities and

differences are instructive as to what it is that makes Wendt such a key player in the

diverse approach that is constructivism. Before concluding this chapter, the

relationship between Wendt and conventional constructivism (broadly conceived) will

be summarised.

Wendt and the conventionalists

The analysis in this chapter has enabled us to now point to some key areas in which

Wendt differs from the conventionalist classification to which he is usually deemed to

belong. These differences are the areas of Wendt's approach where we might expect

him to have something to say about values and human rights over and above other

conventionalists. It is not an exhaustive list and its content is brief. However, it is this

kind of crystallisation which provides a firmer base from which to draw conclusions

about Wendt and the types of constructivism which need to be addressed next. The

points can be reviewed as part of a sequence.

1. *Appropriation of the scientific method.* Both the wider conventionalism and

Wendt's specific approach are 'scientific', but they use the machinery of science in

different ways (which usually originate from Kuhn[115]), and this has repercussions for

values in the international system. Most conventionalists use social scientific

techniques in the measurement and evaluation of their research questions. The

traditional picture holds that the world exists, and we can know steadily more and

more about it by applying whatever peer-approved methodologies are deemed

appropriate in the circumstances. Wendt, arguably (and perhaps even unavoidably),

has made a more sustained effort to shape this method to a form of his liking, to be

innovative with it, and challenging also. His interpretation of scientific realism, cause

and constitution, idealism and holism, and many other supplementary ideas result in

an end product that provokes much thought on what is orthodox or unorthodox about

it. Wendt even states, referring to *Social Theory*, that 'despite the author's training as

a political scientist… the book is written from a philosopher's point of view.'[116]

Creativity, in other words, is at a premium.

    1.1 The development of a 'whole'. Wendt's approach is captured and

expressed by a lengthy and systematic development of theory. We are left with *a*

theory in the singular, as encompassing and controversial as it might be. Wider

conventionalism's forays are generally less comprehensive theoretical efforts. What

does this mean? Quality of work is not the issue. Rather, having a broader theoretical

base suggests that more can be fitted into it. This is a simplistic way of presenting the

assumption that Wendt's approach, which is at once ranging and detailed (as far as its

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[115] This can be promoted either with tacit acceptance or a more critical appraisal. For an example of the former, see Finnemore and Sikkink, 'Taking Stock', pp. 406-407. For the latter, see Holsti, 'Mirror, Mirror on the Wall'
[116] Wendt, *Social Theory*, p. 32

subject goes), might be expected to be able to incorporate more about the world than other approaches which appear to be limited or more specific in their remit.[117]

1.2 *Direction of fit.* Expressed most basically, given the credentials of Wendt's approach as a theory, rather than just an ad hoc selection of methodologies, the world comes to Wendt whereas conventionalists go looking for it. This seems to turn the last point made in 1.1 on its head, but on further reflection, this does not have to be the case. If conventionalists are more able to set an agenda based on how they perceive world events, then that agenda could be more inclusive of factors beyond the state. Human rights norms could be analysed from the perspective of humans as international actors, and the outcomes would be interesting for this alone. Agendas, though, as we have seen, are prevalent in conventional constructivism. Wendt, on the other hand, has worked to establish a theory of the state, and all else that happens must fit into the state for the theory to make sense. This does not preclude the morality, nor necessarily the ethical instrumentality of human rights, as long as the end product affects international statehood. This all has an effect on what we might expect to see from a positivistic theory of the state compared to other 'scientific' approaches. Perhaps the science is the problem.

1.3. *Liberal constructivists.* Are wider conventionalist approaches more inclined to take up moralistic positions that Wendt? Our review above of Risse, Ropp and Sikkink's approach to human rights norms would seem to bear this out. As much as the focus is on human rights, it is also on the way human rights are used for a particular purpose. There is a risk here of over-generalisation – saying that conventionalists are also liberalists is to tar them with the brush of their research questions, which in many cases would be to miss the point. However, that none have

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[117] And this holds even when other conventional constructivists explicitly engage with the relationship between the international system and human rights. An agenda inevitably comes to the fore at some stage. Yet this is still further mired in complexities. See points 1.2 and 1.3 (below).

so far broken out of this way of seeing and 'doing' human rights suggests that their particular constructivist make-up does not provide the right sort of tools to account for the ethically instrumental outlooks, scope, effects, etc. that we associate with the *human* and *social* elements of human rights norms. The relative 'secularity' of Wendt's approach does hold out some hope on this point of applicability. If we have to look too hard for it, though, we might begin to suspect that it is not there.

Conclusions

Conventional constructivist approaches have engaged with human rights norms. Most are concerned with states and how they act, and how they are perceived both by themselves and others in the international system. In this sense, they are closely related to Wendt's statism which has come to dominate the conventional approach. The result of this dominance seems to be a reflexive anarchy which is full of identities, all belonging to a confusing species, the members of which think like humans but happen to look like states. This literal human embodiment[118] is the source of much frustration regarding the theorising of the rights and duties of actual, genetic people.

Before focusing on Wendt, though, our discussion of conventional constructivism has suggested, and perhaps has even opened pathways, for the analysis of human rights using social scientific methods. But this is not without its difficulties, and there are at least two key areas of concern. Firstly, we have clearly identified problems that conventionalists have with the moral-ethical split which has been recognised as key to understanding international human rights norms. This comes to the fore when we examine whether or not there is an 'end product' in sight for

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[118] Wight's discussion on this point aims to settle whether Wendt's state is fiction, abstraction or, indeed, human. See Colin Wight, 'State agency: social action without human activity?', *Review of International Studies*, vol. 30 (2) (2004)

conventional approaches. We would expect not, given the constitutive nature of constructivism, yet time and again liberal forces shape constructivist outcomes. Secondly, to take up 'conventionalism' as a research agenda is on a par with assuming that constructivism is a unitary approach. Conventionalism, occupying most of the positivist end of the constructivist spectrum of knowledge gathering, is just too broad a collection of approaches and theories, expressed in numerous articles and monographs. To tie down this branch of constructivism in order to begin to understand how positivism answers a postpositivist challenge, seems too diffuse a task from which to draw any conclusions. This is another prominent reason for having Wendt represent conventionalism whilst standing apart from it in certain key respects, as we have seen.

It is possible to reduce this type of constructivism to a formulation which offers more than rationalism does on the matter of the state. Yet in describing how the state develops by constitutive mechanisms, it tends to fail to see past the state as anything other than an end in itself. Kurt Mills describes how the constitutive position at the heart of constructivism means that sovereignty must now be contextualised, and disassociated from its original prefix to encompass humans themselves (individually and collectively) possessing sovereignty. 'If... the state exists only for the purpose of enabling the individuals who comprise the state to live their lives relatively peacefully, and for no other purpose, then one cannot say that sovereignty ultimately rests with the state. Rather, it rests with individuals within the state.'[119] Thus 'popular sovereignty' (or any similar variant) is not a revolution but a retronym – a reminder of the original political purpose of the state.

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[119] Kurt Mills, *Human Rights in the Emerging Global Order: A New Sovereignty?* (Basingstoke: Macmillan, 1998), p. 37

We can follow the logic further: 'the notion of rights can be upheld at least insofar as these rights are seen in opposition to socially created power.'[120] There is a fundamental issue here which, again, we must not assume it is the task of constructivism to definitively answer, but equally it is one that constructivism should not shy away from the complexities of. In Leo McCarthy's words, 'Justice in itself is an artificial virtue. Man comes first to understand the ideas of property and right, and how they relate to his self-interest. Whatever supports these is called just; whatever subverts them is unjust. But justice is understood always in relation to property, or right, or obligation; these are prior to the concept of justice.'[121]

This is simply following a thread of normative international thought which seeks to properly place the state within an ontology which also admits morals and/or ethics: 'Rights should be apportioned at the end of the process of considering what is socially just, rather than placing limits on that process from the beginning.'[122] Similarly, McCarthy sees 'the global securing of basic human rights…[as] the starting-off point for any theory of international justice.'[123] His 'complex instrumentalist' rendering of the purpose and properties of statehood begin to pull the constructivist mind towards this way of thinking, yet this is no defining, canonical text in the same way that many would have Wendt's. Yet summarising the attempted extraction of values from Wendt's approach, in the form of human rights norms, seems an unnecessarily difficult task.

Neumann's criticism, above, of Wendt's framing of Weberian thought – that the resultant state is poorer for its lack of contingent forms – indicates the logic which follows Wendt through the rest of his state building. It is a reduction, minimalist

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[120] Ibid., p. 38
[121] McCarthy, *Justice*, p. 54
[122] Vincent, *Human Rights*, p. 15
[123] McCarthy, *Justice*, p. 242

even, to the point of missing a whole dimension of its very personality. This is a common summary of Wendt's approach. But what specifically might we take from it which to inform the next two chapters of the gaps which need filling in constructivism's coverage of values? What are the strands which will define our triangulation?

Intersubjectivity, commonly associated with constructivism, is problematic for human rights on three related counts. Firstly, it is an inescapably vague concept, the complexities of which constructivists, arguably, have not incorporated as part of their own theorising. Secondly, do other variants of constructivism share a similar perspective on how shared culture is propagated – is it by a measure of 'legitimacy' as advanced by Wendt? Indeed, how might we begin to flesh-out Reus-Smit's assertion that conventional constructivism has been limited by its failure to engage properly (or, indeed, at any worthwhile level) with discursive mechanisms as a means of conferring legitimacy upon states relationships with fundamental institutions? Thirdly, the edicts of the *Universal Declaration* (et al) already exist, and require no socialised generation in the minds of a community to have any meaning or effect. They are transmitted, not transmuted. So whose subjectivity is constitutive of what, exactly?

How Wendt and modernist constructivists approach the empirical side of their research bears comparison with other, language-based variants of constructivism. That is, the finer points of gathering knowledge, and then judging its value, is an issue worth drawing out for distinguishing between these broadly familial approaches. The way in which Finnemore and Sikkink's 'life-cycle' image lacks the sort of values embodied by human rights, and the notion of a fixed an accommodating structure into which norms 'fit', mirrors both Risse, Ropp and Sikkink's liberalist

'spiral-model' and Wendt's own image of what matters – the state as a body fixed in space, which exists for ancient purposes, only to engage in a more detailed anarchical arrangement presently.

A clearer picture of how constructivism is a sociological approach is needed. Not least because of Finnemore's conclusion, having surveyed the state of constructivism, that sociological institutionalism provides a richer framework for theory by way of its substantive content and clearer image of systemic social structure.

Is conventionalism perpetuating a homogenous and misleadingly bland international system, one in which working parts have not been reduced far enough? Acknowledging that human rights norms exist, and that they are claimed and upheld in certain ways requires no great theoretical sophistication if it is assumed that the international community of states simply absorbs these momentary quirks, and then returns to its established way of functioning. How human rights norms engage *with* the international system is harder to observe than how they work across it.

How should constructivists theorise change? As process or progress? And how far should this be permitted to develop constructivism's own agenda rather than knowledge gathering as a secular exercise?

The notion that human rights matter depends entirely on the assumption that humans matter, otherwise the systemic effect of institutionalised norms would have no meaning, and would quickly disintegrate without this foundation. How well does Wendt theorise the individual? Suganami's critique (only briefly referred to here) suggest that it fails to do so in a way that leaves it bereft of the very breadth it purports to deliver. For Wendt, its 'indivisibility' is the problem. So are we left with a 'rump' individualism, akin to Wendt's characterisation of materialism, which is

always there, but in this case stubbornly and unhelpfully so? Benhabib's advocacy of a cultural standpoint appears to offer one way out of this for constructivism, but is Wendt's approach capable, or even *interested*, in taking it?

His institutionalised understanding of the individual is at the heart of the problem with how statism relates to human rights. However, notwithstanding his own defences of this position which are debatable (using an act of war to demonstrate the singularity of state personality[124]) or appear to back-track in the face of Wight's forthright statement of 'personhood' (by making qualifying references to contemporary philosophical understandings of 'physicalism'[125]), how damaging is this for a constructivist endeavour to accommodate values? If constructivism is what Wendt makes of it – idealism framed by an outward looking state, then not at all. But this is not the 'whole' of constructivism, in much the same way as Wendt does not offer a vision of the 'whole' of the state.

Taking humans seriously requires an interest in cultural development and the processes by which this occurs. This is indicative of the depth lacking in *Social Theory*. This depth is something which must be striven for if we are interested in the full capabilities, and the full potential of constructivism. Conventionalism has developed as an approach which is adept at dealing with, and providing fresh insight into, concepts which are familiar to the traditional ways of doing IR theory. Human rights expose the spaces between these international concepts, and the subsequent gaps in our knowledge. Here, it is proposed that the study of how language works in the international system is the primary way in which constructivists themselves have begun to address their capabilities and the potential of the issue. A number of questions have arisen from this analysis of Wendt which set up the following chapters

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[124] Alexander Wendt, 'How not to argue against state personhood: a reply to Lomas', *Review of International Studies*, vol. 31 (2) (2005), p, 359
[125] Wendt, 'The state as a person', pp. 291-292

– that is, questions which we might (or even should?) expect theories of language and communication to address: How can constructivism be more than a theory of the state? How do human rights norms fit and work in this broader conception of the international system? Is it possible to move a conclusion about the prospects for human rights away from a liberal end? Do constructivist approaches principally derived from philosophies of language do for human rights what the critical challenge would like them too?

We have the state as a constructivist constant. What we are lacking are substantial, robust variables within constructivist understandings of human interaction – which can be extended clearly to human rights norms – which give states and individuals meaning beyond anarchy. What else is 'constructivist' which might aid the interpretation of values in the international system?

4. Rules and Language
Nicholas Onuf

Rules and language, as part of a broader linguistic heritage, form the backbone of a strong constructivist tradition stemming from roots in social theory. Nicholas Onuf and Friedrich Kratochwil's development of linguistic devices allied to a philosophical bedrock aims, under the banner of constructivism, to progress international theory towards a fuller understanding of how institutions are at once human and structured. As a whole, it is the aim of this chapter to ascertain how the value-norms of human rights correlate with normativity as expressed by rules specialists. Wendt's conventional approach ostensibly lacks a position on language as a constitutive force in defining what the state is for. This rules-based linguistic approach works within (and against) the limits set by modernity, and so it also accepts the state, but not necessarily as a finished product.

A different view of the historiography of roles, institutions and individuals which describes the continuity of human behaviour, and of the paradigmatic outcomes of these often entrenched ways of thinking is primarily provided by Onuf's seminal text *World of Our Making* (hereafter simply referred to as *World*). This will be the primary reference point for this chapter, which will be divided into three sections.

The first section will clear some ground. It continues the critique of the state which found little purchase for values in the preceding chapter dealing with conventionalism. This will take the form of a discussion of how the anarchical (liberal) orthodoxy of statehood – developed via a particular intellectual heritage – has

led to the diminishment of its role as a moral institution. This will be paired with a brief discussion of how Onuf characterises our 'hidden' moral tradition. The next section will bring to the fore linguistic constructivism at work, with the aim of highlighting and critically analysing how scholars use language and linguistic tools to describe and understand the world in a way which, potentially, is more adaptable to the challenges posed by human rights norms. We must assume that all of this (the ground-clearing and the scholarly inroads made into the space created) constitutes only a starting point for rules/language and constructivism. Accordingly, these examples will be augmented with a critique of the origin of these tools as they stem both from Onuf and wider philosophical thinking.

These two sections will, effectively, have introduced a constructivist view of the world together with examples of how contemporary practitioners are investigating that world, as informed by certain key philosophical precedents.

The final section will take the form of a critical discussion of how this approach might be developed most effectively using the conceptual armoury of Onuf and his contemporaries. This will involve a closer look at rules and how they relate to human rights norms, together with a reflection on the possibility of a language and rules-based normative paradigm of values.

At no point in *World* does Onuf explicitly speak of human rights norms. This wide analytical sweep will scrutinise this seminal text for some direction on the matter of values in the international system. Ostensibly, a rules and language-based approach which focuses on the machinery of interaction between humans and states should be fertile ground for this thesis. However, the general précis of *World* in the Introduction indicates that the extent to which Onuf's approach can accommodate values could well conflict with how staunchly it represents constructivism.

I. An alternative construction of modernity

Instituting a 'lack' of morality: the liberal state

Onuf's contribution to the historical and theoretical discourse of the state develops themes of disconnection and the recovery of the normative via a re-reading of our philosophical lineage. This ground-clearing is at the heart of Onuf's comprehensive approach. In his words, 'we are left with two questions. Why has the connection between normative considerations and political society, so evident before the rise of the state, become so tenuous and ill-understood? And why has anarchy, defined as the absence of society and thus of effective rules, come to be seen as the only alternative to the state?'[1] Our generally preferred intellectual heritage, in other words, has been written in the dominating languages of liberalism and capitalism which have come to define how we manage our states and subsequently our lives. This is the state that conventionalism engages with but does not dispute. For Onuf, constructivism has a more fundamental task than this. In some ways not dissimilar to postmodernism, it first reveals the shroud of rationalist power. Unlike postmodernism, however, Onuf is keen to provide something concrete beneath that shroud from which our moral political purpose can be re-instituted. This enduring misdirection is contained in how the tradition of Hume, Kant and Bentham has been handed down.

Hume

'Hume's grounding of political society in conventions affords us a first cause explanation of how society got started.'[2] That is, 'whenever we conceptualize a social situation as a two-party interaction, minimally structured at the outset, with additional

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[1] Onuf, *World*, p. 185
[2] Ibid., p. 188

structure generated by interaction, we follow after Hume.'[3] The problem is that this 'conventionalising' approach allows no room for the constant expressing of difference which defines us as political beings. 'Rather than encrusting a simple account of human behaviour with qualifications so that it works as a theory of political society, Hume's conventionalism eliminates political society as such and thus the need for a theory of such. In the place of political society is the aggregate of conventions enabling politics, economics and whatever else is social.'[4] Liberalism, in other words.

Humean conventions have a cumulative effect which undermines the fabric of political society by virtue of their non-contingent generation and purpose. As Onuf points out, this is an attractive quality for a metatheorist, but in itself serves little purpose in practice.[5] Conventions conflict with the promissory nature of the legal underpinnings of society (justice, due process, recognition, representation, etc.). The relatively more laborious process of conventions cannot account for the speed at which (meaningful) human interaction progresses in terms of language and shared understanding.

Onuf is not so keen to dismiss Hume. After all, his work was explicitly political. Instead, he places this heritage as a common *Humean* misapplication and not primarily 'of Hume', referring to Nietzsche's work on the protracted layering of human understanding which has culminated in a platform from which promises and cooperation flow easily.[6] Conventionalism is effectively redundant as an explanatory tool as it is limited to the beginnings of society. In Onuf's words, it is 'deleterious for any conception of international relations as a working example of political society.'[7]

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[3] Ibid., p. 185
[4] Ibid., p. 186
[5] Ibid.
[6] See Ibid., p. 187
[7] Ibid., p. 188

Perhaps this is manifest in Hume's notion of how a political society should approach new and challenging issues: '[General rules] are artificially invented for a certain purpose, and are contrary to the common principles of human nature, which accommodate themselves to circumstances, and have no stated invariable method of operation.'[8] Perhaps, though, this can be interpreted otherwise – human rights norms must be of satisfactorily organic origin for them to be part of a more comprehensive constructivist treatment of the international.

Kant

Onuf's conclusion regarding Kant is that the formulation of the categorical imperative - the perpetual struggle for autonomous realisation in a heteronomous world - has been largely misunderstood. We are left with a Kantian legacy which characterises political society as somehow deficient if it lacks a *constitutional* backbone allied to prudential international action. Onuf prefers to circumscribe the 'whole' of Kant, and take from his moral thought a legacy which is already sufficiently unique and sufficiently 'worked-out' at the point of this freedom which is always mindful of contingency. Taking the 'last step' to public law is again a liberal conceit.[9]

Onuf perceives a disconnectedness about Kant. 'Though conceptually motivated, Kant's typology of "rules of skill, counsels of prudence, or commands or laws of morality" nevertheless appears to exclude prudential maxims from the realm of the moral. Many writers have subsequently tended to view prudential maxims as concerned only with self-interest and therefore necessarily lacking in moral character.'[10] This undervalues the scope and application of a 'prudential' approach, most pertinently in relation to morals. Morality itself has only served as a prop for the

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[8] David Hume, *A Treatise of Human Nature* (Harmondsworth: Penguin Books, 1969), p. 584
[9] Onuf, *World*, p. 188
[10] Ibid., p. 189

development of more tangible projects, namely political economy. What we have

been left with lacks moral character. As we have noted, Onuf himself is motivated by

this need to reclaim the proprietorship of Western thinking.

To this end, the extension of Kant to a realm other than the personal is

problematic; 'I read Kant to have said that autonomy is the frame of reference to

investigate morality, but that social reality does not allow for such autonomy.'[11] The

assumption we are left with from Kant's apparently divisive typology – effectively its

abiding legacy – is a leap which has been made from a). a fundamental difficulty with

the moral challenge we face with social reality to b). the institutionalised pariah-status

of that morality. The Kant/'Kantian' issue in this case boils down to our current

position where 'the Kantian legacy is the division of political society into the moral

realm associated with public law in the liberal state, and the prudential (read: amoral)

realm of anarchy (read: war). Is this what Kant intended?'[12]

Bentham

The proper functioning of political society as dependent upon the rule of authority –

the maxim of the Benthamite – appears to explain how policies have been shaped and

have come to dominate in the wake of Kantian dualism. Onuf's reading follows thus:

'For Bentham public opinion has nothing to do with rights and duties, much less a

social contract... By conventionalizing law as dependent on sanctions, Bentham

removed it from the realm of rights and promising.'[13] Furthermore, 'he thought that

political society is ultimately dependent on relations of super- and subordination

which, though coercive, are mitigated. In Machiavelli's case, consideration of virtues

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[11] Ibid.
[12] Ibid., p. 191
[13] Ibid., p. 193

as well as prudences mitigate such relations. In Bentham's case depersonalized but omnipresent supervision does so.'[14]

So individuals are removed, in a sense, from what is right or wrong, and are left instead to observe laws which automate this relationship. Public opinion is responsible for maintaining international law in much the same ways as the apparatus of coercion does so domestically, but right and rights have been legalised rather than politicised. Furthermore, the proper function of the law is as a sanctioning institution, and not an enabling one. This, along with the finer points of utility shaped by this conventionalising drive, is Bentham's ethical legacy. It is a pessimistic one if public opinion has shaped the present world. The triumph of liberalism strongly suggests that it has. Are we then left with shackles of our own, localised intellectual manufacture? And if so, does this necessarily require a 'progressive' constructivism to right these wrongs?

Onuf's own reading of this back-drop is a reification of pragmatism, but with a bias. It is the concept of utility which binds this intellectual lineage, with the very unfortunate side-effect that 'normativity is conventionalized out of sight, and largely out of mind.' With the triumph of capitalism, 'theory makes the state a legal order, neutral but for the content of its rules. Normativity is exactly what people, by making rules, wish it to be: The myth of voluntarism complements the myth of neutrality.'[15] This brings us to the great contemporary paradox: We are effectively left 'with ever more conventionalized liberal notions of economy and law… we have lost sight of society

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[14] Ibid.
[15] Ibid., p. 195

and its politics. Yet political society, with rules and rule, normative considerations and asymmetric relations, is everywhere.'[16]

This reading of liberalism notwithstanding, pragmatism has not yet been successfully 'claimed' by any movement within IR.[17] Pragmatism need not be deleterious to a normative project focusing on the values of human rights as constructivist methodology is still an open question. In Reus-Smit's words, '[the] argument that an ontological emphasis on ideas, norms and culture requires a distinctive methodology has been challenged more recently by 'methodological conventionalists', who claim that their explanations 'do not depend exceptionally upon any specialised separate "interpretive methodology".'[18] In other words, the methodology continuum does not run directly and exclusively from metatheory to empiricism, and there is a location on it for a normative constructivism which incorporates values and so is capable of engaging with human rights norms.

Underlying traditions of political thought

The theorising of Hume, Kant and Bentham has compartmentalised our knowledge. 'The result narrows the range of political possibilities to just two: the state or a state of nature,' which leads to the constraint wherein 'Hobbes' paradigmatic architecture reigns at the expense of the tradition of discourse about political society and even at Hobbes' expense as a rights theorist.'[19] There exists, in other words, a detrimental and perpetuated division between the moral and the political. This very brief history depicts us as 'moderns' – the collective product of a dubious 'Westphalian' origin bolstered by the Enlightenment and its rationale. It is as if the eminent physicists of

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[16] Ibid.
[17] Peter M. Haas and Ernst B. Haas, 'Pragmatic Constructivism and the Study of International Institutions', *Millennium: Journal of International Studies*, vol. 31 (3) (2002), p. 583
[18] Reus-Smit, 'Imagining society', p. 496
[19] Ibid.

the world actually know what happened before the big bang, but dismiss it as a quaint historical irrelevance.

Onuf's assessment of the modern state system, as we have seen, is that the theory does not satisfactorily reflect the practice. In pursuing international social history beyond its Westphalian marker, he brings to the fore three traditions of thinking about political society – that is, in terms of 'virtues', 'rights' and 'manners'. These traditions have been perpetuated because they correlate with fundamental social institutions – *rules* – and are brought up to date by their expression in the performance of types of speech acts.[20] This is a complex story which Onuf tells, and the place of human rights norms in it might well be apparent at first, but we must remain aware that *World* is not a work of critical theory.

Both rules and speech acts will be dealt with in more detail in the following sections, but we must at least offer a general clarification of terms at this early stage before we go on. Speech act theory is the branch of linguistics 'which yields an inclusive set of categories into which all rules can be sorted,'[21] and rules come in three varieties. In the first instance, assertives are important for understanding the normative context of any given relationship. They shape, or rather confirm, either long-standing or long-assumed power configurations, and so provide both subject and constructivist scholar with a guide to contingent (often subconscious) expectations and the backdrop against which any counter-claims must take place. They 'are speech acts stating a belief, coupled of course to the speaker's wish or intention that the hearer accept this belief. Neither intends the regulative consequences their acts jointly produce.'[22]

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[20] Onuf, *World*, p. 183
[21] Ibid., p. 66
[22] Ibid., p. 87

Directives 'present the hearer with a speaker's intention as to some act the speaker would like to have performed. Typical directive verbs are: ask, command, demand, permit, caution.' Furthermore, 'the intent of all directives and not just imperatives is to place a regulative burden on hearers.'[23] And so the powerful regulate the weak – another confirmation of the context which constructivism enters in pursuit of normative equanimity.

Commissives are more or less simply commitments which differ from directives by way of their normative content, and Onuf maintains this category of commitment-rules in the face of general consensus as it 'is implicit in the language of rights and duties,'[24] skewing the constitutive-regulative polarity which tends to dominate.

It is how Onuf develops these categories of practice which could serve to add a further dimension to the functioning of normative constructivism. By way of elaboration on the question of how normativity matters as such, the relationship is expressed thus,

> Speech acts are social performances, that is, they have
>
> direct social consequences. Such acts take the generic form,
>
> I [verb such as declare, demand, promise] that
>
> [propositional content]. Because people respond to them
>
> with their own performances, not always spoken, the
>
> pattern of speech acts and related performances constitute
>
> those practices that make the material conditions and
>
> artifacts of human experience meaningful. More

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[23] Ibid.
[24] Ibid., p. 88

specifically, the pattern of speech acts endows practices

with normativity; they give rise to rules which, in

synopsizing that pattern, fix preferences and expectations

and shape the future against the past.[25]

Notable here is the introduction of a temporal signifier, the shaping of the future

'*against* the past' which brings to mind the historical conditions which led to the

Universal Declaration in 1948.

As far as the categories of 'virtue,' 'rights' and 'manners' are concerned,

the virtuous political society depends on directive speech acts,

which imply the possibility of, and thus the need for restraint

in, coercion. The righteous political society depends, obviously

enough, on commissive speech acts, which imply rules for

deciding conflicting claims of right. Finally, a well-mannered

political society depends on assertive speech acts, the stream of

which conveys the wisdom of many voices as to appropriate

conduct.[26]

Each tradition is linked to specific thinkers, to include Machiavelli, Hobbes,

Locke and Burke. Their contributions cannot be recounted in any depth here,[27] and

they are by no means meant as a sequential description of the evolution of political

thought either. Rather they represent philosophical arguments and counter-arguments

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[25] Ibid., p. 183
[26] Ibid., p. 184
[27] See Ibid., pp. 169-184

as they have ebbed and flowed in our intellectual history. It is sufficient for our purposes to accept at least that Onuf is satisfied with them as important and relevant traditions.

The existence of these strong normative and intellectual traditions, each a discourse on how the original meaning of 'political' is or should be maintained within and across states, would suggest that we currently enjoy their legacy – that the sovereignty of states is an ethically-derived tool for the best representation of human needs and responsibilities.

But Onuf describes the modern state – and especially the theorising of it – as having lost, or at least obscured this history through the dominance of liberal thinking and its categories. It is as if the state, in its enshrined, post-Westphalian guise, was (and is) representative of the needs and responsibilities of 'modern man' to the extent that its moral purpose has been abrogated in favour of more tangible, *rational* formulae designed to improve the proprietary foundations of progress.

We can therefore take up the argument that each of these three ways of thinking about political society (in terms of virtues, rights and manners) has been distorted by liberal thought and substituted in the modern era with utility, law and conventions respectively.[28] Very briefly, this has had the effect of disassociating the polity from its constituent humans and their essential characters, with the result, effectively, of formalising systems of government (governance, control, etc.) in agreements which no-one can remember agreeing to. This seems to be adding psychological (intersubjective?) weight – the weight of dormant collective memory – to contemporary calls for a return to the 'moral purpose of the state', as Christian Reus-Smit has called it. But here the conflict between this critical view and Onuf's

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[28] See Onuf, *World*, Chapter Five

explicitly constructivist aims arise again, which indicates that Onuf is not about to embrace the former.

'The principles of doing no harm, keeping promises and telling the truth respectively generalize the normative content of virtues, rights and manners.'[29] These are together a promising foundation. Yet there is no explicit engagement with the norms of human rights in *World*. The aim of section II is to test the theory which Onuf builds from this base in terms of its capacity to account for values.

II. Constructing values using Onuf's categories

Human rights as (Onuf's) rules

In Section I, we have a broad summary of Onuf's own comprehensive reading of modernity. Particularly, how a misleading reification of key thinkers has buried social life beneath positivity-seeking liberalism. Social meaning for Onuf is derived from the constitutive production and development of rules, and so this ongoing practice requires a re-statement of how rules are social. Our question, given this starting point, is that, without its explicit appearance in the text, what are to make of the gap in *World* where we would like to have human rights? To what extent does Onuf's history and subsequent categorisations allow for values to be subject to the same foundational criteria as other aspects of normativity? Accordingly, this section will begin with a brief appraisal of where (more precisely) we might locate human rights in Onuf's approach, and will then move on to interrogate this further with a closer analysis of his categories and their origin.

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[29] Ibid., p. 184

We cannot even assume that there is a 'human rights norms' shaped hole in *World*. To ascertain how comprehensively Onuf's categories account for human rights, we need to trace how he has developed his own conception of society as a product of rules. The intellectual heritage called upon by Onuf to support his telling of the history of rules, as they correspond to his categories, is the work of Durkheim and Weber. He rejects Talcott Parson's preference for Durkheim, which attributed to Durkheim a clearer statement of how individuals relate to normativity (that their internalisation is more important than their external effect), which gives priority to 'externally manifest content' and therefore has 'all behaviour governed by the content of rules.'[30] 'The result is not just that the agent is rendered passive and conflicts among agents minimized... (m)ore importantly, society itself disappears. In its place is the "social system," which is a brief for methodological collectivism masquerading as a description of social reality.'[31] Ultimately, having Durkheim fill in these blanks only results in a theory of action in which 'nothing happens.'[32] For Onuf, Durkheim's is a much more subtle exposition of how rules work, one which prefers to differentiate within rule-types rather than have them enveloped, and therefore codified, by an overstretched systemic conceit.

This refines even further Onuf's problems with how 'the system' works (or rather, how assumptions regarding its prevalence and power shroud the more important internal mechanisms of rules and society). It is Weber's second category of law which is of particular interest here. Essentially, it 'acknowledges the legal character of the pronouncements of high dignitaries..., even when no particular actor is subject to constraint.'[33] Furthermore, 'these pronouncements are of course

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[30] Ibid., p. 131
[31] Ibid.
[32] Ibid.
[33] Ibid., p. 135

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principles, which I define… as instruction-rules in which some value is articulated. They promote general conformity of behaviour by reference to shared values. This is done by example, by appeal, and, if necessary, discrimination.'[34] Here lie human rights norms in Onuf's thinking?

There is one more crystallisation of Durkheim and Weber's sociology of law which supports this view: 'principles are legal when they are enunciated by dignitaries of sufficiently high station and on occasions of such solemnity that there principled content cannot be impugned without also impugning the source and circumstances of their enunciation.'[35] How much license is needed to propose that this applies to the *Universal Declaration*? At first glance, it seems that we are quite close to the mark.

More to the point, though, how speculative is it to infer this much from Onuf's approach to rules and society? A good deal more needs to be said about the constitution of Onuf's categories of rule to add some weight to this argument. The first step is to refine our understanding of the complexity of rule-types. To do this, we must follow, and question, Onuf's own critique of rule formation which in turn tracks Searle and Habermas. From this, the following sections will pursue this line of inquiry into the broader theoretical and practical territory of regimes and paradigms which constitute the international. First, though, how can values be rules?

Much of the discussion throughout the following sections hinges on whether human rights norms are a belief or a fact. We can begin with the assumption that there is a continuum along which different perspectives on the matter have taken root. And we can immediately challenge that assumption by applying a constructivist perspective which, as we know, is not a static position. The distinction which helps us

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[34] Ibid.
[35] Ibid.

is between human rights as an idea and human rights norms. Whether or not human rights are nonsense (with or without stilts), or imperatives, or somewhere in between, the actual norms which have become more firmly attached to them over time – the ways of going about being humans and states in the international system – are hardly contestable.

This is precisely why values are a hard case for the middle-ground, and why their ethical instrumentality seems to speak more clearly to constructivist tenets than the morality which stirs critical theory. Having a prior moral position conflicts with a constitutive approach. Is this a forgone conclusion in the case of Onuf's rule-making?

'Human beings are entitled to...' is either an assertive speech act, using Onuf's summary of Searle's categories ('assertives are speech acts stating a belief'), or a directive (i.e. '[presenting] the hearer with a speaker's intention as to some act the speaker would like to have performed').[36] But Onuf's condensing of Searle's five speech acts (assertive, directive, commissive, expressive and declarative) into three rule-types (assertive, directive and commissive) suggests that directives and/or commissives are more in keeping with our understanding of how human rights norms work. Compare: 'All rules are either assertives of the form, I state that X counts as Y, or directives of the form, I state that X person (*should*, must, may) do Y, or commissives of the form, I state that I (can, will, *should*) do Y'[37] (italics added).

Onuf himself quickly points out the interaction between each type which takes place in the rule-making process. 'While each is a distinctive category, all three play on each other in the production of rules.'[38] To this interplay, we can add a troublesome variable – the contested facticity of human rights. Take the following

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[36] Ibid., p. 87
[37] Ibid., p. 90
[38] Ibid.

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example of Onuf's, to which an alternative reading has been added to suit our purposes:

> 'I hereby claim that it is my money [*human right*].
>
> Depending on the context, such a statement might have an
>
> assertive meaning: This money [*right*] counts as mine. To
>
> add, because my uncle's will [*the Universal Declaration*]
>
> says so, is to try an assertive declaration. A second possibility
>
> has a directive meaning: I request that I be allowed to have
>
> what is mine. To add because I am king [*human?*
>
> *Oppressed?*] is to make a directive declaration.'[39]

The assertives and the directives in this example ('conveyed by the word 'claim''[40]) are underpinned by a pre-existing commissive – the promise of the right in question. A claim follows a promise, which suggests a logical progression that the *Universal Declaration* is an institutional promise. But who is the promisor? The United Nations? The intervening, aid supplying or sympathy extolling entity which takes the form of either the state, a non-governmental organisation or even cosmopolitan humanity?

Using this example seems to work, but only up to a point. It is problematic to have the claimant of the human right as the issuer of a directive or instruction, as this function is normally associated with the expression of some form of power. Which is where another layer of complexity is factored in. 'Power' need not have a traditional base, and we cannot therefore assume that it works in a particular way, or issues from

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[39] Ibid.
[40] Ibid.

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a particular direction[41] – in Onuf's words, '"power" refers not to conduct and its effects but to the capabilities employed in conduct[42]' which suggests that even the oppressed can be invested with 'capabilities'.

Onuf pushes out from these bare linguistic bones: 'The contingent character of the promise in this instance is an invitation for strategic interaction.'[43] Further, 'as Habermas would say, it is not understanding-oriented. It is success-oriented, and it deliberately manipulates perlocutionary possibilities to shift the direction of illocutionary force from the speaker to the hearer.'[44] That both parties are success-oriented suggests that the eventual, 'contractual' outcome is a survival-necessity for both rather than a superfluous 'luxury' of knowledge in the form of understanding.

Onuf's own 'rule of rules' is that 'starting with assertives, directives, and commissive speech acts, we have an inclusive classificatory scheme for *all* social rules.'[45] Including values? Even human rights norms? What matters is how these types ebb and flow in the constitution of society, broadly defined. To have a better understanding of human rights as rules, it seems, involves a more accurate description of values as either the words which shape the world or vice-versa.

'Direction of fit' matters because normativity attaches only one way – from words-to-world.[46] Onuf reads the development of direction of fit as a dialogue between Searle and Habermas. Briefly, Searle has assertives as fitting words to world, directives as world to words, and commissives also as world to words. Habermas argued, along with Searle, that assertives fit words to world. Directives are divided between imperatives and norms, but perhaps most interestingly, 'his treatment of

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[41] This is 'direction' in the sense of a trajectory.
[42] Onuf, *World*, p. 237
[43] Ibid., p. 91. 'Strategic interaction' is the regressive logic of game theory
[44] Ibid.
[45] Ibid.
[46] See Ibid., pp. 92-93

commissives argues in effect that mere promises fit the world to words. But, in so doing, "the speaker binds his will in the sense of normative obligation;...". I read Habermas to mean that the normativity immanent in commissives reverses their apparent fit to the world.'[47]

So according to Habermas, assertives are 'normatively inoffensive' and have the 'right direction of fit.'[48] Following Searle, assertives 'either reflect an existing words-to-world fit or propose a new one. They do not endeavour to change an existing arrangement. Against Habermas, I do agree with Searle that directives *as a class* fit the world to words'[49] (emphasis added). 'Against Searle's position, I believe commissives as a class fit words to the world. To commit oneself is to project a desired state of affairs and bring it to bear on oneself.'[50]

What does this mean? That normativity *itself* is a fundamental institution, which stands as an edifice into which the idiosyncrasies of specific norms – exactly how they are constituted, the procedures they engender, the values that guide them – are subsumed? Perhaps, but this is unlikely. It means, rather, that new norms can be added to the world without challenging entrenched ontologies. Rationalistic or positivistic worldviews will still not admit values if it cannot be demonstrated that they have a lasting, systemic effect. 'Newness' only matters when it directly assaults the givens, assumptions and constants of static worldviews. In this sense, specific values matter less, and challenge less, than 'values' as a whole to the gains-centric world of rationalism. Is this just metaphysics? Not when ethical instrumentality is institutionalised as a part of how the international system works. So does Onuf's approach describe this in sufficient depth so that his 'social rules' incorporate human

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[47] Ibid., p. 92.
[48] Ibid., p. 93
[49] Ibid.
[50] Ibid.

rights to the end that 'traditional' worldviews might conceivably be challenged by this level of understanding?

> 'If I am right in this reconstruction of the ways in which words and worlds fit, ontological categories match functional categories of speech acts and rules. Reassuring as this is, it is in one crucial respect a bogus accomplishment. Searle's ontological principle, in any version, relies on positivism and a representational view of language. The term "fit" presupposes the independence of positivities, in this instance words and world, about which questions of fit are being asked. A constructivist view denies that world and words are independent; it sees them as mutually constitutive. If categories of being are linguistically constituted, then they may be said to have social origins.'[51]

Linguistic constitution only takes place 'out there' – in the world which theory describes and in which practice is accurately observed. This is only a beginning, though. It is more likely that Onuf's descriptions of regimes and paradigms will add something sufficiently compelling to the mix and that this will lead us to conclude that human rights are either something metaphysically 'more' than a directive-commissive blend, or that they are, for *constructivists*, this sum and no more.

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[51] Ibid., p. 94

Onuf's theory and practice of rules and language

Despite the range of existing and possible constructivist forays into the world of

human rights norms, and of normativity in general, there still remains the issue of

non-compliance by a high number of states. This renders much of this empirical work

done so far as enclosed, or discrete. It is difficult to generalise in these circumstances.

But what, exactly, is being (or needs to be) 'generalised'? Is it compliance with the

exact terms of the *Universal Declaration*? Or is a broader theoretical approach

required in order for our social and international theories to better understand different

attitudes and approaches? How does Onuf's constructivism deal with universality, and

where do human rights fit in this schema?

In *World*, Onuf describes our linguistic existence in social terms. Only insofar

as language can be sensorially perceived by another, and that this auditory or

graphical representation is the endpoint of various physiological mechanisms, is it a

human universal. It is not the product of any metaphysical warrant, nor must the

means by which it connects our subconscious to the objective world be a point of

general agreement.

Language matters because of how it instigates, mirrors and records what

humans do, and that this can then form a picture of the affiliations we share across

boundaries we currently hold dear. *So language matters because of what it does*. But

how might messages or 'ways of being' be spread, to include value-led

communications? In Onuf's words, 'a constructivist interpretation of reasoning

extends to learning and knowing, not just in the sense of acquiring propositional

knowledge, but learning and knowing how to use that knowledge, including

knowledge of rules.'[52] The liberal 'world that was made' is rejected by Onuf's

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[52] Ibid., p. 97

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constructivism. Clearly, though, Onuf is not starting anew. What is there within the threads of traditional political thinking which might begin the task of reconciling sometimes disparate views?

The traditional IR perspective would expect a rational solution (assuming that it was even inclined to address 'normativity' in this sense): 'On empirical grounds, there is little doubt that reasoning, like language, is universal. Indeed the capacity to reason is a standard criterion for cognitive competence.'[53] Onuf finds that the three major categories of reasoning – deductive, inductive and latterly, abductive – are inclusive and universal, and are located in speech acts.

'Deduction, induction, and abduction are human practices, apparently universal, antedating their abstract characterization as distinctive realms of cognitive activity. Are they natural, in the sense of being genetically mandated or physically necessitated?'[54] Inductive reasoning, with its potential for taking full account of unlimited parts in the manufacture of a whole with no blueprint is attractive to the general principles of constructivism, even if this might trouble occupants of the middle ground, to include those who assiduously employ the techniques of empiricism within a strictly bounded ontology. Referencing Max Black's use of the phrase 'its authority' in relation to (the authority of) inductive inference, Onuf points out that 'it' is the institution borne of the 'history of normativity authors have succeeded in bestowing on rules.'[55] If that authority is social, and normative, does it therefore include a meaningful appreciation of how human rights norms are perceived and treated?

Onuf's working-out and representation of universality makes use of the presumption of constant rule-types to account for difference which, elsewhere, would

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[53] Ibid., p. 98
[54] Ibid., p. 100
[55] Ibid., p. 101

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most probably be labelled 'particularism' or 'relativism'. Onuf seems to avoid the negativity usually attached to these charges by explaining difference as complexity within a framework.

This framework is governed by rule-types. The keyword is proportionality, but the idea is based on a more rounded notion of inclusivity wherein all polities contain something common to any other: 'A proper constructivist view of rules, once they have been sorted into the three categories advanced here, would acknowledge the likelihood that instruction-, directive-, and commitment-rules are likely to be combined in different proportions in historically distinct cultural experiences.'[56] Essentially, the proportionate mixing of these rules defines each culture, and so, by logical progression, constructivism would account for human rights norms in different geographical locations by recognising and reacting to these different cultural mixes.

By way of example,[57] our own particular Western brand of culture, Onuf believes, contains the highest proportion of commitment-rules. The liberal drive for individuality necessarily involves a certain amount of balancing in the expression of this culture: 'That which makes us individuals – "possessive individuals" in the specific liberal sense...- also creates in us a sense of responsibility, guilt over performance failures, and rage at others' wilful disregard of such rules and imperfect consciousness that society depends on them.'[58]

Naturally, it would seem, the rules-mix of Western liberal culture is complex, yet it remains perceptibly obtainable to the Western Self as it is lived by this particular Self and is therefore intuitively known, at least in a pragmatic, working sense. Onuf does not venture geographically beyond this, though, and we are left to imagine the particular mixes which characterise our chosen Others. With a focus on

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[56] Ibid., p. 121
[57] Albeit a limited one.
[58] Onuf, *World*, p. 121

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human rights, constructivism – as Onuf recognises – must swiftly overcome any bias in order to prevent a Self-Other hierarchy. Interestingly, development is not a step *beyond* these rule classifications, but is instead a change in the mix: 'Since rule-following does not involve blind habit... but argumentation, it is through analyzing the reasons which are specific to different rule-types that the intersubjective validity of norms and thus their "deontic status" can be established'[59] (emphasis in original). Thus there is no fixed modernity from which (and *to* which) reference must be made when constructing knowledge, but the outcome of that construction may well be institutionalised whatever process is followed.

Any inter-cultural 'projection' of preferred rule types faces the relativistic situation wherein: 'Albeit unconsciously, most of us prefer the rule mix that privileges us or that we are comfortable with because it is ours.'[60] There is no removal, in the natural or even metaphysical sense, to any intellectual realm which can usefully inform or better our lot. To bring in Wendt for a moment – if a state or culture's character is malleable, and it is not controversial to assert that certain mixes seem to predispose it to hold views about the Other in the world (i.e. sympathy, concern, responsibility, etc.), then are we within reach of a configuration which would increase an emancipatory identity to the point of affecting the perceptions of others, and therefore the functioning of the international system?

This would be too 'idealistic', to paraphrase Wendt. As Onuf points out, the compound increase of one type of rule – commitment-rules in this case – is by no means a guarantee against forging anything other than a dystopia from well-intentioned but misapplied ideals. Doubters of the worth of such an increase perceive within liberal culture, with its 'structure of compliance untoward distributive

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[59] Kratochwil, *Rules, Norms and Decisions*, p. 97
[60] Onuf, *World of Our Making*, p. 124

consequences,'[61] the 'exceptionally elusive false consciousness' mentioned above which has the effect of deluding that culture 'about who's in control because of its depersonalized emphasis on rights and duties, and dire effects on the psychic well-being of its primary beneficiaries – effects in the form of misdirected anger, anxiety, and guilt.'[62] From this view, waiting for a particular celestial rule-alignment would be utterly in vain due to the collective introspection needed to cause any movement in a cultural psyche which hitherto has shunned human rights norms. It seems an obvious point to make that constructivism must not be drawn into this logic. But how is progress achieved otherwise?

Traditionally, 'learning' in IR has been the preserve of a statist perspective.[63] Even so, Onuf's treatment of learning is a key part of *World* and the linguistic constructivism it describes. Here again, though, we must be analytically selective, and consider learning problematic for the purpose of understanding the relationship of human rights to constructivism. Concurring with a theory of how we learn is important to constructivism because it details the scope of a legitimate epistemology, which in turn validates certain constructivist methods. 'Learning-processes', despite the part they play in constructing how 'we' come to recognise rights,[64] are, as part of a rules-based approach, still an abstract universalism. The intersubjectivity of learning rules, in relation to normativity, is presently so nascent that it seems to add too much of a speculative burden here.

Learning and human rights is also controversial, in terms of its implicit assumptions regarding power of the sort which usually engages critical theory, for it

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[61] Ibid., p. 122
[62] Ibid.
[63] See Richard Falk, 'Recovering Normative Consciousness', *International Relations*, vol. 19 (1) (2005), p. 80
[64] Rainer Forst, 'The Basic Right to Justification: Toward a Constructivist Conception of Human Rights', *Constellations*, vol. 6 (1) (1999), p. 47

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to have a bearing on how constructivism institutes normativity in the short term. Although recognised, for example, as a significant element of how human rights pressure can influence state behaviour,[65] there has not yet been a satisfactory explanation of how we 'learn' what *ought* to be the case for a discussion of 'stages of learning' to have sufficient relevance here. Scope for learning within linguistic constructivism as part of the human rights discourse rests more with 'dialogical equality,'[66] and will be considered more generally in Chapter Five.

However, as just mentioned, we can be selective and augment the constructivist position by utilising wider linguistic insight. According to Piaget, 'all morality consists of a system of rules, and the essence of all morality is to be sought for in the respect that the individual acquires for these rules.'[67] Following Piaget, Onuf takes the stance that it is correct 'not to infer rules from mere behavioural regularities.'[68] Structures of stages are not sufficient, for Onuf, in describing the type of cognitive and moral development which would sustain IR constructivism in its assembling of the ideational factors which make our world: 'If constructivism means, as I think it must, that the individual actively participates in the construction of his or her own social reality, then choices are never just internally created, anymore than they are just internalized. Constructivists want to overcome the dualism of self and world by denying priority to either.'[69] There is something fundamentally unsettling about the ahistorical, segregationist practice of rule-making with a view to fixing the end product as a given. We can make the assumption, then, that observable behavioural regularities, rather than cognitive assumptions, can be and are a *part* of

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[65] See Sonia Cardenas, 'Norm Collision: Explaining the Effects of International Human Rights Pressure on State Behaviour', *International Studies Review*, vol. 6 (2) (2004), p. 215
[66] Paul Healy, 'Human rights and intercultural relations: A hermeneutico-dialogical approach', *Philosophy & Social Criticism*, vol. 32 (4) (2006), p. 523
[67] Jean Piaget, *The Moral Judgement of the Child* (London: Kegan, Paul, 1932), p. 11
[68] Onuf, *World*, p. 114
[69] Ibid.

both behaviour- and value- normativity, and therefore human rights norms in international relations.

The problem with the type of Kohlberg-Piaget*esque* formalising of rule structures that Onuf details is that it holds incontrovertibly that 'rules constitute a passive and transparent medium between people and environment.'[70] It must follow that rules do not inhabit the same physical plane as the ruled. Yet this logic has no foundation – it is simply undermined – if it is taken into consideration that rules 'perform constitutive and regulative tasks, as revealed in the speech acts they employ,'[71] – a basic re-statement of Onuf's argument.

Human rights as a regime in World of Our Making

In *World*, Onuf often discusses the workings of rules under the rubric of the nature and functioning of legality. The problem, regarding the transfer of our understanding of legality from domestic conceptions to the configurations of the international, and ultimately to values, lies with the nature of the participants. Domestic legal arrangements rely upon formalised, unitary repositories of authority which, in the abstract, provide the symbolic source of the law and, more tangibly, its force. With international relations, we have the situation where, 'in effect, roles are relegated to the very agents whose conduct is at stake. The result is called a "self-help" system.'[72] It is a system dominated by sovereignty and the law.

The crux of the matter is whether those who exist outside the normal functioning of the legalistic apparatus of the international system[73] in its form as an authoritative, governing body can doubt its legality, and on the strength of this have

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[70] Ibid., p. 115
[71] Ibid., p. 116
[72] Ibid., p. 140
[73] As distinguished from the international legal system.

good grounds to challenge the order of things. This sort of challenge comes about because 'the outsider may doubt the legality of the order because its officers violate the rules of some other, allegedly encompassing legal order with their acts.'[74] Humans will always lose out to states 'if one holds that agents may participate in just one legal order at a time, or that all legal orders are nested, so that rules of one are granted legality by the rules of a "higher" order.'[75]

Given the position of states in 'the order of things', then human rights norms are at a disadvantage. Or it is perhaps more accurate to say that those claiming human rights are at a disadvantage – particularly if the claimants are humans, but also to an extent if the claimant is a state (as a precursor to an act of humanitarian intervention). The norm itself is effectively one step removed from this, as it requires input from humans or states to become 'active'. Constructivism, to include Onuf, focuses on states, but how well is it equipped to engage with (real) people? The challenge to Onuf regards the 'newness' of human rights, or the change which they represent. If they break this recurring pattern which Onuf sees as emblematic of human behaviour, then we might see some difficulty for Onuf's approach.

Of course, sovereignty and human rights are not discrete international phenomena. 'Treating [them] as separate, mutually contradictory regimes obscures the justificatory role that human rights principles have performed in the constitution of the modern sovereign order.'[76] Nevertheless, orthodox approaches tend to address scenarios where an actor has been wronged (either by perception or in fact), and that wrong is itself objectively recognisable. Forms of redress have been standardised by what we understand legality to be (formalised, detached due process, etc.). There is,

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[74] Onuf, *World*, p. 141
[75] Ibid.
[76] Christian Reus-Smit, 'Human rights and the social construction of sovereignty', *Review of International Studies*, vol. 27 (4) (2001), p. 520

in effect, no need to appeal to any *subjective* standard in order to mobilise a collective response.

However, human rights norms as laid down in the *Universal Declaration* have become an established part of international law. It is through the law, naturally, that they most often 'work' for claimants. For our purposes, the legal question raises the issues of how the upholding of these rights affects i). The state(s) in question, and ii). The extent to which they empower individuals,[77] to the end of creating stronger and more affective actors out of individuals or groups as important parts of the international system.

The legal assumption continues that the standardisation of the entire procedure (to include recognition of the initial wrong up to and including the execution of the appropriate form of redress) has been established in an objective, invariant form. That form holds only if its invariance persists over time and space, to include all possible actors and what we refer to as their 'rights' within the order of things. The legal position holds some promise, then, providing that the legislature remains immune and does not defer to the executive.

In domestic practice, within states possessing a strong legislature (and judiciary), this immunity is upheld as the standard rule of law. Within the international system, anarchy cannot offer the machinery and process of international law a constant executive arm with which to align itself in terms of a traditional tri-partite system of government. There is, in effect, a lacuna between sovereignty and anarchy in which any clearly recognisable jurisdiction is lost. What *is* human rights affecting?

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[77] Which also depends on how accessible avenues of redress are for claimants.

Take the example of sovereignty. In its absolute form it is the curtain of red-tape which shrouds states' monopoly of organized violence. The curious paradox of sovereignty is that it never takes this absolute form. A constant flux of legal complexities compete for sovereign attention and codification, leaving logical positivists with 'the incoherence of this rules set and the logical inconsistency that results.'[78]

Onuf makes the point that 'ordinarily the activities of lawyers and of officers are highly complementary. These activities together make the legal order what it is, and they cannot be dissociated.'[79] The effective functioning of the system depends on this relationship. Yet it remains that sovereignty and law together fail to prevent the humanitarian crises which constitute daily existence for the significant part of the world's population and which bolster claims based on human rights norms.

Throughout the (brief) history of international relations as we know or recognise them, there has been pressure upon sovereignty from legal complexes – international regimes – which take various forms and possess varying meaning, and which, it would be expected, force conservative powers to reassess the perpetuity of sovereignty and the particular view of human rights and normativity which this entails.

There is something of the character of regimes which speaks strongly to both the continuity thesis and the change thesis in IR. They are taken to inhabit a 'given' area.[80] As such, there is little or no scope for either their content, or the implications their meaning might carry for a wider context, to be transferred across issue areas. This is dismissed, derided even, as 'the baldest kind of positivism.'[81] Following this

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[78] Onuf, *World*, p. 143
[79] Ibid.
[80] See Ibid., pp. 144-145
[81] Ibid., p. 145

logic, by obviating external judgement the regimes are closed manufactures, of use only to their designers and patrons.

The usual creation myth, that cognition precedes constitution, is reversed by Onuf on the grounds that 'roles come first, because regimes are ruled constructions. The rules themselves come from activities, not just the regime's role occupants.'[82] The point of difference that Onuf is making regarding the constitution and therefore the effect of regimes, is that they are 'sets of rules, a substantial number of which (especially those giving the regime its scope and coherence) are legal rules.'[83] Lawyers miss the point because regimes are not *entirely* legal constructs; IR scholars miss the point because they are *essentially* legal.

At no point in his brief history of international regimes does Onuf explicitly mention human rights norms, but values are certainly present. Constitutive and behavioural norms are clearly integral to regimes, and many of these are value-influenced, if not value-led, in the examples of which Onuf chooses to discuss: decolonisation, Apartheid, the law of the sea, collective security, mutual insecurity, post-World War Two U.S. economic and trade hegemony and, finally, what Onuf refers to as 'administrative' regimes.

Decolonisation and Apartheid leap out as being 'value-led' as a focus for the following discussion, but the other examples do cover ground that is interesting for the 'whole' of normativity issue also under consideration here. Onuf's broad selection for illustrating the prevalence and variety of international regimes focuses largely on directive-rules, and this seems to be the most fertile ground for a critique. There is some ambiguity still in the nature of regimes that are based primarily on directives, as

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[82] Ibid.
[83] Ibid.

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their constitution has undergone no perceptible change in the brief period since the publication of *World*.

Human rights regimes have for sixty years positioned and re-positioned themselves according to the dictates of values and support which fluctuate (not necessarily dramatically) across time and with government policies. Where does Onuf's constructivist analysis fit into this grand scheme, and if there is no simple fit, what can we take from it? Where would human rights potentially sit amongst 'ideal types of regimes, defined by reference to the prominence of instruction-, directive-, and commitment-rules in their constitution'[84]? First and foremost, we must work from the assumption that the current status of human rights norms must look and act like a regime on these terms.

The decolonisation example belongs to a type of regime labelled 'monitory'. Essentially, 'they are constituted around a small number of principles which have achieved a high level of formality through plenary forums.'[85] The pre-eminent plenary forum of the contemporary world, the United Nations, has exhaustively promoted standards of human rights, and has issued many resolutions as a step towards enforcing these standards. They are 'steps toward' a universally acceptable level of recognition and conduct, and not the finished product themselves, because they take the form of directive-rules – non-arbitrary with specific targets – which have little or no effect on those outside of the immediate ruled/ruler relationship.

With such a wide and affecting agenda, human rights norms would appear to similarly benefit from the consequences of generalisation which the principles of directive-rules also sanction. Imperialism bowed to the pressure of both popular public opinion and the conduct of foreign policy over time, granting the process of

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[84] Ibid., p. 146
[85] Ibid.

decolonisation an air of inevitability when observed from our contemporary vantage point.

Also 'monitory' was the anti-Apartheid regime. Although focusing again on the condemnation and ending of human wrongs, the anti-Apartheid movement had a very specific, singular target against which to focus resources, plan accordingly and act. This being the case, it was relatively straightforward to progress from disapproving resolutions to a disciplining rule of law 'directing any regime to cease complicity'[86] by means of trade or other support. Does this preclude any analogy to human rights norms, specifically given their universal character?

In Onuf's words:

> Despite the tendency for directive-rules to seep into monitory regimes which have been proven to be weak and ineffective systems of support for principles, these rules are unlikely to acquire a meaningful degree of formality and institutional support. Were this to happen, and furthermore these rules substitute for principles in defining a regime's activities, then we could say that the regime has changed to a new type.[87]

Comparing decolonisation and the anti-Apartheid movement on the point of directive-rules suggests that the proclaimed universality of human rights means that, as an analogy, it is a better fit for the former rather than the latter. The upshot being that the analysis of directive-rules is more likely to provide (apparently) better results if the case study is broadly based, as specifics often lead to a result that is difficult to

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[86] Ibid., p. 147
[87] Ibid., p. 148

replicate. That is, of course, if the conventional route of replication is the constructivist's aim.

The clash of sensibilities that occurs when traditionalist sovereignty faces new forms of international expression (i.e. through value norms) may be symptomatic of the directive-rule approach. There is a deeper element to this thinking, however, which draws from the logic of those who wish to substantially redraw the role of the state. Briefly: 'Regimes dependent on formal directive-rules for their identity – executive regimes, we might call them – threaten the fiction that states alone are sovereign legal orders. If these regimes do not threaten the fiction of sovereignty, it is because they have been incorporated into the ensemble of regimes authorized by the state and constituting its government.'[88] What Onuf seems to be saying is that, essentially, directive-ruled 'executive' regimes are simply not permitted to prosper beyond an initial stage (be it the procrastination of decolonisation or the anti-Apartheid sanctions) by significantly more entrenched interests which represent the (power holding) status quo.

The relationship of rules to regimes tells us much about how many of the values associated with human rights norms are acceptable or not to already existing international actors (whether they are deemed legitimate actors or not[89]). The usual clouding of the universality issue, however, means that directives may have only a very localised impact in terms of what they can tell us about change in the international system. There is one more avenue of Onuf's in *World* that we will pursue.

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[88] Ibid., p. 148-149
[89] The Apartheid regime in South Africa enjoyed significant support in the form of trade from China and the Soviet Union.

Values as part of a normative paradigm

As we have seen, Onuf does not attempt to sketch a Utopia, preferring a pragmatic view of the nature of man and society as a template for future development. Onuf's alternative paradigm is German social thought's *Herrschaft*, 'understood as relations of super- and subordination – relations maintained through rules and obtaining in rule.'[90] It is used as the opposition to the distorted individualism of liberal thought – 'that agents are autonomous and their rights and duties symmetrical.'[91] Max Weber's insights, however, are not to be applied in their pure form. The reason for this is that 'Weber failed to see the complex of relations so conceived as constituting a distinct and personal pattern of rule and privilege. One measure of the extent to which this type of rule goes unnoticed is the lack of a conventional name for it. We find an appropriate one, however, in Immanuel Kant's moral philosophy. It is "heteronomy," which stands in opposition to autonomy.'[92]

The prevailing (liberal) logic sustains the situation where apparent 'equality' hides real inequality. Acknowledgement of this begins the process of its rejection. 'Heteronomous relations characterize situations of exchange among apparent equals, including those in which agents gauge their actions in anticipation of the actions of others doing the same. All such situations so pervade international relations that heteronomy is the background condition of rule against which episodes of hegemony and hierarchy are set.'[93] Heteronomy has been characterised as 'interwoven and overlapping jurisdictions, moral and political,'[94] which in itself should not be an

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[90] Onuf, *World*, p. 196. It must be noted that Onuf spends some time considering the correct translation of the term – see *World*, pp. 198-205
[91] Ibid., p. 197
[92] Ibid.
[93] Ibid.
[94] Ruggie, 'What Makes the World Hang Together?', p. 872

insurmountable challenge. It has something of a web of meaning however, which can include uncertainty, or at least the lack of clarity – 'no one or everyone appears to rule'[95] – which requires a considered approach. What *Herrschaft* does, as a way of thinking, is posit 'the permanence of asymmetry, and not the elective asymmetry of authority relations, as the central problematic of social relations.'[96] Wholly-normative constructivism is thus charged with cutting through this fog of legitimacy, and is aided in this by virtue of a rule-based social and cultural international system. Is this a paradigm capable of engaging with the international effects of human rights norms?

There is an attractiveness inherent to the German approach which seems eminently suitable for accounting for (apparent) anomalies, and for normalising 'atypical' events and practices:

> We [of the English social tradition] acknowledge that
> rules always stand in some discernible arrangement.
> German social thought goes further: the expectations that
> rules engender are always differential, and arrangements
> of rules must always be one of super- and subordination.
> That such structure of rules are foundational, and not
> proximate and expedient, is deeply troubling to English
> speakers, whose view of rules derives from the formal
> symmetry of rights and duties under the common law – a
> formal symmetry nesting the elective asymmetry of
> authority relations.[97]

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[95] Kurt Burch, 'Changing the Rules: Reconceiving Change in the Westphalian System', *International Studies Review*, vol. 2 (2) (2000), p. 190
[96] Onuf, *World*, p. 202
[97] Ibid., p. 205

It is this 'elective' aspect of asymmetry which underscores the task facing constructivism. This asymmetry is suspended in history because it fits the primacy image of powerful states, and is kept in place precisely by the choices these states make. A paradigmatic shift is doubly problematic as it faces the great edifice of this history and then the problem of managing the transition to normative construction, the creation of its properties and scope of enquiry.

The problem with this is that Onuf has chosen a representative paradigm which confirms the dualism which, ultimately, finds expression in exploitation. But perhaps this is also the mandate of normative constructivism – to acknowledge the inherent power in international relations which orders things, and to use these weapons against their creator(s).

Onuf takes Weber's ideal types of rule and offers a variation on them which 'honors two of his paradigms, dissolves one as a mixed case, and constructs a third from material Weber himself provided. This third paradigm addresses the most puzzling aspect of rule, its "decentralization" through rules creating rights and duties.'[98] The Weberian standards of instruction- and directive-rules have been abundantly theorised because their attendant social arrangements are provided for with recognisable terminology: Hegemony and hierarchy. In terms of a recognisable and transferable arrangement for describing rules that create rights and duties, 'the lack of a comparable term for the arrangement of commitment-rules to produce rule is evidence of the continuing anonymity of that paradigm of rule'[99] – and so we find heteronomy.

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[98] Ibid., p. 209
[99] Ibid.

The practical element to run parallel with normative thinking is contained in the possibility of demonstrable equality of communication. 'For us, the point is that heteronomy describes the actual situation of people relating available means to particular ends.' The conscious individual, however, seems to be forever on the verge of nullifying any sense of parity, so that 'the social reality of heteronomy begets an awareness of behaviour that in turn begets the illusion of autonomy. Heteronomy prompts obfuscation of its own social reality.'[100] Onuf looks to liberal political economy for a solution to the paradox: '[It] disappears if we make John Harsanyi's elementary distinction between objective and subjective rationality – between choosing the "best means" to achieve a given end and "what one thinks to be" the best means.'[101] Following on, then, 'we are autonomous when, and only when, this distinction does not hold. When it does hold, because of contingency and our inability to control outcomes, we can either stay with subjective rationality or objectivize it by introducing risk and uncertainty. Either way, rationality is relieved of paradox and reduced to prudence.'[102] If this framing of the issue holds then it must be the case that equality does not *a priori* exist but requires construction, which in turn allows to some extent a (constructivist) choice of materials.

For a 'reality' to exist with any meaningful longevity, be it normative or otherwise, requires a pervasive element of trust. Promissory notes, Onuf points out, are all too easily written without much regard to their being kept. Nonetheless, 'Our promises rule us by taking the form of commitment-rules. Commitment-rules formalize promises as duties. Corresponding to duties are rights to whatever has been promised.'[103]

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[100] Ibid., p. 213
[101] Ibid.
[102] Ibid.
[103] Ibid., p. 214

Although Onuf uses the example of property rights to demonstrate the workings of commitment-rules, a wider application to human rights norms is clearly not too-great a step, as the incidences of control by the bourgeoisie over serfdom strike a clear normative chord (and the use of 'property' is not entirely allegorical when considering the constitution and procedures of the international system). The challenge of constructivism is essentially that 'heteronomous rule is secured through commitment rules which massively restrict the material opportunities of subordinates, who are endowed, along with their few remaining opportunities, with the properties of commodities.' Change 'material' to 'life' and 'commodities' to 'minimally acceptable existence', and the human rights discourse is represented by the language of rules.

For human rights to constitute a significant ontological priority of constructivism, then it must correspond with Onuf's own priority – the proper founding of action in IR, as approached via Sheldon Wolin's operative paradigms. A more fluid conception to keep pace with the scope and changeability of human existence, operative paradigms 'are those ensembles of human practice seen by those engaging in or observing them to have a coherence setting them apart from other practices. Those that are seen as coherent in furthest degree are taken as having a natural objective reality.'[104] There is no operative paradigm for IR as there is, for example, with physics - or any other similarly established discipline – precisely because physics exists in a recognisable form. We know what physics is and does (if only in small part), so effectively, 'that this is how people treat the matter makes it true for operative purposes.'[105]

It is the sheer breadth and density of the discipline of IR which even calls into question its labelling as such a paradigm. It is divisive and divided and this leads to a

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[104] Ibid., p. 14
[105] Ibid., p. 15

serious doubt on the part of Onuf as to whether the operative paradigm of international relations in the field corresponds *sufficiently* in terms of matter and meaning to IR in the academy, 'heterogeneous, amorphous, elusive' as it is.[106] Where, though, would we be most likely to 'lose' this connection between theory and practice? Surely it must be more likely in the issuing of singular moral decrees rather than the gradual and responsive delivery of a more encompassing ethical outlook. Onuf's *World*, it has become clear, is a deeply theoretical work. Before analysing the implementation of this theory in practice to gauge whether and how more empirically-inclined scholars have developed this branch of constructivism, a summary is needed of his underlying theme.

Onuf's epilogue: the persistence of exploitation

Perhaps the greatest irony of the character and elements of universalism rendered and analysed by Onuf is the outcome that, in establishing the character traits and rules common to the span of conscious humanity, the results themselves point ineluctably to an embedded logic of privileging some over others. Being the same, in other words, does not rest upon 'observable' equality. Some concern is voiced at the contrast between the assumed primacy of commitment-rules and their actual 'exceptionally elusive false consciousness' over the true nature and seat of cultural strength brought about by a depersonalisation of rights and duties.[107] All three rule-types, in sustaining this hierarchy, 'do so in characteristically different ways and…cultures vary substantially in how they deal with the mix and who ends up with what kind of privilege.'[108]

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[106] See Ibid., p. 16
[107] See Ibid., p. 122
[108] Ibid.

Is this paradoxical that humans manufacture their own oppression, or simply beyond our current vocabulary and hence powers of explanation? Privileging and equality are, to our obdurate Western minds, strange bedfellows. The seemingly human constant of honouring some people over and above others appears to be writing our history as a culture of structured levels which prevails and self-sustains, all but guaranteeing the kind of longevity which all societies crave. What, here, is the role of a normative constructivism? Equality has a much more tangible association with the rules and conventions of statehood than it does with individuals. Participants in a Lockean international 'state of nature' depend more on their own outlook, and less on quantifiable relationships and agreements for their equal stature[109] than humans, more beset with issues of universalism, can hope to. Constructivism, therefore, is encountering a more traditionally liberal paradox.[110]

In the first instance, it must be set-up in such a way as to enable it to engage with orthodoxy, rather than assume that its dismissal is a foregone conclusion. It is the formulaic rigidness of established (institutionalised) practice which leads, inevitably, to the situation where 'because resources include people – oneself and others – rational conduct necessarily involves the exploitation of people... If there were no pattern to it, I would not be concerned about exploitation. There is a pattern, however, a pattern of unequal consequences, which does engage my moral sense.'[111]

Exploitation is of such contingent complexity that it defeats any epochal 'modes of production' notion of the reasons for it based on purely economic or liberal reasoning. Thus Onuf negates 'Roemer's progressive criteria for identifying and eliminating layers of exploitation. Instead we need a criterion of exploitation that can

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[109] See Lee Ward, 'Locke on the Moral Basis of International Relations', *American Journal of Political Science*, vol. 50 (3) (2003), p. 693

[110] See Mark Duffield, 'Development, Territories, and People: Consolidating the External Sovereign Frontier', *Alternatives*, vol. 32 (2) (2007), p. 228

[111] Onuf, *World*, p. 283

be uniformly applied to all the inequalities of all interest and asset patterns.'[112] Our image of exploitation must then be holist and accommodating, rather than particularist and cause for further segregation. It is to include, presumably, socially and culturally derived interests and assets.

Onuf prefers to think of exploitation in the terms used by political economists; 'exploitation describes any situation in which rational individuals accrue rents in the process of realizing interests.'[113] The potential for the cause and effects of exploitation to be limited to the scope normally considered by *liberal* political economy is averted by Onuf's assertion that 'the very simplicity of the rent-as-exploitation criterion means easy application to other interests, insofar as they may be thought of as calculable assets.'[114] Taking the latest economic epoch, capitalism, as an example, the notion of liberal justice is presumed to be the balancing out and distribution of exploitation with an overall 'neutralising' effect. This is problematic, though, for the fact of 'the presumption that individuals are proprietors of birthright endowments.'[115]

This is precisely where a moral vocabulary begins to speak more directly to the language of rules and rule. Specifically,

> from birth on, people participate unequally in social
> arrangements affording opportunities to select and develop
> skills making good on native capacities. That one is skilled
> differently than others means that one has different access to
> resources than others have. In this instance, rent may be

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[112] Ibid., p. 285
[113] Ibid.
[114] Ibid., p, 286
[115] Ibid., p. 287

conceptualized as the difference between native endowment

and skilful participation in productive activity and ruled access

to resources. Because these differences are practically

incalculable, rent is built into the system of productive activity.

No one has to collect rents for rents to be paid.[116]

Regarding the use and meaning of liberal and capitalist terminology such as 'alienable and inalienable assets', 'in constructivist terms, all such distinctions are misguided.'[117] Following from this is perhaps Onuf's prime example of the limits of an under-theorised constructivism which simply mimics a social theoretic structure and so retains its flaws: 'Redistributing wealth helps to correct exploitation fostered by differential access to resources. This is the aim of socialism. Whatever the rhetoric, rewards are never adequately used to equalize skills.'[118] This is the bind which still ties even at the 'pinnacle' of late modernity – the many still cede to the few. If rule equates to exploitation, then the politics of normative constructivism are to be played out on a considerable scale.

For Onuf, the matter is simply unequivocal: 'rule *is* exploitive. If there are three categories of rule, then there are three categories of exploitation. If rule is inevitable – a position I think follows from the logic of rules and rule – then so is exploitation. The mitigation of exploitation in one form compels or promotes its presence in some other form.'[119] Rather discouragingly, perhaps: 'There is no solution to the human reality of exploitation.'[120]

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[116] Ibid.
[117] Ibid.
[118] Ibid.
[119] Ibid., p. 288
[120] Ibid., p. 289

In itself, this is a philosophy for a grander project, of which constructivism might have a part to play. Presently, the existence and/or perpetuation of exploitation does not have a stifling affect on what knowledge gains might be made by having a better understanding of how human rights norms affect the international system and its actors. But this is still only the case in theory. Or even, crucially, in metatheory. There are no really clear threads emerging here to take forward into the review of linguistic constructivism in practice – nothing particularly concrete to link the two. This is primarily due to the contained nature of Onuf's subject matter, and his expressed intention not to go beyond it into any metaphysical space. His message is that there is a world here in need of proper theorising, and wishful thinking has no part in it. This is an important point of separation from what Onuf actually says, and what would be expected of his approach by more critical scholars.

But even this is not a simple 'either, or' equation. It has not simply been a case of cutting and pasting human rights into Onuf's interpretation of modernity. There are no new morals in this interpretation – human history is cyclical. An ethical approach would seem to be in a prime position to step in here, but exactly how this would fit into Onuf's complex reading of rules, regimes and paradigms is being lost somewhat in the theory of it all. Although the practice of linguistic constructivism will reveal key areas in which linguistic tools are beneficial in addressing the issues generated by human rights norms, the preliminary conclusion being made here is that Onuf's theory is not at all amenable to the overtures of a critical-normative drive.

III. What to make of this world? Language as a constructivist tool

In order to engage with the questions asked by this thesis, we need to ascertain how

(or even whether) scholars inspired by this revisionist world view have expanded it to

include human rights. How might we conceptualise this 'turn to values'? Rules are

constituted by shared understandings of language.[121] The 'operation' or action of

language as the basis for rules (through how it is learned, institutionalised, etc.) is a

much contested subject. Clearly, we are not adding value to any philosophical debate

in this thesis, but the discourse that constructivists have developed by both

problematising and using linguistic tools as part of their own methodologies is

inextricably interwoven with the philosophical origin of those tools. In other words, to

use linguistics in the gathering of knowledge is to engage in an ongoing dialogue with

the nature of concepts such as 'speech acts', 'language games' and 'grammar', which

this section will reflect. Also, although these concepts are not interchangeable (in

their strictest philosophical sense), their integration into the broad categories of social

theory and constructivism has led to studies in which they are not always applied in a

mutually exclusive manner. Accordingly, the following discussion will not be

detained by always observing a strict distinction.

Here, we need to know why these concepts matter for human rights norms.

First, we will assess empirical examples of linguistic methodologies to ascertain a).

How international theory has approached the relationship between language and

human rights, and b). The extent to which other normative enquiries (i.e. into

conventions and behaviour) provide a conceptual framework which will allow work

of a similar level to be done for values, so that we might develop a more coherent and

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[121] As discussed above in Chapter One

'whole' normative approach. These are interrelated tasks, as the literature will reveal. In the next section, these linguistic components (specifically as expressed by Onuf and the philosophical origins he himself draws from) will be broken down further to see whether we might make more progress with them.

In *World*, Onuf's exposition of rules is tied to speech act theory, which works as follows: Essentially, 'hearers make (correct) inferences as to speakers' intentions by noting the illocutionary force as well as the propositional content of (well-formed) utterances. Illocutionary force refers to the part of speech constituting an action of social consequence,'[122] turning words into deeds, and so the departure from positivism is made. Constructivism's use of linguistic tools such as speech acts is widely acknowledged,[123] and has tended to follow Onuf's lead. The briefest of surveys reveals numerous examples of a linguistic-constructivist approach to issues of international relations. These include security and securitisation,[124] interpretivism and meaning,[125] the concepts of 'promises' and 'genocide',[126] refugees[127] and diplomacy.[128] Even sceptical critiques of constructivism are reluctant to detach themselves from an association with language. Maja Zehfuss, albeit it with reservations, has acknowledged the role of linguistics in relation to German foreign

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[122] Ibid., p. 81

[123] For a discussion, see Friedrich Kratochwil, 'Constructing a New Orthodoxy?', p. 74

[124] See, for example, Thomas Diez, 'Constructing the Self and Changing Others: Reconsidering 'Normative Power Europe', *Millennium: Journal of International Studies*, vol. 33 (3) (2005), p. 628, Johan Eriksson and Giampiero Giacomello, 'The Information Revolution, Security and international Relations: (IR)relevant Theory?' *International Political Science Review*, vol. 27 (3) (2006), p. 234, and Barry Buzan, Ole Waever and Jaap De Wilde, *Security: A New Framework of Analysis* (Boulder: Westview, 1998), pp. 32-33

[125] Vincent Pouliot, '"Sobjectivism": Towards a Constructivist Methodology', *International Studies Quarterly*, vol. 51 (2) (2007), p. 365

[126] Karin Fierke, 'Links Across the Abyss: Language and Logic in International Relations', *International Studies Quarterly*, vol. 46 (3) (2002), p. 347

[127] Carolina Moulin and Peter Nyers, '"We Live in a Country of UNHCR" – Refugee Protests and Global Political Society', *International Political Sociology*, vol. 1 (4) (2007)

[128] Iver B. Neumann, 'Returning Practice to the Linguistic Turn: The Case of Diplomacy', *Millennium: Journal of International Studies*, vol. 31 (3) (2002)

policy: 'The recognition amongst policy-makers that speech acts could be used to change the situation was reflected in the significance attributed to changing the constitution.'[129]

Cingranelli and Richards focus on a particular human rights subset – 'physical integrity rights' – in an empirical study of government attitudes.[130] These rights are defined as 'the entitlements individuals have in international law to be free from arbitrary physical harm and coercion by their government. Human rights violations in this category include extrajudicial killings, torture, disappearances, and political imprisonment.'[131] What this scientific approach can substantively claim depends on the 'cumulative scaling of standards-based information' as an indicator as to how explicitly governments observe these human rights, or not.

The conclusion, essentially that government respect for rights *is* measurable, certainly speaks to positivist or conventional constructivism. Is it less important for linguistic constructivism? Perhaps not, as the positivist/post-positivist divide is not so explicit within this article. There may be a baseline that we can take from this type of study – that measuring and comparing governments is a useful quantitative exercise. But this top-down approach also presents us with a view of human rights norms, and the state, as one-dimensional. We have the state, but not as an institution defined by its relationship to the international system. We have the individual, but from the perspective of government.

Crossing borders *because of* or *for* human rights norms is an area of concern to international theory, but is often only examined by proxy. The conventions or behavioural norms which attend to humanitarian intervention, for example, arguably

[129] Maja Zehfuss, *Constructivism in International Relations: The Politics of Reality* (Cambridge: Cambridge University Press, 2002) p. 158
[130] David L. Cingranelli and David L. Richards, 'Measuring the Level, Pattern and Sequence of Government Respect for Physical Integrity Rights', *International Studies Quarterly*, vol. 43 (2) (1999)
[131] Ibid., p. 407

use 'human rights' (very much in quotation marks) as something prior, or assumed, and by the warrant of which action is taken. This action is then itself a vastly complex interaction of norms, institutions, motivations etc. which might tell us something regarding the nature of the domestic polities involved, and perhaps also the contemporary condition of sovereignty, but the relation of both humans and values to the international system are left wanting in terms of theorising.

Howard's assessment of why, when pursuing the issue of weapons of mass destruction, the United States develops different stances with regard to Iraq and North Korea, concludes that we can understand these processes better (in a more nuanced and therefore more informed way) by utilising a language-based constructivist approach.[132] What has this to do with human rights norms? Not a great deal, on the face of it. However, there is much norms talk here. Kratochwil's understanding of security agreements as rules is used as the basis for constructing a broad-based agreement between concerned parties regarding, at least, the terms and expected protocol of that engagement.[133] To generalise, we have participant understanding facilitated by a shared framework. As proceedings move forward, increasing sophistication and depth is achieved through 'negotiated rules about what things are and how to play. The rules of the language game create possibilities, make things possible, and give meaning to action.'[134]

The rules discussed here are constitutive (how the game is structured and eventually decided) and behavioural (how the game is played). What is missing are the rules (or the singular rule) which tells us how the players ought to play. Should they play fair? And, ultimately, how do we decide what is fair? In games, this is

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[132] Peter Howard, 'Why Not Invade North Korea? Threats, Language Games, and U.S. Foreign Policy', *International Studies Quarterly*, vol. 48 (4) (2004)
[133] As contained in Kratochwil, *Rules, Norms and Decisions*
[134] Howard, 'Why Not Invade North Korea?', p. 813

usually decided by two interrelated factors: Rules which dictate what actions constitute foul play, and something less concrete, though hardly esoteric, known as the 'spirit' of the game. Players inured to the culture of a game accept the values which underpin its successful execution.

This still suggests the need for a considerable leap, though. Rendering the three-fold 'whole' of normativity involves completing a jigsaw two parts action (conventions, behaviour), one part motivation (values). How might they be reconciled? Howard's analysis of threat and security interests has these very orthodox international concepts 'constructed through the rules of language, not by raw material capability. These capabilities have no intrinsic meaning; they only have meaning within a language game.'[135] In other words, meaning is shared. By extension, the legitimacy of values depends only upon their being accepted and implemented by a minimum of two parties as they interact on any given issue. If so, constructivism must have a less abstract task than might otherwise be the case, as the normative gap would be bridged.

It is possible to track linguistic approaches in IR, from studies interested in adding new dimensions to traditional concerns, to those which deal with *more* humanist features of the discipline and its sub-fields, to the explicitly humanist (that is, with a focus on human rights norms), and finally on to those which probe the 'meta-' edges of theory.[136] An example of the second of these moves this conceptual framing exercise forward from the facing-off of power driven states to the issue of labour rights. Weisband's study of responses to multilateral monitoring regimes

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[135] Ibid., p. 825
[136] See Shane P. Mulligan, 'The Uses of Legitimacy in International Relations', *Millennium: Journal of International Studies*, vol. 34 (2) (2005)

emphasises the role of learning as it relates to 'shame' as a way of maintaining core international labour standards.[137]

Here, what is constructivist about the approach is characterised as 'hermeneutic/constructivist' which, alongside statistical and heuristic measures constitutes a three-pronged analysis. Onuf's rules[138] are used to describe the functioning of 'ILO regime procedures and substantive obligations.'[139] Essentially, 'compliance and responsiveness are constructions of language, speech, and agency. Noncompliance with regime norms, especially when combined with member state non-responsiveness to regime remonstrances, leads... to the application of a regime language of shame.'[140]

Shame itself is defined as 'loss of national face, reputation, or honor.'[141] It results from being subjected to 'condemnatory language' by UN organisations.[142] We can be encouraged by the outcome of this subjection – that states readjust their policies and practices to comply with expectations – but can we feel similarly optimistic about the role of values in this process? Why do states comply when faced with admonishments? Because they acknowledge their moral wrongdoing, or because they fear that, on reflection, expressing disrespect for a monitory regime can have negative instrumental implications? We do not have to wrestle with the answer here, but instead take forward the fact that, in such situations, it is simply not clear where the distinction lies.

Adding the notion that something is 'morally' wrong to a situation in which norms of convention or behaviour have already been established is, perhaps, how we

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[137] Edward Weisband, 'Discursive Multilateralism: Global Benchmarks, Shame, and Learning in the ILO Labor Standards Monitoring Regime', *International Studies Quarterly*, vol. 44 (4) (2000)
[138] For more on these, see below
[139] Weisband, 'Discursive Multilateralism', p. 646
[140] Ibid., p. 647
[141] Ibid., p. 648
[142] Ibid.

should be conceiving of human rights norms. But is this approach based on anything more than intuition? There are problems, for example, with the idea that speech acts might be a generic form. Guzzini is reluctant to use the term 'speech act' in relation to the concept of power, because of its contested nature.[143] Are human rights norms really still too contested? The nuclear question is one such example which occupies this 'cross-over' territory between orthodox issues and contemporary value-led concerns.

Bonham et al's analysis describes the role that language plays in nuclear testing negotiations.[144] Is it possible to extract motivations (the 'why' questions) from the process of these negotiations ('how' questions)? From the evidence provided here, the answer must be no, and for the following reason. Although this study describes a 'typology of pre-understandings,'[145] which informs participants how to go on, any pre-understanding itself is something which exists prior to the investigation of 'concrete knowledge.'[146] Whatever is 'concrete' about knowledge – and the term is not defined for us – we cannot safely assume that human rights norms themselves, nor the machinery they require, nor the outcomes they produce, are concrete, and so we cannot safely assume any correlation. The study, like many of its type (focusing on the norms of agreements with ill-defined moral underpinnings)[147] has no reference to the values which may or may not have been held by the interested parties.

Moving beyond what has here been labelled the 'orthodoxy' of IR scholarship to issues of contemporary disciplinary concern, such as global health, how are studies

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[143] Stefano Guzzini, 'The Concept of Power: A constructivist analysis', *Millennium: Journal of International Studies*, vol. 33 (3) (2005), p. 512
[144] G. Matthew Bonham, Victor M. Sergeev and Pavel B. Parshin, 'The Limited Test-Ban Agreement: Emergence of New Knowledge Structures in International Negotiation', *International Studies Quarterly*, vol. 41 (2) (1997)
[145] See Ibid., esp. pp. 217-220
[146] Ibid., p. 217
[147] See, for example, Gavan Duffy, Brian K. Frederking and Seth A. Tucker, 'Language Games: Dialogical Analysis of INF Negotiations', *International Studies Quarterly*, vol. 42 (2) (1998)

utilising linguistics, and can we readily place human rights norms within their frameworks? Transmissible diseases, such as HIV/AIDS, compromise the status and affect the identities of millions of individuals across the globe, and we might expect values to play a part in the theorising of their relevance to IR. One such study[148] has demonstrated how norms of convention and behaviour can be dramatically changed (or 're-created', effectively) by the re-classification of an international issue – a pandemic in this case – from a development concern to a security concern.[149]

Although in this particular study, human rights are alluded to in an abstract and contingent way, there is a practical element we can glean from it. Securitization is the process by which international concerns are spoken of in new and different terms by new and different interlocutors. HIV/AIDS, as a securitized issue, is fundamentally changed as more powerful actors with more rationalistic interests take over from its original proprietors. That is, humanitarian and public health professionals cede ground to international organisations, governments and non-governmental organisations, and the state-driven politics and machinery which this implies.[150]

Human rights norms such as those attending subsistence rights championed by Vincent are conceivably 'security issues'. By Elbe's analysis, their securitisation would be a negative outcome, with the effect of 'washing out' what is human about these rights (as contested as this quality is, of course). They will become 'negativised', as states – to include those who may have had a less than active interest in human rights previously – provide themselves with the license to remove the value norms from the democratic process and/or the rule of law.[151] Any claims made by

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[148] See Stefan Elbe, 'Should HIV/AIDS Be Securitized? The Ethical Dilemmas of Linking HIV/AIDS and Security', *International Studies Quarterly*, vol. 50 (1) (2006)
[149] See Ibid., p. 122
[150] Ibid., p. 126
[151] Ibid., p. 127-128

individuals to assuage subsistence needs, the argument might run, would then be referred to security forces rather than welfare or social security.

Can constructivist analyses of language and discourse provide us with useful generalisations when it comes to norms, or do they go even further and teach us how to cope with difference? In Karin Fierke's words, 'language is like making moves in a game. The structure of meaning and interaction are dependent on rules shared with others.'[152] Games begin and end by common consent. The linguistic focus here is on rules which enable us to 'see' the game, for without them it would seem as if random actions were culminating in abrupt and meaningless ends. Fierke's reading of the war in Bosnia-Herzegovina offers a linguistic perspective of a heavily context-dependent norm. Generally, 'a language game is... dynamic, insofar as it establishes a playing field populated by certain types of identities who engage in particular acts, and can maneuver in a range of ways.'[153] It is this element of dynamism which has frequently been taken to be an encouraging sign that language-games are capable of understanding the complexity of most social relationships. However, identities are of a 'type', acts are 'particular' and the number of possible actions that might be taken are not limitless. The problem is that 'wars' are a genus, whereas '*a* war' is a context. Analysis of the latter 'has to determine the type of context within which one is situated and the actions meaningful to it.'[154]

One apparent problem we have in treating human rights norms as part of the wider norms discourse is precisely this discretionary impulse. That is, when we contextualize, we risk the apparent analytic inevitability of narrow comparison. Fierke highlights this with her brief examinations of the 'naming games' played as part of the

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[152] Fierke, 'Links Across the Abyss', p. 347
[153] Karin Fierke, 'Multiple Identities, Interfacing Games: The Social Construction of Western Action in Bosnia', *European Journal of International Relations*, vol. 2 (4) (1996), p. 472
[154] Ibid., p. 473

ongoing narrative of the war in Bosnia-Herzegovina. The notion that this war could have a close familial resemblance to another was utilised by certain key actors as some sort of predictive model. That is to say, was this Balkan conflict most like World War I, World War II, Vietnam or the Gulf War, or could scenarios be lifted from each to augment the impression of a recurrent logic?[155] And what precisely would we learn from this?

If human rights are imagined as analogous to the specific condition of war, then what is meaningful about them? The rights themselves, or the particular context to which they are applied? Limit human rights to a single game, or a cluster thereof, and perhaps a different light is shed by the conventions of language-games. The complexity of the issue lies within the relationship of language-games to context, and how this then affects our treatment of human rights.

The efficacy of a language game depends largely on its parameters being specified at the outset. But even doing this would not define its analytical capabilities as a methodology. It is testament to the fundamental nature of language that this 'whole' is not self-contained, but is governed rather by the broader field of 'grammar.' So, instead of focusing on particulars of context, actor and so on, we should instead embrace the ability of language games 'to create distance from a single picture of what is real or rational in this context, and to emphasize instead the construction of a changing context.'[156] Fierke also distinguishes between 'thin' and 'thick' levels of description,[157] with the clear assumption that the latter will lead to a better understanding of structure and outcome. It must be clear, though, only if the complexity of a thing depends on the exact quality of that complexity being revealed to us. In our case this is arguably so, as the appropriateness of a rules or language-

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[155] Ibid., pp. 474-477
[156] Ibid., p. 490
[157] Ibid.

based approach – channelled here through language-games – depends entirely on how best to comprehend and respond to the urgencies of human rights norms.

If the approach is to be fixed, or at least stable, the details of how the word relates to the world matter. Véronique Pin-Fat, in a review of human rights-focused literature, formulates this as follows:

> The meaning of a word is not the object to which it refers but rather the role that the word plays in a chain of signifiers (the language game). However, it is important to note that this does not suggest that context acts as a fixed foundation. What kinds of relation constitute a context at any given moment cannot be legislated for in advance because context is not a word-object relation, but a word-to-word relation. Context cannot therefore be 'anchored' to an object (for example, a set of practices in Taiwan) and therefore, delineated by it.[158]

We can again look to Fierke for a constructivist understanding of grammar. Essentially, it 'is the range of possible expressions belonging to a category of experience,'[159] and 'it provides a point of departure for exploring the possibilities of a phenomenon, such as… a balance of power or terrorism.'[160] The difference between a grammatical view of the world, as opposed to a traditional view of knowledge gathering, is that the former 'contrasts with the standard social science approach of

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[158] Véronique Pin-Fat, '(Im)possible Universalism: reading human rights in world politics', *Review of International Studies,* vol. 20 (6) (2000), p. 664
[159] Fierke, 'Links Across the Abyss', p. 344
[160] Ibid., p. 345

attempting to fix the boundaries of definition before undertaking an analysis.'[161] The

fixity of definitions is fundamentally contentious for constructivist epistemology: is it

understanding itself or the means of understanding which is ultimately foundational?

On grammar, Fierke continues, 'how would we distil the essence of a balance of

power in such a way that we can capture all instances of it? The alternative is an

analysis of *meaning in use.* An investigation into explicitly *social* practices requires

an analysis of a grammar as it relates to a *form of life.*'[162]

From this, we might assume that a broader, more encompassing approach not

only to linguistics but also to how human rights norms can be captured linguistically,

would be a more promising step forward. Studies which do explicitly pair human

rights norms with a linguistic analysis tend to overlook these potential developments,

and instead characterise the issue as one of argumentation or persuasion.[163] This in

itself is indicative of a constructivist approach, but arguably a different one to that of

Onuf. These kinds of conceptualisations will be discussed in more detail in the next

chapter.

Conclusions

As an outgrowth of critical international theory, it is elementary that constructivism

should, as a definitional priority, challenge liberal modernity. Wendt's *Social Theory*

describes how states interact and thereby constitute a 'social' international system,

but a challenge to modernity is implicit at best. Onuf's *World* re-states the philosophy

of the international system but, crucially, does not advocate a critical re-imagining of

it. The particular legacy of Hume, Kant and Bentham has led to a double

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[161] Ibid.
[162] Ibid.
[163] See, for example, Darren Hawkins, 'Explaining Costly International Institutions: Persuasion and Enforceable Human Rights Norms', *International Studies Quarterly*, vol. 48 (4) (2004)

misunderstanding of 'moral purpose': This is morality for whom, and for what purpose?

The Self-perpetuation of liberal modernism has obscured the collective moral history of individuals, groups and states with the result of disassociating polities from humans. Onuf reveals this enduring moral human history to us, and human rights norms would seem to be the contemporary exemplar which supports this need to challenge deep-rooted exploitation. Yet, there is a distinct gap between this bedrock and the subsequent output of linguistic constructivists.

Empirical studies seem to be bound by a top-down and statist perspective which only hints at a bigger picture. What, for example, does data regarding government attitudes to human rights tell us about the ethics of crossing borders? We are left to assume a link between non-compliance and the eventual expression of systemic disproval, and then some sort of intervention. Constructivism's principles suggest that it should balk at assumptions, however ethically obvious they may seem.

Rules and language-based studies of individuals in international relations have focused on a particular norm which cannot simply be equated to rights. Humanitarian intervention, the focus of much constructivist scholarship, is an inconclusive conceptual tool to use when asking questions about human rights. It is instructive, but it is not the totality of 'human rights in practice'. It tells us much about domestic politics (how idiosyncratic or comparable they are) and the nature of sovereignty, but not so much about how humans and values are related to the international system. To whom did the now emancipated masses address their concerns in the first instance? Is there a more consistent way of linking oppression, individuals and the international system together, rather than relying on these sporadic incursions for our understanding of the issues?

With a similar end product to that of Wendt, constructivists have utilised a linguistic approach to research which has concluded that states readjust their policies and practices to comply with expectations. The concept of state 'shame' is a deeply moral one, but how does this translate to ethical practice? How does this filter down to the populace in terms of their own experiences and expectations? The role of values remains unclear.

Karin Fierke offers perhaps the most sustained and broad attempt to engage with normativity using a linguistic approach. She brings to the fore the problem of context, and particularly how it can generally be relied upon to produce narrow and comparative outcomes which serve to further compartmentalise how knowledge is gathered in IR and how legitimate it is. Language, alternatively, offers better *processes* which may or may not end with ethically compelling outcomes. The usefulness of a linguistic approach seems to be in the scope of language itself which has a sufficiently broad grammatical base to enable it to construct, and document, how contexts change.

Rule-types, rather than binding the politics of individuals and states in a mutually exclusive relationship, are sufficiently amorphous in the way that they interact to foster recognition of cultural distinctiveness *within* the state, based on an idiographic mix of rule-types contained in historical cultural experience. But how far does this go? Different rule-types suggest different avenues for constructivists when making research and methodology decisions. The minimal usefulness of a directive-rules study seems to lie in a broadly based analytical approach (e.g. focusing on decolonisation), but a maximal return may be found in a more specific case study (e.g. focusing on apartheid). The degree to which either is achieved depends on how the moral-ethical spectrum is interpreted in any given context.

There is a clear gap between Onuf's re-statement of socio-anthropological history and the current empirical body of work which acts in lieu of a more satisfactory legacy. Why should this be the case? Onuf simply does not provide rules/language-based constructivism with the philosophical grounding in values necessary for human rights to be properly accounted for in empirical study.

The distinction was made above between human rights as an idea and human rights as a norm. The preceding chapters, to include this one, have described the traditional picture of constructivism's role in the matter. How much of Onuf's groundwork in *World* allows us to expand upon this? We should be able to further distinguish between what constructivism is capable of pronouncing upon (traditionally, norms) and what critical theory is capable of developing (traditionally, ideas).

Testing the discernible values in *World* by attempting to fit the statement, "Human beings are entitled to..." into Onuf's categories of rule-types does not give us a singular and simple answer. To suggest, though, that something as complex as values expressed in the international system could be made to fit a single linguistic category is perhaps itself simplistic. Directive and/or commissive rules seem to adequately cover the possible contexts and meanings of values, with possible eventualities and nuances covered by their interaction as part of a wider rule-making process. Is this as direct as Onuf's contribution to the issue of human rights and values gets?

The paradigm of commitment-rules – heteronomy – involves individuals in the act of creating rights and duties more so than other, traditionally instituted paradigms such as hierarchy and hegemony. But it is not an ideal condition in the

way that it restricts material opportunities. However, even though *Herrschaft* posits permanent asymmetry, it is not a pessimistic prognosis. It can cope with – incorporate, even – anomalies that would otherwise be rationally explained away. Onuf has vested us with a broader paradigmatic base to work with, which in turn would suggest the broadening of constructivism's knowledge gathering capacity.

There are limits, though, to knowing how we learn what *ought to be* with a strictly linguistic approach of the type offered by Onuf. The detachment between theory and practice in this variant of constructivism has clear implications. Onuf's theory is a rich and complex detailing of how liberalism has managed to hide our own human history from us during the period known as modernity. Onuf is advocating a deeper understanding of this. The effect this has on the calls for a more (value-) normative constructivism, and therefore this thesis, is that the moral/empirical ambiguity of human rights norms cannot be settled by this model. Language in use is extremely fertile ground for constructivist researchers, but it requires a more accommodating theoretical base from which work can begin.

The problem we have in being able to place human rights norms in Onuf's approach is that we must make assumptions about their presence over and above the assumptions we must make about Wendt and, as we shall see, Linklater. Wendt, of course, also lacks explicit reference to human rights in *Social Theory*, but we are arguably able to gain enough from that theory to make a judgement regarding its worth on the subject matter of this thesis. It is a theory which also speaks clearly about states (albeit in an ultimately unsatisfactory, outward facing way) and is systematic about doing so. The weakness that has become more visible through the analysis of Onuf is that his explanations of human constancy within a system of exploitation are vague on this matter where we would rather hope they were not.

Language appears to be a more obvious key to unlocking the complexities of values for constructivism, but we are left wondering if Onuf is the key holder.

The possibilities inherent in a linguistic approach have been demonstrated, if only by the ultimate lack of a clear body of empirical research linking values to language in use. We have had to work hard to conceive of an image of how values can occupy the same analytical space as constitutive and behavioural norms. The need for taking a critical turn has become apparent. The language thread needs to be subjected to further scrutiny, and opened out towards the more critically-conceived concepts and categories which dialogue and communication offer for our understanding of human rights norms, in order to fully test constructivism.

5. Dialogue and Communication
Andrew Linklater

In the previous two chapters we have seen how two dominant modes of constructivism have each added their own input to the approach's epistemology and ontology in terms of its normative scope and potential. Chapter Three demonstrated that statist constructivism may be well-placed to conceptualise human rights as forming the identity of a 'good' state, but that this is effectively a purely metatheoretical exercise. It is an academic possibility – an abstraction. There is more to take from the approach as a whole into our final chapter, but for the purpose of setting up what follows, we can move forward with this notion of an incomplete state.

Chapter Four analysed how an understanding of rules supplements and in some ways improves upon this, without linguistic constructivism having forged a consistent methodological approach, or a lasting empirical legacy. A great deal of conceptual ground has been cleared for constructivists, but the potential for developing practical tools for understanding the rich complexity of values using language offers a clearer path forward for the analysis of human rights and values in the international system than Onuf's theoretical position.

Moving on from this, it is the empirical legacy of this theory/practice dualism which holds the most promise for our triangulation. It can share ground, in other words, with Linklater's approach. We can but speculate here as to why this empirical lack of progress from Onuf's theory baseline should be the case. Secession, nationalism, globalisation and securitisation have all blasted the IR landscape since

the publication of Onuf's *World*, which may account in some measure for the limited application of rules/language to human rights norms, as constructivism has itself developed with this history. Exactly why and how this has happened is not an investigation for this thesis.

What is clear is that knowing more about the relationships between international actors (both the traditional and the aspirational, i.e. both states and previously marginalised individuals or groups) is a key factor in understanding how and why norms work, and the nature of values in the international system. This is in keeping with the provisions of the *Universal Declaration*, which has an abiding interest in inclusivity. The present chapter aims to complete this triangulated intellectual space with a critical constructivist perspective of *how* to drive forward with a value-led aim, and *why* this must involve an engagement with, and questioning of, a). traditional formulations of state and society, b). the idea that language in use can be developed further towards a more clearly methodological outcome and c). the abuse of human rights as a recurring, historical problem.

This chapter will explore these three issues across two broad stages. The first section will analyse Linklater's critique of how modernity has developed its own often closed and presumptuous categories regarding the relative importance of man and the state (that this distortion of values echoes much of Onuf's own grounding of constructivism is an important correlative point for the discussion of synthesis in the final chapter). This will be followed by a discussion of how Linklater develops his theme of transformative politics through the concepts of dialogue and citizenship, with specific reference to the place therein of human rights norms.

The second section will problematise the notion of dialogic community through a critique of how dialogue has been used as a methodological tool by

constructivists, and asks the question, are values themselves represented? Then, a further question is raised as to whether the next step for constructivism should necessarily be in the direction of the Frankfurt School of critical theory – that is, should it depend on the communication theses of Jürgen Habermas? The final part of this section suggests that the critical approach of Linklater can offer something potentially more valuable than this. Based on the proposition that constructivism excels with two-thirds of normativity – constitution and behaviour – and that this is due to its historical grasp of these constants of the international system, it will argue that there may be a way to similarly anchor values, and in doing so permit human rights norms the ontological primacy they arguably merit, but which a strict adherence to the liberalism of the *Universal Declaration* seems to so far have prevented from happening. Linklater's development of the concept of 'harm' is the device in question.

I. A critical construction of modernity

Re-constituting the moral polity

According to Linklater the current states-system (stemming from a Westphalian origin myth and having assumed a 'generic' form) has served to cloud 'whether different forms of world political organisation such as empires and states-systems exhibit marked variations in their capacity for widening the boundaries of association and for creating communities of discourse which respect the differences of others.'[1] In the face of this, there is much current support for 'designing systems of explanation which move beyond single-logic accounts of social structure and historical change

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[1] Linklater, *Transformation.*, p, 132

[see Giddens, Mann, Tilly].'[2] Elsewhere, this has been framed as a 'co-evolution' of

accepted structure which 'establishes regulatory arrangements and vocabularies going

beyond the ontological and epistemological framework provided by the model of the

modern nation-state.'[3] There must, in other words, be a different way of doing things.

This in turn is based upon a different way of thinking about and doing the normative

stuff of IR, which must include values and, we might expect, human rights norms.

This is essentially Linklater's base for setting up his premise of ethical change – a re-

drawing of the state. But what are the details of the journey of the modern state to this

point which we should bear with us in moving forward along critical lines?

Linklater's brief history of the process of state-formation in Europe reveals

certain key threads regarding contemporary normativity.[4] Essentially, the compact

Westphalian state aided the prosecution of war, as the logistics and economics of

militarism were subject to a much heightened level of control. The new physicality of

borders – frontiers no more – allowed for a more controllable and defendable space.

This clearer definition of terms allowed, indeed encouraged, a new and vigorous

imagination and expression of the domestic as Westphalia appeared to close off the

domestic/international frontier,[5] but in reality did little to quash movements towards

what John Gerard Ruggie refers to as 'collective legitimation.'[6] The science of

bureaucracy developed at an alarming rate, and so there followed a consolidation of

rights and duties, variously located in rapidly changing pre-modern structures (of

medieval design).

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[2] Ibid.
[3] Mathias Albert and Tania Kopp-Malek, 'The Pragmatism of Global and European Governance: Emerging Forms of the Political 'Beyond Westphalia'', *Millennium: Journal of International Studies*, vol. 31 (3) (2002), p. 468
[4] See *Transformation*, pp. 151-153
[5] See, for example, James G. March and Johan P. Olsen, 'The Institutional Dynamics of International Political Orders', *International Organization*, vol. 52 (4) (1998), p. 944
[6] Ruggie, 'What Makes the World Hang Together?', p. 876

As the state progressed, both physically and temporally, so the industrial and economic environments developed as they have, with the corollary of a technological revolution. Commerce in particular, took on a form which has done much to write our subsequent history:

> The spread of capitalism has been a major reason for the
>
> reproduction of the modern international system of states. As
>
> a result, the modern system of states may avoid the fate of
>
> earlier international societies (which was to be absorbed
>
> within an empire). Conceptions of a universal communication
>
> community may yet come to make an unprecedented
>
> impression upon political life.[7]

Linklater finds grounds for optimism in taking a critical-historical perspective regarding state origin, with the observation that 'all past states-systems ended in empire but, while they survived, their constituent parts had to respond to moral claims made on behalf of two wider communities – the international society of states and the imagined community of human-kind which no one state could control.'[8]

The process which preceded increased connectivity between the constituents of this 'imagined community' – and which demonstrates the historical recurrence of *dialogic community* – was 'the globalisation of capitalist relations of production and exchange [which] greatly enlarged the sociological horizon by making modern populations aware of their involvement in the lengthy chains of cause and effect

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[7] Linklater, *Transformation*, p. 153
[8] *Transformation*, p. 137

which tied different societies together.'[9] This type of development, Linklater argues, had the effect that 'the extension of sociological horizons encouraged the widening of moral horizons, with the result that the idea of universal humanity regained some of the importance which it had lost during the seventeenth century.'[10]

But exactly how are sociological horizons connected to moral horizons? This is a great leap to make in the complex narrative of the good state. This logic implies one-way traffic. That is, dialogic communities by this reasoning are to be imagined only as exportable normative 'packages', a concept which would potentially be beyond the ability of those whose human rights are compromised to instigate. If so, then the West remains dominant by default, and then through whose eyes are these twin horizons perceived? Linklater may well be acknowledging the practicalities of establishing nascent communities, that a certain impetus is needed from somewhere, by some design, and that specific resources (such as the fora of discussion and the attendant paraphernalia offered by the U.N. for example) are needed and are best provided *for* those less able to contribute in the short-term. Without a clear way of eventually moving beyond this Western model, which must include the *Universal Declaration* notwithstanding its emancipatory intentions, it seems that the traditional, entrenched power structures would still be in place. Approaches such as Rorty's 'pragmatic ethnocentrism' – a kind of 'hedged' universalism which relies only on *self* perception and appreciation for its legitimacy[11] – may be able to overcome this, but this is a conflicting dynamic in comparison with Linklater's more proactive stance.

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[9] Ibid., p. 155
[10] Ibid., p. 155
[11] See Matthew Festenstein, 'Pragmatism's Boundaries' *Millennium: Journal of International Studies*, vol. 31, No. 3 (2002), pp. 561 - 565

What construction must contend with, or perhaps work with, is what Linklater labels 'the international state of nature,'[12] which is essentially founded upon exclusionary principles and practices. This is an acknowledgement, it seems, of the depths of entrenched symbolism and practice which characterise the modern state and against which normative claims are measured. Despite the official priorities of domestic and foreign policy, however, 'the boundaries of the political community have not coincided with the boundaries of the moral community, and because duties to fellow-citizens have not marked the outer limits of moral obligation.' Furthermore, 'the vexed question of how the rights of outsiders are best protected has arisen because modern societies have problematised their systems of exclusion.'[13] Only at a certain evolutionary point are states able to express a moral opinion which can cross borders.

Those who read the state as a problematic institution are torn between a 'progressivist interpretation' and a 'geopolitical narrative.'[14] Hegel is perhaps the most notable proponent of the need to accept the ambiguities of this juxtaposition, and to move beyond them nevertheless. Is this choice, in other words, an absolutely necessary one to make? Imagining instead a coherent political community offers theorists a link back through time to a point in the social evolution of humans when 'civilisation' became the standard of righteous living, and so the two factors in combination are almost formidable.

Regarding claims for the upholding of human rights, what permits the legitimate pursuit of self-fulfilment, arguably, is the sheer density of the state. By this it is meant that states are of such a constitution that, given certain optimal conditions, the physicality of geopolitical machinations occur regularly at one level, whilst the

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[12] Linklater, *Transformation*, p. 155
[13] Ibid.
[14] Ibid., p. 157

calling of the *polis* is attended to, if not with equal resource, at least contemporaneously.

But what of how human rights norms affect the workings of agents and structure in the international system? In its simplest form, the logic follows (or breaks down) thus: as an inevitable accompaniment to the expansion of the institution of statehood, so the freedoms of choice and self-actualisation grow. If internationalisation can be said to be a further expansion of statehood, then those freedoms must exponentially grow.

The logic has problems if we follow Hegel, who on the subject of European international society 'denied that international society could secure perpetual peace, and he rejected any notion that its arrangements revealed progress towards the eventual reunification of the human race. Violent conflicts arose in the relations between sovereign states because there was no shared moral discourse to ensure the peaceful resolution of fundamental political differences.'[15]

If we remove this from the context of democratic peace and take from it the lack of any internationally shared moral discourse at this level of politicking, it does not follow that this lack means *ergo* that all political differences should be terminal. If this were to be the case, the duality of the modern state must surely have already been bypassed in favour of geopolitics. Similarly, the notion that a political dispute should find a solution *because of* the existence of a shared moral discourse fails to account for the propensity of most states to act in avoidance of an escalation to militarism.

Alternatively we might prefer to take a route, as Linklater does, which follows E.H Carr's reassessment of the story of the modern state, with its restructuring and drive towards the possibility of newly configured institutions, which is more in

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[15] Ibid., p, 158

keeping with the revisionism of dialogic communities. The warfare (and then the anticipation and prosecution of it again) which utterly engulfed many governments in the first half of the twentieth century meant that 'fine balances between the individual and the community, economic self-interest and welfare provision, national sovereignty and international legal responsibilities were destroyed by the state's sudden lurch towards exclusionary practices which were directed against minority groups and aliens.'[16] The need for a focused and unshakeable war-footing overshadowed even imperialism. The implosion of moral conveyance was to be the normative pinnacle of the totalising project.[17]

Yet, the regenerative capacity of the moral-political community still confounds obituary writers as it did then. The problem, in Linklater's words, is that despite the attentions of Carr and similarly conceived Marxist theories, 'with few exceptions, the mainstream literature in Political Science and International Relations has failed to build on these analyses of the diverse ways in which the boundaries of communities have been constructed.'[18] Essentially, the reproduction of past forms of nationalistic and militaristically conceived states was not an inevitability because the monopolising ethos of controlling powers in terms of the allocation of resources was no longer legitimate.[19] In terms of analysis, in the case of post-war European integration for example, the discipline was left with the traditionalist outcome of 'neofunctionalists learn[ing] from the first generation of institutional architects.'[20]

This of course *was* a revolution of sorts, but one characterised and limited by a bureaucratic stifling of any lofty ideals. Generally (globally), it seems that the collapse of empire, with its Herculean officialdom, filtered down to the domestic

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[16] Ibid., p. 161
[17] See Ibid.
[18] Ibid., p. 162
[19] See Ibid., p. 163
[20] Haas and Haas, 'Pragmatic Constructivism', p. 596

infrastructure, leading to institutionalised conservatism. Of course, the modern rebirth also took place in states *without* an imperial history, but this is not the thesis, in terms of allocated time and space, for this complex discussion - neither, it must be said, is *Transformation*, but this point is at least acknowledged in some way by Linklater's reference to Carr's own justification of promoting equality of men and women and not of sovereign states.[21]

Remaining with Carr, Linklater observes that

> the tension between modes of legitimation which stress the
> freedom and equality of subjects and various asymmetries
> of power and wealth creates the objective possibility of far-
> reaching structural change, and the social and political
> movements which organise in the face of such
> contradictions are often in the line of the most recent
> advance. Progressive social movements frequently turn
> modern notions of citizenship which embody strong claims
> about freedom and equality against modes of unjust
> exclusion.[22]

In the first case, 'the crux of the matter is that morality is social rather than individual, particular rather than universal, diverse rather than uniform, fluid rather than constant.'[23] Is this merely surface-level semantics? 'Although [communitarians] are obliged (albeit imperfectly) to comply with universal moral principles when they deal with the rest of humankind, they are not under any moral obligation to belong to

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[21] See Linklater, *Transformation*, p. 163
[22] Ibid., p. 164
[23] Ibid., p. 51

a cosmopolitan political system.'[24] Crucially, the level of morality expressed – be it to fellow citizens or to fellow humans – is the same. What is at stake is not a way of existing but a way of functioning – the group politics of communitarian association are radically diffused and re-engineered to fit a different, *global* machine, but, stretching the analogy a little, it still runs on the same fuel.

That it is dominance which remains the primary factor in motivating state behaviour is in dispute here, but the thorny issue of moral obligation must still, it seems, contend with the sentiments Carr expresses: 'Theories of social morality are always the product of a dominant group which identifies itself with the community as a whole, and which possesses facilities denied to subordinate groups or individuals for imposing its view of life on the community. Theories of international morality are, for the same reason and in virtue of the same process, the product of dominant nations or groups of nations.'[25] Pushing a communitarian-shaped peg through a cosmopolitan-shaped hole is not an answer to what is, for Linklater, an unnecessarily diverting question. Instead, morality should lead politics forward, and not *vice versa*, and this holds for how constructivism should develop its epistemological and methodological approach towards the subject of values.

With this ordering of continuity in mind, Linklater charts a course from Pufendorf's 'harmony of dispositions' to Hegel's *Sittlichkeit* – the institutional definition and validation of our moral selves, and then on to the fundamentally important self-determination of Walzer. Linklater chooses to cite a point made by Walzer which strikes a significant chord: 'To enjoy self-determination a community

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[24] Ibid.
[25] E.H. Carr, *The Twenty Years' Crisis, 1919-1939* (Basingstoke: Palgrave, 2001), p. 74

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must be at liberty to define the boundaries which must not be crossed and the collective rights which must not be violated.'[26]

We can follow this reasoning further: Liberty itself is derived from the capacity to make a choice. Self-determination is realised at the point of liberation. For each concept to have any meaning, both liberty and self-determination require 'outsiders' to levy the possibility of encroachment, and for this a clearly defined physical space is needed. If we accept that each community is differently constituted, for otherwise there would be no plurality, then it must follow that there exists a moral standard common to all which allows communities to co-exist harmoniously (based on these principles of liberty and self-determination).

There are limits, then, which must be imposed for the 'proper' functioning of communities. The assumption that all communities are able to make and execute such decisions does not go so far as to deny the existence of the oppressed or suppressed without a voice, but it does serve to ensure the perpetuity of their collective silence. Communitarians of varying hue would themselves deny that this is the logical outcome of liberty defined thus, but it remains that the fluidity of a universal conception of human rights norms and values is interrupted.

The impact of an entrenched logic of exclusion on our understanding of universality – of its possibility in the first instance and its qualities thereafter – cannot be understated. It has by several methods been undermined, notably by post-structuralist accounts, but often these techniques reify by another name. Deconstruction is itself undermined, if that is the correct term, simply by building to different plans, which is building nonetheless. The approach preferred by Linklater is to cross theoretical boundaries without stopping to demolish them: 'The import of

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[26] Linklater, *Transformation*, p. 53

cosmopolitanism reasoning is that loyalties to the sovereign state or to any other political association cannot be absolute; the upshot of the recognition that the diversity of cultures and loyalties has considerable value is that duties to humanity as a whole do not override all other obligations.'[27]

Is it fated idealism to expect an unbiased teleology in the development of the emancipatory project? Linklater's summary of positions suggests that there is something unsatisfactory about a 'state first' policy (indeed, any privileging rationale), and 'what is important... is not the order of priority in a hierarchy of duties but the tests to which loyalties of any kind ought to be subjected. The crucial measure is whether these loyalties are guilty of unjust exclusion.'[28] The key point, following from Charles Beitz, is that cosmopolitanism should be devoid of *systematic* exclusion.

Any contemplated action (or omission for that matter) with a moral dimension should be considered in light of the possibility of harm to outsiders which might result from the action,[29] which itself might stem from tradition, habit or formal rules, for example.[30] The narrative of communitarian thinking in IR, provided predominantly by Hegel, is not blind to the notion of cosmopolitan thinking but prefers to compartmentalise it as a contribution to order between states, and not as a 'system' by its own definition. The institutions of internationalism – international law is perhaps the best example – provide adequately as mechanisms of arbitration between universality and diversity.[31]

There is another flaw, perhaps of even more significance, inherent in a fixation on states and their clearly bounded relationship: 'The balance between universality

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[27] Ibid., p. 56
[28] Ibid., p. 57
[29] Ibid.
[30] Bjorn Hettne, 'The Fate of Citizenship in Post-Westphalia', *Citizenship Studies*, vol. 4 (1) (2000), p. 39
[31] See Linklater, *Transformation*, p. 59

and difference in the society of states is incomplete because of the large number of states in which cultural and political boundaries are not closely aligned.'[32] In other words, the ability of states to pronounce authoritatively upon morally sensitive issues across borders is undermined by domestic problems. Cross-border problems, of course, also inflame these issues, particularly when boundaries are externally manufactured.[33] A more radical, solidarist possibility suggests that the territory of minority peoples be endowed with clearer borders in order to validate their independence.[34]

The implications for a human rights-focused constructivism run parallel to images of the state. Linklater's preference is for a thin rendering of both communitarianism and cosmopolitanism as separate philosophies, and as a combined attack on the prevailing politics of exclusion. This being the case, then the universality which we might assume constructivism must account for needs to be connected to statehood but without a totalising agenda or continuity thesis. States endow and allow, but they also diminish and neglect. That a politically receptive cosmopolitanism is better placed to realise its holist principles, and that there is the possibility of a re-imagined communitarianism – that is, a philosophy of community directed towards new political forms other that the state[35] – are concepts which find support in *Transformation* and suggest pathways for how constructivists gather knowledge.

Linklater's approach is sociological, which (if only superficially at this stage) allows us to forge an association back across our readings of constructivism firstly to the

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[32] Ibid.
[33] See Jan Nederveen Pieterse, 'Sociology of Humanitarian Intervention: Bosnia, Rwanda and Somalia Compared', *International Political Science Review*, vol. 18 (1) (1997)
[34] Linklater, *Transformation*, p. 59-60
[35] See Ibid., p. 60

complaint of Martha Finnemore, and then the proposal of Seyla Benhabib, both noted

in Chapter Three of this thesis. It is post-Marxist in the vein of Weber, Habermas,

Nelson and Mann, as 'they provide means of realising the emancipatory ambitions of

the Marxist tradition', the 'main theoretical weakness [of which] was its failure to

take account of forms of exclusion based on gender, ethnicity and race, and its neglect

of the role that state-building, geopolitics and war, and moral-cultural developments

have played in the construction of human societies.'[36] In other words, the contexts of

discourse and dialogue need to be drawn broadly in order to accommodate the various

possible forms of human to human contact.

Both Nelson and Mann 'have explored lines of sociological inquiry which are

alert to the historical importance of inter-civilisational and inter-state relations.' These

explorations culminate, effectively, in a key proposition: 'empires have encouraged

advances in universality yet simultaneously stood in the way of their further

development.'[37] Imperialism promotes a false unity based, utterly paradoxically, on

segregationist principles. Political universality, or at least the quest for it, comes at the

expense of moral universality. Linklater's state, then, is already beginning to resemble

Onuf's in that it is built upon an exploitative base which has been shrouded beneath

liberal or modernist justifications.

Linklater's image of Marxism, or rather of a Marxist reality, follows the chief

omission highlighted by Debray and Walzer, that a logic of differentiation must be

acknowledged – the real and artificial boundaries of Self/Other, inside/outside,

domestic and foreign[38] - in order for theorists to take a sounder footing in their work.

The polarity of modernity is an illusion, albeit a safe one for those existing on the

inside. The mechanisms of social inclusion and exclusion, conditions that are

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[36] Ibid., p. 111
[37] Ibid., p. 111
[38] See Ibid., p. 113

'ubiquitous features of social life', remain defended by principles which 'vary enormously and extend across a range of dialogic and non-dialogic modes of legitimation.'[39] The point is two-fold: that exclusion is an entrenched feature of statehood (bolstered by the doctrines of nationalism) which inevitably remains as a template as long as certain types of power dominate, and also that this is how constructivism has to visualise statehood if it is to successfully ontologise values in the form of human rights norms.

The evolution of the state has led to a rupturing of the social, political and moral dimensions of civil life. Linklater is constructing a well-founded platform for the skills-set needed by humanity to close this divide in a normative, emancipatory fashion. Sociological analyses of the emergence and interaction of identities have generally failed, as a corpus, to assign an appropriate level of importance to 'the role played by the rationalisation of the moral code in modern societies. Yet these societies have been the site for unique experiments in rationalising the ethical criteria which states and their citizens have used to evaluate the legitimacy of the dominant modes of inclusion and exclusion.'[40]

So far, we have a vision of the state which allows for an interrogation of the relationship between morals and politics in the international system. Key to Linklater's development of his transformation thesis is the treatment of citizens within it.

The state, citizenship and human rights

The Hegelian balance of the at once competing and complementary needs of individual and community, so apparently successful as the modern state endured, was

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[39] Ibid., p. 114
[40] Ibid., p. 146

fatally undermined, as E.H. Carr pointed out, by the dramatic expansion of European citizenship in the first half of the twentieth century.[41] Linklater develops this, with an eye set firmly on a praxeological end, by focusing on the need to 'understand how citizenship might come to be separated from the sovereign state and embedded in the practices of a more powerful international society.'[42] The development of new forms of citizenship and community are the primary vehicles for the realisation of this re-alignment.

For Linklater, the 'good state' notion explored to some extent by this thesis is the modern state as defined by citizenship. The praxeology of his approach gives rise to three claims regarding the citizen being the force within the state which demands alternative representation: citizenship is the repository of the moral capital accumulated over the course of sustained resistance to the duality of modernity discussed above; as such, it can be used as a moral tool in the restructuring of normative political community; citizens recognise fellow citizens across borders which feeds the moral imperative to attend to transnational moral harm.[43]

In the fashion of grand narrative, 'it is the important forms of moral-practical learning which occurred within the cultural sphere which make the further transformation of state structures and progress towards a universal communication community possible. This is the key to understanding the progressive dimensions of modernity.'[44] This type of modernity, however, which 'draws its critical power from the tension between political self-description and the observation of the social sciences' is full of 'contradictions, dilemmas, and unseen and unintended side-

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[41] See Ibid., pp. 147-150
[42] Ibid., p. 151
[43] See Ibid., p. 164
[44] Ibid., pp. 164 - 165

effects.'[45] In language perhaps more familiar to the policy makers who must realise these normative aims, 'the recognition that individuals cannot make use of their legal and political rights unless they posses sufficient social and economic powers demands support for welfare internationalism.'[46]

The three 'ideal-type' frameworks of political action seen as an extension of Carr's intentions are pluralist, solidarist and post-Westphalian.[47] Interestingly, there is a lack of a hierarchy in Linklater's understanding of the forms. Each of them 'widens the boundaries of community to ensure due consideration for the interests of others [and] moves beyond the supposition that the difference of the other is a good reason for privileging the interests of insiders.'[48] But rather than assuming that each is a betterment of the last, all three 'contribute to the creation of a universal communication community.'[49]

Although each can provide for a certain standard demanded by the logic of emancipation, each must necessarily have a different form, which suggests the possibility of difference in the trajectories of continuity and change as frameworks wax and wane. As examples of frameworks of the good state, each must in turn have mechanisms in place which allow for 'movement beyond egocentric social systems which deny the rights of outsiders,'[50] the capacity and will to follow the rule of international law, and the ability to overcome the diverting effects that 'the role which sovereignty, territoriality and national citizenship has played in obstructing international political action to reduce transnational harm.'[51] Indeed, as Reus-Smit

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[45] Ulrich Beck, 'Toward a New Critical Theory with a Cosmopolitan Intent', *Constellations*, vol. 10 (4) (2003), p. 467
[46] Linklater, *Transformation*, p. 165
[47] See Ibid., pp. 166 - 167
[48] Ibid., p. 167
[49] Ibid.
[50] Ibid., p. 168
[51] Ibid.

cites and then interprets Carr: "Political action must be based on a coordination of morality and power.' Politics, therefore, not only has at least two dimensions, it must be seen as occupying the difficult deliberative and practical space between these,'[52] which we would expect to be the proper domain of values-focused constructivism. Certainly, the *Universal Declaration* occupies an uneasy position between morality and power on the issue of the rights of outsiders. Reus-Smit's image of political action again jars what constructivism is best set up to do against the arena into which it is being pitched. We must consider, at the very least, whether these forms are themselves sufficiently coherent to enable the vision of a dialogic community.

Towards the end of *Transformation*, Linklater notes how the Western imagination inclines towards a moral statism. In reality, 'notions of world citizenship usually refer to compassion for the rest of humanity,'[53] and not to a revolution of government which the term can also suggest – the 'internationalisation' of this normative principle is a widely-supported view.[54] That said, 'ways of being' in the maintenance of the political-moral ratio are generally enshrined and inflexible to the demands of emancipatory change. Historically, 'the dominant traditions of political theory have often criticised efforts to enlist citizenship in support of these aspirations. They have argued that the civic ideal of active participation in politics can only be realised in the arrangements which bind co-nationals within a common way of life.'[55] International citizenship is bound by the totality of its domestic incarnation. In other words, the benefits of citizenship derive from the actual state in question and not from

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[52] Reus-Smit, 'Politics and Legal Obligation', p. 607
[53] Linklater, *Transformation*, p. 179
[54] See, for example, Daniele Archibugi, 'Principles of Cosmopolitan Democracy', in Daniele Archibugi, David Held and M. Köhler (eds.), *Re-imagining Political Community* (Cambridge: Polity Press, 1998), p. 216, Martha Finnemore and Kathryn Sikkink, 'International Norm Dynamics', p. 907, and Hettne, 'The Fate of Citizenship in Post-Westphalia', p. 44
[55] Linklater, *Transformation*, p. 179

the institution itself, which means that an emphasis on ethics rather than totalising

morals is the best way of understanding this in normative terms.

The paradox of contemporary theory – or rather of citizenship in

contemporary theory – is that dominant strands 'may be sceptical or critical of the

notion of world citizenship but most argue that citizens have duties to the members of

other political communities which they have to reconcile with their obligations to one

another.'[56] Why is it not possible, Linklater argues, for communities to be built upon

the principle of parity in dialogue, and for those communities to maintain a strong and

supportive lineage with states via the institution of citizenship? Is this revolutionary

or worse, *Utopian*?

Using the reserves of moral and political education and purpose accumulated

in the ongoing historical campaign against exclusion opens the door to the 'possibility

of more radical trajectories of political development in which higher levels of

universality and difference unfold simultaneously and the prospects for totalising

projects are eroded.'[57] So far, so idealstic?

But citizenship does not only enable, it obligates. This obligation to cooperate

within the limits of political communication extends across the three types of

international system mentioned above – pluralist, solidarist and post-Westphalian.

The latter, most revolutionary form is at the heart of the idea that it is the moral aspect

of the moral-political nexus which, if pursued, shall fundamentally alter the shapes

and symbols of institutional power: 'Like-minded states which are exposed to high

levels of transnational harm have an obligation to replace state monopoly powers over

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[56] Ibid., p. 180
[57] Ibid., p. 181

decisions concerning the distribution of membership, citizenship and global responsibilities with bold democratic experiments in transnational rule.'[58]

This is not an easy statement to digest. Firstly, what are 'like-minded' states, particularly those grouped as 'Post-Westphalian', when states in this category might assume any of a number of experimental forms? At the very base of the complexity of this structural arrangement is the notion that weak (or somehow dominated) states and those that are oppressively ruled – the states, in other words, not best equipped for any kind of administrative upheaval – should somehow reinvent themselves as part of a group effort. What is coming to the fore here is the pressure which human rights norms place upon states to *act* as states. It seems that the resolution is to be found in the ways in which these states *choose* to interact with those of pluralist or solidarist affiliation. But even this is problematic. 'Pluralists argue that sovereignty is often the only protection that weak states have against the strong.'[59]

Linklater's argument for this kind of responsible Self- and Other- aware governance is contained in five sections of *Transformation* which will be discussed in part here. The first two cover ground that has been considered in earlier sections – the refinement and overcoming of exclusionary practices, and the legitimacy of the sovereign state, and so do not require repetition here. The remaining three parts do concern the place of human rights within this kind of critical approach. Therefore, before pursuing more direct empirical insights into the relationship between citizenship and human rights, we must be sure of the framework which Linklater provides. The sections chart Hedley Bull's speculative historical assessment of the future of Westphalian states, the relation of this to Linklater's citizenship thesis, and

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[58] Ibid., p. 182
[59] Alex J. Bellamy, 'Pragmatic Solidarism and the Dilemmas of Humanitarian Intervention', *Millennium: Journal of International Studies*, vol. 31 (3) (2002), p. 476

finally the current state of affairs regarding the contemporary development of post-Westphalian states.

Linklater frames citizenship such as to endow it with radical properties. In particular, it 'can be turned against the very political framework within which citizens have defined their own rights and duties – the sovereign state which is one of the last bastions of exclusion to attract critical scrutiny.'[60] It seems that the uncertainty – vagueness even – of universalism begets radicalism, or at least the tendency towards it.

Bull's "system of overlapping authority and multiple loyalty'... [was a] potentially momentous shift in the organisation of European international society [which] revolved around two main patterns of change.'[61] In this 'neo-medievalism', briefly, these patterns of change consisted of regional integration which obviated the need for a higher transnational power, and, perhaps more interestingly, the idea that 'minority nations and separatist groups could aim to reduce the power of the nation-state without aiming for full sovereign status.'[62] There would be no absolute sovereignty. By analogy, there would in effect be several different weight divisions, but all participants would still follow the same rules. Perhaps not Queensbury, but validated and codified nonetheless. It would be a means to overcome the 'conspiracy of silence entered into by governments about the rights and duties of their respective citizens.'[63]

The abrogation of sovereignty fundamentally challenges everything we have come to expect from the Westphalian system. Yet, the argument for a diffusion of legal and political authority does not fail on a point of logic. Rather, it will be judged

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[60] Linklater, *Transformation*, p. 193
[61] Ibid., p. 194
[62] Ibid.
[63] Hedley Bull, *The Anarchical Society* (2nd ed.) (Basingstoke: Macmillan, 1995), p. 80

on the basis of preference: 'The state's monopoly right to determine the order of priority of political allegiances – national before sub-state and transnational – would be relinquished within a neo-medievalist international order.'[64] State 'control' of its subjects would be unrecognisable, but even though 'images of Europe and the wider world which envisage the unravelling of sovereign states and the multiplication of human loyalties have gained support from several different strands of social and political theory in recent years,'[65] the machinery of society's daily functioning must still be attended to.

At this point, Linklater reminds us of Carr's prompts for a national-international complimentary connectivity, wherein the sub-national and the transnational together constitute 'joint rule'.[66] This type of normative governance would work by 'creating the social and economic preconditions of the wider communities of discourse which unfold the progressive side of modernity.'[67] In other words, the machinery would mirror the constitution of the citizenry, and would cede control to that citizenry, rather than perpetuate the grand tradition of rule. Ultimately, 'political transformation would involve the divorce of citizenship from the state, just as it was uncoupled earlier from the medieval town and the Renaissance city.'[68] By this reasoning, in the history *without* singular end, citizenship does not replace sovereignty as the conclusion to social progress, but it is presently the higher principle.

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[64] Linklater, *Transformation*, p. 195
[65] Ibid., p. 196
[66] Ibid., p. 197
[67] Ibid.
[68] Ibid.

The re-evaluated meaning of Westphalian sovereignty is considered chiefly in light of the fabrication of a new Europe.[69] Generally, 'what has been established within the European Union thus far is a thin conception of citizenship which brings an international civil society into existence rather than the thicker conception of citizenship which active membership of a political community is normally thought to imply.'[70] It is a model which relies on democracy and the democratising of institutions which has the contingent effects of standardisation and manageability. It seems, therefore, that democracy is the default setting for progress. But this thinness is not intended to last: 'The higher normative goal is to ensure that the process of uncoupling citizenship from state sovereignty results in a thicker conception of citizenship in which societal potentials for increasing human autonomy prevails over competing logics of social control.'[71] By this reckoning, citizenship might not be the 'end', but it is certainly built to endure.

Identity must be despatched as a controlling force, and broader affiliating grounds established: 'inevitably, a sense of humanitarian obligation has to stand in for shared nationality or common interest in the case of world citizenship.'[72] The web of social, civil and political rights is ultimately self-sustaining as they feed into each other, and have the effect of cohering transnational citizenship into a vehicle for the benefit of much more than the individual – a stronger normative legal framework

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[69] Linklater fails to engage with wider concerns, such as African and Asian unifying initiatives, even at a comparative level. At the very least, how both ASEAN and the African Union, and the various regional conglomerates address inter-governmental issues would be a foremost requirement for a constructivist understanding of the relationship between citizenship, difference and change. Certainly, the forms of engagement required and inspired both inter-governmentally with African nations and intra-governmentally within the continent speak to the broad inclusivity which we might expect from a normative and universally astute approach. See Simon Maxwell and Karin Christiansen, "Negotiation as simultaneous equation': building a new partnership with Africa', *International Affairs*, vol. 78 (3) (2002)

[70] Linklater, *Transformation*, p. 199

[71] Ibid., p. 200

[72] Ibid., p. 201

would result, to the advantage, presumably, of anyone wishing to make a human rights claim.[73]

The 'Europe first' image of political change fits largely with the origins of the Westphalian state, and Linklater expresses some optimism in that 'Europe may well become a model of post-Westphalian political organisation which is emulated by regions elsewhere.'[74] The corpus which we can refer to as European must lead, though, only by example and not by sermon if the now familiar caveats related to power are to be avoided – which apply equally to the subject of this thesis as to the 'power of democratic agency'[75] which is Benhabib's particular focus, for example.

There is also the problematic character and implications of cosmopolitan citizenship to consider. The difficulty, broadly stated, is that by the majority of traditional accounts, 'cosmopolitan citizenship suggests vague and ultimately unenforceable moral responsibilities to the rest of humanity, whereas national citizenship entails concrete rights which are guaranteed by the political community.'[76] The key to understanding the former – this 'woolly notion' – lies with the understanding that it does not seek to defend perfect political rights, but rather it should react to the outcomes of this universal communication community. What, then, comes first? The citizen or the community?

As far as stating a preference for a 'thick' or 'thin' conception of a world citizenry, Linklater clearly supports the latter – it is a vehicle for real change, with dismantling capabilities and ability to promote higher levels of autonomy.[77] That is not to say that a thick version of cosmopolitan citizenship cannot play a role, as it is a

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[73] See Ibid., p. 202
[74] Ibid., p. 204
[75] Seyla Benhabib, 'Twilight of Sovereignty or the Emergence of Cosmopolitan Norms? Rethinking Citizenship in Volatile Times', *Citizenship Studies*, vol. 11 (1) (2007) p. 33
[76] Linklater, *Transformation*, p. 205
[77] See Ibid., p. 205

much more acceptable formulation for an institutionalism that shuns revolution. A thick version ties in with at least one branch of sensibilities related to constructivism: It is a much firmer statement of intention for the critically inclined to subscribe to.

Is it possible to gauge the internationalisation of values by monitoring the development of citizenship, as if the constitution of the latter correlates somehow to the constitution of the former? Seyla Benhabib, in describing how citizenship rights and human rights have become in many cases conflated due to the extension of cosmopolitan norms, speaks of 'changes in modalities of political belonging'[78] which have left many to suffer institutionalised exclusion. Citizenship, in effect, helps to define what non-citizens are not, or do not have, or are not entitled to.

What citizenship can tell us about human rights seems to depend on the extent to which there has been a global change in the traditionally discrete nature of the relationship between state and citizen. Shafir and Brysk argue that this is human rights pulling very much *from* citizenship, rather than *to* some other form of rights institution.[79] 'New' human rights, in other words, are derived from human needs previously established within the conventions of citizenship.

What sets human rights norms apart is essentially their universal character, which goes some way towards explaining why they are a relatively new human innovation, compared with the origin of citizenship. Of course, the leap from tribal loyalties to 'membership' of a city-state was a significant development in the civic ordering of peoples in ancient Greece, but human rights, arguably, are still looking for their own landing platform. 'The idea of citizenship in the present, as in the past, anchors rights in membership in a politically sovereign entity, whereas human rights

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[78] Benhabib, 'Twilight of Sovereignty', p. 20
[79] See Gershon Shafir and Alison Brysk, 'The Globalization of Rights: From Citizenship to Human Rights', *Citizenship Studies*, vol. 10 (3) (2006)

are rooted in the individual by virtue of his or her humanity and not due to his or her status in the body politic.'[80]

Ultimately, to say that citizens have citizenship rights because they are citizens tells us nothing of any use. Human rights, as we have seen, continue to carry with them much the same problem, but without such a consistent and uncontroversial means of resolving it. The existence of an enveloping state makes citizenship rights 'effective', whereas human rights remain 'poignant' – a cavernous distinction.[81] Human rights are, though, invested with a great deal of potential in terms of their possible future reach, which outstrips those rights (civil, political etc.) bound to a specific addressee state.

It follows that one perspective of the future of human rights sees them develop as a kind of universal citizenship, the possession of which allows claims to be made to the particular state which physically contains the claimant, or to a 'home' state to which the claimant 'belongs'. The other perspective is negative – a new imperialism of values. This is a point of concern for constructivism, and we shall consider its implications further in the sections below. For now though, the proposed route from citizenship rights to human rights is of interest.

Shafir and Brysk speak of citizenship providing 'domestic frames which can be bridged as part of a process of globalization to universal human rights, such as freedoms and entitlements.'[82] The notion that a constructivist approach may be able to 'track' human rights norms in this way – even, perhaps, to a predictive level, is an attractive analytical prospect because of the depth of understanding of institutional change which it potentially offers. Difficulties arise, however, with an underdeveloped notion of 'a process of globalization'. 'Domestic frames' suggests

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[80] Ibid., p. 277
[81] See Ibid.
[82] Ibid., p. 280

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that certain human rights emerge by following the precedents set by citizenship

trends, but how is globalisation defined?

The limits of using 'globalisation' as the device upon which to hang the future

development of human rights norms is recognised as being inherently limited: 'Sadly,

the struggle for the realization of the global human right to sustainable livelihood has

to promote niche markets, since presently it can reach no further than the individuals

who think globally, namely, the small number of the global citizens of today.'[83]

Similarly, in this particular study human rights action in Europe is compared with

inactivity in much of the rest of the world, save for grey areas which add problems to

research programs rather than rich complexity: 'The crucial trade-off is between the

extension of human rights and their enforcement.'[84] Constructivism as defined in this

thesis, and in the wider literature, must surely be cautious about which of these

properties of human rights norms are instructive regarding their impact on the

international system.

II. The limits of dialogic community

Dialogue and constructivism

There are two features of humanism which continue to belie reports of its demise;

systems of exclusion exist, and contemporary social and political theory persists in

producing movements primarily concerned with exposing their attendant unjust

practices. It has become increasingly clear that the human rights norms contained

within the *Universal Declaration* represent the unsatisfactory way in which these

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[83] Ibid., p. 284
[84] Ibid., pp. 284-285

features have so far been codified. Linklater's own exposition focuses on dialogue not only as treatment of symptoms, but as identifier of cause. Critical theoretical approaches have in common a 'resistance to unjustified modes of exclusion... linked with a conception of the self and society which values the expansion of the boundaries of dialogic forms of life. Dialogue is the preferred means by which subjects should decide whether systems of exclusion are justified.'[85]

How does this become 'community' in a wider, possibly universal sense, and to what extent might this border-crossing development a). push the limits of what is 'critical' for it still to be considered a constructivist path, and b). offer a useful understanding of how values spread and affect the identity and relationships of international actors?

Linklater offers no sound-bite definition of dialogic community. The concept is developed through a series of steps:

> Most communities rest on special ties and harmonies of
> social disposition but they are always vulnerable to the claim
> that they unjustly exclude those who do not share the
> dominant identity. The goal of dialogic relations with the
> members of systematically excluded groups therefore
> emerges as a normative ideal. As in international relations,
> where it is necessary to enlarge the boundaries of the
> community to engage non-nationals as equals in open
> dialogue, membership of wider communication communities
> do not presume that others must have the same cultural

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[85] Linklater, *Transformation*, p. 109

orientations or share similar political aspirations. All that has

to be assumed is that cultural differences are no barrier to

equal rights of participation within a dialogic community.

The duty to associate with others as co-legislators within

wider communities of discourse rests on the fact that there

are no compelling differences between human beings which

can legitimate their prima facie exclusion from dialogic

interaction.'[86]

This long quotation allows us to see how Linklater constructs the logic of

dialogic community. Without unnecessary recourse to a Utopian philosophy, it seems

that a new, more attainable level at which their voices can be *legitimately* heard is

what is being offered to the oppressed, the suppressed and the disenfranchised. It is in

this context that Linklater speaks of a 'willingness to engage wildly different human

beings *qua* human beings, in a dialogue which assesses the rationality of the practices

of exclusion.'[87]

The justification for dialogic communities rests upon the better argument of

Linklater's preferred system of universal ethics – 'dialogic cosmopolitanism' as a

form of discourse ethics. The argument is pitched against the traditional

ahistorical/historical split of natural law and progressivist interpretations. In

Linklater's words: 'Whereas the natural law perspective argues that only human

knowledge of permanent truth varies, the progressivist interpretation argues that

reason itself has a history and conceptions of freedom are revised and enlarged over

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[86] Ibid., p. 85
[87] Ibid., p. 87

time.'[88] It is clear that Linklater, following Hegel and Rorty, gives credence to reason, but only in its ability to span and connect the relationships of humans as they happen and develop *historically*. Does this mean that, working on a cumulative principle, it is heading towards an 'end state'?

In this sense it shares an invidious charge with natural law – ethnocentrism.[89] Although the Hegelian and Marxist well-spring promoted a primarily intellectual and then latterly a social enmity towards 'natural' barriers to the enjoyment of self-determination, there was no attendant critical reflection on the contemporary subject of imperial ambition, which has affected retrospective scrutiny and directed criticism to this lack.[90] In order to distinguish discourse ethics from the terminal philosophy of history, a conscious elevation of the principles of dialogue is needed to fit the schema of the emancipatory project (to include values, human rights norms, etc.). Linklater begins with the moral-practical learning element of Habermas's reconstruction of historical materialism. Although we shall question the extent to which Habermas adds value to the present thesis a little later in this chapter, it will be worthwhile to pursue Linklater's argument here.

Regarding Habermas's understanding of the three hierarchical stages of moral understanding – pre-conventional, conventional and post-conventional – it is the latter which enables discriminatory participation in society: 'Post-conventional ethical reasoning involves levels of critical disengagement from authority patterns or group norms and unqualified openness to the perspectives of others. For Habermas discourse ethics is the apex of post-conventional moral reasoning: it is the product of complex processes of moral learning.'[91] Reasoned consent governs the validity of norms. With

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[88] Ibid., p. 88-89
[89] See Ibid., p. 89
[90] See Ibid.
[91] Ibid., p. 91

this in mind, 'it follows that a political community which has a commitment to discourse ethics will be deeply concerned about the damaging effects of its actions on outsiders.'[92] Would it not, though, be the case that the normatively informed rationalisation of any action would pre-empt any possibility of that action having 'damaging effects'?

Importantly, the design of Habermas's conception is differentiated from Kant's 'fiction of a universal social contract' which meant that 'all human beings and not only fellow-citizens had to proceed with regard for the politics of consent,' a regard arrived at via 'private ratiocination.'[93] Rather, the process is governed by the politics of association. Ultimately, it is the force of the better argument which carries the day.

Discourse ethics is about a procedure, and not the sort of singular outcome which might have the side-effect of a slide back towards agendas of power contained in universalistic positions. Linklater raises the feminist critique of the drive towards a universal standpoint – it is 'perpetuating an exclusionary, male ethic.'[94] Very briefly, the solution (if it can be referred to as that) is to start from the position that 'the ethic of care and responsibility complements the ethic of justice by bringing finely-tuned hermeneutic moral skills and interpersonal sensibilities to bear on the implementation of public norms. This formulation depicts the ethics of care and justice as two sides of the same moral coin.'[95] It appears that a focus on the valued principles of sensitivity, interpretation and understanding is as doctrinal as the process gets.

In his own discussion of universalism Linklater is keen to establish a note of cautious yet determined optimism. Thus the proper domain of this type of critical

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[92] Ibid.
[93] Ibid.
[94] Ibid., p. 93
[95] Ibid., p. 94

project, and the purpose of constructivism as defined by this thesis (if it is to follow Linklater's approach), is to reflect on the 'powerful moral and cultural trends which exist, to some degree, in all contemporary societies.'[96] By doing so, plans are effectively drawn up for the 'radical intensification of the democratic impulses which are inherent in modernity but frequently stifled or cancelled by competing logics of normalisation and control.'[97]

In one sense, these are the underpinnings of the holist sensibilities of constructivists. Yet, another sense carries with it a *caveat*. Talk of 'democratic impulses' and 'powerful moral and cultural trends' could be construed as the basis of a steering agenda, certainly if they are formalised prior to the due academic process of analytical investigation (of the type, perhaps, preferred by Onuf). There is a self-correcting mechanism in the dialogic community – 'no conception of ethics is satisfactory if it endorses the systematic exclusion of any individual member of the human species, on a priori grounds'[98] – but whether this goes far enough to dispel the concern just raised is doubtful.

Placing this in the context of his critique of modernity and the state, Linklater speaks of 'restructuring social arrangements' and 'transcending state sovereignty,'[99] which is not so revolutionary as a traditionalist reading of history might suggest, if it is possible to uncover the contexts and agendas of modernity. So it follows that 'sensitivity to unjust forms of exclusion and the normative attachment to dialogue are historical products. Societies which question the moral significance of racial, cultural, ethnic and gender differences are the result of complex processes of social change which have been influenced by various forms of political struggle and resistance.' As

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[96] Ibid., p. 100
[97] Ibid., p. 101
[98] Ibid.
[99] Ibid., p. 109

a result, 'critical cultures... are not the historical norm' and 'no teleology has steered them to this point, guarantees their future development or underwrites their long-term survival.'[100]

The mechanism of the privileging logic of citizenship is circular: close proximity foments obligation, and obligations are discharged more willingly to those within political reach. Yet this does not account for the vastly complex question of why this is so. Removed from its Western inception, cosmopolitan morality promises universal merit for all. Yet 'the state's record as a moral agent of humanitarianism is very dubious.'[101] Statehood, similarly, is an ideally nurturing condition. Both, though, are subject to the charge, levied by anti-foundationalists, of assuming an Archimedean point.

In presenting his case for dialogic communities, Linklater is keen to make it as water-tight as possible, and this means engaging with postmodern and (as mentioned briefly above) feminist interrogations. Claims of establishing the truth, or at least being on the right path towards doing so, must be a cautionary tale for a constructivism often accused of being distracted by a grand-theoretical impetus.

In his particular history of the sociology of emancipation, Linklater's account of how postmoderns tend to scrutinise modernity and its underlying power structures begins with Marxism, and then also introduces the phraseology of 'incredulity towards metanarratives,' 'arbitrary interpretations,' 'artificial realities' and 'new instruments of social surveillance and political control.'[102] From the perspective of postmoderns, 'all modernist claims to possess unrivalled insight into the possibilities for the transformation of society – global as well as national – elicit dismay and

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[100] Ibid., p. 110

[101] Nicholas J. Wheeler, 'Agency, Humanitarianism and Intervention', *International Political Science Review*, vol. 18 (1) (1997), p. 16

[102] See Linklater, *Transformation*, p. 63

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suspicion.'[103] Perhaps the most intriguing broad stroke of postmodernism, in view of this thesis and Linklater's project, is that universalism 'does not represent a major advance in moral consciousness but signifies the emergence of new social systems that possess more subtle technologies of control which rely upon the construction and marginalisation of difference.'[104]

If universalism is not an advance, then it is not worth expending the (unlimited?) material and intellectual resources required to comprehend how it might 'contain' values. Equally, if quests for its 'truths', whether they be moral or linguistic, actually perpetuate that which its idealistic motivation seeks to end – repression, exclusion, inequitable control, the general dismissal of human rights norms, etc. – then it should be actively denounced at the very least. As with the maxim that ignorance of the law is no defence, an incomplete comprehension of the dangers of universal thinking is no refuge from its outcomes. This might be the postmodern position, but where would this place constructivism in Linklater's critique? His argument is that the modern sociology of knowledge has the epistemological capacity to deflate any features of universalism deemed totalising or imperialistic, without necessarily falling back on a postmodern view. The insights that 'all knowledge is socially constructed, and the criteria which are used to distinguish truth from falsehood change radically over time,'[105] are constructivist foundation stones, and would seem to support a constructivist position in the project of delegitimising exclusion and promoting values as sources of international knowledge.

So, contained within Linklater's argument, as long as it is assumed to be more than postmodern in its constitution, are indications that all is not lost. Primarily, the strategy is to focus on means of developing our understanding of solidarism, and of

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[103] Ibid., pp. 63-64
[104] Ibid., p. 64
[105] Ibid.

the particular forms it includes and the expanse it covers: 'Historicist thinkers such as Meinecke rejected the enlightenment dream of a cosmopolitan society but defended a conception of international society in which communities would recognise each other's efforts to express cultural potentials in infinitely varied and frequently incommensurable ways.'[106] Embrace without proselytising, in other words. Similarly, 'the claim that the society of states should embrace an elementary cosmopolitanism has strong affinities with Rorty's thesis that progress towards a more humane morality is centred on the conviction that the differences between groups are ultimately less important than the shared experience of 'pain and humiliation'.'[107]

'Humanity' as a finished product which is extended from one to another is an outmoded concept. Rather than the widely held conviction that it is a cause in itself, we should be more sophisticated in our treatment and application of a 'humanistic ethic.'[108] Would this entail a rethinking of how, in terms of moral authority, humanism is assumed to be hierarchically higher than political community?[109] And, if so, what would the implications be for constructivism? A methodological impasse or opportunity? There is no reason to suggest that it couldn't be the latter.

It is worth considering the following: 'The objection to universalisable ethics is that they may obliterate individuality.'[110] This carries with it a presumption of the value of individuality. It is a side issue, perhaps, but one worth noting as Linklater builds towards the universality of his dialogic communities. The implication is that individuals as political units should be sufficiently capable of creating and sustaining

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[106] Ibid., p. 65
[107] Ibid., p. 66
[108] Ibid.
[109] For an interesting and useful discussion of this point, see Kwame Anthony Appiah, 'Cosmopolitan Patriots', *Critical Inquiry*, Vol. 23 (3) (1997)
[110] Linklater, *Transformation*, p. 67

the requirements of a moral-political system without resorting to the collective exclusion of others.

Ultimately it is the complexities of postmodernism, which appear often as contradictions, which prevent Linklater from coalescing its main themes with dialogic communities. Anti-foundationalism does not have a sufficiently realisable programme of research and action to enable emancipatory freedoms in any field other than abstract intellectualism: 'The postmodern defence of the ethic of freedom may be an ironic and even self-refuting stance: if the aim is to question established meanings, to unsettle accepted conventions, to disturb all efforts to speak with a sovereign voice, then it is difficult to know why an ethic of freedom should be preferred to an ethic of domination.'[111]

Linklater's further probing, although broadly supportive of postmodernism's humanistic intent, fails to produce anything concrete to build on, which of course should come as no surprise. What is drawn from these varied expositions is again support for the triumvirate of pluralist, solidarist and post-Westphalian conceptions of international society. It is worth re-citing here,[112] in the specific context of values, that although no preference is clearly stated, Linklater is clearly in agreement with the 'quasi-Hegelian aversion to having to choose between fixed moral absolutes and incommensurable social realities [which] abandons the grand metanarratives in which the lower cultures fall by the wayside as reason unfolds in history.'[113]

There is an intellectual and moral attractiveness to this balancing which opens rather than closes doors on projects – broadly linguistic, or otherwise ethically conceived – which still need to work with statism rather than against it. The disentanglement of progress from a singular vision becomes a more realistic prospect

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[111] Ibid., p. 71
[112] See Chapter One, above, p.
[113] Ibid., p. 76

when 'what is substituted is a thinner notion of progress that refers to the expanding circle of human sympathy which ought to be the aim of those who identify with the liberal community. No claims on any other culture are embedded in this perspective.' [114]

Very briefly, the aspects of feminism which Linklater chooses to focus on in the critique of universality centre on a re-positioned ethic of care, rather than the morality of justice. Primarily from Gilligan, the conclusion is drawn that 'a highly developed hermeneutic grasp of personal character and social context – the very considerations which an abstract morality of justice deliberately ignores – is one of the main constitutive features of the ethic of care and responsibility.'[115] The traditionally employed language of morality and moral-political association is, in other words, rhetoric. It does not actually represent the character and intellect of individuals whose ethical priorities emanate from their singular – yet historically situated – concerns. Cases such as Kosovo only serve to highlight this.[116]

Ultimately, the superiority of the morality of justice (as upheld by the lineage from Kant to Habermas) is found precisely in and because of its universality, 'because it requires the individual to take the wider moral point of view.'[117] If the 'wider moral point of view' is to be entrenched, however, it runs the dual risks of standardisation and the reification of utilitarian, *numerical* supremacy. The former has the potential to stagnate the process with the potential result of failing the needs of sufferers; the latter is open to charges of quantitative justice, akin to the philosophical problems with democracy. A, or *the*, moral point of view, of course, is also associated with the

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[114] Ibid.
[115] Ibid., p.. 67-68
[116] See, for example, Christine M. Chinkin, 'Editorial Comments: Nato's Kosovo Intervention', *The American Journal of International Law*, vol. 93 (4) (1999)
[117] Linklater, *Transformation*, p. 69

original position philosophy of Rawls which leads to the inevitable interrogation: whose justice?[118]

Linklater has theorised dialogic communities in such a way that they seem to share many of the component parts of a constructivist view of the world. To what extent is this borne out in the application of theory to practice? There is no extensive body of research in IR linking dialogue to values which does not have at its base some incorporation or critique of Jürgen Habermas's theory of communicative action. Habermas, however, plays only a part in Linklater's approach to communication, and how human relations are socially constructed through dialogue. The following section will discuss how constructivist research has developed the concept of community based on dialogic principles, and the extent to which an understanding of human rights norms have played a role in this. Much of this work has been done in a 'Habermasian' vein. The section will argue that a reliance on the Frankfurt School of critical theory itself is limiting the potential of Linklater's approach, and that perhaps an alternative path needs to be sought in order to have an equally weighted 'critical constructivism' capable of theorising values.

On turning to the Frankfurt School

Perhaps in a similar fashion to the way linguistic constructivism has developed *away* from Nicholas Onuf's guiding principles, rather than with them, we are witnessing something similar with Linklater's conceptual 'successors.' This section will first analyse examples of research to see how communicative action relates to our interest

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[118] For a socio-philosophical debate on the matter which is useful for the strands of IR theory under scrutiny here, see Jürgen Habermas, 'Reconciliation Through the Public use of Reason: Remarks on John Rawls's Political Liberalism,' *The Journal of Philosophy*, vol. 92 (3) (1995) and John Rawls, 'Political Liberalism: Reply to Habermas', *The Journal of Philosophy*, vol. 92 (3) (1995)

in normativity. It will then more directly argue that a reliance on Habermasian

principles is not the most beneficial route for constructivism in engaging with human

rights norms. This will be done in two interrelated strands – a clarification of

Linklater's own ground clearing, and a consideration of Axel Honneth's critique of

Habermas as lacking the kind of practical and historical referents required of

emancipation-focused critical theory which also, arguably, define constructivism.

Darren Hawkins 'draw[s] on recent constructivist theories to suggest that state

interests are sometimes uncertain and can be formed over time through processes of

communication and persuasion.'[119] By a constructivist analysis, states communicate

and by doing so learn how to act like states amongst their own peer group. Actual

communication is not simply the conveyance of facts or information, so 'in the logic

of social learning, actors become convinced through arguments and debate is logically

or normatively superior.'[120] Hawkins defines norms as 'principles establishing

behavioural "oughts" that are widely accepted by states.'[121] Rather than simply take

this definition as another example of how constructivism tends to account for only

one or two sides of the normative triad, perhaps there is more that we can take

forward from this context. There is, arguably, a clearer link between behaviour and

values when we are considering normativity in the context of dialogue and

communication. We have a context in which both the purpose of communication is

clear (to construct state identity and engender systemic belonging) and also the

parameters of that communication are clear, in that they stipulate the values in

question.

This is borne out in Hawkins's study by his subject matter – the case of torture

conventions and international jurisdiction. Why should states create such costly

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[119] Hawkins, 'Explaining Costly International Institutions', p. 780
[120] Ibid., pp. 783-784
[121] Ibid., p. 783

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institutions to uphold human rights norms for any reason other than it being the 'right' thing to do? 'Actors become convinced through arguments and debate that a different position is logically or normatively superior. While these two causal mechanisms vary in theory, it is difficult to separate them in practice.'[122] Still, however, state pursuit of the 'right' line, which we are assuming here correlates with the inherent value of the motivation/action in question, is a 'tactical' move, and not a deontological position.

This kind of context-dependent visualisation of the whole of normativity that Hawkins provides is very useful for the subject of this thesis, but there are two points of reservation. Firstly, this is very much a state-focused study, concentrating on what states do and why they do it. Yes, there is a clearly discernible link between the kind of socialisation processes and outcomes favoured by Wendt and the dialogic concerns of a critical approach, but there is more to pursue here if we wish to learn more about *human* rights and dialogue. This leads us to the second point, the framing of torture as a difficult and ultimately 'costly' subject. That it is the latter is not so disputable – the constitutional and behavioural conventions of statehood are being rigorously tested, which is not to mention the complexities and contingencies required of the jurisprudential angle. Torture, though, is not such a controversial human wrong, in that its prevention itself requires very little in the way of investment in resources: 'even states opposing the torture convention argued that torture was a horrible scourge and should be eradicated from the earth. Even if some believed that, if used correctly, torture could save lives by producing information about potential terrorist attacks, no one dared voice that argument.'[123]

The concept of persuasion asks an interesting question of the type of constructivist approach which we might expect to emerge from a better understanding

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[122] Ibid., p. 784
[123] Ibid., p. 790

of dialogue and communication. From a critical approach, we are building a toolkit

for a constructivist theory which develops from scepticism of modernity allied to the

belief that a return to politics properly so called depends on our ability to formulate a

process-focused dialogic community, accessible by all. Onto this we are imposing an

image of competing constructivisms which, in terms of dialogue, have in common a

preference for the communicative technique of bargaining, compared to the rationalist

approach of arguing. So where might we expect 'persuasion' to fit best along this

spectrum?

What can we learn by phrasing the question thus: how much of 'bargaining' is

an attempt to actually *persuade*? The persuasion element consists in each party

accepting the legitimacy of the others terms with which each is prepared to negotiate.

Substitute 'arguing' for bargaining and ask the same question. Arguing is not so

conducive to compromise. Surely, then, the answer is that arguing depends more on

persuasion for the whole process to still be classed as an *argument* (and not to have

moved on or 'watered down' to something else such as a bargain or compromise)?

The reason for introducing this crude logic here is that 'arguing and

bargaining, at face value, belong to two different social theories – rationalism and

communicative action theory.' [124] Müller asserts that the logic of appropriateness

(which governs how constructivists view behaviour and its outcomes) applies equally

to communicative persuasion.[125] What to make of this apparent contradiction here,

which would have constructivism conflated with rationalism?

Müller's own project is one of synthesis which considers the language-based

ties which (may) bind rationalism and constructivism. This being so, his analytic

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[124] Harald Müller, 'Arguing, Bargaining and All That: Communicative Action, Rationalist Theory and the Logic of Appropriateness in International Relations', *European Journal of International Relations*, vol. 10 (3) (2004), p. 396
[125] Ibid., p. 395

focus is not ours. This thesis is also focused on synthesis, but at an *intra*constructivist level. That two types of constructivism from (apparently) either end of the spectrum can be conflated on this point is an interesting marker to take forward into the next chapter. But how interesting is this point with regard to the values which underpin the reasons for communicating in the first place?

Müller is not so instructive here, as his study is not focused exclusively on human rights norms, and so fails to distinguish between which element of normativity is being discussed or exemplified at any given point. He relies on the high level of consensus which allows for a view of 'norms as rules' to underpin conclusions such as 'even when institutionalization is low, normative arguments are still possible. They can be deduced from general principles about human or diplomatic conduct (human rights, central notions of justice and equity, diplomatic habits, the Vienna Convention on Treaties, etc.).'[126] General principles of which part of the process? What the process actually is? How it should be carried out? Or why we should enter into it in the first place? Constitutive, behavioural/procedural and value norms need to be distinguished if human rights norms are to be subjected to a level of analysis not based on assumptions.

Hawkins and Müller both offer insights into the relationship between normativity and communicative action as part of a growing literature on this particular aspect of language in use.[127] There can be little doubt that Habermasian concepts and categories have been 'brought in' to this area of IR with the result of becoming

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[126] Ibid., p. 412

[127] See, for example, Thomas Risse, '"Let's Argue!": Communicative Action in World Politics', *International Organisation*, vol. 54 (1) (2000), Thomas Risse and Stephen C. Ropp, 'International human rights norms and domestic change: conclusions', in Risse, Ropp and Sikkink, *The Power of Human Rights*, Michael C. Williams, 'Words, Images, Enemies: Securitization and International Politics', *International Studies Quarterly*, vol. 47 (4) (2003), and Simone Chambers, *Reasonable Democracy: Jürgen Habermas and the Politics of Discourse* (New York: Cornell University Press, 1996)

established as something of a permanent fixture. Certainly, this has led to a much broader and fuller understanding of normativity in general. But what of values? Earlier in this thesis a distinction was made between the ethical instrumentality and morality of values within the international system. Both of course play a key role in theorising human rights norms, but it is the former aspect which can tell us more about how these norms affect the international system, based on the assumption that this system itself is a structure and not an intangible ideology. It may indeed be a symbol, even an illusion, but from a *constructivist* perspective, it works because norms 'work' in a particular way. Morality informs this position, but only functions as a background field. We can base arguments and positions on the assumption that this field is in place, without having to labour to establish any moral essence or truth before going on. The norms encapsulated in the *Universal Declaration* have proven both useful in both a positive sense (in providing a more concrete image of something so essentially abstract as values) and a negative sense (as representative, in the end, of the grand human assumptions of modernity).

How much, then, can a Habermasian approach tell us about the *instrumentality* of human rights – their earthly referent, their historical place, their affect on actual lives and actual states – in addition to its theorising of the 'ideal', or as anything more than a critical theory of an abstract morality? Linklater, as stated, makes some use of but does not rely exclusively upon Habermas. It is arguably the case that this would be an impossibility as Habermas lacks a concrete concept of a social reality on which to base his critical approach. Before looking at this closer, we need a better understanding of Linklater's dialogic approach and Habermas's role in it.

Linklater is committed to the notion of a 'triple transformation of political community' and it is an appropriate juncture to remind ourselves of what this entails

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as a way of setting up the discussion which follows. It is a philosophical, sociological and praxeological triad:

> Within this division of labour, philosophical inquiry has the
> task of defending the dialogic imperative and criticising the
> practice of unjustly excluding others from open dialogue.
> Sociological inquiry has the purpose of considering the
> forces which have shaped the origins, reproduction and
> transformation of dialogic communities. Praxeological
> inquiry has the function of commenting on the possibility of
> enlarging the boundaries of communities of discourse and
> institutionalising loyalties to the ideal of a universal
> communication community.[128]

In other words, the critical approach has the task of telling us why dialogic community is a good thing, how its history has developed, and how we might push its boundaries back so that it can truly be a *universally* good thing. Does Habermasian thought provide for each of these aspects?

In terms of Linklater's philosophical criteria, there is no great controversy in stating that Habermas follows the generally critical line when considering the legacy of modernism (a line to which most variants of constructivism subscribe[129]). Linklater himself is keen to focus more on the sociological and praxeological development of dialogic community. Given that the aim of this thesis is to conceptualise the *effect* of human rights norms and not necessarily their *origin*, we shall mirror this focus here

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[128] Linklater, *Transformation*, p. 110
[129] How Wendt fits into this principled framework will be discussed in the following chapter.

also. Ultimately, we wish to ascertain whether the opportunities for praxis offered by Habermas's communicative action are able to form a sufficiently meaningful relationship with constructivism. 'Meaningful' here refers to the end product being recognisably constructivist and not purely critical. We can hypothesise that this will require two things of Habermas – a dialogue with the international, and a conception of actual human suffering which spans (or cuts through the 'shroud' of) modernity.

On first inspection, the first of these criteria seems to be beyond Habermas. As Linklater writes, 'there is little in Habermas's analysis which deals directly with encounters between societies.'[130] This in itself has not deterred IR scholars from framing international friction, and its possible end, in Habermasian terms. This is largely because 'Habermas's project of reconstructing historic materialism… focuses on how human subjects learn more complex means of assessing the legitimacy of their political arrangements.'[131] Political arrangements, of course, cross borders. In the terms of this project, we appear to have arrived suddenly at a theory capable of gauging the impact of human rights norms (i.e. how best, or legitimately, should we carry on) within the international system (as nothing less than a political arrangement).

But can we make a satisfactory leap to values? In order to break down a complicated argument, and to bring to the fore how Linklater utilises Habermas, let us look at three statements by Linklater in more detail:

> Habermas's account of the discourse theory of morality
>
> exalts features of communication which are universal in that
>
> they arise whenever human beings cooperate to reach an

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[130] Linklater, *Transformation*, p. 111
[131] Ibid., pp. 118-119

understanding. Their universality does not mean that all

societies are equally committed to discourse as the means of

establishing legitimate principles of association.[132]

The highest stages of moral-practical learning claim that rival

conceptions of the nature of legitimate practices should be

resolved by a post-conventional ethic which defends the

prima facie moral responsibility of engaging the whole of

humanity in open dialogue about matters of common

interest.[133]

Contra Weber, Habermas argues that important, but flawed

or incomplete, expressions of the dialogic potential which is

inherent in communicative action can be glimpsed in the

processes of liberal-democratic societies.[134]

The first statement captures a thinly universal understanding of morality at

work. Why might we have difficulty with it here? The logic implies that *only*

discourse consisting of communicative action is capable of producing understanding.

Moreover, these features of communication exist, but can be (and are) frequently

ignored. But on what 'fact' is understanding *capable* of being reached? That

moralities can be reconciled, or that there is only one morality, which simply needs to

be accepted? That 'acceptance of tradition and authority restricts the opportunities for

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[132] Ibid., p. 120
[133] Ibid., p. 121
[134] Ibid.

discourse in the most ostensibly democratic societies'[135] suggests that these traditions are in some way inherently limited as vessels for morality, and so it is the latter position being taken. This seems altogether too foregone a conclusion for it to underpin a constructivist account.

The second statement endorses a 'post-conventional' ethic which demands universal dialogue as a moral responsibility. If this is the apex of moral-practical learning, what are we to take from it? Undoubtedly, this is an intertwining of Habermas's philosophy and sociology, in the terms defined by Linklater. On the face of it then, we might not expect to gather much more from it other than its re-statement of how Habermas confirms the critical position on modernity. However, its placement in the section entitled '*Social Learning and International Relations*' in *Transformation* seems to presume that it tells us more than it actually does.[136]

As a sociological statement it actually states very little. That we should take a human rights norm – the subject of which exposes the actual conditions of suffering in an individual's or group's existence – and have it rigorously tested against the principles of the parties in question, is an ethical preference and not an empirical measure of anything in particular. Conflicting principles, institutional design and even how states and individuals react to change are all capable of being empirically measured, but they require a method of doing so. Linklater's point here about Habermas, then, is over-stretching a philosophical/normative sentiment in order to make a sociological statement.

The third statement introduces what it is about Habermas which makes the issue of critiquing modernity more complex. All is not lost in the modern West, it has just been wrapped in red tape. Weber argued that, in the competition to be the chief

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[135] Ibid., p. 120
[136] Ibid., pp. 119-123

signifier of the age, the 'ethic of universal brotherhood' lost out to the progress of the natural sciences.[137] This had the effect of rendering this ethic as a historical artefact, hence the critical approach. But for Habermas, 'the modern West represents a major advance in the development of moral-practical rationality, and dialogic potentials are embodied in liberal-democratic institutions to an unusual extent.'[138] And immediately hereafter Linklater builds a strong argument for following Habermas by persevering with the ethical potential within an institutional design that depends on the rule of law and capitalism, which in turn allow for the production of 'reflective agents who must construct the moral realm for themselves.'[139]

Given the two criteria above for testing Habermas against constructivism, Linklater (notwithstanding his endorsement of communicative action) still considers the limits of Habermas to be the limits of the state. This is a key point for Linklater, who plainly does not want to have a universal communication community rest upon a theory which lacks a clearly articulated vision of the international. And it is therefore all the more curious, following this logic, that IR scholars should want to 'construct' any aspect of the international by having Habermas cross the very same borders.

But where does this leave our project? This conclusion is drawn by Linklater, but if it is the totality of our own findings, then would this not, in the end, amount to a quick and easy conflation of constructivism with critical theory? A 'lack' of theorising of the international in Habermas has not prevented constructivists from adding to the source material and supposing that this 'leap' can be made, and in a valid way.[140] Equally, though, critiques of constructivist progress claim that there is

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[137] See Ibid., p. 121
[138] Ibid.
[139] Ibid., p. 122
[140] This holds especially if one subscribes to 'liberal-constructivism'. See Patrick Thaddeus Jackson and Daniel H. Nexon, 'Constructivist Realism or Realist-Constructivism?' *International Studies Review*, vol. 6 (2) (2004)

not sufficient evidence in Habermas's writing of any leap beyond liberalism.[141]

According to Neta Crawford, '[In Habermas's work] some restrictions on who can speak are not well taken into account. Specifically, discourse takes place within communities, with those within communities determining group membership. Those who are displaced or for some reason defined as outside a community, at least in Habermas's formulation, have no right to participate.'[142]

This encampment in liberalism does little to refute the notion that the modern West has become used to the legitimacy of settling arguments by persuasion, and not by an objective 'better argument' standard, which would confirm the rationalising concern discussed above.[143] And this seems to be the crux of the problem we have when trying to link constructivism and communicative action *on the subject of values*. The logic of constructivism is left in an ambiguous state: 'Seen from the vantage point of the logic of appropriateness, actors are not simply stripped of any moral standing when they defend interests and drive a hard bargain; rather, in most cases they are expected – and entitled – to do exactly that.'[144]

Presently, we simply cannot say with enough confidence whether the world in which Habermasian communicative action takes place is somehow 'too' liberal in that it sustains power relations in arguing/debate/bargaining, or that it is just liberal enough to carry through an ethic of universal dialogue. It does seem that the former is a more convincing position to take, as it captures (for many) the nature of liberalism, whereas the latter case remains (as far as it does) *despite* liberalism.

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[141] Reus-Smit, 'Politics and Legal Obligation', esp. pp. 603-604

[142] Neta C. Crawford, 'Postmodern Ethical Conditions and a Critical Response', *Ethics & International Affairs*, vol. 12 (1) (2006), p. 131

[143] See Jeffrey T. Checkel, 'Social constructivisms in global and European politics: a review essay', *Review of International Studies*, vol. 30 (2) (2004), p. 240

[144] Müller, 'Arguing, Bargaining and All That', p. 415

This line of critique is heading in a 'constructivist' direction, but to say that Habermas fails us here because constructivism stands somehow as the opposite of liberalism is insufficient grounds for continuing. We are beginning to form a sense of what constructivism is not, or rather what has so far failed to work for constructivism (and especially human rights norms), as communicative action operates in a field of contested values. What we need to do is press forward an attempt to locate what is constructivist about Linklater. We can do this now by pointing to a flaw in Habermas – a lack – which should in turn allow us to work out Linklater's optimal contribution to this thesis.

A common criticism of Habermas's communicative action is that his project does not live up to its normative billing.[145] Critical theory developed primarily as an emancipatory project. Since its inception it has been consistently critiqued, and self-regulated, with the asking of the defining question – emancipation from what? This is especially pertinent when attempts are made to somehow merge the aims and methods of critical theory and constructivism. In other words, for a successful merger we might expect to find in Habermas a concrete example of human suffering which demands critical exposure. Do we find this?

In Axel Honneth's words, Habermas

> provide[s] a systematic concept of what is currently
>
> threatened by the domination of systems. At the place in
>
> negativistic theoretical models where unclarified premises of
>
> barely articulated anthropology predominate, in his model we
>
> find a theory of language that can demonstrate convincingly

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[145] See, for example, Richard Wyn Jones, *Security, Strategy, and Critical Theory* (London: Lynne Rienner Publishers, 1999), p. 62

that the endangered potential of human beings consists in

their ability to reach communicative understanding.[146]

The question still remains though as to what the anchor is which grounds this

approach? Why exactly do we *need* communicative action? Without this 'pre-

theoretical praxis',[147] the argument runs, communicative action is effectively an

answer without a question, something which seriously undermines its emancipatory

credentials. Honneth articulates this well: 'What systematic experiences – indeed,

what phenomena at all, I would further like to ask – assume in Habermas's theory the

role of providing everyday evidence of the cogency of critique prior to all theoretical

reflection?' And for the denouement, 'I surmise that at this point, a fissure appears in

the theory of communicative action, one that is not of chance origins but which has a

systemic character.'[148]

Habermas's second generation development of critical theory shifted its focus

from a source of oppression existing in the material world (control of production), to

a linguistic process which presumes that oppressed peoples will have the inclination

and means to emancipate themselves *generally*, as a matter of course in their lives

and without specific motivation. 'Whereas Horkheimer saw capitalist relations of

production as setting unjustified limits on the development of the human capacity for

labor, Habermas sees the social relations of communication as putting unjust

restrictions on the emancipatory potential of intersubjective understanding.'[149]

But which person (Honneth is essentially challenging), in which field, factory

or refugee camp, is daily aware of the need to increase their facility for

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[146] Axel Honneth, *Disrespect: The Normative Foundations of Critical Theory* (Cambridge: Polity, 2007), p. 68
[147] See Ibid., esp. pp. 69-72
[148] Ibid., p. 69
[149] Ibid., p. 69

intersubjective understanding? Who is 'communicating', and how big is the assumption that it is done on somebody's behalf, and that it is Good?

> For Habermas, the pre-theoretical resource grounding his
>
> normative perspective in reality has to be that social process
>
> by which the linguistic rules of communicative understanding
>
> are developed. In *The Theory of Communicative Action*, he
>
> refers to this process as the communicative rationalization of
>
> the life-world. However, such a process is typically
>
> something which could be said – with Marx – to occur
>
> behind the backs of the subjects involved; its course is
>
> neither directed by human intentions nor can it be grasped
>
> within the consciousness of a single individual.[150]

In Martin Weber's words, 'from the perspective of social and political philosophy, the theory of morality conceived through the self-reflective exploration of the conditions of communicative action produces a procedural account of principles, the Hegelian critique of the 'empty formalism' of Kantian deontological reasoning can be brought to bear again on behalf of substantive demands of ethical life.'[151] Communicative action is the idealised perfection of a linguistic procedure.

Regarding the subject of this thesis, the restriction of linguistic capabilities does not equate to the kinds of personal suffering *always* associated with human rights abuses. Of course, we might expect certain freedoms to be defined to an extent by their outward expression, i.e. freedom of religion, the right to a fair trial, freedom

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[150] Ibid., p. 70
[151] Martin Weber, 'The critical social theory of the Frankfurt School, and the 'social turn' in IR', *Review of International Studies*, vol. 31 (1) (2005), p. 197

of assembly and association, etc. But many other human rights are less bound by opinion, or the strength of the better argument. This being so, we can presume that reifying the specific process by which voices are heard is not a sufficiently comprehensive device for encompassing moral experience, and thus its emancipatory utility is limited.

Importantly, the concept of communicative action is not defeated. The problem lies in using the *linguistic rules* of the process as its underlying normative presupposition. There is no sociology involved in doing this, no actually occurring moral experience which can be tracked historically. In our context, human rights norms would not matter because of any notion of essential or instrumental value from which we can develop a more comprehensive understanding of roles, interaction and change in the international system. Instead they would matter only because they consisted of patterns, rules and schema, and so these purely abstract forms would themselves be the purpose of inquiry, and the perfection of these forms would be the sole reason for persisting with a culture of human rights. 'Human rights' then becomes a singular academic fiction, the subject of metatheory and nothing else.

Honneth's own solution is the notion of 'disrespect': 'the normative presupposition of all communicative action is to be seen in the acquisition of social recognition: subjects encounter each other within the parameters of the reciprocal expectation that they be given recognition as moral persons and for their social achievements.'[152] Furthermore, 'moral injustice is at hand whenever, contrary to their expectations, human subjects are denied the recognition they feel they deserve. I would like to refer to such moral experiences as feelings of social disrespect.'[153]

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[152] Honneth, *Disrespect*, p. 71
[153] Ibid.

Having moral experience bound up in the notion of recognition and, here, social disrespect, is one way of addressing the pre-theoretical praxis issue. But it is not necessarily the preferred outcome for the present thesis. What this deeper foray into the heartland of Linklater's critical disposition has allowed us to develop is a clearer sense of two things. Firstly, that a critical aspect pulls constructivism into a territory much more focused on emancipation, freedom from dominant modes and the history of moral experience, all of which underpin why we might expect human rights norms to matter, but which are questionably in keeping with what we know constructivism to be.[154] Secondly, that critical theory itself has provided us with a means of critiquing what is essentially metatheory. We have ventured out to the edges of how constructivism *might* work (i.e. by using the 'tool' of communicative action), and have been brought back towards its praxeological centre (by using Honneth here) as a timely reminder of the need to have a grounding for values that is properly historical – I say 'properly' here meaning that 'values at work' must be identifiable in a specific era (as we use human rights norms presently), and across time (evidenced by both Onuf and Linklater expressing the need to uncover the normative constants of modernity).

So how do we incorporate this into our constructivist project *within the parameters of this chapter?* Not by pursuing traditional critical theory for *its* conclusions, but by looking instead to Linklater and his development of a historical and transnational concept that we might argue corresponds with the contemporary example of human rights norms. That is, the concept of harm.

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[154] Allowing for its especially wide parameters.

Linklater's historical referent for values: the concept of harm

We must first clarify the relevance of harm to this project. What questions could it answer? Starting with human rights norms, it would be beneficial to this thesis if we could draw upon a clearer understanding of how the values encapsulated by these norms are a feature of Linklater's work. Having this would enable a deeper insight into how these value norms affect the international system. Moving onto constructivism itself, there seems to be, at first glance, a correlation between Linklater's harm and Onuf's exploitation, even if the former concept has been given more sustained attention over time for its working out. An obvious deduction from this is that having an intramundane conception of human suffering over time is a requirement of constructivism. *Where is the reality*, in other words? There is much here for Linklater's harm to accomplish. Too much, perhaps, if this was to be the apex of this thesis. Restricting any 'answers' we find to the context of this chapter first, and to then let the wider implications possibly run-off from this, is essential.

Both the protection of individuals and the international order of states – two of the issues at the heart of this thesis – are the 'cosmopolitan orientations...central to the sociological approach to harm in world politics'[155] which are of most interest to Linklater. If we are to follow these orientations, then 'what is most interesting about this point of view is how far different international systems have thought harm to individuals a moral problem for the world as a whole – a problem which all states, individually and collectively, should labour to solve – and have developed what might be called cosmopolitan harm conventions.'[156]

Human rights norms, in other words? The point of taking a sociological approach is to try to ascertain how states could collectively arrive at this position: 'to

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[155] Andrew Linklater, 'The problem of harm in world politics: implications for the sociology of states-systems', *International Affairs*, vol. 78 (2) (2002), p. 320
[156] Ibid.

what extent [have] different states-systems...[drawn] on the idea of a universal

community of humankind'?[157] For this thesis, the point of drawing upon Linklater's

sociological approach to harm is to gauge the extent to which cosmopolitan harm

conventions (CHCs, to use Linklater's abbreviation) – which we will assume for a

moment are similar to human rights norms – affect individuals and states, and also the

extent to which this particular transhistorical approach will aid our understanding of

constructivism.

For Linklater, there are five different types of harm: Deliberate harm in

relations between independent political communities (e.g. war); deliberate harm

caused by governments to their own citizens (e.g. human rights violations); deliberate

harm by non-state actors (e.g. actors such as pirates, transnational economic

organizations and international terrorist organizations); unintended harm (e.g.

technological developments associated with globalisation); negligence (e.g. acts of

moral indifference such as the testing of nuclear weapons in the South Pacific).[158]

All of these types have some traceable relation to human rights norms, albeit

by varying degrees of proxy. The second of these, however, makes the most obvious

connection with how the rest of this thesis has characterised human rights norms, and

so this shall be our focus here. If we can say, then, that harm in contemporary

international society is of a particular historical quality, and that it has been responded

to in an equally historical and also cosmopolitan way, to what extent is it a), affecting

international society, and b) a recognisably constructivist concern?

Drawing upon English School interest in how standards of legitimacy change

over time to outline a qualified progressivist stance,[159] Linklater thus illuminates why

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[157] Ibid., p. 321
[158] Ibid., pp. 328-331
[159] Ibid., p. 334-335

the occurrence of violence between governments and citizens matters so much that we have developed universal human rights norms. But to what extent does he do this?

Certainly, more people in more places are at least *imagined* to be part of this universal community. This appears to result, though, in a very restricted notion not of *who* matters, but *why* they matter. Linklater's brief notes on unintended harm and negligence push forward with this: 'The importance of depth has been highlighted by those who criticize Western conceptions of human rights for stressing liberal and political, as opposed to economic, rights. Their point is that more radical harm conventions are needed to address conditions of unspeakable squalor and extreme vulnerability to global market forces.'[160] If human rights norms already provide for these needs, then they significantly affect the international system. If they do not, then they must still only be potentially affective.

There is a key difference, though, between Linklater's CHCs and universal human rights norms. In theory at least, everyone has human rights equally. Also, everyone is entitled to claim their human rights. CHCs, on the other hand, can (and do) differ from place to place: 'All societies have harm conventions which define what is permissible in relations with other human beings, what is obligatory, and what is officially proscribed.'[161] This cosmopolitan type of harm convention[162] states no preference for insiders over outsiders, whilst still being able to maintain a distinction between the two.

This is an interesting distinction to consider when thinking about how values affect the international system. Perhaps the difference is that harm is a reason for

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[160] Ibid., p. 337

[161] Andrew Linklater, 'Citizenship, Humanity, and Cosmopolitan Harm Conventions', *International Political Science Review*, vol. 22 (3) (2001), p. 264

[162] Linklater makes a further distinction between these and ordinary harm conventions which are entirely inward-looking and are tied to a negative view of the nation, i.e. Nazism, fascism, colonialism. See Ibid., p. 264

[163] Ibid., p. 275

human rights; human rights cannot logically appear first. If this is so, then CHCs need to be embedded in a constant societal form. Although both concepts deal with individuals and states, CHCs are a 'state first' conception, whereas with human rights, the relationship is balanced (and much more open to contestation, certainly regarding their moral origin). Because CHCs are more explicitly about how international borders connect and disconnect human lives, the progression to a 'new' social form – the universal communication community – is a more natural (and theoretically satisfactory) step to make. Universal human rights cut through borders, categories and other perceived limitations on the individual, and so cannot call upon the state as a clear and unambiguous referent when it comes to deciphering what effect they have on international relationships.

Although Linklater is keen to hedge his progressivism against the distorting pull of an 'end' of history or politics, it is clearly discernible nonetheless. 'We do not know if modernity will succeed in creating CHCs which are unprecedented in the history of forms of world political organization. A moral commitment to new forms of domestic and international political community that have this ambition is central to a sociology of cosmopolitan harm conventions with an emancipatory intent.'[163]

Two threads here demand attention. Firstly, by having the state as the referent (and a foundational one at that) for the relationship between individuals on the matter of injustice as represented by harm, the state is essentially washed out of the equation. What is meant by this is that CHCs depend on individuals *as members of states* as their reason for being, and so the role of the state is much less of a contentious issue. The relationship between human rights norms and the state is more problematic. On one hand, 'good' states are the exemplars of how internationally instituted human

rights work via acquiescent domestic arrangements. On the other, 'rogue' states who deny or defy value-norms are subject to international judgement which is rarely uniform, and so in turn often leads to controversial uses of force.

This ties in to the second thread. A contested sovereignty would seem to offer more to (and be offered more by) constructivism, rather than a settled view which signposts 'progress'. How interested is constructivism in creating an 'unprecedented form'? This strong contemporary notion of a 'moral commitment' *could* be the defining moment which provides a largely secular constructivism with its own values. But how would this add to our understanding of values in the international system, other than to direct us towards an agenda (albeit an emancipatory one)? This, for constructivism, is a point of definition, and so is conclusive. Having constructivism do the work of critical theory is a conflation of labour, which begs the question of how useful this is for IR theory.

Conclusions

This chapter was embarked upon in the hope that some of the gaps left by the rules and language approach might be filled in. Has this been achieved, or have these gaps merely been papered over? Maintaining an even balance of what is 'critical' and what is 'constructivist' about the critical constructivism we have assigned to Linklater is a crucial element in whether or not this progression works.

Certainly, Linklater's critique of modernity falls into line with Onuf's by having an actual human need for human rights, imagined separately from the very specific origin of the 'universals' contained within the *Universal Declaration*. We have a transhistorical referent for that need, also, which goes some way to confirming that we can legitimately add Linklater to a constructivism-focused thesis. The

institution of human rights can be constructed upon an identifiable *something*, and not an abstract supposition. But how? How far can critical constructivism provide a methodological impetus to the approach as a whole, of the sort other types lack?

Language games are particularly adept at analysing events, case studies, actions, etc. They tend not to be employed as a means of understanding why humans should want to cross borders in the first place. 'Borders' here refers to the myriad divisions which separate humans from their 'rights': lines between states; social and educational disparities; ethnocentrism; lack of recognition; lack of opportunity – and so the list goes on.

In one sense, then, language in use in IR spans a great philosophical divide: *Why are we apart?* Is a very different question to *Why are we not together?* Language games provide some understanding of the former, whilst the notion of dialogic community, we might expect, informs us about the latter. But to what extent does it do this? Framing Linklater's contribution as methodological (as in, 'the solution to our problems in understanding how constructivism deals with values in the international system is to be found in dialogue'), is now a limited, and in future limiting, exercise.

The common charge against dialogic community is that, materially, it tells us nothing: How *and* where *can we participate in dialogue to better our lot*? The farthest it would be reasonable to run with this in concluding remarks (a more in depth discussion will take place in the following chapter) is to say that dialogic community may be more ideal than substance, but it does *appear* to pull constructivism towards a more committed approach to human rights and values than might otherwise be the case. From one perspective, this fact alone illuminates how we might best approach and do theory in IR. Yet constructivism's commitment to critical

ideals is more than questionable, and is something which forms the significant part of the conclusion to this thesis. This view is challenged but not defeated by the fact that Linklater's categories, i.e. universal communication, cosmopolitan citizenship, CHCs and harm, all mirror very closely what we might expect of human rights norms. These categories, after all, are moral at source. These are broad generalisations, and there are further issues and questions, which point to the detail in Linklater's critical exposition, which are relevant to our consideration of synthesis in the following chapter.

The social and economic expansion witnessed in (relatively) recent times revived long dormant connections between Selves and Others. Linklater, not unreasonably we might think, caps this progress with the notion of a sustaining moral element. Yet this remains a significant leap. How *do* we connect sociological horizons to moral horizons? The implication seems to be that proximity begets amity. There is a clear analytical gap here, though, which would seem to be the sort of assumption constructivists would be interested in pursuing. It is made all the more interesting by the observation that political community does not coincide with moral community.

Linklater's touchstone for much, if not all, of his emancipatory focus is citizenship. He asks how citizenship could become detached from the modern sovereign state and embedded in international society. This relocation matters because of the 'moral repository' notion conferred upon citizens, and also the recognition afforded to other citizens across borders.

Critical constructivism pushes against features of the international system which have come to define other types of constructivism. Identity and shared interests, for example, break down in their roles as social bonds at the geographical

edges of any given community or society. They are deemed not to be a sufficiently binding force to foment a meaningful sense of humanitarian obligation *across borders*.

A circumscribed use of Habermas opens another door for us, away from the Frankfurt School of critical theory. In terms of the thesis, this shift is affected chiefly because Habermas lacks two things. The first, a dialogue with the international, comes with the caveat that Habermas is committed to a philosophy of 'political arrangements' – a very broad term. The second, a transhistorical conception of actual human suffering, is a controversial omission in his work, but it is much more identifiable than the international issue.

Having Linklater complete this chapter (when it could have had a less satisfactory Habermasian conclusion) allows us to focus on some features which appear in his work and elsewhere within the constructivist approach. The requirement of a historical referent for suffering, a conceptualisation of the intramundane, and the manifestation of the two in the concept of transnational harm places Linklater firmly within the same camp as Onuf. Wendt is a more challenging prospect, which makes the final chapter a more interesting exercise.

The points noted in this conclusion, and in the conclusions to the Wendt and Onuf chapters, are not meant to be an exhaustive list to be cross-referenced, collated and presented at length in the final chapter. There are bigger, overarching themes at play throughout this thesis, of which these points are symptomatic. Both the approach of constructivism and the concept of human rights have each constantly reacted to one another during the preceding chapters. Is constructivism really suited to the challenge laid down by Christian Reus-Smit and others, that it might be capable of some kind of

normative theory-practice fusion? How much of the middle ground is common

ground? Are values, in the end, too ephemeral and elusive? These questions are the

focus of the final chapter.

6. Synthesis?

Human rights are a normative challenge for constructivism. Not only do they test its capacity for theorising values, but they also call into question the elasticity of its parameters. It is these two challenges that have underscored this thesis, and they will be developed further, and then concluded upon, in this chapter.

This will be done in two broad sections which will answer two key questions. Firstly, to what extent are seminal constructivist statements set up to have the (presumably valuable) human rights discourse fit, somehow, into the rather unkempt framework they have significantly contributed to? Secondly, what does this mean for 'constructivism' as a recognisable approach to international theory? Are its boundaries pushed too far towards the critical end of the spectrum? To answer these questions, this chapter will clarify what constructivism is currently and possibly capable of regarding the ethical and moral challenges presented by values.

The preceding three chapters have analysed the ability of three leading types of constructivism to account for how values affect international relations. The 'synthesis' presented here is not to be misconstrued as a precursor to the development of a 'grand theory'. There has been nothing in this thesis so far to prepare the ground for such a claim. Indeed, talk of synthesis is superficial if it relates to making a 'better' or singular constructivism. Whom would it be 'better' for? Parsimonious academics, perhaps, or sufferers of human rights abuse the world over with myriad

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individual circumstances? This theory-of-everything would be densely packed with simplistic philosophies and unworkable prescriptions. It would, using the parameters set down here, be taking the subject of human rights and moralising on it from a safe distance. All that constitutes the 'problem' of human rights would be observable and hence conducive to a neat three-level division of labour between what people need, what states need and what the international system needs.

Instead, the chapter will be a sustained analysis of the capacity of 'constructivism' as a whole (or at least as represented here) to account for international values/human rights. It does so as the natural conclusion to the strands of Wendt, Onuf and Linklater so far developed almost wholly in isolation. Inevitably, bringing these approaches together demands that the further question of the limits of the category of constructivism be asked and then answered.

The first section assesses how human rights norms test the depth to which constructivism can describe and understand the role of values in international relations. Very broadly, Wendt's overall focus is on the 'Self-' and 'Other-' driven (re-) making of states, Onuf's is on the generation and perpetuation of meaning through rules, and Linklater's is on the emancipatory potential of dialogic community. They are conceptions of the make-up of the world and the most appropriate theorising of it, and we are supposing that human rights (can) filter through each of them. As international norms they point to strengths and weaknesses in each as the potential way forward for constructivism as a normative approach. There is no definitive moral pronouncement on human rights provided by any of these three key figures, as this would be in line with the liberal foundation of modernity to which constructivism is generally (see Onuf and Linklater compared to Wendt) averse.

What an analysis of each approach does tell us, or at least begins to tell us, is how well the signal features of constructivism fare when challenged to account for the ethical instrumentality of values. When these incidences of (apparent) success and (apparent) failure are added together, they form a picture of the cumulative normativity of constructivism, and we can in turn begin to make judgements about how well equipped it is to answer to the challenge of those such as Christian Reus-Smit, for example, who would have it as a practice-savvy critical hybrid.

Holding different types of constructivism up to account by testing their explanatory worth in a comparative exercise has been done before. Maja Zehfuss also critiques three types of constructivism (those of Wendt, Onuf and Friedrich Kratochwil), using the example of German military involvement abroad to test their analytic capabilities. The key difference between Zehfuss's study and this thesis is that Zehfuss is taking a historical episode as her constant, whereas here a less 'traditional' IR subject is the test case. It is the analytical difference between assessing the past and asking questions of the future. This places constructivism on a very different and dynamic footing by having its critical roots brought to the fore. Interestingly, Zehfuss herself utilises the postmodernism of Derrida to better expose, and then remedy, the flaws she perceives in the three constructivists. She develops certain understandings of constructivism which are equally relevant to this thesis, one of which allows the second section of this chapter to proceed with a strong precedent.

These types, despite their definitional/ontological differences, all 'agree on the assumption of limited construction.'[1] The types which make up our triangulation, substituting Linklater for Kratochwil, all share this feature. This characteristic, and how it varies, will provide some of the tension for this chapter. To elaborate a little

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[1] Zehfuss, *Constructivism*, p. 10

further as to what this 'limited construction' entails: 'when their constructivist analysis starts, some reality has already been made and is taken as given. Constructivist work stresses the significance of meaning but assumes, at the same time, the existence of an a priori reality. This places it, intentionally or not, in a middle-ground position which is problematic but central to constructivism.'[2]

In other words, how these approaches describe this middle-ground is how they describe constructivism. This chapter will conclude its analysis on how their ability to account for human rights norms as values constitutes and affects this middle-ground position. This will involve two closely related strands of inquiry. Firstly, a consideration of how well values are represented by each different conception of the middle-ground, i.e. what they do to it, and the limits to which they push it so that it can still legitimately be *constructivism*. And, secondly, a consideration of how far the incorporation of values permits the middle-ground to encroach upon the poles of positivism and postpositivism – which end of the continuum seems to do the better job of accounting for the ethical instrumentality of human rights we are interested in here.

In more detail, the chapter will proceed as follows. The first section, focusing on the apparently dysfunctional relationship between constructivism and values, will carry out its analysis in two interrelated parts, designed to directly test the 'model' constructivism which critics would prefer to see. That is, the issues of theory and practice. It will in the first instance compare the socio-philosophical histories of each type of constructivism (and maintain focus in doing so by discussing the impact of three key figures), with the aim of drawing out the extent to which each type of

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[2] Ibid.

constructivism has made it possible for values to be a legitimate concern. In other words, is there anything in the way that key intellectual figures have been interpreted or emphasised differently which better prepares one variant for the challenge of contemporary values over and above the others? Or, do common threads emerge which would allow us to draw a conclusion regarding their coherence? The next part of this section builds on these foundations to compare empirical approaches – has each approach endowed IR with a tool-kit fit for this task, or, even, have experimental legacies somehow failed to live up to the promise of the original? How far do we need to look beyond what we already have in place? These two analyses will together provide concrete answers regarding the questioned values of constructivism.

The second section will begin to bridge the gap between this analysis of constructivism largely on its own terms, and how it also relates to the position and argument of critical theorists. It will do this by analysing how each type of constructivism relates to modernity – as either a reaction to it (Onuf and Linklater) or an expression of it (Wendt). As discussed above, critical theory is driven by the need to re-state our modern human history, and the extent to which our chosen aspects of constructivism reflect this is crucial in ascertaining whether, as a 'whole' approach, it should be more accurately thought of as either moral or ethical in outlook. Again, this analysis will provide an answer as to the critical potential of constructivism.

Together, these two sections form the majority of the chapter in their interrogation of the 'constructivism and values' issue. Inevitably, less space is available for the 'limits of constructivism' issue, but it is sufficient to allow for the exposition of this naturally concluding question. As stated, the third section is intended to augment this primary discussion by asking whether, in the end, a requirement to account for values of the sort manifested in human rights norms

doesn't distort constructivism beyond all recognisable boundaries, so that it effectively begins to occupy territory traditionally belonging to other (more conservative or more radical) approaches in IR. Is constructivism still constructivism? Is there an acknowledged standard, or any criteria, by which this can be judged to be or not be the case? The purpose for this is to bring the thesis back round to its original concern: constructivism itself. This will tie the previous two sections together with a decision on whether constructivism has a 'critical' future.

Therefore, the 'synthesis' of this chapter works on three complementary levels: how well constructivism accounts for human rights/values; how well each aspect within our triangulation coheres with the others; and how any resultant notions of what constructivism can 'do' fit with notions of what constructivism properly, or supposedly, 'is'. Ultimately, *do values define or dismantle constructivism?*

I. The problems of capturing values as theory becomes practice

The three approaches in this thesis are fundamentally interested in gathering information so that we might better understand what constitutes the world of international relations. Values, we are assuming, are a part of the international system and furthermore, as represented in the form of human rights norms, they lay down a challenge which has not yet been met by international theory. The manifestation of these rights in the *Universal Declaration* makes this a liberal challenge. Goals have been set, and so constructivism must either bend towards this or strike out independently. Critics, it would seem, would prefer a best of both worlds-scenario, in which constructivism can incorporate normativity into its sociological framework

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whilst maintaining an agnostic position. Christian Reus-Smit would have a moral constructivism sit beneath a 'normative' banner, but ought the business of IR be governed by such a pre-conceived plan, or should it be more ethical in outlook, and work to be as inclusive as possible?

The broad philosophical questions that each variant in the triangulation asks can be reduced to one singular 'mission statement'. Both Wendt's and Onuf's, although directed at divergent ontological positions, are essentially the same: *'How can we know more about this?'* Linklater's, though, is explicitly purposive: *'How can we do better than this?'* Already, at this fundamental level, the compare and contrast exercise has some substantial material to work with. Wendt and Onuf clearly speak to each other, whilst Onuf and Linklater share a critique of modernity which Wendt finds less persuasive. Less explicit, but no less important, is the notion of change and improvement contained within Wendt's thesis of the personality of states which bears positive comparison with Linklater's optimism. It is Onuf who seems irredeemably pessimistic by confining constructivism within a perpetual cycle of exploitation, yet his awareness of analytical limits complements Wendt's similarly circumscribed ontology of states. These few examples outline how the theoretical and practical elements of each approach are interconnected. More precisely how this is so will be discussed below.

Of the variants under examination here, Linklater's inclusion in this thesis seems more and more to be assuming the appearance of what we might expect Reus-Smit's 'normative ideal type' of constructivism to look like. All three types, though, stem from social theory roots and associate themselves with key thinkers in the history of this area of thought. How they do this – how they fashion received pillars of wisdom to fit their own variations of constructivist thought – tells us a great deal

about how and why values matter. This analysis of theoretical roots will make up the first part of this section. It will act as a precursor to the second part which analyses the tools, techniques and methods that each uses (as far as these categories can be employed), and which might indicate how constructivism speaks to itself as well as to human rights norms. Thus we have the theory-practice synthesis, so commonly perceived as a central aim of constructivism, as a key analytical device.

Making values possible: the relative importance of Kant, Marx and Weber

The social theory roots of constructivism have been subject to varying interpretations by each of the three types analysed here. Although each necessarily draws upon a range of theorists in developing arguments and comparative critiques, three central figures have emerged – Kant, Marx and Weber. The weight which Wendt, Onuf and Linklater assign to these antecedents provides us with the opportunity to analyse constructivism collectively at a theoretical level before moving on to their respective empirical features.

As we have seen, Wendt's state draws its essential character traits from three strands of political and sociological thought: Weberian, Pluralist and Marxist. These must be thinly conceived in order to combine in a meaningful and lasting way. Wendt seems to have aimed for an elegant format for a compact state as the three are 'organizational, reductive, and structural respectively.'[3] They are blended into a whole by Wendt, but there is a clear demarcation between them which he duly notes: 'each has a different referent object, only one of which (the Weberian state) is an "actor" at all... But when states interact they do so with their societies conceptually

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[3] Wendt, *Social Theory*, p. 201

"in tow," and this calls for supplementing our conceptualization of the state with insights from a Marxist or Pluralist analysis.'[4]

There are four points of note here. First is the idea that societies can be conceptualised as being 'in tow' behind (presumably) their leader, the state. The second is that the insides of said state are *either* Marxist or Pluralist. But this choice depends on what proof exactly? Third is the notion that everything about the state – its inhabitants, their voices, the relationships between inhabitants and the bureaucracy, the identity of the state as an international actor, etc. – is accounted for in this three-sided schema. Finally, which we shall come back to presently, there is the assumption that this very brief mention of Weber tells us all we need to know of his contribution to modernist constructivism.

The first three points are interrelated in forming Wendt's 'back-story' to the state – in shaping moral/ethical content that is significantly more prominent in both Onuf and Linklater's work. Having such a neat divide between the inside and outside of the state begs the hypothesis that this is too simplistic. It may be enough for Wendt, and it may well be enough to represent a wider conventional constructivist approach, but is it sufficiently broad to encapsulate the values associated with human rights norms? Once again the conclusion must be drawn that Wendt's statism is too shallow to allow for the complexities of society *apparently* admitted by a constitutive approach.

Wendt is endowing the state with what we might refer to as a 'broader' personality. He does this in order to define it more clearly and to offer up a more characterful product. How successful he is with this is another matter, and we can question the depth to which it extends. Wendt does recognise that his triumvirate are

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[4] Ibid.

each 'significantly different'[5] and is explicit on the need to meet head on with the problems this raises. Again, though, this is done only briefly,[6] and by having the state as a common referent object. This means that he is using contested conceptions of the state to define a contested conception of the state. Should we be clear about where this leaves us at all, let alone in relation to human rights?

Wendt appears almost reluctant to delve into the state – 'it seems impossible to define the state apart from "society".'[7] Why should this be so? Because it compromises the elegance of a 'theory' of the state? Again, 'states *seem* to be conceptually interdependent in the same way that masters and slaves are, or teachers and students' (emphasis added), as if there were any doubt over the matter. The effect this has is to convince us that Wendt cares less for a 'whole' state than he does for its projection outwards. This is only significant if the domestic politics of states are relevant in order to speak meaningfully of their international values. It is usually the case that the two are deemed to be associated (perhaps even inextricably), but the agnosticism of Wendt's position on the matter rules out any moral role for constructivism. There is simply not a deep enough connection here between the internal and external politics of the state. Wendtian constructivism has no interest in a core of constant values and so must be ethical in its understanding of the good.

Wendt is required to attach Marxism and Pluralism to the Weberian 'state as actor' even though both perspectives reject this role/definition of the state. What is our critique of this? Constructivisms of varying hue have no great issue with the position that 'Weberians define the state as an organization possessing sovereignty and a territorial monopoly on the legitimate use of organized violence.'[8] Indeed, a

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[5] Ibid., p. 199
[6] See Ibid., pp. 199-201
[7] Ibid., p. 199
[8] Ibid.

Weberian view of the state affirms for constructivists a clear referent object against which to reconcile certain international activities and institutions – bordering, space, intervention, legitimacy etc. Wendt points out that nothing, however, defines the Weberian state other than itself. In other words, the state may accommodate a capitalist system, but it is not therefore a 'capitalist state'.[9] This, we can assume, has the effect of fixing an original identity of the state.

Pluralism rejects the state as a referent object. It is not the sum of its parts, but rather a nominal convenience more suited to cartography than politics. Wendt's treatment of the 'meaning' of pluralism in this context is confined to a very brief exposition in a single paragraph.[10] The universal/plural schism is left to other types of constructivism to ponder, and this is a weakness in Wendt's approach, from our perspective.

Wendt uses Marxist state theory to tie these two positions together. It is a structural theory, and so seems to link state with society. What are the implications for this beyond the Wendtian approach? Constructivists accept the state as an international fact as much as they accept society as a social fact. Is the 'best' binding force for these two entities Marxist structuralism, and can this form of order accommodate the internationalisation of values? Human rights norms are not entirely of the state and, arguably are not entirely of society either, if we take the strict interpretation that their international origin is the *Universal Declaration* itself. They exist as an institution between and across states and societies as they require both to have any meaning.

We can bring in Onuf and Linklater here. There is some discernible common ground between these three approaches as each attempts (in however limited a way)

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[9] See Ibid., p. 200
[10] See Ibid.

to describe society. That is, the internal or domestic society which props up state identity in countless ways. This has the effect of forcing our own critique to make a choice based on the options above: are variants of constructivism somehow 'better' or 'worse' than others if their conception of human rights norms is limited to either a statist *or* a societal bias? And, is this necessarily an artificial stance to have? These are hard cases for constructivism. If it is not possible to satisfactorily develop a persuasive critique either way, then Wendt's approach is itself the height of constructivism's ability to gather and describe knowledge on the subject of *international* values.

Essentially, we are looking for constructivism's ability to describe an international society of values. In particular, this world view must be able to account for values expressed through the contemporary (liberal) institutions that are human rights norms. In one sense, the conclusions constructivists then make from the available data are irrelevant, as long as the data itself is as comprehensively sourced and empirically legitimate as possible.

In *World* and *Transformation* Onuf and Linklater, certainly in contrast to the very limited exposition in *Social Theory*, appear to be all about society. The effect that this has on human rights norms is to suggest that they can tell us more about how values shape the international system if we are looking at them from a socio-centric point of view. This may seem to be obvious (this is, after all *social* constructivism), but gauging the weight that constructivists give society, and its characteristics, is anything but.

Having society on an equal footing to the state, and so merging the traditionally conceived duality of what is international and what is domestic, requires clear parameters. Onuf's project in *World* is primarily the proper rendering of political

society as an operative paradigm of IR which incorporates this dualism. How does Onuf's treatment of these three key thinkers allow for the development of values in this paradigm?

It may be worthwhile to take a brief step back before going on. It does seem that Wendt's scant use of Weber means that a comparative exercise with Onuf and Linklater is unworkable. Interestingly, Wendt 'presents' Weber to us, or rather, the Weberian state, as a fairly compact unit defined by its sovereignty and monopolisation of organised violence,[11] which mirrors his (Wendt's) own rendering of the state as unfettered by the complexities of society. The most we are left with is that 'Weberians emphasize the functions that the state performs for society (internal order and external defense), but for Weber the state's nature is not conceptually dependent on society.'[12]

Within Wendt's basic framework, Weber plays a significant role in providing the precedent for a 'state as actor' formulation. Onuf's focus on Weber mirrors this somewhat, but to a much greater degree – the framework is more complex and Weber's role within it is discussed at length. The development of *Herrschaft* means that Weberian thinking underpins Onuf's 'ideal' of political society. But what are *Herrschaft*'s values?

The relationship between *Herrschaft* and human rights norms does at first seem to be a fruitful one. This is particularly the case if we trace its social-theoretical development via Hegel, as Onuf does. As a paradigm it is concerned with the framing and the terms of power relationships, and what is possible within them:

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[11] See Ibid., p. 199
[12] Ibid.

> Hegel juxtaposed the term *"Herrschaft"* with
>
> *"Knechtschaft"*... as defining relations of master to slave...
>
> Hegel argued that "slaves" learn from their work, while
>
> "masters" do not, for the latter do not work. What do slaves
>
> learn? Hegel's interpretation is often admired – slaves
>
> become self-conscious – but it is equally possible to see it as
>
> retrograde – they learn their place, they become stoical.[13]

This has implications for the 'purpose' of human rights norms. They can, by this reasoning, be considered tools for the oppressed to use against the powerful. Which, after all, is what we might expect them to be. This would mean that constructivism is not so interested in statist international relations, but rather in individual or humanist international relations – or at least, it tips the balance of competing interests in their favour. Intuitively, this is a simple enough point for constructivism but it has required the following of this intellectual line for it to be *theoretically* legitimate. The knock-on effect for research agendas is to call into question the reasons for having human rights norms – i.e. moral reasons – which then affect what information should be sought about them, and so on.

How Onuf expresses the importance of referring to key thinkers seems to have had the kind of parsimonious constructivist theorising eventually attempted by Wendt a decade later firmly in mind. As Onuf says, 'Marx and Weber are names to be invoked, even icons to be admired, but rarely are their puzzles acknowledged, their

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[13] Onuf, *World*, pp. 200-201

solutions deployed.'[14] How Onuf himself works out these puzzles has implications for our triangulation.

The logic with which we might be able to place human rights norms within Onuf's categories is complex and has many stages. Here, the aim is to present this as minimally, but as clearly, as possible. Essentially, Weber lacks a robust concept[15] of the type of rule generated by, or based on the prevalence of commitment-rules. Onuf (writing with Frank F. Klink) believes that this can be rectified by substituting in a clearer categorisation – heteronomy – which therefore completes the picture of why *Herrschaft* is the most appropriate rendering of his paradigm of political society.

Why does this matter for our triangulation? Wendt's Weberian actor-state, we must presume (as minimally theorised as it is), is the embodiment of any one of Weber's three types of rule. Human rights norms operate *within* any one of these types. The need for a more thoroughly conceptualised typology of rule is the need for constructivism to be able to properly conceptualise what this actually means for the agents and structures which operate within it – to include, of course, humans, states and human rights norms. When constructivism can do this, we must assume that it is then able to recognise, measure and interpret how human rights norms act and impact upon the international system using techniques *as theoretically sound as possible.*

It has already be surmised previously in Chapter Four that directive-(instructive) rules might well be the most appropriate way to conceive of how human rights norms operate, who they affect, etc., but this cannot be known with any certainty, hence the need for more rigorous ways and fields of knowing. Wendt's 'actor state' is Weberian in a relatively sparsely theorised way, and so presumably

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[14] Ibid., p. 203
[15] See Ibid., p. 206

carries this (posited) flaw with it. The broader conception belongs to Onuf, but must this necessarily lead to a clearer conclusion?

Weber's types of rule (rule by administration, traditional leader or charismatic figure) are expounded as three 'pure types', something which Onuf refutes. In the first type, rules take the form of 'impersonal orders, or laws in the usual sense'. In the second, rules stay 'within the bounds of what traditional practice permits (precedent)'. In the third, rules depend 'on oracular pronouncements, each of which is revelatory and thus completely original'.[16] It is this last type which captures our interest here. Of course, human rights norms may or may not be 'oracular pronouncements', 'revelatory' or 'original', harking back as they do to the exemplar need for pre-theoretical praxis in the critical project. But the fact that they can and do lean towards these characterisations that are troubling for that half of IR that is orthodox or rational is sufficient reason for this type of rule to be given serious attention by constructivism – after all, it is an approach which has not been, and perhaps will not be, definitively separated from this (right) wing of IR theory. So it must be included here as indicative of how constructivism must orient itself if it is to truly adhere to its constitutive remit.

In Onuf's scheme, 'we' (as experienced political animals) can relate to the types of rule that are hegemonic or hierarchical (based primarily on directive-rules and assertive-rules respectively[17]). Where we are less certain, and the area of rule 'familiarity' or recognition which needs bolstering if a paradigm of 'political society' is possible, is the rule of 'heteronomy' of which Onuf speaks, which is based primarily on commitment-rules.

Commitment-rules, or systems of 'heteronomous' rule, are of course not the 'answer' to anything. They are merely the missing link in the proper working-out of

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[16] Ibid., p. 207
[17] Simplifying prevailing rule-types to this level can be misleading. Gramscian and Weberian scholars would disagree on what the exact mix is and how this affects rule. See Ibid., pp. 210-211.

Weber's 'puzzle paradigms' of rule. As Onuf notes, 'hierarchy is the paradigm of rule most closely associated with Weber'[18] due to its bureaucratic arrangement of relations of super- and subordination, which would seem to tie-into Wendt's own, relatively parsimonious, approach. Without question, this reduces Wendt's approach to the terminology of Onuf's own interpretation of Weber, but it does allow us to discern a split between the two approaches over the depth of theorising required to account for human rights norms in the international system based on this particular intellectual lineage.

Taking this approach allows us to visualise each type of constructivism more clearly – to 'see' how the triangulation comes together, and how it remains apart, when analysed using a well-established marker of social theory. So, then, what of Linklater's use of this lineage, and how does it affect both his project and this thesis?

Linklater's own discussion in *Transformation* of the role of Marx in political theory's counter-movement against the 'orthodox' view of static political community takes the form, essentially, of a dialogue with what Kant has to offer. He relies on the interplay of both for the theoretical underpinnings of a universal communication community. This is primarily because 'Marx's analysis of the prospects for universal emancipation dispensed with Kant's appeal to a system of absolute, universal moral truths,'[19] which allows for an instrumental approach. At the same time, though, Kant's moral stance provides more comprehensive 'reasons for' this critical drive in the first place, by arguing that the nation-state 'should adopt new political responsibilities.'[20]

Why does this matter here? It asks questions of Linklater's motivation, and hence how this critical branch of constructivism sees human rights norms – morally or ethically – and how this then affects our triangulation of approaches.

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[18] Ibid., p. 211
[19] Linklater, *Transformation*, p. 37
[20] Ibid., p. 43

In keeping with a general tone of critique, Linklater prefers to utilise thinking which has developed as *Kantian*, rather than depend on the primary source. This distinction is interesting in itself for this thesis. By employing a Kantian-Marxist dialogue in his story of the nation-state, Linklater is clearly endorsing the critical theory position of having a broad base of problems and potential solutions to the amorality of anarchy. There is no such thing as 'neutrality' in the international ordering of states. Standing still endorses all of the negativity associated with the continuity of a purely statist approach – all of which is captured beneath the umbrella of 'exclusion'. Although both Kant and Marx are credited with the thinking which instigated sociological theory, Kant is ultimately given (qualified) preference by Linklater for how he has set in motion a much greater breadth of critical thinking.[21]

Having Kant and Marx play this ancestral role to the 'good' in politics is more complex, by Linklater's understanding, than is the case certainly in *Social Theory* and perhaps even in *World*. 'Kant and Marx were modernists who believed that critical social inquiry could produce a true account of the world which would explain the meaning of human history, identify the most important logics of development from an emancipatory point of view and sketch the outlines of the first truly free society to embrace the entire species.'[22]

The transformation which Linklater envisages must overcome the postmodernist critique of grand theory. This leaves constructivism, and most notably constructivism's relationship with values, in an interesting position. The problem, perhaps unsurprisingly, is morality: 'The belief that the transcendental subject can uncover a system of objective and universal moral principles which are ultimately grounded in human nature or reason has been undermined by the modern sociology of

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[21] Ultimately neither is entirely sufficient for critical theory as they fail to specify, or even include, how investigations into cultural diversity can be an end in themselves.

[22] Linklater, *Transformation*, p. 63

knowledge. From the latter vantage-point, all knowledge is socially constructed, and the criteria which are used to distinguish truth from falsehood change radically over time.'[23] The dynamics of the modern sociology of knowledge are precisely the dynamics of constructivism, or we would at least expect them to be. Accordingly, this tests the limits not only of what constructivism *can* say on the matter of moral community, but what we should expect it to say. By this reasoning, morality becomes secondary to an ethical instrumental approach.

Linklater's presentation of postmodern critiques essentially rebounds the challenge back to them by suggesting that they themselves are deconstructing a presumed 'whole'. That is, the postmodern critique assumes that enlightenment/modernist oriented thinkers have only one conception of a cosmopolitan ideal. To overcome both this (perhaps caricatured) singular and essentially totalising cosmopolitanism, and the postmodern critique of it, Linklater focuses on the very basic and inclusive principles of recognition. He points out that 'historicist thinkers such as Meinecke rejected the enlightenment dream of a cosmopolitan society in which communities would recognise each other's efforts to express cultural potentials in infinitely varied and frequently incommensurable ways.'[24] There are two threads we can pick up from this. Firstly, it allows room for the re-instatement of Kantian and Marxist thinking without the encumbrance of having to implement their exact ideologies. Secondly, it asks questions of human rights norms – whether they are thrust upon unconvinced and recalcitrant states by different moralities, or whether they are genuinely tools for the use of all. Both questions underscore the need for a better understanding of the ethical functioning of values in the international system.

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[23] Ibid., p. 64
[24] Ibid., p. 65

Linklater's use of Habermas to better illustrate the ethical potential within modernity is tied into Habermas's own critique of Weber's limits. The rationalisation of administration, rather than having the effect of shutting-down communicative channels, simply shrouds 'expressions of the dialogic potential which is inherent in communicative action [and] can be glimpsed in the practices of liberal-democratic societies.'[25] Much of Linklater's purpose is based on the belief that 'dialogic potentials are embodied in liberal-democratic institutions to an unusual extent,'[26] and tapping into them will be politically transformative.

This progression marks out Linklater's approach from that of Wendt and Onuf. Still, there are interesting comparisons to be drawn which point to how far we might neatly 'add up' these constituent elements to make our three constructivism's communicate better with each other. Weber's fundamental concern with the increasing rationalisation of administrative techniques,[27] so emblematic of modernism, seems a strange character trait for Wendt's state-person in which has been expressed the potential for mutual advancement through mutual understanding (i.e. Kantian anarchy). It is not so much that we cannot fashion some logic to connect the two, but that it would seem to entail a great deal of effort, given Wendt's sparse description of Weber's contribution. Perhaps Wendt and Linklater merge on this point, but we cannot, in the end, have too much of any consequence depend on it.

Any potential in Wendt for the kind of normativity desired by the critical corpus is utterly hamstrung by his minimal theorising of the internal aspects of states. His description of Weberian 'self-definition' confirms that, for him, a state may display 'good' characteristics of a moral or an ethical nature, but it is not therefore a 'good

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[25] Ibid., p. 121
[26] Ibid.
[27] See Ibid., p. 120

state'. Why not? Perhaps Wendt is being pragmatic about theorising the international. Jettisoning the domestic in this way certainly makes for a sharper theory of states-as-people. Value-normativity, though, is so starkly lacking that we cannot hope to gain the encompassing constructivism we need by mining Wendt's social theory roots.

Onuf seems to trace an ancestry much more conducive to value-norms. The notion of *Herrschaft* is central to this, but focusing values here is problematic, at least from a critical perspective. Essentially, the problem is this: In order for Onuf's political society to engage with a critical sensibility, it really ought to be a conduit through which the stuff of morals *passes through* in the great redevelopment of modernity. If we were permitted some room for interpretation, we might just be able to make this the case. The basis for this would be Weber's third rule type which admits revelatory 'oracular pronouncements' into the toolkit of states. These pronouncements, we might presume, are moral and so therefore are integral to the critical programme. Onuf, though, simply does not allow for this to happen. These 'ideal-types' are dismissed for being precisely that. So rather than allow constructivism to be swept up on the historical critical tide, he stakes out its ground, and urges successors to work within the shadows of modernity and not to create any spurious (moral?) state of being with no proper foundation. He is, in other words, die-casting constructivism as an ethical approach *within historically determined limits*.

By having the nation-state underpinned by a Kantian-Marxist dialogue, Linklater writes of *potential*, something which is fundamentally lacking in Wendt and Onuf. What we must do here is determine whether this potential is for a moral or an ethical transformation of how the business of politics is executed, and therefore whether its presence bolsters or undermines constructivism's position regarding human rights. The key factor, which may well prove to be decisive as this chapter

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develops, is his interest in a 'truly free society' advocated by Kant and Marx. That is *free*, and not morally determined. Linklater adds his own layers of complexity to this, always mindful of both the call of grand theory and the demands of living up to a critical tag. Is this 'free society' ethical, then, or moral? Although there are gaps in Linklater's transformative blue-print, most notably where we would like to see a methodology, there is enough here to suggest that 'free' *is* compatible with 'ethical', and that this branch of constructivism incorporates values in a particularly compelling way. Whether it is wholly satisfactory in doing so depends on 'constructivism' the label, as we shall see.

Linklater approaches this history as a means to build an argument for renewal more convincingly than Wendt does, whereas Onuf seems happier to state a case as more of a precedent for successors to build on themselves. The moral case looms again, but as we have seen, this is becoming less of a burden for *constructivism* to carry – a notion which will be pursued in more detail throughout the following sections of this chapter. Presently, we turn to the practice element of constructivist IR. Bearing in mind how each of our three approaches has utilised a key triumvirate of thinkers in setting up the moral and/or ethical parameters of a constitutive approach, and have then added their own imprint, how has this been manifested in the ways in which hypotheses have been tested? Indeed, are these approaches at all successful in permitting a programme of research into human rights norms and their values to flourish?

Subjecting human rights norms to constructivist methods
When we ask questions of the tools, techniques and methodologies of our triangulation, it very quickly becomes clear that there is no consistent pattern to

analyse. Values are approached in different ways. Any commitment to human rights can appear to be either sparse, fleeting or implicit at best. Alternatively, values may appear so comprehensively covered that we risk losing focus. Engaging with this range of commitment to human rights provides the opportunity to analyse the values of constructivism without any built-in assumption of how best to do this, which may have otherwise prejudiced any conclusion. In other words, each aspect of the triangulation offers a different perspective on the constitutive nature of the role of ethics in the international system, and how we might explain and understand it.

The processes of gathering knowledge employed by our three types of constructivism vary, but to what extent does this affect the outcome we are interested in here – their inclination and capacity to account for values? In their role as a more tangible (and contemporary) expression of the sort of values which might otherwise be a vague proposition, human rights norms as expressed in the *Universal Declaration* provide international theory with what seems an ideal device with which to gauge how values affect individuals, societies and states, and of course the relationship between all three. How much of this is a metatheoretical ideal, and how much of it is realisable through the techniques constructivists use? To what extent, even, can we discern 'techniques' in any of our three variants?

Most clearly, empirical consistency can be found in how constructivists have followed Onuf in utilising a language-based approach, from which a linguistic thread to Linklater is the most obvious step to make given our protagonists. Wendt's Social Theory works differently, as we have seen throughout this thesis, and it will be instructive here to re-engage with some broader conventional insights as a useful comparative exercise to draw out Wendtian strengths and weaknesses. It is in this order – Onuf, Linklater, Wendt – that the analysis will proceed.

Onuf

The importance of language is evident throughout the empirical work of constructivists. There is little doubt that the analysis of philosophically-derived concepts of language-in-use allows for a broader and more detailed approach to content than we would expect to find in traditional or 'orthodox' IR, but where values fit into this analysis is still unclear. That it is satisfactory to have speech act theory do this work seems to depend on a chain of events: whether or not human rights norms are first 'used' in a particular way, and then are 'responded to' in a particular way, and so on.

By way of example, for there to be a situation wherein 'hearers make (correct) inferences as to speakers' intentions by noting the illocutionary force as well as the propositional content of (well-formed) utterances,'[28] it seems that human rights norms themselves have to be a settled norm in the eyes of all possible 'hearers and speakers', which they are patently not.

On the other hand, relationships in which human rights play a key role (be they state/state or state/human) are complex and contingent, and call upon various situations and outcomes in order that they might have some 'meaning' to both participants and observers, and it is possible to learn much from them by analysing them as speech acts. The overall analytical picture, in other words, is anything but complete. The assessment of Onuf in this section picks up from that in Chapter Three, in that much depends on which values are deemed to 'matter' in international relations, and then how scholars go about picking apart contexts and actor

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[28] Onuf, *World*, p. 81

contributions. The result is a discourse of values to which human rights norms either do or do not belong.

What are the limits of speech act theory when applied to values? Take, for example, the Cingranelli and Richards study which found that government respect for rights can be measured, but which then failed to take a further conceptual leap to examine how this relates to the origin of those rights, or even the forces at play in the internationalisation of those rights. But, the reply might well be, why should it? These corollary points (as important as we might think they are) are not on the research agenda of the study's authors. Although the central focus of the study is indeed human rights, the omission of how values are internationally affective reflects how they are missing from the broader paradigm to which this study belongs.

But, and this is at the heart of the constructivism-values nexus we are attempting to define, *how could they be included*? How could these complex relationships – state/state, state/human, state/international, human/international – all be fairly represented, let alone evaluated, in a single hypothesis? The argument here, though, is that not a single strand of this complexity, not one of the four permutations mentioned above, is tackled. Is this a problem with the application of speech act theory *per se*? No. If a constructivist research agenda is interested only in moralistic motivations and outcomes then this contradicts its own constitutive precepts. A dialogue-based approach will always be limited if it is attached to an agenda. If it is instead focused on the ethical content of any given scenario, then this seems a more 'natural' fit. That the above study omits these relationships is not a failing on the part of speech act theory.

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When constitutive and behavioural rules are discussed,[29] the 'ought' criterion of normativity is lacking. Is this in part (or even, perhaps, on the whole) largely due to received notions about the moral question which have ruptured the discourse of values? This does seem to be the case. Values *are* included in constructivist research agendas, but predominantly as a moral issue which can only be contingent, rather than from a more fluid and accommodating ethical perspective – the instrumentality of which can be mapped onto the constitutive and procedural aspects of normativity. Can we begin to generalise from this, or are we limited to speculation based on isolated cases?

To begin with a point raised by Peter Howard: Orthodox international concepts such as 'threat' and 'security' are only ever 'constructed through the rules of language, not by raw material capability. These capabilities have no intrinsic meaning; they only have meaning within a language game.'[30] If they only have meaning within a language game, then their outcomes are also played out in a language game: 'reality' is therefore shared meaning.

Some key questions emerge from this. First, are language games somehow 'accessible' to the oppressed who need to claim their human rights (that is, are the often limited lines of communication afforded to those who need their voices to be heard 'language games' in the formal sense?), or are they just applicable to the machinations of the elite, and at the discretion of researchers? Second, are human rights norms understood in the same way by individuals as they are by states (i.e. as a means to escaping some form of oppression, or quite differently, as a tool of diplomacy)? Third, and related to this second point, can human rights norms be

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[29] See Howard, 'Why Not Invade North Korea?', above, pp.
[30] Ibid., p. 825

comprehensive in this way, or are they discretely split as and when the situation or context dictates?

The general point underpinning this is that, by this logic, human rights norms are constructed through language and so have effect through language, and so the only techniques capable of measuring them are linguistic. Weisband's analysis of 'shame' as a means of maintaining core labour standards appears analogous to the standards of human rights norms. Shame appears to be a useful tool both in the diplomatic politicking that takes place between states and in the redress sought by individual plaintiffs. In either instance it is used as a way to instigate a change in attitudes which is more likely to be evolutionary than revolutionary in terms of a time-scale. But how tangible is it? How much more than just an idea is it?

Arguably, international labour standards, as in Weisband's review, are more clearly defined than human rights norms, and so carry with them expectations that are easier to meet, at least on paper. To ask of human rights norms, '*What is actually being met?*' is to expect a single answer, which is a moral position and self-defeating because of this (by our constructivist analysis). International Labour Organisation provisions, on the other hand, although containing an essential moral ingredient, can be re-appropriated by transgressor states without having to consider any fundamental issues of this nature.

Nothing demonstrates the power of language in affecting international relations more clearly than the act of reclassification. The status of an issue area dictates how it is responded to and with what material means. The analogy which linguistic constructivism provides for human rights norms is the HIV/AIDS pandemic.[31] That such a global issue can be, and has been, *securitised* could point to a

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[31] See Elbe, 'Should HIV/AIDS Be Securitized?' discussed in Chapter Four above

way in which a similar change of status for human rights norms would substantively affect their own status in international relations. The process of securitisation is occasioned by a distant concern becoming an immediate threat (to the more powerful of international actors, either economically or geopolitically).

How useful this analogy can be for this thesis rests on the key issue of the moral/ethical complexity of the matter in hand. For example, a pandemic can be (relatively easily) classified, recognised and even in some cases planned for, whereas human rights are fundamentally contested institutions. They can be classified, but not without a significant amount of lasting contention. They can be recognised, but only sporadically. Can they be planned for? Here the analogy breaks. As contested as human rights are, especially in their liberal *Universal Declaration* form, this is as nothing compared to the divergence of opinion over the most appropriate response to their breach or abuse. The outcome being that although linguistic tools which come under the broad classification of 'speech acts' or 'language games' are useful for drawing out 'what really is happening/has happened' in a given situation, they are quite limited at defining the parameters of that situation in the first place.

As was pointed out in Chapter Three, some human rights, such as subsistence rights championed by Vincent, do make calls upon domestic policy which would require an alteration in their official status when their relief demands a qualitatively different approach than currently offered by government. This only serves to highlight the complexity of values, which can attach to specific needs in different ways depending on cultural and political norms and circumstances. Again, should we expect a linguistic approach to be able to deconstruct concrete examples of dialogue and leave us with all we need to know about a moral/ethical discourse? No, we should not.

Linklater

Linklater's transformative politics depends on a deceptively simple assumption – that dialogue and community can combine effectively within the same whole. Our analysis of human rights norms and language persists with a particular conclusion; that a formal linguistic approach (that is, one utilising philosophy of language techniques) offers a greater breadth of understanding – that many more factors impact upon international relations than have previously been consistently admitted – but fails to engage with the intrinsic depth of the issue. What is meant by 'depth' in this context? It is the troublesome 'ought' of normativity, and as a concept it matters to this thesis in helping to discern whether constructivism is sufficiently well-equipped to deal with either a moral or an ethical focus.

Morality, as has been held throughout the preceding chapters, causes a great deal of difficulty for a nominally constitutive approach. So, the first question is, how well do Linklater's imagined dialogic communities present the ethical case?

Before going on, however, now is an appropriate juncture to remind ourselves of the simple truth that human rights norms, and their attendant values, are very much a key part of the identities of many diffuse cultures, but they are not the entirety of them. They are not even necessarily the sole basis of them, either. So by arriving at the formula for dialogic community, wrongs will not automatically be righted. It is a question of direction of fit. Neither human rights norms, nor dialogic communities, are finished products. This is, of course, by design. So neither can be 'fitted' to the other. We can, however, more roughly 'map' human rights norms onto the framework offered by dialogic community, on the working assumption that the origin of such

rights, and recourse to them, will be facilitated by this particular formula for egalitarianism.

The argument runs thus: we can propose that human rights norms matter more obviously to humans than they do to states. This is the essence of the *Universal Declaration*. Certainly, they do if we are looking at immediate need. It is more straightforward to say that they matter to individuals who are living compromised lives and so need to claim these rights to elevate their own particular status. It is more difficult to say that they matter on principle. If we take the first line, then to *need* dialogic community, we are assuming that there is a fundamental lack of the type of infrastructure and mechanisms which otherwise fosters such living conditions that individuals either a). claim their right without undue difficulty, or b). simply have no need to do so in the first place. The sorts of arrangements we might expect to see in Western states, for example. There are no uncontested standards at the heart of human rights.

So, in sum, for dialogic community to be relevant to the subject of this thesis, we can assume that its relationship to human rights norms is ethical rather than moral, and that it is also contingent but not entirely dependent: dialogic community is an ideal for the airing of grievances/opinions/positions not represented by the *Universal Declaration* just as much as those that are. It offers, in short, no panacea.

The revisionism of dialogic cosmopolitanism provides Linklater with a form of discourse ethics which, it seems, can be universalised with less controversy than other formulations. Having nothing set or codified means that this historical and progressivist view remains contested, and profitably so. Which begs the question, what of the institutionalised *Universal Declaration*? Is it a misleading 'end' of politics or even morality?

We find a key problem with the historical/ahistorical split which separates Linklater from natural law. With the latter, reason is supreme and has already prevailed, so that our moral 'end-state' exists and only needs to be tapped into. A progressivist view can be interpreted as aiming for this end-state. Even by taking an alternate direction, we are progressing towards *something*.

With the case of human rights norms, we must assume that they are an addition to this discourse and not the product of it. They will matter more or less depending on how they are built into Linklater's thesis, following the blueprints he has put in place for learning *how* to conduct dialogic community. Human rights themselves, therefore, have at least the potential for a more clearly defined role in Linklater's framework than in Onuf's or Wendt's. Put in these terms, dialogic community seems to be an ideal fit for human rights as an ethical discourse.

But shouldn't we expect Linklater's to be a moral thesis, given its critical underpinnings? That is to say, should it provide the moral angle sought by commentators such as Christian Reus-Smit? Perhaps the most unsatisfactory aspect of having Linklater fill in the 'moral gap' of constructivism is that, firstly, the notion of a 'moral gap' within constructivism has become increasingly tenuous throughout this thesis, and secondly, his work clears great swathes of ground, but he is reluctant to offer anything concrete to build upon it. Instead, it directs a more normative constructivism *towards* the ethical elements which have so far (largely) been missing. The articulation of these techniques for engaging in discourse ethics suggests that the role of critical constructivism is precisely that – describing an ethical 'how' which can be mapped onto existing epistemological notions held by constructivists. Many of the techniques that Linklater invests in dialogic community do at first suggest a more

ethical approach. How moral his position is will prove to be problematic for constructivism (see below).

The difficulty we have in analysing a methodology, or any empirical tools, of Linklater in order to then compare their ability to account for values with our triangulation, is that much of his work is given over to the 'why' of the dialogic community project rather than the 'how'. Rather than detailing a clear methodology in *Transformation*, Linklater's vision of dialogic community as discourse ethics means that the empiricism of dialogic community is found in the working out of communicative action.

So Linklater's theory seems to be tested, but mostly by proxy. How useful is this research given our subject of values encapsulated by human rights? As we have seen, Hawkins's study of how state interests change over time through a discourse of communication and persuasion concludes that 'principles establishing behavioural "oughts"… are widely accepted by states,'[32] and that this is a result of processes of social learning. This is a piece of research that could equally be held by Wendt as evidence for the socialisation of states. Are there any key differences with this application of it? For Linklater, this type of study supports the thesis that communication can change a given state of affairs, but (and this is of key importance), it does so for a purpose. Wendt, on the other hand, would see change at work which could be extrapolated to have wider significance for the international system, but that this is not indicative of any deeper moral or even ethical shift. It points to an ethical response to a systemic issue, but not with any particular end in mind. To apply this to human rights norms, to have them instigate ethical change (or even be the product of it) in the international system is either evidence of a deeper ethical purpose (tending

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[32] Hawkins, 'Explaining Costly International Institutions', pp. 783-784

towards a moral position), or simply the machinations of states which are more sophisticated than they might appear. Its 'meaning' in this latter sense is limited to its repercussions for the 'international system' as a discrete whole, and not necessarily for humans within it.

It seems therefore, when the topic is methodology, to be a much simpler task to offer an evaluation of how these types of constructivism synthesise *with each other* rather than with the subject of values. Of the three, without having to take a closer look at Wendt, it is a safe statement that only Onuf's *World* offers any indication of how a linguistic project should be implemented. Even with this, though, the empirical work which has so far emanated outwards from his original theoretical prompting has limited use for the investigation of human rights norms and the values therein. Wendt, on the other hand, sketches the appropriate breadth of analysis for the international system, supposing that there is more to it than has ever previously been considered in a systematic way. Linklater, as expected from a nominally critical approach, is more interested in elaborating on the actual form of this 'more' that there is to it.

The difference offered by Linklater is that, specifically in *Transformation*, he details not only the ingrained unjustness in modern (international) society but draws up plans for doing something about it. For Wendt, it *may* be unjust, but that is just another feature of the system. For Onuf, it *is* unjust, but we are locked in a continuum of process as long as we persist with a particular model of rule. How we go about unlocking this cycle is tied to the society-wide assimilation of certain rule-types, which is not so easily reduced to a method or even a mindset.

The conclusion reached in Chapter Five regarding the critiques of Linklater's project – that is, a project open to characterisation as 'universalising', or 'grand theory' etc. – was that it could side-step postmodern scepticism due to its belief that

all knowledge is socially constructed, and therefore undergoing constant change. What Linklater arguably does, without making explicit mention of it, is open the doors to *any* methodological tool that progresses dialogue and understanding. The process itself is its own self-checking mechanism. Relating this to our thesis, we can only assume that this is to include the tools offered by linguistics.

So this discussion of methodology in relation to Linklater's project is itself problematic, as it is short on material from which to draw conclusions, and the temptation is to project too much onto Linklater of what he might have intended by way of techniques that are recognisably constructivist, making dialogic community itself seem a less attractive reference for what constructivism could be capable of. But even this would be to define dialogic community using parameters which it patently refuses to recognise itself. Pre-determined methods and techniques are the preoccupation of positivists.

Wendt

Wendt describes no particular methodologies in *Social Theory*. By failing to do so he presents us with a lack that that is not altogether different from Linklater and, to an extent, Onuf also. Relatively speaking, and considering the often highly metatheoretical nature of their work, neither Onuf nor Linklater provide much in the way of clues as to how they might prefer to do the empirical measuring of their respective worlds. But there is nevertheless something in each of their particular approaches which this project, concerned with international values, can analyse. More so, perhaps, in Onuf than Linklater, as we have seen.

Wendt, on the other hand, theorises about how socialisation takes place, and it is the unpicking of this process from which the impact of human rights norms, and

their values, must be gauged. What must be made clear before we go on is that anything we can infer about human rights norms will inevitably be a secondary concern to Wendt. The analysis in Chapter Three demonstrated how this is consistently the case. Applying the values we find (or are assuming are present) in human rights norms to a theory of the state cannot be done simply or even in neatly progressive stages. We must be broadly systematic, and keep mining for results.

Wendt's exposition of how both cause and constitution 'make' the international system – ranging from a distinction between to a conflation of these terms and various complex points in between – is a key part of his theoretical approach. In this way, the process is discussed at length throughout *Social Theory*, and so for our analytical purposes, we must take the risk of somewhat reducing it in an attempt to extract values from it. The section dealing with '*Constitutive theorizing*' is instructive as we try to piece together the 'how' and 'why' of values in his system and in comparison to our triangulation.[33]

In the case of states, 'internal structures do not cause the properties associated with them, in the sense of being antecedent conditions for independently existing effects, but rather make those properties possible.'[34] Human rights norms, of course, act across borders as well as within them. Taking the former incidences of border crossing as the proper realm of IR, then by using the logic above it is humans themselves who, by claiming a specifically *human* right, give rise to an identifiable feature of that state (either the willingness and capacity to respond positively to that claim, or not) which other states then pick up on and respond to. The original 'home' state in this sense subsumes the human rights claim (as it does any other internally

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[33] See Wendt, *Social Theory*, pp. 83-88
[34] Ibid., p. 83

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occurring event or scenario), and then, as we know to be key in Wendt's approach, has a distinct outward 'personality' only in the presence of other states.

Therefore, the effect that human rights norms have on the international system is experienced in either a primary or a secondary way, depending on the importance allocated to these internal features. That is, either human rights norms matter because they register on the radars of other interested states, or they matter because states themselves register them. A fine distinction to make, perhaps, but one which orients the international system either towards or subtly away from human rights in and of themselves. Wendt himself is vague as to what the precise formulation should be, but we can safely infer that a 'state first' policy continues to prevail.

Searching for and uncovering the constituent elements of states is a reductivist activity, one which 'in social science finds its expression in the doctrine of atomism (a radical form of individualism), which tries to reduce society to the intrinsic properties of individuals... One need not be an atomist, however, to acknowledge a role for the study of internal structures. All that is required is that an entity have an internal structure which helps account for its properties.'[35] And in *Social Theory* we are left with the barest skeleton of that structure.

However, Wendt's theorising of the state – namely the outward facing state – forces us to address this aspect of the possible effects of human rights norms on the international system. This is something which could be overlooked, given the moral urgings which prompted this thesis, and the ethical approach taken thereafter, both of which work primarily on the assumption that it is humans that matter most when the issue of human rights is raised. But these rights have been institutionalised in the *Universal Declaration* – an address to the entirety of the international system, which

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[35] Ibid., p. 84

of course (in however two-dimensional a way) includes state-state relationships and interaction. Imagining, briefly, that these entities can indeed be analysed on a purely third-level basis, what might the outcome be?

In Wendt's words, 'kinds can be constituted in a second, holist fashion by the external structures in which they are embedded,' and furthermore, 'social kinds are often constituted in important part by external, discursive structures. In some instances these structures place social kinds in relationships of conceptual necessity to other social kinds.'[36] Traditional levels of analysis become disrupted if we follow this reasoning. By this, it is meant that this thesis can implement its own 'third' level or perspective given the subject at hand: we have been able to consider what effects human rights norms have in the international system a). from the perspective of humans, and b). from the perspective of states, but this notion of the creation and development of 'social kinds' allows us to imagine how these discourses operate c). from the perspective of *human rights norms themselves*, putting norms at the centre of the equation.

What this does is present constructivism with another analytical challenge. Moreover, although this appears to be an abstract thread, it is one which does not seem to have to be counterweighted by a difficult moral impasse. Why? In the first instance, the problems associated with 'personality' would not be present. The personhood of humans and of states (in Wendt's terminology) invests in these actors an inherent moral sensibility which, regardless of whether it can be circumvented by a better ethical argument, remains nonetheless. Human rights norms – especially in their codified form in the *Universal Declaration*, are a different form of actor (perhaps agentic or structural, perhaps in some sense a 'power'), but precisely what

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[36] Ibid.

form is beyond the space allowed in this thesis. It is sufficient to recognise that they can be thought of in this way, with their own primacy. 'Non-state actors' do matter to Wendt, but they do not matter a great deal to a theory about the relationship between states in the international system. This is a simple logic which is hard to refute.

In Wendt's theory human rights norms matter in the international system because of the effect they have on states' personalities. The only way we can probe this further, without being entirely circular (a danger that has become increasingly more obvious as this analysis has progressed), is to problematise this from a critical perspective. *How can human rights play a bigger part in all of this? Why are non-state derived values not so easily integrated into Wendt's model?*

The reason for emphasising Wendt's approach as a systematically developed theory is that, in order to make a judgement of how it can improve our understanding of constructivism and values in international relations through its empirical contribution, we need to look at the wider type of constructivism – the 'conventional' approach – to which it belongs.

We can do this most profitably by asking one question that has two parts. We know that states are the currency of conventionalists. Therefore, learning about how this type of constructivism accounts for values is tied to the response *of* states *to* human rights norms – to claims made of these rights, perhaps even to their 'nature', etc. This assumes that states are taking human rights norms on board, and that their relationship will always work this way. It is not for us to decide that it is in the states' best interest to do so. The issue is how much effort do states have to expend to accept this change, and, secondly, is it worth their while? If it is worth their while, then we can begin to infer whether this is due to the ethical implications of undertaking this course of action, or not.

By gauging how much of a rupture in their usual 'process' this kind of change is, we can then gauge the significance of human rights norms for the international system *from a constructivist perspective*. How is such change 'taken on board' by a conventional view? Framing an answer will enable us to make a useful comparison between Wendt and the approach he is often associated with.

How is this Wendtian/conventionalist 'process' maintained? For Wendt it is through an understanding of social learning. Conventionalist studies such as those by Finnemore and Sikkink, and Risse, Ropp and Sikkink, point to the integration and functioning of norms in the international system. What are the key concepts at stake here? In Wendt's summary, complex learning (of the type which develops identities) is an active and reactive process: 'the basic idea is that identities and their corresponding interests are learned and then reinforced in response to how actors are treated by significant Others.'[37]

The comparison to be drawn is specifically between this and the dividing lines which separate 'norm emergence', 'norm cascade' and 'internalization' in Finnemore and Sikkink's 'life cycle' model, a format which finds expression in the second and third (of five) components of Risse, Ropp and Sikkink's 'spiral model' – how and why norms are at first denied and then acknowledged.

Wendt is expressly constructing a 'simple model of complex learning'[38] which is in keeping with his parsimonious approach to social theory, and which begs a very obvious question – is it *too* simple? Certainly, his casting of the relationship between two strangers, 'Ego' and 'Alter', is an ideal-type situation – a 'First Encounter.'[39] However, Wendt only uses this as a preliminary device to show that the layers of complexity added to this come in two forms – material needs and representational

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[37] Ibid., p. 327
[38] Ibid.
[39] Ibid., p. 328

ideas. The first of these is perhaps a weakness in Wendt's approach. Using his notion

of personhood, 'material' needs are those required for the body to function

'biologically', as the metaphor continues.[40]

Wendt lists the needs of states as 'physical security, autonomy, economic

well-being, and collective self-esteem.'[41] Only the last of these has the potential to

include ideas of 'ought' in the construction of national consciousness. Yet self-esteem

is not 'self-generated', in the way that we might expect a moral regard for human

rights to be manifested. It depends, rather, on the effects of socialisation – a

crystallisation of the opinions of others – which in a 'Lockean' world might well take

the form of '"virtue" and "being a good citizen".'[42]

This does suggest an inherent regard for values, which in turn might give us

some hope for the theorising of human rights norms. Yet in Wendt's formulation, all

of this is tied to state sovereignty which acts as an ultimately pacifying institution –

providing something of a blanket to cover up thorny political issues, a category to

which we can assume human rights belong. By this reasoning, even the *ethical*

presence of human rights norms cannot be presumed.

What, then, of 'representational ideas'? 'By assumption Alter and Ego do not

share representations, but they are still likely to bring with them to their Encounter

preconceived ideas about who they are that assign tentative roles and form the starting

point of their interaction. Those ideas were no doubt formed in social interaction with

other actors prior to the Encounter, but they are exogenous here.'[43] When Wendt

speaks of 'exogenous ideas', they have been created externally to the two-party

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[40] Not that Wendt's 'personality of states' is a metaphor, of course, but this controversy can be allowed to lay dormant here.
[41] Wendt, *Social Theory*, p. 328
[42] Ibid., p. 237
[43] Ibid., p. 328

relationship of the states in question, but they are still *of* and *for* state relationships and not, as a critical mind might suppose, of some other (perhaps moral?) origin.

Our conclusion about Wendt's place in our triangulation has not significantly wavered from our start point. By comparison, then (and so by proxy to Wendt), what of the conventionalist studies? In Martha Finnemore and Kathryn Sikkink's key study, there is a striking normative gap between two of their three stages. The term 'normative' is used here because it is unclear whether this gap is between moral positions, or whether it marks out a more ethical shift. To illustrate: in each of the three stages of norm dynamics in the international system, three analytical categories are used to tell us what is going on – 'Actors', 'Motives' and 'Dominant mechanisms'.[44] The gap concerns 'motives' and is between Stage 1 and Stage 2 (norm emergence and norm cascade).

In Stage 1, the motives (of norm entrepreneurs) are described in 'moralistic' or ethical language, so we have 'altruism, empathy, ideational, commitment.' In Stage 2, the language is a little less florid, and perhaps more functional: 'legitimacy, reputation, esteem.'[45] The reason for this difference is spelled out in the 'Actors' category. Stage 1 is the province of 'norm entrepreneurs with organizational platforms' – activists, movements, groups (humans, essentially) – at work and about to break into the international system. Stage 2 contains the institutional forms which must bear this impact – 'states, international organisations, networks.'[46] The split may be obvious, but it is worth highlighting. Values are clearly the emotive expressions of humans, and they are equally clearly not reasons for state behaviour. Or, if they could possibly be conceived to be linked in some way, any connection between what humans experience and what states experience is immediately disconnected in a way

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[44] See Finnemore and Sikkink, *Norm Dynamics*, p. 898
[45] Ibid.
[46] Ibid.

that is unspecified. If we think in terms of *morals* and moralistic language, then the gap is clear. In terms of ethics, it is less so. This is the issue which underpins much of the theoretical inconsistencies and difficulties of constructivist thinking. That the issue is not directly broached in an important study such as Finnemore's and Sikkink's is symptomatic of this vagueness.

The problems of having a preconceived political (liberal) 'end' in sight which mar the objectivity of Risse, Ropp and Sikkink's spiral model have already been documented earlier in this thesis. But these problems should not prevent us from extracting their essential stance on the moral/ethical question. If anything, they should serve to polarise it.

Phases 2 and 3 of the spiral model are sub-headed 'denial' and 'tactical concessions' respectively.[47] Much of what is described in these stages illuminates constructivism's difficulties with human rights norms, and how conventionalism both mirrors and is divergent from Wendt's work. Essentially the process is as follows. In 'Phase 2', the moral argument regarding the norm violation in question is gathering so much international weight that transnational advocacy networks are able to successfully transmit this to 'Western states' who then are able to formally notify the transgressor state of their wrongdoing. There are two related problems with this, one philosophical, the other practical.

First, the 'handing over' of the morality of the situation from transnational advocacy networks to states compromises that morality by framing it as something other than an absolute given. It must then be an ethical argument, for which we can allow an element of persuasion in its formation and subsequent transmission. But the norm violation in the first place is a moral transgression, is it not? And so we can see

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[47] Risse, Ropp and Sikkink, *The Power of Human Rights*, pp. 22-35

the moral bind tightening before us. Secondly, Risse, Ropp and Sikkink's theorising

of this transmission is extremely brief. The metaphysics-by-numbers above is not

meant as a definitive statement on the issue, but rather as an illustration that, if there is

no theory attached to this, then what are we left to suppose regarding the problem

itself, its transmission, its receipt, etc., etc.? These are not necessarily insurmountable

theoretical problems, but they do seem to be constructivist problems.

It is a commonly asked question that, if a state can deny any wrongdoing

where others perceive a moral transgression, then whither the human rights *norm*?

Risse et al recognise that 'transgressor' states do tend to blur the issue as being

between moral jurisdiction or international jurisdiction, a confusion which will

eventually betray their need to be part of the international system, evidenced by their

'denial' of any wrongdoing. This is another point which reveals the fault line between

morality and ethics.

As Phase 3 contends, the overcoming of the transgressor state's denials is

effected by their outward expression of appeasement, i.e. releasing prisoners.[48] This is

an instrumental or strategic manoeuvre.[49] A key split here, and an insight into the

nature of the state which is more clearly expressed than in Wendt's theory, is that the

behaviour of the state is less important than social mobilisation within the state. In

effect, *humans* take over the normative reins.

This is arguably Risse et al's most penetrating insight for this thesis. And it

also has repercussions for the theorising of human rights norms, and so for the

contribution of constructivism to this area. Firstly it suggests that, overall, the

outcome is a blend of tactical sensibility and moral urgency, which points to the

understanding of the international human rights discourse being achieved most

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[48] Ibid., p. 25
[49] See Ibid.

effectively by an ethical instrumental approach, i.e. states act as states do, but for reasons *underpinned* by moral sensibilities. Secondly, we must question whether this outcome is best achieved by analysing it in terms of a grand theory, or whether the processes that take place across the international system are just too lengthy and idiosyncratic to be the subject of anything other than a loosely defined 'approach', which the analysis above strongly suggests.

Although *Social Theory* lacks a more rounded vision of the state, we would be better placed to make a judgement about constructivism if we consider this instructive, rather than irredeemably problematic. Thus, the space in our triangulation inhabited by Wendt has clearer boundaries than that of either Onuf or Linklater, and this may allow for either a human-oriented view of human rights norms or a state-oriented view. It is not prepared to pre-empt either, and so, we can argue, remains an ethical approach because of this. Although the lack of a clearly defined relationship between the domestic and the international aspects of statehood hampers our understanding of values in Wendt, it is not possibly to dismiss *Social Theory* on these grounds alone. If, on the other hand, the issue is one of classification as 'constructivist' or not, which certainly seems to be the case, and Wendt's theory therefore may or may not have repercussions for the essential 'nature' of constructivism, then that is for the final section of this chapter to answer.

Linklater's reluctance to prescribe a method for 'doing' or measuring dialogic community is not by any means where we find the seeds of its downfall. It is an utterly pragmatic, ethical, instrumental construct, and so we cannot hope to classify it in any truly satisfactory way. *Transformation* delineates a critical space within our triangulation which speaks to both critical theory and constructivism, and which

allows values to take a place at the heart of constructivism. If this leans too far towards critical theory, then that is again a different matter.

If Onuf himself has prescribed the proper limits of constructivist study, can we really hope for his empirical successors to be innovative with values? These limitations do the job of containing expectations – both of constructivists themselves and of what is knowable about the world. Onuf is effectively dismissing the metaphysics of the 'ought' question from constructivism, and the logic for doing this is clear. It cannot be moral. It must be ethical.

II. Constructivism as a critique of modernity

Constructivism tends to define itself as a reaction, or even antidote to an abiding failure on the part of liberalism to account for human lives other than as cogs in a (capitalist) machine. There are important threads to this which will be picked up in the second and third sections of this chapter. Presently, this idea of a modernity critique will be analysed in terms of how well it sets up the respective constructivisms as approaches capable of accounting for values. How well do they perform at what they seem to be designed for, given their Third Debate origin?

In their key texts, both Onuf and Linklater spend time recounting the modernity illusion, exposing it, and then retracing the steps of this entrenched morality to begin their explanations of why *human* relations matter (and why they are problematic) in a continuing and diverse international political history. Wendt doesn't appear to do this, or at least certainly not in an explicit way. Comparatively, where does this leave values? The section will proceed as follows: Firstly, the re-visioning of

modernity serves a clear analytical purpose. The explicit labelling of human suffering provides constructivism with the background 'material reality' required of it if it is to be an extension of critical theory, rather than just an off-shoot. Is Onuf's 'exploitation' equivalent to Linklater's 'harm', and does Wendt have a guiding conception which is equivalent or similar?

Secondly, having established what this material reality is for constructivism, and having suggested differences, the next logical step is to problematise it further. Does Onuf's continuum between ground-clearing effort and resultant empirical practice breakdown more rapidly than Linklater's? By asking this type of question, we will begin to assert some qualitative *and* quantitative discrepancies in each approach's understanding of values.

Doing critical IR: Pre-theoretical praxis

The similarity between Onuf's format in *World* and Linklater's in *Transformation* is somewhat striking. Both develop their theses very much from the ground-up. By this it is meant that they both take a good deal of time to draw the parameters of the social world they are concerned with. They do this with reference to human history (in all of its forms – political, philosophical, social, etc.) – a history independent of IR the academic discipline. The outcome, in its simplest form, is a *practice*-based reason for continuing with their projects. From this reasoning we can infer why their projects are necessary on a number of different levels. Wendt's introductory scene-setting, on the other hand, describes four sociologies of international politics which refer to the history of IR. So we are offered instead a *theory*-based reason for continuing, and moreover one focused on international theory. This difference is defining and instructive. The list of players in Wendt's world – populated by states – already exists

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within the pages of his key text, *Social Theory*. Our interest here depends on how this interplays with foundation stones laid by Onuf and Linklater.

Before continuing though, we have a timely opportunity to contextualise this issue in terms of broader constructivist critique. That the material reality which constructivists describe and work from 'already exists' is a fatal flaw in the eyes of Maja Zehfuss.[50] The reason being that it is impossible to be critical whilst maintaining any presumption of what reality is. 'The rhetoric of reality gives a special status to what is being claimed, a status which is unfounded. Moreover, it privileges ways of thinking based on the availability of reality as an adjudicator'[51] Arguments based on such 'reality' are therefore deemed to be circular and ultimately self-defeating. Zehfuss calls them 'insecure, weak and unscientific.'[52]

But are Onuf and Linklater positing such a concrete reality? Zehfuss's critique is based on her analysis of Germany's participation in international military operations. Her argument runs that constructivism (even when split into three different types) fails to explain enough about key features of this participation for us to consider it capable of doing a better job than other approaches to the study of international relations. In fact, and much worse than this, it perpetuates myths. Essentially, this military participation (as with any empirical example) has produced a raft of events and scenarios which constructivism may or may not have the tools to interpret. Many 'facts' about the details of these occurrences exist (dates, documentation, testimonies, etc.), but the story they tell is an open book.

Onuf is critiqued on the grounds that his tenets for constructivism simply do not add up when pressed. Zehfuss's key contentions are that his distinction between

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[50] See Zehfuss, *Constructivism*, esp. pp. 250-263.
[51] Ibid., p. 259
[52] Ibid.

materiality and sociality is unclear,[53] that his rule-types make for an elegant theory but jar with 'common-sense',[54] and that, fundamentally, his understanding of words and world has them in permanent communication, but as distinct concepts.[55]

Why do Zehfuss's conclusions matter for this thesis? They do so for two reasons. Firstly, this project is served well by a comparison to a more traditional IR subject, and secondly, where Zehfuss's own critique falls down is where we find the troublesome heart of the 'values' problem. To start with (and hopefully eliminate) the second issue, Zehfuss is critiquing Onuf's contribution to the problem she has set based on her own answers to that problem. This is either merely counter-intuitive of critical theory, or it fatally undermines it. How is a theorist *critical* if she has in mind the standards to be met by the interogatee? This ties-in with the first problem noted above; Zehfuss is able to offer this type of critique by addressing a subject captured in a historical moment. The concept of *exploitation* that Onuf is generally responding to causes havoc with an orthodox understanding of what is historical, or *trans*historical, or *a*historical. Similarly, Linklater's 'harm' principle envelops and makes a complex issue not only of 'objective' human suffering, but also our 'subjective' interpretation of it. It is amorphous, contingent and contested in a way that the German military intervention described by Zehfuss could not be.

Values as represented by human rights norms may indeed nullify constructivism (or 'dismantle' it to repeat the phrase used above), and this would be in keeping with Zehfuss's general conclusion. Alternatively, these values may aid our understanding of the scope of international theory in ways which are neither black nor white. So – are the examples of pre-theoretical praxis called upon by Onuf and Linklater realities onto which we might pin constructivist assertions?

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[53] See Ibid., p. 191
[54] See Ibid., esp. pp. 192-193
[55] Ibid., p. 193

The notion that anything can be socially 'concrete' is fundamentally problematic to most constructivists (Wendt, it must be said, offers us a hard case on this point). Instead, Onuf speaks of an 'ensemble of practices'[56] which constitute an ongoing understanding of how the world is made. The three traditions of political thought which he describes – 'virtues, rights and manners' – are not hierarchical or sequential, but instead reflect the different ways that polities have historically ordered and legally bound themselves. The idea is that this is a rich history of order characterised by differently constituted civic traits.

If liberalism has obscured these traditions, and they therefore can prevail once more if permitted to do so, then it is within these three categories of political thought, and the rule-types which constitute them, where we would expect to find values. Our task in locating them should perhaps be made a little easier by using human rights norms as their signifier, but if this was the case, then Onuf would surely already have made this clearer. The only really satisfactory answer to this is that Onuf *has* dealt with values, but in a way that makes his treatment seem somehow unfinished. In *World*, Onuf's motivation is to reassert the politics of IR, not to invent it. Elsewhere, he describes how international linkages form as the result of communicated common ground – the term 'need' is used – but also how this communication can stall amongst the plethora of world views we routinely employ to give everyday meaning to our lives.[57]

So, these three categories of political society strongly suggest that human rights norms should have a place in any of them. They call upon the basic foundation of morality in any 'political' system properly so-called. But assuming that this is the case, and then deciding which of the three types best accommodates these norms, is a

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[56] Ibid.
[57] See Nicholas Greenwood Onuf, 'Everyday Ethics in International Relations', *Millennium: Journal of International Studies*, vol. 27 (3) (1998)

step too far. Reducing human rights norms to a 'best fit' within one system subscribes to a purely moral argument. This is the same moral argument which we have chosen not to pursue explicitly in this thesis, and here the reason for this becomes a little clearer. Having virtue, rights and manners played-off in a hierarchical contest supposes the existence of a morally superior format. This is not the intention of Onuf nor, indeed, of this thesis. Instead, we must take these categories as one whole alternative which supports our notion of an ethical initiative.

Onuf's description of political society understood in liberal terms (which substitutes utility, law and conventions for virtues, rights and manners respectively) poses a problem for us by throwing up an anomaly which is either a quirk or a paradox, depending on the weight we allow it. Very briefly, we are concerned with human rights norms, and these norms have been laid down by the *Universal Declaration* and subsequent related additions and amendments. They are, technically, conventions. So they must sit comfortably in a liberal world system (and arguably they do, to the extent that they are compatible with the jurisprudence and machinery of international law, notwithstanding their problematic implementation in practice). There is much blurring here between the values they represent and the (effectively) totalising world of liberalism. In other words, are they at all reconcilable with Onuf's constructivism? The implications of this – that doubt is cast on the efficacy of completely undermining liberalism – would suggest they are more fundamentally paradoxical than a mere quirk, and so preclude any confident conclusion about Onuf's constructivism and the liberal human rights regime.

Linklater at first seems to make fewer assumptions about the human history which has been knocked off-course by liberalism. Certainly, he is less specific. His critique of modernity's values is driven by the belief that some other formulation is

possible. Unlike Onuf, this formulation is 'new' in the sense that it is a type of political community that has not been explored previously. Liberalism is a stepping-off point, as flawed as it may be. Linklater finds support for this idea in the first instance by mining historical sociological for its intellectual foundations, but it remains a possibility and therefore an unrehearsed phenomena.

This is Linklater's image of 'progress' as opposed to Onuf's 'process' of human interaction. The two measure themselves against the standard of the good, but Linklater's *appears* more moralistic, Onuf's more ethical. Whether this is actually the case should allow for a clearer picture of constructivism's relationship with values. The metaphysical question underpinning much of this is whether an ethical system endures *ad infinitum*, or whether it is cumulatively working towards an end product.

Linklater's history of modernity hinges upon a conception of the Westphalian state as a singular and, as it has eventually become, a misapplied institution. It served its purpose in bringing order to warring states inclined to pluralism and is largely redundant for any purpose other than the nominal ordering of states. The problem with liberalism, in Linklater's eyes, is subtly different to that which Onuf sees. Both see it as a system which is detrimental to the moral needs of the human condition, to include, we can assume, human rights norms. For Onuf, it is fundamentally so, but for Linklater it is less insidious, and has merely failed to meet its potential.

Linklater is taking the faltering ethical steps of modernity and is replacing them, or at least is attempting to replace them, with a return to morality. The legacy of Marxist thought (and to a limited extent, Marxist 'reality') has been a dichotomous ethics of inside/outside, reinforced at every epochal turn by a limited sociological approach. A moral sociology has been, apparently, primed by these more or less continuous ethical revisions about how best to balance both domestic and

international society. Re-interpreting the state allows us to broaden out the potential space we have for imagining and then instigating more uniformly legitimate dialogic communities. For Linklater, liberalism itself contains the ingredients which bind together into something recognisable as 'universal humanity.' As sociological horizons broadened out, they did so with a corollary effect – moral horizons were similarly stretched.

So far, bringing together Onuf and Linklater on this issue of the politics of modernity has revealed a fissure between the two approaches. Put most bluntly, for Onuf liberalism is a bad thing. For Linklater, it has the potential to be a very good thing. Liberalism is either an impeding shroud, or it is a necessary step on the way to fully-realised dialogic community. A socially meaningful and, moreover, useful morality is either therefore underlying, or it is the next incremental step in history – more staging post than 'end'.

If it is the first of these, Onuf's pessimism, then it would suggest that the nature of human morality has already been established, and that any further development – such as human rights norms – can only be mapped onto this structure. If it is the second, Linklater's optimism, then we are, as a species, capable of investing values more deeply, in a *better* structure, for universal beneficence. How, then, to make sense between the two as constructivist propositions?[58]

To briefly re-state our position: human rights norms, as we have seen in Chapter Two, have been created by endeavours which are both moral and ethical. The guiding principle of this thesis demands that it is not to get mired in a moral argument. It is instead rather more interested in the ethical implications of these institutions, which is much more in accord with the nominally constitutive nature of

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[58] The semantics here – of competing constructivisms – will be analysed further in the third section of this chapter.

the constructivist approach (to do this whilst still maintaining a close eye on the morality of it all is its most challenging balancing act).

So, the ethical impact of human rights norms is really referring to their ongoing meaning, development, use, repercussions, etc. which are characteristic of their contested nature – something borne out by their chequered international history. The point we have reached might well be an impasse or a defining moment for our triangulation. Which approach, Onuf's or Linklater's, speaks most clearly to the ethics of human rights norms, and which is more morally inclined?

Onuf's recurring historical image sets up a process-oriented approach. Arguably, it is not morally bound because of the many different combinations of speech acts and associated rule-types which make up each political society. Each one is good, but only because it continually develops and shapes itself. Linklater's epochal drive, alternatively, is ineluctably progressivist. It sees good where it has not previously existed. Process is ethical, progress is moral. The former aims to do the best with available materials and under prevailing conditions. This is the nature of Onuf's exploitation thesis, which itself is the nature of rule, and so is effectively perpetual. This being so, we must work to develop the best means of balancing-out human fortunes *within this framework*. The latter, on the other hand, aims not to change the framework in question but to replace it – to transform it – based on the premise that we are morally capable beings (and, moreover, that we can praxeologically demonstrate this) without the peremptory superiority of traditional rule.

How we go about doing this – through dialogue – is Linklater's foot in the constructivist camp. He has simply shifted the philosophical and sociological plateau where all this is to take place. The choice for constructivists (many of which are,

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importantly, committed to *human* participation in international affairs) is largely

crystallized at this point. Within the parameters of this thesis, the logic of this

argument is more favourable towards Onuf's more contained, bordered approach than

the frontiers offered by Linklater. This all makes for an interesting discussion and

almost, perhaps, a conclusive one for this aspect of the thesis. *Almost*, because there

are three variants of constructivism at play here. In what ways does Wendt add to this

picture?

We have established that both Onuf and Linklater are keen to demonstrate

modernity's shortcomings as a political project. We have also worked from the

assumption, primarily in Chapter Three, that Wendt is not so concerned with how it is

detrimental. Rather, within a conventional approach, it is the reporting of it which is

problematic. This, in turn, has allowed for the critique which sustains many who are

wary of Wendt's constitutive credentials which are based on the assumption that the

story of the modern state matters as much, if not more, than its current internal

structure.[59]

The discussion of Wendt's approach in Chapter Three differs from those in

Chapters Four and Five because its own narrative is set apart from Onuf's 'beginning'

and Linklater's 'possible end' theses. It is not satisfactory to describe Wendt's

contribution as simply describing what goes on between these two temporal marker

points, because for Wendt there is no end as such. Instead, the protagonists of the

international system are states that exist and endure, and we have no reason to suspect

that the case may be otherwise any time soon. If it was to be, then what is

'international' would have to be re-thought. States are so dominant that we might be

forgiven for thinking that Wendt's is therefore a more limited approach. As much as

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[59] For Onuf the story can be forever re-told, but for Linklater we need to add a new volume.

Wendt does tell any story of the state, it is only to produce the personhood of it – i.e. what its dominant character traits are, and how we can connect its 'personality' to its behaviour. We can take from this, for the present discussion, one salient point: modernity is a neither a good nor a bad thing, it just is. Wendt neither rails against it nor prescribes for its alteration. The sum of this is that *human* rights norms are played out in the territory of states, and we must be secular on this matter.

Wendt, as would be expected, subscribes to no pre-theoretical praxis. Does exploitation or harm (or an equivalent) exist in his theory? From the content of *Social Theory* we can conclude that only if we refer to these conditions in relation to the dynamics of states are they an IR problem. And this is where the simplicity of Wendt's approach breaks down for this thesis. What, exactly, can be said to affect the dynamics or specific behaviour of two or more states? More states? Humans, even? What about human rights norms?

Much of Chapter Three was given over to the challenge of reconciling Wendt's approach to what goes on inside states, under the assumption that constructivism is constitutive by nature and does not discriminate between what happens domestically and externally, and how this affects subsequent knowledge claims. Presently, we are interested in each of our three approach's capacity to account for the ethical instrumentality of human rights, in the hope that we might learn something about values in this branch of international theory. The conclusion which begs to be drawn, as seemingly incomplete and blunt as it is, is that we can turn to Wendt if the human rights norms in question are being utilised by one state as a tool (either positively or negatively) to extract some desired outcome from another state. If we want to know more about the human aspect of this relationship, working under the assumption that this matters for IR, then we need to look to Onuf and

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Linklater. This is the dividing line – the very distinct line in the sand – which separates these three approaches on this fundamental point. We do not have to cross it. It is enough to know that it is there.

III. The limits of constructivism

The aim of the first two sections of this chapter has been to develop an argument about the challenge of values in constructivism. The conclusions that can be drawn from this are dependent on a further consideration which must be addressed, one which will place our critique of each type of constructivism in a broader context, and which will bring this thesis back to where it started – with a focus on the limits and potential of constructivism. Essentially, how do these moral, ethical, theoretical and practical questions impact upon constructivism as an approach?

This final section will answer this question by focusing on two key elements of constructivism. Firstly, its capacity and willingness to embrace values as change in the international system will be assessed. Secondly, the section will discuss the implications of having constructivism do this value-led work on its 'middle ground' characterisation. These two threads will be developed to ascertain whether 'constructivism' as it is generally recognised will still meaningfully exist in the face of this critical challenge.

Human rights norms and values as 'change' in the international system

According to Emanuel Adler, 'it may only be a slight exaggeration to say that if

constructivism is about anything, it is about change.'[60] The primary reason for this is

that

> rather than using history as a descriptive method,
>
> constructivism has history 'built in' as part of theories.
>
> Historicity, therefore, shows up as part of the contexts that
>
> make possible social reality, the path-dependent processes
>
> involving structural and agent change, and the mechanisms
>
> involved in the explanation of change. Constructivism's
>
> added value, therefore, is to take change less as the alteration
>
> in the positions of material things than as the emergence of
>
> new constitutive rules... the evolution and transformation of
>
> new social structures... and the agent-related origins of social
>
> processes.[61]

There is a deceptively simple logic which stems from this, and in which is

embedded all of the complexities which have thus far been discussed: If human rights

norms represent a change in the *status quo*, then they must therefore be the natural

focus of constructivism. This representation of change depends on the particular

impact human rights norms have on the international system, which in turn depends

on what the international system looks (or looked) like in the first place.

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[60] Adler, 'Constructivism and International Relations', p. 102
[61] Ibid.

If human rights norms *are* change, then they, and values, should not present an insurmountable problem to any of our types of constructivism. But they do, as has been demonstrated. Human rights norms challenge the constitutive 'nature' of constructivism by not simply acting as prescriptions for change, but by complicating the picture by demanding that hard cases such as humans, universalism, equality, etc. are incorporated into an approach still racked by a series of persistent debates (cause versus constitution, agent versus structure, etc.[62]), which more consolidated or even singular contributions to IR theory have moved on from.

Where does this leave us here? Briefly, focusing on the ethical rather than moral implications of human rights norms carries with it the fundamental requirement that the constructivist belief in change must also incorporate at least the notion that values are a part of systemic renewal.[63]

For constructivists, society is continuously evolving. How it evolves depends on how ideas and ways of being are communicated. In order to pin down the relevance of human rights norms to society (both discretely and across borders), constructivism must be sufficiently well constituted itself to account for the range of ways *why* and *how* human rights matter. Approaching this, as we are, from an instrumental angle, the 'effects' in question are measured almost entirely by how these norms, by degree, *change* lives, structures and systems.

Firstly, is it possible to group, or rather pair-up our constructivisms on the subject of change? What is their fundamental thinking on the matter? It seems that it can be reduced to, on the one hand, a choice between something less purposive and more a variation of continuity, or on the other hand, a distinct and discrete moment of

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[62] Again, see Adler, pp. 106-109

[63] This is notwithstanding the fact that Onuf in particular, and to an extent Linklater as well, both develop their theses with the constancy of the 'good' in politics firmly in mind.

change: In other words, is it 'process' or 'progress' that each approach describes? For Wendt and Onuf it is the former, for Linklater the latter.

The change which Wendt sees is fundamentally a unifying one, so that 'with each change the international system has achieved a qualitatively higher capacity for collective action.'[64] And so, assuming that an increase in collective action is a good thing, does it necessarily follow that process quickly and simply become progress? Would the conclusion inevitably be that Wendt shares ground with Linklater?

Wendt's image of change – or, in his terms, 'identity formation' – is of an evolutionary process. Wendt does specify that state-society relations do matter when it comes to assessing the effects of any variation in the identity and interests of the state. They matter in a structural sense, and any effect takes the form of 'unit-level changes'.[65]

But all of this is state-centric. The society of which Wendt speaks, as we know, is the society of states. Incorporating the norms of the *Universal Declaration* into this society would be part of Wendt's evolutionary schema. The 'organic' association between institution/convention and state which this would imply is clearly favoured by Wendt. Of course, by appropriating this anthropological lexicon (following the precedent set by Kenneth Waltz), Wendt is adding layers to his 'state as person' thesis – namely, popular elements of the natural and human sciences. What seems to be missing, however, is a firm acknowledgement that evolution is an inherently selfish act. That this is the case only serves to complicate whether and how values play a part in this world view. Essentially, it is a confirmation that in Wendt's eyes states are as complex as humans, and that their need to evolve – these vast umbrella bureaucracies – is equal to that of the millions of individuals who reside

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[64] Wendt, *Social Theory*, p. 314
[65] Ibid., p. 320

within them. Simply put, this highlights the lack of human activity in Wendt's (human?) model which, for values at least, is vital.

Wendt cites the 'common Realist assumption that states are by definition, by their intrinsic constitution, self-interested,'[66] but prefers instead to think of this condition as 'contingent rather than necessary.'[67] Why, we might reasonably ask, is it necessary to ring-fence this quality as a way of defining what constructivism is? In Wendt's words, 'one cannot be an egoist all by oneself.'[68] Is this necessarily the case? Is the archetypal 'Robinson Crusoe' character not self-interested? Perhaps, perhaps not. The point is that it does not matter a great deal either way. Values, in the form of human rights norms, can be assimilated into the workings of an egoist state as ethical instrumental institutions. To do so on *moral* grounds is a different question. Unfortunately, with Wendt, we are left with no grounds to suppose that either might be possible.

The position can be argued that states *do* pick up on social and cultural movements, and that domestic politics dictate foreign policy, and so on, until the society of states does indeed operate (on a 'Kantian' basis) in the spirit of friendship based on shared values. But these inside/outside links are not clear enough in the Wendtian approach for such leaps. Without these links, all of the 'ideas', 'cultural forms' etc. which constitute the personalities of state and system are gathered up somehow from somewhere. We cede to the language of metaphysics too quickly when appraising the relationship between Wendt, values and *humans* for us to say much more here.

However, that this is the case offers up an interesting analytical quandary. Arguably, no other type of constructivism, certainly within our triangulation, offers a

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[66] Ibid., p. 321
[67] Ibid., p. 322
[68] Ibid.

theory of the state in such a 'pure' third-level way. At this level, human rights norms, when a part of the discourse between states, can of course play out in the machinery of interaction described by Wendt. He goes, effectively, unchallenged on this. Both Onuf and Linklater describe the state, but it is a much more layered entity in both cases. A comparison is therefore more forced than we might like it to be.

For Onuf, and rules-based constructivism, the role of both modernity and modernism is primarily that of the background field against which more important actors and events play themselves out. The (almost) inevitable association of modernisation with its materially manifest forms – industrial, technological and structural – does not properly account for the spaces – intellectual, cultural and geographical – in which political behaviour is observable. But the discourse of human rights goes beyond what is observable and demands the consideration of what is possible. Even an analysis based on what is ethically instrumental about human rights (the ways in which they appear to *do* good by instituting normative practices) must acknowledge their *being* good in the first place. Onuf does not by any means discount the doing of good as a part of the international system. Rather, in the end, all values, to include those found contemporarily in the *Universal Declaration*, are tools for exposing exploitation, and not some metaphysical, deontological truth.

In the world described by Onuf, change is manifest in variations of the mix of rules which characterise 'historically distinct cultural experiences.'[69] As we have seen, 'our own liberal world'[70] contains a greater proportion of commitment-rules. But, crucially, the exact mix of rules has no bearing on the inevitability of exploitation. Rule will always be exploitative, and so human rights norms can only ever play a contingent role in the 'bigger picture' of systemic change. Ultimately,

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[69] Onuf, *World*, p. 121
[70] Ibid

there is nothing unique about the values encapsulated in human rights norms, and so

they will always be part of a narrative about the international system, rather than

having a direct effect on it. This accounts to some degree for how succeeding

linguistic constructivists have failed to 'break through' to values in a way we might

consider compelling, or even sustained. The original blue-print from Onuf appears to

allow for nothing else.

Perhaps the most identifiably constructivist trait of Linklater's work is its

prescription for change. It contains a reason for change, the potential for it, *and* an

idealised end-state in which the result of this change can flourish. As has been noted

above, a strong theme running throughout *Transformation* is that the development of

modernity, in both an intellectual and epochal sense, has fostered the internal growth

of the machinery of critique. As communication technologies and the exigencies of

trade bring (or force) human beings together, 'one effect of the totalising project,

namely the production of estrangement between societies, is resisted by cosmopolitan

morality.'[71] The pressures on the structure of modernity from many varied yet

ideologically linked sources – e.g. from minority groups to feminism – have

cumulatively endorsed the call for a deeper transformation than anything previously

imagined.[72]

So human rights norms are a part of this movement? Assuming that they are

indeed, are they the call for the transformation, or signs of the transformation itself?

This is a similar epistemic point to that just considered in relation to Onuf. Are human

rights norms contingent to Linklater's world or central to it? The pervasive critical

element of his work would suggest the latter. We can, therefore, be more confident in

identifying the dynamics of how values affect the international system. If their moral

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[71] Linklater, *Transformation*, p. 25
[72] See Ibid., pp. 25-26

nature can be asserted, then they are the central focus of the international system, as the transformation of the system depends entirely on there being compelling reasons for it.

If a 'transformation' is not necessary (as is the case with Wendt), or is not likely to happen any time soon and so should be a drain on none of our resources (as is the case with Onuf), then the ethical instrumentality of these approaches themselves comes much more obviously into play, as they are interested the *continuing* good, but without a specific end in sight. The decision to be made is whether there is a 'point' to constructivism beyond its creativity as an analytical toolkit.

Linklater's fundamental observation regarding change is that the international system of states has over-stretched the totalising rationale to breaking point, and the current normative infrastructure is not able to provide the necessary conditions to realise the potential of universality and difference. The interplay between these two factors has opened the door for a re-configuration of the institutions which govern the insider/outsider relationship.

'Critical' constructivism appears to edge constructivism generally towards what might be considered a curious state of affairs. All that is going on in Linklater's world – the world which requires transformation, but which also must contain the raw materials for that transformation, i.e. citizens, transnational communication, institutions, etc. – is the stuff of constructivism. Yet the working out of these raw materials is for a reason – a cumulative reason which is also a *moral* reason. But is it not the case that constructivism, the constitutive approach to international relations, also works on the principle of *ethics* that only the comprehensive accumulation of knowledge can reveal the 'real' world to us?

Which world is more real – that which depends on the exposure of modernity's deceit (Onuf's), or the world which *then* results from the product of that exposure (Linklater's)? In short, when and where do we cap what constructivism is capable of?

Conclusions: Two Paradoxes? Constructivism 'succeeds', constructivism 'fails'

Earlier in this chapter Maja Zehfuss's work on German military involvement abroad was brought in as an example of a triangulated critique of key constructivist figures. As dissatisfied as Zehfuss clearly is with the descriptive power of much of Wendt and Onuf (and Friedrich Kratochwil), she does capture an essential quality at the heart of constructivism – 'the assumption of limited construction'. It is this notion of defining or essential qualities which we are interested in here. Ideas about the essential character of constructivism clearly exist, and to understand the relationship between constructivism and human rights in as full a way as possible we must be able to ascertain whether, after such a sustained critique, we still have a 'constructivism' or not.

Being able to draw a conclusion on this matter of characterisation or 'identity' will have two outcomes. Firstly, in addition to the preceding chapters, it will provide a much more detailed picture of the effects that values have on constructivism – what they ask of it as a theoretical approach, and how both this and its methods then stand up to a positivist-postpositivist distinction. If it does appear to fall more firmly into either camp, what are the implications of this for a 'moral' approach desired by critical theorists? Secondly, and related to this, it will indicate more assertively, if perhaps not definitively, constructivism's role in international theory.

As James Fearon and Alexander Wendt have pointed out, constructivism can be seen in at least three ways – as ontological, empirical or analytical.[73] However, these three categories do not add up as we would expect them to in a 'theory'. Holding a view of the world as a continuously 'constructed' entity ensures that this will remain the case. The most purchase orthodox political science can hope to secure on it is that constructivism contains many *theories*, without having found a singular and defining formula. If there are no limits on who might be doing the constructing or how, then there can be no limits to either the richness or the disorganisation of constructivism. This conclusion seems to depend entirely on the inclination of the practitioner or reviewer. Fearon and Wendt also discriminate between 'pessimistic' and 'optimistic' constructivisms,[74] and we have found that, arguably, within our triangulation. Onuf's is a pessimistic view, Linklater's optimistic and Wendt's, we might suppose, is a sort of secular middle between the two in this sense.

Fearon and Wendt's overview is also helpful with setting out our parameters: 'what generalizations can be made about constructivism? To start with the obvious, constructivists are interested in how the objects and practices of social life are 'constructed', and especially those that societies or researchers take for granted as given or natural.'[75] Naturalization is a problem for constructivism in more ways than one. It is one of the stated purposes of constructivism to expose the grain and then to go against it in gathering knowledge of the international as a *social* construct. But how far does, and should, constructivism seek out this 'orthodoxy' and then reveal it as a misrepresentation? How far is this properly a constructivist pursuit before it falls into the jurisdiction of critical theory?

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[73] James Fearon and Alexander Wendt, 'Rationalism v. Constructivism: A Skeptical View' in Carlsnaes, et al., *Handbook of International Relations*, p. 56
[74] Ibid.
[75] Ibid., p. 57

These questions are part of a larger inquiry which has been implicit throughout this thesis, and which must be addressed, in however limited a way, before we can draw any conclusions that may hold some meaning for scholars of international theory. Zehfuss's and Fearon and Wendt's characterisations are examples of how constructivism predominantly sees itself, and is externally perceived to be, a middle-ground approach. Assuming that a constructivism with the capacity and will to systematically and consistently engage with human rights norms would compromise this middle ground, is constructivism itself, as a legitimate label, rendered meaningless?

The 'middle ground' occupied by constructivism is usually taken to be that between rational choice and postmodernism,[76] with their contrastingly positivist/postpositivist outlooks. Expressed in its most basic form, the logic supporting this demands that constructivism has links to both. As the approach has developed, 'researchers have followed up general calls for bridge building with increasingly sophisticated conceptual schemas for fitting constructivism better with its rivals. These include ideas on how one can integrate the ideational and the material, game theory and social constructivism, strategic-choice and cognitive perspectives, and other-regarding and self-interested behaviour.'[77] Using approaches focused on conceptual schemas has effectively resulted in the continuous and metatheoretical creation and recreation of constructivism which is then thrust upon the world. 'Opposites' have been assigned to favourite constructivist identifiers in the hope of producing more keenly honed analytical positions. The result is that constructivism is still many things to many scholars, each depending on assumptions of a dichotomous IR.

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[76] Jeffrey Checkel, 'Norms, Institutions, and National Identity in Contemporary Europe', *International Studies Quarterly*, vol. 43 (1) (1999), p. 108
[77] Checkel, 'Social constructivisms', p. 241

This thesis goes against this grain by having constructivism face up to a pressing contemporary example from the international system which involves humans, states and how they relate structurally and as actors. There are no set opposite forms for constructivism to rebound from, or to collide with and make innovative theoretical propositions. Instead, the aim is to have constructivism answer to its subject, rather than to itself.

For such a 'compromise' position, the middle ground is an extremely controversial area. It is controversial, of course, because it has no parameters, only frontiers, which are not conducive to clear statements, let alone clear theories. It is also controversial because many scholars happy to be labelled 'constructivist' do work that is always compelled to bear comparison to two very different approaches, and this itself does not always make sense. Karin Fierke, for example, states the linguist's problem thus:

> conventional constructivists have positioned themselves in a
> "middle ground" between mainstream rationalist approaches
> to international relations and more critical constructivists. In
> doing so, constructivists have distinguished their attention to
> ideas and norms from the poststructural emphasis on the
> linguistic constitution of identity and interests. An
> assumption implicit in this positioning is that language
> should be kept off the agenda.[78]

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[78] Fierke, 'Links Across the Abyss', p. 331

The implication for the present thesis is clear. Using linguistic techniques to address normative questions somehow doesn't fit with a constructivist research agenda. Constructivism doesn't 'do' language. Or if it does, it is not middle ground. And if it is not middle ground, then it is not constructivism. But linguistic techniques do add to our knowledge of how the world around us is constituted, and this world patently is normative. So we have our first fault line: language is not 'constructivist'.

The logic behind these problems is so counter-intuitive that it soon collides with itself. Without language, Nicholas Onuf would have had a very sparse thesis indeed in *World*, not to mention his coining of the term 'constructivism' for IR in an earlier article. The 'scientific' problem with language is that it cannot be comprehensively measured: 'those concerned with language – placed in the category of poststructuralists – have been distinguished from those who engage in empirical research.'[79]

It has been demonstrated here that linguistic constructivism is still 'constructivism' properly-so-called, and that it is capable of rendering the international communication of values in a very usable and reproducible format for IR theory. Speech acts, language games, grammar, etc. all package complex linguistic exchanges so that they might be analysed more fully, and so accorded a commensurate level of importance in the workings of the international system. Where linguistic constructivism has failed is in making a successful break from Onuf's original intention. Onuf draws a complex picture which has boundaries. In *World* he is delineating a vast area of study which is populated with values but has little or no room for ideals. Constructivists have not yet made it clear how the 'frontiers' of values correlate with this. It is a retroactive approach to what has happened – learning

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[79] Ibid., p. 333

from experience, which is in keeping with positivist international theory, and so is ethical rather than moral, which will not suit critical theorists.

Wendt's approach, as we have seen, is almost entirely compatible with the ethos and methods of conventionalism. It does break from it in some important respects, but it still bears comparison with the statement that 'conventional constructivists, who many times claim to be studying identity... do so with theories and methods that freeze and reify it.'[80] *Social Theory* is a document of very contained unitary and systemic change. The international system it describes can be 'theorised' thanks to its relatively discrete components. It can be analysed 'scientifically' because it sets up an empirical review of a process, and not of progress, which would require a value judgement (or even many value judgements).

Its dismissal on the grounds of being statist is a little premature – and, it must be said, comes from an entirely postpositivist or critical point of view – because that criticism depends on a belief that values *must* and *do* cross the many borders which make up the international system. They also must originate and not depend otherwise on the machinery of the state, which is a wholly problematic position to hold. If any 'good' prevails here, then, it is ethical. But we can be confident in asserting that it matters less within the strictures of this theory than it does for Onuf.

Linklater's position depends less on it 'representing' the essence of constructivism (i.e. 'language' or 'identity') than does Onuf's or Wendt's respectively. Its very existence as 'critical constructivism' is largely the embodiment of constructivism which critical theorists would prefer to see. Largely, but not entirely, because it has failed, so far, to offer the kind of empirical tools which mark out the attractiveness of constructivism in the first place. So does it distort the middle ground

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[80] Checkel, 'Social constructivisms', p. 233

of international theory beyond all (current) recognition? No, it does not, otherwise it would simply be critical theory, and it has a foot set too firmly in both camps for it to be characterised in this 'either/or' way.

What, then, does this mean for constructivism? The 'Two paradoxes' logic is instructive on this matter. If constructivism, and particularly our triangulation, can be said to have either 'succeeded' or 'failed' to account for human rights norms in the international system, what is at stake? Are human rights threatened in some way, or is it more sensible to presume that constructivism itself may or may not have been compromised in some way (perhaps even fatally)? Clearly the latter is the case. But only up to a point.

If constructivism 'succeeds' with values, on the terms expected of it by critical theory, then it has become a moral force in international theory and so is *too critical* to be constructivism. If it 'fails' with values, then it does so only on a moral level; it still operates ethically, and is still constructivism. Again, what is at stake? It seems that our knowledge and understanding of human rights are being compromised by the need for international theory to maintain its categories.

Can we point to success or failure based on the terms governing this thesis? As a triangulation, each aspect defines its own space with varying degrees of success. *Social Theory* is a closed shop to much of what has been defined as the value-normativity of human rights. Yes, it deals with states at a level which communicates with the orthodoxy whilst branching out from it and, yes, it can be argued that the stuff of IR (that really matters) is states. But the values issue demands more of IR than this, and Wendt fails to provide even a framework from which to begin, let alone the drive to do so.

Both Onuf and Linklater are much more successful in having their constructivist approaches sit comfortably with human rights norms. Neither is particularly specific on the matter, though, which is telling as we pursue a critical warrant. Onuf describes what constructivism is for (relating the 'true' narrative of modernity, or at least perpetuating the unveiling of the 'false' one), which is accompanied with lengthy and complex descriptions of what it should be looking for as it goes about its work (rules-mixes). There is no real allowance here for values as incorporated in human rights norms. Values, yes, as witnessed by the need to restore human history to politics, but not in this more specific, contemporary way of the *Universal Declaration*. It is a conclusion which has perhaps been most tested of the three, because so much of Onuf's groundwork, and linguistic legacy, suggests so much for the possible future of how constructivism might develop along with the human rights discourse. Yet this thesis is testing Onuf, and liberal human rights norms are not his province. There is more to be said about language, rules and rights, but they are not neatly represented by Onuf's constructivism as laid down in *World*.

Linklater, as has been said above, is a strong candidate to be constructivism's standard bearer on this issue. But that is a hugely simplistic statement. On the one hand, his place in the triangulation is where much of the human rights discourse, with its contestations and complexities, fits with comparative ease. There are discernible links, also, across the three approaches, which might in isolation be taken as adequate justification for having them inhabit this type of space. However, where they do cross paths (both epistemic and ontological), there is not enough weight in the linkages to suggest that constructivism has a unified voice on values.

This is not too damaging, though, as no assertion has been made that a singular, 'whole' constructivism should or could be a possibility. We are, however,

interested in similarities. Of these there are many, and linkages can be found across any combination of the three. Which leads to the principal conclusion of this thesis: Constructivism has been designed, and is currently best suited, to deliver a constitutive approach to international relations on ethical matters. It sees good in the world as originating and being manifest in a number of different sources, and it is interested in pursuing that good, not in prescribing it. If there is a moral element to constructivism, it is to be found in its responsibility to inform the world. What the world does with this information is another matter.

Conclusion

This thesis began by asking a question about the normative achievements of constructivism, and it has ended with an assertion about its future potential as an ethical approach. Getting from one to another has involved the tracking of several key aspects of constructivism, and has tested them against expectations, both from within and without.

The initial question has its roots in normative inquiry. 'Social' approaches to IR are frequently considered to be too discrete in going about their business; the English School is not sociological enough, constructivism is not normative enough, and so on. The normative 'ought' of values has consistently been a hard case for IR generally and constructivism specifically. But whose problem is this? Critically-inclined scholars lay the issue at the feet of constructivists who otherwise provide 'ideal' conditions for describing the international human condition. If only they would *prescribe* it, too.

The introductory chapter added much needed clarification and detail to the critical proposition; what, indeed, is this 'value' normativity compared to its constitutive and behavioural cousins? What is the nature of human rights norms which places special demands on constructivism? How best should we frame constructivism in such a way as to envelop the problem as a thinking space? And, after all is said and done, of the two possible end products, i.e. receptivity or agnosticism to the norms

issue, which has the most distorting effect on the identity of constructivism itself? It introduced the triangulation of Alexander Wendt, Nicholas Onuf and Andrew Linklater – each measured primarily by their key text – as an analytical device capable of opening up the kind of intellectual space needed to assess how a contested subject might best fit into a contested approach.

Chapter One defined constructivism as an apparently problematic approach – a verdict based on the assumptions that general internal division, the lack of a unified stance on matters deemed central to it, and its seeming inability to draft its own theoretical position were fundamentally detrimental characteristics. Values, of course, are presumed to require a unitary response.

But this is part of the general critique of constructivism. More sympathetic voices proclaim the constructivist contribution to IR – its challenge to dated epistemologies, its view of agents and structures as mutually constitutive international constructs, and its moulding of critical approaches towards empirical study. All of these innovative features of constructivism have led to calls, most notably led by Christian Reus-Smit and Richard Shapcott, for constructivism to become more explicit on the matter of normativity in the international system. Specifically, it should act as methodological and empirical wing of critical theory. After all, that is where it is supposed to have all begun. But the potential of constructivism goes further than this, and its rationalist-leanings (most notably led by Alexander Wendt and more positivistic scholars) even lay claim to constructivism, and welcome *its* critical wing, as a way of pushing IR theory forward without forgetting orthodox roots.

This all makes for a picture of constructivism which is at best complex and at worst confusing. The 'middle ground' is a compromise representation for many (and even this is not welcome in some constructivist circles). The plain occupied by

constructivism, overlooked by the opposing strongholds of positivism and postpositivism may be a gross oversimplification, but it is a useful analogy for one of constructivisms key attributes. That is, its ability to open up intellectual space for these debates to take place.

It was proposed in this first chapter that constructivism occupies an 'ill-defined' space, and so it has been proved throughout the course of the thesis. Yet this is not a weakness but a strength. Defining the spaces of the international leads to geographical and disciplinary borders that appear arbitrary, which the 'hybridising' of constructivism, it might be hoped, would overcome. What the typologies literature has done, and keeps doing (as this thesis adds to this, if only to test the efficacy of it), is to have different variants of constructivism separated and held up as more capable of accounting for certain phenomenon, by using certain tools, than others. Norms, or more specifically value-norms represented by human rights, are more of a challenge to these clusters of variants than their usual, more empirical interests. Yes, certain constructivists have tackled human rights, and with some success, but only as part of larger analyses interested in the formation and perpetuation of liberal democracy, for example. Values – the expression of what 'ought' to be – have not been theorised across these constructivist groups. Hence this thesis settling upon a social 'theory' to define just how traditionalist constructivism is, and the extent to which this orthodoxy is pushing its own boundaries from within as a kind of baseline, and then moving on to more linguistically inclined approaches which, it was assumed, would be capable of filling in the troublesome gaps left by actual human beings.

Chapter Two dealt at length with the nature of this complex challenge. In the first instance, an important distinction was made between the moral and ethical aspects of values. Morality, it was argued, is not the most productive start point for

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debate. The reason being that constructivism occupies such a large swathe of ground in IR theory that leading with a metaphysical agenda would be to give more weight to the postpositivists than the positivists, which would compromise the analytical whole of the thesis. Constructivism, of whatever variant or hue, is naturally more suited to dealing with concepts more concrete than not, and then admitting ideas to the equation. Morals would mean leading with ideas which undermines this undertaking as a constructivism-focused effort, with all of the viewpoints which that entails.

Indeed, international theory is fortunate to have a *more* concrete expression of human rights norms at its disposal– in the *Universal Declaration* – but it is one which has so far been under theorised as a direct international concern. Morality inevitably underpins much of this, but it cannot be allowed to overpower it.

Jack Donnelly provides us with an image of the ethical instrumentality of human rights, albeit one dependent upon the legality of those rights which in turn depends on the due process observed by host governments. Extracted from this was the notion that human rights become institutionalised by challenging the orthodoxy only to eventually become enshrined within it. Constructivism seems inherently suited to account for this kind of 'push-pull' of normativity, as it develops both contra- to and in tandem with orthodox understandings of the international system.

Empirical constructivism was shown to be engaging with concepts, events and histories of the international which span the range of normativity. Values were found to be present in most studies of constitution and procedure. Yet the importance assigned to values varied by degrees. The tools utilised by constructivists in these empirical studies appear so encompassing (discourse-led, narrative and text analysis, genealogy, ethnography, communicative action and language games) that human rights norms as laid down in the *Declaration* seem ripe for the analyses they offer.

They are hampered by two things: the sheer undermining complexity of values, of which volumes have been written, and also by rather entrenched views of what constructivism is and does reacting to critical pressure. David Dessler is one scholar keen to alleviate this pressure (and that from rationalists as well) by obviating the need for a 'covering-law theory' and instead extolling the benefits of incremental steps. Steps, we might presume, that are considered to be ethical rather than totalising and moral.

A clearer vision of how the universality of human rights can be comprehended was needed. It has largely been provided for in the continuum models of Jack Donnelly and Bhikhu Parekh. Both are extremely useful, but it is arguably Parekh's contribution which is foremost. His 'minimum universalism' allows us to cut through the divergence of relativist and monist positions. Problems still persist, of course, and take the form of charges of unavoidable ethnocentrism and flawed consensus. But rather than simply opening up an intellectual space, which Parekh does, and moreover one which speaks to both constructivism generally and the device of our triangulation, Parekh fills that space with 'uncoerced cross-cultural dialogue' rather than leaving it to collapse in on itself like so many speculative efforts do. We are therefore offered a direction which we might take with constructivism.

First though, what of constructivism as a more 'traditional' approach? Chapter Three develops the reasons for including Wendt in the triangulation. The most clear theoretical statement of the three is frequently aligned with other similarly 'modernist' or 'conventional' approaches. It certainly shares familial characteristics; for example, an improved but ultimately limited role for ideas, a broader notion of agency, a firm belief in 'intersubjectivity' as an analytical device, and an epistemology which generally relies on a positivist philosophy of knowledge. All of

this is overwhelmingly directed at states and how they function in the international system. This is most explicitly the case in Wendt's *Social Theory of International Politics*, and so values, and human rights norms, appear at best to be peripheral to all of this. That is to say, the predominant assumption is adhered to that the proper focus of the critical challenge (and value-norms) are humans, and not states. Of course, 'humans' in an IR context means humans *and* states, so the leap for state-centric theories such as Wendt's ought not to be so onerous or challenging.

Indeed, Wendt differs from conventionalists on precisely this point. His key contribution to constructivism is a theory, as far as it can be described as such based on socially constitutive factors. It is a sustained and systematically developed treatment of how states socialise, and how this impacts upon their identities as 'people' capable of making and acting upon decisions. Wendt, though, deals primarily with states from the surface outwards – how their externally managed relationships play out in the international system. His brief use of Weber, although innovatively aligned to pluralism and Marxism, does not allow this surface to be penetrated in any meaningful way, and so humans (*Homo sapiens*) lose out in the equation.

Although it admits ideas, Wendt's version of conventional constructivism is still primarily structuralist and so offers a framework for human rights rather than a mechanism for recording and critically analysing the origin and effect of those rights in the first instance. Of course, this works to an extent with the enshrined content of the *Universal Declaration*, but this content relies upon further interpretation both when it is claimed by individuals, and then pronounced upon by international and domestic legal systems. The framework itself is a limited construction as it fails to account in any meaningful way for the variety and complexity of culture(s) at work in the international system. Others, most notably Seyla Benhabib, offer visions of

cultural integration which speak to Wendt's approach, but which go further by being explicit on the need for non relativist multiculturalism, of the sort which also speaks to the minimum universalism of Parekh and more dialogue-based approaches to values.

However, Wendt's approach clearly baulks at the notion of an end-product – the sort required of a moral perspective on how the international system should look and be run. This stakes out a constructivist position of process rather than progress in accounting for human rights norms. Taken forward from this chapter is this notion of process as an inherently constructivist concept, along with dissatisfaction with a purely statist account of the international system, and also good grounds for having language tested as a possible path through this.

In Chapter Four, Nicholas Onuf's *World* is taken to be the key representative of this more thorough theorising of the back-story of constructivism, which develops a case for language through descriptions of how both rules and rule work internationally. How far it develops a case for human rights is not explicitly engaged with, and this has repercussions for the limits of constructivism on this subject.

Onuf's ground clearing exercise is expansive, to say the least. Incorporating recurrent elements of human history into a critique of modernity, it seems to sit well with a fundamental requirement of critical theory – that is, the need for an intramundane material reality on which to pin claims that the approach is a valid representation of suffering and injustice. Yet Onuf is explicit in his wish not to join the ranks of critical theory. After all, he coins the term 'constructivism' for the discipline of IR in a bid to distinguish it from other approaches which happen to share a similar intellectual heritage.

Rather, *World* is more focused on working with intellectual tools that go beyond the conceit of liberalism, but stop short of conjuring anything metaphysical that we might wish exists but which does not, and so is folly. The middle ground drawn by Onuf is the same middle ground that has existed for generations, and he suggests we expend our energy on this alone. This too points to an ethical approach to human rights – one which is contained and must work within defined limits, and not the pursuit of a moral warrant. Exploitation remains the foe of political organisation.

Then why, if virtues, rights and manners are strong normative traditions, which have only been hidden by the modern rush to liberalism, are we left unconvinced by Onuf's position regarding human rights? It is because we have given values a contemporary identity, rather than having left them to wander, *meta* everything else. Onuf's constructivism is so finely honed that human rights norms have a great deal of difficulty fitting in to it. It seems intuitively curious that this should be the case, but it is borne out in the empiricism of linguistic constructivism.

So where does the fault lie? The use of language games addresses value-normativity in much the same way as conventionalist constructivists do when conducting empirical studies. Constitutive and procedural norms are stock-in-trade for constructivists whose methodological tool-kits are more suitable for this kind of work. Final, totalising decisions are not a part of this. To speak of fault, then, is misleading. Onuf has set up a detailed analytical framework for the continual re-appraisal of normativity in the international system. His successors are applying it (although perhaps not as often as they could) to empirical cases. The one concern for a thesis dealing with human rights norms, is that these norms are themselves at risk of being downgraded to a contemporary expression of values, which shall be replaced by another in several generations to come. Indeed, it affirms suspicions that human rights

norms are a liberalist product. Their very statement, their codification, is evidence of this.

Onuf does allow for a critique of humanitarian intervention. Indeed, this is where most linguistic forays into humanism lie. It is very apparent why this is the case. Intervention upsets the principles of anarchy, and so strikes a blow at the liberal project. Yet there are values underpinning intervention – values which tell us about the worth of human lives – which are not pursued by rules-based linguists. Human rights norms trouble the liberal, or orthodox, international system, and cause us to question its institutions such as sovereignty, non-intervention, etc. So, as we speak of them now, they are a legitimate focus of constructivism, but we are left with an incomplete picture by Onuf. The depth of his approach has not been followed through, and so has not been established as a characteristic of constructivism.

Is dialogue and communication, analysed in Chapter Five, the answer? Yes and no, as the paradox of 'success' and 'failure' has demonstrated. Linklater's contribution to this triangulation, and the debate it is part of, *is* constructivist, but it stays at the outer limits of constructivism and its rhetoric fails to bring the others towards it. Gaps have been identified in Wendt's statist approach where we would like to see humans as relevant international actors. These spaces are largely filled by Onuf's exploitative modernity thesis, but this leaves (arguably more important) gaps regarding the crossing of actual, geographical borders, and the questions of what to do with this conceptual ground once it has been cleared. How, in the end, can constructivism be *more* critical?

Linklater's is ultimately an optimistic constructivism compared to Onuf's pessimism and Wendt's relative agnosticism. Unlike Wendt, Linklater – following E.H. Carr – sees great depth and potential for reworking the institutions which

currently add up to the modern state. Similarly to Onuf, there is much to be done which can only begin when mainstream IR takes a full interest in more diverse ways of defining the boundaries of political community.

The key factor which sets Linklater's linguistic turn apart from Onuf's is that his movement is clearly 'forward', and as such it is clearly led by morality. The framework of normativity, sociology and praxeology is understandably an attractive proposition for those looking in on constructivism, which is heavily loaded towards the latter two. But constructivism does do normativity, as we have seen time and again, and it need not be morally underpinned for it to be legitimately done.

Without question, citizenship studies hold a great deal of potential for constructivists interested in pursuing how human rights affect international relationships between people and states, and it is an area arguably underrepresented in the approach, despite a burgeoning literature throughout the discipline. That Linklater is explicit in endowing citizenship with radical properties is again indicative of how he operates at the margins of constructivism.

Materially, dialogic community is found to be lacking, and it suffers as a constructivist proposition because of this. Yet his categories of what should make up these communities – universal communication, cosmopolitan citizenship, harm, etc. – are all generally compatible with the challenges thrown up by the human rights discourse. Which in a sense makes Linklater's proposition either the solution or the problem, depending on which end of the epistemological spectrum you approach the issue of values and human rights from.

Linklater stands on the cusp of critical theory and constructivism and so effectively, in the end, makes our decision for us. Only for the lack of a clear methodology is his approach not entirely constructivist, and only for his belief in the

redemption of shared moral discourse is his approach not entirely critical. Yet the existence of this dominating ethical thread in his work demonstrates that anything that crosses this line, and therefore turns these issues into moral concerns, is not constructivist, and no matter how many times the round peg is re-sized, it will still not fit into the square hole.

Separately, each of the three approaches which make up the triangulation under scrutiny here point to how each might complement one or more of the others by filling in conceptual and theoretical gaps. When the exercise shifted to have them face-off more directly, more complexities were revealed, as well as more clarity on the key research questions of the thesis.

Chapter Six dealt with the issue of synthesis – which is clearly a prerequisite when answering a question which impacts upon a divided approach – by broadening it out from just having the triangulation tested within itself, to having each aspect challenged as to how well they account for values when under direct pressure from their peers. Key areas emerged which demanded attention: to what extent is the relationship between constructivism and values actually dysfunctional? What is the benefit to constructivism of having a clear position regarding the problems of modernity – how does this apparent conflation with critical theory stand up to the challenges posed by values? And what does this all mean for constructivism as a category of IR theory?

The answer to the first question is decisive, and permeates the next two. How each type within the triangulation goes about the business of IR is instructive. Both Wendt and Onuf are primarily interested in knowing more about the world they each have described. What, in other words, can possibly fit into their templates? Linklater, on the other hand, has a purpose which is based on the idea of improvement achieved

through change – and fundamental change at that. The notion that having a particular intellectual lineage, which is expressed in a particular way, and that this leads to a position which can then see *potential* for change does not fit with the programme offered by either Wendt or Onuf. It could, if the 'potential' in question referred to the ability of constructivism to account for all voices and all eventualities in the often fractured world where human rights norms are assumed to apply most of all. But this is not the meaning employed by Linklater, nor by critically-inclined theorists either. It is potential for 'something else', which requires a map for getting there.

Wendt occupies a much more clearly defined space than Onuf or Linklater on the subject of values. Although we cannot take humans into this space, we can take ethics from it, as the ethics of statehood are prominent throughout. Linklater opens up what could be a very rich space for constructivism and values, yet definitional, category-related doubts linger. Onuf's 'space' is less clear, but no less important for that. That his framework is utterly contained demands an ethical approach to values, and therefore human rights, which is a considerably less 'dysfunctional' road to take than the frequently-blind alleys of moral quests.

Asking questions about how and why constructivists seem to mirror critical theory's contempt for liberal modernity reveals much about the challenge to constructivism and how it is met. Arguably the most interesting point is that Wendt, and conventionalists in general, do not see it as a necessary initiation for producing such an attack. The implications for 'constructivism' are perhaps defining, but more on this presently. Perhaps there are no particular implications of these charges against modernity, other than it confirms constructivism's origins as an off-shoot of the Third Debate. Yet this would not be a satisfactory conclusion to draw for this thesis. Instead, the most instructive point to take from this is that we have a clear dividing

line between, on one hand, Wendt and his preference for defining the international in terms of the state, and on the other, Onuf and Linklater who admit humans into the equation. There is no concerted pull towards critical theory.

And this is the essence of how this thesis answers the third question. The frontiers of the middle ground are still the subject of some dispute, yet the space itself unequivocally exists. Values and human rights norms have forced some hard thinking about this space and its frontiers, and how the two define each other. Having these three types of constructivism come together, at once representative of a problematic whole and also how IR has difficulty in hanging on to its preferred categories, has resulted in an 'answer' to the critical challenge that has two parts: If it follows critical theory on this issue, then it is critical theory. If it remains apart from critical theory, it is still very capable of engaging with human rights, if only for the lack of a specific end in sight.

The implications the findings of this thesis have for future research into the area of values and human rights by international theory are at least three-fold. In very general terms, i). it is a clearer and more sustained statement of the ethical/moral split with regards to constructivism and critical theory than has previously been offered, ii). having a political agenda is not a prerequisite for producing compelling research into values and human rights norms which can, in fact, go beyond confirming a broadly liberal position, and iii). there has emerged throughout the course of this thesis a fine, yet telling, distinction between what constructivism is, and what it is capable of. That we are less able to state the former than the latter is not a weakness of constructivism, just as extolling its virtues is not an end to the issue of internal division.

Constructivism is an ethical approach to international relations, both by design and by execution. As such, it is capable of greatly enhancing our understanding of the

role of human rights in the international system. If it takes on a moral charge, then it

is not constructivism. It is difficult to see who the beneficiaries of this overextension

would be.

Bibliography

An-Na'im, Abdullahi Ahmed (ed.) (1992) *Human Rights in Cross-Cultural Perspectives: A Quest for Consensus* (Philadelphia: University of Pennsylvania Press)

Albert, Mathias and Tania Kopp-Malek (2002) 'The Pragmatism of Global and European Governance: Emerging Forms of the Political 'Beyond Westphalia'', *Millennium: Journal of International Studies*, vol. 31 (3), pp. 453-472

Appiah, Kwame Anthony (1997) 'Cosmopolitan Patriots', *Critical Inquiry*, vol. 23 (3) pp. 617-639

Archibugi, Daniele, David Held and M. Köhler (eds.) (1998) *Re-imagining Political Community* (Cambridge: Polity Press)

Banerjee, Sanjoy (1998) 'Narratives and Interaction: A Constitutive Theory of Interaction and the Case of the All-India Muslim League', *European Journal of International Relations*, vol. 4 (2), pp. 178-203

Beck, Ulrich (2003) 'Toward a New Critical Theory with a Cosmopolitan Intent', *Constellations*, vol. 10 (4), pp. 453-468

Behnke, Andreas (2001) 'Grand Theory in the Age of its Responsibility: Contemplations on Alexander Wendt', *Cooperation and Conflict*, vol. 36 (1), pp. 121-134

Bellamy, Alex J. (2002) 'Pragmatic Solidarism and the Dilemmas of Humanitarian Intervention', *Millennium: Journal of International Studies* vol. 31 (3), pp. 473-498

Benhabib, Seyla (2002) *The Claims of Culture: Equality and Diversity in a Global Era* (Princeton, NJ: Princeton University Press)

Benhabib, Seyla (2007) 'Twilight of Sovereignty or the Emergence of Cosmopolitan Norms? Rethinking Citizenship in Volatile Times', *Citizenship Studies*, vol. 11 (1), pp. 19-36

Bonham, G. Matthew, Victor M. Sergeev and Pavel B. Parshin (1997), 'The Limited Test-Ban Agreement: Emergence of New Knowledge Structures in International Negotiation', *International Studies Quarterly*, vol. 41 (2), pp. 215-240

Booth, Ken and Steve Smith (eds.) (1995) *International Relations Theory Today* (Cambridge: Polity Press)

Brown, Chris (1992) *International Relations Theory: New Normative Approaches* (New York: Columbia University Press)

Bull, Hedley (1995) *The Anarchical Society* (2nd ed.) (Basingstoke: Macmillan)

Burch, Kurt (2000) 'Changing the Rules: Reconceiving Change in the Westphalian System', *International Studies Review*, vol. 2 (2), pp. 181-210

Burchill, Scott (et al.) (2001) *Theories of International Relations* (3rd ed.) (Basingstoke: Palgrave Macmillan)

Bussmann, Margit, Gerald Schneider and Nina Wiesehoneier (2005), 'Foreign Economic Liberalization and Peace: The Case of Sub-Saharan Africa,' *European Journal of International Relations*, vol. 11 (4), pp. 551-579

Buzan, Barry, Ole Waever and Jaap De Wilde (1998) *Security: A New Framework of Analysis* (Boulder: Westview)

Buzan, Barry and Richard Little (2001), 'Why International Relations has Failed as an Intellectual Project and What to do About it', *Millennium: Journal of International Studies*, vol. 30 (1), pp. 19-40

Caney, Simon and Peter Jones (eds.) (2001) *Human Rights and Global Diversity* (London: Frank Cass)

Caprioli, Mary and Peter F. Trumbore (2003) 'Identifying 'Rogue' States and Testing their Interstate Conflict Behaviour,' *European Journal of International Relations*, vol. 9 (3), pp. 377-406

Cardenas, Sonia (2004) 'Norm Collision: Explaining the Effects of International Human Rights Pressure on State Behaviour', *International Studies Review*, vol. 6 (2), pp. 213-232

Carlsnaes, Walter, Thomas Risse and Beth A. Simmons (eds.) (2002) *Handbook of International Relations* (London: Sage Publications)

Carr, E.H. (2001) *The Twenty Years' Crisis, 1919-1939* (Basingstoke: Palgrave)

Chambers, Simone (1996) *Reasonable Democracy: Jürgen Habermas and the Politics of Discourse* (New York: Cornell University Press)

Checkel, Jeffrey (1999), 'Norms, Institutions, and National Identity in Contemporary Europe', *International Studies Quarterly*, vol. 43 (1), pp. 84-114

Checkel, Jeffrey T. (2004) 'Social constructivisms in global and European politics: a review essay', *Review of International Studies*, vol. 30 (2), pp. 229-244

Chinkin, Christine M. (1999), 'Editorial Comments: Nato's Kosovo Intervention. Kosovo: A "Good" or "Bad" War?', *The American Journal of International Law*, vol. 93 (4), pp. 841-847

Cingranelli David L. and David L. Richards (1999), 'Measuring the Level, Pattern and Sequence of Government Respect for Physical Integrity Rights', *International Studies Quarterly*, vol. 43 (2), pp. 407-417

Crawford, Neta C. (2002) *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention* (Cambridge: Cambridge University Press)

Crawford, Neta C. (2006), 'Postmodern Ethical Conditions and a Critical Response', *Ethics & International Affairs*, vol. 12 (1), pp. 121-140

Dessler, David (1999) 'Constructivism within a positivist social science', *Review of International Studies*, vol. 25 (1), pp. 123-137

Diez, Thomas (2005) 'Constructing the Self and Changing Others: Reconsidering 'Normative Power Europe', *Millennium: Journal of International Studies*, vol. 33 (3), pp. 613-636

Donnelly, Jack (1989) *Universal Human Rights in Theory and Practice* (London: Cornell University Press)

Donnelly, Jack (1998) *International Human Rights* (Boulder, Westview Press)

Duffield, Mark (2007), 'Development, Territories, and People: Consolidating the External Sovereign Frontier', *Alternatives*, vol. 32 (2), pp. 225-246

Duffy, Gavan, Brian K. Frederking and Seth A. Tucker (1998) 'Language Games: Dialogical Analysis of INF Negotiations', *International Studies Quarterly*, vol. 42 (2), pp. 271-293

Dunne, Tim and Nicholas J. Wheeler (eds.) (1999) *Human Rights in Global Politics* (Cambridge: Cambridge University Press)

Dyer, Hugh C. (1997) *Moral Order/ World Order* (London: Macmillan Press Ltd)

Elbe, Stefan (2006) 'Should HIV/AIDS Be Securitized? The Ethical Dilemmas of Linking HIV/AIDS and Security', *International Studies Quarterly*, vol. 50 (1), pp. 119-144

Elshtain, Jean Bethke (1999) 'Really existing communities', *Review of International Studies* vol. 25 (1), pp. 141-146

Eriksson, Johan and Giampiero Giacomello (2006) 'The Information Revolution, Security and international Relations: (IR)relevant Theory?', *International Political Science Review*, vol. 27 (3), pp.

Erskine, Toni (ed.) (2003) *Can Institutions Have Responsibilities? Collective Moral Agency and International Relations* (Basingstoke: Palgrave Macmillan)

Falk, Richard (2005) 'Recovering Normative Consciousness', *International Relations*, vol. 19 (1), pp. 79-90

Festenstein, Matthew (2002) 'Pragmatism's Boundaries', *Millennium: Journal of International Studies*, vol. 31 (3), pp. 549-571

Fierke, Karin (1996) 'Multiple Identities, Interfacing Games: The Social Construction of Western Action in Bosnia', *European Journal of International Relations*, vol. 2 (4), pp. 467-497

Fierke, K.M. and A. Wiener (1999) 'Constructing institutional interests: EU and NATO enlargement', *Journal of European Public Policy*, vol. 6 (5), pp. 721-742

Fierke, K.M. (2000) 'Logics of Force and Dialogue: The Iraq/UNSCOM Crisis as Social Interaction', *European Journal of International Relations*, vol. 6 (3), pp. 335-371

Fierke, Karin (2002) 'Links Across the Abyss: Language and Logic in International Relations', *International Studies Quarterly*, vol. 46 (3), pp. 331-354

Finnemore, Martha (1996) 'Norms, culture, and world politics: insights from sociology's institutionalism', *International Organization*, vol. 50 (2), pp. 325-347

Finnemore, Martha and Kathryn Sikkink (1998) 'International Norm Dynamics and Political Change', *International Organization*, vol. 52 (4), pp. 887-917

Finnemore, Martha and Kathryn Sikkink (2001) 'Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics', *Annual Review of Political Science*, vol. 4, pp. 391-416

Forst, Rainer (1999) 'The Basic Right to Justification: Toward a Constructivist Conception of Human Rights', *Constellations*, vol. 6 (1), pp. 35-60

Friedman, Gil and Harvey Starr (1997) *Agency, Structure, and International Politics: From Ontology to Empirical Inquiry* (London: Routledge)

George, Jim (1989) 'International Relations and the Search for Thinking Space: Another View of the Third Debate', *International Studies Quarterly*, vol. 33 (3), pp. 269-279

Geras, Norman (1999) 'The view from everywhere', *Review of International Studies*, vol. 25 (1), pp. 157-163

Groom, A.J.R. and Margot Light (eds.) (1994) *Contemporary International Relations: A Guide to Theory* (London: Pinter Publishers)

Guzzini, Stefano (2005) 'The Concept of Power: A constructivist analysis', *Millennium: Journal of International Studies*, vol. 33 (3), pp. 495-522

Guzzini, Stefano and Anna Leander (eds.) (2006) *Constructivism and International Relations: Alexander Wendt and his critics* (Abingdon: Routledge)

Haas, Peter M. and Ernst B. Haas (2002) 'Pragmatic Constructivism and the Study of International Institutions', *Millennium: Journal of International Studies*, vol. 31 (3), pp. 573-602

Habermas, Jurgen (1995) 'Reconciliation Through the Public use of Reason: Remarks on John Rawls's Political Liberalism', *The Journal of Philosophy*, vol. 92 (3), pp. 109-131

Hawkins, Darren (2004) 'Explaining Costly International Institutions: Persuasion and Enforceable Human Rights Norms', *International Studies Quarterly*, vol. 48 (4), pp. 779-804

Healy, Paul (2006) 'Human rights and intercultural relations: A hermeneutico-dialogical approach', *Philosophy & Social Criticism*, vol. 32 (4), pp. 513-541

Hettne, Bjorn (2000) 'The Fate of Citizenship in Post-Westphalia', *Citizenship Studies*, vol. 4 (1), pp. 35-46

Holsti, K.J. (1989) 'Mirror, Mirror on the Wall, Which are the Fairest Theories of All?', *International Studies Quarterly*, vol. 33 (3), pp. 255-261

Honneth, Axel (2007) *Disrespect: The Normative Foundations of Critical Theory* (Cambridge: Polity)

Hopf, Ted (1998) 'The Promise of Constructivism in International Relations Theory', *International Security*, vol. 23 (1), pp. 171-200

Howard, Peter (2004) 'Why Not Invade North Korea? Threats, Language Games, and U.S. Foreign Policy', *International Studies Quarterly*, vol. 48 (4), pp. 805-828

Hume, David (1969) *A Treatise of Human Nature* (Harmondsworth: Penguin Books)

Hutchings, Kimberley (1999) *International Political Theory: Rethinking Ethics in a Global Era* (London: Sage Publications)

Jackson, Patrick Thaddeus (2004) 'Forum Introduction: Is the state a person? Why should we care?', *Review of International Studies*, vol. 30 (2), pp. 255-258

Jackson, Patrick Thaddeus and Daniel H. Nexon (2004) 'Constructivist Realism or Realist-Constructivism?', *International Studies Review*, vol. 6 (2), pp. 337-341

Jones, Deiniol (2003) 'The origins of the global city: ethics and morality in contemporary cosmopolitanism', *British Journal of Politics and International Relations*, vol. 5 (1), pp. 50-73

Jones, Richard Wyn (1999) *Security, Strategy, and Critical Theory* (London: Lynne Rienner Publishers)

Jones, Richard Wyn (ed.) (2001) *Critical Theory and World Politics* (London: Lynne Rienner Publishers)

Katzenstein, Peter J. (ed.) (1996) *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press)

Keohane, Robert O. (2000) 'Ideas part-way down', *Review of International Studies* vol. 26 (1), pp. 125-130

Khoo, Nicholas (2004) 'Deconstructing the ASEAN security community: a review essay', *International Relations of the Asia Pacific*, vol. 4 (1), pp. 35-46

Klotz, Audie (1999) *Norms in International Relations: Struggle Against Apartheid* (Ithaca: Cornell University Press)

Klotz, Audie and Cecelia Lynch (2007) *Strategies for Research in Constructivist International Relations* (London: M.E. Sharpe)

Krasner, Stephen D. (2000) 'Wars, hotel fires, and plane crashes', *Review of International Studies*, vol. 26 (1), pp. 131-136

Kratochwil, Friedrich (1989) *Rules, Norms, and Decisions: On the conditions of practical and legal reasoning in international relations and domestic affairs* (Cambridge: Cambridge University Press)

Kratochwil, Friedrich (2000) 'Constructing a New Orthodoxy? Wendt's 'Social Theory of International Politics' and the Constructivist Challenge', *Millennium: Journal of International Studies*, vol. 29 (1), pp. 73-104

Kubalkova,Vendulka, Nicholas Onuf, and Paul Kowert (eds.) (1998) *International Relations in a Constructed World* (London: M.E. Sharpe)

Lapid, Yosef (1989) 'The Third Debate: On the Prospects of International Theory in a Post-Positivist Era', *International Studies Quarterly*, vol. 33 (3), pp. 235-254

Linklater, Andrew (1998) *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Cambridge: Polity Press)

Linklater, Andrew (1999) 'Transforming Political Community: a response to the critics', *Review of International Studies* vol. 25 (1), pp. 165-175

Linklater, Andrew (2001) 'Citizenship, Humanity, and Cosmopolitan Harm Conventions', *International Political Science Review*, vol. 22 (3), pp. 261-277

Linklater, Andrew (2002) 'The problem of harm in world politics: implications for the sociology of states-systems', *International Affairs*, vol. 78 (2), pp. 319-338

March, James G. and Johan P. Olsen (1998) 'The Institutional Dynamics of International Political Orders', *International Organization*, vol. 52 (4), pp. 943-969

Maxwell, Simon and Karin Christiansen (2002) ''Negotiation as simultaneous equation': building a new partnership with Africa', *International Affairs*, vol. 78 (3), pp. 477-491

McCarthy, Leo (1998) *Justice, the State and International Relations* (Basingstoke: Macmillan)

Medina, José and David Wood (eds.) (2005) *Truth: Engagements Across Philosophical Traditions* (Oxford: Blackwell Publishing)

Mills, Kurt (1998) *Human Rights in the Emerging Global Order: A New Sovereignty?* (Basingstoke: Macmillan)

Moulin, Carolina and Peter Nyers (2007) '"We Live in a Country of UNHCR" – Refugee Protests and Global Political Society', *International Political Sociology*, vol. 1 (4), pp. 356-372

Müller, Harald (2004) 'Arguing, Bargaining and All That: Communicative Action, Rationalist Theory and the Logic of Appropriateness in International Relations', *European Journal of International Relations*, vol. 10 (3), pp. 395-435

Mulligan, Shane P. (2005) 'The Uses of Legitimacy in International Relations', *Millennium: Journal of International Studies*, vol. 34 (2), pp. 349-376

Navon, Emanuel (2001) 'The 'third debate' revisited,' *Review of International Studies* vol. 27 (4), pp. 611-625

Neumann, Iver B. (2002) 'Returning Practice to the Linguistic Turn: The Case of Diplomacy', *Millennium: Journal of International Studies*, vol. 31 (3), pp. 627-652

Neumann, Iver B. (2004) 'Beware of organicism: the narrative self of the state', *Review of International Studies*, vol. 30 (2), pp. 259-267

Onuf, Nicholas (1987) 'Rules in Moral Development', *Human Development*, vol. 30 pp. 257-267.

Onuf, Nicholas Greenwood (1989) *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia: University of South Carolina Press)

Onuf, Nicholas Greenwood (1998) 'Everyday Ethics in International Relations', *Millennium: Journal of International Studies*, vol. 27 (3), pp. 669-694

Palan, Ronen (2000) 'A world of their making: an evaluation of the constructivist critique in International Relations,' *Review of International Studies*, vol. 26 (4), pp. 575-598

Petrova, Margarita H. (2003) 'The End of the Cold War: A Battle or Bridging Ground Between Rationalist and Ideational Approaches in International Relations?' *European Journal of International Relations*, vol. 9 (1), pp. 115-163

Piaget, Jean (1932) *The Moral Judgement of the Child* (London: Kegan, Paul)

Pieterse, Jan Nederveen (1997) 'Sociology of Humanitarian Intervention: Bosnia, Rwanda and Somalia Compared', *International Political Science Review*, vol. 18 (1), pp. 71-94

Pin-Fat, Véronique (2000) '(Im)possible Universalism: reading human rights in world politics,' *Review of International Studies,* vol. 26 (4), pp. 663-674

Pouliot, Vincent (2007) '"Sobjectivism": Towards a Constructivist Methodology', *International Studies Quarterly*, vol. 51 (2), pp. 359-384

Price, Richard and Christian Reus-Smit (1998), 'Dangerous Liaisons? Critical International Theory and Constructivism,' *European Journal of International Relations*, vol. 4 (3), pp. 259-294

Rawls, John (1985) 'Justice as Fairness: Political not Metaphysical', *Philosophy and Public Affairs*, vol. 14 (3), pp. 223-251

Rawls, John (1995) 'Political Liberalism: Reply to Habermas', *The Journal of Philosophy*, vol. 92 (3), pp. 132-180

Reus-Smit, Christian (1999) *The Moral Purpose of the State: culture, social identity, and institutional rationality in international relations* (Princeton, NJ: Princeton University Press)

Reus-Smit, Christian (2000) 'In Dialogue on the Ethic of Consensus: A Reply to Shapcott', *Pacifica Review*, vol. 12 (3), pp. 305-308

Reus-Smit, Christian (2001) 'Human rights and the social construction of sovereignty' *Review of International Studies*, vol. 27 (4), pp. 519-538

Reus-Smit, Christian (2002) 'Imagining society: constructivism and the English School', *British Journal of Politics and International Relations*, vol. 4 (3), pp. 487-509

Reus-Smit, Christian (2003) 'Politics and International Legal Obligation', *European Journal of International Relations*, vol. 9 (4), pp. 591-625

Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink (1999) *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press)

Risse, Thomas (2000) '"Let's Argue!": Communicative Action in World Politics', *International Organisation*, vol. 54 (1), pp. 1-39

Ruggie, John Gerard (1998) 'What Makes the World Hang Together? Neo-utilitarianism and the Social Constructivist challenge', *International Organization*, vol. 52 (4), pp. 855-885

Schick, Kate (2006) 'Beyond Rules: A Critique of the Liberal Human Rights Regime', *International Relations*, vol. 20 (3), pp. 321-327

Schweller, Randall L. (1999) 'Fantasy theory,' *Review of International Studies*, vol. 25 (1), pp. 147-150

Shafir, Gershon and Alison Brysk (2006) 'The Globalization of Rights: From Citizenship to Human Rights', *Citizenship Studies*, vol. 10 (3), pp. 275-287

Shapcott, Richard (2000) 'Solidarism and After: Global Governance, International Society, and the Normative 'Turn' in International Relations', *Pacifica Review*, vol. 12 (2), pp. 147-165

Smith, Steve (2000) 'Wendt's world', *Review of International Studies*, vol. 26 (1), pp. 151-163

Sterling-Folker, Jennifer (2000) 'Competing Paradigms or Birds of a Feather? Constructivism and Neoliberal Institutionalism Compared', *International Studies Quarterly*, vol. 44 (1), pp. 97-119

Talbott, William J. (2005) *Which Rights Should be Universal?* (New York: Oxford University Press)

Tan, See Seng (2006) 'Rescuing constructivism from the constructivists: a critical reading of constructivist interventions in Southeast Asian security,' *The Pacific Review*, vol. 19 (2), pp. 239-260

Vincent, R.J. (1986) *Human Rights and International Relations* (Cambridge: Cambridge University Press)

Walker, R. B. J. (1987) 'Realism, Change, and International Political Theory', *International Studies Quarterly*, vol. 31 (1), pp. 65-86

Walker, R.B.J. (1999) 'The hierarchicalization of political community,' *Review of International Studies*, vol. 25 (1), pp. 151-156

Wallace, Rebecca and Kenneth Dale-Risk (2001) *International Human Rights Text and Materials* (London: Sweet & Maxwell)

Waltz, Kenneth N. (1954) *Man, the State and War: A Theoretical Analysis* (New York: Columbia University Press)

Ward, Lee (2006) 'Locke on the Moral Basis of International Relations', *American Journal of Political Science*, vol. 50 (3), pp. 691-705

Weber, Martin (2005) 'The critical social theory of the Frankfurt School, and the 'social turn' in IR', *Review of International Studies*, vol. 31 (1), pp. 195-209

Weisband, Edward (2000) 'Discursive Multilateralism: Global Benchmarks, Shame, and Learning in the ILO Labor Standards Monitoring Regime', *International Studies Quarterly*, vol. 44 (4), pp. 643-666

Wendt, Alexander (1992) 'Anarchy is what states make of it: the social construction of power politics', *International Organization*, vol. 46 (2), pp. 391-426

Wendt, Alexander (1998) 'On constitution and causation in International Relations,' *Review of International Studies,* vol. 24 (Special Issue), pp. 101-118

Wendt, Alexander (1999) *Social Theory of International Politics* (Cambridge: Cambridge University Press)

Wendt, Alexander (2000) 'On the Via Media: a response to the critics', *Review of International Studies*, vol. 26 (1), pp. 165-180

Wendt, Alexander (2003) 'Why a World State is Inevitable', *European Journal of International Relations*, vol. 9 (4), pp. 491-542

Wendt, Alexander (2004) 'The State as a Person in International Theory', *Review of International Studies*, vol. 30 (2), pp. 289-316

Wendt, Alexander (2005) 'How not to argue against state personhood: a reply to Lomas', *Review of International Studies*, vol. 31 (2), pp. 357-360

Wheeler, Nicholas J. (1997) 'Agency, Humanitarianism and Intervention', *International Political Science Review*, vol. 18 (1), pp. 9-25

Widmaier, Wesley W. (2005) 'The Democratic Peace is What States Make of It: A Constructivist Analysis of the US-Indian 'Near-Miss' in the 1971 South Asian Crisis,' *European Journal of International Relations*, vol. 11 (3), pp. 431-455

Wight, Colin (2004) 'State agency: social action without human activity?', *Review of International Studies*, vol. 30 (2), pp. 269-280

Wight, Martin 1991) *International Theory: The Three Traditions* (London: Leicester University Press)

Williams, Michael C. (2003) 'Words, Images, Enemies: Securitization and International Politics', *International Studies Quarterly*, vol. 47 (4), pp. 511-531

Woodiwiss, Anthony (2003) *Making Human Rights Work Globally* (London: Glasshouse Press)

Zehfuss, Maja (2002) *Constructivism in International Relations: The Politics of Reality* (Cambridge: Cambridge University Press)