

ARTS1810

International Relations: Conventions & Change

Semester 1, 2015

An extensive set of HD notes for the subject ARTS1810 – International Relations: Conventions & Challenges. The first part are a set of substantive notes required for a deeper understanding of the course. These are derived from the textbook as well as from the prescribed and supplementary readings. The second part contains a set of exam notes. These seek to answer the learning outcomes of every week (these are what they test you on). Finally, the third part contains a concise and an even further cut-down version of the exam notes. These are necessary for memorising for the exam can be quite stressful. After reading the rest of the notes, this final part contains all the necessary quotations from theorists and essential information needed for a HD in the subject by acing the exam. If you're pressed for time as exams roll round, just print out this concise set and get to memorising, and you'll have enough to get through the final exam without a problem.

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SAMPLE

Substantive Notes

Realism

Realism

- Realists argue that states **exist** in a **condition of anarchy** that compels them to seek and to **balance power** to ensure their survival and security.
- IR is tragic realm of **'power politics'** where **'national interests'** clash and moral claims hold little sway
 - Human nature is source of problem as conflict orientated
- The key player in realist world **are STATES** - power
- Character of IR remains static/cyclical thru history
 - **Kenneth Waltz** (1979: 66) **'dismaying persistence'** of war
 - In Wight's words 'the realm of recurrence and repetition' (1966b: 26)
 - Thomas Hobbes, Thucydides
- Martin Wight (1991) – realism, rationalism and revolutionism
 - Rationalism – middle way that sought to avoid extremes of realism/revolutionism
 - Realism – tradition associated with power politics and the 'blood and iron and immorality men'
 - Revolutionism – associated with the perpetual peace of liberal internationalism

Introduction

- Emerging in 1930s, realism's **polemical** target was progressive, reformist optimism connected with liberal internationalists such as American president Woodrow Wilson → against his **optimism**, realism comported to pessimistic **outlook** which was felt to be **necessary in the tragic realm of international politics**
- Realists
 - Thucydides, Machiavelli and Hobbes
- War is **decisive means** of settling matters
- Insofar as order exists in IR, it is the **precarious product** of the **balance of power** or **hegemony** (domination by a great power and its allies) say realists (Dehio 1962; J Levy 1983) → pragmatic acceptance of conflict/power politics essential to realism's outlook
- Approach that **avoids wishful thinking**, deals with international politics as they **actually are**, rather than as we would like them to be
 - Does not abandon **morality** altogether, but it does extol a morality specific to the state (raison d'état or reason of state) and statesmen (ethics of responsibility)
 - So altho realism rejects morality as starting point for the theory and practice of international relations, does not **eschew morality** altogether (A. Murray 1997: chapter 3; Hulsman and Lieven 2005)

Who are the realists? Genesis of a tradition of thought

- Key tenet – concept of anarchy + historical supposition that int relations are **unavoidably** shaped by **power politics** and war
- 1 reason for enduring relevance is emphasis on history
- Realism claims to speak about **historical reality** and takes its convictions, orientations and practice from history

Thucydides - History of the Peloponnesian War

- Roots in the Greek political and historical thought of 5th century BC in Thucydides's *History of the Peloponnesian War* (1972)
 - Clash btwn great powers of his time (Athens, Sparta & Persia)
 - Thucydides searched for **fundamental causes of conflict**, profound logics behind political events, instruments of power deployed by political actors
 - Concentrated on war – war is ultimate test to distinguish reality from appearance in int politics
- He focused on war because it is the ultimate test for those that want to distinguish reality from appearance in international politics which political actors deployed, either openly, secretly, or through dissimulation.
- He concluded that this resolute striving to engage with stubborn political realities, no matter how violent or tragic, is one of the principal claims of realism as a tradition of thought.

Machiavelli - The Prince ([1513] 1998)

- Machiavelli during critical age of Italian city-states, there is hint of Int politics inherited from Thucydides
- Eg. cyclical conception of history based on recurrent nexus of necessity, chance and human decision
- International relations are conceived as a **'realm of recurrence and repetition'** where **'political action is most regularly necessitous'** (Wight 1966b: 26) → the essence of this **repetition** lies in the historical fact that rulers are regularly called upon to suspend conventional moral and legal rules to **deflect threats** to the state → Machiavelli's doctrine of necessity, which is central to the logic of politics
- In Machiavelli's writings recognition of the **autonomy of politics** from other realms of human action, most especially its ultimate independence from morality and law
- Politics has its own rules, **cannot be reduced** to or contained by **moral/legal rules** since it must **respond** to the demands of **necessity**
- 2 influential jurists **Hans J Morgenthau** (2010) and **Carl Schmitt** (1976) → identified the intense antagonism btwn friend and enemy as the crucial dimension of concrete historical politics
- Thru Machiavelli's analytical lens it became possible to regard Int politics free of ethical prescriptions
- Insisted on attending to **'the effectual truth'** of political matters, **not idealised or utopian constructions** (Machiavelli 1998: 52) → advocated clear-eyed, pragmatic consideration of the amorality of power that St Augustine (AD354-430) acknowledged from a Christian perspective and that was to become so influential on many twentieth-century realists including Reinhold Niebuhr and Herbert Butterfield
- **Carr** considers M the **'first important political realist'** → deduced 3 essential realist tenets
 1. 'history is a sequence of cause and effect, whose course can be analysed and understood by intellectual effort, but not ... directed by "imagination"'
 2. 'theory does not create practice ..., but practice theory'
 3. 'morality is the product of power'
 - Carr (1946: 63-64)
- Machiavelli also discerns that **political dimension** of human race, role of fear, avarice, ambition in driving political action and generating conflict

Thomas Hobbes - Leviathan ([1651] 1968)

- Provides realist w/ most fundamental idea (later taken by Jean-Jacques Rousseau (1712-78))
- Had a similar idea taken upon by the French thinker **Rousseau**:
 - *'that international life is a miserable condition because it is actually a condition of war, whether latent or actual, the state of nature.'*
- Realists conceive anarchical structure of IR thru primordial condition called the 'state of nature'
- In this 'natural condition' (Chapter 13, 185) individuals exist in a lawless or ungoverned environment 'without a common Power to keep them all in awe'
- State of nature = state of war

- To escape this intolerable condition, individuals agree to **enter a civil society** and install a sovereign power → though individuals may **escape this state of war, the states they form do not** – Hobbes suggests; international relations are **thus a state of war**
 - Individuals in Classical realism/neo-realism can only seek to **maximise their own interest** in the **international space** → irrelevant for neo-realists → Classic Realist - the father of realism
- This condition originates in absence of **overarching sovereign power** → international anarchy, no world gov
- Does not indicate state of disorder or chaos, but rather captures fact that sovereign states do not recognise any **other higher authority above themselves**
- Two **consequences** derive from the **absence of world government** (or the presence of a state of nature) according to realists:
 - **first**, nothing can impede the **normal recurrence of war**
 - **second**, **states are responsible** for their own **self-preservation**.
- **Hobbes** portrays **state of nature as antithesis of civil society** that forms when **individuals agree to establish a sovereign authority** → it is a state of war that pits ‘every man, against every man’ because there is no ‘common Power to keep them all in awe’ (p. 185)
 - In such a condition, **no justice, no law, no property** (p. 188)
 - ‘every man has a Right to everything’ (p. 190)
 - Famously describe life of individuals as ‘solitary, poore, nasty, brutish, and short’ (p. 186)

A turning point: the ‘international anarchy’

E.H. Carr – Utopia and Reality

- Expression first appearance during Great War → fundamental concept
- Carr’s text is **polemical attack** in name of realism against utopian approach → considered liberalism flawed and responsible for disaster of WW1
 - Most problematic assumption was that of a ‘natural harmony of interests in int relations, born of ‘the almost total neglect of the factor of power’ (Carr 1946: cv)
- For Carr, international relations have an **oligarchical configuration**, where a few states are more important than others
 - Divided into 2 classes of ‘haves’ and ‘have-nots’
 - ‘haves’ possess wealth and influence and are satisfied with existing int order (status quo powers)
 - ‘have-nots’ are dissatisfied states or revisionist powers, explains recurrent tensions
 - Carr rejects the ‘utopian assumption that there is a **world interest in peace** which is identifiable with the interest of each individual nation’ (Carr 1946: 51)
 - This ‘harmony of interests’ **assumption** fulfils **ideological** rather than analytical **function**, concealing the ‘unpalatable fact of a **fundamental divergence of interest** btwn nations desirous of maintaining the status quo and nations desirous of changing it’ (Carr 1946: 51)

Hans J. Morgenthau

- German-Jew who escaped from Nazi-Germany to US, declared **end of liberal illusion** and its rationalist **faith in progress**
- **Echo Nietzschean sentiments** → he sceptical about human rationality in int politics and critical of excessive American confidence in a ‘legalistic-moralistic approach’ to IR
 - **Realists** stress **corrupting/pervasive influence of power** on human relations
 - Seminal book *Politics among nations* (1973) places **power at centre of political universe**
 - ‘international politics, like all politics, is a struggle for power’ (Morgenthau 1973: 25)
- **‘tragic presence** of evil in all **political action**’
- ‘the **lust for power** which manifests itself as the desire to maintain the range of one’s own person with regard to others, to increase it, or to demonstrate it’ (Morgenthau 1946: 202-203, 192)

- The issue of morality is just rubbish – he is the classic realist – as much morals as you want, but it will come down to **survival and military control**
- Six general principles of political realism
 - Flawed human nature in which laws of politics have their roots
 - Politics as an autonomous field of human activity
 - Moral principles with relative, rather than universal value
 - Interest defined in terms of power – an objective category which is universally valid
 - Distinguish btwn political and non-political
 - Provides link btwn reason trying to understand int politics and facts to be understood
 - Statesmen actions are directed towards defence of national interest, what one's own nation needs and wants in order to reach its aims
- 1. Politics are governed by 'objective laws that have their roots in human nature'
- 2. The concept of 'national interest defined in terms of power' is the most important foreign policy goal
- 3. While 'interest defined as power' remains unaffected by historical change, the exercise of power is permanent
- 4. 'universal moral principles' cannot be used to judge the actions of states in their abstract formulation. Prudence is the morality proper to politics
- 5. 'political realism refuses to identify the moral aspirations of a particular nation with the moral laws that govern the universe'
- 6. Politics in an autonomous sphere, distinct from, and not subordinate to the standards of, economics, law, morality, and so on (Morgenthau, 1973: 3-13)

Security is one of the interests that **Raymond Aron** (1966: 72) following Hobbes, calls 'eternal'.

- Self-help is the only certain means to uncertain end of self-preservation or survival
- Since states do not recognise any other higher authority, nothing other than states themselves can prevent or counter the use of force in their relations
- Thru balance of power that states or thru alliances can **check power** of other states
- BoP can preserve a state's **independent existence** from threat, aggression and hegemony (domination by great power and its allies)
- Realists see the BoP as the only **real means of achieving common security**
- Diplomacy – the art of **communication and negotiation** btwn powers → essential part of conscious **preservation of political equilibrium** among states
- Cultural and ideological factors matter bcos states that belong to the same type and share common policy goals prefer resolving disputes thru the work of a trusted diplomacy

The structural approach: neorealism

- Basis of neorealism is a scientific method that systematises core doctrines of realist thought into a structural model of international relations
- Elaborated during 2nd half of CW
- Based more on economic theory and philosophy of science than on historical reflection
- **Waltz** (1959, 1979) parsimonious version – neorealism breaks the connection btwn the internal/external dimensions of politics, **denying** that the **internal structure** of states has any **effect** on interstate **relations**
- By defining the structure of the Int system, NR seeks to establish autonomy of international politics
- War, alliances, BoP cannot be explained by focusing on the behaviour of the states → 'units' must be treated as empty boxes bcos their domestic arrangements and characteristics do not rly make a difference at the level of the Int system → the fundamental structure of anarchy shapes the behaviour of states, not their internal make-up
- For systemic analysis of structure, Waltz says there are only 3 elements that matter
 - Differentiation of units

- The organising principle
- Distribution of capabilities
- w/ regard to Int system, differentiation of units irrelevant since states are undifferentiated in their primary function, to produce their own security (bcos no one else can)
- Organising principle of the Int system is anarchy, not hierarchy and ‘self-help is necessarily the principle of action in anarchic order’ (Waltz 1979: 111)
- This structural condition obliges each state to constantly guard its security and defend its relative position with regard to other states without relying on others → every state for itself
- Anarchy imposes mistrust/uncertainty on others’ intentions, obstructing **mutually advantageous cooperation** even in ‘soft’ dimensions like economics and trade (Grieco 1990)
- States concerned with asymmetric distribution of advantage, worrying about relative gains (‘who will gain more’ rather than absolute gains (‘will both of us make some gain?’))
- Cooperation under anarchy is limited bcos to be dependent on other states who are free to cheat is risky
 - interdependence produces **reciprocal vulnerability**
- Virtually all states ‘at a minimum, seek their own preservation and, at a maximum, drive for universal domination’ (Waltz 1979: 119)
 - distribution of capabilities, esp in military field, is fundamental changing element in IS
- **bipolar** – 2 great powers
- **multipolar** – more than 2
 - Such configurations are regularly produced by the BoP
- BoP works as automatic mechanism – not product of intentional diplomatic efforts made by states → unintentional and inevitable outcome of interactions under conditions of anarchy
- Great powers tend to adopt defensive behaviour that upholds status quo → thus, the IS, like market, tends towards equilibrium
- Neorealists present **at least one other view**
- John Mearsheimer (2001: 29 250) concentrating on war and strategy in his *Tragedy of great power politics* suggests that great powers **‘are always searching for opportunities to gain power over their rivals’**
- Diverges from Waltz/Carr → great powers seek to extend their hegemony → implies concern is not simply for security but for power → classical realism
 - Offensively-orientated states could behave as revisionist powers in response to structural constraints
 - Contest neorealism’s assumption that all states have an equal set of interests (Schweller 1998)
- Some have reaffirmed the relevance of domestic politics and human nature factors, like perceptions and motivations (Walt 1987)
- Others challenge the automaticity that neorealism attributes to the political process, primarily the BoP (Schweller 2006)
- All this suggests that realism is a **broad tradition of thought** with an ongoing debate about the relative **importance** of **power/security** in grasping the **interests** of states **under the conditions of anarchy**

What is realism? Synthesising theory and practice

Despite differences, two varieties of realism share key concepts and doctrines → reconcile into 1 system of thought

- Two shared assumptions
 - The state as the main actor in world politics
 - Logic of anarchy as a dominant constraint in IR
- Realism as a practical guide to politics that affirms 2 moral values of **prudence and responsibility**

The State

- Realism principally concerned with states as power – security maximising actors in context of Int anarchy
- States are fundamental units of organised, hierarchical power → relations dominate politics

- 3 key features of state as understood by realism
 1. States possess **sovereignty** – **supreme authority** to make/enforce laws
 2. States govern by **exercising a monopoly** over both **internal/external instruments** of legitimate **violence** (embodied in police/armed forces)
 3. Sovereign organisations are **territorial**, partitioning Earth by imposing material and immaterial barriers btwn ppl (borders + citizenship)
- Other existing organisations – international (UN), supranational (EU), transnational (NGOS) perform important roles but are always ultimately subordinate to states,
 - ❖ Int law occupies an analogous condition of subordination, being the product of the contingent will and actual practice of the states
 - ❖ Non-state actors have reduced political space to conduct their transborder activities in IR
- The **Role of States**
 - ❖ States perform essential political, social and economic functions for all other actors in world politics and no other organisation appears today as a possible competitor (Spruyt 1994)
 - ❖ Make rules and maintain institutions that shape international life, including its economic and cultural dimensions, popularly known as ‘globalisation’ (Waltz 1999)
 - ❖ Globalisation core values are championed by US and liberal/capitalist allies
 - ❖ Values could change if another state with diff values/interests such as China, achieve hegemony in IR → **dominant global trends depend on the power and interests of hegemonic states**
- For realism, the Int use of violence by civil factions, **like terrorists**, against a foreign enemy’s territory is nothing new
- Historical precedents
 - ❖ Egyptian-based *Fedayeen* raid against Israel before the 1956 war
- TODAY: what is new are **ideological goals** and worldwide nature of Islamist terrorism – links across frontiers as in 9-11
 - ❖ Attacks demonstrated not only states may legitimately employ violence
 - ❖ US-led coalition of states destroyed Afghan-based terrorist headquarters of al-Qaeda and overthrew ruling Taliban gov.
 - ❖ War against Iraq, despite opposition from states and by UN
 - ❖ US reasserted its legitimacy and power in face of terrorist challenge by attacking states alleged to be complicit with terrorism → US’s actions are consistent with Mearsheimer’s logic of **offensive realism**
 - ❖ Opposition to the Iraq War did not generate balancing condition → US power unchecked – sign of **unipolarity** – supremacy of US in an Int system bereft of any comparable power

Anarchy

- Int anarchy conditions + constrains inter-state relations
- Realism – conflict over power can only be superseded thru a hierarchical structure of dominion based on command and obedience – when world gov. supersedes anarchy
- In the absence of world gov, security can only be obtained thru self-help → survival in IR is of paramount relevance and fear is a fundamental emotion bcos it is indispensable emotion for survival
- Absence of overarching authority to prevent use of force creates crucial uncertainty about others’ intentions
- Lack of trust generates what in 1748 French philosopher **Montesquieu** (2000: 224) called a ‘**disease**’ that has ‘**necessarily become contagious**’ → ‘as soon as one state increases what it calls its troops, the other suddenly increases theirs, so that nothing is gained thereby but the common ruin. Each monarch keeps ready all the armies ... and this state in which all strain against all is called peace’.
- In modern terms, this spiral of insecurity is called the **security dilemma** (Herz 1962)
 - Providing for one’s own security can often inadvertently increase the **sense of insecurity** in other states

- Thus military ‘defensive’ arrangements are likely to be **matched** by other states → dangerous spiral that paradoxically leaves every state feeling even more insecure
- Int anarchy breeds not just fear but **hostility** among states → this + scarcity of resources makes peaceful solutions difficult
- Without scarcity, hostility would be neutralised
- For realism, this is not the case in Int politics → **hostility + scarcity are structural conditions left unsettled by the absence of a common gov.** → hence conflict inevitable and may always reach point where war becomes legitimate instrument for reaching final decision

Prudence and responsibility

- Neorealism is more theoretically rigorous but less historically or normatively rich than classical realism
- Scientific inspiration removes the classical normative interest in tension btwn morality and politics
- Common normative theme of **ethic of responsibility**
- Logic of international politics **grants supreme moral value to survival of the state** and its interests → this value legitimates the infringement of secondary values such as ‘liberty’ and ‘justice’ yields doctrine of **‘reason of state’** (Meinecke 1962) → political form of reasoning that responds to necessity
 - Based on idea that politics is both autonomous and primary
 - Political reasoning, when the state’s vital interest/survival is at stake, obeys own rules w/o morality
 - But not completely free of normative intent → generates ‘ethic of responsibility’ as opposed to ‘ethic of conviction’ (Max Weber 1948)
 - EoC conceives politics as realisation of morally pure ‘ultimate ends’
 - EoR based on distinction btwn personal/pol moral behaviour and privileges consequences > intentions → good convictions do not matter in Int politics as much as consequences of actions → thus why realists so outspoken critics of US foreign policy adventurism
 - Duty of statesmen to accept responsibility for consequences on behalf of nation
 - Justifying bad consequences in terms of good convictions is politically unacceptable
 - On contrary, leaders must confront reality that good pol consequences require morally questionable means
 - For Machiavelli (1998: 60) this meant rulers were often obliged to act against conventional ethics and be prepared ‘to enter into evil when necessity commands’
- For realists, IR theories built on **EoC cannot solve dilemmas** of Int politics (IP)
- **Hence EoC is proper political ethic** and **prudence** as the **judging of consequences** of **diff pol actions** is the **supreme moral virtue** in politics
- **Realism’s political morality**
 - **Morgenthau (1973: 3-4)** on the ‘lesser evil’
 - ‘[realism] appeals to historic precedent rather than to abstract principles, and aims at the realization of the lesser evil rather than of the absolute good’
 - **Kenman (1996: 270)** on the amorality of reason of state
 - ‘the interests of the national security for which gov. must concern itself are basically those of its military security, the integrity of its political life, and the well-being of its ppl. These needs have no moral quality. They arise from the very existence of the national state... They are unavoidable necessities’
 - **Morgenthau (1973: 12)** on prudence
 - ‘there can be no political morality without prudence. Realism, then, considers prudence... to be the supreme virtue in politics’

Conclusion

- The barycentre of realism is historical continuity → reveals a tendency to occlude a crucial dimension of international relations – change (Ruggie 1983)

- Critical theories are sceptical about realism's assumption of anarchy's historical permanence
- States continue to be dominant political units in IR, no inclination to convert into formal hierarchy
- In Int relations, power remain central preoccupations
- Demands for justice are commonly outweighed by reasons of state, and human interests often sacrificed for national → thus realism remains indispensable tradition of thought today

Week 7: The Fall of the League of Nations and the Rise of the UN

Learning Outcomes:

- Distinguish between realist, liberal and other understandings of international institutions;
- Evaluate realist, liberal and other understandings of international institutions and explain which you find most persuasive;
- Provide a detailed outline of the institutional arrangements of the UN in general and the Security Council in particular;
- Apply your understanding of the functions and powers of the Security Council to a case study (for example, military intervention in Iraq 2003 or Libya 2011).

Required reading:

1. Bellamy, A. (2012) 'The Ethics and Laws of War', in R. Devetak, A. Burke and J. George (eds) *An Introduction to International Relations*, 2nd edition, Cambridge: Cambridge University Press, 218-230.
2. Burke, A. (2012) 'Security' in R. Devetak, A. Burke and J. George (eds) *An Introduction to International Relations*, 2nd edition, Cambridge: Cambridge University Press, 160-171.
3. Hurd, I. (2012) 'The United Nations' in R. Devetak, A. Burke and J. George (eds) *An Introduction to International Relations*, 2nd edition, Cambridge: Cambridge University Press, 296-309.

The Ethics and Laws of War

When is it right to fight (jus ad bellum)

- Contemporary Int law on use of force based upon UN Charter
- Before 1945, widely considered that states had inherent right to wage war when they believed they had case to do so
 - Defend themselves
 - Protect their interests
 - Claim a territory
- Horrors of WW2 → regime too permissive
- Article 2(4) of UN Charter explicitly forbids use or threat of force in int relations → fundamental rule of IR, only 2 **exceptions**
 - 1. States have inherent right to self-defence when attacked: Article 51 of Charter
 - 2. UN's peak body for peace/security issues, SC has right under Article 39 to authorise collective enforcement action
- 'Chapter VIII' resolution → need to identify threat to int peace and security
 - 9/15 Council members must vote in favour + none of P5 must veto
- Contemporary 'just war' writers criticise UN Charter system for forbidding aggressive war and downplaying role of justice in determining a war's legitimacy.
 - J. T. Johnson (1999: 57) argued, labelling war as 'aggressive' does not resolve Q of whether it is just, yet UN Charter makes that presumption

- Charter's drafter's chose this restrictive model to prevent future world wars → conflict prevention was to remove ambiguity in the legal framework by building a 'presumption against aggressive war' into the Charter
- Perverse effect → 1979, Vietnam invaded Cambodia to remove Pol Pot (genocide 2 mil Cambodians)
- Presumption against aggressive war forced Vietnam to justify its invasion by claiming SD, which rejected by many states who imposed sanctions on Vietnam, demanding withdrawal from Cambodia and even offered indirect support to genocidaires (Wheeler 2000: 78-110)
- Tension btwn law's presumption against aggressive war and ethical 'presumption against injustice' (Johnson's term) is arguably central dilemma of jus ad bellum today
- The moral rules governing recourse to force found in the 'just war' tradition are more permissive than positive law in that they permit war in wider number of instances
- Also more conditions.
- 3 types of rule
 - Substantive
 - Prudential
 - Procedural
- **Jus ad bellum** contains
 1. 4 substantive criteria
 - a. Right intention
 - b. Just cause
 - c. Proportionality of ends
 - d. Last resort
 2. Prudential checks
 3. Procedural requirements

Substantive criteria

1. Right intention

- Individuals must wage war for common good, not self-aggrandisement or hate
- Ideas of dropping, as not clear why actors must have right intentions when wage war (Chris Brown 2002: 109-9)
 - But argument overlooks role that right intentions play in justification of killing
 - Just war tradition insists soldier's intention is critical bcos killing for personal gain/hatred wrong
- When soldiers kill, only because it is only way of defending common good or righting a wrong

2. Just cause

- Limited to SD, defence of others, restoration of peace, defence of rights and punishment of wrongdoers
- Often viewed in absolute terms → combatant either has JC or not
- This tendency supported by legal positivism, which holds actors either comply with law or violate it (Walzer 1977: 59)
- Since Vitoria (1991) in 16th century, most 'just war' writers separated objective of true justice (knowable to God) from subjective justice (knowable to humans)
- Thus, wars can appear just on both sides → to cope w/ this:
 - 1. Vitoria argued princes should show due care before waging war + seek advice from learned ppl and listen to opponent's arguments
 - 2. Just cause rule should be understood in relative terms, not absolute, but of having more or less of one → 'sufficient cause' – sufficient to legitimise actions we plan to take – requires assessment of 2 factors, reason for war + intended strategy

3. Proportionality of ends

- Proportionality of ends asks whether overall harm likely to be caused by the war is less than that caused by the wrong that is being righted
 - Vitoria suggested (1991) that proportionality played significant role in judgments about legitimacy of war
 - While war was legitimate to right wrongs, not all wrongs legitimised war
 - Some wrongs neither grievous/widespread to legitimise evils that entailed
 - Proportionality more than prudential calculation → prudence viewed from eye of beholder
 - Prudential account asks whether likely costs to us are greater than likely benefits (Vitorian, calculation of all likely costs)

4. Last resort

- Is use of force only/most proportionate way that wrong is likely to be righted
- LR does not require exhaustion of every means short of force → if so, force never be licit bcos one can always continue to negotiate
- Instead, LR demands that actors carefully evaluate all the diff strategies that might bring about the desired end, selecting force if it appears to be the only feasible strategy for securing those ends

Prudential criteria

- Prudential criteria impose important checks on decisions to wage otherwise justifiable wars
- Principal prudential check is **reasonable chance of success**
- As war always entails some degree of evil, wrong to wage war for a justifiable purpose unless those instigating can reasonably expect to prevail
- From **realist perspective** – prudence includes both overall likelihood of success and calculations about costs of success
- State may be able to prevail, but cost of prevailing may be higher than it wishes to pay to satisfy a particular just cause
- Bcos from a realist perspective, pol leaders have a primary moral responsibility to welfare of own citizens, may not sacrifice that welfare unless vital interests/fundamental values at stake

Procedural requirements

- Requirements of *right authority* and *proper declaration*
- As sovereign states, from 18th until mid-20th centuries, states given free hand to authorise war whenever they saw fit
- Right heavily restricted by 1945 UN Charter
- Q of who has **right to authorise war**, remains moot point today
- Positive law suggests only states **under attack** and UNSC have this right
- Others hold individual states may wage war in other instances + other actors, national liberation movements, may also legit wage war
- Requirement for **proper declaration** derived from Roman system, only princes w/ power can wage + had to clearly state case, providing opportunity for peaceful restitution
- Nowadays, **declaration** can serve 3rd purpose, clearly marks transition from peace to war and hence type of legal rules that ought to be applied

How should war be waged? (jus in bello)

- **Legal/moral rules** governing conduct of war more defined than *jus ad bellum* rules
- ICC prosecute where host state unwilling/unable to prosecute offenders
- International society's first attempt came in form of **4 Geneva Conventions of 1949** after WW2

- Int Committee of the Red Cross/Red Crescent (ICRC) convened meeting of experts in 1947, produced draft convention that was put to states at Geneva Conference
- Agreement on **fundamentals** eg. further protection for PoWs
- Draft envisaged convention that applied to all forms of armed conflict – but many states, not want protected afforded to rioter/sguerrillas/terrorists
- On other hand, fascist occupied countries worried giving states free hand to suppress local insurgents could be used by unjust aggressors to justify brutality towards host population and insisted that convention recognise that partisans had liberated parts of Europe → result was compromise
- Common Article 3 committed parties in ‘non-Int’ wars to respect **human rights** without specifying privileges for insurgents + Convention on the Protection of Civilians (Convention IV) → legal protection to non-combatants in occupied territory
- Upshot was that victims of Int wars received **more protection from laws** of war than victims of civil wars
- Geneva Conventions comprised comprehensive code of *jus in bello* → wide protection to non-combatants, wounded and sick and prisoners of war
- 1980s, was widely held conventions had status of customary law binding on all
- Consequently, grave breaches of conventions **universally punishable**, though there remained no instrument for punishing perpetrators
- Within a decade or so of their enactment, became clear **significant gaps** in the conventions
- Not least, no prohibition on indiscrim bombardment, no **proportionality clause** in 4 conventions (Best 1994: 106-7)
- Furthermore, decolonisation + overwhelming preponderance of internal wars created impetus for extending protections afford in int wars to internal conflicts
- Btwn 1974-77, states returned to Geneva to negotiate additions to conventions

First Geneva Protocol

- Extended protection **afforded to non-combatants**
- Attacks be strictly limited to military objectives
 - ‘objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction...in the circumstances...offers a military advantage’
- Soldiers forbidden from **attacking non-combatants** or property (except if ‘dual use’ facilities)
- Protocol forbade booby traps, lasers, landmines → weapons indiscriminate of targets
- US, UK Russia → All 3 indicated Protocol binding and legality of nuclear weapons is indeterminate, a position confirmed by ICJ in *Legality of Nuclear Weapons* case

Second Geneva Protocol

- Regulated how states might respond to **internal insurgents**
- Reinforced idea behind **human rights**, states not free to treat citizens however they liked
- US complained gave too many rights to **‘terrorists’**
- System to moderate force/protect non-combatants
- **NOT EFFECTIVE** → Pol Pot and Idi Amin, other despots not deterred from systematically massacring non-combatants
- **‘new wars’** of 1990s – direct targeting of non-combatants is war strategy → culminating in ICC creation 2002

The Moral Restrictions

1. The principle of discrimination: non-combatants must never be deliberately attacked
2. The principle of proportionality: military targets may only be attacked when military value outweighs foreseeable destruction that will result
3. Combatants must not use prohibited weapons or conduct themselves in ways that violate laws of war

Jus in bello

- Thomas Aquina 13th Century
- Any act may have 2 consequences: one intended and one that is not
- Even if we intend good, our actions cause unintended negative consequences
- Doctrine of double effect → negative/unintended consequences are excusable if 4 conditions satisfied:
 1. Desired end must be good in itself
 2. Only the good effect is intended
 3. The good effect must not be produced by means of the evil effect
 4. The good of the good effect must outweigh the evil of the evil effect (proportionality) (Ramsey 1961: 43; 48-9)
- There is a **major flaw with this rendition** + double effect injunctions ought to be treated **sceptically**
- Walzer (1977: 156)
- There must be a 'positive commitment to save lives. Not merely to apply the proportionality rule and kill no more civilians than is militarily necessary'
- Idea that it is possible to separate intent and act, esp when referring to individuals in combat → criticised
- Critics argue no practical difference btwn intending deaths of non-combatants near military targets and merely foreseeing it (McKeogh 2002)
- To display intention not to harm non-combatants → must demonstrate they did not deliberately seek to kill + taken every reasonable precaution to minimise likelihood of harm (**due care**)
- Qs of how much **additional risk** should be **accepted** → debates cannot be resolved in the abstract, but only thru empirical assessments of individual cases

Preemptive self-defence (Jus ad bellum)

- 'We cannot let our enemies strike first' (US 2002)
- After 11 September 2001, US and allies argue for preemptive self-defence
- Condemned by many states, esp in Asia/Middle East
- Is it illegal/unjust?
- Since 1945, interpretations of Art 51 of UN charter tend fall into 2 camps – restrictionist/counter-restrictionist
- Restrictionists insist Art 51 expressly rules out pre-emption → only in SD after armed attack
 - Supported by ICJ in *Nicaragua v US*.
 - Argue that if these limits were loosened, states encouraged to abuse right to SD, eroding the distinction btwn aggression and defence (Cassese 1986: 515-16)
 - Altho evidence Charter's drafters intended Art 51 to provide only **limited right to SD** → waiting before attacking criticised
 - Humphrey Waldock (G. Roberts 1999: 483) described it as 'a travesty of the purposes of the Charter'
- Counter-restrictionists argue Art 51 does not diminish a state's inherent right to preemptive SD
 - 3 justifications
 - 1. Implied in Charter's language. Article 51 explicitly endorses a state's inherent right to SD, including a right of pre-emption
 - 2. States tended to judge pre-emption on merits of each case. When threat imminent, Int society willing to tolerate pre-emption → paradigmatic case was world's reaction to Israel's 1967 preemptive attack on Egypt → tho some states condemned, many accepted necessary for Israel to use force to defend itself (C. Gray 2000: 112-13)
 - 3. Strong tradition of moral thinking in favour of pre-emption
- Balance of argument suggests **right of SD that permits pre-emption in some cases** but forbids 'preventive' attacks before a threat has become imminent
- According to *Caroline* case to invoke pre-emption a state has to demonstrate
 - 1. Imminence of an attack

- 2. Necessity of pre-emption
- 3. Proportionality of its intended response
- Attack is imminent if enemy has demonstrated intention to attack + acquired means
- Imperative that state's force when preemptive have compelling evidence of target's intent/ability

Cluster Bombs (*Jus in bello*)

- Cluster bombs deliver large amount of smaller submunitions over a significant area, increasing the overall radius of destruction that a bomb can achieve
- 2 issues
 - 1. Not individually targeted
 - 2. Unexploded submunitions become anti-personnel landmines
- Convention on Cluster Munitions – prohibits manufacture, use and stockpiling of cluster munitions
 - 47 countries signed and ratified agreement
 - Inc. UK who had used cluster munitions in Kosovo and Iraq
 - 70 states signed but not ratified
- Cluster bombs only used discriminately if away from civilian areas
- May have indiscriminate effect
 - Protocol 1 attacks 'which employ a method or means of combat the effect of which cannot be limited as required by this Protocol'
- US used against frontline targets in Afghanistan → highlights merits of both sides of debate
 - Human Rights Watch – choice of CB to strike targets close to residential area constitutes failure to take 'all feasible precautions' → argues use of CB near residential should be presumed indiscriminate (2002: 24)
 - Many cases, bombs miss target, accidental killings
- US Defense Department is on the record as arguing that unitary bombs cause more collateral dmg than cluster bombs bcos larger blast range (Human Rights Watch 2001: 10 n.33)
- Those who have delivered submunitions have responsibility to do everything feasible to remove them
- UN Mine Action Programme NGO HALO
- End of 2002, 111 cluster bomb sites cleared in 2003-04 (Human Rights Watch 2002:33)
 - Troubling issue: limited role played by US gov. (primary moral responsibility) → little or no help, not provided accurate info to de-miners
 - First 8 months, US donated \$7m in cash/equipment to demining effort (HRW 2002: 37-8)
- US failed due care test on two counts
- 1. Used old weapons with high failure rates in proximity to residential areas
- 2. Failed responsibility post cluster bomb → more debate over whether CB is inherently indiscriminate and whether use more harmful than conventional bombs

Conclusion

Without ethical/legal constraints on decision of waging it (*jus ad bellum*) and its conduct (*jus in bello*) war is nothing more than application of brute force, logically indistinguishable from mass murder.

- Today there is well-developed set of moral/legal rules governing use of force + Int institutions designed to enforce
- Q not are there rules, disagreement about guidance rules gave to specific instance

Exam Notes

Exam Notes Essentials

Week 5: Non-State Actors

Explain the concepts of power and authority as used by IR scholars:

Power in IR relates to that of the **actor** → their **impact, effect and ability to influence**

- World politics always had **plurality of players** → how interact to produce prevailing order
- Post CW → US **power** eroded to model of **multilateral unipolarity** emerging – model wherein US **dominance** embedded in and restrained by network of **multilateral** institutions (McGrew 2007)
- Key reason for collapse of unilateralist unipolarity was **globalisation** impact on state power
- As non-state actors, embedded in inter-state system
- **Jan Scholte 2002**
- ‘Claims of efficacy are **not uncontested**’
- ‘One person’s **insight** can be another’s ignorance’
- ‘**Knowledge is power**, and claims of **competence** are secured through **political struggle**’
- ‘**currently ruling** discourses of technocratic expertise have tended to **promote “scientific”** knowledge above other epistemologies’
 - ‘against this prevailing **hierarchy** of truths, civil society contributions of ‘emotional’, ‘spiritual’ and other non-rational expertise have **been less appreciated**’
- Relativist position = all insight has equal merit

International Business NGOs

- International business NGOs have proliferated and become **increasingly integrated** (Carroll and Carson 2003)
- MNC lobby manifested in World Economic **Forum** (WEF) (Robinson and Harris 2000)
- MNCs are **transnational actors** ‘oligopolistic at a global level’ capable of exerting **significant influence** on the **world stage** (Nolan 2002) seen in **legal recognition/status**

International NGOs

- Defined as Int organisations that **represent sectors of society independently** of **governments**
- UN’s Economic and Social Council (UNESCO) defines as ‘any Int organisation that is **not established by inter-state treaty**’
- Focus is on **public interest** INGOs that engage in **Int advocacy** in name of a cause or issue
- Recent years, INGO ‘**explosion**’ has paralleled the MNC ‘explosion’ (Josselin and Wallace 2001: 1-2)
- Membership growth **faster in lower + middle-income** contexts (Anheier and Katz 2004: 338)

Outline the ways in which different actors in the international sphere engage in practices of global politics:

- MNCs and INGOs have **central/abiding constitutive role** in IR
- Persistently constituted themselves and exercise own autonomy: Int antagonism btwn **corporate power** exemplified by MNCs and ‘**people power**’ expressed by advocacy INGOs much more than inter-state conflict

MNCs

- The **power they exert** is embedded within **inter-state hierarchies** and **power structures**
- the ‘**transnational capitalist class**’ (Leslie Sklair 2001)
- The rationale for MNCs is **exercise of material power across national jurisdictions**

- In wake of MNC growth, global **material power** has **increasingly concentrated**
- Wealthiest 2% own 51% of world's wealth (Davies et al. 2006: 26)

INGOs

- INGOs have **important influence** in **Int political agendas**
- **Halliday** (2001: 2) argues 'the **climate of Int opinion**, be it that of states or informed public opinion, *has* been **significantly affected** by what these **NGOs**, **linked to social change**, **have brought** about'
- **WEF-funded** survey found that NGOs **attracted levels of trust** btwn **80-90%** **agreeing** that they would 'operate in the **best interests** of our society'
- **Influence** of INGOs often seen as **extending domestic public sphere** into international contexts (**Price** 2003)
- Advocacy INGOs seen as **vehicles for 'globalisation from below'** offering **antidote** to 'predatory globalisation' (Falk 2000b)
- Vehicles seen as **prefiguring new forms** of '**cosmopolitan democracy**' → explores the application of democracy at diff levels, from global to local
 - **Filling pol vacuums** btwn transnationalised power sources and **national democratic structures** (**Held** 1995)
 - INGOs may be interpreted as **extending forms of global citizenship**, enabling **application** of universal principles of **citizen rights** beyond state borders (**Linklater** 1998)
- Help countries that are **not so privileged** to have these laws/rights
 - **Central** factor, is their capacity to **politicise cross-national issues under-addressed** by state and inter-state sources of authority
- Key agent in **instigating and encouraging** the emergence of inter-state **normative and policy regimes** (**Reimann** 2006)
- INGOs 'find themselves involved in **setting the agenda** for political negotiations and decision-making' (**Hirsch** 2003: 250)
- INGOs deeply engaged with inter-state regimes, to a significant degree **influencing intergovernmentalism**, such as the **UN Millennium Forum** (**Alger** 2002)
- INGOs generate own positive programs
 - **World Social Forum** – deliberate counter to WEF, symbolically located in Brazil, developing world (**Byrd** 2005)
 - During 'war on terror' **INGOs able to proactively engage states-system**, deploying autonomy to influence agenda
 - 2003 **mount largest mobilisation the world** has seen in **anti-war demonstrations** in capital cities across the world (**Rupert** 2003)
- like MNCs constitute transnational realms of action that **realign rather than transcend power relations** → key players in **reforming existing** rather than **harbinger of new order**
 - Their leverage rests on the capacity to **deploy normative and informational power**, **provoking public argument** about the most desirable or necessary course of action for govns and for inter-state bodies (**Holzscheiter** 2005)
 - **Confined to non-state realms of 'global civil society'** → constitute a **self-limited** 'loyal' opposition that **respects Lockean liberal** categories
- Key players in '**new public diplomacy**' where govns exercise power with an **eye to normative INGO agendas** (**Vickers** 2004)
- Charted alternatives to official channels, constructing **shadow structures** (**J. Goodman** 2007)

Produce and discuss one example of how actors not definable as 'the nation state' affect global politics

Actor – type, regime, area, structure, composition

Phillip Morris v. Uruguay case (19 Feb 2010)

- Multinational tobacco company Phillip Morris International filed complaint against Uruguay
 - MNC is nationally centred entities with International interests
 - Exercise material power across national jurisdictions
 - Play central role in trade/retail activity
- Complained Uruguay anti-smoking legislation devalues cigarette trademarks and investments in the country and is suing Uruguay for compensation under the bilateral investment treaty btwn Switzerland and Uruguay (PM is headquartered in Lausanne)
- Treaty provides disputes settled by binding arbitration before International Centre for Settlement of Investment Disputes (ICSID)
- Not 'power' just influence
- The company **generates more revenue than smaller countries' GDP**
- Only Aus resisted successfully bcos Aus GDP is high
- Moving strategically to sue each country

Evaluate the different forms of power exercised by different state and non-state actors;

The vagaries of policy processes

BENEFITS

- **Jan Scholte 2002**
- Civil society **mobilisation** → provided conduits of participation for marginalised circles, indigenous ppl, smallholder farmers, urban poor and women
- **Furthered democracy in global governance (GG)** → encourage **open debate of plural views** + provided space to express **minority positions/dissent**
- Public education initiatives
- Increased public accountability of GG
 - Eg. pressure resulted in establishment independent policy review mechanisms at WB in 1994 + IMF in 2001 (Fox 2000)
- Humanitarian relief organisations + development cooperation groups contributed to incipient global social policy with transborder welfare support for disadvantaged

CRITICISM:

- **Jan Scholte 2002**
- Civil society associations can **demonstrate incompetence** → ill-informed + misdirected
- For instance, many campaigners for global economic justice have **limited knowledge** of mandates + *modus operandi* of the governance institutions involved → some think tanks **promote models of development** that have little relevance to issue
- **Eg. Greenpeace** lost credibility + membership after 1995 campaign to prevent deep-sea disposal of Brent Spar oil platform proved **scientifically flawed**
- Argues **low-quality** civil society inputs to global governance are either **unhelpful distraction** or case of **actual harm**
- **Limitations on public participation**
 - 'Inadequately consulted the publics whose interests they claim to promote'
 - Been quite 'opaque to outsiders' in terms of decision making, procedures
- Business associations/trade unions focus on narrow interests of members, to detriment of collective welfare

Account for the claim that **regional organisations** such as the EU represent a fundamental challenge to the Westphalian model of the international system; and

- **Jan Scholte 2002**
- Globalisation promoted **expansion of civil society**
- Spread of transworld relations encouraged diversification of collective bonds beyond a narrow fixation on states-nation
- Scholte attributes **growth of civil society** to spread of liberal, pluralist democracy + decline of colonial rule
 - **Business** associations, research institutes, of '**new right**' **neoliberal policies**
 - International Chamber of Commerce → champion of trade liberalisation
 - Institute of International Finance promoted global financial architecture, market forces/self-regulation
- New communications technologies → Internet, shared concerns/values to mobilise together virtually, transgressing physical borders
- **IMPACT:**
- Rise of CS has not only responded to, but also encouraged **trend away from statist governance**
 - Rise of **supra-state regulatory institutions**
 - Civil society associations become formulators/executors of global governance measures, acquiring tasks that were reserved for states
- Concludes, **growth of civil society** under conditions of globalisation, has not been sole impetus for emergence of post-statist governance, but it has been important aspect

Exam Notes (Concise)

Exam Notes (Concise Version)

The Great Debates

- Norman Angell and Woodrow Wilson believed a lasting peace could only be achieved by **overcoming the balance of power** and secret diplomacy observes Norman Angell and Woodrow Wilson believed a lasting peace could only be achieved by **overcoming the balance of power** and secret diplomacy
- E.H. Carr polemical attack on liberal thinking, characterised as **hollow sham**
 - **utterly failed** to take into account of **power in its analysis of IR**; it ignored Machiavelli's injunction to deal with **what is the case, rather than ought to be the case**
- **Bull:**
- Bull frames the debate in terms of 'scientific vs classical' methods → argues the 'scientific' approach **removes students** too far from **substance** of IR
- Bull defends the 'classical' approach which he contends is **interpretive**, more **historical** and better attuned to **normative** judgments
- **Chris Brown**
 - Highlighted importance of reflecting on inescapable questions. Clarifying and sifting through knowledge → helps discriminate against competing descriptions or analyses of IR'
- 3rd Great Debate → **Burke + Connolly** → expose how prevailing approaches imposed particular version of reality upon diverse/complex world
- **Linklater**, failing to account for its ability to 'set the agenda' mainstream IR does not admin ways it perpetuates existing power structures/practices
 - **third great debate** → Yosef Lapid (1989b) pits positivism against post-positivism → mainstream v critical
 - Smith (1966: 11, 13) accuses positivism of restricting our understanding of 'what kinds of things [exist] in IR'

Global Governance

- Globalisation (**David Held**) → 'widening, deepening and speeding up of global **interconnectedness**'
- **James Rosenau** (1992: 4) to a global system of rule that rests on a **blend** of formal and informal authorities, officially sanctioned laws and tacit norms
 - Formal level – we have the UN/WTO
 - Informal – private authorities such as credit-rating agencies + INGOs (operate @ global level in assisting states and int organisations in the provision of 'global public goods')
- However, **civil wars** remain (Mary **Kaldor** 1999)

Realism

- **Kenneth Waltz** (1979: 66) '**dismaying persistence**' of war
- International relations are conceived as a '**realm of recurrence and repetition**' where '**political action is most regularly necessitous**' (**Wight 1966b: 26**)
- **Morgenthau** argues it should be concerned with 'human nature as it actually is'

- → **Hobbes** in *Leviathan* suggested mankind was destined to live in ‘continual fear’ → In absence of an overarching UN ‘**common power to keep them all in awe**’
- **Security Dilemma** → **Herz** 1950 → groups live alongside each other, never entirely secure, ‘power competition ensues’ ‘vicious circle of security and power accumulation is on’

Liberalism

- Angell of the *The Great Illusion* → that there is gain to be made in and through armed confrontation, militarism, war and/or conquest.
- ‘mutual dependence’, a situation ‘characterized by reciprocal effects among countries or actors in different countries’ (see **Keohane** and **Nye’s Power and Interdependence**, 1977).
- Gradual development, strengthening of int trade, int law and int organisations as key to world order (Suganami 1989)
- **Democratic peace theory** → Michael Doyle (1983, 1986)
 - 1. Democracies committed to resolving disputes non-violently
 - 2. Public, would bear the cost, is unwilling to support war against another democracy
 - Realist can argue reason for democratic peace in 20th century was democracies allied against common enemy and at present, nuclear weapons are more secure guarantor of peace than ascendancy of democracy
 - Marxist can argue peace is to be expected so long as Int system is controlled by a transnational business class with an interest in preserving an economic order highly advantageous to it
- Keohane and Nye [1977] → Nuclear Agreements
 - Francis Fukuyama → only liberal democracy can satisfy the material needs and the aspirations that are common to all mankind (Fukuyama 1989)
- (‘soft’ power = influence/ideology) → can have same outcome as hard power (Keohane)
- Kenneth Waltz, neorealism argues contrary to older versions, states seek to **maximise security rather than power**.

The Modern State

- Only in 16th century that ‘**state**’ acquired **meaning** in modern sense (Quentin **Skinner** 1989)
- Around that time that its purpose/powers/discussion became **widespread** (Skinner 2009: 326)
 - Joseph **Strayer** (1965: 12-13) patchwork quilt
 - ‘an **ensemble of lordships**’ (**Teschke** 2004: 31) → **Marxist** perspective → military innovation > economy → build-up of power was precondition to exploitation of labour
- **Benedict Anderson** (1983)
- it is an IMAGINED POLITICAL COMMUNITY – and imagined as both inherently limited and sovereign’
- **Anderson** argued that nationalism **emerged** as a result of the link between print technology and the emergence of a **modern consumer class**
- entertainment media, news, social media, formal political and judicial processes and war-fighting. (David **Campbell**)
- **Gellner**: ‘Nationalism is not the awakening of nations to **self-consciousness**, it **INVENTS** nations where they do not exist’
- John **Dunn** (2000: 66) says ‘the **principal institutional site of political experience**’
 - For **Weber**, key is in **means by which gov. rule sustained** – through **coercion**