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Excerpt

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# 1 *Moral limit and possibility in world politics*

RICHARD PRICE

## Introduction

At what point, if any, is one to reasonably concede that the ‘realities’ of world politics require compromise from cherished principles or moral ends, and that what has been achieved is ethically justified? How do we really know we have reached an ethical limit when we see one, or fallen short in ways that deserve the withholding of moral praise? Less abstractly, how might we seek to reconcile the cherished freedoms of liberal democracy with restrictions on immigration? Can war legitimately be waged in defence of human rights, and override competing moral claims to self-determination? Can the perpetuation of slaughter be risked by refusing amnesties to perpetrators of atrocities in order to enforce international criminal law? Is there any way to ethically navigate moral dilemmas such as the above, ones that seem to require choices between cosmopolitanism and communitarianism, or consequentialism and deontology, or the oft-competing demands between procedural and substantive justice?

As the history of ethics and international political theory attest, these are difficult enough questions for which to hope for some answer, not the least given traditions of thought like realism that deny the very existence of developments we could call ethically progressive change in world politics in the first place. But it becomes even more difficult still if a research programme that has itself led the charge in empirically documenting putative moral progress inherently problematises the very grounds upon which *prima facie* judgements of moral good are often made. How does one even approach the task of formulating robust answers to questions of ethics that can respond to charges of subjectivism and relativism when coming out of an intellectual tradition that suggests all such judgements and the complexes of intersubjective meanings that make them possible are themselves but time- and culture-bound constructions? Moreover, what if, due to the critical theoretical

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insights underpinning social constructivism, constructivist analyses lead us to identify that what appear *prima facie* to be progressive initiatives are themselves revealed to come at the price of concomitant regress in other areas? What if, for instance, the price of extending a peaceful security community of democratic states is the ‘othering’ of outsiders? Or if domestic progress on gender issues was predicated upon political bargains that entailed setbacks in progressive immigration policy? What if transnational civil society’s successful influence curtailing the use of landmines is bought at the price of simultaneously strengthening the surveillance and coercive powers of the state? Or if the bargains to establish an International Criminal Court (ICC) guard crucial elements of the prerogative of states as it forwards a paradigm of human security? How do we evaluate – and justify to victims and their families – amnesties given to perpetrators of atrocities, secured in order to stop ongoing slaughter? Or could they later not be rescinded in the name of justice?

Are there theoretical responses that can help us navigate through such ethical challenges that confront us in contemporary world politics? Talk of progress has long been the purview of liberal and critical theories of International Relations (IR), whose champions in different ways have laid claim to the moral high ground in pointing the ways to positive moral change. And yet both have been the targets of persistent charges of utopianism. Recent constructivist scholarship on the role of norms in international relations, I have argued elsewhere, has responded convincingly to such charges with careful empirical research that demonstrates the possibilities of moral change in world politics.<sup>1</sup> But while it has thus opened up convincing space for taking seriously the role of moral change in the study and practice of international relations, this literature for the most part has not offered its own normative or prescriptive defences of particular changes as good – such positions are often not explicitly articulated let alone rigorously defended.<sup>2</sup> Upon what basis are accounts of moral change, which are presumed to be desirable, to be accepted as in fact progressive? While the challenge of having to offer a convincing defence of the ethical desirability of norms like the abolition

<sup>1</sup> Richard Price, ‘Transnational Civil Society and Advocacy in World Politics’, *World Politics* 55:4 (2003), 579–606.

<sup>2</sup> See Nicholas Wheeler for a conspicuous exception: *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000).

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of slavery or torture would not exactly keep too many constructivist scholars up at night, constructivist analyses do render many other cases potentially problematic as intimated above. Moreover, it is hardly the case that all self-designated constructivists agree on what is ethically right in a given situation, which problematises empirical claims of progressive change in world politics. Not all change is necessarily morally 'good', and neither is all behaviour that conforms with the international community's existing moral standards necessarily morally laudable – so what are the standards for evaluation, an externally derived set of moral standards, or ones dependent upon existing moral norms which constructivists take seriously as structuring the very ethical standards that are available to us to invoke for judgement? Rather than attempting to impose a singular definition for all the discipline of what counts as moral progress here in the introduction, the authors in this volume are rather inveighed to defend their usages of 'good' and 'progress' by being explicit concerning what they view as moral progress and from where it is derived, including to be as self-conscious as possible about how our/their own particular context may shape those very standards that they seek to employ. For the most part, the contributions of this volume share a humanitarian, cosmopolitan vein, though the relationship between constructivism and substantive theories of international relations is engaged in sections below and directly in the concluding chapter.

The evolution of criticisms of constructivist scholarship as well points to normative theorising as a next stage of the constructivist agenda. Much constructivist work was itself a response to scepticism that moral norms matter in world politics. While a few critics still seek to challenge that empirical claim, in the face of empirical scholarship demonstrating the explanatory value of moral norms, the centre of the debate moved to a challenge of how to explain why some norms matter in some places and not others,<sup>3</sup> and responses to that challenge have occupied much of the norms literature in recent years. The remaining avenue to challenge scholarship which touts moral change in world politics is that this agenda (and constructivism generally) has been beset by a normative bias in favour of 'good' norms that worked. While initially couched in

<sup>3</sup> Jeffrey Checkel, 'The Constructivist Turn in International Relations Theory', *World Politics* 50:2 (1998), 324–348.

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methodological terms,<sup>4</sup> this challenge itself is only coherent with its own normative premise (namely, of what counts as ‘good’). In order to respond to this criticism, scholars ultimately must turn to some form of normative defence, and how constructivism itself might help us to do so in a rigorous way is a central challenge taken up by this volume. To be sure, this challenge goes both ways: critics who make such charges can only make them intelligible on the basis of their own normative defences of what qualifies as good or undesirable norms, else the critique is simply incoherent. This has put the moral question front and centre, among additional reasons argued by Christian Reus-Smit in the next chapter. Not surprisingly, the more that constructivism has addressed the empirical, theoretical and methodological challenges of its critics, the more the sceptical critique has taken on an explicitly normative cast. In response to the plethora of scholarly works demonstrating the importance of norms and the role of transnational advocacy networks in world politics for such developments as the Landmines Convention, the rise of humanitarian intervention, and milestones in international criminal law including tribunals and the ICC, critics increasingly have been responding along the line that they simply don’t agree that such norms are ‘good’.<sup>5</sup> For all of these reasons, normative theorising is inescapable in making claims about possibilities of moral change in world politics, and thus central to practice and intellectual discourse in International Relations, even as professionally it has not been accorded pride of place in the American academy of International Relations which has been dominated by explanatory agendas that largely exclude normative theorising as the terrain of ‘political theory’, ‘normative theory’ or philosophy.<sup>6</sup>

<sup>4</sup> Paul Kowert and Jeffrey Legro, ‘Norms, Identity and their Limits’. In Peter Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics* (New York, NY: Columbia University Press, 1996), 451–497.

<sup>5</sup> See, e.g., Kenneth Anderson, ‘The Ottawa Convention Banning Landmines, the Role of International Non-Governmental Organizations, and the Idea of International Civil Society’, *European Journal of International Relations* 11:1 (2000), 91–120.

<sup>6</sup> Surveying what are widely regarded as the top three journals in International Relations in North America – *International Organization*, *International Security* and *World Politics* – over the period 1990–2006, at most four articles could be identified that are arguably characterised as engaging in normative as opposed to primarily explanatory analysis. In contrast, International Relations scholarship in the UK has accorded a much more prominent place to normative theorising. Reus-Smit notes in his chapter, however, the normative turn in the work of Robert Keohane, one of the most prominent positive scholars of American International Relations.

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While not expressed precisely in the above terms, the lack of prescriptive theorising issuing from the constructivist movement in the field of International Relations has not gone unnoticed in the literature. Mervyn Frost in particular has laid an important challenge in noting that critical and sociological approaches in International Relations have for the most part eschewed explicit ethical theorising in favour of descriptivism and explanation. As he puts it:

the task of IR theory according to constitutive theorists is to reveal our global international social order to be a human construct within which are embedded certain values chosen by us and to show how this construct benefits some and oppresses others. This seems to be pre-eminently an exercise in ethical evaluation. It would seem to be self-evident that scholars (be they critical theorists, post-modern theorists, feminist IR scholars, constructivists, or structuration theorists) involved in such evaluative exercise must engage in serious ethical argument – argument about what is to count as oppression (as opposed to liberation), about what is to count as an emancipatory practice (as opposed to an enslaving one), about what would be fair in international relations, what just, and so on. However, in practice, constitutive theorists have done very little of this kind of theorizing. They do not for the most part tackle the question ‘What would it be ethical to do in the circumstances?’<sup>7</sup>

Indeed, this is an astute observation and fair charge insofar as a chief motivation of some such constructivist work (at least I can speak for my own) precisely has been to open up space for moral progress in world politics by empirically documenting successes that give lie to the sceptical position that the pursuit of moral progress in world politics is folly. That humanity is not simply and always condemned to the raw exercise of brute power is no small finding, since the consequences are of course unspeakably dire in an era of nuclear and other weapons of mass destruction if the sceptical thesis were correct. Nonetheless, this leaves unanswered – from constructivists, as of yet – the above challenge of normative defences of change in world politics, at least on Frost’s terms, which are those of the traditions of ethical theory.

<sup>7</sup> Mervyn Frost, ‘A Turn Not Taken: Ethics in IR at the Millennium’, *Review of International Studies* 24 (1998), 127. As Neta Crawford has also noted, ‘constructivists have little to say about what to do’. *Argument and Change in World Politics* (Cambridge: Cambridge University Press, 2002), 427.

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Seen from the perspective of constructivists themselves, to take up this challenge may not simply translate into a charge for constructivists or others to engage in recognisably moral theorising of the type that might bring a Michael Walzer, Charles Beitz, Henry Shue or Peter Singer to mind. Indeed, a reasonable response could be that it is not to be expected that empirically oriented researchers should or even could become adequately accomplished moral philosophers. Rather, the challenge is whether constructivism has anything distinctive and valuable to offer in terms of normative theorising, in terms of the prescriptive dimension of political thought and practice, and thus to the practice of making decisions and judgements in world politics. That is to say, what does constructivism contribute to the prescriptive question posed for so long by political theorists, one so central to all politics: how are we to act? What exactly are the theoretical and practical implications of this constructivist opening up of moral space? Does constructivism itself have anything to offer towards normative theorising that can help resolve some of the evaluative dilemmas noted at the outset, and thus contribute in some capacity as moral guides to action? Or is its primary contribution simply to open a wider door for well-established ethical theories like utilitarianism, rights-based or deontological theories and the like to show their faces more fully and frequently in the scholarly field of International Relations, without challenging, modifying or contributing to those theories? What would constructivist contributions to normative theorising look like, if one were to integrate the insights of constructivism regarding the possibilities and limits of moral change? What advantages could it bring to existing normative theories and practice? In the next chapter, Christian Reus-Smit deals with some of these issues in the wider context of the purposes of International Relations scholarship and the development of the discipline, as well as making the case for a broader conception of ethics than the dominant mode of the deduction of principles. For now, it will suffice to state that the premise of this volume is that research programmes which have shown how moral norms arise and have an impact on world politics are well placed to help us answer the ethical question of 'what we should do'. *Since social constructivist analyses of the development and effects of moral norms entail theoretical and empirical claims about the conditions of possibility and limits of moral change in world politics, that agenda should provide insightful leverage on the ethical question of 'what to do' insofar as one accepts that a responsible answer depends*

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*not just on what one judges as right in the abstract, but also on what one may have some reasonable expectation of working, and thus prescribing as a course of action or judgement.*<sup>8</sup> That is, without denying altogether the essential role of idealism, an understanding of the limits and possibilities of moral change should provide additional rigorous grounds for ethics, particularly insofar as I argue in what follows that normative theory and ethical prescriptions cannot completely eschew their own empirical assumptions even as they rarely develop them as systematically as has constructivism. In this chapter I thus outline six major contributions of constructivism for theorising moral limit and possibility and addressing global ethical dilemmas that provide the framework for the substantive chapters which follow. They include: (1) attention to the relation between the ethical and empirical, including providing a way to help adjudicate the empirical bases of ethical positions; (2) recognition of the empirical importance of the debate between rationalist and constructivist accounts of agency and their relevance for normative theorising; which include (3) the identification of different kinds of hypocritical political practice which in turn imply different ethical evaluations of hypocrisy; (4) the illumination of neglected dimensions for ethics, including the identification of different kinds of dilemmas arising from a focus on the constitutive effects of norms; (5) the relevance of relations of co-constitution for thinking through issues of complicity and cooptation; and (6) a theoretical account of morality that avoids the tendency of philosophical approaches to ethics to sidestep questions of power, without falling prey to the shortcomings of post-structuralist ethics that do highlight power. Before outlining those contributions, I canvass how some of the major relevant works in the existing normative literature in International Relations have dealt with these issues in order to make readily apparent the value-added of constructivism, focusing in particular upon a few key recent works in contemporary critical and constitutive normative theory since they have addressed questions most directly similar to those posed here.

<sup>8</sup> Cognisant of the apparent contrast with Kant's criticism of what he termed the naturalist fallacy – that the 'ought' hinges upon the 'is' – I would note that Kant himself suggested that the demands of ethics stand independent of empirical likelihood but not to the point where ethics demands what is demonstrably impossible to fulfil. The position here seeks to excavate constructivism for help to answer the question of just how we know when we can say we've reached such conditions of possibility and impossibility.

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[More information](#)**Critical theory and normative theorizing in International Relations**

Critical theory is a tradition in International Relations that has brought to the fore questions revolving around moral change and its limits. In response to the persistent charges of the utopianism of the critical theory tradition, Robert Cox notably acknowledged that while critical theory necessarily contains an element of utopianism, it is constrained by its sociological understanding of historical processes. As he argued:

Critical theory allows for a normative choice in favour of a social and political order different from the prevailing order, but it limits the range of choice to alternative orders which are feasible transformations of the existing world. A principal objective of critical theory, therefore, is to clarify this range of possible alternatives. Critical theory thus contains an element of utopianism in the sense that it can represent a coherent picture of an alternative order, but its utopianism is constrained by its comprehension of historical processes. It must reject improbable alternatives just as it rejects the permanency of the existing order.<sup>9</sup>

Little concrete has been forthcoming, however, concerning how one would construct such a theoretical project or what it would look like, specifically in the sense of how one could tell a political and ethical possibility from an impossibility. Until recently, few explicit clues had been provided by critical International Relations theorists as to how to make these imperatives of the desirable and the possible mesh. Indeed, prominent critical theorists themselves have often been explicit that they do not seek to provide ‘practical’ ethics and solutions to substantive moral problems as that would be anathema to the critical theoretical project.<sup>10</sup> But how then would we know a justifiable ethical limit to change when we saw one, or recognise a possibility to be realised? How do we justify such limits and possibilities? This has been a particularly acute problem for critical theory, I would argue, since a number of

<sup>9</sup> Robert Cox, ‘Social Forces, States, and World Orders: Beyond International Relations Theory’. In Robert Keohane (ed.), *Neorealism and its Critics* (New York, NY: Columbia University Press, 1986), 210.

<sup>10</sup> For a sympathetic overview of critical theory’s contributions to ethics that provides a critical challenge to its reluctance to ‘do ethics’ in the applied sense, see Robyn Eckersley, ‘The Ethics of Critical Theory’. In Duncan Snidal and Christian Reus-Smit (eds.), *Oxford Handbook of International Relations* (forthcoming).

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recent initiatives like the landmines campaign of the 1990s that would prima facie appear to epitomise a morally progressive critical social movement were subjected to condemnation from some critically minded scholars in conversations within and outside the academy. This was most surprising not only to this scholar, nurtured in the varieties of critical theory, but perfectly bewildering to at least one government official deeply and very importantly involved in the campaign, and who himself had a critical IR theory background and self-identified with the ‘progressive/critical’ side of the political and academic spectrum. Similar encounters greeted the establishment of criminal tribunals for Yugoslavia and Rwanda (if here, then why not there?), and agreement on the International Criminal Court, championed by some as a great and unexpected victory for moral progress in world politics, chastised by others as merely a shield for great power guilt over having not acted to prevent genocide and ethnic cleansing in the first place. What actually existing or accomplished initiative, one might wonder, could possibly live up to the standards issuing from critical theory? Or is it indeed in a deep sense the essence of critical theory to provide moving and perhaps impossible standards, else the *raison d’être* of the critical project itself collapse? And what would we conclude of such a function of critical theory if it is so?

In the most forthright and systematic attempt to address some of these problems besetting critical theory, Andrew Linklater, in his magisterial work *The Transformation of Political Community*, has argued that the task of critical theory consists of a threefold agenda of ethics, sociology and praxeology. For Linklater, normative and sociological advances are incomplete without some reflection on practical possibilities. Boiled down to basic distinctions, his ‘sociology’ consists of the identification or explanation of the already immanent; his ‘ethical’ is the formulation of the not already immanent; and his ‘praxeological’ is guidance of how to realise the immanent. Concerning the last, he explains that ‘praxeology is concerned with reflecting on the moral resources within existing social arrangements which political actors can harness for radical purposes’.<sup>11</sup> Linklater’s praxeology seems to consist of teasing out the full implications of principles that have been but partly realised; that is, in identifying the moral capacity of already

<sup>11</sup> Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Columbia, SC: University of South Carolina Press, 1998), 5.

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existing potentials. His method, then, of arriving at the praxeological would seem to consist of identifying logical potentials of ideas immanent in society and following their logic. His procedure here, applied to developments such as how the language of citizenship provided its own dialectical development, does give us some leverage on the inherent power of ideas.

Schematically, Linklater's threefold typology of the critical project is a most fruitful architecture and impressive accomplishment. But this formulation does not escape long-standing suspicions of teleology in progressivist theories: how do we know when something is 'already immanent'? Linklater's formulation does not give us much insight into limits – there are plenty of contradictory and unrealised good ideals out there, others subject to backsliding, and so on. Neither does Linklater's account contain a theory of agency, nor of power. Thus it does not yet, in the final analysis, provide a clear bridge between the ethical and the immanent: how does the transition from the former to the latter occur? Despite his otherwise fruitful agenda, Linklater's formulation does not give us much of a sense of how these potentials are to be realised other than a progressivist mechanism of assumed evolution, thus undercutting this otherwise promising contribution to ethical theory when twinned with the absence of a sustained empirical analysis that could carry the argument.

The problem of power in turn presents difficulties for Linklater's ethics. Linklater's dialogic ethic requires that all participants 'stand back from authority structures and group loyalties' in which they are embedded, to willingly treat all other human subjects as equals, and to engage in dialogue problematising practices of privilege and subordination.<sup>12</sup> This move parallels in an important respect the move critical theorists themselves (among others) have found so implausible in Rawls' veil of ignorance, the thought experiment whereby the most reasonable responses to ethics are to be sought in the 'original position' whereby agents hypothesise what answers they would come up with if they did not know who they were, where they were from and what privileges of wealth and power they possessed. Just as the communitarian critique would have it, the procedural dimension of the ethic that Linklater proposes is strikingly at odds with the constructivist ontology underpinning most contemporary critical theory, including Linklater's

<sup>12</sup> Ibid. 87, 91.