

WS 13/14 **ring
vorlesung**

des Exzellenzclusters
»Die Herausbildung normativer Ordnungen«

**Beyond Anarchy: Rule
and Authority in the
International System**
Campus Westend / Hörsaalzentrum

16. Oct. / 23. Oct. / 30. Oct. / 20. Nov. / 04. Dec. / 11. Dec. /
18. Dec. / 15. Jan. / 22. Jan. / 29. Jan. / 05. Feb. / 12. Feb. / 18 c.t.

www.normativeorders.net/ringvorlesungen

NORMATIVE ORDERS

Exzellenzcluster an der Goethe-Universität Frankfurt am Main

GOETHE
UNIVERSITÄT
FRANKFURT AM MAIN



Partners
TECHNISCHE
UNIVERSITÄT
DARMSTADT

PRIF
Prüfungsinstitut
für
Prüfung und
Kerfakultät

HSEK
Hochschule
für
Sozialwissenschaften
und
Kulturwissenschaften



WAGELANGGESELLSCHAFT
Wagelang-Gesellschaft
für
Kulturwissenschaften
und
Kulturwissenschaften



WAGELANGGESELLSCHAFT
Wagelang-Gesellschaft
für
Kulturwissenschaften
und
Kulturwissenschaften

IFS



POINT SUD

Preface

Beyond Anarchy: Rule and Authority in the International System

The normative order of the international system is often described as anarchical, denoting a system in which an overarching authority is missing that could dissolve conflicts between the main actors in this system, traditionally perceived to be nation-states. While the latter assumption has been relaxed during the last decades with the rise of non-state actors on the one hand and inter- and supranational organizations on the other, debates still cling to the notion of anarchy. Even if developments such as supranational decision-making in international organizations, informal decision-making in clubs or private transnational bodies undermine the classical understanding of anarchy, they are often portrayed as a (retractable) delegation of authority by states, but not as an element of rule in the international system. By contrast, international legal scholars think of the international

system as an order governed by legal rules which, since the 19th century, is characterized by an increasing degree of “centralization” (Hans Kelsen) within the United Nations, a move from a management of coexistence to a spirit of co-operation, a proliferation of international organizations and growing influence of constitutional norms. Accordingly, the paradigm is not power, but law. The lecture series covers the tension between these two perspectives and raises an issue that concerns both: What does authority and rule mean internationally? While some hold the position that authority is dependent on legitimacy, others would suggest that legitimacy is rather an accompanying feature of authority or even prefer the term rule, pointing to the existence of opposition and dissidence in the international system.

In order to arrive at a thorough understanding of the changing normative order of international politics, distinguished speakers from different disciplinary (political science, law, sociology) and theoretical backgrounds are invited to discuss these and similar questions.

Prof. Christopher Daase
Prof. Nicole Deitelhoff



Prof. Christopher Daase
Cluster of Excellence Normative Orders
Peace Research Institute Frankfurt



Prof. Nicole Deitelhoff
Cluster of Excellence Normative Orders
Peace Research Institute Frankfurt

Programm

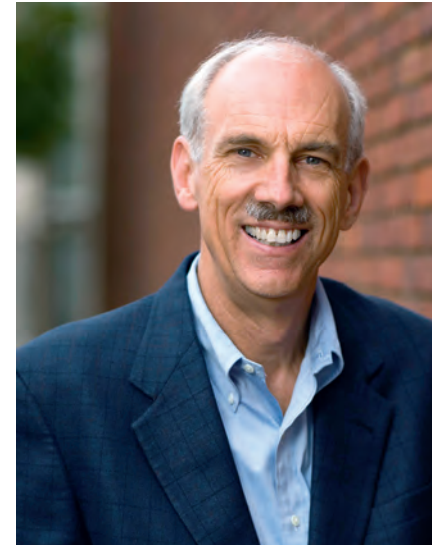
Campus Westend
Hörsaalzentrum

Where? When? What?

- HZ 3** Wed. Oct. 16th 2013 **New Modes of Pluralist Global Governance**
18 c.t. Prof. Robert O. Keohane, Princeton University
- HZ 1** Wed. Oct. 23th 2013 **The Politics of the Governed:
Alter-Globalization and Subalternity**
18 c.t. Prof. Nikita Dhawan, Cluster of Excellence Normative Orders
- HZ 10** Wed. Oct. 30th 2013 **Liquid Authority: Law, Institutions and Legitimacy
in Global Governance**
18 c.t. Prof. Nico Krisch, Catalan Institute of Advanced Studies
(ICREA) / Barcelona Institute of International Studies (IBEI)
- HZ 3** Wed. Nov. 20th 2013 **Authority in a Postnational Order**
18 c.t. Prof. Michael Zürn, WZB Berlin Social Science Center
- HZ 9** Wed. Dec. 4th 2013 **Politics of the International Rule of Law**
18 c.t. Prof. Ian Hurd, Northwestern University
- HZ 8** Wed. Dec. 11th 2013 **Public and Private Authority in Global Governance**
18 c.t. Prof. David A. Lake, University of California, San Diego
- ~~**HZ 9** Wed. Dec. 18th 2013 **Power and Resistance in the New World Order**
18 c.t. Prof. Stephen Gill, York University Toronto~~

Where? When? What?

- HZ 9** Wed. Jan. 15th 2014 **The Advent of International Public Authority**
18 c.t. Prof. Armin von Bogdandy, Cluster of Excellence Normative
Orders / Max Planck Institute for Comparative Public Law and
International Law
- HZ 10** Wed. Jan. 22th 2014 **Contention, Resistance, and International
Institutions**
18 c.t. Prof. Clifford Bob, Duquesne University
- HZ 9** Wed. Jan. 29 th 2014 **Anarchy, Hierarchy, Polyarchy, Monarchy or else?
What sort of global rule for a time of power
change?**
18 c.t. Prof. Harald Müller, Cluster of Excellence Normative Orders /
Peace Research Institute Frankfurt
- HZ 3** Wed. Feb. 5th 2014 **Rule and Rules in International Relations**
18 c.t. Prof. Nicholas Onuf, Florida International University
- HZ 9** Wed. Feb. 12th 2014 **A Gordian Knot? Rule and Resistance in
International Relations**
18 c.t. Prof. Christopher Daase / Prof. Nicole Deitelhoff, Cluster
of Excellence Normative Orders / Peace Research Institute
Frankfurt



Prof. Robert O. Keohane
Princeton University

Abstract

This talk will describe a new mode of pluralist global governance, which my co-authors (Graine de Burca and Charles Sabel) and I describe as "Global Experimentalist Governance." Experimentalist Governance describes a set of practices involving open participation by a variety of entities (public or private), lack of formal hierarchy within governance arrangements, and extensive deliberation throughout the process of decision making and implementation. It is characterized also by continuous feedback, reporting, and monitoring and by established practices, involving peer review, for revising rules and practices. Experimentalist Governance arises in situations of complex interdependence and pervasive uncertainty about causal relationship, and its practice is illustrated by the arrangements devised to protect dolphins from being killed by tuna fishing practices; the UN Convention on the Rights of Persons with Disabilities; and the Montreal Protocol on the Ozone Layer. Without presenting a full theory of the conditions under which Global Experimentalist Governance arises, I put forward four tentative hypotheses about these conditions, for discussion. I propose that governments must be unable to formulate a comprehensive set of rules and efficiently and

Wednesday, Oct. 16th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 3

New Modes of Pluralist Global Governance

effectively monitor compliance with them; they must not be stymied by a lack of agreement on basic principles; civil society actors must be deeply involved in the politics of the issue; and the issue must not be a matter of high politics.

CV

Robert O. Keohane is Professor of International Affairs at Princeton University. He is the author of *After Hegemony: Cooperation and Discord in the World Political Economy* (1984) and *Power and Governance in a Partially Globalized World* (2002). He is co-author (with Joseph S. Nye, Jr.) of *Power and Interdependence* (third edition 2001), and (with Gary King and Sidney Verba) of *Designing Social Inquiry* (1994). He has served as the editor of the journal *International Organization* and as president of the International Studies Association and the American Political Science Association. He won the Grawemeyer Award for Ideas Improving World Order, 1989, and the Johan Skytte Prize in Political Science, 2005. He is a member of the American Academy of Arts and Sciences, the American Philosophical Society, and the National Academy of Sciences. He has received honorary degrees from the University of Aarhus, Denmark, and Science Po in Paris, and is the Harold Lasswell Fellow (2007-08) of the American Academy of Political and Social Science.



Wednesday, Oct. 23th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 1

The Politics of the Governed: Alter-Globalization and Subalternity

Prof. Nikita Dhawan
Cluster of Excellence Normative Orders

Abstract

Unequal access to power and uneven distribution of resources in the current phase of postcolonial late capitalism has spurred a range of critical discourses and movements that seek to reconfigure global hierarchies. Free-market globalization has led to the systematic dismantling of accountability of the state, which is increasingly taking on a managerial role. Ironically, the loss of legitimacy of the state has opened up new opportunities of action for the international civil society, which is increasingly at the helm of global governance. Enjoying a high level of legitimacy in the public sphere, international organizations are increasingly entrusted with the task of globally monitoring issues of justice, peace and democracy. My talk interrogates the vanguardism of extra-state collective action and the state-phobic politics of the feudally benevolent alter-globalization lobby, who have become organic intellectuals of global capitalism. The focus will be on subaltern groups, who can neither access organs of the state nor transnational counterpublics. I will examine the limits and lures of cosmopolitan politics in a postcolonial world by exploring the discontinuity between those who “right wrongs” from above and those below who are wronged.

CV

Nikita Dhawan is Junior Professor of Political Science for Gender/Postcolonial Studies, Cluster of Excellence “The Formation of Normative Orders”, Goethe University Frankfurt. She has held visiting fellowships at the Institute for International Law and the Humanities, The University of Melbourne, Australia; Program of Critical Theory, University of California, Berkeley, USA; University of La Laguna, Tenerife, Spain; Pusan National University, South Korea; Columbia University, New York, USA. Her publications include *Impossible Speech: On the Politics of Silence and Violence* (2007) and *Decolonizing Enlightenment: Transnational Justice, Human Rights and Democracy in a Postcolonial World* (ed., 2013).



Wednesday, Oct. 30th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 10

Liquid Authority: Law, Institutions and Legitimacy in Global Governance

Prof. Nico Krisch,
Catalan Institute of Advanced Studies (ICREA) and Barcelona Institute of International Studies (IBEI)

Abstract

We are used to thinking about politics and law as based on firm institutions with authoritative decision-making power. Most of our key categories and democratic mechanisms revolve around such solid institutions. But solidity has been called into question through the rise of ‘governance’ – and even more so, the rise of global governance. Authority in the global context has increasingly been liquefied: it no longer has a clear locus, it is spread across multiple sites, its forms are malleable, and the actors behind it are often unclear. How can such authority be held to account? Does law continue to play a role in checking it? How can we assess the legitimacy of such governance structures? This talk will look at the rising challenge of liquid authority and different kinds of responses to it.

CV

Nico Krisch is a Research Professor at the Catalan Institute of Advanced Studies (ICREA) and the Barcelona Institute of International Studies (IBEI). His expertise lies in the fields of international law, international institutions and global governance. Previously he has been a Professor of International Law at the Hertie School of Governance in Berlin, a Visiting Professor of Law at Harvard Law School, a Senior Lecturer at the Law Department of the London School of Economics, and has held post-doctoral fellowships at Merton College (Oxford) and New York University School of Law. He holds a Ph.D. in law from the University of Heidelberg and a Diploma of European Law of the Academy of European Law in Florence, Italy. He is the author of *Selbstverteidigung und kollektive Sicherheit* (Self-defense and Collective Security, 2001) and of articles on the United Nations, hegemony in international law, and the legal order of global governance. His most recent book, *Beyond Constitutionalism: The Pluralist Structure of Postnational Law* (2010), was awarded the 2012 Certificate of Merit of the American Society of International Law.

Wednesday, Nov. 20th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 3

Authority in a Postnational Order



Prof. Michael Zürn,
WZB Berlin Social Science Center

Abstract

The Western notion of legitimate rule is strongly associated with democratic constitutionalism. What is needed is in this view a central place of final decisions and democratic procedures to control it. The political developments in the last three decades have undermined that significantly. Democratic rule is increasingly replaced by numerous sites of authorities like central banks or international institutions that neither are able to make final decision nor can be described as democratic. Yet these authorities are often needed and trusted. This leads to a democratic paradox and to reflexive legitimacy -- the revival of contestation about the appropriate criteria for political legitimacy.

CV

Michael Zürn is Director of the Research Unit 'Global Governance' at the WZB Berlin Social Science Center and Professor for Political Science and International Relations at the Free University Berlin. He was founding Dean of the Hertie School of Governance in Berlin (2004 – 2009) and is a member of the Berlin-Brandenburg Academy of Science. He has published in journals like *International Organization*, *World Politics*, *European Journal of International Relations* and *International Studies Quarterly*. Among his most recent publications are *Handbook on Multi-Level Governance*, Edward Elgars Publishers, 2010 (edited together with Henrik Enderlein and Sonja Wälti); *The Dynamics of the Rule of Law in an Era of International and Transnational Governance*, Cambridge University Press, 2012 (edited together with Andre Nollkaemper and Randy Peerenboom); *Can the Politicization of European Integration be Reversed?* in: *Journal of Common Market Studies*, 2012, 1:50, 137-153 (together with Pieter de Wilde); *International authority and its politicization*, in: *International Theory*, 2012, 4:1, 69–106 (together with Martin Binder, Matthias Ecker-Ehrhardt).

Wednesday, Dec. 4th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 9

Politics of the International Rule of Law



Prof. Ian Hurd
Northwestern University

Abstract

The international rule of law is often seen a centerpiece of the modern international order. It is routinely reaffirmed by governments, international organizations, scholars, and activists. On drones and targeted killing, on the use of force, military intervention and non-intervention, and on territorial questions and border disputes, governments frequently suggest that a rule-of-law system among states is the progressive, humane, and modern alternative to power politics, brute force, and coercion. The rule of law often appears as a charmed concept, essentially without critics or doubters, and outside of the realm of politics. In contrast to this view, I consider the political context and content of the international rule of law. Rather than a universal concept that embodies shared interests and goals of states, the international rule of law is a political resource that states use to legitimize and delegitimize contending policies. International law is within international politics. Appeal by governments to the international rule of law as a solution to a political dispute must be seen as power politics in a legal form. This involves more than just asking questions about who writes the rules and for what interests. It also means examining how international law is used in international politics. I examine what the rule of law means for world politics, what it does, and what it replaces.

CV

Ian Hurd is Associate Professor of political science at Northwestern University in Evanston, Illinois. His research is on the politics of international law. It examines how governments use international law to construct and defend their policy positions, and the power of law in shaping those decisions. He is currently writing a book about the international rule of law which focuses on legal and politics questions around the war, drones, torture, and more. He has written widely in the past on international organizations, international law, and international relations, including in the books *International Organizations: Politics, Law, Practice* (2nd ed. 2013) and *After Anarchy: Legitimacy and Power in the UN Security Council* (2007) which won the Myres McDougal prize (Policy Sciences Society) and the Chadwick Alger prize (International Studies Association). His articles and essays have appeared in *International Organization*, *International Politics*, the *Chinese Journal of International Politics*, *Foreign Affairs*, *Global Governance*, *Ethics and International Affairs*, the *Journal of International Organization Studies*, and elsewhere.

Wednesday, Dec. 11th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 8

Public and Private Authority in Global Governance



Prof. David A. Lake
University of California, San Diego

Abstract

The division of politics into domestic systems of hierarchy and effective political order and an international system of anarchy and weak political order is wrong, descriptively and analytically. Authority is not given or fixed, but is itself the product of politics. Public authorities embodied in states, non-state authorities of many forms, and individuals alone and in groups struggle over their legitimate powers and areas of autonomy. Conceived as a political phenomenon, a proper understanding of authority dissolves the domestic-international divide from the inside out. Conversely, authority exists in myriad forms at all levels of politics, including by states over other states, by supranational entities, and by "private" actors. Equating all authority with the public or lawful authority of states, theorists have incorrectly assumed that the international system is anarchic or devoid of authority higher than states themselves. As globalization expands, the power and role of the various global authorities may also increase, if only to maintain existing levels of governance in a world of shared problems or, perhaps, to provide even greater order. The ultimate trajectory and outcome of this dynamic process is now unknown. But we can predict with certainty that, as political projects, global authorities will be increasingly objects of struggle and contestation. Revealing these global authorities, often of long-standing, further dissolves the domestic-international divide, this time from the outside in.

CV

David A. Lake is the Jerri-Ann and Gary E. Jacobs Professor of Social Sciences, Distinguished Professor of Political Science, Associate Dean of Social Sciences, and Director of Yankelovich Center for Social Science Research at the University of California, San Diego. He has written widely in the field of international relations. Lake is the former chair of the International Political Economy Society and past President of the International Studies Association. The recipient of UCSD Chancellor's Associates Awards for Excellence in Graduate Education and Excellence in Research, he was elected to the American Academy of Arts and Sciences in 2006.



Prof. Stephen Gill
York University Toronto

Wednesday, Dec. 18th 2013, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 9

Power and Resistance in the New World Order

The talk had to be omitted

Abstract

Power and Resistance are intricately linked. Because of increasing inequality, massive social dislocations, cultural conflict and economic crisis associated with disciplinary neo-liberalism and market civilization, challenges from left and right to capitalist globalization have become manifest. The politics of globalization will hinge upon the balance of forces between the old and the new, between dominant and subordinate power and thus with challenges associated with new forms of political agency linked to transformative resistance'.

CV

Stephen Gill is Distinguished Research Professor of Political Science, Communications and Culture at York University, Toronto, and a Senior Associate Member, St Antony's College, Oxford University. He has been a Visiting Professor at several universities in the UK, USA and Japan, including, UCLA, Tokyo, Warwick and University of California, Santa Barbara. During 2009-10 he was the inaugural Erkki Visiting Research Professor for the Study of Contemporary Society at the Helsinki Collegium for Advanced Studies, University of Helsinki. His theoretical interests include global political economy, political and social theory, international relations and law and cultural studies. His writings include: *American Hegemony and the Trilateral Commission* (Cambridge University Press 1991/2); *Gramsci, Historical Materialism and International Relations* (Cambridge University Press 1993); and *Globalization, Democratization and Multilateralism* (United Nations University Press 1997). His *Power and Resistance in the New World Order* (Palgrave 2003) won the Choice, Outstanding Academic Title Award of the American Library Association. He has a new book in press, co-edited with A. Claire Cutler, *New Constitutionalism and World Order* (Cambridge University Press 2014).

Wednesday, Jan. 15th 2014, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 9

The Advent of International Public Authority



Prof. Armin von Bogdandy
Cluster of Excellence Normative Orders/
Max Planck Institute for Comparative
Public Law and International Law

Abstract

The talk proposes a distinctly public law approach to the deep transformation in the conduct of public affairs epitomized by the term global governance. We find in many policy fields an increasing number of international institutions playing an active and often crucial role in decision-making and policy implementation, sometimes even affecting individuals. Thus, a private real estate sale in Berlin is blocked by a decision of the UN Security Council Al-Qaida and Taliban Sanctions Committee; the construction of a bridge in Dresden is legally challenged because the affected part of the Elbe river valley had been included on UNESCO's list of World Heritage; or educational policies most relevant to our children are profoundly reformed due to the OECD Pisa rankings. These examples illustrate that governance activities of international institutions may have a strong legal or factual impact on domestic issues. This calls upon scholars of public law to lay open the legal setting of such governance activities, to find out how, and by whom, they are controlled, and to develop legal standards for ensuring that they satisfy contemporary expectations for legitimacy.

CV

Armin von Bogdandy is Director at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg and Professor of Public Law at the Goethe-Universität, Frankfurt/Main. He is President of the OECD Nuclear Energy Tribunal. He was member of the German Science Council (Wissenschaftsrat). In June 2008 Prof. Bogdandy received the Berlin-Brandenburgian Academy of Sciences Prize for outstanding scientific achievements in the field of foundations of law and economics, sponsored by the Commerzbank Foundation. He is Member of the Scientific Committee of the European Union Agency for Fundamental Rights (2008-2013) and was invited to be the Inaugural Fellow at the Straus Institute for Advanced Study of Law and Justice, New York University, Academic Year 2009/2010. He has been Global Law Professor at New York University School of Law in 2005 and 2009 and was appointed as a Senior Emile Noel Fellow from Global Law School Personnel Committee of the New York University (2010-2015).

Wednesday, Jan. 22th 2014, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 10

Contention, Resistance, and International Institutions



Prof. Clifford Bob
Duquesne University

Abstract

Recent decades have seen a proliferation of international institutions. Realists dismiss these as existing merely at sufferance of states and as having little independent effect—a normative order of power. By contrast, liberals highlight the growth of centralized authority and cooperation—a normative order of law. Using empirical examples, my paper argues that international institutions today offer new forums and objects of contention, not only for states but also and just as importantly for national interest groups. Even domestic actors that have traditionally eschewed international organizations/laws because of their alleged threat to sovereignty or tradition increasingly use them to advance their goals or to stymie their foes. On one hand, this shows the growing influence of international institutions. But it does not necessarily indicate that we are entering a period in which law rules. Instead, international law and organizations are one more arena of conflict, one more means to an end. Even when law is contentiously “made,” it is seldom stable, with opponents seeking the law’s reversal, evisceration, or perversion. Even those who use international institutions scorn their authority and legitimacy, if the institutions do not serve crucial interests. The ideal of law as a settled and revered moral ideal—seldom in fact the case within states—is even less so internationally.

CV

Clifford Bob is Professor of Political Science and holds the Raymond J. Kelley Endowed Chair in International Relations at Duquesne University in Pittsburgh. He studies human rights, globalization, and transnational networks. His book, *The Global Right Wing and the Clash of World Politics*, was published by Cambridge University Press in 2012. His 2005 book, *The Marketing of Rebellion: Insurgents, Media, and International Activism* (Cambridge), won the International Studies Association Best Book Award. He has written for political science, law, and policy journals. Among his current projects is “Rights as Weapons in Political Conflict,” on the use of rights claims to camouflage ulterior motives, break opposing coalitions, and attack despised institutions. These include deployment of women’s rights against Muslim communities in France, of animal rights in Catalonia’s bullfighting ban, and of parental rights by Italian secularists seeking to eject crucifixes from classrooms. In a prior incarnation, Dr. Bob worked as a litigator, including *pro bono* refugee and human rights work for the Lawyers Committee for Human Rights, and as a law teacher at the National University of Singapore. Dr. Bob holds a Ph.D. from MIT, a J.D. from NYU, and a B.A. magna cum laude in social studies from Harvard.

Wednesday, Jan. 29th 2014, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 9

Anarchy, Hierarchy, Polyarchy, Monarchy or else?

What sort of global rule for a time of power change?



Prof. Harald Müller, Cluster of Excellence „Normative Orders“ / Peace Research Institute Frankfurt

Abstract

The world, it is said, is undergoing seminal structural change. Unipolarity is giving way to multipolarity, Asia is rising, China is overtaking the USA as number one, the BRIC group is overtaking the West as the hegemonic group, and all this means a fundamental shift in the distribution of global power and, consequently, in the system of rule in the world. All this has to be taken with a grain of salt, of course. A quick look at the two periods of apparently unchallenged US dominance, from 1945 to about 1966 (when the Soviet Union reached nuclear parity), and from 1990 to about 2005 (when the Bush adventures weakened the US at home and abroad), shows an astonishing discrepancy between the highly asymmetrical distribution of power resources and the degree to which the hegemon was able to impose its will on the world. This poses the fundamental question about the relationship of material power and its translation into substantial influence. The sobering answer to this question should calm down the nerves of those who panic about future Chinese dominance. There is, however, a residual reason for disquiet: When the difference between the ambition of the most powerful state and its real world achievement feeds frustration as for Napoleon, Wilhelm II, Adolf Hitler or Tojo, the consequences for the world can

be rather horrible. It is advisable to remember this lesson in the 100 year anniversary of the beginning of World War I.

CV

Harald Müller is Executive Director of Peace Research Institute Frankfurt (PRIF) and Professor of International Relations at Goethe University Frankfurt. He also teaches regularly at Johns Hopkins University Center for International Relations, Bologna, Italy as a visiting professor. His research focuses on arms control, disarmament, non-proliferation, and security policy. His most recent book is *Norm Dynamics in Multilateral Arms Control. Interests, Conflicts, and Justice* (ed. with Carmen Wunderlich). Prof. Müller has served on German delegations to NPT Conferences since 1995. From 1999 to 2005 he was member of the Advisory Board on Disarmament Matters of the UN Secretary General, chairing the Board in 2005. 2004/5 he was also appointed member of the Expert Group on Multilateral Fuel Arrangements of the International Atomic Energy Agency. From 1999 on, he has been co-chairing the Working Group on Peace and Conflict at the German Foreign Office's Planning Staff; since 2010, he is Vice-President of the EU Consortium for Non-proliferation and Disarmament.

Abstract

Twenty-five years ago, when I published a book with the subtitle, *Rules and Rule in International Relations*, scholars in the field had little enough interest in rules (and norms—rules by another name). They had even less to say about rule—the condition of rule in any political society, including international society—because of the inside/outside binary (as R B J Walker would soon call it) and the assumption that anarchy prevails ‘outside.’ In my book, I claimed that three kinds of rules eventuate in three forms (ideal types) of rule. I called them hierarchy, hegemony and heteronomy, and I found them everywhere in international relations. While hierarchy and hegemony were then well known and subsequently much discussed as recurrent phenomena in an unruly world, heteronomy was not—at least not as I conceptualized it. Since then, it has been ignored or confused with anarchy as a general condition. More generally, few scholars in the field are comfortable with the language of rule, however much they now talk about rules. On review, these developments in the world of scholarship do nothing to challenge my claim that international relations constitute a condition of rule. Conversely, globalization has significantly altered ruling practices from top to bottom, inside and out. Rules proliferate. Where there are rules, there is rule. Insofar as International Relations theory is social theory, we could hardly think otherwise.

CV

Nicholas Onuf is Professor Emeritus, Florida International University, Miami, and Professor Associado, Instituto de Relações Internacionais, Pontifícia Universidade Católica do Rio de Janeiro. He holds an honorary Ph.D. from Panteion University, Athens. His latest book, *Making Sense, Making Worlds: Constructivism in Social Theory and International Relations* (2013) was published in conjunction with the republication of *World of Our Making: Rules and Rule in Social Theory and International Relations* (1989).

Wednesday, Feb. 5th 2014, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 3

Rule and Rules in International Relations



Prof. Nicholas Onuf
Florida International University

Wednesday, Feb. 12th 2014, 18 c.t.
Campus Westend, Hörsaalzentrum HZ 9

A Gordian Knot?

Rule and Resistance in International Relations



Prof. Christopher Daase
Cluster of Excellence Normative Orders
Peace Research Institute Frankfurt

Abstract

Global politics is best conceived, we propose, not strictly as anarchy or hierarchy, but as a heterarchy where institutionalized power, or rule, assumes an array of guises, serves diverse functions and can be more or less concentrated or diffuse. We define rule as a structure of institutionalized super- and subordination that reduces contingency and stabilizes expectations. The initial intuition is that ontologically rule predicates resistance, such that power and hegemony are only thinkable and visible when they are contested. Thus, we propose a research programme that observes and theorizes rule by way of observing and theorizing resistance. To do so coherently in a broad range of contexts, we introduce a distinction between opposition and dissidence. Given the definition of rule as a structure of institutionalized super- and subordination, dissidence is the stronger form of dissent characterized by a rejection of the structure in toto. Opposition, by contrast, is resistance to particular manifestations of rule, such as policies or specific norms, while accepting the overall structure. This distinction is analytically valuable because it allows substantively normative features of rule, like authority and domination, to be brought back into the analysis but with an empirically informed, rather than a priori, foundation.



Prof. Nicole Deitelhoff
Cluster of Excellence Normative Orders
Peace Research Institute Frankfurt

CV

Christopher Daase is Chair for International Organization at Goethe University Frankfurt and Research Director at the Peace Research Institute Frankfurt (PRIF). Previously he held the Chair in International Relations at the University of Munich (2004-2009) and was Senior Lecturer at the University of Kent at Canterbury as well as Director of the Programme on International Conflict Analysis at the Brussels School of International Studies (1999-2004). Educated at Universities in Hamburg, Freiburg and Berlin, he became SSRC-MacArthur Fellow in International Peace and Security for 1990-1992 and was Research Fellow at Harvard University and the RAND Corporation in Santa Monica, CA. He received his PhD in 1996 from the Free University of Berlin for an award winning dissertation on unconventional warfare. His research centres on theories of international relations, security issues and international institutions. As member of the Cluster of Excellence "The Formation of Normative Orders" at the University of Frankfurt he currently works on changing patterns of legitimacy with regard to the use of force on the one hand, and on trends of informalization in international politics on the other hand.

Nicole Deitelhoff is Professor for International Relations in the Cluster of Excellence „Formation of Normative Orders“ at Goethe University and heads a research group on “Contested Normativity: Norm Conflicts in Global Governance“ at Peace Research Institute Frankfurt (PRIF). She obtained an MA in Political Science from State University of New York (UB Buffalo) and a PhD from University of Technology Darmstadt. She was visiting professor to Hebrew University in Jerusalem in 2010 and visiting fellow to the Center for European Studies at Harvard University in 2011. Her current research focuses on international institutions and norms, the foundations of political rule and its legitimation beyond the national state, and forms of resistance. Among her most well-known publications are *Überzeugung in der Politik* (Persuasion in Politics), Suhrkamp 2006, *The Discursive Process of Legalization. Charting Islands of Persuasion in the ICC case in International Organization* 2009, and *Leere Versprechungen? Deliberation und Opposition im Kontext transnationaler Legitimitätspolitik* (Empty Promises? Deliberation and Opposition in Transnational Legitimation Politics) in *Leviathan* (2012).

The Cluster

The Frankfurt Cluster of Excellence „The Formation of Normative Orders“ explores the development of normative orders with a focus on contemporary conflicts concerning the establishment of a “new world order”. The network is funded by the national “Excellence Initiative” and combines a series of research initiatives in Frankfurt and the surrounding area. The Cluster is based at Goethe University in Frankfurt/Main.

The Research Programme

Normative orders play a decisive role in conflicts over a just and fair economic order and the realisation of peace, human rights and democracy. These orders serve to justify a system of political rule and a specific distribution of goods and life chances. The Cluster investigates how such orders are handed down, modified, institutionalised and practised over long periods of time. In the second funding phase, researchers from the fields of philosophy, history, political science, legal studies, anthropology, economics, theology and sociology will focus greater attention on the question of how justifications assert themselves in the reality of social power relationships. The Cluster is divided into three research areas:

I THE NORMATIVITY OF NORMATIVE ORDERS:

Origins, Vanishing Points, Performativity

With the onset of modernity, the formation of normative orders itself becomes normative – that is, it becomes reflexive and produces critical standards and procedures for examining normative orders. As a result, normative orders become exposed to persistent revision which compels them to change

from within. At the same time, normative orders, viewed from a dialectical perspective, produce one-sided justifications or justifications that immunise themselves against criticism and likewise generate discursive power. This is the core idea of the first research area which examines the ‘Normativity of Normative Orders’ with regard to its reflexivity, the genesis of normativity and how it is constituted through narratives, art and the media.

II THE DYNAMICS OF NORMATIVE ORDERS:

Rupture, Change, Continuity

The projects of the second research area deal with the transformation of normative orders, whether it be long-term change or change brought about by conflicts between competing orders. On the one hand, the goal here is to develop possible models of transformation; on the other hand, the focus is on the consolidation of normative orders following periods of crisis and radical change. On the programme are case studies on postrevolutionary situations in antiquity up to the transformations currently taking place in North Africa. A further focus is on historical and contemporary constellations in which revitalised religious and nonreligious discourses engage in negotiation over normative orders. A special point of interest is the broad spectrum of Islamic movements.

III THE PLURALITY OF NORMATIVE ORDERS:

Competition, Overlapping, Connection

A variety of competing patterns of order exists at the supranational level. A possible global security order is also an inherently plural construct whose realisation is being pursued by a variety of means. Companies and international organisations are involved in this endeavour in addition to states. The aim of the third research area is to engage in empirical research and normative reflection on new types of legitimation of transnational orders. This also involves the recognition that different types of legitimation and legitimacy of supranational orders compete with each other. Thus a political order is often legitimised by recourse to democratic participation, though also with reference to public interests or social development.

People

Directors of the Cluster:

Prof. Dr. Rainer Forst
(Chair in Political Theory and Philosophy)
rainer.forst@normativeorders.net

Prof. Dr. Klaus Günther
(Chair in Legal Theory, Criminal Law and Law of Criminal Procedure)
klaus.guenther@normativeorders.net

Contact:

Rebecca Caroline Schmidt
(General Manager)
rebecca.schmidt@normativeorders.net

Partners

- › Goethe University Frankfurt (applicant – speaker)
- › Technische Universität Darmstadt
- › Peace Research Institute, Frankfurt am Main
- › Max Planck Institute for European Legal History, Frankfurt am Main
- › Max Planck Institute for Comparative Public Law and International Law, Heidelberg
- › Institute for Social Research, Frankfurt am Main
- › Frobenius Institute, Frankfurt am Main
- › Point Sud, Centre for Research on Local Knowledge, Bamako/Mali

Principal and Partner Investigators:

- › Prof. Dr. Armin von Bogdandy
- › Prof. Dr. Christopher Daase
- › Prof. Dr. Nicole Deitelhoff
- › Prof. Dr. Nikita Dhawan
- › Prof. Dr. Mamadou Diawara
- › Prof. Dr. Thomas Duve
- › Prof. Dr. Moritz Epple
- › Prof. Dr. Andreas Fahrmeir
- › Prof. Dr. Rainer Forst
- › Prof. Dr. Nicola Fuchs-Schündeln
- › Prof. Dr. Klaus Günther
- › Prof. Dr. Gunther Hellmann
- › Prof. Dr. Axel Honneth
- › Prof. Dr. Bernhard Jussen
- › Prof. Dr. Stefan Kadelbach
- › Prof. Dr. Rainer Klump
- › Prof. Dr. Karl-Heinz Kohl
- › Prof. Dr. Hartmut Leppin
- › Prof. Dr. Dr. Matthias Lutz-Bachmann
- › Prof. Dr. Christoph Menke
- › Prof. Dr. Darrel Moellendorf
- › Prof. Dr. Harald Müller
- › Prof. Dr. Sighard Neckel
- › Prof. Dr. Alexander Peukert
- › Prof. Dr. Thomas M. Schmidt
- › Prof. Dr. Luise Schorn-Schütte
- › Prof. Dr. Susanne Schröter
- › Prof. Dr. Martin Seel
- › Prof. Dr. Jens Steffek
- › Prof. Dr. Annette Warner
- › Prof. Dr. Marcus Willaschek
- › Prof. Dr. Klaus Dieter Wolf

Board of Advisors

- › Prof. Dr. Seyla Benhabib (Yale University)
- › Prof. Dr. Timothy Blanning (University of Cambridge)
- › Prof. Olivier Jouanjan (Université de Strasbourg)
- › Prof. Dr. Charles Larmore (Brown University)
- › Prof. Dr. Katharina Michaelowa (Universität Zürich)
- › Prof. Dr. Thomas Pogge (Yale University)
- › Prof. Dr. Claudia Rapp (Universität Wien)
- › Prof. Dr. Hartmut Zinser (Freie Universität Berlin)
- › Prof. Dr. Michael Zürn (Wissenschaftszentrum Berlin für Sozialforschung, WZB)

Addresses

**Cluster of Excellence
The Formation of Normative Orders**

Goethe University Frankfurt am Main

Postal Address:

Goethe University Frankfurt am Main
Grüneburgplatz 1
D-60323 Frankfurt am Main

Office Address:

Lübecker Straße / Corner Hansaallee
Building "Normative Ordnungen"
D-60323 Frankfurt am Main

office@normativeorders.net

www.normativeorders.net

Funded by

DFG