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Millennium - Journal of International Studies 2001 30: 67

DOI: 10.1177/03058298010300010601

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Sociological Investigations: Instrumental, Legitimist and Coercive Interpretations of International Society

Tim Dunne

In the early seventeenth century, Thomas Middleton wrote a play called *A Game at Chess*. Many of the characters were based on political figures of the day. The Spanish ambassador to James I from 1613 to 1622, Don Diego Sarmiento de Acuña, was portrayed as 'the Black Knight' for no other reason than his Catholic faith. This was sufficient for a London crowd to shout out 'there goes the devil in a dungcart'.¹ Virulent religious strife was rampant in Europe at the time so it is unsurprising that Spanish Catholics were represented in art and literature as fraudulent envoys of the anti-Christ.

International society is often likened to a game of chess mainly to illustrate the argument that the rules agreed to by the members define their identity.² To speak about a wooden carving as a Bishop only makes sense in the context of the game. Similarly, the rules of mutual recognition and non-intervention constitute the meaning of sovereignty. If one inhabited a world where forceful intervention was accepted as a legitimate and routine practice then sovereignty would cease to be intelligible. The actors would no longer be playing the game of international society. In this respect, games are inherently *social* since they presuppose that the players accept the constitutive rules and agree to abide by them. While these metaphors about the relationship between rules (what moves *can* be made) and practices (what moves *are* made) is enlightening, the idea that games are competitive sometimes gets left out. The goal of chess is to out-manoeuvre the opponent and seize the sovereign. Not only are the players seeking to win, as Middleton showed, but the game itself influences how people think about the

I would like to thank the helpful comments of the anonymous referees. In the course of writing the article, I have benefited from the advice of many colleagues, including Ken Booth, Ian Clark, Jim George, Andrew Linklater, Steve Smith, R.B.J. Walker, Colin Wight and Mike Williams. Brian Schmidt and Nick Wheeler went one step further, providing detailed comments at short notice. An early version of this paper was presented at the University of Queensland. I would like to warmly thank all those in the Department of Government for their feedback and more generally for their hospitality during my stay in the Fall of 1999.

1. Linda S. Frey and Marsha L. Frey, *The History of Diplomatic Immunity* (Columbus: Ohio State University Press, 1999), 161.

2. This metaphor has been used by various writers. The most sustained use of the game analogy can be found in K.M. Fierke, *Changing Games: Changing Strategies: Critical Investigations in Security* (Manchester: Manchester University Press, 1998), 16-30.

world. The representation of the 'black' Knight on the board carrying threatening messages to King James I, shows how art imitates and in part constitutes the social world.

At almost the same time that the intrigue of international society was being likened to 'a gam at Chaess as it was Acted', theologians and jurists were seeking to establish new principles for the international conduct of the emerging dynastic states.³ According to both Francesco Suarez and Hugo Grotius separate communities required new rules. Grotius believed that there was an international society 'in embryo' but that it was threatened by the religious conflict between the Holy Roman Empire and various protestant German estates. To help the diplomatic dialogue between states, Grotius argued that Ambassadors, like the 'black Knight', should be granted reciprocal extraterritorial rights, meaning that no 'host' country could punish a resident ambassador other than insisting on their return. What was clear to both Suarez and Grotius was that the moral law shared within the Christian commonwealth had to be reconstituted as a law for sovereign states.

For the purposes of this article, I take for granted that a new system of international relations emerged some time between the Renaissance and the Treaties of Westphalia. Although there were prior historical 'societal' states systems, what makes modern international society unique is that it was the first open system to become universal in scope.⁴ Many of the practices that structure international society today, such as respect for the rights of sovereigns, territoriality, and the law of nations, were intelligible to actors at the time of Westphalia and in the following three and a half centuries.⁵

The renewed political interest in the institutional and normative basis of international society has been accompanied by a revival of the English School (ES), the theory of International Relations (IR) that has traditionally been most concerned with the societal element of world politics.⁶ Indeed, the idea that statecraft can be understood as a realm of social action is so intimately associated with the work of the ES that its members are frequently referred to as 'international society theorists' or advocates of an 'international society approach'.⁷ This is unfortunate since studying international society does not necessarily make one a

3. Frey and Frey, *The History*, 162.

4. The Ch'ing dynasty in China believed in a universal Sino-centric world but that did not receive legitimacy within communities outside of Asia.

5. See Benedict Kingsbury and Adam Robert, 'Introduction', in *Hugo Grotius and International Relations*, eds. Hedley Bull, Benedict Kingsbury and Adam Roberts (Oxford: Clarendon, 1990), 1-64.

6. This can be seen from the preface to the first collection of essays published by the British Committee on the Theory of International Politics, in which the founding members of the group described the frame of reference explicitly in terms of a doctrine of the 'diplomatic community' or 'international society'. Herbert Butterfield and Martin Wight, 'Preface' in *Diplomatic Investigations: Essays in the Theory of International Politics* eds. Herbert Butterfield and Martin Wight (London: Allen and Unwin, 1996), 12. See also Charles Manning, *The Nature of International Society* (London: Macmillan, 1975).

7. See for example, Robert Jackson and Georg Sorensen, *Introduction to International Relations* (Oxford: Oxford University Press, 1999), 140-46.

member of the ES.⁸ Many classical Realists wrote on international society,⁹ and more recently, a variety of neoliberals have taken up the question of the optimal institutional arrangements for the realisation of common interests. While the scope of these studies is often defined in terms of specific issue areas, there is no reason why neoliberalism cannot envisage institutionalised cooperation on a global scale.¹⁰ One of the aims of the article is to show that different theoretical approaches provide important insights into what international society is and how it works. Before outlining these interpretations, it is important to consider the nature of the problem and to provide a justification for the particular approach to it outlined below.

English School Openings

Classical ES theorists have made a significant contribution to how we think about international society, yet the legacy left by Charles Manning, Hedley Bull, Martin Wight and Raymond John Vincent leaves many unanswered questions. There is broadly a consensus that the members are states and that societal domain refers to the shared interests exhibited by them for security, prosperity and liberty: to achieve these goals a set of norms, rules and institutions have been created and over time have acquired a high degree of legitimacy. This relatively straightforward starting point masks over some important philosophical and political questions. To begin with, it is not clear what kind of social entity is presupposed: can we meaningfully talk about states exhibiting certain shared interests and desires? Is international society a normative goal or a historical fact? If it is the latter, as Bull implied, what evidence is advanced to sustain this claim?¹¹ *How much society 'is likely to flourish' under the condition of anarchy?*¹² Is it sufficient to note regular patterns of cooperation to maintain basic rules of

8. I have borrowed this phrasing from Wendt who used it in connection with developing a systems theory of international politics. Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), 14.

9. Hans Morgenthau wrote at length about international society in *Politics Among Nations*. For him and other conservative Realists, international society belonged to the pre-modern world. It was a chapter in eighteenth century European history, when there was a high degree of *social* integration among diplomats, monarchs and their advisers. The French Revolution in his view marked 'the gradual decline of the cosmopolitan aristocratic society and of the restraining influence of morality upon foreign policy'. This process of 'decline' was slow, but was 'unmistakable' by the end of the nineteenth century. Morgenthau refers to this decline in the element of society explicitly in terms of the replacement of Universalist ethics by particularism. Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, 5th ed. (New York: Alfred A. Knopf, 1948).

10. This point has been made by Tony Evans and Peter Wilson, 'Regime Theory and the English School of International Relations: A Comparison', *Millennium: Journal of International Studies* 21, no. 3 (1992): 329-351.

11. These and other questions have been acutely posed by Martha Finnemore, 'Exporting the English School', *Review of International Studies* 27, no. 3 (2001): forthcoming.

12. See Stanley Hoffmann, 'International Society', in *Order and Violence: Hedley Bull and International Relations*, eds. John Donald Bruce Miller and Raymond John Vincent (Oxford: Oxford University Press, 1990), 26.

coexistence, like the balance of power, or should we have more demanding criteria? If we want to claim that it is a powerful social structure that is *not* reducible to the aggregate of common interests, then we need to think carefully about how this structure is generated and by what mechanisms it is reproduced.

The argument advanced in this article is that one of the reasons why these questions remain unanswered is that the ES took a wrong turn when they made a distinction between international society, international system and world society. The problem with thinking about institutional variation in this way is that it ends up placing violence and competition in the 'system' category, and transnational forces in the world society category.¹³ This serves to elide the manner in which international society is constituted by competition, sometimes referred to as systemic forces, as well as by cooperation, just as states have evolved cosmopolitan notions of duty such as universal human rights. To grasp these dynamics we need to think about variations *within* international society rather than to cling on to a narrow and restrictive notion of international society as an 'in-between', i.e. that which is not part of the international system or part of world society.

To put the point directly, the category of international society is potentially a master-concept of IR but is in need of further sociological investigation.¹⁴ One of the reasons for the relative paucity of our understanding of international society may be that classical sociologists, like Emile Durkheim, Max Weber and Georg Simmel, have exerted considerably less influence on IR than historians and philosophers. An important way to return to sociology is to delineate contending interpretations of international society in order to clarify disputes about membership, goals, and moral ends. Alexander Wendt's recent book *Social Theory of International Politics* has brought sociology back into mainstream IR and, in the process, provides us with new ways of thinking about some of the old dilemmas evident in classical ES theory.¹⁵

The need for different models of society is something that sociologists have long appreciated. Perhaps the most influential distinction contrasts forms of co-operation based on common interests versus common values. Attempts to bring greater precision to the question of sociological variation have been made by Fred Halliday,¹⁶ Andrew Hurrell,¹⁷ Ole Wæver¹⁸ and Barry Buzan, who has advanced

13. Arguably, Buzan and Little commit this error when defining military-security relations and trade to the 'systemic' sector and common values/institutions to the 'societal' sector. This has the effect of desocialising the military and economic sectors, and seeing them as being outside international society.

14. In Buzan's agenda-setting paper he calls for attention to 'the classification of types of international society'. Barry Buzan, 'The English School: An Underexploited Resource in International Relations', *Review of International Studies* 27, no. 3 (2001): forthcoming.

15. Although this article in many ways builds on Wendt's pioneering study, there are important differences. Wendt is examining all of the possible cultures that can be constructed in anarchy as opposed to the more limited task of examining types of social formations. For example, what Wendt portrays as a pure Hobbesian culture lies outside the boundaries of international society. However, both the Lockean and Kantian cultures are highly relevant to the models elaborated in the article.

16. Fred Halliday, *Rethinking International Relations* (Basingstoke: Macmillan, 1994), 101.

the most sustained treatment of this issue to date. He has taken up Ferdinand Tönnies' distinction between *Gesellschaft* and *Gemeinschaft* conceptions of social formation and applied it to international society.¹⁹ While engaging with Buzan's argument, this article differs in three important respects. First, it avoids depicting the *Gemeinschaft* approach as a civilisational model since this implies a bounded and closed notion of international society. Second, it adds another model in order to incorporate a 'critical' understanding of how international society works. Third, it rejects Buzan's, and the classical ES's, injunction to view international society as one element coexisting with system and world society.²⁰

To say that we need to think about varieties of international society does not mean that modes of differentiation are entirely indeterminate. To describe the basic elements of international society, it is useful to outline a formula rather in the same way that Gramsci expressed the rudiments of the state in terms of the following equation: 'state = political society + civil society'. By analogy, 'international society = recognised member communities + common interests + norms'. While there is considerable scope for interpreting how these elements are formed, and more importantly, theorising the *relations* between them, each is a necessary condition for the existence of international society.²¹ International society may include other factors, such as a shared culture, but the point is that it can exist without such a foundation. While this formulation provides us with a fuller

17. Like many ES writers, Hurrell invokes the terms 'pluralism' and 'solidarism' to delineate types of international society. These categories are extremely useful for understanding the degree of common values (procedural or substantive?) and the extent of obligations (defined by citizenship or common humanity). To these two categories Hurrell adds a 'minimalist' conception of international society which has many similarities to the 'instrumental' formation sketched in the article. Andrew Linklater also adopts a three-fold normative classification of international society, adding 'post-Westphalian' to 'pluralism' and 'solidarism'. See Andrew Hurrell, 'Society and Anarchy in the 1990s', in *International Society and the Development of International Relations Theory*, ed. Barbara Allen Roberson (London: Pinter, 1998), especially 25-27. See also Andrew Linklater, *The Transformation of Political Community* (Cambridge: Polity, 1998).

18. Ole Wæver, 'Four Meanings of International Society: A Trans-Atlantic Dialogue,' in *International Society and the Development of International Relations Theory*. The main difference between my account and Wæver's is that his main purpose is to examine variations within international society explicitly 'in relation to American theoretical development', 81. Second, we differ in our treatment of a 'critical' account of international society: Wæver is more sanguine than I am that post-structuralist insights can be incorporated. This issue is discussed below.

19. Barry Buzan, 'From International System to International Society: Structural Realism and Regime Theory meet the English School', *International Organization* 47, no. 3 (1993): 327-52.

20. At some level the difference between the position developed below and that advanced by Buzan is compatible: Buzan shares Bull's terminological distinction between system, society and world society, but pushes further the key question of their inter-relationship. Like Buzan, I am interested in the linkages between the material, social and cultural domains, but unlike Buzan I think that the ES terminology is very unhelpful. Wendt is right to claim that the current system/society distinction understates the extent to which 'shared ideas may constitute conflict' and 'material forces may induce co-operation'. Wendt, *Social Theory*, 253.

21. Other terms are used to express this ontology of states, interests and norms. 'International society', preferred by academics, and 'international community', favoured by journalists, are broadly interchangeable.

description of what international society is, it remains merely the point of departure. A description of a social kind is not the same as an explanation. To borrow a metaphor from Wendt, just as there are competing theories of the solar system (Ptolemaic and Copernican), there can be competing theories of international society.²² In the course of the article we will see how different theories of international society attach a different meaning to each element and how they hang together.

Where, then, do we begin to locate contending accounts of international society? The claim made below is that rationalism, in an American sense, constructivism and critical theory²³ provide us with three distinct ways of thinking about international society. They bear a family resemblance to the three 'traditions' of 'realism, rationalism and revolutionism' outlined by Wight in the 1950s;²⁴ the main difference today is that these theories have been re-interpreted in the light of the meta-theoretical debates of the last two decades.²⁵ Figure 1 (below) summarises the contending interpretations of international society and the meta-theories informing them.

Realism has not only survived the third debate, it has been reinvigorated by it. Although classical Realism is often presented as denying the existence of international society, one can argue that most Realists have a primitive understanding of how order can be achieved through virtuous statecraft and basic rules of coexistence. Waltzian structural Realism is probably the exception: order is achieved by material constraints located at the level of international system. As one critic powerfully argues: 'There is little that is "social" about his theory'.²⁶ But later neorealists such as Joseph Grieco recognise that states can co-operate to achieve common ends, even if the 'default' incentive remains one of defection.²⁷ Recent contributions suggest that there is a growing tendency to represent neorealism and neoliberalism as converging theories, a view shared by those who subscribe to these positions and by their critics.²⁸ What is it that the 'neos' share?

22. Wendt, *Social Theory*, 194.

23. I am using the term 'critical theory' in its broadest sense. For a discussion of broad and narrow notions of 'critical', see Chris Brown "'Turtles All the Way Down": Anti-Foundationalism, Critical Theory and International Relations', *Millennium: Journal of International Studies* 23, no.2 (1994): 213-38.

24. Martin Wight, *International Theory: The Three Traditions* (Leicester, Leicester University Press, 1991).

25. The phrase '-ology wars' is Michael Mann's. See 'Authoritarian and Liberal Militarism: A Contribution from Comparative and Historical Sociology', in *International Theory: Positivism and Beyond*, eds. Steve Smith, Ken Booth and Marysia Zalewski (Cambridge: Cambridge University Press, 1996), 221.

26. Wendt, *Social Theory*, 101.

27. Joseph M. Grieco, 'Anarchy and the Limits of Co-operation: A Realist Critique of the Newest Liberal Institutionalism', *International Organization* 42, no. 3 (1988): 485-507.

28. For the former, see Peter J. Katzenstein, Robert O. Keohane and Stephen D. Krasner, eds., *Exploration and Contestation in the Study of World Politics* (Boston: MIT Press, 1999). For the latter, see Steve Smith, 'New Approaches', in *The Globalization of World Politics*, eds. John Baylis and Steve Smith (Oxford: Oxford University Press, 1997) and Ole Wæver 'The Rise and Fall of the Inter-Paradigm Debate', in *International Theory*, 163-64. This does not mean that there are no significant

Both agree that states are the main units and that they are motivated by interests defined in egoistic ways; second, rules and institutions can mitigate anarchy but these will always remain weak and cheating remains a constant threat to co-operative arrangements for mutual advantage. For these reasons it makes sense to treat them as offering a single perspective on international society, what I will call a modified Realist position.²⁹

Theorists belonging to the ES have consistently argued that Realism does not have an adequate understanding of the identity of the actors or the ways in which norms constrain statecraft.³⁰ States are not simply bundles of interests, rationally calculating the various foreign policy options and choosing the one that maximises their utility; rather, the identity of being a member of international society generates an obligation to follow the rules. It has now become widely accepted that constructivists like Wendt and John G. Ruggie occupy the same ground as the previous generation of ES theorists:³¹ both work with a constitutive understanding that norms and rules are presupposed 'in ordinary state conduct'.³² They are 'presupposed' because the identity of sovereignty means being bound by certain norms and understandings. Given this radically different meta-theoretical starting point, their explanation for formation and reproduction of international society is very different from that offered by modified Realists.

For the purposes of this article, the third IR theory that lends itself to a distinct theory of international society is what I have placed under the broad category of 'critical international theory'. Like the positions outlined above, the category elides significant differences between critical *theories*, but this need not prevent my articulation of a discernable perspective on international society.³³ As the label

differences between the 'neos', in particular the issue of distributional gains from co-operation. But this is not fundamentally significant to the arguments being offered here.

29. I have used the term 'modified Realist' rather than 'rationalist' because the latter is so fraught with terminological confusion. To philosophers it is an epistemology, to politics students it signifies an Oakshottian view of politics, and to many American postgraduates, rationalism is a research method. As noted below, rationalism, the term used by Martin Wight to describe the *via media* has largely been made redundant in view of its appropriation by American positivists. See for example, Robert Keohane's influential essay, 'International Institutions: Two Approaches', in *International Institutions and State Power* (Boulder, CO: Westview, 1989). Here Keohane associates rationalism with what is broadly regarded as positivism.

30. For an application of the constraining/enabling impact of the 'rule structure' of international society, see Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000).

31. In his *Social Theory of International Politics* Wendt is open about the overlaps between his substantive claims and the position of Bull and Wight. Modified Realists concur with this synthesis, as is evident in Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999), 6.

32. Hedley Bull, *The Anarchical Society, A Study of Order in World Politics* (London: Macmillan, 1977), 68.

33. Many authors in the field draw a distinction between Critical Theory descended from the Frankfurt School, and critical theories referring to a range of anti- or post-positivist theories, such as feminism and postmodernism. Rather than following the tendency to differentiate within the critical theory camp, I am to some extent following Martin Wight's inclusion of historical materialist as well as idealist-

suggests, the basis of the critical theory position is the dissatisfaction of critical theorists with Realist and legalist accounts of the relations among sovereign states. In other words, it does not reject the idea of an international society *per se*, only the interpretations offered by neo-realist/neo-liberals and the ES. The work of Philip Allott is instructive: like Kant, he regards the current arrangement as an asocial society and those who defend it as ‘sorry comforters’ who allow agreement on the elementary rules of coexistence to blind them to the human wrongs produced by these so-called cooperative arrangements. Critical international theorists are more inclined to see states’ social relations in political terms. It is a coercive protection racket for promoting the interests and protecting the wealth of the major states in the system.

Figure 1: *Theorising International Society*

IR Theory of International Society	Meta-theory	Actors	Common Interests/Goals	Rules
English School <i>Legitimist</i>	Constructivist	States, recognised as sovereign actors, are meaning-constituting entities.	The need for order is the primary goal of all societies (others include property and trust).	Rules routinely complied with actors feeling bound by them.
Modified Realism <i>Instrumental</i>	Rationalist	States (but not exclusively) as rational actors.	There are certain natural goals. Anarchy constrains their realisation.	Rules/institutions are weak and unevenly distributed.
Critical Theory <i>Coercive</i>	Archeological/ Discursive	Problem of reifying actors as objects outside of discourse denies agency to corporate actors, like states, or the collectivity of states.	Common interests are more apparent than real, mobilised by elites.	Rules are embedded in power relations. Institutions defend and sustain the global protection racket.

cosmopolitans within the same broadly critical or revolutionary category. See Wight, *International Theory*.

English School and the Legitimist Theory

Membership

The starting point for ES thinking on world politics 'is the existence of states'.³⁴ This is a familiar claim by IR theorists and one that has come under sustained criticism by a variety of post-positivist voices in the last two decades. But there is more to this claim made by ES theorists than first appears. States exist by virtue of their relations with other states: one cannot understand the state as an actor simply by reducing its structure to component parts. As Wight argued in his essay *De Systematibus Civitatum*, what is important about an international society is that the actors both claim sovereignty and recognise one another's right to the same prerogatives.³⁵ It is therefore a *relational* and not a unitary practice. Recognition is a necessary element of a conception of society based on legitimacy. This point is well made by Paul Keal: 'Unless states do recognize each other as legitimate and sovereign actors there can be no basis for agreement over the practices that are to guide their mutual relations'.³⁶

How does the collectivity of states interact? Clearly the act of mutual recognition indicates the presence of a social practice: recognition is fundamental to an identity relationship. It is this proposition, which, according to Bull and others, signals the beginning of a significant departure from a classical 'Hobbesian' view of international relations. But leaving Realism behind does not entail accepting the idealist belief that the problem of the 'international' can be resolved by reproducing the institutions and values of domestic society to a global level. The legitimist interpretation of international society rejects the view that the international can be domesticated. What is required is attention to a wide range of institutions, rules and practices to establish order and justice in the absence of world government.

Recognition is the first step in the construction of an international society. If we were to doubt for a moment the social nature of the process of recognition, then this would quickly be dispelled by those peoples in history who at some time have been or continue to be denied membership of international society as a sovereign state. China was denied sovereign statehood until January 1942 when Western states finally renounced the unequal treaties. Why was this the case? Membership became defined, particularly in the nineteenth century, in terms of a 'standard of civilisation' based upon quasi-Christian European values. What we see here is how important cultural differentiation has been to the European experience of

34. Bull, *The Anarchical Society*, 8.

35. Martin Wight, 'De Systematibus Civitatum', in *International Relations: Critical Concepts in Political Science*, ed. Andrew Linklater (London: Routledge, 2000), 1253-73.

36. Paul Keal, 'An "International Society"?', in *Contending Images of World Politics*, eds. Greg Fry and Cindy O'Hagan (London: Macmillan, 2000), 63.

international society. China was not recognised as a legitimate member of international society, and therefore, was denied equal membership.

If the West and China did not recognise each other as equal members, then how should we characterise their relations? One way is to hypothesise the coexistence of different kinds of international society. States recognised as members conduct relations based on formal legal equality while having relations with other states based upon a regime of unequal rules and practices. This is what Bull had in mind when he spoke of an international system. The basis of systemic relations is one where the units maintain regular contact, through trade or war, such that 'the behaviour of each is a necessary element in the calculations of the other'.³⁷ While Bull was right to raise the question of cultural differentiation, he was mistaken in describing it in terms of an element (i.e. the system) which is independent of international society. Again, a cursory examination of Sino-Western relations shows that system versus society is too stark a distinction. From the Treaty of Nanking in 1843 to 1942 there was a gradual acceptance of China's membership of international society.³⁸ Moreover, the strategies of exclusion were interdependent. Brute military power reinforced diplomatic exclusions (such as extra-territoriality), which in turn were under girded by the discourse of Orientalism.

The question of membership connects automatically to the notion of legitimacy. Underpinning the legitimist interpretation is the idea that there are identifiable means by which it is possible to judge 'rightful membership'. Increasingly, the manner in which governments treat their people has become the new 'standard of civilisation', leading Thomas Franck to argue that 'the legitimacy of each government will one day be measured definitively by international rules and processes'.³⁹ These rules have come to be defined in terms of human rights and good governance. Does this mean that international society has changed its notion of membership? According to the legitimist interpretation, international society can derogate certain rights and duties to non-state actors but this does not accord them full membership.

Once it has been established who is entitled to claim the identity of a rightful member of international society, the next consideration involves thinking about what it means for a state to 'act'. Here the ES encounters criticism from empiricists who argue that collective constructs cannot have agency. What does it mean to attribute agency, to collectivities like states? One straightforward answer is that states act through the medium of their representatives or office-holders. Every state employs officials who act externally on its behalf, from the lowly consulate dealing with 'nationals' who have lost their passports to the 'head of state'. In a narrowly empirical sense, therefore, this diplomatic and foreign policy elite are the real

37. Bull, *Anarchical Society*, 10.

38. Gerrit W. Gong, 'China's Entry into International Society', in *The Expansion of International Society*, eds. Hedley Bull and Adam Watson (Oxford: Clarendon, 1984).

39. Thomas M. Franck, 'Legitimacy and the Democratic Entitlement,' in *Democratic Governance and International Law*, eds. Gregory H. Fox and Brad R. Roth (Cambridge: Cambridge University Press, 2000), 29.

members of international society. This is the original sense in which the term 'international society' came into existence in the eighteenth century. In 1736, Antoine Pecquet argued that the corps of ministers formed an 'independent society' bound by a 'community of privileges'.⁴⁰

The ES resists such a narrow and empirical definition. They argue that international society is a socially constructed reality that generates obligations on the part of its members. The shared understandings and expectations are not reducible to the 'objects' of diplomacy and the empirical facts of statehood (passports, borders, and so on). Rather, it is the social fact of international society that makes these objects intelligible. To understand why this reality has been constructed we need to direct our attention to the shared goals articulated by state-based forms of community.

Common Interests/Goals

While the element of mutual recognition is highly significant for the legitimist interpretation of international society, it is not a sufficient condition for its existence. The actors must have some minimal common interests such as trade, freedom of travel, or simply the need for stability. To turn the point upside-down, if all the communities were entirely self-sufficient, and lacked the means to threaten one another, they could not be said to form an international society.

Contiguous territorially-based communities with common interests were the backdrop to the emergence of international society in the seventeenth century. This explains the significance of the Westphalian settlement. It was not important because of the formulation of new rules, as is so often claimed. Rather, the treaties of Munster and Osnabruck demonstrate the growing realisation that the Holy Roman Empire had become an obstacle to the development of modern European states.

ES accounts of international society have always stressed the importance of shared interests. In *The Expansion of International Society*, Bull and Adam Watson frame the issue of common interests in terms of compliance to the rules and institutions.⁴¹ They believe that rules are prior to shared interests. Again, this demonstrates the presence of a constitutive and legitimist interpretation of international society: membership generates an interest in developing shared understandings embodied in institutions and conventions. At a minimum, the survival of international society requires a consensus on the basic principles of international order. Bull and the ES recognise that great powers play a central role

40. Quoted in Frey and Frey, *The History of Diplomatic Immunity*, 213.

41. States 'have established by dialogue and consent common rules and institutions for the conduct of their relations, and recognise their common interest in maintaining these arrangements'. Bull and Watson, 'Introduction', in *The Expansion*, 1.

in defining and 'policing' international law, yet these 'can in no sense be viewed simply as instruments of the special interests of a particular group'.⁴²

Common interests among the members of international society are routinely articulated by state leaders and diplomats. In this respect, language is central to the legitimist account of international society. Through diplomacy and a multitude of other channels of interaction, international social action is oriented towards common understanding.⁴³ Even when conflicts of interest flare up, states quickly seek to mediate. But if this is not successful, legitimists are not opposed to resorting to force in order to ensure that the interests of international society as a whole are protected. Enforcing compliance where there is a consensus on the goals is much less of a concern to legitimists than a conflict over the framework of rules and what actions are permitted by them.

Rules/Norms

Modified Realists and critical theorists also invoke the presence of rules and norms alluded to above, but do so in contrasting ways. For the ES, norms are not only generalised patterns of behaviour, they are expressions of a moral standard.

Of the three elements of international society discussed here, the most significant is the presence of generally accepted rules and norms. Let us consider in more detail how the normative structure impacts upon the behaviour of the units. First, rules and norms are often used inter-changeably in the literature but it is useful to interpret norms as constituting the framework of international society and rules having a more specific scope, rather like laws.⁴⁴ For example, sovereignty is a norm that creates certain rules, such as diplomatic immunity, which emerged in the early modern period but was codified in the Vienna Convention of 1961. Many of the most basic norms are routinely observed. Governments, for instance, do not need to send faxes reminding other members of international society that they continue to recognise their sovereignty, territorial integrity and domestic jurisdiction. In Wittgensteinian language, when states follow norms, they do so 'blindly'.

A second key argument advanced by legitimists is that the breaking of a rule does not necessarily undermine the normative framework. Breaking a rule is different from seeking to annul it all together. When accepted norms are broken, the offending state tries to justify its actions with reference to another norm or gives reasons why the action constitutes a legal exception.⁴⁵ If there were no such

42. Hedley Bull, quoted in *Hedley Bull on International Society*, eds. Kai Alderson and Andrew Hurrell (London: Macmillan, 2000), 6.

43. There is a parallel here with Habermas's idea of 'everyday praxis toward understanding'. He invents the term 'sociated' to describe such a process. See Jürgen Habermas, *The Past as Future* trans. and ed. by Max Pensky (Cambridge: Polity, 1994), 101.

44. Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton, NJ: Princeton University Press, 1984), 57.

45. Mervyn Frost usefully terms this practice a 'settled norm'. See *Ethics in International Relations: A Constitutive Theory* (Cambridge: Cambridge University Press, 1996).

thing as international society, there would be no need to account for one's actions in this way.⁴⁶

Why, then, do states follow rules? This is the third and most important aspect of an ES/constructivist approach to rules. States follow rules not purely out of self-interest but because they believe themselves to be 'bound' by them.⁴⁷ Protagonists of this way of thinking about international society think of rules and norms as constitutive. Like board games (chess) and social games (marriage), political 'games' have rules and expectations that only have meaning in a particular context. Similarly, the game of international society is constituted by its norms and rules. This point is well made by Chris Brown who argues that 'non-intervention is a constitutive rule of the "sovereignty" game, and one cannot play the game without acknowledging the force of this rule'.⁴⁸

Like most analogies, the game metaphor needs to be applied with care. Using force for self-defence (a legitimate act) may not look any different, from an empirical perspective, than using force for conquest (an illegitimate act). While referees are not exactly loved by football supporters, their authority as 'interpreters' of the rules is seldom questioned. International judges do not have the authority to dispense 'red cards' to states that are in breach of the rules.

One of the difficulties with the legitimist understanding of international society is that its so-called 'constitution' is open to competing interpretations.⁴⁹ The clearest illustration of this concerns the dispute, in theory and in practice, over the relationship between sovereignty and intervention. Bull famously argued that humanitarian intervention like the norms of humanitarianism of which it is a subsidiary, lacked legitimacy in international society. In the absence of a consensus on the rules governing unilateral humanitarian intervention, Bull argued that respect for the basic norms of international order—sovereignty, non-intervention, and non-use of force—would be weakened.⁵⁰ As Wheeler convincingly shows in his book *Saving Strangers*, this lack of legitimacy prevented states during the Cold War from justifying their use of force on humanitarian grounds even when their actions were arguably motivated in whole in or part by altruism.⁵¹ Legitimists argue that 'any course of action is inhibited from occurring *if it cannot be legitimated*'.⁵² The image here is one of states being entangled in a web of language and justifications. States must justify their actions both to their publics and before the court of international public opinion. If their justifications diverge significantly from the others' reading of the event, then certain consequences

46. Bull, *The Anarchical Society*, 16.

47. *Ibid.*, 13.

48. Chris Brown, 'An International Society Perspective on World Society' (paper presented at Darmstadt conference, 6-7 November 1999), 21.

49. See, for example, the contrasting views of the normative context of international society offered by Wheeler, *Saving Strangers* and Robert H. Jackson, *The Global Covenant: Human Conduct in a World of States* (Oxford: Oxford University Press, 2000).

50. Wheeler, *Saving Strangers*, 29.

51. Wheeler argues that was the case with Tanzania's intervention in Uganda.

52. Quentin Skinner quoted in Wheeler, 7.

follow. These could be ridicule, accusations of lying, isolation on the world stage, or even a backlash on polling day. These constraints may be hard to track but they are significant nonetheless.

Modified Realism and the Instrumental Interpretation

Membership

The members of international society, for modified Realists, are primarily states. They also concede the role played by regimes and institutions in so far as these are created and reproduced by the actions of states. There are two key assumptions about states that have a bearing on the modified Realist account of international society: first, states are rational actors, and second, the structure of the system is a constraint upon the development of the societal sector.

The presumption of rationality in part derives from the fact that modified Realism invokes a positivist understanding of theory. In other words, a large-scale ontology like 'international society' can be understood in terms of the actions of the component parts (i.e. states). The task for theory is to build a model based on certain assumptions. These are borrowed from economics and the theory of the firm, which treat utility maximisation and the consistent ordering of actors' preferences as exogenous to interaction.⁵³ Modified Realists view states' interactions in terms of self-interest; what is crucial here is that the pursuit of self-interest by a collectivity results in sub-optimal outcomes. To combat this deficiency, states must collaborate to achieve their goals.⁵⁴ Regimes, rules and institutions enter the frame at this point as they can help states overcome collective action problems.

The manner in which rationalists/modified realists view rules and institutions is discussed further below. What is already apparent is that patterns of cooperation are generated only by calculations of self-interest. ES exponents doubt that these assumptions can generate an understanding of international society.⁵⁵ The argument advanced below is that, while different in important respects, modified Realism can nevertheless arrive at a complex instrumental understanding of international society.

In terms of membership, modified Realists put far less importance on norms and language. The diplomatic dialogue is not, for them, evidence of the presence of international society. Words are not deeds. Attaching the label 'sovereignty' to a particular community is only of peripheral importance. After all, the rules of Westphalian sovereignty, such as exclusive political control over a territory, will

53. See Martin Hollis, *The Cunning of Reason* (Cambridge: Cambridge University Press, 1988).

54. Duncan Snidal, 'Coordination Versus Prisoner's Dilemma: Implications for International Cooperation and Regimes,' *American Political Science Review* 79, no. 2 (1985): 923-42.

55. Wheeler, *Saving Strangers*, 24-25. Andrew Hurrell, 'Regime Theory and International Relations', in *Regime Theory and International Relations*, ed., Volker Rittberger (Oxford: Oxford University Press, 1999).

be violated if these contravene the interests of a powerful state.⁵⁶ What matters for modified Realists is the position of the state in relation to other actors. As the hand-over of Hong Kong to China on the first of July 1997 illustrated, there was no dissent when the territory moved from the sovereign control of a democracy to that of an authoritarian state. Power creates a normative framework convenient to itself.

A modified Realist understanding of international society is limited to the extent that it accords no validity to the idea independent of the interests of the members. In other words, just as rational actors can create a regime on a global scale to maximise their interests, such arrangements are susceptible to being undermined by the constant threat of cheating or defection, particularly when distributive gains are thought by the actors to be significant. Set against this, it is important to note that the instrumental view of international society has the advantage of being agnostic about the identity of the members. Unlike the legitimist theory of international society, the actors are not ideologically differentiated. The so-called democratic entitlement, emphasised by legitimists, reflects a very partial understanding of how the world works. Take the issue of recognition. According to advocates of an instrumental theory of international society, recognition continues to be guided by the conservative principle of *uti possedetis*. At the time of the dissolution of the Soviet Union, the EC issued a 'declaration on the guidelines on the recognition of new states in Eastern Europe and in the Soviet Union'. It was legitimist in so far as it laid down compliance to the rule of law, democracy and human rights; yet it was also instrumental in that it noted that recognition had also to be predicated on 'the normal standards of international practice and the political realities in each case'.⁵⁷

Common Interests

Realism is more often associated with a systemic rather than a societal ontology. The image here is one of separate warring states coexisting in an anarchic environment. But as Buzan rightly argues, it is difficult to imagine states having systemic relations, with regard to trade or free passage, 'without developing at least a few basic elements of international society'.⁵⁸ How, then, do rational, national and instrumental states develop societal interactions? In the first instance, modified Realists would admit to the existence of shared problems, the most significant one being the survival of the system itself. This is enough for a Weberian minimalist conception of society. The survival of the system requires that each state 'takes account of the behaviour of others and is thereby oriented in its course'.⁵⁹

56. Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999).

57. Sean D. Murphy, 'Democratic Legitimacy and the Recognition of States and Governments', in *Democratic Governance and International Law*, 130-132.

58. Buzan, 'From International System', 341.

59. Max Weber, quoted in Wendt, *Social Theory*, 141.

A second key point is to underscore that modified Realists emphasise the importance of material capabilities. States are compelled to cooperate in order to maximise their economic and security interests. This comes through strongly in Robert Keohane's work. His theory 'takes the existence of mutual interests as given and examines the conditions under which they will lead to co-operation'.⁶⁰ Regimes and institutions are central to the coordination of the aggregate of state interests. The former are broadly defined but narrowly applied.⁶¹ There has been a great deal of work on political economy and regimes, usually involving the US and its trade competitors.⁶² Realist and Liberal institutionalists both claim to be able to explain the role of regimes and institutions. Neoliberals argue that regimes are not simply new dependent variables; instead they can intervene between actors' motivations and outcomes. Institutions matter because they can 'provide information, monitor compliance, increase iterations, facilitate issue linkages, define cheating, and offer salient solutions'.⁶³

The extent to which common interests can be realised depends on how actors calculate their expected gains. Here we find significant differences between neoliberalism and neorealism that have been documented at length.⁶⁴ But from the point of view of examining the ensemble of states' social relations, what is shared by the 'neos', whom I call modified Realists, is more significant than the differences. They operate with the same conception of states as rational actors and believe that institutions are constrained by the presence of anarchy. International society is the outcome of consequentialist logic where the need for trade and stability generates possibilities for cooperation. On the surface, this would appear to be a precarious order, depending as it does on the coincidence of preferences rather than binding legal obligations. Yet, there are reasons for believing that a modified Realist view of international society may be more durable: given growing economic and cultural interdependence, the possibilities for reconciling self-interest and the common good are enhanced. Not only can different kinds of actors participate in the 'regime of regimes', the density of interactions may mean that actors see rule compliance as beneficial.⁶⁵

The notion of interests plays a key role in modified Realist thought. While they admit to common interests, generated by the natural desire for life, liberty and security, the starting point for their view of society is how the 'unit', individual or

60. Keohane, *After Hegemony*, 275.

61. According to Krasner, they are 'sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge'. Stephen Krasner, *International Regimes* (Ithaca, NY: Cornell University Press, 1983), 2.

62. Michael Mastanduno, 'Do Relative Gains Matter? America's Response to Japanese Industrial Policy', in *Neorealism and Neoliberalism: The Contemporary Debate*, ed. David A. Baldwin (New York: Columbia University Press, 1993).

63. Peter J. Katzenstein, Robert O. Keohane, and Stephen D. Krasner, 'Introduction', in *International Organization at Fifty: Exploration and Contestation in the Study of World Politics*, 662.

64. Robert Powell, 'Absolute and Relative Gains in International Relations Theory', in *Neorealism and Neoliberalism*, 209-33.

65. This phrase is used by Buzan, 'The English School', 350.

state, calculates what is in its self-interest. Theorists operating within a rationalist metatheory view interests as exogenous to interaction. In other words, actors have certain beliefs and desires that are stable over time. The central question for rational choice theorists is whether individual self-interest can achieve the public good of social order without an external coercive force to compel them to cooperate in instances where defection threatens the common good.

Rules and Institutions

Where legitimists look to Grotius to resolve the tension between particular communities and universal obligations, modified Realists are more inclined to tilt in the direction of Hobbes. For him, rules are commands, only effective when backed up with power. Yet even Hobbes recognised that both 'right' and 'force' are sufficient in order to compel parties to conform to a command.⁶⁶ Arguably, Hobbes was *less* Realist than contemporary exponents of modified Realism who do not emphasise 'right' as a reason for compliance to norms and rules.⁶⁷ Instead, the only mechanism by which norms are diffused is through socialisation. Buzan describes this functionalist understanding of societal development:

through the interactive operation of trade, war and the balance of power, the transfer of technologies...intermarriage, travel, and the homogenizing effects of periods of hegemony, suzerainty, dominion, or imperial rule, units will tend to become more similar to each other.⁶⁸

Aside from socialisation, rules are treated as having little independent effect on outcomes. They are regularly invoked by political leaders to justify their actions but this has more to do with assuaging domestic public opinion rather than legitimating an action to other states. To understand why modified Realists are sceptical about the power of norms and rules we need to reiterate the structural characteristics of the international system. The condition of anarchy leads to significant power asymmetries added to which there are conflicting norms in international politics making it much more difficult to get agreement on what counts as defection.

As we saw above, the legitimist theory sees members of international society situated in a web of rules and institutions. Evidence for these social relations can be seen in the fact that agents use a language of appropriateness when justifying their actions. Modified Realists have a completely different understanding of the script. State leaders are often engaged in a 'language of manoeuvre' whereby their

66. Quoted in Friedrich Kratochwil, 'The Force of Prescriptions,' *International Organization* 38, no. 4 (1984): 697.

67. Keohane is an exception here. He recognises that 'egoistic actors' may comply with obligations that are not in the short run interests 'if they believe that doing so will have better consequences in the long run than failure to accept any rules or acceptance of any other politically feasible set of rules'. Keohane, *After Hegemony*, 13.

68. Buzan, 'From International System', 333-34.

rhetorical support for international norms may disguise other motivations that could lead to the norm being undermined.⁶⁹ A good example here concerns how 'self-defence' is routinely invoked to justify acts of aggression.

We noted earlier how some ES proponents endorse Skinner's claim that 'any course of action is inhibited from occurring *if it cannot be legitimated*'.⁷⁰ The issue of NATO's 'humanitarian' intervention in Kosovo illustrates the weakness of this position. NATO leaders realised that it would be preferable to have a 'mandate from the UN' as Robin Cook said in early June of 1998.⁷¹ Even though Security Council resolution 1199 did not give them a warrant for using all necessary means against the Federal Republic of Yugoslavia, on 13 October NATO issued an activation order for air strikes against military targets. The absence of proper Security Council authorisation did not deter the British Government from claiming to have the law on its side. Baroness Symons, Minister of State at the Foreign Office, put forward a legal defence based on precedence citing northern Iraq as the crucial case.⁷² Perhaps a better 'precedent' would have been Frederick the Great's conquest of Silesia in 1740. He was well aware of the fact that the hereditary claim he advanced to defend the invasion contravened the accepted rule known as the 'pragmatic succession' of the Habsburg Empire. Nevertheless, he and his advisors set to work to find a covering law to justify his actions. When his foreign minister, Podewils, came up with a legal justification for the use of force, Frederick praised him with the words: 'Splendid, that's the work of an excellent charlatan'.⁷³

For modified Realists like Stephen Krasner, rules and actions are too often 'decoupled'. Expressions of legal and moral obligations are just 'scripts', written by opportunistic charlatans, read by politicians anxious to be re-elected, and ignored by indifferent domestic publics.⁷⁴ The extent of shared interests and purposes is determined largely by the exercise of unconstrained power. Even routine rules, where there are no obvious distributional conflicts, are 'grossly violated'.⁷⁵ There is an international society, for modified Realists, but it is one that is reducible to the will of the powerful.

69. Martin Hollis and Steve Smith, *Explaining and Understanding International Relations*, (Oxford: Clarendon, 1990).

70. Quoted in Wheeler, *Saving Strangers*, 7.

71. *Ibid.*, 260.

72. *Ibid.*, 276-77.

73. Sharan Korman, *The Right of Conquest: The Acquisition of Territory by Force in International Law and Practice* (Oxford: Clarendon Press, 1996), 70.

74. Krasner, *Sovereignty*, 220.

75. *Ibid.*, 51.

Critical Theory and the Coercive Interpretation of International Society

Membership

Critical theory, particularly in its post-structuralist variant, tries to disturb and unsettle conventional accounts of politics. Instead of seeing liberalism as the gatekeeper of freedom, it is often portrayed as its denier. Similarly, the aims of democracy, once specified and institutionalised, begin to unravel, as it is de-politicised. Claims to the universality of human rights are incoherent because they cannot derive meaning 'from reference to an object, but instead from its relations with other signifiers in a complex chain of context'.⁷⁶ Unsurprisingly, the concept of international society is similarly shaken by critical theory. Below we will see how the question of membership is problematised, how consent is manufactured, and how rules serve to discipline the weak and dispossessed.

Gertrude Stein is reputed to have said of California that there was 'no "there" there'.⁷⁷ If one was to ask a post-structuralist to demonstrate the existence of international society, no doubt the answer would be the same. The important point here is that their denial is based upon a concern about reification. Arguably, both instrumental and legitimist theories of international society are committing a double reification: first of states and second of states' capacity for sociality. Nietzsche puts this argument with extraordinary power:

This has given me the greatest trouble and still does: to realise that what things *are called* is incomparably more important than what they are. The reputation, name, and appearance, the usual measure and weight of a thing, what it counts for—originally almost always wrong and arbitrary, thrown over things like a dress and altogether foreign to their nature and even to their skin—all this grows from generation to generation, merely because people believe in it, until it gradually grows to be part of the thing and turns into its very body. What at first was appearance becomes in the end, almost invariably, the essence and is effective as such.⁷⁸

I treat Nietzsche's injunction here as a warning rather than a prohibition. After all, taken to its limits, it implies the end of the social sciences with its project of turning 'appearances' into 'essences'. Even Michel Foucault's profound scepticism towards narratives of progressive social change did not prevent him from recognising the importance of theorising macro structures like 'society'. In his words, a society is 'a complex and independent reality that has its own laws and

76. Veronique Pin-Fat, '(Im)possible Universalism: Reading Human Rights in World Politics,' *Review of International Studies* 26, no. 4 (2000): 664.

77. James Der Derian, 'Introducing Philosophical Traditions in International Relations,' *Millennium: Journal of International Studies* 17, no. 2 (1988): 189-93.

78. Friedrich Nietzsche, *The Gay Science*, quoted in Roland Bleiker, 'Forget IR Theory', *Alternatives* 22, no. 1 (1997): 66-67.

mechanisms of reaction, its regulations as well as its possibility of disturbance'.⁷⁹ By analogy then, there are good reasons for thinking that Foucault would concede that international society is also an 'independent reality' albeit one that constitutes and disciplines agents.

The first concern of critical theorists is, therefore, to situate the theory of international society in a wider system of thought. For Foucauldians, it is a mistake to abstract concepts from the discourse that constitutes them. What rules govern the emergence of the discourse? How is it conceived in relation to other political subjects like economy, rights, power, geography, and so on? Can we identify moments when broader shifts in epistemology transformed the discourse of international society? It is not possible to do these questions justice here, suffice to say that the emergence of territoriality as the basis of community in early modern Europe was a precondition for the possibility of the idea of international society. With the re-conceptualisation of community along territorial lines came the articulation of 'interests', which were furthered, by wise leaders and their advisors. To understand this transformation, a critical theory of international society must pursue an archaeological method that penetrates beneath the language of diplomacy to reveal the patterns of rules, representation and rationality that govern its production.⁸⁰ An archaeologist of knowledge searches for mutations, 'these radical events beneath the apparent continuity of a discourse'.⁸¹

A critical approach to considerations of membership interrogates the power and meaning of sovereignty more forcefully than the other theories. Given how important sovereignty is, we must be wary about attributing a natural essence to its existence. Modified Realists make this mistake; de-politicising the state to such an extent that it becomes a 'unit', while advocates of a legitimist theory treat it as a historic resolution of order and justice. If we take sovereign membership of international society for granted, even in a critique of Westphalian forms of community, then we run the risk of failing to understand how the discourse of international society serves to 'efface the domination intrinsic to power'.⁸²

Critical theorists, particularly those of a post-structural persuasion, see sovereignty not only as the enunciation of a territorially based conception of community that demands the loyalty of its citizens, but also as the founding moment of politics itself.⁸³ Sovereignty represents the fault-line between community and anarchy. 'We' citizens on the inside can cooperate in our well-

79. Michel Foucault, 'Space, Power and Knowledge', in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984), 242. I am grateful to Colin Wight for drawing my attention to this passage.

80. Archaeology is of course Foucault's term for this form of history of ideas. See Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences* (London: Routledge, 1997).

81. George Canguilhem, 'The Death of Man, or Exhaustion of Cogito?', in *The Cambridge Companion to Foucault*, ed. Gary Gutting (Cambridge: Cambridge University Press, 1994), 75.

82. Foucault quoted in Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1995), 82.

83. Jenny Edkins, *Poststructuralism in International Relations* (Boulder, CO: Lynne Rienner, 1999), 6.

ordered society while non-citizens, those made foreign by territorial borders, are consigned to the 'other'. Sovereignty is, therefore, the fault-line on which all the other dualisms rest: inside/outside, presence/absence, friend/enemy, domestic/international. Sovereignty is what makes Westphalian international politics possible; we, without an adequate account of all attempts to mediate these dualisms, risk falling into an epistemic void.

Common Interests?

Aside from the question whether it is legitimate to treat social structures as 'things', there is no doubt that forms of critical theory see states' social relations as masking over the endless play of domination. Where their argument becomes both complex and fascinating is in the recognition that the players in the game might genuinely believe that they have shared interests and purposes. It is through the articulation of obligations to others and of common purposes that legitimists seek to 'relax' the 'exclusionist logic', which state sovereignty has institutionalised.⁸⁴ The danger here, according to some critical theorists, is of falling back on an idealist-transformative narrative that believes post-Westphalian forms of community can be reconstituted.

What unites critical theorists is their opposition to the consensual understanding of international society that underpins the legitimist interpretation. What separates critical accounts from the Realist interpretation is that the dominant norms and institutions are taken to be more than simply a means to an end, like order; indeed, the great powers and the rich western states have constructed an elaborate network of social relations, one that privileges their ideology, promotes their trade interests and enhances their dominance of military-security structures.

The figure of Antonio Gramsci is important for some critical theorists because he showed how the interests of global capital have created a 'hegemony protected by the armour of coercion'.⁸⁵ So-called common interests in establishing a liberal free trade regime mask over the particular advantages such formations accrue to the capitalist class. On this reading, the neo-liberal hegemony of the post-1945 period made possible the dominance of international society by the United States and its allies. This argument is fundamentally opposed to the legitimist theory since it denies the autonomy of states' identity and interests: these must be understood as historically and sociologically constituted by class forces and productive relations.

Rules / Institutions

When it comes to rules, I contend that critical theory comes close to adopting a similar position to Realism. In Foucault's words, '[r]ules are empty in themselves,

84. R.B.J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993), 67-73.

85. Gramsci, quoted in Mark Rupert, *Producing Hegemony: The Politics of Mass Production and American Global Power* (Cambridge: Cambridge University Press, 1995), 28.

violent and unfinalised; they are impersonal and can be bent to any purpose'.⁸⁶ The purpose they are 'bent' for is historically contingent: in the late modern era, as noted above, the interests of corporate elites are the primary beneficiaries. Interstate sociality, on this reading, is a fiction that masks the existence of an exclusionary 'protection racket' on a global scale.⁸⁷

Who, then, is being protected? This of course varies over time. In the early modern period, sovereignty norms protected the dynastic inheritance, such that territory belonged to the monarch and not the state. These rules were highly gendered in that they maintained the legitimacy of Kings. But even patriarchal rules were suspended when great power politics required it. The lack of a male heir to the Habsburg monarchy in 1713 led to a 'pragmatic sanction' that permitted female succession. This could not be done unilaterally but required collective legitimation: hence, an intense period of diplomatic activity and bargaining succeeded in forging acceptance of the new Habsburg monarch. In the contemporary era, the primary winners are the powerful states and corporations. A good example here is trade rules. The commodities that are most freely traded are manufactured goods in which the first world has a comparative advantage: agriculture and textiles, where poorer countries have more at stake, are highly protected industries in the West. From the perspective of the 1.2 billion of the world's poorest people, living on less than \$1 a day, international society looks like a rich white man's charter.

The rule structure of international society is most clearly evident in the principles and customs of international law. Classical ES scholars argued that law is an expression of agreed rules and that law was a necessary condition for the existence of society.⁸⁸ Critical theorists deny the assumption that law is either autonomous *or* neutral. At its limits, a critical theory of international society sees law and violence as being inextricably linked. As Jacques Derrida argues, the term 'enforceability' means that law implies being forced: hence, 'the enforcement of law is always deemed legitimate even if at the same time it is recognized as unjust'.⁸⁹ The implication here is that it is not meaningful to talk about whether a law is legitimate. A legal rule, like any other rule, is just an instruction, an imposition. It is politics that decides what is just. Each peace conference invents a new system of rules, which it accords legitimacy to. What is true or right is entirely contingent on the play of power and domination.

One of the obvious questions prompted by these critical arguments is whether international society is reformable. As we noted earlier, legitimists recognise the normative inadequacy of international society but believe it can become more

86. Michel Foucault, 'Nietzsche, Genealogy, History' in *The Foucault Reader: An Introduction to Foucault's Thought*, ed. Paul Rabinow (London: Penguin, 1984), 85-86.

87. Ken Booth, 'Human Wrongs and International Relations', *International Affairs* 71, no. 1 (1995):103-26.

88. Raymond John Vincent, 'Order', in Miller and Vincent, *Order and Violence*, 54.

89. See the discussion of Jacques Derrida in Edkins, *Poststructuralism*, 80-81.

inclusive.⁹⁰ The coercive theory of international society is wary about falling into the Enlightenment trap of believing in the progressive enmeshment of states in a web of world order values. Beneath this caution there is something of a deep ambivalence about the possibilities for change. Post-structuralists argue that cosmopolitan conceptions of legitimacy cannot offer a challenge to international society since there is ‘*already* a constitutive principle of the “sovereign states-system”’.⁹¹ Gramscians, however, believe that counter-hegemonic blocs can be formed, and that the ensemble of states’ social relations will change in line with these tectonic shifts.

Conclusion

International society exists as a social fact. Like all social structures it is unobservable but its effects are real. The structure embodies rules for identifying who gets to count as a member, what conduct is appropriate, and what (if any) consequences follow from acts of deviancy. These assumptions are commonplace in the classical ES literature. For writers like Wight and Bull, the element of ‘society’ corresponds to the extent of agreement about the constitutive rules and norms.

Just as in the early seventeenth century Middleton drew an analogy between chess and diplomacy, the ES viewed states’ social relations in terms of the idea of a game. Those acting in the name of states followed the rules because that was what states *do*. If you were new to the game, like the decolonised states in the last century, then you simply had to consult the legal rulebook and learn how to play.

There is no doubt that the classical ES work has advanced our understanding of the normative structure of international politics significantly; that said, the article opened by posing some tricky questions for their interpretation. Bull and Wight were concerned that international society was in decline, but provided no clear-cut criteria by which we might assess when the interactions were more adequately understood as systemic rather than societal. Similarly, at the other end of the spectrum, one needs to ask what level of universality is compatible with the idea of international society. The guiding thought here is that there is a further problematic boundary in the literature, that which lies between international and world society. Has, for example, the EU developed notions of membership, common interests and rules such that the social relations of the ‘15’ are no longer intelligible using the language of international society? If international society is to become a useful description and explanation of the normative framework of world politics, then we need sharper analytical tools than those that have been provided by Wight and Bull. It is insufficient to simply view international society as a permanent presence

90. The question of how to deepen solidarity in international society is examined in Linklater, *Transformation of Political Community*.

91. R.B.J. Walker, ‘The Hierarchicalization of Political Community’, *Review of International Studies* 25, no. 1 (1999): 153, emphasis in original.

whose intensity rises or declines. In this respect, international society remains, in Buzan's words, 'better developed as a historical than as a theoretical concept'.⁹²

To address this dilemma, the article has argued that other theories of IR offer important insights into the form and content of states' social relations. By combining an ES account with the metatheory of constructivism it is possible to construct a legitimist theory of international society. Members comply with its norms 'because they accept them as legitimate'.⁹³ Within this theory of international society there is an important dispute about what the content of the rules *are* and how they change. It could be, for example, that the members of international society decide that a pluralist understanding of sovereignty norms constitutes the standard of legitimacy. In other words, the task for the rules is to facilitate orderly coexistence between culturally diverse communities. The conservative wing of the ES strongly defends such a reading of international legitimacy.⁹⁴ This position is contested by those in the School who are persuaded in part by the critical theory view that international society has failed normatively. What is required therefore is a change in the standard of legitimacy, which prevents vampire states from draining the life-blood out of their societies. The legitimist theory of international society is challenged by modified Realists who operate with an instrumentalist understanding of society where states operate in a global 'market' to advance their self-interest. While accepting that social relations' arise out of common interests, Realists add the crucial qualification that institutions are weak and rules are routinely flouted. Critical theorists have a significantly different understanding of international society. They argue that the rise of modern territorial states has fragmented communities and created exclusionary ways of thinking and acting. Consent by states to the rules and institutions, such that it exists, has been manufactured. Those who see international society as coercive are suspicious of the legitimist argument that the power of norms can be seen in the justifications offered by state leaders. Language is the 'spin' that cloaks their actions in a thin veneer of respectability. Legitimists would respond by arguing that the scripts read by actors are written in a vocabulary and grammar that is not indeterminate.

The article has sought to show that international society is open to multiple interpretations. These sociological variations are not simply points along a continuum from minimalist Realist to maximalist cosmopolitan with an ES via media in between. In fact, I have suggested that such variations alert us to a number of challenges to the orthodox understanding of the constellation of states, common interests, and rules/institutions. Contrary to its representation in the literature modified Realism offers an elaborate and potentially durable theory of how international society works. As long as material circumstances require cooperation, there are good reasons for believing international society can regulate

92. Buzan, 'From International System', 329.

93. Wendt, *Social Theory* 289.

94. Jackson, *The Global Covenant*.

new spheres of interaction and, where necessary, co-opt new members. Legitimists, paradoxically, offer a less resilient theory of international society. Historically, they point to the way in which decolonisation brought an end to the dynamic of exclusion that was built-in to the nineteenth century standard of civilisation. Yet the argument outlined in the article suggests that such a conclusion is premature for two reasons. First, the 'expansion' was never global in its entirety; many self-determining communities were denied membership. Second, what counts as legitimate conduct is always changing, hence the construction of a new post-Cold War standard of civilisation along liberal democratic constitutional grounds. In this respect, the legitimist theory challenges the ES's view that the society of states is unlike domestic society: increasingly the constitution of international society resembles the principles and practices of core liberal democratic polities. While solidarist inclined legitimists see this as something to be valued, critical theorists view it with suspicion. What is interesting about the critical theory interpretation is the connection between sociality and violence, one that we might otherwise expect to find in the Realism. The convergence of interests that modified Realists see as holding out the possibilities for international society are seen by critical theorists as the unfolding of a bureaucratised and technologised system of regulation that has no legitimacy outside of practice. Pushed to its limit, such a view may be thought to stretch the meaning of international society to breaking point. To exclude this voice would, however, be a mistake. Those who are interested in macro sociological investigation need to be reminded that international society is a discourse that relies on other systems of power/knowledge that create the categories within which we speak of social relations among sovereign states. Such formations should be subjected to interruption and their eventual disappearance needs to be contemplated. Like Foucault's metaphor of the 'face drawn in sand', international society will eventually be erased 'at the edge of the sea'.⁹⁵

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95. Foucault, *The Order of Things*, 387.