**Social Constructivism and International Ethics**

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1. **Introduction: Norms as social facts and norms as ethical values**

Social constructivist research in international relations has a complicated relationship with international ethics. As is the case with most academic schools of thought, constructivists defined themselves through a series of differentiations from other approaches. These early differentiations closed off possible areas for complementary research by defining some approaches as either implicitly or explicitly not constructivist.[[1]](#footnote-1) In the case of constructivism the intellectual context in which it emerged in the late 1980s and early 1990s led to a three crucial differentiations. First constructivism was an explicitly idealist approach to IR. This idealism enabled constructivism to differentiate itself from the two dominant materialist approaches in 1980s IR theory – neo-realism and historical materialism. The neo-realists grounded their explanations of international politics in the material capabilities (often reduced to military power) of states.[[2]](#footnote-2) The historical materialists grounded their explanations of world politics in the economic base of the mode of production, and took ideas to be part of an ideological superstructure the content of which was determined by the economic base.[[3]](#footnote-3) In contrast to both positions, 2nd generation constructivists argued that materiality only acquired its social significance through its ideational interpretation.[[4]](#footnote-4) In Wendt’s famous example, how a state’s materially capabilities will be interpreted by other states will very much depend upon the pre-existing relationship those two states have with each other. The U.S. will treat a military training exercise by Cuba as threatening, whereas an identical military training exercise by Canada will be interpreted as an ally fulfilling its military obligations under NATO.[[5]](#footnote-5)

Second, constructivism explicitly set itself up as a social scientific approach that could verify its claims through the methods adopted by mainstream positivists. This differentiation was largely made by constructivists contra more explicitly post-positivist IR scholars such as post-structuralists and critical theorists. We can consider here Wendt’s distinction between causal and constitutive explanations[[6]](#footnote-6), and Adler’s positioning of constructivism as a “middle ground” between positivism and interpretivism[[7]](#footnote-7), as two crucial examples of early constructivists positioning constructivism as an explanatory theory whose claims could be recognized as valid by other IR positivists.

Third, 2nd generation constructivists argued that one of the main contributions of constructivism was to overcome the agent-structure debates that were central to 1980s IR theory. The constructivist argument that agents and structures where co-constituted – i.e. that an agent’s identity is determined by the structure in which the agent acts, and the social structure is in turn shaped by the actions agents engage in is shaped via the agent’s identity – launched a research agenda in which scholars elucidated this core claim via empirical investigations of how international structures shaped and were shaped by agent’s identities.

While these three differentiations were crucial for carving out the early terrain of constructivist research, the consequence of this process of differentiation is that it also closed off alternatives paths. In particular, for our purposes in this chapter, how 2nd generation constructivist scholars positioned themselves with respect to the larger field of international relations meant that they explicitly emphasized social constructivism as an explanatory social scientific theory (albeit a constitutive one as opposed to a causal one) and in so doing early constructivists closed off the possibility of normative research. The embrace of ideational causes as explanatory for social constructivism meant that research about how ideas shape state behavior became a central research question, whereas the normative question of whether or not a particular idea is a good guide for state conduct was set aside as not scientific – occasionally explicitly so.[[8]](#footnote-8) The positioning of social constructivism as a *via media* between interpretivist and positivist approaches meant that for the most part interpretivism was adopted as one possible approach to explanatory social science amongst many, whereas the more explicit normative puzzles explored by interpretivism were set aside. Third the focus on the co-constitution of structures and agents meant that the responsibility of agents for their actions was often downplayed as part of a larger social process. From a rationalist normative perspective,[[9]](#footnote-9) which requires that agents be responsible for their actions in some shape or form if one is to make a normative judgment about their actions, the focus on structuration foreclosed the possibility of holding agents ethically responsible for their actions.

This early closing off of the normative is perhaps most explicit when we look at how social constructivists handle norms. One of the key axioms of social constructivist research is that the social structures in which agents act are deeply normative. The norms in these structures prescribe what is socially acceptable behavior if an actor wants to be a “good” member of the group. These norms constrain what actions are deemed possible by spelling out social sanctions if one violates the norms of the community.[[10]](#footnote-10) This theory that norms operate according to a “logic of appropriateness”[[11]](#footnote-11) that constrains an actor’s behavior, is an explanatory theory. It explains how a norm shapes an actor’s identity, and how that identity in turn shapes an actor’s interests and expected behaviors. In this instance the norm operates as a social fact. The norm does not have a material basis, but it exists as social more that governs the conduct of actors within the community nonetheless. In order to sustain the core social constructivist axiom that norms constitute the identities, expectations and behaviors of actors, most empirically-oriented constructivist scholarship has focused on demonstrating the existence of given norms. So the research has focused on uncovering the existence nuclear and chemical weapons taboos[[12]](#footnote-12), human rights norms[[13]](#footnote-13), norms around the sovereign status of states. This focus on demonstrating that norms exist and shape the behaviors of states necessarily brackets the international ethics question of whether or not a norm is “good” or “bad”, “just” or “unjust”.

 Part of the reason for this is simply that in making the case for an empirical argument one cannot spend too much time debating whether or not a given norm is justified. Demonstrating that a norm exists and has social effects is often a challenging enough endeavor for a research agenda. Yet one of the consequences of bracketing the normative in order to pursue the empirical is that a kind of *cryptonormativism* has crept into constructivist research. [[14]](#footnote-14) By cryptonormativism I simply mean that constructivist scholars often assume or imply that a given norm (such as norms prohibiting weapons use or norms against torture or norms promoting human rights) is good without fully elaborating the reasons for them.[[15]](#footnote-15) In some cases social constructivists have fessed up to this cryptonormativism, often arguing that the norms were sufficiently self-evidently good and as such the scholarly focus was more correctly placed on the empirical demonstration of their effects.[[16]](#footnote-16) Yet this assumes that the justification of a norm is self-evident, when often scholars from more critical traditions are quick to point out ways in which norms that are often presumed to be good may have pernicious effects.[[17]](#footnote-17) At the very least a normative investigation and defense of the ethical validity of norms would address these questions head on.

More generally the empirical focus on norms means that the study of international norms has fallen into the is/ought problem from philosophy. There are numerous different ways of describing this problem, but for our purposes the cryptonormativism of constructivist research, in so far as these scholars tacitly assume that the norms they study are “good”, rests on the mistaken assumption that because a norm is seen as good by a society, it is therefore good. Constructivists have been explicit that they do not think all norms are good.[[18]](#footnote-18) However in the absence of an explicitly normative research agenda there is no way (for example) from within empirical constructivism to differentiate between norms of racial superiority in the 18th and 19th century that legitimized chattel slavery and the Atlantic slave trade, and contemporary norms or racial equality. This gap in social constructivist analysis opened up norms researchers to critique from international ethicists.

**2. The exclusion of the ethical from early social constructivist research**

The difficulty that 2nd generation empirical constructivists have in linking their study of norms to questions of the normative has been an obstacle to the advancement of normative theorizing in their research. In some cases this lack of normative theorizing is not terribly problematic. For instance, realist scholars contend that the inability to link the normative to the empirical stems from the structure of international politics. Realists contend that given the state of anarchy that exists between states, any attempt to base political action on a principle other than national interest is irrational and dangerous. Yet in the case of constructivism, the lack of significant normative theorizing is problematic. Constructivist scholarship emerged in the late1980s in an attempt to show that normative principles do in fact have an effect on the identities, behaviors, and interests of states.[[19]](#footnote-19) Over the subsequent twenty-five plus years constructivist scholars have demonstrated that norms have constrained the use of chemical and nuclear weapons, facilitated decolonization, and strengthened human rights to cite just three examples.[[20]](#footnote-20) Because the role of morality is so central to the constructivist narrative of international society, it is all the more surprising that constructivists have little to say about which norms should be promoted and how different norms should be assessed. Mervyn Frost leveled this critique at constructivist and other constitutive IR scholars when he observed:

For 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. . . . 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’.[[21]](#footnote-21)

I believe that there are two reasons why this ethical impasse has developed in social constructivism. First, attempts to bring a normative dimension to constructivist scholarship normally involve applying a preexisting ethical approach to cases that are raised by a constructivist research agenda. The problem with this is that the approaches that are most often suggested as possible candidates – Habermasian discourse ethics[[22]](#footnote-22), Rawlsian political constructivism[[23]](#footnote-23), and Nussbaum and Sen’s capabilities approach[[24]](#footnote-24) – do not fit with the ontological assumptions of social constructivists. Second, social constructivists who do want to develop the normative implications of their research tend to trip up over the fact/value distinction – i.e. the problem of how one develops normative prescriptions from empirical descriptions. As such, to move beyond constructivism’s ethical impasse one must find an approach to ethics that is a good fit with constructivism’s ontological assumptions and that has an answer for what meta-ethicists call the “is/ought” problem.

It is difficult to reconcile constructivist ontological commitments with existing ethical theories. Constitutive social theorists generally engage in thick descriptions of existing social practices to demonstrate how existing social structures emerged contingently. While these analyses often expose a set of social rules that simultaneously enable and constrain human actions, these rules are often so context-specific that it becomes extremely difficult to link them up with broad normative principles developed by political theorists and philosophers. For instance, Reus-Smit argues that neo-Kantian approaches to international ethics – such as those developed by Rawls[[25]](#footnote-25) and O’Neill[[26]](#footnote-26)– engage in “a form of philosophical inquiry characterized, first and foremost, by logical reasoning from first principles.”[[27]](#footnote-27) This approach does not mix well with constructivist scholarship because “‘Facts’ are chosen selectively to undergird the preferred line of moral reasoning, and often voluminous amounts of relevant empirical research and theory are ignored.”[[28]](#footnote-28) The consequence of this is that many approaches to international ethics make moral judgments about general phenomena– such as poverty, war, human rights, etc. – without seeing how particular contexts may make particular courses of action impossible or perhaps even undesirable.

Sikkink is critical of the capabilities approach pioneered by Sen[[29]](#footnote-29) and Nussbaum[[30]](#footnote-30) for similar reasons. She critiques Sen and Nussbaum for believing “that they must start from scratch in inventing their central list of rights and capabilities.”[[31]](#footnote-31) There is already a dense existing set of international human rights principles, developed over 50 years through the deliberations of over 150 countries and thousands of human rights NGOs. The existing consensus on human rights “provide a more legitimate source of general principles than any I or any other individual or group of researchers could invent.”[[32]](#footnote-32) From this perspective, dominant, rationalist ethical theories, insofar as they ignore empirical considerations, appear to be doing little more than re-inventing the wheel.

In addition to Reus-Smit’s and Sikkink’s charges that the existing modes of normative theorizing are insufficiently empirical, constructivists have complained that normative theorizing is often impractical. For instance, Price has been critical of attempts by constructivists to draw on Habermasian discourse ethics[[33]](#footnote-33) because ideal-speech situations “would seem to be empirically rare if not indeed theoretically impossible for some versions of constructivism.”[[34]](#footnote-34) None of the dominant approaches in normative theorizing sufficiently incorporate into their approaches analyses of power imbalances and the constraining effects of existing social structures that are the mainstay of constructivist theory. The lack of normative theorizing by constructivists is complemented by the failure of normative theorists to adequately take into account the empirical conditions that govern human action in world politics. Consequently, normatively inclined international relations scholars and empirically inclined social constructivists talk past each other rather than to each other.

Constructivists have difficulty providing ethical foundations for their theories because their commitments and procedures are at odds with many of the dominant theories of international ethics. Constructivists spend much of their time analyzing specific discourses among actors whose normative arguments are deeply embedded in their identities. Power relations between the participants in normative struggles play a significant role in the formulation and resolution of these debates.[[35]](#footnote-35) From this perspective attempts by liberal rationalists to ground normative theories in original positions or ideal speech situations appear nonsensical.[[36]](#footnote-36) A normative approach to international relations that constructivists might find useful would start from specific normative struggles rather than deduct from first principles. It would be sensitive to the ways that identity and power relations shape possible courses of action. Such an approach would start with normative conditions as they currently exist in the world and propose concrete ways of improving the human condition.

**3. The integration of the ethical and the empirical in social constructivist norms research**

 In response to these critiques from normative theorists there has been a shift towards ethical research by social constructivists over the last decade. Three works in particular are exemplary of different strategies that social constructivist scholars have taken to incorporate normative analysis into their work on global politics. The first of these is Richard Price’s edited volume *Moral Limit and Possibility in World Politics*.[[37]](#footnote-37) In this volume Price invited empirically oriented social constructivists to reflect upon the normative implications of their research. The second is Antje Wiener’s recent development of a “bi-focal” approach to the study of norm contestation. Wiener, drawing on recent strands of discourse ethics and agonism in political theory, has developed a set of thinking tools that explicitly call on the scholar to consider the normative and empirical dimensions of international norms simultaneously.[[38]](#footnote-38) The third is Neta Crawford’s *Accountability for Killing* that combines just war theorizing with organizational theory to analyze the complicated question of who or what is morally responsible for collateral damage.[[39]](#footnote-39) While there are other works that combine a social constructivist approach to international norms with a normative analysis of global politics,[[40]](#footnote-40) this section will focus on these three examples as they point to three different ways in which constructivist scholars have taken up the ethical challenge in recent years.

 The Price volume, in particular, framed itself in part as a response from normative theorists such as Frost that the lack of engagement with the ethical was a significant oversight in social constructivist research. Both Price and Sikkink responded directly to Frost’s charge by pointing out that early social constructivist scholarship “was itself a response to the skepticism that moral norms matter in world politics.”[[41]](#footnote-41) Similarly Sikkink writes, “When I started working on human rights in the late 1980s, the choice of topic alone was a sufficiently normative signal that I felt obliged to spend the rest of my time demonstrating that I was being rigorous in my method and theory.”[[42]](#footnote-42) Early constructivists framed the research agenda as an intervention into debates between neo-realists and neo-liberals. The Neorealists were skeptical that ideas and moral norms had any impact on world politics, and would dismiss moral speech acts by international actors as “cheap talk”. While the Neoliberals were more sanguine about the possibilities for international cooperation and progress, yet grounded their explanations in rationalist accounts of state behavior that focused on the logic of consequences. In order to gain a foothold in the debates of the late 1980s and earl 1990s constructivists explicitly bracketed questions of whether a norm was good or bad, in order to focus their research on demonstrating that norms have social effects. By the mid-2000s the main claim of social constructivist research that norms do shape the behavior of international actors had achieved wide spread acceptance in mainstream IR, and so now the criticism shifted terrain. The normative critique of constructivism, however, came from three different directions. More positivist oriented scholars may have accepted that norms matter in international relations, but instead chastised constructivists for promoting norms that are morally good but may have dubious consequences from a pragmatic perspective.[[43]](#footnote-43) International ethicists continued to critique constructivists for not making their normative judgments explicit. Critical theorists expressed deep suspicion about the positive benefits of the (mostly liberal) norms that constructivist scholars studied.[[44]](#footnote-44)

 Price and the other contributors to the volume framed the normative arguments by defending the virtues of empirical social science. In particular Price argues that the empirical research of constructivists could assist normative theorists by guiding the ethical question of “what is to be done” with empirical insights into “what one may have some reasonable expectation of working.”[[45]](#footnote-45) In his introduction Price proposed a collaborative partnership between international ethicists, who would work out normative arguments to critique contemporary world politics, and empirical social constructivists who would analyze what current international norms are, and how the contemporary global political context permitted some types of normative theorizing and constrained other forms. Price argues that social constructivism had six major contributions to make to the study of international ethics. First social constructivist scholarship naturally occupies a position in the field where it is possible to survey the relationship between the ethical and the empirical. Second, Price contends that the debate between rationalist and social constructivist IR scholars over the nature of agency is significant for normative IR. Recall that rationalists contend that the primary explanation for behavior in international politics is the logic of consequences, whereas for constructivists the primary explanation for behavior in international politics is the logic of appropriateness.[[46]](#footnote-46) A third avenue for constructivist research is through the examination of hypocrisy in world politics. In *Just and Unjust Wars* Michael Walzer argues that the identification of hypocritical actions in warfare was a good technique for uncovering the moral structures that underpin shared judgments about what is just in warfare.[[47]](#footnote-47) In a similar vein, constructivist scholars have traced cases of hypocrisy by international actors as evidence that an actor is aware a norm exists. Fourth, Price contends that constructivist research offers useful empirical insights into how norms work in practice that might be useful for normative theorists. One key finding of constructivist research is that norms are not simply constraining by prohibiting certain types of actions, norms are also constituting. Norms constitute new identities for actors and this process of identity constitution in turn constructs new interests. The fifth insight from constructivist scholarship is the relevance of processes of co-constitution of identity for thinking through complicated moral issues of co-optation and complicity. Finally Price contends that constructivism occupies a ethical middle-ground between post-structuralist approaches to international norms that often argue against putting limits on what is ethically possible in global politics and more realist approaches that believe talk of the normative in global politics is a fruitless exercise.[[48]](#footnote-48)

 Some of the of the participants in the Price project have taken up this call to wed the empirical with normative in their own research. Consider, for instance, Rumelili’s research, which argues that the EU projection of integration through the promotion of human rights and democracy within Europe necessarily rests on the construction of other states outside the EU (such as Turkey) as less democratic. [[49]](#footnote-49) Similarly, Helen Kinsella argues that the construction of the civilian within the just war tradition rests in turn on the denigration of non-Christians as heretics who are permissible targets in war.[[50]](#footnote-50) Ann Towns in her research notes that the status of women within a state has been taken as one means of constructing a social hierarchy. However in the 19th century western European states denigrated societies that permitted political participation of women, while celebrating their own exclusionary practices as a mark of civilization.[[51]](#footnote-51) As the status of women in western European societies shifted in the 20th century political inclusion of women suddenly became a marker of civilization, yet the use of gender to enforce global hierarchies remained. And I have explored the ways in which the Declaration on the Rights of Indigenous peoples re-inscribes hierarchies between settler states and their indigenous communities by limiting the recognition of indigenous self-governance under international law.[[52]](#footnote-52) What all these critical analyses reveal is that norms constitute identities which in turn constitute social hierarchies, and that in many instances social norms that at first glance appear progressive and liberal may rest upon hidden practices of exclusion and domination.

 One example of a recently published work of scholarship that draws upon rigorous empirical research methods to examine critically an ethical dilemma is Neta Crawford’s *Accountability for Killing: Moral Responsibility for Collateral Damage in America’s Post-9/11 Wars.* Crawford argues that “[t]he unintentional killing of civilians is at the root of perhaps the most difficult moral dilemmas that soldiers and their commanders face.”[[53]](#footnote-53) While “collateral damage” is legal under the international laws of war, deliberately targeting civilians is not. Sometimes militaries deliberately place civilians next to legitimate targets to dissuade attacks (i.e. “human shields). Sometimes militaries have options for fighting in a way that will minimize civilian casualties, but strategic decisions will put soldiers at greater risk (i.e. “force protection) or make the mission more difficult to accomplish. As such military leaders often have to weigh putting their own soldiers at risk vs. putting civilians from the enemy country at risk when developing battle plans. In practice, so long as a civilian is not intentionally targeted, then civilian deaths are legally permitted and even morally excused under just war theory. Crawford argues however that this paradigm means that the over 38,000 civilian deaths were counted as collateral damage in its military operations between 2002 and 2012, and that while none of these deaths were intentional many of these deaths were foreseeable. As a consequence the central assumption of moral agency that underpins both the laws of war and the just war theory tradition, the idea of the individual autonomous moral agent, simultaneously “protects noncombatants from deliberate killing [while] allow[ing] unintended killing.”[[54]](#footnote-54) Through her critical examination of the laws of war, Crawford uncovers an instance of a dark side of an apparently good norm, and then develops an alternative theory of moral agency which she calls “organizational responsibility” to argue that the military as a whole is responsible for minimizing the number of foreseeable (as opposed to simply unintentional) civilian deaths from combat. Because this work empirically investigates the consequences of an existing international norm, critiques the norm, then develops an account of moral agency that is distinct from the hegemonic model of agency in the just war theory tradition, it is a model of the type of empirical-normative research partnership that Price calls for in his work. The normative argument about organizational agency is only possible because Crawford draws upon organization theory to analyze the causal chain in military decisions that lead to unintentional but foreseeable civilian casualties.[[55]](#footnote-55) The analysis also enables Crawford to make a number of concrete recommendations to military leaders about how foreseeable civilian deaths can be minimized in the future.[[56]](#footnote-56)

 In her recently published work, *A Theory of Contestation,* Antje Wiener takes a different approach to integrating international ethics and social constructivism.[[57]](#footnote-57) Whereas Price and his collaborators and Crawford draw upon empirical research techniques to fill in some of the gaps in normative theorizing, Wiener argues that how social constructivists have theorized norms has created an artificial divide between normative and empirical research. Most social constructivist scholarship studies norms from the perspective of compliance. According to this perspective, a norm is legitimate so long as states comply with it, and scholars can demonstrate a norm’s existence by demonstrating widespread compliance. Wiener, however, argues that both the legitimation of norms and the generation of norms come about not via compliance, but via contestation. In order to develop her theory of contestation, Wiener draws upon the public philosophy of James Tully. Tully’s work on democratic constitutionalism and agonistic political philosophy emphasizes the way in which conflict is a form of justice.[[58]](#footnote-58) Whereas other influential approaches to justice, such as Habermas’s work on deliberative democracy and Rawls’ work of political liberalism,[[59]](#footnote-59) see conflicts in pluralistic societies as problems to be solved through the development of procedures and norms which can achieve consensus amongst all participants, Tully’s approach is skeptical that finding such universally acceptable norms is possible or desirable. Instead the justness of a society should be determined by its capacity to make space for contestation of all norms and procedures, to never seek out a final comprehensive solution, but to treat all norms as always subject to contestation and revision by any and all persons who are affected by them. Wiener brings Tully’s political philosophy of contestation into IR debates over norm compliance to argue that disputes and resistance to the implementation of norms is not a problem that IR scholars, international lawyers and practitioners need to solve. Rather this contestation of norms (the fact that groups subjected to norms can contest the validity of those norms) is the very mark of their legitimacy. Wiener takes this central insight from Tully’s work to critique both liberal and critical varieties of constructivism. Against the liberal constructivist (what she calls conventional constructivists), Wiener argues that Tully’s insight that one can demonstrate understanding a norm by going against it has the capacity to explain how contestation can generate norms. Against the conventional constructivists, who draw upon Habermas’s distinction between arguing and bargaining to make the case that contestation about norms is appropriate only at the implementation stage,[[60]](#footnote-60) Wiener argues that norms can be contested at any stage in their constitution, reference, or implementation.

In order to develop this theory of contestation, Wiener proposes three “thinking tools”: 1. The Normativity premise; 2.The Diversity premise; 3.Cultural Cosmopolitanism. The normativity premise underscores a central tension in the norms literature between sociological approaches that emphasize the ways in which norms habitualize expected behavior (i.e. the ways in which norms normalize behaviors) and legal and philosophical approaches that are concerned with the validity of norms (i.e. the normative dimension of norms). One common critique of conventional constructivists is that in their attempt to develop explanatory theories of norms, they have bracketed questions of whether or not norms are good or bad, just or unjust. This bracketing of the normative means that conventional constructivists often assume that the norms they study are good, thereby potentially ignoring the dark sides of some norms; and they may entirely ignore some norms that are bad (such as those that say a state should protect the interests of private capital over the interests of its least well off citizens). The normativity premise opens the door for a substantial engagement between empirical scholars of norms and scholars of international ethics both to critique existing norms and find sounder normative foundations for international laws. The diversity premise draws upon Tully’s critique of Kant and contemporary Kantian political philosophy. According to Tully, one of the problems of Kantian approaches to normative theorizing is that the search for categorical imperatives and universally valid principles can be culturally hegemonic. As such Tully argues against seeking “end states” in normative deliberations, and instead argues that valid norms are those that are worked out through cross-cultural negotiation, premised on mutual recognition, mutual consent, and openness to revision and contestation at a future date. This emphasis on agonistic procedures ensures that diversity is built into the process of norm generation and legitimation. Finally the principle of cultural cosmopolitanism argues that global politics is constituted through cultural practices. Drawing upon Tully once again, Wiener argues that there is an important interaction between practices of contestation and the principle of contestedness. Central to Wiener’s argument is that what secures the legitimacy of a norm is if it has been generated through practices open to contestation. Norms that are generated univocally, without making space for challenges from actors who could be affected by that norm are invalid. The principle of contestedness (i.e. the fact that the norm was generated through practices open to contestation, and continues to be open to contestation during referral and implementation) is what makes a norm valid.

**4. The challenges and opportunities in fusing normative and empirical research on international norms**

While these moves towards a more explicitly normative constructivism have been well-received by international ethicists, there has also been some concern that normative constructivists lack clear evaluative criteria with which to determine if a norm is good or bad. Toni Erskine, in her assessment of the Price volume, has made this argument most forcefully when she writes:

“In other words, this constructivism is able to say that norms matter in a way that is extremely valuable; however, it is less equipped to say why certain norms are more or less just or ethical than others, or why their emergence or transformation constitutes moral progress or regress.”[[61]](#footnote-61)

The Erskine critique echoes similar critiques made about constructivism prior to the Price volume by Hoffman that “constructivism lacks a fundamental moral core”[[62]](#footnote-62) and Rengger who argues that Price’s version of constructivism is not “clear and explicit about its normative commitments and the reasons it has for them.”[[63]](#footnote-63) What all three of these critics are saying is that constructivism lacks a clear moral epistemology. Moral epistemology refers to the meta-ethical question: how does one *know* if an action is right or wrong?[[64]](#footnote-64) So, the general critique of the constructivists’ turn to ethics is that they are lacking a clear set of guidelines by which to determine whether or not a principle is moral.

 From the empirical social scientist’s perspective meta-ethical debates can sometimes seem like arcane philosophical debates about angels dancing on the heads of pins. But for those working in the world of ethics, to accuse a scholar of lacking a moral epistemology is as serious a charge as accusing an empirical researcher of selecting a case on the dependent variable, conflating causation with correlation, confusing the direction of the causal arrow or lacking a clear hypothesis. Without an account of how one knows whether an action is right or wrong, from the ethicist’s perspective, a normative claim is simply an assertion, lacking in any scholarly merit.

 Price’s response to Rengger and Erskine’s concern about the lack of a clear moral yardstick is two-fold. First, in responding directly to Erskine, Price argues that the primary value of constructivism to normative IR “is less in extended normative arguments as such grounding general moral commitments . . . and more in offering perspective concerning possibilities for their realization and structural costs, and leverage when brutal trade-offs are confronted between moral commitments that cannot simultaneously be realized.”[[65]](#footnote-65) So, the primary contribution of constructivist research to IR scholarship is its use its empirical discoveries to clarify what is at stake in various normative dilemmas and thereby clarifying the best possible courses of action. However, Price is not willing to surrender the entire enterprise of defining and defending the evaluative criteria used in normative judgments to international ethicists such as Erskine. After responding to Erskine’s charge that a constructivist ethic is inherently conservative because it is dependent upon existing moral norms, Price concludes that “[f]urther development of just how the interpretive analytics of the type [Erskine] seems to champion within normative theory would deal with this would seem to offer one avenue for further conversation.”[[66]](#footnote-66) So, while Price does not develop a clear moral yardstick, he does concede that this is one gap in the current move towards a normative constructivist research agenda that should (or at the very least could) be filled in.

 In addition to addressing the problem of what is social constructivism’s moral epistemology, there is also a clear set of academic institutional obstacles to the development of a normative research agenda for social constructivists. To train a scholar to produce publishable knowledge in either international ethics or empirical social constructivist takes years of graduate education. It is rare that university programs happen to have an overlap in scholars in both areas, and rarer still that there are students able to master two very different sets of theories and methodologies all while writing a PhD Dissertation that is easily marketable on a very tight job market. When we compound that problem with the challenges scholars face in writing for the two distinct academic audiences of international ethics and social constructivism, there are every strong career disincentives for pursuing a research agenda that combines empirical social constructivist research with normative analysis. As such one institutional reason for the lack of explicitly normative constructivist research is how the different approaches have incentivized publishing, hiring, and PhD training, thereby making it difficult for scholars to do work that crosses the normative empirical boundary.

 More generally the fact that there have been attempts by both international ethicists and social constructivists to do work at the intersection of these fields indicates that there is at least untapped potential for an explicitly normative social constructivism. Such a research agenda would prod empirically-oriented constructivists to move beyond their cryptonormativism by both making their normative commitments explicit, and then spelling out the reasons for holding those commitments in a sufficiently philosophically rigorous way so as to answer the concerns of international ethicists such as Erskine, Frost, and Rengger. Simultaneously international ethicists should be held to greater empirical account when it comes to their normative claims. A greater emphasis should be placed on using existing international law and practice as the starting point for normative theorizing (as opposed to the tendency to begin normative enquiry from abstract first principles), and international ethicists should take seriously the arguments from social constructivists that normative claims should rest on a clear understanding of the causal chains in global politics, and offer prescriptions that are both politically possible and have fully considered the possible trade-offs and moral dilemmas one may confront in implementation. Going forward a synthesis of social constructivism and international ethics could take two (not necessarily mutually exclusive) paths forward. The first path is collaborative and incremental. It would entail international ethicists partnering with empirical scholars on issue areas of joint concern. For instance an empirical scholar on the international laws of migration could collaborate with a political theorist working on the ethics of migration on a joint projects that analyzed both what a just migration policy would be, and the political obstacles to implementing such a policy. The work by Crawford and the participants in the Price volume are two examples of works that take steps down this path. The second path would involve a larger paradigm shift that would entail rethinking what a norm is so that norms can be analyzed simultaneously from a normative and empirical perspective in such a way that the analysis satisfies both Price’s demand for greater empirical rigor and Erskine’s call for a clearer moral yardstick with which to assess the validity of norms. Wiener’s work on a “bi-focal” approach that considers contestation as a practice of both norm validation and contestation is a step down this path. While it is generally a futile attempt to predict which way an academic discipline will unfold, at the very least recent scholarship points to the possibility for a more productive conversation between international ethicists and social constructivists in the near future.

1. David M. McCourt, “Practice Theory and Relationalism as the New Constructivism,” *International Studies Quarterly* 60, no. 3 (September 1, 2016): 476, doi:10.1093/isq/sqw036. [↑](#footnote-ref-1)
2. Kenneth Neal Waltz, *Theory of International Politics* (Addison-Wesley Pub. Co., 1979). [↑](#footnote-ref-2)
3. R. W. Cox, “Social Forces, States and World Orders: Beyond International Relations Theory,” *Millennium - Journal of International Studies* 10, no. 2 (June 1, 1981): 126–55, doi:10.1177/03058298810100020501. [↑](#footnote-ref-3)
4. I draw the labeling of constructivism via generations from Brent Steele’s recent work. According to Steele’s analysis the first generation of constructivists included scholars such as Onuf, Kratochwil, and Lapid, who developed their social theories in the context of the cold war. The second generation emerged in the 1990s and focused primarily on the role of norms in international politics, and upon situating constructivism as a via media between liberalism and realism, and behaviouralism and post-structuralism. See Brent J. Steele, “Introduction,” *PS: Political Science &amp; Politics* 50, no. 1 (January 2017): 71–74, doi:10.1017/S1049096516002171; Oliver Kessler and Brent J Steele, “Introduction: ‘Constructing IR: The Third Generation,’” *European Review of International Studies* 3, no. 3 (2016): 5–19. [↑](#footnote-ref-4)
5. Alexander Wendt, “Anarchy Is What States Make of It: The Social Construction of Power Politics,” *International Organization* 46, no. 2 (1992): 397. [↑](#footnote-ref-5)
6. Alexander Wendt, *Social Theory of International Politics* (Cambridge University Press, 1999), 77 – 89. [↑](#footnote-ref-6)
7. Emanuel Adler, “Seizing the Middle Ground:: Constructivism in World Politics,” *European Journal of International Relations* 3, no. 3 (September 1, 1997): 319–63, doi:10.1177/1354066197003003003. [↑](#footnote-ref-7)
8. Consider Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization* 52, no. 04 (September 1998): 887–917, doi:10.1162/002081898550789. The article begins by reviewing the long history of normative concerns in International Relations scholarship before explicitly pivoting towards and empirical analysis of how norms work. [↑](#footnote-ref-8)
9. I am thinking here of the major texts in international ethics since the publication of Rawls’ *A Theory of Justice* such as work by Charles R. Beitz, *Political Theory and International Relations*, Revised edition with a New afterword by the author edition (Princeton, N.J.: Princeton University Press, 1999); Thomas W. Pogge, *Realizing Rawls*, 1 edition (Ithaca: Cornell University Press, 1989), pt. 3; Michael Walzer, *Just And Unjust Wars: A Moral Argument With Historical Illustrations* (New York: Basic Books, 2006). Social scientific accounts that emphasize how structure determines individual actions limit the scope of individually autonomy, and thereby limit individual moral accountability. This of course is not to ignore numerous other interventions in international ethics from more critical and continental perspective such as Fiona Robinson, *The Ethics of Care: A Feminist Approach to Human Security*, Global Ethics and Politics (Philadelphia: Temple University Press, 2011); Kimberly Hutchings, *International Political Theory: Rethinking Ethics in a Global Era*, 1 edition (London ; Thousand Oaks, Calif: Sage Publications, 2009); Amanda Russell Beattie and Kate Schick, eds., *The Vulnerable Subject: Beyond Rationalism in International Relations*, 2013 edition (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2012); David Campbell and Michael J. Shapiro, *Moral Spaces: Rethinking Ethics and World Politics* (U of Minnesota Press, 1999).. [↑](#footnote-ref-9)
10. Thomas Risse and Kathryn Sikkink, “The Socialization of International Human Rights Norms into Domestic Practices: Introduction,” in *The Power of Human Rights: International Norms and Domestic Change*, ed. Thomas Risse, Kathryn Sikkink, and Stephen C. Ropp (Cambridge: Cambridge University Press, 1999), 8. [↑](#footnote-ref-10)
11. James G. March and Johan P. Olsen, “The Institutional Dynamics of International Political Orders,” *International Organization* 52, no. 04 (September 1998): 943–69, doi:10.1162/002081898550699. [↑](#footnote-ref-11)
12. Richard Price, “A Genealogy of the Chemical Weapons Taboo,” *International Organization* 49, no. 1 (1995): 73–103; Nina Tannenwald, “The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-Use,” *International Organization* 53, no. 3 (1999): 433–68; Richard M. Price and Nina Tannenwald, “Nroms and Deterrence: The Nuclear and Chemical Weapons Taboos,” in *The Culture of National Security*, ed. Peter J. Katzenstein (New York: Columbia University Press, 1996). [↑](#footnote-ref-12)
13. Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics*, First Edition edition (Ithaca, N.Y: Cornell University Press, 1998). [↑](#footnote-ref-13)
14. I draw the term cryptonormative from Habermas’s famous critique of Foucault. See Jürgen Habermas and Frederick G. Lawrence, *The Philosophical Discourse of Modernity: Twelve Lectures*, Reprint edition (MIT Press, 1990), 276. [↑](#footnote-ref-14)
15. Price, Richard M., “Moral Limit and Possibility in World Politics,” in *Moral Limit and Possibility in World Politics*, ed. Price, Richard M. (Cambridge University Press, 2008), 4; Paul Kowert and Jeffrey Legro, “Norms, Identity and Their Limits,” in *The Culture of National Security: Norms and Identity in World Politics* (New York, NY: Columbia University Press, 1996), 451–97. [↑](#footnote-ref-15)
16. Price, Richard M., “Moral Limit and Possibility in World Politics”; Sikkink, Kathryn, “The Role of Consequences, Comparison and Counterfactuals in Constructivist Ethical Thought,” in *Moral Limit and Possibility in World Politics*, ed. Price, Richard M. (Cambridge University Press, 2008), 83. [↑](#footnote-ref-16)
17. J. Marshall Beier, “Dangerous Terrain: Re-Reading the Landmines Ban through the Social Worlds of the RMA,” *Contemporary Security Policy* 32, no. 1 (April 1, 2011): 159–75, doi:10.1080/13523260.2011.556857; K. Anderson, “The Ottawa Convention Banning Landmines, the Role of International Non-Governmental Organizations and the Idea of International Civil Society,” *European Journal of International Law* 11, no. 1 (January 1, 2000): 91–120, doi:10.1093/ejil/11.1.91. [↑](#footnote-ref-17)
18. Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 892. Note in particular their argument that slavery from the vantage point of slave owners rested on a norm of racial superiority. Finnemore and Sikkink obviously do not endorse this position, but they also do explain how one should differentiate between good and bad norms. [↑](#footnote-ref-18)
19. Adler, “Seizing the Middle Ground”; Friedrich Kratochwil, “The Protagorean Quest: Community, Justice, and the ‘Oughts’ and ‘Musts’ of International Politics,” *International Journal* 43, no. 2 (April 1, 1988): 205–40, doi:10.2307/40202526; Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations* (Routledge, 2012); Alexander Wendt, *Social Theory of International Politics* (Cambridge University Press, 1999). [↑](#footnote-ref-19)
20. Price, “A Genealogy of the Chemical Weapons Taboo”; Tannenwald, “The Nuclear Taboo”; Risse and Sikkink, “The Socialization of International Human Rights Norms into Domestic Practices: Introduction”; Keck and Sikkink, *Activists Beyond Borders*; Finnemore and Sikkink, “International Norm Dynamics and Political Change”; Price and Tannenwald, “Nroms and Deterrence: The Nuclear and Chemical Weapons Taboos”; Neta C. Crawford, *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention* (Cambridge University Press, 2002). [↑](#footnote-ref-20)
21. Mervyn Frost, “A Turn Not Taken: Ethics in IR at the Millenium,” *Review of International Studies* 24, no. 05 (1998): 127, doi:null; See also Matthew J Hoffmann, “Is Constructivist Ethics an Oxymoron?,” *International Studies Review* 11, no. 2 (June 1, 2009): 231–52, doi:10.1111/j.1468-2486.2009.00847.x; Crawford, *Argument and Change in World Politics*, 427. [↑](#footnote-ref-21)
22. Jürgen Habermas, “Discourse Ethics: Notes on a Paradigm of Philosophical Justification,” in *Moral Consciousness and Communicative Action*, trans. Shierry Weber Nicholsen and Christian Lenhardt (Cambridge, MA: MIT Press, 1990). [↑](#footnote-ref-22)
23. John Rawls, *A Theory of Justice*, Revised edition (Cambridge, Mass: Harvard University Press, 1999); John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 2001); John Rawls, *Political Liberalism* (New York: Columbia University, 1993). [↑](#footnote-ref-23)
24. Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach*, New Ed edition (Cambridge; New York: Cambridge University Press, 2001); Amartya Sen and Martha C. Nussbaum, eds., *The Quality of Life* (Oxford University Press, 1993). [↑](#footnote-ref-24)
25. Rawls, *The Law of Peoples*. [↑](#footnote-ref-25)
26. Onora O’Neill, *Bounds of Justice* (Cambridge, U.K. ; New York: Cambridge University Press, 2000). [↑](#footnote-ref-26)
27. Reus-Smit, Christian, “Constructivism and the Structure of Ethical Reasoning,” in *Moral Limit and Possibility in World Politics*, ed. Price, Richard M. (Cambridge University Press, 2008), 102. [↑](#footnote-ref-27)
28. Ibid. [↑](#footnote-ref-28)
29. Amartya Sen, “Rights and Agency,” in *Consequentialism and Its Critics*, ed. Samuel Scheffler (Oxford: Oxford University Press, 1988), 187–223. [↑](#footnote-ref-29)
30. Nussbaum, *Women and Human Development*. [↑](#footnote-ref-30)
31. Sikkink, Kathryn, “The Role of Consequences, Comparison and Counterfactuals in Constructivist Ethical Thought,” 139. [↑](#footnote-ref-31)
32. Ibid., 141. [↑](#footnote-ref-32)
33. Thomas Risse, “‘Let’s Argue!’: Communicative Action in World Politics,” *International Organization* 54, no. 1 (January 10, 2000): 1–39, doi:10.1162/002081800551109. [↑](#footnote-ref-33)
34. Price, Richard M., “Moral Limit and Possibility in World Politics,” 75. [↑](#footnote-ref-34)
35. Michael Barnett and Raymond Duvall, “Power in International Politics,” *International Organization* 59, no. 01 (January 2005), doi:10.1017/S0020818305050010. [↑](#footnote-ref-35)
36. Raymond Geuss makes a similar critique of this Kantian influenced form of normative theorizing as being “ethics first” and thereby ignoring the realities of politics and history. See Raymond Geuss, *Philosophy and Real Politics*, First Edition edition (Princeton: Princeton University Press, 2008). [↑](#footnote-ref-36)
37. Richard M. Price, ed., *Moral Limit and Possibility in World Politics* (Cambridge University Press, 2008). [↑](#footnote-ref-37)
38. Antje Wiener, *A Theory of Contestation*, SpringerBriefs in Political Science (Berlin, Heidelberg: Springer Berlin Heidelberg, 2014), http://link.springer.com/10.1007/978-3-642-55235-9. [↑](#footnote-ref-38)
39. Neta C. Crawford, *Accountability for Killing: Moral Responsibility for Collateral Damage in America’s Post-9/11 Wars* (Oxford: Oxford University Press, 2013). [↑](#footnote-ref-39)
40. Michael N. Barnett and Thomas G. Weiss, eds., *Humanitarianism in Question: Politics, Power, Ethics*, Cornell Paperbacks (Ithaca: Cornell University Press, 2008); Helen Kinsella, *The Image before the Weapon: A Critical History of the Distinction between Combatant and Civilian* (Cornell University Press, 2011). [↑](#footnote-ref-40)
41. Price, *Moral Limit and Possibility in World Politics*, 3. [↑](#footnote-ref-41)
42. Sikkink, Kathryn, “The Role of Consequences, Comparison and Counterfactuals in Constructivist Ethical Thought,” 83. [↑](#footnote-ref-42)
43. Jack L. Snyder and Leslie Vinjamuri, “Trials and Errors: Principle and Pragmatism in Strategies of International Justice,” *International Security* 28, no. 3 (March 9, 2004): 5–44. [↑](#footnote-ref-43)
44. Maja Zehfuss, *Constructivism in International Relations: The Politics of Reality* (Cambridge University Press, 2002); Kinsella, *The Image before the Weapon*. [↑](#footnote-ref-44)
45. Price, Richard M., “Moral Limit and Possibility in World Politics,” 7. [↑](#footnote-ref-45)
46. March and Olsen, “The Institutional Dynamics of International Political Orders.” [↑](#footnote-ref-46)
47. Walzer, *Just And Unjust Wars*, 19 – 20. [↑](#footnote-ref-47)
48. Campbell and Shapiro, *Moral Spaces*; R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge University Press, 1993), chap. 3. [↑](#footnote-ref-48)
49. Bahar Rumelili, “Interstate Community-Building and the Identity/difference Predicament,” in *Moral Limit and Possibility in World Politics*, ed. Richard Price (Cambridge: Cambridge University Press, 2008), 253–304; Bahar Rumelili, “Constructing Identity and Relating to Difference: Understanding the EU’s Mode of Differentiation,” *Review of International Studies* 30, no. 1 (2004): 27–47. [↑](#footnote-ref-49)
50. Kinsella, *The Image before the Weapon*. [↑](#footnote-ref-50)
51. Ann E. Towns, *Women and States: Norms and Hierarchies in International Society* (Cambridge University Press, 2010); Ann Towns, “The Status of Women as a Standard of ‘Civilization,’” *European Journal of International Relations* 15, no. 4 (December 1, 2009): 681–706, doi:10.1177/1354066109345053. [↑](#footnote-ref-51)
52. Jonathan Havercroft, “Sovereignty, Recognition and Indigenous Peoples,” in *Moral Limit and Possibility in World Politics*, ed. Price, Richard M. (Cambridge: Cambridge University Press, 2008), 112–38. [↑](#footnote-ref-52)
53. Crawford, *Accountability for Killing*, 3. [↑](#footnote-ref-53)
54. Ibid., 7. [↑](#footnote-ref-54)
55. Ibid., 23. [↑](#footnote-ref-55)
56. Ibid., chap. 9. [↑](#footnote-ref-56)
57. Wiener, *A Theory of Contestation*. [↑](#footnote-ref-57)
58. James Tully, *Public Philosophy in a New Key: Volume 2, Imperialism and Civic Freedom*, 1st ed. (Cambridge University Press, 2009); James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge University Press, 1995); James Tully, *Public Philosophy in a New Key: Volume 1, Democracy and Civic Freedom*, 1st ed. (Cambridge University Press, 2009). [↑](#footnote-ref-58)
59. Habermas, “Discourse Ethics: Notes on a Paradigm of Philosophical Justification”; Rawls, *Political Liberalism*. [↑](#footnote-ref-59)
60. Risse, “Let’s Argue!”; Nicole Deitelhoff and Harald Müller, “Theoretical Paradise: Empirically Lost? Arguing with Habermas,” *Review of International Studies* 31, no. 1 (2005): 167–79. [↑](#footnote-ref-60)
61. Toni Erskine, “Whose Progress, Which Morals? Constructivism, Normative IR Theory and the Limits and Possibilities of Studying Ethics in World Politics,” *International Theory* 4, no. 03 (November 2012): 454 – 455, doi:10.1017/S1752971912000152. [↑](#footnote-ref-61)
62. Hoffmann, “Is Constructivist Ethics an Oxymoron?,” 233. [↑](#footnote-ref-62)
63. Nicholas Rengger, “Progress with Price?,” *International Theory* 4, no. 03 (November 2012): 476, doi:10.1017/S1752971912000164. Robinson makes a similar point about the volume failing to reconcile the tension between analysis of the “real world” and the normative question of “how are we to act”. See Fiona Robinson, “Bridging the Real and the Ideal in International Ethics,” *International Studies Review* 11, no. 2 (June 1, 2009): 397, doi:10.1111/j.1468-2486.2009.00866.x. [↑](#footnote-ref-63)
64. For more on this see Jonathan Havercroft, *Captives of Sovereignty*, 1 edition (Cambridge, UK ; New York: Cambridge University Press, 2011), 214 – 228. [↑](#footnote-ref-64)
65. Richard M. Price, “On the Pragmatic and Principled Limits and Possibilities of Dialogue,” *International Theory* 4, no. 03 (November 2012): 487 – 8, doi:10.1017/S1752971912000176. [↑](#footnote-ref-65)
66. Ibid., 490. [↑](#footnote-ref-66)