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A large, light blue, semi-transparent globe is centered in the background, showing the outlines of the continents of North and South America. The globe is set against a light blue gradient background that transitions from white at the top to a deeper blue at the bottom.

# Politikon

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## **Editorial Note**

Dear Reader,

Our Editorial Board is proud to present Volume 30 of *Politikon*, the flagship academic journal of the International Association for Political Science Students (IAPSS).

The current issue will certainly prove a fascinating reading for this summer. The drafts of some of the articles have been presented at the 2016 IAPSS World Congress in Berlin.

In this eclectic collection, you will be able to explore the construction of the idea of sparing civilians as the central condition of just warfare. You will read about the construction over the discourse on terrorism in its parallelism to the way scientific knowledge is produced in a society by means of reifying specific power relations. You will have the chance to investigate a novel outlook on the debate between rationalism and reflectivism in International Relations theory as well as the interdependence between colonialism and liberalism in explaining the systematisation of oppression. You will read about the importance of elements of 'Internal Pacification' as the major factor behind the abrupt emergence and transformation of traditional states into Nation States. Finally, you will have the opportunity to re-think the concept of democracy promotion in the framework of the EU action in its Eastern neighbourhood. We hope you will enjoy more than 100 pages of valuable academic work from young scholars across the globe.

We believe that with such a wide range of thought-provoking topics, each reader may find something that will catch their interest. Hopefully, you will get inspired and submit your own article to one of our IAPSS academic journals.

We are looking forward to reviewing your work!

Your Editors

## The Substance of the EU Democracy Promotion in Ukraine: Is Embedded Democracy the Right Concept?

**Maryna Rabinovych**

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### **Abstract**

*Despite the EU’s experience in the field of democracy promotion, a question remains whether the EU seeks to promote a specific democratic model. The paper aims to determine whether the embedded democracy is the right concept to address the substance of the EU democracy promotion, based on the case of the EU’s enhanced democracy promotion efforts following the Euromaidan Revolution in Ukraine. The paper starts with exploring different approaches to the substance of the EU democracy promotion. Then, the scope of the concept “embedded democracy” is addressed with a special emphasis on its application within the field of the EU democracy promotion. The central part of the paper concentrates on the substantial analysis of the EU democratization efforts in Ukraine, in light of “embedded democracy”. The findings regarding the applicability of the “embedded democracy” concept to the substance of the EU democracy promotion in Ukraine are formulated. The directions for future research are addressed.*

### **Keywords**

European Union, democracy promotion, democracy model, embedded democracy, democratization, Ukraine

## Introduction

The history of democracy promotion dates back to the “law and development movement” of 1960s, when the USAID, the Ford Foundation and a range of private donor institutions set an agenda for ambitious legal systems’ reform in Asia, Latin America and Africa. Viewing law as a major engine for change the participants of the movement aimed to promote broad social transformation. Despite the fact that the “law and development movement” was merely recognized as a failure due to a hope “to easily transplant legal norms into the legal systems of developing countries” (The World Bank 2010: 1) without sufficient theoretical basis, the idea of promoting fundamental values sustained. Since the 1990s<sup>1</sup> the EU has managed to become one of the world’s leading promoters of a range of fundamental values<sup>2</sup>, including democracy.

It is clear that the EU could not have maintained the same substantive and procedural approaches to promoting democracy over the whole period of its activities in this field. The Union’s strengthening as an international actor and democracy promoter, as well as the changing international context led to the emergence of new views regarding both the substance and methodological approaches to democracy promotion.

Understanding the EU approaches to the substance of democracy promotion is important for three key reasons.

Firstly, the sound theoretical foundation of the democracy promotion is essential for the EU to avoid the mistakes of the “law and development movement” and ensure mutual reinforcement of its assistance and aid projects. In this regard, the substantial elaborateness of democracy promotion will also help the EU to secure its interplay with the promotion of other values (e.g., human rights, good governance and the rule of law<sup>3</sup>).

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<sup>1</sup> Most commonly the starting point of the history of the EU is associated with the inclusion of the first political conditionality clause into the Lome IV Agreement between the EU and ACP states (African, Caribbean and Pacific group) in 1989. For a more detail information about the history of the EU fundamental see: Börzel, Tanja & Risse, Thomas (2004): ‘Venus approaching Mars? The European Union’s approaches to democracy promotion in comparative perspective’, in Amichai Magen, Thomas Risse, Michael A. McFaul (eds.) Promoting democracy and the rule of law. Basingstoke: Palgrave MacMillan, pp.34-60.

<sup>2</sup> According to Art 2 of the Treaty on European Union (TEU), “the EU is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”. In turn, Art. 21 TEU singles out the principles that the EU seeks to promote in the wider world, such as democracy, the rule of law, the universal and indivisible nature of human rights, equality and solidarity etc. The article also provides for the EU to build partnerships with third countries and international organizations, sharing the above principles.

<sup>3</sup> To learn more about the complexities of the interplay between different values, promoted by the EU, see: Kuon, Dorothee (2010): Good governance im Europäischen Entwicklungsrecht. Baden-Baden: Nomos.

Secondly, determining the substance of the democratic model, sought to be promoted by the EU, is an essential step to developing the system of measuring effectiveness of the EU democracy promotion<sup>4</sup>. In turn, the quantification of democracy within the context of the EU aid, can substantially improve the credibility of the EU as an international value promoter (Youngs 2004: 417). In light of the above considerations and the need to establish a nexus between the scholarship and policy practice, an essential question remains whether it is possible to promote the same framework democratic model worldwide<sup>5</sup> and use similar indicators for measuring compliance and progress.

Overall, studying the substance of democracy promotion contributes to understanding democracy assistance as a crucial dimension of the EU external action, the links between democracy and other values the EU promotes worldwide, as well as the EU role in democratic transitions across the globe.

### Literature review

The scholarship in the field of the EU democracy promotion can be conceptually divided into three major groups. The first and largest group concentrates on the EU role in promoting democracy in specific states or groups of states. Within this group, many contributions focus on the survival of democracy promotion under authoritarian regimes (Risse 2015; Van Hüllen 2012) and sacrificing democracy for stability (Powel 2009). Furthermore, while considering specific cases, a range of authors try to determine self-interests the EU hides under the guise of democracy promotion (Crawford 2005; Warkotsch 2006; Seeberg 2009; Del Biondo 2015). Studies, addressing “success stories” of the EU democracy assistance efforts, as well as respective challenges and failures also fall within the above category (Simao 2012; Niemann and Bretherton 2013)

The second important group of contributions aims to explore specific instruments the EU uses to promote democracy worldwide and construct models of the EU democracy promotion. The most frequently explored democracy promotion instrument is conditionality (Börzel and Risse 2004; Schmmelfennig 2007). Political dialogue (Börzel and Risse 2004; Kelley 2006) capacity-building (Dryzek 2009) and the application of sanctions (Del Biondo 2015) are also frequently addressed, based on the case studies of specific regions or thematic instruments of the EU. Moreover, a number

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<sup>4</sup> For an extensive debate about measuring quality of democracy, see: Bühlmann, Marc, Merkel, Wolfgang, Müller, Lisa and Wessels, Bernhard (2012): ‘The Democracy Barometer: the new instrument to measure the quality of democracy and its potential for comparative research’, *European Political Science* (11): pp. 519-536

<sup>5</sup> The question, whether it is possible to state that the EU promotes specific model of democracy remains open. While a variety of authors (e.g., Börzel and Risse 2004; Youngs 2011; Kurki 2012) state that the EU defines the substance of its democracy promotion on case-by-case basis, others (e.g. Wetzels and Orbie 2011; 2015) claim that it is possible to ‘map’ the substance of democracy promotion, shared across different locations.

of empirical studies consider the EU support for civil society as an important instrument of strengthening top-bottom democracy (Jünemann 2002; Raik 2006). Studying the complex application of the EU democracy promotion instruments at multiple locations, S. Lavenex and F. Schmmelfennig (2011) identify and describe three models of the EU democracy promotion, emphasizing the success of the “governance” approach to promoting democracy at the level of state administrations. The benefits of integrating bottom-up and top-down approaches into a single model are addressed by Dimitrova and Pridham (2004).

Finally, the studies, aimed to find out whether the EU seeks to promote a specific democratic model are rather limited and fragmented. Addressing the substance of the EU democracy promotion, Kurki (2012:1-2) emphasizes a “fuzzy” and “uniquely non-committal” nature of the conceptual foundations of the EU democracy promotion, substantiating it by the Member States’ divergent traditions of democracy<sup>6</sup>. Moreover, the differences in the EU’s substantial approaches to democracy promotion are considered to be rooted in the contextual considerations, accompanying the EU democracy promotion (Wetzel & Orbie 2011). Despite the clashes in the EU democracy narratives, the liberal democratic model is most frequently considered as a substantial basis for the EU democracy promotion efforts (Risse 2009: 249; Kurki 2010). At the same time, Carothers (2009) emphasizes the link between the EU democracy promotion and its development efforts, and suggests viewing the substance of democracy promotion from socio-economic standpoint. Furthermore, as it stems from the studies of the EU democracy promotion practice, “the EU’s approach to democracy support still heavily relies on exporting its own technical rules” (Youngs and Pishchikova 2013) A trend to depoliticizing the democracy promotion agenda in the EU Neighborhood and emphasizing technical rules’ transfer was also underlined by Santiso (2003) and Korosteleva (2015). Kochenov (2006) specifically marks the difference between the rule transfer and democracy promotion, emphasizing the broader scope of the latter. An attempt to reconcile all the above approaches and “map” the EU democracy promotion was made by Wetzel and Orbie (2015).

Similarly to the overall body of scholarship regarding the EU democracy promotion, the consideration of the EU democracy promotion in Ukraine focuses on the EU’s instruments of democracy promotion (Kubicek, 2005) and its challenges and results (Solonenko 2009; Gawrich, Melnykovska & Schweickert 2010), rather than the substance of democracy promotion efforts. The only contribution, directly addressing the substance of democratic reforms, promoted by the EU in

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<sup>6</sup> As it is explained by Kurki (2012:3), the EU does not promote a single concept of democracy, but strives to make its democracy promotion more flexible to include “27 different models of democracy”, as well as take into account political environment in partner states.

Ukraine, is the one by Casier (2011), who aimed to frame a difference between formal and substantive EU democracy promotion in Ukraine. Importantly, in both procedural and substantial domains only minor efforts were employed to investigate the changes in the EU democracy promotion agenda in Ukraine following the Euromaidan Revolution (Pishchikova and Ogryzko 2014: 14-18) and the signing of the ambitious EU-Ukraine Association Agreement (AA) in 2014<sup>7</sup>.

The analysis of the existing body of scholarship reveals the need to explore the novelties in the substance of the EU democracy promotion in Ukraine, driven by the Euromaidan Revolution and signing the EU-Ukraine AA, in light of existing theoretical approaches to the substance of EU democracy promotion.

### **Theoretical framework**

The theoretical framework for the current study is represented by the root concept of embedded democracy, introduced by W. Merkel (2004) as an alternative to the classical concept of electoral democracy<sup>8</sup> and a contrast to defective democracies<sup>9</sup>. The choice of the “embedded democracy” concept for the purposes of addressing the substance of the EU democracy promotion in Ukraine is determined by a range of considerations.

First of all, the analytical concept of democracy, suggested by W. Merkel (2004), is based on the experience of the Third Wave of Democratization<sup>10</sup> that includes the democracy-building in post-Soviet states. Secondly, it is important to underline that the concept has already been applied to researching the substance of the EU democracy promotion. In their works, Wetzel and Orbie (2011; 2015) use “embedded democracy” to determine different agendas for democracy promotion, employed by the EU, and single out the peculiarities of the EU approach to democracy promotion without a reference to a specific case study. The concept was also applied by Reynaert (2011) to distinguish the cornerstones of the EU democracy promotion in the Mediterranean, as well as Bossuyt and Kubicek (2011) to compare the EU democracy agendas across Central Asian states.

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<sup>7</sup> The EU-Ukraine AA represents the new generation of the EU AAs with Eastern Partnership countries that bring together close political association and economic development. For an in-detail analysis of the EU-Ukraine AA as an “integration without membership”, see: Petrov, Roman, Van der Loo, Guillame, Van Elsuwege, Peter (2015): “The EU-Ukraine Association Agreement: a new legal instrument of integration without membership?”, *Kyiv-Mohyla Law and Politics Journal* (1): pp.1-19.

<sup>8</sup> Merkel (2004: 34) defines electoral democracy as the regime, “where the election of the ruling elite is based on the formal, universal right to vote, such that the elections are general, free and regular”.

<sup>9</sup> Merkel (2004:48) contradistinguishes embedded and defective democracies. If at least one partial regime is damaged in a way that leads to the change of the logic of embedded democracy, a certain type of defective democracy is present (e.g. domain democracy, delegative democracy, illiberal democracy etc.)

<sup>10</sup> The Third Wave of Democratization is considered to start in 1974 with the Carnation Revolution in Portugal and include democratic transformations in Latin America in early 1980s, Asia Pacific region in 1986-1988 and Eastern Europe following the breakdown of the Soviet Union.

The important characteristic of the “embedded democracy” concept is that it goes far beyond a traditional *“institutional checklist as a basis for creating programmes, and the creation of nearly standard portfolios of aid projects consisting of the same diffuse set of efforts all over – some judicial reform, parliamentary strengthening, civil society assistance, media work, political party development, civic education and electoral programmes”* (Carothers, 2002: 18). In contrast, apart from addressing internal partial regimes of democracy (electoral regimes, political liberties, civil rights, horizontal accountability and effective power to govern), “embedded democracy” emphasizes the external conditions for enabling and stabilizing democracy. According to W. Merkel (2004), these external conditions include socio-economic context, functioning civil society, as well as international and regional integration. Importantly, by including the socio-economic context within the scope of the “embedded democracy”, Merkel (2004) revived the debate about the links between democracy and market<sup>11</sup>, and partly removed the artificial dichotomy between political and developmental approaches to democracy assistance (Carothers 2009). Furthermore, the idea of “embeddedness” allows considering the EU democracy promotion programmes in complex, putting larger emphasis on local context and the interplay between different instruments and agendas. Finally, the construction of the concept allows for representing it as a set of criteria.

The conceptualization of embedded democracy, elaborated by Merkel (2004: 42), encompasses only the five partial regimes and their criteria. For the purposes of further case study analysis, it is required to further differentiate the proposed criteria and expand the model to include external preconditions for democracy and emphasize embeddedness.

### Conceptualization and operationalization

While the basis for the model below is constituted by the “embedded democracy” concept, its further differentiation is conducted with the help of several worldwide known democracy measurement instruments, such as Freedom House Rating (Freedom House, 2015), Economist Intelligence Unit Democracy Index (Kelzic 2007) and Bertelsmann Transformation Index (Bertelsmann and Stiftung 2016). The choice of the indexes is to great extent determined by their scope and the degree of differentiation. The final set of criteria for analysis is as follows.

#### FIGURE 1. THE CRITERIA OF EMBEDDED DEMOCRACY

- A. Electoral regime
  - a. Elected officials

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<sup>11</sup> For an overview of the debate, see: Robinson, James (2006): ‘Economic development and democracy’, Annual Review of Political Science 9: pp.503-527.

- b. Inclusive suffrage
  - c. Right to candidacy
  - d. Functioning party system
  - e. Correctly organized, free and fair elections
- B. Political rights
- a. Press freedom
  - b. Freedom of association
- C. Civil rights
- a. Negative rights of freedom against the state
  - b. Equality before the law
- D. Horizontal accountability
- a. Horizontal separation of powers
- E. Effective power to govern of elected officials
- F. Internal embeddedness
- G. Socio-economic context
- a. Macro-economic situation
  - b. Functioning competition legislation
  - c. Equality of opportunities
- H. Functioning civil society
- I. International and regional integration
- J. External embeddedness

Despite the fact that the “embedded democracy” concept was already used to explore the substance of the EU democracy promotion in single case study (Reynaert 2011) and from a comparative perspective (Bossuyut and Kubicek 2011), neither of the contributions questioned the concept’s applicability to exploring the substance of the EU democracy promotion.

In view of the above, current contribution aims to discuss the applicability of the “embedded democracy” concept to the substance of the EU democracy promotion in Ukraine, rather than just distinguish the major substantial directions of the EU democracy promotion following the Euromaidan Revolution in Ukraine.

## Methodology and data

The research is based on the case study of Ukraine. Most commonly, both the methods of the EU democracy promotion and its substance are researched based on the case studies of the EU democracy promotion in specific states or groups of states<sup>12</sup>. The choice of the case study of Ukraine is determined by a number of reasons.

Firstly, Ukraine is of significant importance for the EU in terms of security and stability due to the fact that the EU and Ukraine share largest joint border (Shumylo-Tapiolo 2013). Ukraine has developed trade relations with the EU that are currently expected to accelerate due to the start of the implementation of the EU-Ukraine DCFTA. It is also the most important transit state for Russian gas, being delivered to the EU (Shumylo-Tapiolo 2013). Secondly, Ukraine is one of the leaders of the EU Eastern Partnership (EaP) programme (Eastern Partnership Civil Society Forum et al 2014: 6), and the EU has been employing a broad range of legal instruments to promote fundamental values in Ukraine. In this regard, it is important to underline that the EU-Ukraine AA is the Union's most ambitious Association Agreement with a third state, despite the lack of membership perspective (Petrov, Van der Loo and Van Elsuwege 2015: 1-2).

Thirdly, the Russian annexation of Crimea and the following military intervention to the Eastern Ukraine demonstrates a clear threat for European security, calling for the EU support for territorial integrity of Ukraine and peace-building efforts. Finally, the internal reform process, currently taking place in Ukraine, is marked by comprehensiveness (National Reforms Council of Ukraine 2016) and significant involvement of civil society actors and international donors.

The study of the substance of the EU democracy promotion efforts, accompanying an ongoing reform process in Ukraine, will be conducted with the help of the "black letter law approach". Four major data sources, used to conduct an analysis, are summarized in the table below.

FIGURE 2. DATA SOURCES

<u>Category</u>	<u>Major data sources</u>
<b>Eastern Partnership</b>	<b>Multilateral Platforms current work programmes 2014-2017</b>

<sup>12</sup> See, for instance: Simao, Licia (2012): 'The problematic role of EU democracy promotion in Armenia, Azerbaijan and Nagorno-Karabakh, Communist and post-communist studies 45(1-2): pp.193-200; Korosteleva, Elena (2015). 'The European Union and Belarus: democracy promotion by technocratic means'. Accessible at WWW: <http://www.tandfonline.com/doi/abs/10.1080/13510347.2015.1005009?journalCode=fdem20> [Accessed 14 March 2016].

<b>multilateral dimension</b>	<ul style="list-style-type: none"> <li>– Democracy, good governance and stability</li> <li>– Economic integration and convergence with EU policies</li> </ul>
<b>The Union’s unilateral technical and financial assistance instruments</b>	<p><b>Geographic instruments</b></p> <ul style="list-style-type: none"> <li>– European Neighborhood Instrument (Programming of the European Neighborhood Instrument (ENI) -2014-2020; Programming Document for EU Support to ENI Cross-Border Cooperation -2014-2020)</li> <li>– Special Measure 2014 in favour of Ukraine to be financed from the general budget of the European Union</li> <li>– Special Measure 2015 for Private Sector Development and Approximation in favour of Ukraine to be financed from the general budget of the European Union</li> </ul> <p><b>Thematic instruments</b></p> <ul style="list-style-type: none"> <li>– The European Instrument for Democracy and Human Rights</li> </ul>
<b>EU-Ukraine bilateral agreements</b>	<ul style="list-style-type: none"> <li>– EU-Ukraine Association Agreement</li> <li>– EU-Ukraine Association Agenda</li> </ul>
<b>EU-Ukraine Inter-parliamentary Cooperation</b>	<ul style="list-style-type: none"> <li>– Report and Roadmap “On internal reform and capacity-building of Verkhovna Rada of Ukraine” (by the European Parliament’s Needs Assessment Mission to the Verkhovna Rada of Ukraine)</li> </ul>

## Analysis and findings

The principle of democracy is emphasized in the vast majority of instruments of the EU democracy promotion, applied in Ukraine. However, the peculiarities of the considered geographic and thematic instruments determine the contexts of democracy promotion. Thus, the Platform 1 of the Eastern Partnership’s multilateral track views democracy in conjunction with good governance and stability (EEAS 2014b). At the same time, the ENI and 2014 and 2015 Special Measures in favour of Ukraine specify the link between the democratic governance and the rule of law (EEAS and EuropeAid 2014a: 2-3) (European Commission 2014; 2015). Being a highly specific<sup>13</sup> thematic instrument, the

<sup>13</sup> The peculiarities of the EIDHR are as follows. Firstly, it functions complementary to geographical instruments and is not directly envisaged to support projects, run by the governments of third states. Moreover, the instrument can be still

EIDHR aims to reinforce the role of the civil society in the democratic cycle. While the vast majority of the above instruments consider the promotion of the rule of law along with the democracy promotion, the EIDHR views the rule of law as the *means* to reinforce democracy (EuropeAid 2014: 2-3). Finally, the EU-Ukraine Association Agreement mentions multiple values to be promoted in terms of the political dialogue between the parties, such as the rule of law, good governance, human rights and fundamental freedoms, as well as non-discrimination (EEAS 2014a: 4).

Despite multiple references and divergent contexts, “democracy” is never defined for the purposes of the EU democracy promotion instruments. However, the substance of promoted value can be addressed with the help of studying the objectives, measures, expected results and other elements, envisaged by the legal instruments of its promotion.

### ***Partial Regimes. Internal embeddedness***

#### ***A. Electoral regime***

The major function of electoral regime is making the access to power positions competitive and ensure vertical accountability (Merkel 2004:36). Particularly electoral regime can be viewed as the cornerstone of embedded democracy and “*the most obvious expression of the sovereignty of the people, participation of citizens, and equal weight of their individual preferences*”. (Merkel 2004:38)

The legislation of Ukraine provides for the election of officials, inclusive suffrage and the right to candidacy. Nevertheless, the electoral standards remain a hard issue in Ukraine, especially with regard to the restrictions to the right to candidacy (Venice Commission, OSCE/ODIHR 2013). Choosing not to address specific deficiencies in Ukraine’s electoral standards to be overcome in terms of the EaP instruments, the EU sees the cooperation with the Council of Europe as the major means of supporting electoral reform through the EaP multilateral track in all the Eastern neighbors (EEAS 2014b: 1). The support for the improvement and observance of electoral standards is also envisaged in the EIDHR. The related formulations include “*enhancing participatory and representative democracy*”, “*strengthening the overall democratic cycle*” and “*improving the reliability of electoral processes*” (EuropeAid 2014: 26-30).

Also refraining from setting specific targets and defining indicators, the 2014 Special Measure in favour of Ukraine underlines the need to observe OSCE and GRECO recommendations in the field

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used, when there is no consent of the third state’s government. Secondly, the EIDHR emphasizes the role of civil society action and its potential to monitor human rights and democracy developments. Finally, it is a flexible instrument that can be used, when there is no available bilateral framework for aid, and in case short-term targeted measures are required.

of electoral standards and party financing (European Commission 2014:13). Similar formulation is contained in the EU-Ukraine Association Agenda (EU-Ukraine Association Council 2015: 6).

The necessity to ensure the functioning party system is underlined in the EU-Ukraine Association Agenda (EU-Ukraine Association Council 2015: 15), despite the fact that it does not find its reflection in the EU-Ukraine AA. The recent Report by the European Parliament's Needs Assessment Mission included several recommendations, aimed to improve the functionality of party system, such as launching the inter-party Conciliation Board (European Parliament 2016:9).

The issue of free and fair elections falls within the scope of the broad elections-related formulations, contained in the EIDHR (EuropeAid 2014: 18-19). Specific support for free and fair elections in Ukraine is realized through the Programmatic Cooperation Framework (PCF), agreed by the Council of Europe and EU. The emphases of the Framework include the improvement of the legislation on elections and strengthening the mechanism to address electoral disputes (Council of Europe, EU 2015:3). Importantly, the PCF does not contain any clear system of progress measurement.

### ***B. Political rights***

Political rights represent the important preconditions of free and fair elections. They form a so-called "backbone" of a partial regime, enhancing competitiveness of political forces and steady public control in-between the elections (Munck and Verkuilen 2002). Moreover, particularly political rights help to form the arena, whereby different paths of a state's development are deliberated, and mature. The support for the observance of political rights lies at the crossroads of the EU democracy and human rights promotion, as well as strengthening of civil society.

The importance of promoting the freedom of expression and media freedom is underlined in the current working programme of the EaP Platform 1 "Democracy, good governance and stability". However, no specific objectives are provided for either of Eastern neighbours (EEAS 2014b). The ENI does not aim to promote political rights over the period of 2014-2020 (EEAS and EuropeAid 2014a). Neither of the Special Measures in favour of Ukraine addresses political rights (European Commission 2014; 2015).

The EIDHR provides for support for the freedom of assembly, peaceful protest, as well as public participation in political processes. While the above formulation does not specify how the freedom is to be promoted, the EIDHR human rights promotion framework allows tackling this freedom in a number of ways. These ways include supporting strengthening capacity of the NGOs "*to resist, report and fight human rights abuses and to contribute to the democratic reforms reinforced*", an increased compliance

with international human rights instruments and strengthening the EU capacities to react to human rights urgencies etc. (EuropeAid 2014: 26).

Finally, the freedom of expression, assembly and association is underlined as a priority for political dialogue in the EU-Ukraine Association Agenda (EU-Ukraine Association Council 2015: 11). The Agenda provides for concrete steps<sup>14</sup> to be taken to improve the observance of the above freedom without mentioning expected results and progress indicators.

### ***C. Civil rights***

Initially, civil rights as are viewed as “*negative rights of freedom against against the state*” (Merkel 2004: 40). This formulation allows for singling out its major elements, such as the (1) presence of legal norms, specifying civil rights and (2) an individual’s ability to protect his/her rights in court. In turn, particularly guaranteeing an individual’s ability to protect his/her rights in court against a state’s intrusion, strongly associated with the concept of the rule of law<sup>15</sup>, is emphasized by the EU.

Neither bilateral nor unilateral track of the EaP considers the issue of civil rights and their protection. Focusing on democracy and human rights<sup>16</sup>, the EIDHR captures the right to life (through prioritizing the issues, relating to death penalty, torture and ill treatment, as well as the promotion of children’s rights) (EuropeAid 2014: 10). Freedom of religion and belief is also one of the EU human rights priorities. Despite prioritizing many of the civil rights, the EIDHR does not refer to their efficient protection in local courts as the instrument’s objective<sup>17</sup>(EuropeAid 2014). Both Special Measures in favour of Ukraine (2014; 2015) do not address civil rights and primarily mention the rule of law outside the context of human/civil rights protection (European Commission 2014; 2015).

At the same time, the EU-Ukraine Association Agenda explicitly mentions a range of steps to be taken by Ukraine to improve its legislation in the field of civil rights protection (e.g., via the implementation of the international and European standards of protection). However, addressing the

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<sup>14</sup> These steps include *inter alia* taking steps to ensure equal access to media for electoral competitors; adopting the framework regarding public broadcasting; ensuring effective protection of journalists by the law enforcement agencies (EU-Ukraine Association Council 2015: 11).

<sup>15</sup> The rule of law is one of the fundamental values, promoted by the European Union. Similarly to the case of democracy promotion, there is neither an agreement as regards the substance of the rule of law promoted by the EU, nor the unified rule of law indicators. Most commonly, the rule of law promotion is concerned with reforming the judiciary and the system of law enforcement.

<sup>16</sup> The difference between the concepts of “human rights” and “civil rights” can be formulated as follows. The concept “civil rights” encompasses the first generation of human rights that emerged in the eighteenth century (the rights to life, freedom and property). In turn, the notion “human rights” also includes next generations of rights, such as political, economic, social, cultural and environmental rights.

<sup>17</sup> The reason for that may be attributed to the fact that the EIDHR tends to rely on civil society organizations and human rights defenders, rather than governmental institutions, with regard to the protection of human rights.

reform of judiciary and law enforcement agencies, the Agenda does not link it to the need to enhance the protection of civil rights (EU Ukraine Association Council 2015: 9).

Equal access to law and equal treatment represent basic civil rights that simultaneously constitute crucial prerequisites of democracy, guaranteeing equal importance of citizens' voices during elections (Merkel 2004: 40). The principles of equality and non-discrimination are most commonly reflected in the EU documents within the context of the respect for diversity and minority rights. Importantly, gender equality and non-discrimination tend to take the form of objectives and principles of political dialogue, rather than specific benchmarks. Such situation is can be traced in the vast majority of considered instruments. Gender equality is addressed as "objective" in the EaP Platform "Democracy, good governance and stability" and both Special Measures in favour of Ukraine 2014-2015 (EEAS 2014b: 4) (European Commission 2014: 28; 2015: 17). However, no expected results and progress indicators regarding the improvement of gender equality are envisaged. Being directed to the promotion of democracy and human rights, the EIDHR tackles both equality and non-discrimination, mentioning a variety of the grounds for discrimination (EuropeAid 2014: 13).

The EU-Ukraine Association Agenda views equal treatment, the protection of minority rights and implementation of the EU best practices in the field of non-discrimination as crucial elements of the EU-Ukraine political dialogue (EU-Ukraine Association Council 2015: 7; 51-52).

#### ***D. Horizontal accountability***

While the term "vertical accountability" refers to the responsibility of government, being secured via regular free and fair elections, "horizontal accountability" envisages a system that allows powers to check and balance each other (Merkel 2014: 40).

The issue of the separation of powers has long been the cornerstone of Ukraine's constitutional development. Despite the overturn of the Yanukovich super-presidential regime and the return to the parliamentary-presidential republic, constitutional reform remains one of the most pressing issues in the EU-Ukraine dialogue. That is why, the constitutional reform is one of the short-term priorities for action, envisaged by the EU-Ukraine Association Agenda (EU-Ukraine Association Council 2015:5). Furthermore, the action "State-building contract for Ukraine", included into the 2014 Special Measure in favour of Ukraine, provides for support to constitutional reform, along with the electoral and public administration reforms. Similarly to the case of the electoral standards, the EU does not clarify the substance of the necessary constitutional changes, but refers to the respective recommendations of the Venice Commission (European Commission 2014: 3).

### ***E. Effective power to govern of elected officials***

Highlighting the effective power to govern of the elected officials, Merkel (2004) underlines that it is necessary to address the goals of democratic elections, rather than solely their procedural aspect (41-42). The core of the concept deals with *“preventing extra-constitutional actors, not subject to democratic accountability, like the military or other powerful actors, from holding final decision-making power in certain policy domains”* (Merkel 2004: 41). Importantly, Merkel (2004) emphasizes that the effective power to govern is “self-evident” in established democracies, but *“cannot be taken for granted”* in new ones (Merkel 2004: 41).

Taking the above negative approach, it is possible to state that the EU does not take any explicitly legally defined steps to prevent democratically unaccountable actors from making final decisions in Ukraine. As it stems from Merkel’s own empirical application of the embedded democracy concept, it is possible to associate the concept of the “effective power to govern” with the one of “functioning of government” (Merkel 2012: 215). At the same time, it is important to remember that Merkel (2004) has initially claimed the concept’s relating solely to the powers of elected officials. That is why it is considered incorrect to discuss the EU’s multiple efforts in the field of administrative reform, capacity-building of regional and local actors and public administration reform in Ukraine as falling within the scope of the fifth partial regime of embedded democracy.

The only way the EU uses to strengthen the capacity of Ukraine’s elected officials to govern effectively is the EU-Ukraine Inter-parliamentary Cooperation. The major directions of envisaged changes include the improvement of legislative capacity and processes in the Verkhovna Rada, political oversight of the Executive, as well as openness, transparency and accountability to citizens, administrative capacities and the approximation of Ukrainian legislation to the EU *acquis* etc. (European Parliament 2016:23).

### ***F. Internal embeddedness***

According to the vision of Merkel (2004:43), the above partial regimes can only function successfully, *“if they are mutually embedded”*. The embeddedness manifests itself in the following domains. Firstly, each partial regime shall support the functioning of other partial regimes. For instance, the protection of political and civil rights represents the basis for competitive party landscape and democratic electoral regime. At the same time, some partial regimes prevent specific actors from intervening into the functioning of other partial regimes. In this way, horizontal accountability and effective power to govern prevent democratically accountable actors from going beyond their authorities and do not let democratically unaccountable actors to intrude into policy-making process (Merkel 2004: 43).

For the purposes of the empirical study of the EU democracy promotion in Ukraine, internal embeddedness can be addressed from two perspectives. On the one hand, the abovementioned logical links between the partial regimes preserve, because the EU puts some efforts to promote virtually all partial regimes. Moreover, using a variety of approaches and instruments to promote democracy and engaging a broad range of stakeholders, the EU promotes complementarily and mutual reinforcement of its efforts.

On the other hand, unequal level of the different partial regimes' development in a partner country<sup>18</sup> and the substantial overlaps between the EU geographic and thematic, as well as unilateral and multilateral instruments may lead to misbalance of the EU democracy promotion efforts in a partner country. Finally, while some of the considered instruments<sup>19</sup> describe cross-cutting nature of the EU democracy promotion efforts, others group efforts by themes without mentioning the way different actions are embedded.

### ***External Preconditions of Democracy. External embeddedness***

#### ***G. Socio-economic context***

The correlation between the level of a state's socio-economic development and its ability to sustain democracy has always been a controversial topic in political science. On the one hand, a range of authors support the famous claim of Lipset (1959), stating that the wellbeing of a nation positively correlates with a nation's ability to sustain democracy. On the other hand, this correlation was challenged in a number of works, tracing the relation between economic development and democracy over time (Robinson 2006: 505) (Merkel 2012: 201)

The key to the debate deals with the way one understands "socio-economic development". While it is found unacceptable to trace the correlation with the help of two or more bare criteria (e.g., GDP per capita; free and fair elections) (Merkel 2012: 201), there is still a number of links to be addressed. Firstly, both an increase in socio-economic wellbeing and democratization can be viewed as mutually reinforcing elements to a broader modernization process (Lipset 1959). Secondly, democracy is found to be positively correlated with development, going beyond macroeconomic situation and including social dimensions, such as distribution of income, life expectancy, education etc (Robinson 2006: 506). Furthermore, existing scholarship recognizes the link between the equality of

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<sup>18</sup> For instance, as it is underlined by Merkel (2004), a lot of young democracies suffer from the lack of elected officials' effective power to govern.

<sup>19</sup> Cross-cutting issues are addressed in Special Measures in Favour of Ukraine (2014; 2015).

opportunities and democratic governance (Christiano 2011). In view of the above, socio-economic development is distinguished by Merkel (2004) as an important external precondition of democracy.

The EU uses multiple instruments to enhance socio-economic situation in Eastern neighbours in general and Ukraine in particular. Firstly, the multilateral track of the EaP involves Panel 2 “Economic integration and convergence with EU policies”. The Platform focuses on sustainable development of market economies in partner states through a range of thematic panels, such as transport, trade and regulatory cooperation, agriculture and rural development etc (EEAS 2014c). Furthermore, the EaP provides Eastern neighbours with an opportunity to take part in the EU COSME programme that aims to improve competitiveness of small and middle-size enterprises (SMEs) by facilitating their access to loans and equities. The development of private sector is a key focus of the EU Special Measure for Ukraine 2015, aiming to improve authorities’ capacity to elaborate and implement effective policies in the field of economic development (European Commission 2015:7). In bilateral terms the EU funds projects, aiming to promote the development of SME in Ukraine, improve sector competitiveness and support the regional development policy<sup>20</sup>.

Importantly, the EU sees launching of the DCFTA and gradual removal of trade barriers<sup>21</sup> between the Union and Ukraine as an important incentive for the improvement of macroeconomic situation in Ukraine. Aiming to improve conditions for business, the EU-Ukraine Association Agenda mentions the reforms of deregulation, public procurement and taxation as short-term objectives for action (EU-Ukraine Association Council 2015: 6-7).

Apart from using SMEs development as an instrument of promoting the equality of opportunities, the EU facilitates it with the help of a variety of projects, aimed to promote education and people-to-people contacts. These projects are financed via the multilateral and unilateral tracks of the EaP.

#### ***H. Functioning civil society***

There is a clear link between functioning civil society and democracy. Merkel (2004: 47) singles out four most important functions of civil society, such as protecting an individual from arbitrary state rule, establishing the balance between central political authorities and society, promoting civil virtues (tolerance, mutual acceptance etc.) and ‘*expanding the sphere of interest-articulation and interest-aggregation*’.

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<sup>20</sup> E.g., “Support to Ukraine Regional Development Policy” (2012-2016); “Ukraine-NIF Guarantee Facility as part of the ENI regional project DCFTA Initiative East” (2013-2016).

<sup>21</sup> E.g., “Promoting mutual trade by removing technical barriers to trade between Ukraine and the European Union” (2011-2015).

Viewing civil society as a “watchdog” to promote public accountability and reforms in partner countries, the EU uses a variety of means to strengthen capacity of civil society actors and increase their chances to exert impact on governmental policies. The cooperation between civil society actors from the EU and its Eastern partners takes place in terms of the Civil Society Forum. Specific NGOs can also benefit from the EU cooperation programmes, financed under Platform 4 “People to people contacts”. EIDHR provides civil society actors with an opportunity to win tenders and grants to conduct projects in the field of democracy and human rights (EuropeAid 2014). Grants are also available for civil society under the Neighborhood Civil Society Facility. Importantly, the EU Special Measure in favour Ukraine 2014 includes “Ukraine civil society support programme” that is expected to work in synergy with the above instruments and facilities. The major objectives of the programme deal with strengthening the NGOs capacity to participate in policy dialogue, monitoring and oversight, as well as creating the environment conducive to the activities of civil society (European Commission 2014: 21). Unlike other EU instruments, the programme’s description includes expected results, planned activities, as well as cross-cutting issues (mainly, the link between the civil society development and domestic reform agenda.

The EU-Ukraine Association Agenda mentions the government’s consultations with civil society as an important part of institution-building and the promotion of the freedoms of expression, assembly and association. The civil society’s participation is considered a necessary prerequisite for countering corruption. Finally, the EU-Ukraine AA provides for constituting of the EU-Ukraine Civil Society Platform that aims to monitor issues, deemed important for both sides of the Agreement and report on them (EEAS 2014a).

### ***I. International and regional integration***

Nowadays many international organizations promote democracy by creating international law, binding for the Members, establishing respective reporting obligations and launching cooperation programmes.

The EU promotes international integration of Ukraine in several ways. Firstly, it maintains active bilateral links with Ukraine, emphasizing democracy as one of the foundational shared values of the parties. Secondly, the Union encourages Ukraine’s participation in a broad range of cooperation programmes (e.g. COSME, Horizon 2020, Erasmus+). In this regard, it is crucial to mention that the EaP provides for institutionalized cooperation between different types of stakeholders from the EU and partner states, such as parliaments, civil society actors, businesses and students. Thirdly, in the majority of considered instruments the Union underlines the need of bringing the legislation of

Ukraine in compliance with international instruments (e.g., European Charter of Local Self-Government, UN Convention on the Rights of Persons with Disabilities) and recommendations of international organizations and bodies (e.g., OSCE/ODIHR, Venice Commission, GRECO) (EU-Ukraine Association Council 2015: 6).

Ukraine's regional integration is being supported by the ENI Cross-Border Cooperation programme. The strategic objectives of the Programme deal with promoting region's socio-economic development; addressing common challenges (e.g. environment, public health, organized crime) and promoting better conditions for the mobility of goods, persons and capital (EEAS&EuropeAid 2014b: 4). Under the Programme Ukraine can cooperate with Romania, Belarus and Poland, as well as contribute to the development of Black Sea basin.

### ***J. External embeddedness***

According to Merkel (2004: 44), *“every democracy as a whole is embedded in an environment that encompasses, enables and stabilizes the democratic regime”*. When speaking about external embeddedness dimension of the model, it is necessary mention that the EU underlines the links between civil society development and democracy, as well as international integration and democracy. However, the links between socio-economic conditions and democracy are not explicitly addressed, while support for business development is seen as a separate aspect of the EU-Ukraine bilateral relations and EU aid.

### **Summary of the findings**

	EaP Platforms	ENI	ENI CBC	EIDHR	Special Measure 2014	Special Measure 2015	EU-Ukraine AA/ Agenda	EU-Ukraine Inter-parliamentary cooperation
Electoral standards	CoE standards	-	-	Objective	OSCE GRECO standards	-	OSCE GRECO standards	-
Party system (party financing)	-	-	-	-	-	-	Priority action	Specific steps to be taken
Free and fair elections	PCF with COE	-	-	Objective	-	-	Priority action	-
Political rights	Importance is	-	-	Objective, human	-	-	Priority action,	-

(freedom of association; media freedom)	underlined			rights priority			specific steps to be taken	
Freedom against the state (civil rights)	-	-	-	Human rights priority (death penalty, tortures, children's rights)	-	-	Specific steps to be taken, transfer of the EU acquis	-
Rule of law	-	-	-	Rule of law in relation to democracy agenda	Rule of law outside civil rights agenda	Rule of law outside civil rights agenda	Principle, objective of political dialogue, not linked to civil rights	-
Equal treatment	Objective	-	-	Priority for action, link to non-discrimination	Objective	Objective	Element of political dialogue, transfer of the EU acquis	-
Horizontal separation of powers	-	-	-	-	Objective	-	Priority for action	-
Effective power to govern of elected officials	-	-	-	-	-	-	-	Specific steps to be taken
Internal embeddedness	Puts actions together without explaining the links between them	-	-	Explains how actions are linked (e.g., human rights and civil society support)	Cross-cutting issues	Cross-cutting issues	Priority for action	-
Macroeconomic situation	Separate Platform, rule transfer	-	-	-	-	Specific projects, private	Multiple priorities for action, use of	-

							DCFTA as an incentive	
Functioning competition legislation	Access to COSME programme	-	-	-	-	Specific projects	Specific actions, rule transfer	-
Equality of opportunities	Access to multiple EU programmes (Erasmus+, Horizon 2020); contacts between people	-	Support for equality-related projects of civil society	-	-	-	-	-
Functioning civil society	Civil Society Forum, contacts between people, Erasmus+, Neighborhood Civil Society Facility	Grants and tenders in the field of cross-border cooperation, and democracy and human rights respectively		Specific measures, expected results, activities	-	Need for consultations, EU-Ukraine Civil Society Platform	-	
International and regional integration	Promotion of international standards Cooperation between stakeholders at different levels Access to the EU programmes	Regional integration	Promotion of international standards	Promotion of international standards	-	Promotion of international standards, rule transfer	Inter-parliamentary cooperation. Promotion of international standards	
External embeddedness	Strong link between civil society development and democracy, as well as international/regional integration and democracy Limited link between socio-economic factors and democracy							

## Conclusion

Summarizing the findings of research, it is possible to state that the concept of embedded democracy can be used to address the substance of the EU democracy promotion in Ukraine in 2014-2015. The rationale behind this statement is that all the partial regimes and external preconditions of democracy find their reflection in the legal instruments the EU uses to promote democracy in Ukraine. The application of multiple mutually reinforcing democracy promotion instruments is viewed as a crucial manifestation of embeddedness.

However, a number of considerations can be still raised in this regard.

Firstly, in many cases the EU chooses to address specific issues by setting rather vague objectives without defining expected results, specific activities and the mechanism of progress monitoring. Sometimes such design of legal instruments can be explained by their thematic nature (e.g., the EIDHR). However, even country-specific instruments (e.g., the EU-Ukraine Association Agenda) often set priorities without determining the mechanism of reaching them. In this view, it becomes hard for the EU to continuously monitor the state of partial regimes and external preconditions of democracy and ensure balanced approach to its promotion efforts, leading to the embeddedness of the partial regimes and external issues.

Furthermore, the above-mentioned challenge is aggravated by the fact that the EU tends to use a combination of instruments to promote specific values and standards in a given country. Synergy effects need to be thoroughly planned and empirically tested to prevent overlaps and secure maximum contribution to overall democracy promotion efforts. Otherwise, the overlaps between the EU geographic and thematic, as well as unilateral, bilateral and multilateral instruments are likely to lead to the misbalance between different partial regimes, external conditions of democracy and the links between them.

Thirdly, current EU democracy promotion lack specific links between the criteria, included to the model. For instance, Merkel (2004) explicitly links the rule of law to an individual's ability to protect his/her rights in court. The EU repeatedly recognizes the need for civil rights protection and provides for priorities in the field of human rights. However, the Union's democracy promotion instruments address the rule of law in primarily institutional terms instead of testing an extent to which the legal means grant protection to an individual. Furthermore, the EU instruments do not address the improvement of socio-economic context in a partner country as a precondition of successful democracy promotion. That is why, the external embeddedness dimension of the embedded democracy model is not fully reflected in the EU democracy promotion agenda in Ukraine. Further efforts need to be applied by the Union to achieve synergy between the promotion of democracy on the one hand, and macroeconomic stabilization, competition and equality of opportunities in Ukraine.

To conclude, the concept of embedded democracy can be applied to research the substance of the EU democracy promotion, as it stems from the single case study analysis of the EU democracy promotion efforts in Ukraine in 2014-2015. The application of the model to the case of Ukraine

reveals several directions the EU can take to enhance its democracy promotion efforts in Ukraine. They include specifying the steps to be taken to achieve democracy-related objectives and expected results; promoting synergetic effects of multiple democracy promotion instruments and paying extra attention to ensuring the embeddedness between different aspects of democracy, as well as democracy and its external preconditions.

### **Directions for future research**

The study of the substance of the EU democracy promotion efforts in Ukraine allowed revealing a number of issues, worth further consideration.

Firstly, it is broadly known that the EU uses rule transfer as a means of democracy promotion. Testing the effectiveness of transferred norms in a legal system of a partner state requires is needed to determine the degree of contextualization, necessary for successful rule transfer.

Secondly, it is interesting to trace synergetic effects of a variety of *means* the EU uses to promote democracy, such as political dialogue, granting access to cooperation programmes, institutional capacity-building etc. Special attention is to be paid to international and regional integration as both the external precondition of democracy and the means of its promotion.

Thirdly, present composition of partial regimes in an embedded democracy concept does not allow considering several important aspects of the EU democracy promotion efforts within the scope of the model. They include *inter alia* the promotion of accountability and transparency, decentralization and capacity-building of local authorities, as well as civil service reform. Considering the above aspects of democracy-building in relation to the embedded democracy concept is of vital importance for further adjusting “embedded democracy” as a tool to “map” the substance of the EU democracy promotion.

Finally, special interest is constituted by the partial regime “effective power to govern by elected officials”. It is simultaneously least promoted by the EU, but most controversial aspect of democracy promotion from conceptual standpoint. While the “effective power to govern...” provides for diminishing influence of external stakeholders on the government, a question arises whether the EU democracy promotion as such constitutes such influence. An extent to which such influence is justifiable is to be considered from the viewpoints of democracy studies, international relations and international law.

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## Non-Combatant Immunity: A Necessary, Yet Versatile Condition for Just Warfare?

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### Abstract

*Can a regime of warfare which employs deliberately indiscriminate violence towards civilians ever be regarded morally just? Both “common sense” and ethical arguments tend to clearly dismiss this sort of notion. In this paper, I intend to show through analysis of the 20<sup>th</sup> century and contemporary discourse on just war theory how the prima facie moral duty of sparing civilians has been constructed and upheld as a central condition of just warfare. In doing so, this paper aims to illustrate the conceptual differences several scholars and their theories employ regarding non-combatant immunity. This is hoped to become especially clear as I highlight not merely the more classical, state-centered approach to the ethics of war, but also deal with a very recent, cosmopolitan perspective on just warfare. Concluding, I propose that maintaining non-combatant immunity as an ethical necessity may depend on your perspective on how a “non-combatant” is distinguished, but still remains essential in terms of ethical regulation for actual warfare.*

### Keywords

Civilians, Consequentialism, Cosmopolitanism, Just War Theory, Kantian Ethics, Killing in War, Non-Combatant Immunity

## Introduction

“Killing Civilians is worse than killing soldiers. If any moral principle commands near universal assent, this one does.” (Lazar 2015: 91)

The question of whether there is a moral difference between killing combatants and killing civilians, or, more precisely, non-combatants, indeed appears to be settled. Not only does it strike one as a profound *prima facie* moral coercion, as most people are specifically, some even exclusively, appalled by war when it claims the lives of the innocent, but a multitude of arguments by various scholars demand a strong *ex post* claim of philosophical absoluteness to the notion that it is in fact morally worse to intentionally kill non-combatants than it is to intentionally kill soldiers; due to the limited length of this paper, it will disregard the issue of killing civilians in the context of collateral damage. However, as always within the ambiguous realm of philosophy, there are some counter-intuitive doubts about this that may jeopardize the coherence of just war theory. Are they justified? And if yes, do they declare traditional just war theory philosophically falsified? This paper seeks to answer these questions through systematic analysis.

Firstly, the line(s) of thought employed by those proposing the necessity of discrimination as a *ius in bello* condition is to be examined, with the explicit aim of clarifying why it is, by now, almost universally accepted as a central foothold of just war theory. Subsequently, some objections to the universal validity of discrimination will be illustrated. On the one hand, a limited objection by mainstream just war theory itself, the Supreme Emergency exemption, proposed mainly by Michael Walzer, will be introduced and analyzed. On the other hand, a rather recent conceptual objection by the more radical cosmopolitan approach to just warfare, embodied mainly by Cécile Fabre, will supply an element of rebellion against traditionalist just war theory whose reasoning I will depict accurately. While this paper is both pillowed by the great amount of analytical as well as descriptive research that has been conducted in regard to its central question, it simultaneously attempts to critically analyze the used literature along the way. In doing this, it finally aims to propose the possibility of upholding the principle of discrimination while making some concessions to those in enmity to employing it as an absolute and universal condition for morally just warfare. This can be done in a logically coherent fashion, I argue. I will start this examination by pointing out the moral arguments brought up in order to defend discrimination as an absolute and universal moral principle, and explaining which merits this point of view may have.

## Non-Combatant Immunity as a Necessary Condition for *ius in bello*

In order to satisfy the purposes of this paper, it suffices to say that, while civilians are not in legal terms identical with non-combatants<sup>1</sup>, we can treat both groups as morally identical, to both avoid the danger of getting stuck with debating legal semantics and the risk of unnecessarily confusing the reader. Thus, from now on, I may use both terms as synonyms, defining both as persons who are not engaged in warfare, regardless of whether they are involved with an armed force or not. This basically paraphrases and combines the Merriam Webster definitions of civilian and non-combatant. Having simplified the semantic intricacies, we may now move on to questions of philosophical substance. The concept that has arisen as the most relevant within the context of non-combatant immunity is the notion of innocence. It has been the central issue in debates about discrimination in just war discourse since the 1960s (Mavrodes 1975: 120ff.). While mostly defended as a central moral imperative prohibiting attacks on non-combatants, Mavrodes takes the stance that

*“‘innocence’, as used here [as a moral justification for discrimination, note], leaves out entirely all of the relevant moral considerations [...].”* (Mavrodes 1975: 123)

He argues that it is not permissible to equate non-combatant with innocent, as a non-combatant may in some way bear a greater responsibility for the waging of war than a soldier actually engaged in it.

What is more, combatants do not act as individuals but as often involuntary agents of nations, which contributes to further eroding the moral classifications of criminality and innocence. Thus, this proposed notion of innocence does not coherently work and can not be plausibly applied to all non-combatants (same: 123). Fullinwider (1975: 92f.) takes on this criticism and develops a counterargument that disconnects the reasoning from notions of criminality. While he supports Mavrodes in his criticism of former arguments for discrimination, he builds up an argument for non-combatant immunity resting upon the principle of self-defense, foreshadowing a similar argument for discrimination that Michael Walzer would later on employ in his *Just and Unjust Wars*. It goes like this: Only entities that pose a direct and immediate threat to the lives of others become liable to be killed. This applies to individual self-defense as well as to the procedures of killing in war. Removing questions of moral guilt and respective punishment from the picture, this argument implicitly serves to further the notion of limited war by decidedly allowing killing only as a resort of self-defense and thereby protecting individuals and groups not engaged in warfare (same: 94f.). His argument can be summarized as follows:

*“To intentionally kill non-combatants is to kill beyond the scope of self-defense. It is to kill*

*unjustifiably from the point of view of self-defense.”* (Same: 94)

It also subtly anticipates another of Walzer’s proposals, the moral equality of combatants, a principle that has lately been the subject of various criticisms (Walzer 1977: 34-47, McMahan 2006: 377-393). Fullinwider’s emphasis on the reciprocal relation between a direct and immediate attack with a chance of lethality and the morally adequate response of using deadly force against said attack resembles Thomas Nagel’s writings on absolutist morality in the realm of warfare, in which he absolves any other targets than the one presenting a specific and immediate attack of any liability to be killed, thus furthering the notion of just warfare as inherently limited. The distinction between combatants and non-combatants is converted from near irrelevance in the actual exercise of some wars (Nagel explicitly refers to the Vietnam War) to a fundamental and necessary precondition for any war that wants to be regarded just (Nagel 1972: 138f., 127-130). We can observe in these attempts to justify discrimination a general endeavor to keep the category of morally allowed killings in war as narrow and linearly argued as possible; the argument mostly made in order to protect civilians stems, and surprisingly so, from consequentialist considerations. Non-combatant immunity is, in the case of the self-defense argument made above, an end in itself, but also simultaneously, and perhaps more subtly, a grave means to the end of limited overall suffering. Johnson writes:

*“When no distinction is made between enemy combatants and enemy non-combatants, the non-combatants suffer disproportionately. When non-combatants are chosen as preferred targets, this burden of suffering becomes heaviest of all.”* (Johnson 2000: 422)

Notice the subtle rhetorical consequentialist element of proportions: It gives reason to the assumption that, in the philosophical justification of non-combatant immunity, it is not simply a *prima facie* sense of inherent moral repulsiveness that condemns the killing of civilians, but a utilitarian consideration that aims to minimize physical suffering overall. Johnson goes on to refute different arguments in favor of abolishing the distinction between combatants and non-combatants in different ways, but his line of reasoning is heavily underpinned by one general concern: Turning down the notion that war is to either be total or abolished at all and setting the stage for the concept of just war as limited war. For instance, he essentially combats the argument that, sometimes, the military sphere and the civil sphere are so interconnected that distinguishing between them would be a mere charade by insisting that even in societies that may be constructed this way there are differences in the degree different people contribute to military causes, and that this difference, even if slight, is both morally meaningful and, if adhered to by war parties, contributes to the notion of

limited war (same: 422ff.). What is more, most literature proposing the principle of non-combatant immunity puts an emphasis on vocabulary that stresses words like *constraints* and *balance*. It is in search of the third way between absolute war and pacifism, and a concept like non-combatant immunity fits into the relative pragmatic agenda that the just war theory employs (O'Brien 1981: 45f.). It both fits into the moral need to limit warfare to the least amount of suffering possible and, being relatively vague in practice, recognizes certain realities of warfare. O'Brien stresses the necessity

*“to balance the need to protect noncombatants with the need to recognize the legitimate military necessities of modern forms of warfare. In this process one may err one way of the other, but at least some relevant, practical advice may be offered belligerents.”*

(Ibid.: 46)

Those efforts to relieve non-combatant immunity of a Kantian philosophical burden also serve to generally simplify the concept in order to enable a smooth integration with *ius in bello* and just war theory in general. Integrating the principle of non-combatant immunity with the overarching goal of keeping war limited and suffering minimal serves a central purpose: It helps to connect *ius in bello* imperatives with *ius ad bellum* conditions. As non-combatant immunity becomes a moral imperative, for both morally absolutist but mainly consequentialist reasons, it simultaneously becomes a necessary (but not sufficient) condition for *ius in bello* and thereby the overall waging of a just war; therefore, a war that is fought in order to suffice a just cause automatically becomes illegitimate as soon as civilians are deliberately attacked – the just cause vanishes. Thus, the *prima facie* axiomatic notion that deliberately killing non-combatants in war is a means *mala in se* and therefore morally repulsive also serves as an important headstone in the greater, consequentialist, structure that is *ius in bello* – it cannot be thought as autonomous of a greater, surrounding theoretical entity (Ibid. 44). In the next section, I will present exemptions from the concept of non-combatant immunity. As we have explored during the last few pages, non-combatant immunity comes with a heavy consequentialist underpinning that aims to secure more overall principles of just war theory; I will try to illuminate whether that means that these exemptions are *per se* unthinkable for anyone who does not wish the just war theory an untimely demise, or if the exemptions might actually be sensible and well thought-out.

### **The Supreme Emergency Exemption**

The institutionalization of the concept of supreme emergency, previously a vague idea at most,

within just war theory was introduced by Michael Walzer in *Just and Unjust Wars* (1977: 251-268). Ever since it has been treated as part of a fixed canon of considerations within *ius in bello*, criticized by some but accepted within the greater discourse about morally just warfare, even provoking arguments in slightly different areas that clearly lean on its line of thought. All this might be surprising at first; Walzer's scenario of a supreme emergency explicitly allows and might even call for intentional, lethal and indiscriminate attacks against civilians. However, the *prima facie* moral inconceivability this argument provokes is dampened, and, some claim, even inverted by Walzer's thorough reasoning and, particularly, the narrowness of the scope within which human rights violations become justified. Employing the example of Nazi aggression, Walzer limits the eligibility of deliberate killings of civilians in war to cases that present

*“an ultimate threat to everything decent in our lives, [...] a practice of domination so murderous, so degrading even to those who might survive, that the consequences of its final victory were literally beyond calculation, immeasurably awful. We see it [...] as evil objectified in the world [...].”*

(Walzer 1977: 253)

Thus, although this state-centered account of a supreme emergency case is more rhetorically emphatic than pragmatically scientific, we can justifiably conclude that such cases are of an evanescent rarity. Walzer's only example of a supreme emergency case is Nazi imperialism and the subsequent (last resort!) British indiscriminate bombing of German cities up until mid-1942; in the last two and a half years of World War II, the bombing was, in Walzer's opinion, not absolutely necessary and therefore transgressing against *ius in bello* requirements; there was no supreme emergency anymore (ibid.: 255-262). Neither existed reason to suppose supreme emergency in cases like the Japanese refusal to accept unconditional surrender that led to Hiroshima and Nagasaki, or the Korean War, the Vietnam War, and so on. Walzer realizes that the exemption of supreme emergency can only be thought a valid contribution to just war theory if its margin of eligibility is thought of as almost inconceivably small; else, it would jeopardize just war theory as a whole by undermining its very central notion of limited war, the principle that overarches all duties of *ius in bello* in quasi-consequentialist fashion. However, this still presents the issue that the concept of supreme emergency can, of course, be taken out of its original context of inter-state war to justify, for example, some form of terrorism. Such act utilitarianism is problematic, since it does the very thing the coherent survival of *ius in bello* is dependent on: converting moral arrangements like non-combatant immunity from near-absolute, profound and essential into mere, optional guides for proper warfare (Coady 2004: 777f.). This uncovers a profound flaw in the supreme emergency

exemption: Walzer's almost naive disregard for the possibility that his theory might be used within different discourses than his own, state-centered framework (same: 783). What is more, this flaw makes the supreme emergency exemption so susceptible to abuse by belligerents that it has to be asked whether scholars would not be better off by completely eliminating it. We are therefore confronted with the dilemma of deciding whether we dispose of a principle that surely has merits in some, extremely rare situations, or if we can endure to constantly defend it and possibly affected civilians against abuse by warmongers who lack any sort of moral compass. How this dilemma can be solved will be subject of great debates within the philosophy of morality (same: 787f.).

What we can say about the supreme emergency exemption within the context of exploring non-combatant immunity, however, is that it is a utilitarian consideration that, paradoxically, employs a sort of consequentialism that resembles the consequentialist nature embodied in non-combatant immunity as a necessary condition for *ius in bello*, but greatly differs from that in its relevance to non-combatants; but that seems to say more about consequentialist interpretations of morality than about the question if the supreme emergency exemption negates all foundations for non-combatant immunity. In fact, those notions are reconcilable. Naturally, supreme emergency provokes an exemption from the principle of non-combatant immunity that is grave and profound; however, both considerations originate from within the same framework of moral thinking about war. They follow the same fundamental notions of morality, and the elaborateness with which the supreme emergency exemption is introduced perhaps says more than anything else about the significance of non-combatant immunity in general.

### **Cosmopolitan War**

I will now shift the focus from aspects of traditional just war theory to the more recent, cosmopolitan approach that Cecile Fabré has employed in her inquiry of the morality of war. She ventures into uncharted territory by supplying the first book-length theory of just war that is entirely thought from cosmopolitan perspective (Fabre 2014: 3). The revolutionary elements of this approach can easily be detected just by observing the structure of her book: the ethics of war cease to be absolute, but differ depending of the sort of war being fought: situations in a war of collective self-defense against unwanted aggression may provoke completely different moral verdicts than situations, for example, in a civil war (ibid.:contents, 5ff.). She defines cosmopolitanism as

*“the view that human beings are the fundamental and primary loci for moral concern and respect and have equal moral worth. It is individualist, egalitarian and universal,*

*and insists that political borders are arbitrary from a moral point of view [...].*

(ibid.: 16)

In other words, states and nations lose their moral significance, and are therefore no longer the focus of a theory of just war. This provides a new moral axiom that impacts all aspects of just war; it has great implications for the principle of non-combatant immunity, especially as cosmopolitanism, a Kantian position, must reject all notions of consequentialism.

Since, she draws different ethical conclusions from different scenarios of war, one need not be surprised that her conclusion on non-combatant immunity within the realm of the most traditional form of just war, collective self-defense, does not differ much from traditional just war theory. While she does employ a more elaborate position on collateral damage to civilians, allowing it to be inflicted only by the party fighting with just cause, her cosmopolitan narrative, in its sole emphasis on individuals, minimizes the ethical salience states supposedly possess, and therefore principally implies, in the case of inter-state war of self-defense, that there is no reason why individuals not engaged in war activities on either side should become liable to lethal, intentional harm as long as they actually stay non-combatants (ibid.: 82-95f.). But what about, for instance, civil wars? After doing away with the claim that intra-state wars do not belong within the field of just war theory by insisting that just war theory essentially grapples with massive uses of force between enemy groups that fight over some political end, a definition that arguably applies to civil wars, she goes on to discuss the issue of deliberate killings of non-combatants in such wars (ibid.: 131). In this case, her argument differs from the logic traditional scholars like Fullinwider employ: It is not just the mechanical act of self-defense that justifies killing in war, but also, to some extent, the graveness with which a civilian might support an unjust form of governance that oppresses their citizens' right to self-determination, or, in any case, their right to a minimally decent life – one might become liable to be killed, even if one never once picked up a weapon (ibid.: 157f., 118-125). Taking a sort of revisionist stance, this proposal falls back onto notions of innocence and criminality that early pioneers like Fullinwider or Nagel wanted to abandon; Fabre justifies this necessity to weaken the prohibition to harm civilians, counterintuitively on first look, by drawing from cosmopolitan axioms. When borders and nations become ethically irrelevant, it stands to reason that individuals have to directly be called accountable for their actions, irrespective of their being rich, poor, or any other feature that they might possess. This, in turn, leads to the conclusion that, to be regarded as morally just, everyone has to reflect on the consequences their actions impose not just on family or compatriots, but on the basic right to live a minimally decent life all individuals globally possess– a

conclusion that, when applied to the ethics of war, blurs the fine line between who is liable to be exposed to harm, and who is not, even further. Why should those non-combatants whose ignorant actions profoundly further the suffering of innocents not be liable to endure harm or death, if the force used against them is a means both necessary and of last resort to ensure that the deprived can actually seize their right to a minimally decent life? Fabre argues that this proposed liability to lethal harm is not at all disproportionate, as it is the result of the principle of self-defense, when applied globally in cosmopolitan fashion (ibid.: 31-38, 118-122). While this is a line of thought argued within the ethics of subsistence wars, there is no indication that it does not apply to civil wars in similar fashion. Note that all this does not imply that Fabre wants to dispose of the principle of non-combatant immunity. It merely means that non-combatant immunity assumes a different shape when constructed from cosmopolitan perspective. It loses its consequentialist function within the realm of *ius in bello* – in cosmopolitan war ethics, limited war is (supposedly) welcomed, but not the overarching principle other moral restraints are designed to adhere to. In fact, non-combatant immunity becomes a purely Kantian notion justified by the negative and positive human rights of all agents, but absolute only in so far as it can serve to further and accomplish these rights.

Her argument undoubtedly has its problems. One central issue criticized by Lazar, among others, is the arbitrary threshold between the amount of unjust harm caused that makes one become liable to (lethal) force and the amount of unjust harm caused that is just too little to justify one being killed (Lazar 2014: 411f.). This is one intricacy among others that will have to be thought out in a more differentiated fashion. While the amount of space I used here does, of course, not suffice to give a full account of cosmopolitan war ethics, the principles introduced in this section will go on to spark more controversy and deliberation within the field, and may just pose a small revolution in just war theory.

## Conclusion

I hope to have adequately introduced the reader into the debate on non-combatant immunity, a topic so diverse that it arguably could be the subject of whole dissertations. Processing the history of non-combatant immunity as a notion central to *ius in bello*, I provided an account of how it fits into the overarching issue of keeping war limited and how, in traditional just theory, it derives from the understanding of the right to kill as a right to self-defense as a means that has to be necessary and of last resort. The implementation of non-combatant immunity in traditional just war theory essentially has to be understood as the attempt to institutionalize the reduction of suffering to be endured by only those who actually threaten others; a means, in other words, to provide war with a profound

moral prerequisite of conduct. This is a notion the supreme emergency exemption follows, designed only for times in which humanity itself and its basic moral accomplishments are at stake; a means of last resort and desperation, that has been criticized for its liability to misinterpretation and abuse, but still has a strong standing within the war ethics discourse because of its instrumental worth in showing just how bad war has to become if non-combatant immunity is to be annulled. And then there is the cosmopolitan approach to non-combatant immunity, a world view that detects all acting individuals as the only actors morally relevant and therefore personally liable to bear the consequences of their actions; a paradigm that may sometimes allow for a breach in non-combatant immunity, if, and only if, civilian actors are responsible for the profound and illegitimate suffering of others, and if those suffering can only end their plight by killing their civilian oppressors. This is a notion of ethics that is, as of now, susceptible to criticism because of the arbitrariness inherent in the criteria it sets, but also one that may come to greater influence in future discourse. All this merely presents a small extract of great liveliness of the discourse on non-combatant immunity. For reasons of length, I have deliberately ignored contributions by such scholars as Kamm, McKeogh, Seth Lazars latest book on this issue<sup>5</sup> and others. However, I hope to have shown that my starting point for this paper, after all, still mostly holds up: Killing civilians is worse than killing soldiers.

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## Survival ‘Beyond Positivism?’ The Debate on Rationalism and Reflectivism in International Relations Theory

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### Abstract

*In the late 1980s, Robert Keohane argued that “the greatest weakness of the reflective school of international relations lies not in deficiencies in their critical arguments but in the lack of a clear reflective program that could be employed by students of world politics.” This argument has been one of the initiators of the debate between rationalism and reflectivism in International Relations (IR) theory. This paper aims to question the relevancy of such argument for the reflectivist scholarship. To this aim, it first provides an overview on the major focal points of the so-called rationalism-reflectivism debate. Second, it focuses on Keohane’s argument to understand his accounts on what counts as a ‘research program’ and what he means by ‘reflective scholarship.’ Third, the study revisits the foundational claims, as well as promises of reflective scholarship. Accordingly, the paper concludes that the call for a ‘clear research program’ contradicts with the very foundational claims of reflective scholarship, which has its roots in the criticism of positivist understanding of social science.*

### Keywords

Epistemology, International Relations Theory, Philosophy of Science, Rationalism, Reflectivism, Research Program

## Introduction

Since its foundation as a discipline, there have been four so-called ‘major/great debates’ in the International Relations (IR) theory literature. The first was in the interwar period, between realism and idealism about the role of international institutions and the causes as well as prevention of war. The second debate emerged in the 1960s between traditionalists (a more interpretivist/historicist methodology) and behavioralists (arguing for a scientific methodology) on the question of a ‘scientific methodology’ of IR. By the 1970s-80s positivism had become the dominant way of thinking in IR. This also corresponds when the third debate (the inter-paradigm debate) emerged between Realism, Marxism and Pluralism. In mid-1980s the debate between rationalist and reflectivist approaches, which has mainly developed around the issue of science in the history of IR, has started.

In the late 1980s, as one of the major figures of the ‘fourth debate’, Robert Keohane (1988: 392) argued that “the greatest weakness of the reflective school of international relations lies not in deficiencies in their critical arguments but in the lack of a clear reflective program that could be employed by students of world politics.” He further suggested that “until the reflective scholars or others sympathetic to their arguments have delineated such a research program and shown in particular studies that it can illuminate important issues of world politics they will remain on the margins of the field, largely invisible to the preponderance of empirical researchers” (Keohane 1988: 392). This argument has been one of the initiators of the above-mentioned debate between rationalism and reflectivism.

This paper aims to question the argument that is first put forward by Keohane in 1988. To this aim, it provides a brief overview on the major focal points of the rationalism-reflectivism debate in IR. Second, it focuses on Keohane’s argument to understand his accounts on what counts as a ‘research program’ and what he means by ‘reflective scholarship.’ Third, the study revisits the foundational claims, as well as promises of reflective scholarship. Accordingly, the paper concludes that Keohane’s call for a ‘clear research program’ contradicts with the very foundational claims of reflective scholarship, which has its roots in the criticism of positivist understanding of ‘social science.’

### **An overview of the literature: the rationalism-reflectivism debate**

Following the debate between traditionalist (a more interpretivist/historicist methodology) and behavioralist (arguing for a scientific methodology) of 1960s, positivism has become dominant in the academic discipline of IR. In the 1980s, a new discussion is initiated between two approaches, and

characterized in various ways: “explaining and understanding” (Hollis and Smith 1991) “positivism and post-positivism” or “rationalism and reflectivism” (Keohane 1988). Literature on IR also considers this debate as an ongoing one, since the discipline is currently organized around the divisions that emerged during this debate and the major ‘camps’ still exist and the issues are still discussed. The debate revolves mostly around epistemological questions, namely, claims of knowledge.

According to Smith (1996) rationalism is a foundationalist approach to philosophy of science. Influenced by Comteian positivist emphasis on the ‘unity of scientific methodologies’ rationalism refers to the idea that nature is governed by regular laws. It offers the notion of reason to explain these regularities by developing causal mechanisms (Smith 1996: 21). For positivist epistemology that is adopted by rationalism “events in the empirical realm are held to be instances of observable regularities” (Neufeld 1995: 28). These regularities are seen as independent of time, space, the human observer (as an outsider), and they are approached in terms of Humean understanding of causality. The aim of a positivist approach is to find out initial conditions for outcomes/occurrences. Rationalism treats individuals as rational actors, and ignores some other characteristics of them, not merely because they believe in this assumption but for the purpose of parsimony and generating predictions. This approach, for Keohane, is useful for knowledge production (Kurki and Wight 2013: 24). The roots of this deductive approach lie in observation and measurement. This approach has been quite influential in the IR theory literature. Broadly speaking in IR theory rational approaches include the variations of realism and liberalism.

For Kurki and Wight (2013: 24) and Smith (1996: 12), Keohane’s ‘reflective scholarship’ include Critical Theory, constructivism, post-structuralism, post-modernism, and feminism. These approaches are reflective due to their rejection of positivism/rationalism. Apart from this shared interest in questioning positivist/rationalist understanding of IR, these theories are not easy to group together since there are important differences between reflectivist theories on their empirical focus (Smith 1997: 172). Post-positivist epistemology that is adopted by reflective scholarship is uncertain of almost all clearly defined and defended knowledge claims. Reflectivist scholarship oppose the argument that social scientists can be like natural scientists regarding being independent from their subject matter. As Horkheimer argued, the connection between knowledge and power is very close when it comes to ‘social sciences’ (Smith 1997: 175). Horkheimer opposed to the application of positivism to social sciences since he did not believe that ‘facts’ were waiting out there to be discovered by the observer. Rather, facts are the product of political, social and historical

frameworks. This was the reason that he proposed critical theory's adoption to world politics (Smith 1997: 176).

### **Keohane's argument and the idea of 'research program'**

The debate between rationalism and reflectivism is highly influenced by Thomas Kuhn, who criticized Popper's suggestion "to stop asking whether a claim could be proven true and instead ask whether it could be proven false" (Jackson 2011: 12) and possibility of a rational reconstruction of the growth of science (Lakatos 1965). In his seminal work *The Structure of Scientific Revolutions* Kuhn (1962) defines three processes of scientific development: (1)pre-paradigm, (2)normal science, (3)revolutionary science. He argues that when the paradigm encounters with anomalies that cannot be solved within normal science, paradigm shift occurs by means of a scientific revolution. The period that the new approach remains explanatory is called normal science and knowledge accumulates within this process. Imre Lakatos (1965) in his chapter *Falsification and the methodology of scientific research programmes* criticizes incommensurability argument of Kuhn and builds the idea of "research programs" which have their core and auxiliary assumptions/clauses. According to this view, when crises occur, auxiliary assumptions can be altered to increase explanatory power of the program. If core assumptions are challenged for the purpose of dealing with the crises, then it becomes a 'degenerative' research shift.

According to Lakatos (1965), 'problemshifts' are theoretically progressive only if they increase their predictable capacity by adding auxiliary assumptions. They are empirically progressive if they contribute to actual discovery of new facts. He argues that problemshifts are progressive only if they are both theoretically and empirically progressive. If they are not, we reject them by labeling them 'pseudoscientific.' Moreover, "Progress in science is measured by the degree which a problemshift is progressive" (Lakatos 1965: 118). According to this understanding of falsification, theories are falsified only if they are superseded by a theory with "higher corroborated content" (Lakatos 1965: 118-9.) For him, theories are scientific if they offer a content-increasing explanation, and they are unscientific if they establish a linguistic reinterpretation. This is Lakatosian definition of science and progress in this specific understanding of science.

Particularly Lakatos's model on "research programs" has been adopted by the 'positivist' wing of the discipline (See Kurki and Wight 2007: 18-20; Hollis and Smith 1990: 28-36). Positivists adopt a rationalist research program that seeks falsification and progress. Their aim is to find causal links between observable variables with objective lenses. According to Smith (1996: 16), there are four main features of positivism, which he names as a methodological position: belief in (1) the unity of

science, (2) the distinction between facts and values (the idea that facts are theory natural), (3) the existence of regularities in social and natural world, and (4) empiricism as the hallmark of enquiry.

Rationalist and positivist assumptions, as well as the idea of ‘research program’ are also adopted by Keohane. He uses the label reflectivism by basing on rational choice approach, which is essentially a methodology constructed from a commitment to a positivist account of science. In his ISA presidential speech Keohane (1988) mentions the emergence of a series of theories that were sharply critical of rationalist approaches to the discipline – by mainly referring to critical theory, constructivism, poststructuralism, and feminism. He labels these approaches as reflectivist due to the fact that they rejected the classical positivist/explanatory approach to IR theory and research, emphasizing instead reflexivity and the non-neutral nature of political and social explanation. Then he suggests that these approaches can only be taken seriously if they adopt a Lakatosian account of science and develop a distinctive ‘research program.’ This idea is further developed in his famous book written with King and Verba (1994: 229) who claim that “research designed to help us understand social reality can only succeed if it follows the logic of scientific inference.”<sup>22</sup>

Keohane (1988: 381) believes that “Rationality generates hypotheses about actual human behavior only when it is combined with auxiliary assumptions about the structure of utility functions and the formation of expectations.” Defining rationalist research program, he relies on Lakatos and his arguments of core and auxiliary assumptions. By keeping this specific definition of research in mind, Keohane looks at dissimilarities between rationalist and reflectivist schools’ understanding of institutions. Reflectivist scholarship focuses on human reflection and intersubjective meanings of world politics. It aims to understand how people think about institutional norms and rules, as well as discourse that is embedded in these institutions. For such view, institutions are not only constituted by preferences of actors, but they are also constitutive of them. Preferences of people are not given, but are constructed in specific contextual conditions. Keohane’s (1988, p. 382) conceptualization of reflectivist scholarship equals to what he calls ‘interpretive’ approach, since it emphasizes the importance of textual and historical interpretation, and rejects scientific claims of rationalist school.

Looking at how rationalist and reflectivist scholarship approach international institutions, Keohane argues that the former develops a causal link between transaction costs and institutions, that, when

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<sup>22</sup> It is important to note that there is also a growing body of work in social sciences that challenges King Keohane and Verba’s fundamental claims on science and methods. For further information on this body of work which mainly argues that “a way out from rigid positivism-postpositivism debate is possible” see: Bhaskar (1998); Goertz and Mahoney (2012); Brady and Collier (2004) among others.

the costs are low, international institutions are likely to occur. It aims to imply hypothesis that “could be submitted to systematic, even quantitative, examination” and to predict the likelihood of institutions to be created (Keohane 1988: 387). Such approach derives from rationalist theory, more specifically game theory, and formal models of cooperation. Rationalist research program is better in posing explanatory questions, but it needs to deal more with empirical and historical inquiry. This is possible by slight a departure from neoclassical economic theory and its deterministic equilibrium logic that assumes rational actors (Keohane 1988: 388-89).

Keohane argues that reflective scholarship does not take the assumption of utility maximization (in contrast with rationalist scholarship), since it is not able to tell us about origins and variations of organizations. Such approach rejects timeless generalizations and argues that values, norms, cultures, and practices change across time and space. One can develop a rationalist argument based on this arguing “institutions that are consistent with culturally accepted practices are likely to entail lower transaction costs” but this still does not give any idea regarding the roots of these practices and preferences (Keohane 1988: 389-90). Rationalist theory takes preferences not only as exogenously given but also fixed. For reflectivism, this ignores the possibility of change in world politics since rules such as sovereignty are also prior to preferences of states and they are taken as given. For Keohane (1988: 392) “Limiting the number of variables that a theory considers can increase both its explanatory content and its capacity to concentrate the scholarly mind.” Strength of rationalist research program lies in its parsimony, due to its capacity to ask and answer new questions in a short time. Clarity of its research program and methodology makes rationalist scholarship to be applicable and reproducible by its students.

To sum Keohane’s argument up, he suggests that reflectivist scholarship may have a point in their empirical focus or subject matter, but they need a clear research program that is similar to what Lakatos argues for. The idea of prediction, explanation, and falsifiability constitute the cores of a Lakatosian research program, which is also advocated by Keohane and rationalist scholarship. One may argue that due to variation within reflective scholarship, it is not possible for it to establish a research program, but, this study rather argues that the idea of a coherent (Lakatosian) research program contradicts with their *raison d’être*, which will be presented in the following sections.

### **The discussion: reflective scholarship in IR**

Neufeld (1993: 54-55) addresses three main elements of reflectivist understanding as follows: (1) it is self-aware of its premises, (2) it emphasizes political and normative dimension of paradigms and their ‘normal science’ approach, (3) a ‘neutral observation language’ needs to be absent for reasoned

judgements of these paradigms. According to him, reflective scholarship does not seek for “a research program designed to provide cumulative knowledge about the world of empirical facts or about the world of theory” (Neufeld 1993: 60). In other words, reflectivism is a meta-theoretical stance, rather than a research program. Thus, with its core assumptions, reflectivist understanding of IR is capable of responding to positivism but it also refers to a more generic term, which includes a variety of theories. These multiple theories need to be able to choose their objects of study respectively, yet, they also need to be “consistent with reflexivity as an underlying principle” (Hamati-Ataya 2013: 20) Their ability to understand the world of facts and values, and doing these from a reflexivist theory of knowledge, is how it becomes possible to take reflective scholarship seriously (Hamati-Ataya 2013: 20). Rather than establishing a distinctly defined research program, reflective scholarship’s ‘task’ is to reflect on political and normative aspects of world politics as well as academic writing.

Cox’s (1981) differentiation between critical theory and problem-solving theory also needs to be revisited as a key to understand how reflectivist and rationalist schools serve at cross-purposes. For him, while problem-solving theories that claim objectivity do not see a great potential for change, their aim is to maintain status quo as functional as it can get. Problem-solving or mainstream theories take the world as it is and legitimize and reify the existing order. For critical theory as for the reflectivist scholarship “Theory is always for someone and for some purpose” (Cox 1981: 128). This means that, for critical approaches, there can be no objective engagement with the nature/facts. Values of the researcher are always reflected in the process of what positivist approaches name ‘observation.’ Thus, social inquiry is always ideologically and politically oriented.

Differentiation in their academic purposes and their understanding of the world further reflect on rationalism and reflectivism’s approaches to how to study social world. Kurki (2008: 124) argues that reflectivist or post-positivist approaches are named and grouped [as reflectivist] due to their reluctance to endorse “the mainstream rationalist conception of how to study world politics.” They reject Humean assumptions regarding the nature of causality that is accepted by rationalist approaches. They also avoid causal descriptions that claim universality even in favor of non-causal or constitutive terminology (Kurki 2008: 130). The mainstream does not take reflectivist scholars’ knowledge claims seriously due to their rejection of the former’s ontological, as well as epistemological and methodological assumptions (Kurki and Wight 2013: 24). Their way of making “unscientific” knowledge claims are seen as unproductive by rationalist scholars. According to the

rationalist camp's argument, without a proper research program, knowledge does not accumulate and science does not progress mainly because of the lack of falsifiability.

Linklater (1992) addresses Keohane's question from a critical theory perspective. He argues that rather than staying in the margins, developments within critical international theory are significant for the development of the discipline as a whole. For reflectivist approaches (more specifically post-moderns) reading of the history of IR discipline as a linear continuity is mistaken. The discipline rather develops through a dialectical way, in which different perspectives contribute to "a larger whole" (Linklater 1992: 90). They challenge the idea that limits of different approaches and disciplines do not have to be drawn too strictly. Thus, post-modernists and post-structuralists do not only question sovereign states, but also the way disciplines are defined and demarcated (Linklater 1992: 88; Ashley and Walker 1990: 375). Ashley and Walker (1990) argue that states and disciplines share many common characteristics. They both have strictly defined/drawn imaginary boundaries that are protected by authorities. Both of them contain systems of surveillance as well as means to practice disciplinary power upon its members. As a result, who is inside and who is outside are determined. Criticizing strictly defined boundaries, Ashley and Walker (1990: 386) put forward two limitations that boundaries around disciplines impose:

*(1) On a spatial dimension, they require us to imagine an initial situation of dichotomously opposed positions for any work of thought: with regard to the discipline the images suggest one must be inside or outside, for or against. (2) On a temporal dimension the images require us to understand crisis as a moment of discontinuity that opens up when the discipline's continuous time, homogeneous place and coherent and well-bounded textual inheritance breaks up or gives way.*

Campbell (1998: 4) also argues that post-structuralism as a reflectivist approach rejects causal descriptions since they are misleading and dangerous due to embedded generalization attempts. Rather, post-structuralism as a reflective approach deals with political consequences of adopting one mode of representation over another (Campbell 1998: 4). Rather than building causal relations between facts, post-structuralism focuses on representations, discourses and practices, as well as their social and political consequences.

Tickner (2005) addresses Keohane's question from a feminist perspective. In her response to Keohane (1998), she mentions that the methodological understanding that is proposed by rationalist

scholars have been one of the major sources of misunderstandings between feminists (as part of what Keohane called reflectivist scholarship) and IR Theory scholars who claim to do social science (Tickner 2005). The positivist methodological framework based on the claim that there are patterns of regularities that could be explained through causal analysis and observed through hypothesis testing with the tools of natural sciences is put forward by Keohane as the ‘basic method of social science.’ Utilizing such basic of social science, Keohane argues, would be “the best way to convince non-believers of the validity of the message that, feminists are seeking to deliver” (Keohane 1998: 196-197). Tickner (2005: 1-3) mentions that the methodological framework that is used by feminists has generally been described as post-positivist, reflectivist, or interpretivist. However, they do not have a claim over a single standard of ‘correct’ methodology. Since mid-1990s IR Feminist scholarship has continued to grow and very little of that scholarship have followed the path that is suggested by Keohane. Therefore, as Tickner (2005: 3) puts forward, probably IR feminists have not convinced those whom Keohane called the ‘IR non-believers.’ However, this did not stop the growth of feminist scholarship and the different methodological frameworks that they apply (see Tickner 2005: 4-10).

As argued in the previous sections, starting from the early 1950s the dominant view was that “academic work should eschew statements about values and should instead concentrate on the facts” (Smith 2004: 501). A similar position also underlay the claim against the so-called reflectivist frameworks including: post-structuralism, feminism, and critical theory. Keohane (1989: 173) argued that reflectivist theories would remain in the margins of the discipline unless they build ‘testable hypothesis’ and ‘causal explanations’. Smith (2004: 501) claims that “This challenge was not about the ontological commitments of reflectivist work, but was instead framed in terms of what was legitimate social science.” Building on such legitimate way of doing science, Katzenstein et al. (1998) have put forward an analysis of the debate between rationalism and constructivism. Focusing on different variants of constructivism they have claimed that “in contrast to conventional and critical constructivism, post-modernism falls clearly outside of the social science enterprise, and in IR research it risks becoming self-referential and disengaged from the world, protests to the contrary notwithstanding”(Katzenstein et al. 1998: 678; quoted in Smith 2004: 501). Certain constructivist approaches have adopted this commitment to ‘social science’ (Smith 2004: 502). This adoption is observed in Wendt’s (1999: 90) position when he claims that epistemologically he sides with positivists but on ontology he is post-positivist. In his review of Wendt’s social arguments, Keohane

(2000: 128-9) further states that he found Wendt's arguments sensible, "but if one asked about how ideas matter—through what causal mechanisms—answers might well begin to appear."

Another adoption is proposed by Ted Hopf (1998: 172, 186-187). Hopf claims that constructivism should be understood in two variants: critical and conventional. While critical constructivism is closely tied with critical social theory, conventional constructivism mainly desires to present an alternative mainstream IR theory. This is why conventional constructivism needs a Lakatosian research program to present its own explanations to the problems that mainstream IR theories deal with: Balance of threat, security dilemma, neoliberal cooperation theory and democratic peace. Then, he proposes what he prefers to call a "loosely Lakatosian research program" (Hopf 1998: 186). Hopf's approach aims to move constructivism from "the margins" with the help of a Lakatosian-inspired research program. This approach, what Hopf calls "conventional constructivism" bases its analyses on the ontological assumption that the world is social, yet analyzes that social reality through a positivist commitment. Conventional constructivism then adopts a "loosely Lakatosian" research program, "rejecting both the positivist understanding of homogeneity in world politics, and the critical constructivist position that world politics is so heterogeneous that we should presume to look for only the unique and the differentiating" (Hopf 1998: 199). Such approach assumes that we should be looking at shared understandings and intersubjectivity in the world while having a positivist-inspired research program.

According to Keohane (1988: 380) "Most of us are children of the Enlightenment, insofar as we believe that human life can be improved through human action guided by knowledge." Thus, his rationalist commitment has probably led him to believe in the necessity to work for human progress, defined in terms of welfare, security, and liberty. He challenges the reflective scholarship from such standpoint, which has a strict definition of knowledge and progress through 'the knowledge.' He poses a critique of what reflective scholarship does, following his strict definition of science. As Smith (1996: 12) argues, one shared feature of 'critical' approaches to IR theory is "the rejection of the assumptions of what is loosely described as positivism." Thus, Keohane's criteria (or 'the gold standard' as Smith calls it) is set by what reflective scholarship has been attacking at first place, or one may argue, the *raison d'être* of critical approaches to IR theory.

## Conclusion

The so-called fourth debate between rationalism and reflectivism in IR theory has blazed in the 1980s and it continues since the arguments by both approaches are still being discussed in the current literature. While analyzing Keohane's claim that the reflectivist scholars should develop a

distinct research program if they desire not to remain in the margins of the field, this paper proposes that such claim contradicts with the very foundations of the reflectivist theories of IR. It is one of the shared characteristics of many reflectivist theories to reject claims and methodology of positivist 'scientific' approaches. However, as discussed in the second section, Keohane asks the reflectivist scholars to build Lakatosian-inspired research programs; hence, to do what they rejected at the first place.

On the one hand, rationalist scholars try to build causal relationships between variables, find patterns of regularities, and create objective law-like generalizations of these relationships. On the other hand, reflectivist scholarship has mainly tried to deconstruct these embedded knowledge claims. Indeed, reflectivist scholars did not aim to build a distinct research program but instead attempted to deconstruct certain assumptions of the existing research programs in the so-called mainstream IR. Although looking from a positivist or rationalist lens reflectivist scholars have not built a distinct research program, the argument of this paper is that most of them neither attempted nor failed to do so. Thus, Keohane's criticisms and suggestions towards the reflectivist scholarship disregard the foundational philosophy of science approach of the latter. He presents an external critique without a sufficient consideration of the philosophical position immanent within the reflectivist theories. This might probably be the underlying reason why rationalist-reflectivist debate has continued for more than three decades.

In conclusion, as explained in the sections above, the reflectivist scholarship rejects certain knowledge claims and strictly drawn boundaries. For the reflectivist approaches, Keohane's argument is an attempt to legitimize certain ways of knowledge production, while delegitimizing the others and pushing them into the margins of the field. However, looking at the reflectivists' responses to Keohane's argument, the paper underlines that, despite their rejection of Keohane's suggestion, the reflectivist literature has continued to grow. Another crucial question to be asked here is 'how and by whom the center and periphery (margin) of the field is defined.' This question, of course, would be a starting point for another research.

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## Masking the Systematic Violence Perpetuated By Liberalism Through the Concept of ‘Totalitarianism’

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### Abstract

*Starting from the European conquest in 1492 which established the beginning of colonialism, going through the establishment of liberalism’s racial (‘social’) contract, and coming to present times of neocolonialism and neoliberalism, this paper underscores the interdependence between colonialism and liberalism, and liberalism’s systematic violence of oppression, arguing that the term ‘totalitarianism’ is unable to shed light onto this violence. An analysis of the violence prevalent within social relations is offered here – more precisely, the violence of racism within liberalism- by focusing on the solipsistic historicity and identity of Europe/the West, and its concurrent violence of ‘othering’. The colonial dimensions of ‘modernity’ and its hierarchical binaries become apparent by discussing the ideology of whiteness and its process of absorbing the radical alterity (absolute difference) of the non-European. The Holocaust, thus, is a particularity of colonialism brought home to Europe. There is a need to de-link social relations and (re)presentations, state structures, practices and knowledge from the colonial matrix of power by employing a decolonial approach to history, knowledge and practice.*

### Keywords

totalitarianism, liberalism, violence, colonialism, neoliberalism, neocolonialism, othering, whiteness, racism.

Starting from the European conquest in 1492 which established the beginning of colonialism, going through the establishment of liberalism's racial ('social') contract, and coming to present times of neocolonialism and neoliberalism, this paper underscores the interdependence between colonialism and liberalism, and liberalism's systematic violence of oppression, arguing that the term 'totalitarianism' is unable to shed light onto this violence. The paper is organised into three sections. Firstly, I make the case against liberalism's congratulatory self-assessments, contending that colonialism has always already co-existed and been perpetuated through liberalism. I highlight the futility and liberal characteristics of the term 'totalitarianism', to then unsettle Hannah Arendt's account of it as an allegedly unexpected, unique and unprecedented abnormality of modernity. It will be seen that her linking between imperialism and colonialism lacks a comprehensive analysis of the violence prevalent within social relations: more precisely, the violence of racism which persists under liberalism. In the second part, attention is shifted to the solipsistic historicity and identity of Europe/the West, and its concurrent violence of 'othering'. The colonial dimensions of 'modernity' and its hierarchical binaries will become apparent through an analysis of the way in which the ideology of whiteness characterises this violence and absorbs the radical alterity (absolute difference) of the non-European. The Holocaust, it will be argued, ought to be considered a particularity of colonialism: it is colonialism brought home to Europe. The third section stresses the need to de-link social relations and (re)presentations, state structures, practices and knowledge from the colonial matrix of power by employing a decolonial approach to history, knowledge and practice.

## **1. Liberalism and its use of the term 'totalitarianism' as an exemplar to shut immanent critique**

### ***1.1. Liberalism's violence of oppression***

One of the values invented by the bourgeoisie in former times and launched throughout the world was *man* – and we have seen what has become of that. The other was the nation (Césaire 1955/1972: 74).

A reading of liberalism against the grain and against itself, as well as making visible its racialised and colonial tenets hidden within its discourse and practices, is necessary in order to reveal its contradictions, inconsistencies, incoherences, abstract universality and white supremacist elements. It is important not only to look at what liberalism claims to hold as ideals, but at its history and *real* material and ideological effects and legacies (Losurdo 2011: 322). From its beginning, liberalism

embodied the self-consciousness of a class of slave owners who, through laws, created a 'sacred' space for themselves *only*, to enjoy private property and rights; it has been 'characterised more by the celebration of the community of free individuals that defined the sacred space than by celebration of liberty or the individual' (Losurdo 2011: 309).

Colonialism refutes the liberal Western self-presentation: liberalism became a possibility due to the existence of colonialism, and even in present times it is complicit and converges with neocolonialism. Liberalism and racial (chattel) slavery have indeed a unique 'twin birth' - contrary to the assumptions that racism continued 'despite' the Western revolutions in the 18<sup>th</sup> Century, they were implicated in the creation of contexts for an expansion of racialised domination (Losurdo 2011: 35). For instance, the slave population in the Americas grew from 330,000 in 1700 to over six million in the 1850s, Great Britain having been the possessor of the largest number of slaves in the mid-eighteenth century (Losurdo 2011: 35).

One of liberalism's claimed tenets is 'freedom' which is conflated and subsumed under the logic and policies of 'security'; freedom is said to be of two kinds: 'freedom to' and 'freedom from' (Bogues 2013: 209). This binary conceptualisation of freedom privileges the conquering subject in order to maintain the violent ideal of 'security' which is the '*supreme concept of liberal ideology*' (Neocleous 2007: 142 – emphasis in original). 'Freedom from' protects the private property and the person who dominates; 'freedom to' justifies colonial domination. Thus, liberalism can be called 'property-owning individualism' or 'possessive individualism' (Losurdo 2011: 120) because the individual and their rationality are portrayed as intrinsically private, individualistic, inward-looking and raceless (Nicolacopoulos 2008: 6), and intrinsically bound to the state which either 'secures' the interests of the 'worthy', or dominates them. Liberals claim to want the state not to interfere with individuals' lives, although liberalism itself relies on the existence (and appropriation) of the state.

Within liberalism, the nation-state is said to be established on the basis of a 'social contract' and on the separation between the 'public' and the 'private'. This contract is in effect a racial contract which maintains the racialised ordering of identities, social relations and affectivities. In other words, liberalism's universalistic claims pretending that society is not organised on a socio-political ordering give a 'sanitized, whitewashed, and amnesiac account of European imperialism and settlement' (Mills 1997: 121). Liberalism is colonial, and pretends that individuals are equal *only* within the rules and parameters of ('benevolent' liberal) law, ignoring the radical equality between all people *as people*, outside of state institutions. The presentation of the state as a 'subject of liberation' is a belief held which reifies identities and divides socially constructed groups (Bonefield 2014: 127).

The public-private mythical liberal dichotomy emerged with the colonial appropriation of knowledge and land of the indigenous and enslaved people by the West, and the focus on individualism justifies colonial expansion and European conquest. This dichotomy serves colonialism as it situates the European/Western within the ‘political’ and ‘public’ ‘realms’, whereas colonialism is placed in the ‘social’ and ‘private’ ‘spheres’ where violence is justified by liberalism. In short, liberalism recognises as ‘*political* violence’ (read: worthy of being tackled) the violence which occurs in the (liberal construction of) the ‘political’ and ‘public’ sphere, whereas the violence which occurs in the (yet again, liberal construction of) ‘private’ or ‘social’ spheres, is deemed invisible - it is not ‘political’. Slavery became the mechanism for the possibility of ‘the political’ (white) sphere and its self-determination (Losurdo 2011: 40). It was within liberalism that enslaved people were regarded as ‘private’ properties of the system of colonialism – a system protected by the state, as it represents the interests of property owners/ the elite. In the private sphere of slavery, it is assumed that politics and the possibility of *change* are non-existent, as the colonial subject is reified: ‘colonization = thingification’ (Césaire 1955/1972: 21). Through liberation, the “thing” colonized becomes a man’ (Fanon 1965: 2). However, liberation is perceived within liberalism as an attack to its own ‘security’ and a challenge to its global distribution of violence. Anti-colonial resistance, which has liberation at its core, has been depicted as violent, barbarous (McMichael and Morarji 2010: 234), whilst the Euro-American notion of a ‘free world’

*frees one from moral responsibility and yet insists that borders that are not one’s own should be free to trafficking by multinational corporations and arms dealers (Lal 2005: 222).*

It is in this context of ethical and political void that ‘totalitarianism’ is used by liberalism as exemplar of violence in Europe which *overtly* reaches ‘public’ and ‘private’ spheres, threatening ‘individual security’ - whilst, I argue, the invasion of the ‘private and public spheres’ by liberalism seeks to be more *covert*.

### ***1.2. The liberal fable of ‘totalitarianism’***

‘Totalitarianism’ is one instance in which liberalism universalises its particularity through dichotomisation: the term is used as an exemplar presented as the polar opposite of liberalism, standing in as an enemy represented by particular state violence. Most importantly, the term cannot be used to critique its discursive creator: liberalism. Thus, liberalism hides and denies its discriminatory tenets and presents its analysis of ‘totalitarianism’ in a decontextualised, ‘depoliticised’ (i.e. in a ‘neutral’, ‘objective’) manner.

Totalitarianism does not exist; the abstract universalist signifier ‘totalitarianism’ is a term established as a weapon which can be used to justify liberal hegemony, ‘dismissing the Leftist critique of liberal democracy’ as the ‘obverse, the “twin”, of the Rightist Fascist dictatorship’ (Žižek 2001: 3). Even the division into subcategories, to make the case for a distinction between fascism/Nazism and Soviet communism as different forms of ‘totalitarianism’ is in vain because ‘the moment one accepts the notion of “totalitarianism”, one is firmly located within the liberal-democratic horizon’ (Žižek 2001: 3), a horizon under which the status quo of liberalism is reproduced. The concept of ‘totalitarianism’, it follows, is a ‘stopgap’, as it ‘relieves us of the duty to think, or even actively prevents us from thinking’ (Žižek 2001: 3), impeding the analysis of socio-political and historical contexts. The Holocaust, for instance, is presented as incomprehensible and impossible to even be discussed - this approach produces a hierarchy of suffering which does not recognise systematic liberal/colonial violence as such. Furthermore,

*it disqualifies forms of Third World violence for which Western states are (co)responsible as minor in comparison with the Absolute Evil of the Holocaust [...] it serves to cast a shadow over every radical political project (Žižek 2001: 67).*

‘Totalitarianism’ makes it difficult to recognise that an ‘anti-Semite is inevitably anti-Negro’ (Fanon 1986: 122), acting as a barrier for conceiving non-hierarchical, multidirectional connections between forms of violence, dividing, rather than bringing together the abused. The uncritical acceptance and use of ‘totalitarianism’ (and Arendt’s conceptualisation of it) by the Left (themselves often accused of holding ‘totalitarian’ views) is problematic and has contributed to

*perhaps the clearest sign of the theoretical defeat of the Left – of how the Left has accepted the basic co-ordinates of liberal democracy (‘democracy’ versus ‘totalitarianism’, etc.) (Žižek 2001: 3).*

To avoid the reproduction of liberal conceptualisations of violence and politics, an analysis of power relations and violence is needed, assuming that politics is everywhere, not only in particular imagined ‘spheres’.

### ***1.3 Hannah Arendt’s role in shaping the meaning of ‘totalitarianism’***

Hannah Arendt is one of the most prominent Western scholars who discussed the nature of ‘totalitarianism’ whilst also making the link between ‘imperialism and fascism, colonialism and genocide’ (Stone 2011: 47). Arendt’s starting point is 19<sup>th</sup> Century imperialism, her concern being to find discontinuities and ruptures which make ‘totalitarianism’ in Europe unique and different from

other violent practices. In doing so, she does not acknowledge the continuities of oppression over centuries, and the annihilating dimensions of colonialism, recognising 'violence' only in relation to the state, in Europe. An analysis only concerned with the *extent* to which there are discontinuities between Nazism and colonialism, formulated within a Western scholarly framework, materialises into apologism and eradication of the memory of colonialism. In exploring imperialism, Arendt is (too) careful to distinguish between European atrocities in non-European countries and Nazi genocide in Europe, to argue that the Holocaust was unprecedented and unique (Stone 2011:47).

Throughout the 2<sup>nd</sup> part of the *Origins of Totalitarianism* (1966) it is apparent that Arendt sees the progress made towards the elimination of formal colonial and imperial rule as benevolent acts of the West, obscuring for instance, the organised resistance of the enslaved which was the main factor in the 'colored delegates' sitting in the French Parliament (Arendt 1966: 129). She is too optimistic and uncritical of the way in which the administrators of the British Empire talked about the colonies, as she states that the colonial rule of the British was 'voluntarily' liquidated by themselves (Arendt 1966: xvii). Furthermore, the fact that the British claimed to want 'the African to be left an African' (Arendt 1966: 130) does not mean that they respected Africans. She also attributes the will to imperialism of the Western nations as solely a desire for economic growth (Arendt 1966: 147), ignoring the other causes related to racism and going as far as to state that 'imperialism is not empire building and expansion is not conquest' (Arendt 1966: 130). By locating imperialism between 1884-1914 and defining colonialism as a substantially different predecessor (i.e. the European colonisation of America and Australia) (Gines 2007: 39), Arendt denies colonial continuity and the fact that colonialism started with the European expansion in the 15<sup>th</sup> Century, permeating imperialism and being sustained by liberalism.

Arendt instrumentally makes a distinction between 'race-thinking' and 'racism' to justify her argument that racism occurred as a by-product of the period she refers to as imperialism, not as a result of 'race-thinking' (Gines 2007: 42-3), thus isolating the Holocaust from its Western historical context (Bernasconi 2007: 57). In her view, imperialism precedes racism (Arendt 1966:123). I contend, as we shall see in the next section, that the very identity of Europe, since its creation in the 15<sup>th</sup> Century, has been part of the dichotomised construction which places the European as superior, and the non-Western subject as dehumanised. This hierarchical ordering has informed and become integral to the colonial/ imperial/ modern mentality, practices, systems of power and organisation of societies. Not only did colonialism pave the way for economic and territorial expansion, but it also

defined and relied on the domination of social relations and annihilation of the non-European mythically presented as 'barbarous', to justify Western violence.

Furthermore, as she is preoccupied primarily with the economic and territorial justifications for imperialism (Arendt 1966: 152-4), Arendt does not make use of resources and ideas held by anti-colonialists. When she discusses competition between countries for economic growth, she never mentions how the colonised countries reacted to the expansionist policies of European countries. She regards imperialism as a purely expansionist European project (Bernasconi 2007: 58) undertaken by white Europeans who were not aware of their destructive practices upon the non-Europeans. Her presentation of the enslaved naturalises the racism of the colonisers (Bernasconi 2007: 61); the forcefully imposed social identity of the enslaved is also naturalised, subjugating their agency (Moruzzi 2000: 61-2). On the other hand, the agency and experience of the Jew is much more prevalent in her work, whilst her analysis of (what Gines calls) 'the Negro question' has racist implications (2014: 1; 2007: 38). Her 'delineation of the Negro question as a social issue prevents her from recognizing that anti-Black racism (like Jew hatred) is a political phenomenon' (Gines 2014: 1-2). She is complicit with the myth of the superiority of the West which, by holding power, is considered by Arendt not violent – this is because in her work, she makes a distinction between power and violence as opposites (Gines 2014: 94-5).

In short, by not going far enough in time to account for colonial violence and by accepting liberalism as her political location and framework, Arendt does not acknowledge otherness as a violent, annihilating creation of colonialism which is also linked to the Holocaust. Her analysis is state-centric and racist, constraining the possibility for an immanent critique of her time and of contemporary neocolonialism and neoliberalism, and the social reproduction of violence within them. Moruzzi puts it masterfully: 'Arendt forcibly identifies herself with those who inhabit the world of politics as she understands it, as a world of language, and not with those who are silent or silenced' (2000:65).

### ***Brief conclusion***

Against the liberal presentation of 'totalitarianism', I contend that the term is redundant, as it is charged with racialised biases which claim false whitewashed 'neutrality', limiting any constructive discussion and critique of social relations and systems of domination above and beyond the state. The nation-state emerged on the basis of colonial social relations, and it has been rooted in oppressively violent racism (Bhambra 2007: 117; Gines 2007: 51) before, during and after Nazism and Soviet Communism (the bearers of 'totalitarian' markers in liberal thought). My aim is to draw attention to the colonising/ reifying social relations perpetuated by the West in the past five

centuries, to show that taking them into account provides a more nuanced, contextualised and rich understanding of the history and politics of oppression, making visible the link between colonialism, liberalism, fascism and contemporary neoliberalism and neocolonialism. As we shall see, the spectre of colonial ‘othering’ has haunted colonialism, liberalism and Nazism, as well as contemporary neoliberalism. The question of the spectre is, following Derrida, ‘a question of repetition: a spectre is always a revenant. One cannot control its comings and goings because it begins by coming back’ (1994: 11). A particular focus will be placed on the repetition and reproduction of the ideology of whiteness and practices of ‘othering’ which have consolidated systems of thinking, acting and legislating on the basis of violence. Put simply, Europe and the West would not have reached the current status and power, were it not for the exploitation of the non-European people, their land, memory and history. Finally, due to space constraints, the universalism, modernism and violence of Soviet communism will not be discussed here; there are similarities with Western regimes of domination, as the Soviet Union saw itself as a nation of civilisers and modernisers (Sahadeo 2014; 2010).

## **2. Euro-Western historicity: the co-creation of the geopolitical ‘West’ and the violence of ‘othering’**

### ***2.1 Othering and representation in the creation of the European identity***

The 15<sup>th</sup> Century represents the genesis of expansionist European conquest, the appropriation of non-European land, knowledge and people, and the violent practice of ‘othering’ (Hall 1992: 281). The radical alterity of ‘the other’ was suppressed and fixated as non-European *subaltern* identity, Europe presenting itself as sovereign subject through this dichotomy of social relations and systems of power (Young 1990: 174; Spivak 1999: 199). The self-representation of Europe as innocent reproduces a colonialist discourse which places the West as sublime, civilised, modern, superior, although colonialism made Europe barbaric (Bernasconi 2007: 55). By not acknowledging the intrinsic link between the past and present and the historical contexts in which violence has occurred, histories of suffering become overwritten by technologies of forgetting which perpetuate white amnesia, ignoring non-European/non-white individuals’ suffering.

Othering is a violent epistemic and material practice which creates hierarchised, reified social relations, maintaining the myth of the superiority of Europe, and the ideology of whiteness which have been, to this day, present in discourses, practices and institutions. Through racialisation, essentialisation and enclosure of identity, systems of exploitation emerged, and values of ‘worth’ and

'humanity' were unevenly distributed according to the interests of the colonisers. A *coloniality of power* emerged as key to the success of the colonial project, as it 'was conceived together with America and Western Europe, and with the social category of "race" as the key element of the social classification of colonized and colonizers' (Quijano 2007: 171), reducing 'the other' to the subhuman and narrating this practice as justified normality.

A focus on alterity can help critique both violent practices within states and institutions but also beyond them, recognising the falsity of the 'public-private' dichotomy, and showing that the personal *is* political. Alterity is a dialogic social relation which expresses the particularity of one's history, experience and knowledge, fostering openness to the other's calls. Alterity ensures the irreducibility and ungraspability of one's 'difference' and maintains an ethical relationality as a form of engagement between one and the other. The idea of 'sameness', on the other hand, colonises and assimilates alterity, creating an ethico-political violence towards 'the other', through division, characterisation and assessment against arbitrary criteria of, in our case, the Eurocentrist 'centre' (Young 1990: 12-3; 18; Eaglestone 2007: 211). Through the use of these criteria, an 'imperialism of the same' (Levinas 1961: 39) emerges, envisaging its freedom only through the annihilation of the other. With the constant construction, reproduction and essentialisation of the non-European within a hierarchical matrix of identity, oppression occurs. This is, in essence, the reality at play within the establishment of Europe: through representation, 'the other' was reduced to unilateral dimensions filtered through colonial thinking. This representation produced epistemic violence embedded in science, history and memory, as well as justification for physical and structural violence embedded within slavery, social relations, policies and practices until present. The difference of the other has been partially negated - that is, included in systems of oppression but not recognised as such - and the role of the other as an end in itself has been negated (Levinas 1989: 127).

## ***2.2 The rise, epistemology and historiography of Eurocentric modernity***

At the same time as modernity affirms itself as emancipatory, it develops 'an irrational myth, a justification for genocidal violence' (Dussel 1993: 66; Mignolo 2007b: 454). This section makes visible the colonial dimension of modernity and locates Nazism within the historicity of colonial modernity which started in the 15<sup>th</sup> Century and which continues to date. Modernity was formed 'in and through the colonial relationship', as 'modernity itself developed out of colonial encounters' (Bhabra 2007: 77). There is no modernity without colonial violence, but this violence is hidden in modern discourse (Mignolo 2007a: 162; Escobar 2007: 185). In short, modernity, according to

Dussel, is constituted 'in a dialectical relation with a non-European alterity that is its ultimate content' (1993: 65).

With the rise of the Renaissance which claimed to 'rediscover' history and ancient texts, European scholars portrayed themselves as 'discoverers' of 'facts', explaining and interpreting the world for their own interests; they organised knowledge and historical events selectively, strengthening the ideological sense of the superiority of Europe (Bhambra 2007: 88-105). The 17<sup>th</sup> and 18<sup>th</sup> Centuries were characterised by trade and the rise of capitalism, followed by the 19<sup>th</sup> century which 'became the century of production' (Du Bois 1965: 45-6). The British colonies alone imported over two million slaves between 1680 and 1786 (Du Bois 1965: 54). As enslavement was 'inherited', birth became 'the single most important source of slaves', the reproduction of the enslaved population having been both 'biological' and 'social' (Patterson 1982:132). The Enlightenment continued the sublimation of alterity and the act of racialisation by developing rationalities, binaries, science, the *modern* state and political goals which placed the white, Western, male, heterosexual, able-bodied and anthropocentric person at the centre of perfection. Through modernisation, a particularistic socio-economic organisation of society, as well as the presentation of the self as individualistic were advocated - ideas inherent in liberalism.

Thus, the 'exception' claimed to be the Holocaust is in effect the rule sedimented for centuries in the history and social organisation of Western societies as violence, slavery and the barbaric nature of the colonisers had become normalised and institutionalised (Césaire 1955/1972: 35). Through slavery, differential privileging of the Westerners was possible; the material conditions for a 'modern Europe' were created, which contributed to the flourishing of science, the establishment of capitalism and liberalism, Europe being the creation of the colonised people's labour and exploitation (Fanon 1965: 80-1). I follow Césaire in claiming that 'colonialist Europe is dishonest in trying to justify its colonizing activity *a posteriori* by the obvious material progress that has been achieved in certain fields under the colonial regime' (1955/1972: 45). At the same time, the rejection of democratic alterity had been made *a priori* (Grosfoguel 2012: 97). The colonial project is a project of annihilation through literal killing and the destruction of culture, memory and infrastructures, and through the appropriation of knowledge and land, disruption of economies, agriculture and everyday life (Césaire 1955/1972: 43).

### ***2.3 'Whiteness' as the prevalent hegemonic ideology of Europe and the West***

'Whiteness' is a political system and a 'political commitment to white supremacy' (Mills 1997: 126-7); it is 'not really a colour at all, but a set of power relations' (Mills 1997: 127) which historically has privileged white Europeans, leading to the creation of practices, systems of power and institutions which are intrinsically violent towards the non-whites. Whilst 'man' was constructed to be 'the white man', the 'black' identity has been made visible through the hierarchical organisation of racialised relations, and the reification of identities: 'the white man is sealed in his whiteness. The black man in his blackness' (Fanon 1986: 11); a conceptualisation of persons and subpersons was created (Mills 1997: 57). Whiteness, in effect, has been masked as a category and deemed non-existent by the colonisers and liberalism, but its effects have shaped the organisation of society and its 'racial contract', white supremacy being its unnamed political system and racism its practice (Mills 1997: 1-3). The effects of racism can be denied by those for whom their race is not an impediment in their everyday life and life-chances, just like 'the fish does not see the water' (Mills 1997: 76).

Similarly to liberalism, whiteness shapes social relations, practices, systems of power and institutions through its apparent 'absence' and normalisation. In Derrida and Moore's terms, metaphysics itself is 'a white mythology which assembles and reflects Western culture: the white man takes his own mythology (that is, Indo-European mythology), his *logos* – that is, the *mythos* of his idiom, for the universal form of that which it is still his inescapable desire to call Reason' (1974: 11). The problem with European and white epistemology is that whenever it talks about itself, it automatically defines the other, as 'whiteness' and 'Europeanness' are based on the negation and rejection of the other's heterogeneity. Whiteness is implicated with colonialism which is a practice of systematic violence, erasure of identity and history, and Nazism is one type of colonialism, which occurred in Europe.

### ***2.4 Nazism as colonialism brought home to Europe***

The rise of Nazism not only shocked political theorists and populations, which shows that they took the morality of the social contract (which was supposed to 'protect' everyone), as a norm (Mills 1997: 101). When explaining the causes, affinities or origins of the Holocaust, their primary concern has been with why it occurred *specifically* in Europe (and not with why violence in general happens and how it can be dismantled) fallaciously assuming that modernisation and 'civilisation' are intrinsically bound to 'peace'. Indeed, 'every historical atrocity is distinct, yet all atrocities become part of the same contemporary cultural-historical fabric' (Prager 2010: 96). The emphasis on the unforeseeable nature of Nazism constructs the West's geopolitical space and its people as homogenous, pacifist and

benevolent, without acknowledging the imperialist practices and their ongoing legacies. Seeing Europe as always innocent is consistent, as we have seen, with the long distorted history of the barbaric colonialism upon which the very idea of Europe emerged. Willingly or not, the adherents of this approach reproduce a type of 'postcolonial melancholia' in their writings (Gilroy 2005).

The unprecedented and 'paradigmatic' case of the Holocaust presented as an unquestionable given (Lal 1998: 1189) is politically dangerous due to its potential to create a hierarchy of suffering, memory and violence, depoliticising and ahistoricising the Holocaust and other forms of violence within history and geopolitics (Rothberg 2009: 9). Indeed, it is possible to 'remember the specificities of one history without silencing those of another' (Rothberg 2009: 37) and to bear witness to different pasts, if we conceive of memory as 'multidirectional' (Rothberg 2009: 3). Lal mentions the genocide in Pakistan of 1971 when Bengali intellectuals were massacred and the 'near genocide of Putamayo Indians in South America' (1998: 1189) as acts of brutal, organised violence which have been given much less attention than the Holocaust by Western scholars, arguing that international 'development' is yet another form of 'genocide' (Lal 1998: 1190).

The Holocaust needs to be located historically and politically as part of the colonial process by putting an emphasis on a 'temporality of [colonial] return instead of one of [European civilisation's] regression' (Rothberg 2009: 80). Nazism is not simply an instance of irrationality of the otherwise rational European – it is 'simply colonialism brought home to Europe' (Young 1990: 125). Nazism as the political belief in the superiority of a group of people over others, and the former's desire to dominate and annihilate the latter can be located within European modernity as a symptom of it, not as aberration (Bogues 2013: 211). My aim here is not to compare the degrees of victimisation between the Holocaust and colonialism, but rather to point to nodes of connectivity which have been neglected in liberal scholarship.

Jews, Romani, Slavs, dis/abled and non-heterosexual people were constructed within the dominant ideology of Nazism as objects, in the same manner in which the enslaved were being dehumanised. More precisely, although torture was eliminated formally in Europe by the end of the 18<sup>th</sup> Century, it was still practiced. In the US of the 1930s, photographs of lynched black bodies were sent as postcards, sold openly in stores, advertised for sale in newspapers and displayed in homes in the US (Wood 2009: 103): 'one woman held her little girl up so she could get a better view of the naked Negro' (Raper, cited by Wood 2009: 100). In colonies, practices such as 'whippings, castrations, dismemberments, roasting over slow fires, being smeared with sugar, buried up to the neck, and then left for the insects to devour, being filled with gunpowder and then blown up, and so on' were

attended by spectators as a form of entertainment where children were present (Mills 1997: 100). The spectators were ‘subsequently fighting over the remains to see who could get the toes or the knucklebones before adjourning to a celebratory dance in the evening’ (1997: 100). Native Americans were ‘skinned and made into bridle reins [...] by US President Andrew Jackson’ (1997: 99).

It is within a colonial culture and violent system of oppression that Nazi ideas emerged and appealed to so many; the Racial Contract was for the first time applied against Europeans (Mills 1997: 103). The surprise of the apparent unprecedented dimension of Nazism reflects the forgotten fact that ‘before they [the Europeans] were its victims, they were its accomplices’ (Césaire 1955/1972: 36), as Nazism is an form of colonial thinking which had been legitimised, tolerated, accepted for centuries, when applied to non-Europeans; Nazism was ‘cultivated’ in Europe (Césaire 1955/1972: 36).

### 3. Moving forward: the need for decolonial praxis

The Holocaust underlines the continuity between colonialism, liberalism, neo-colonialism and neoliberalism, and the latter two continue the legacy of colonial othering and path established through colonialism (Springer forthcoming: 2). I suggest that there is a need to replace the ‘liberalism versus “totalitarianism”’ paradigm with ‘anti-colonialism versus liberal domination’ for the creation of new imaginaries, social relations and knowledge which transcend colonial liberal impositions within the current system of ‘European/Euro-North-American capitalist/patriarchal modern/colonial world-system’ (Grosfoguel 2012: 96). Looking back in history, we can see that

*during the last 520 years [...] we went from “convert to Christianity or I’ll kill you” in the 16th century, to “civilize or I’ll kill you” in the 18th and 19th centuries, to “develop or I’ll kill you” in the 20th century, and more recently, the “democratize or I’ll kill you” at the beginning of the 21st century (Grosfoguel 2012: 97).*

Democracy ought to be de-linked from the Western liberal model and directed towards a ‘transmodern, pluriversal, decolonized world of multiple and diverse ethico-political projects’ (Grosfoguel 2012: 97-8) in which social relations are equal, pluri-versal rather than uni-versal, horizontal, non-colonised, autonomous, allowing for inter-epistemic dialogue. We cannot speak of liberty until colonisation is dismantled. De-linking from the colonial matrix of power means rejecting the idea that the liberal, Western ideals are the (only and true) ideals which, if followed, would lead to the liberation of the colonised. Instead, liberation happens through a de-linking of categories of thought which have been developed to work for their domination (Mignolo 2007b).

Although colonialism as an ‘explicit political order was destroyed’, coloniality is ‘still the most general form of domination in the world today’ (Quijano 2007: 170) because ‘Eurocentred coloniality of power has proved to be longer lasting than Eurocentred colonialism’ (Quijano 2007: 171). Thus, the world is still organised around old criteria within the colonial matrix of power, and the affirmation of the other’s alterity is still obstructed (Dussel 2000: 473). Any form of socio-political hierarchy can be conducive to domination, as ‘no one colonises innocently’ (Césaire 1955/1972: 39). Given that coloniality survived colonialism (Maldonado-Torres 2007: 243), the political struggle of liberation necessarily entails a struggle of decolonising knowledge, being, existence, institutions, states and social relations. Decolonisation here should be understood as a form of political praxis for the achievement of pluriversal transmodernity, that is, transcending the ‘Eurocentric version of modernity’ with the aim to complete the ‘unfinished project of decolonization’ (Grosfoguel 2012: 96-7). The contemporary liberal violence of eugenicist ‘population management’ and ‘family planning’ (Brignell 2010; Kluchin 2009), ‘intellectual property’ and patents, indigenous’ land grabbing (Cassia 2015), state b/orders and securitisation (Vaughan-Williams 2009), police killings (IRR 2015), ableism (BBC 2015), racism and Islamophobia (Musharbash 2014), the victimisation of women in the Global South (Foster 2015), austerity, privatisation, trade agreements (Williams 2014) and so on, impede, but cannot stop decolonisation.

By analysing the origins of Europe and the colonial dimension of liberalism, I drew attention to the connection between the history of colonialism, the role of the Holocaust within this history, and the current neocolonialism. Unlike Arendt’s object of focus, the aim of the paper has been to underline continuities, rather than discontinuities between the period of colonial modernity followed by liberalism, going through the Holocaust, and continuing to neoliberalism. I explored the way in which the history and story of Europe its ‘others’ are being told, to show that Nazi ideas are linked to normalised beliefs of violent racialised hierarchy. Indeed, social relations and societies are still organised around white, liberal colonial hegemony, and it is these forms of power which need to be made visible in scholarly critique, and dismantled. In practice, the term ‘totalitarianism’ does not allow for immanent analysis of social relations and violence, and rather than creating links of solidarity cross-boundaries, it establishes a hierarchy of victimisation. The recognition of the colonised others as agents of socio-political change needs to be the focus of critical scholarship concerned with social transformation. Constant struggle is needed in the age of decolonisation. Finally, it is crucial to bear in mind Hill-Collins’ warning that ‘contemporary forms of oppression do

not routinely force people to submit. Instead, they manufacture consent for domination so that we lose our ability to question and thus collude in our own subordination' (2004: 50).

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## The Importance of Internal Pacification in the Development of Nation States: How the Internal Pacification Was Achieved and What Were Its Limitations? Rasheed Masood Khan

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### Abstract

*The traditional states of the world are in a fix to settle their disputes and issues internally and externally, ultimately becoming bone of contentions in their respective regions. The western world particularly the European states turned out to be more progressive and composed internally and externally and are termed as proper Nation States in the very recent times. This paper is contextualized mainly in the concrete concepts of famous political sociologists; Anthony Giddens (1985) and James Scott (2009) who drained their ideas from the discussions of various towering Nation-State Theorists like Max Weber, Karl Deutsche, Norbert Elias and Eric Hobsbawm and others]. The focus tilts from pure political-scientist or any other perspective to a more political-sociologist perspective of the development of nation state, laying an impetus on the importance of elements of 'Internal Pacification' as the major factor behind the abrupt emergence and transformation of traditional states into Nation States resulting in enhancement of the capabilities of states, hence making them; (i) more sovereign internally and internationally, (ii) more peaceful and secure, (iii) proactive towards development, and finally (iv) turning them up as welfare states delivering best public services. The paper will also spotlight the steps towards achievement of Internal Pacification and the limitations of Internal Pacification in this whole transformation process of states.*

### Keywords

Traditional States, Internal Pacification, Nation States, Welfare States, Security and Sovereignty

## Traditional States V/S Nation State

The word 'Traditional states' is normally reflected in different connotations; as in the sociological context it is taken in the concept of agrarian or pastoral societies (Scott 2009: 43; 62)<sup>23</sup>, whereas in the politico-sociological definition it refers to class divided societies having traditional basis of states. Giddens holds traditional states as the non-modern states having class divided or tribal societies reflecting segmental characteristics. Eisenstaedt<sup>24</sup> conglomerates all state systems into traditional states, while explicitly distinguishing between city states, patrimonial empires, feudal systems, nomadism, conquest empires, zomian concept of James C. Scott<sup>25</sup> and the Weber's<sup>26</sup> authority of eternal past and bureaucratic state concept. Further stressing Giddens maintains that in traditional states, 'the administrative reach of the center is low, such that the members of the political apparatus do not govern in the modern states. Traditional states have frontiers, not borders' (Giddens 5). According to Giddens, the modern human history witnesses the abrupt evolution or transition of the traditional state societies, passing through absolutist states into a more compact and cemented nation state concept in the modern social theory. Discriminating the traditional states from modern and nation states, James Scott uses the terms 'State Space and Non-State Space' (Scott 49) which shows that the traditional states usually lack the control of power over the state space, hence reflecting more non-state space within the states' zones of sovereign (Scott 2009: 60).

Comparatively, the Nation States are multifaceted in nature and appeared as diverse functioning entities. In Giddens's views the traditional states of seventeenth and eighteenth centuries transformed themselves suddenly into nation states on the road of Internal Pacification, and in between this transformation process, there came also the absolutist states' phase (Giddens 1985: 5). Although the phenomenon of emergence and existence of Nation States prevailed from the 1860s onwards, the strict definition of nation states differentiating with the welfare states appeared since 1970s when Margaret Thatcher criticized the predecessor Labor Party's welfare programs and withal the Ronald Reagan's neo-liberal agendas in 1980s (Opello and Rosow 2004: 1). Neo-Liberalism, achieving a global consensus within a very short span, gave new dimensions to state's definitions in terms of going beyond the ideological and historical interpretations of political scientists into more

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<sup>23</sup> See pl. [http://www.socialsciencedictionary.com/TRADITIONAL\\_STATES](http://www.socialsciencedictionary.com/TRADITIONAL_STATES)

<sup>24</sup> Refer to S. N. Eisenstadt's *The Political System of Empires*, by Free Press in 1963

<sup>25</sup> Refer to James Scott book *The Art of Not Being Governed*, 2009, Preface-ix, also see pl. Willem Van Schendel, "Geographies of Knowing, Geographies of Ignorance: Southeast Asia from the Fringes," a paper for the workshop locating Southeast Asia: Genealogies, Concepts, Comparisons and Prospects, Amsterdam, March 31, 2009.

<sup>26</sup> Refer to Max Weber's *Economy and Society*, vol.2, p-1036, also pls. see Max Weber's "Rationalism and Modern Society," translated and edited by Tony Waters and Dagmar Waters, in 2015, by Palgrave Books. P.129-198.

functionally responsive states focusing on the fundamentals of emergence of civilizations. These Neo-Liberal Democratic States, which were ultimately termed as Nation States<sup>27</sup>, accumulated the economic and authoritative power resources with multi-tasking approaches towards human development and governance, started to emerge globally across Europe and this fact is also endorsed by political scholars like Francis Fukuyama<sup>28</sup> and Samuel Huntington<sup>29</sup> (Opello and Rosow 2004: 2).

Opell and Rosow (2004: 7) further quoting Charles Tilly (1975) exfoliates this way,

*Increasingly, in reaction to pluralism, policy analysis, and crisis theory, certain political scientists began to focus explicitly and look more favorably upon the state. These scholars examined how the state had functioned historically both as an organization of domination and as a promoter of reforms that might make good on the promises of the welfare states....However, while statisticians have been attuned to the historical nature of particular states, they assumed an ahistorical and reified concept of the state; states are historical, but the state as a form of politico-military rule is not.*

After 1980s constructivists finally came up giving new dimensions to the pluralists and realists ideologies of state by highlighting the significance of other factors which contributed towards the development of state; like war, violence, economic strengths, regaining of territories, and attaining the sovereignty alongside the historical definitions of state. This shift finally changed the priorities of the state transforming them from welfare mongering state to nation states ensuring welfare at later stages.

In recent times, the political and social scientists embodied the concepts of Nation-State under the impetus of development of nationalism with in the states, either bringing the states prior to nations or nations prior to state, e.g. Karl Deutsche<sup>30</sup> (1961: 493) leading in this case terms the nation states as a result of process of 'Social Mobilization' which includes factors/changes like urbanization, industrialization, population growth, transportation, technological advances, mass media and literacy development etc.. In the same way Max Weber in 1919 in his essay 'Politics as a Vocation' which was

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<sup>27</sup> In the second edition of the book "The Nation State and Global Order: A Historical Introduction to Contemporary Politics", Walter C. Opello, Jr. and Stephen J. Rosow attached a list, showing the Nation States of the world from the source of United Nations Member States, 2004.

<sup>28</sup> Francis Fukuyama, in "The End of History and the Last Man" 1992, p.3-18.

<sup>29</sup> Samuel P. Huntington, in "The Clash of Civilizations?" 1993 p.22-49.

<sup>30</sup> Refer to Karl W. Deutsche's "The Growth of Nation: Some Recurrent Patterns of Political and Social Integration", in World Politics, 5, January 1953, p.169-180. Also pls. see. Karl W. Deutsche, "Nation and World" paper presented at the 1966 Annual Meeting of the American Political Science Association, p.7 and his paper "Social Mobilization and Political Development," in American Political Science Review, 55, 3 in September 1961, p.493.

published in the third edition in English in 2015 by T. Waters & D. Waters<sup>31</sup> (2015: 136), featuring nation states, emphasized on the ‘monopoly of the legitimate use of physical force (*des Monopol legitimen physischen Zwanges*)’ by the state only. Norbert Elias and Eric Hobsbawm<sup>32</sup> came up with similar concepts defining the nation states. In the same continuity, deliberate debates shifted the political concept of nation states i.e. a population living in a confined territory under a sovereign government including elements of nationalism and nationhood, to currently a more politico-sociological approach of development of nation-state through “elements/features of internal pacification” which owes a unique broader scope, and is a very little explored dimension, driving its historical background from the logical models of European nation states as manifested by Anthony Giddens and James Scott in current studies. Throwing a light on the historical background of ‘Internal Pacification and its Processes’ (which can also be termed as the features of modern nation-states), can serve a heliograph for the traditional developing states towards transformation into modern nation states. This beacon can help the traditional states covering their internal and external problems/issues to appear as a developed states at a fast pace. The paper is focused on the element of Internal Pacification, which according to James Scott paved way towards enriching the ‘state power’ enhancing the ‘state space’, and finally giving the today’s new modern states a new dimension and recognition in the world. These states which are termed as nation states competently appeared as welfare states and are successful models for the developing democratic states.

An analysis of the tools of Internal Pacification Process is very important, which derives its academic sources from the theoretical rationalization of historical knowledge of development of modern nation states, propounded by political sociologists Anthony Giddens (1985), and James Scott (2009). This paper hence describes these tools; (i) by turning to the factors which strengthen the elements of internal pacification and can impact the strengthening of the modern democratic states, and (ii) the limitations of the Internal Pacification-which can hamper this process and ultimately the processes of transformation of today’s traditional democratic states into nation states.

### **Internal Pacification**

“Pacification”<sup>33</sup> is the act or process of pacifying or the state of being pacified or a treaty of peace. It is the act of forcibly or persuasively suppressing or eliminating a population considered to be hostile.

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<sup>31</sup> Weber, Max. *Weber's Rationalism and Modern Society: New Translations on Politics, Bureaucracy, and Social Stratification*. Eds. Tony Waters, and Dagmar Waters. Palgrave Macmillan, 2015. p.136.

<sup>32</sup> See pl. in cited works the reference of E. Hobsbawm, “The Nations and Nationalism since 1780, Myth and Reality” 1992 and “Some Reflections on Nationalism” 1972.

<sup>33</sup> Pacification term was first used in 15<sup>th</sup> century, to increase the state control of law and order, as defined by Webster Dictionary.

It is the act of appeasement or the practical measures in terms of policy leading to submission. In context of political and social sciences the term pacification is directly related with the states and their control, or submission of all elements of states to its control.

Internal Pacification is a similar political term which is in fact the internal composition of states. It is the development of states through internal appeasements and submissions. It leads to internal integration of the states. In modern times the term internal pacification is associated with the concept of Nation States, which discriminate themselves from the absolutist states on the basis of this major element. Internal Pacification is a process of expansion of administrative control of absolutist states making them a nation state (Giddens 1985: 160). As Giddens further elaborates,

The process of what - for want of a better phrase - can be called the internal pacification of states is an inherent part of the expanding administrative coordination which marks the transition from the absolutist state to the nation state (1985: 160).

James Scott and Anthony Giddens' concept of internal pacification is more organized and realistic. It is more or less a solution of the problems of traditional states in their transformation into nation states. In the development phase the nation states pass through a temporary phase of absolutist states (Giddens 1985: 5), and this transition is not an evolutionary step rather a sudden/abrupt change. Internal Pacification is the major feature of development of rationalized states, whereby through internal pacification of their population these states can defend their territorial autonomy (Scott 2009: 197).

The major difference between the traditional states (or class divided states) as Giddens term it is the consolidation of frontiers of the traditional states into borders and boundaries, which means, increasing the influence or space of the states (Giddens 1985: 5-6). This factor in fact denominates the concept of territorialisation of the state. Subsequently, the major purpose of internal pacification is to decrease and control the violence of the groups which challenge the writ of the government or sovereignty of the state and try not diffusing into state or trying to take the power or control of the states (Giddens 1985: 187). Generally for a united and well-knitted state, it becomes difficult to accept the existence of another means of violence either from within its boundaries in the form of some state or non-state actors, or from outside laying a threat to the borders of that particular state from any other state or non-state actor. To overcome such situations and challenges, Giddens proclaims, that, 'Internal Pacification involves several related phenomena, all to do with the progressive diminution of violence in the internal affairs of nation-states (1985: 187)'. Thereof the

concept of internal pacification has a pivotal role while integration of the nation states is discussed. The dialectics of nation states formation namely the rise of the nation state results from internal pacification. Internally pacified nations have strived hard to accumulate their powers through different resources, which helped them imparting a very clear impression of their existence as coherent and unified states internally as well as globally.

### **Steps towards Internal Pacification for Development of Nation States**

For states to justify their existence, power, sovereignty, and domination, they must have a complete administrative control over their territories and the populations particularly living on frontiers or in their peripheries. In this process of consolidation and conversion of frontiers into borders or boundaries (also termed as territorialisation of states), the traditional states usually faced several problems and resistances, for which they remained engaged in several ways. Those who competed successfully, have increased and enhanced the State Space as James Scott (2009: 4) terms it. Sometimes the states turn absolutist in this phase to have a complete control to pacify all its boundaries by abolishing the local sources of violence, from the areas and populations to bring them under its submission and supervision. Establishment of such a monopoly over the means of violence was also necessary to control the internally diverged populations and hard areas. 'Zomia' for instance was an exemplary region in Southeast Asia, according to James Scott, wherein the Southeast Asian tribes used to live in a non-state space mostly out of the control and administrative reach of states, hence exploiting their mountains for their own interests and tribal controls. Out of many political sociologists' suggestions, Anthony Giddens and James Scott come up with a concrete and historically more realistic concept of this social and political transformation process mentioning very optimistic factors and methods which contributed previously in the achievement of internal pacification. Although the rationale for each factor may vary in different time and space, yet the below factors may help to analyze as to what tools can be checked while pacifying a state transforming it from traditional into a nation state.

#### ***Through Development of Modern Nation State System (Transformation of frontiers into borders)***

In arguing for how the internal pacification can be achieved, Giddens is in favor of modern nation states system, because the modern nation states are a set of defining and integrating institutions of social system, which the traditional states lacked due to poor administrative setups and administrative powers. The polyarchic nature of modern states in terms of their administrative dialectic of control

makes nation states eligible to ensure their internal pacification to exert their power and domination within the state and among the states (Giddens 1985: 5). Giddens refers to Western Nation States as an example of Modern Nation States. Scott here supports the Gellner's analysis of Berber-Arab relations, saying that,

*...the "barbarian periphery" is a diminishing remnant, drawn sooner or later and at varying speeds into the light of Arab civilization. In Southeast Asia and the Maghreb this view gains credibility because, in the past century, the ungoverned periphery has increasingly been occupied by the modern nation-state (1983: 30).*

This in fact refers to increasing the state space which means that the primary focus of the state is to enhance its territorialisation, meaning there by increasing the control and reach of the state in the peripheral areas, where in state gains and sustains its control over its borders. James Scott further elaborates on the development of nation states, "the hegemony, in this past century, of the nation-state as the standard and nearly exclusive unit of sovereignty has proven profoundly inimical to non-state peoples. State power, in this conception, is the state's monopoly of coercive force that must, in principle, be fully projected to the very edge of its territory, where it meets, again in principle, another sovereign power projecting its command to its own adjacent frontier (Scott 2009: 11)".

In the dialectic of control when the state tries to increase its control on the peripheral areas and the populations living in the peripheries, at the same time the states also face great resistance from the same non state space, which actually are efforts to challenge the monopoly of the state and to restore the status quo, this ultimately leads to the porous borders of the such states. Hence for states to establish its control over the peripheral areas, it needs to counter all such weak areas of the states near the frontiers, finally transforming these frontiers into borders. Scott further adds,

*As a practical matter, most nation-states have tried, insofar as they had the means, to give substance to this vision, establishing armed border posts, moving loyal populations to the frontier and relocating or driving away "disloyal" populations, clearing frontier lands for sedentary agriculture, building roads to the borders, and registering hitherto fugitive peoples (Ibid).*

### ***Through Power and Domination***

According to Giddens the modern nation states are power containers and power is the capability to change (Giddens 1985: 7). It is the intervention in the existing set of events. It comes from two major sources; the allocative resources and authoritative resources, which he collectively terms as

institutional clusters. Power remained a fundamental part of social theory. In a social system, when states show domination to justify their powers in a particular time and space that is termed as a power system. Based on agent and structure relationship, this power system or domination is bound to some rules which have their specific scope and intensity allowing these rules or laws to put some particular sanctions. These rules are implemented by powerful states with their strategies of control also facing the counter strategies, and the same process is unitedly termed as dialect of control (Giddens 1985: 8-12). Thus at times the states use these powers to show their domination over the peripheral areas and hostile populations of the peripheries to pacify them into their administrative control to achieve internal pacification. James Scott refers to the colonial style of internal pacification, by saying that,

*The early colonial regimes, in their pacification campaigns, used forced settlement, the destruction of sniddens, and the concentration of subjects. It was only gradually that all-weather roads, railroads, telegraph lines, and a reliable currency allowed a greater dispersal of population and production with little loss of control. Only in counterinsurgency strategies do we see, in miniature, the attempt to closely concentrate a feared population in legible space, occasionally to the point where it comes to resemble an actual concentration camp (2009: 85).*

The domination is one of the permanent feature of the control and hegemony of the state. Nevertheless the domination is the tool of power, which helps states to show its existence with in the state boundaries as well as outside the state boundaries.

### **The Role of Four Institutional Clusters contributing to Internal Pacification**

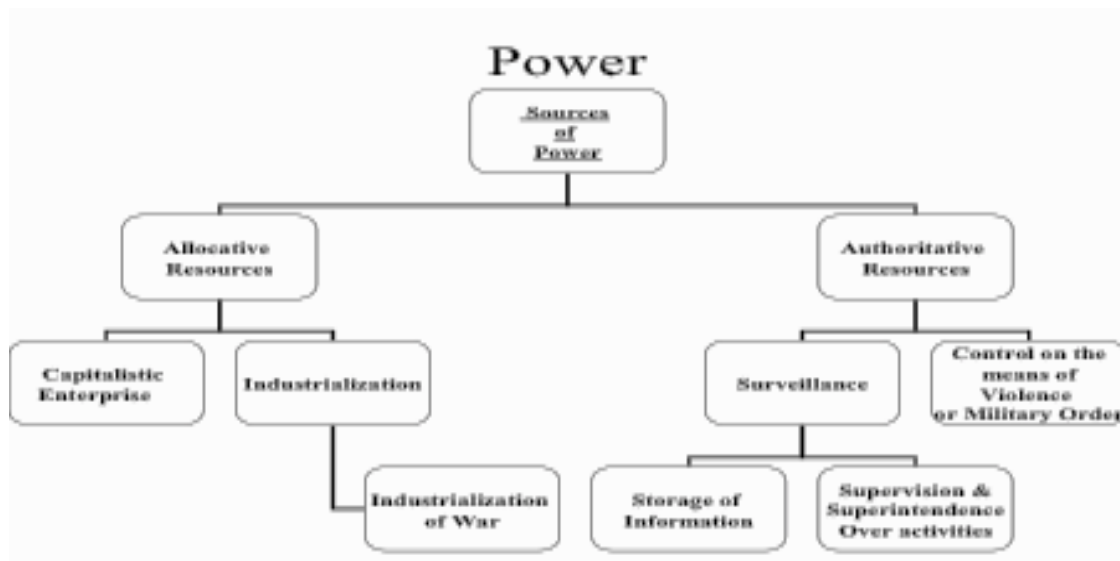
The four institutional clusters which Giddens (1985: 7-12) describes in his explanation of allocative and authoritative resources are very important in the development of modern nation states. The allocative resources include the Capitalistic Enterprise and the Industrialism, whereas the authoritative resources are Heightened Surveillance and the Control of means of Violence as shown in the figure<sup>34</sup> below.

All the above four factors in institutional clustering have a direct role in internal pacification of the state. For instance, two of them (Surveillance and Military Violence) contribute directly into powers of nation state, and similarly the other two (Capitalist Enterprise and Industrialism) contribute in the

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<sup>34</sup> The figure is made to show the concept of Giddens' sources of Power mentioned in his book, Nations States and Violence, 1985, from page 8-12.

development of nation state. While explaining the *allocative resources*, Giddens admits the contribution of Karl Marx's towards the idea of Historical Materialism and particularly the idea of development of capitalism which laid the foundation of capitalistic enterprises in the modern nation states, but at the same time Giddens also criticizes Marx for relating the authoritative roles with the class struggle, whereas Giddens considers the authoritative aspects as a predominant factor in the internal pacification of the state and in the formation of the nation states. The industrialism though being thought as the outcome of capitalism is in fact, also the ultimate aim and pursuit of capitalism (Giddens 1985: 2).



Source: Anthony Giddens, (1985, p.7)

Figure 1.1 Prepared by the author on the model of Internal Pacification, devised by Anthony Giddens for the Nation States

*Another aspect of internal pacification is ... the eradication of violence, and the capability to use the means of violence, from the labour contract — the axis of the class system. Closely integrated with, and dependent upon, the other forms of internal pacification, it is a major feature of the separation of the 'economic' from the 'political'... In industrial capitalism — in contrast to pre-existing class systems — employers do not possess direct access to the means of violence in order to secure the economic returns they seek from the subordinate class. Marx entirely correctly laid considerable emphasis upon this, even if he did not pursue its implications. 'Dull economic compulsion', plus the*

*surveillance made possible by the concentration of labour within the capitalistic work-place, replaces the direct possibility of coercion by the use of force* (Giddens 1985: 190-1).

Hence in Giddens' four institutional clusters, the capitalistic industrialism is the major factor which helped in development of allocative resources for a state, enhancing its powers and leading it to become a developed modern world. While elucidating the importance of capitalism/industrialism in the development of modern states, Giddens brings the sociologists like Webber, Durkheim, Nietzsche, Hintz and Hegel in conjunction with economists like Karl Marx and non-Marxists to justify the significance of materials which accentuated the capitalistic society giving rise to modern nation states. This point however agreed by many philosophers that for the developmental states in order to protect and promote themselves, it is important for them to promote their economic growth through industrialization (Leftwich 1998: 17-51). Jeffery D. Sachs exemplifying the drastic boost in the economies of world due to the industrial revolution says, that "Britain had the unique industrial breakthrough in the world in early nineteenth century, that increased the political power of British Empire expanding its control over one sixth of humanity" (Sachs 2005: 33) and there is no single factor explanation to this development. Jumping further into differential diagnosis of different supportive factors accentuating the Britain's industrial development, Sachs pinpoints; firstly the British society was more open towards individual initiative and social mobility compared to other societies globally, diminishing the roots of feudalism, when serfdom was still being practiced though out Europe, Secondly the development of institutions of political liberty like British Parliament having freedom of speech with open house debates protected the individual and property rights, thirdly Britain gathered, discovered and progressed in scientific revolution & technology and became of hub science and technology in Europe, fourthly the geographical advantage to Britain- location wise supporting its transportation of Industry/trade, and these sea-side interventions also saved it from wars etc. strategically (Sachs 2005: 34-35). All these factors helped Britain to transform its traditional or feudal society into a capitalist society, and this all happened through industrial revolution. Hence, the political development through gathering of Authoritative Resources by the development of political processes (institution of liberty e.g. parliament etc.) and the economic development through gathering of Allocative Resources by the development of industrial setups have helped small Britain to become a bigger Empire throughout the world.

Likewise being the pioneer in the industrial revolution in Europe, British also laid a foundation of capitalism in European society. Capitalism though defined by many authentic authors of modern economics, yet lays its academic base in the great master piece of political economy, "The Wealth of

Nations” by Adam Smith (1776). Adam Smith (1776: 279) describes capital as a stock surplus to a man’s personal needs, upon which he wants to derive some revenue. The same process of acquiring the revenue continuously is called the Capitalism. As a matter of fact, the capitalism itself is something prior to industrial revolution or industrialization process, yet the industrialism has strengthened the capitalism giving it concrete and organized shape which followed the pursuit of capitalism eventually (Giddens 1985: 2).

As far as the role of *authoritative resources* in the internal pacification is concerned, Giddens is more inclined towards the Max Weber’s ideas that, state is a larger development of organization or institution or a set of institutions (Giddens 1985: 20). As Giddens claims state as a political organization whose rule is territorially ordered and this is also able to utilize the means of violence to sustain that rule. The two aspects of authoritative resources which contribute in internal pacification by increasing its administrative powers are Surveillance and the Control on the means of Violence. In surveillance the flow of information is very important. The control on the flow of information in the form of collection, storage, communication and control makes states eligible to keep a close eye (Supervision and Superintendence of activities) on its population and its internal matters particularly related to peripheries or boundaries, which can help state to pacify those areas through some appeasement, accord or any other policy of integration. The traditional states usually relying on their resources of flow of information believe on their sources as accurate and efficient, which invert at times of emergencies and issues related to state’s internal sovereignty. This hence fails the traditional states to deal the problems and issues of special nature, particularly when these occur in the far flung areas from the state center in the peripheries or near the frontiers of the states. Thus the accuracy of information and its efficient flow is very important. Academically, in the words of David Lyon, “Surveillance” is defined as “the focused, systematic, and routine attention to personal details for purpose of influence, management, protection or direction” (Lyon 2007: 14). According to Lyon (2007: 15) the surveillance is a fundamental element of maintaining the modern society. In Allen Sheridan’s translation of the famous French master piece book of Michel Foucault named ‘Discipline and Punishment’ (1975)<sup>35</sup>, he adds in the translator’s notes (1977: 8), that,

*“Our noun ‘Surveillance’ has an altogether too restricted and technical use. Jeremy Bentham used the term ‘inspect’ – which Foucault translates as ‘Surveiller’ – but the range of connotations does not*

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<sup>35</sup> Michel Foucault’s book ‘Discipline and Punishment’ with second subtitle ‘The birth of the Prison’ was originally published in French with the name ‘Surveiller et Punir’ was translated later by Allen Sheridan in 1977 is a masterpiece on the social development through control or discipline.

*correspond. 'Supervise' is perhaps closest of all, but again the word has different associations. 'Observe' is rather too neutral, though Foucault is aware of the aggression involved in any one-sided observation. In the end Foucault himself suggested Discipline and Punish, which relates closely to the book's structure.*" (Foucault 1977: 8)

Foucault refers 'Discipline' as 'Surveillance' and terms it substantially a very forceful element in many aspects of social control, taking the support from Jeremy Bentham's' philosophy of Panopticism<sup>36</sup> (Foucault 1975: 200).

The second major factor to pacify the states internally in authoritative resources is the monopoly of violence with the state. According to Giddens the traditional states also endorse this but hardly nation states are able to achieve it. The traditional states due to failure of a regular sense of administration usually get involve in internal wars, and ultimately had to resort to use of military force. He terms it as the militarization factor. This monopoly of violence through militarization takes part in three ways; increased changes in armament industry or the industrialization of war by technological innovations leading to further war games, the increased discipline among the military forces, and the increased development of naval strength. Military power gave dimensions to the control over the populations in a specific territory by the sanctions of the law which put a threat of the use of violence in case of non-cooperation to the law or the rule. According to the Tilly school, war and war preparations have been the major factor in the formation and development of the modern states in Europe, especially in increasing their powers externally. Cameron G. Thies in "State Building, Interstate and Intra-State Rivalry: A study of Post-Colonial Developing Country Extractive Efforts 1975-2000" states, that,

'The strengthening of the war-making state in Europe occurred through a multistage process that included (a) elimination of external rivals, (b) suppression or pacification of internal enemies of state, and (c) extraction of sufficient resources for state activities from the larger population and the territories it controlled through increasing taxation (Thies 2004: 55).' Thus war and preparing for it led to important social changes: integrating, socializing, and leveling societies. (Porter 1994: 15-16).

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<sup>36</sup> Panopticism is basically an idea of process of surveillance in a Panoptic structure prison, where from a guard can monitor and keep a watch and ward on whole of the prison. The idea later on in abstracts was adopted for having a social control in a social order. The idea was originated by towered utilitarianist-philosopher Jeremy Bentham in 1791 in his book 'Panopticon' and was later on expounded in an abstract idea by scholar Michel Foucault in his book *'Discipline and Punishment/Surveiller et Punir'* in 1975, pages.200-228, wherein he focused on the importance of Panopticism in human life and in bringing discipline in different sectors of society like health, education, industry etc. He declared Panopticism as an essential element of control. Michel Foucault is declared as the foundation thinker of surveillance studies by David Murakami (2003, p.235), laying a base for the mainstream social theorists to take surveillance as a serious discipline of social sciences as said by David Lyon (1994: 6-7).

All these factors led to strengthening of military or security forces further increasing the power of nation states, which helped nation states to achieve its goals of internal pacification. In modern nation states the military order however is very important in sustaining the deterrence and in influencing the populations of the nation-states.alongside with the taxation systems which also played binding forces in nation states.

### **The Means of Urban Transformation, Regionalization and Sequestration along with the Fiscal Legibility**

Few factors like transformation of cities into urban centers, the taxation systems and in response to that provision of services by the welfare / nation states in the urban setups like transportation, communication, commercial transits, security, health and education services, social services, economic benefits and other public services have attracted the pacification process and further facilitated the sequestration. James Scott further referring to the urbanization here adds that, ‘a wealthy and peaceful state center might attract a growing population that found its advantages rewarding’ (2009: 7).

At another place supporting the financial interests which helped the nation states in sequestration processes, he says, that, parallel to policies of economic, administrative, and cultural absorption has been the policy, driven by both demographic pressure and self-conscious design, of engulfment (Scott 2009: 12). Fiscal legibility is also one such supportive element, as, according to James Scott, the formation of taxation system on the objects of taxation like people, land and trade has brought a drastic change in the pacification process. At many a times the states became *self-liquidating*. Further reasoning, he adds that the registration of land and population has turned out to be an accessible resource for the nation states (Scott 2009: 91-4). Through registration process with simultaneous monetary benefits by the such states, the citizens of nation states were bound to be more responsive, controllable and accountable hence appearing as productive part of nation state societies.

### ***Other Techniques of Population Control***

James Scott has also considered the aspects of *slavery* contributing in the process of internal pacification in traditional or absolute states which have seen it as a key factor. However, in Nation States, it could be termed as a limit to internal pacification. Scott says that, all Southeast Asian states were slaving states and slaves “were the most important ‘cash-crop’ of pre-colonial Southeast Asia: the most sought-after commodity in the region’s commerce” (Scott 2009: 85). Also the Max Weber’s view of warfare for slaves was important in the pre-modern states and slaves were considered as

booty capitalism (Scott 2009: 88). In the same way, *nationalism*, particularly ethnic or tribal nationalism was also used as a pacifying element in the colonialism where in the states used these tribes to sustain their control upon them, as James Scott says,

*The “tribe” might be called a “module of rule.” Designating tribes was a technique for classifying and, if possible, administering the non- or not yet-peasants. Once a tribe and its tribal area had been marked off, it might be used as a unit for tribute in goods and men, as a unit over which a recognized chief could be appointed and made responsible for its conduct, and as a military zone of pacification. At the very least, it created, however arbitrarily, a named people and their supposed location for purposes of bureaucratic order where an otherwise indistinguishable mass of settlements and peoples without structure had often prevailed (2009: 257).*

However, this form of tribal nationalism was a source of internal pacification in colonialism, and may be a limit to internal pacification in nation states, for instance the ‘Tamils’ tribal movements and the tribal movements of separation challenging the nationalism in southern parts (Balochistan province) of Pakistan<sup>37</sup>.

### **Limitations of Internal Pacification towards development of Nation States**

The factors of internal pacification were different in time and space. Many supportive factors in absolute or pre-modern times also turned out to be the limits of Internal Pacification when it comes to nation states. Giddens and Scott throw a light on few of them.

#### ***Excessive Militarization***

Though Giddens supports the surveillance more over militarization, yet for centralized control of violence, he is of the idea of use of militarization through a centralized and bureaucratized military but, he is quiet general in his approaches when it comes to the limits of use of force or industrialization of war. As Giddens says, that final characteristic of internal pacification, intimately connected with the others, but nevertheless distinguishable from them, is the withdrawal of the military from direct participation in the internal affairs of state. The consolidation of the internal administrative resources of the state dislocates administrative power from its strong and necessary base in the coercive sanctions of armed force.... In the nation-state, as in other states, the claim to effective control of the means of violence is quite basic to state power. But the registering of the more or less complete success of this claim, made possible by the expansion of surveillance

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<sup>37</sup> For reference pl. see Bansal, A., 2010. *Balochistan in Turmoil*. New Delhi: Manas Publications.

capabilities and internal pacification, radically lessens the dependence of the state apparatus upon the wielding of military force as the means of its rule. The distinction between the military and civilian police is symbol and material expression of this phenomenon (Giddens 1985: 192).

For Giddens the increased trend of waging the industrialized war is a serious threat, because it is leading to militarized world of nation states having new-style war propensities as a solution to old military problems.

### ***Economic Control***

Generally, the three core principles of Immanuel Kant's concept of perpetual peace – democracy, economic interdependence and international institutions have helped a lot in the formations of nation states in the western societies (Russet and Oneal 2001: 5). In pre-modern states, while explaining the process of self-liquidation of military forces to fill its needs from the local resources, they often used to force the populations to pay tax and do labor works as is done by the military units in Burma (Scott 2009: 94-7). This pressure when increased excessively led to rebellion. As Scott claims, "...the greater the pressure exerted on it, the more likely it would simply flee out of range or, in some cases, rebel (Ibid)." Giddens on this also supports the rights of freedom of disposal of labor power in liberal democratic states, for which the bourgeoisie also limit the economic powers of the employers, hence putting a limit in industrial style of pacification (Giddens 1985: 191).

### ***Nationalism***

Nationalism and the identity issue has also played great role in limiting the internal pacification. As Scott commends,

*Ethnic and "tribal" identity, in the nineteenth century and much of the twentieth, has been associated with nationalism and the aspiration, often thwarted, to statehood. And today, the utter institutional hegemony of the nation-state as a political unit has encouraged many ethnic groups in Zomia to aspire to their own nation-statehood. But what is novel and noteworthy for most of this long history in the hills is that ethnic and tribal identities have been put to the service not merely of autonomy but of statelessness (2009: 244).*

According to James Scott, 'E. J. Hobsbawm, in his perceptive study of nationalism,' took note of these important exceptions: "One might even argue that the peoples with the most powerful and lasting sense of what might be called 'tribal' ethnicity not merely resisted the imposition of the modern state, national or otherwise, but very commonly any state" (2009: 245).

## Conclusion

Thus as already stressed upon, for the states to compete in the modern globalized world of nation states, it is must for them to pacify their all borders internally. Only then the nation states can focus on the sustainable development activities materializing the concept of Marx's capitalistic enterprise or the concept of Weber's institutional development. Internal Pacification is a combination of several factors, which states' administrations need to learn to achieve the ultimate goal of democratic nation states, as the Western Nations to a greater extent have achieved this goal. Scott emphasizes upon,

*Whenever the crown was unable to replenish its population through a combination of capture by warfare, slaving expeditions, and the attractions of commerce and culture at the center, it risked a fatal erosion of its demographic and military strength (2009: 91).*

A focus is required on all dimensions of states' control and development, and on all the elements of national integrity which includes the economic stability and good governance along with the administrative controls. The control on the social order within the states by pacifying the situation, avoiding the staunch use of military power and focusing on the provision of opportunities and delivery of services to its masses and population through good governance like health and education services, securities, rights and social services, economic benefits and privileges in the form of jobs and social benefits etc. will lead the population to not rise and raise their voice against the governments, avoiding the civil wars, chaos and class struggles, which will ensure internal pacification within the states.

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## The Construction of the Discourse on “Terrorism”

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### Abstract

*The aim of this paper is to run a critical analysis – at a theoretical level – of the production of knowledge, specifically, the one on “terrorism”. The main argumentation is that the way this is created resembles in many ways the way scientific knowledge is produced in a society. In this sense, this paper seeks to draw a reflection on the creation of the discourse that constructs “terrorism”. The starting point is, hence, the fact that, as the creation of scientific truths is never neutral, so is the one related to this kind of specific violence. As a matter of fact, as other ones, this “regime of truth” on terrorism is created through specific processes that reify certain relations of powers. It is because of this reason that the “knowledge on terrorism” should not be accepted uncritically but analyzed and questioned.*

### Keywords

discourse, epistemic communities, power/knowledge nexus, production of knowledge, terrorism

## Introduction

This paper starts from a reflection on science, or more generally, on the production of the scientific knowledge and aims at discussing theoretically how the mainstream and accepted knowledge on “terrorism” a society has is produced. In this sense, a comparison can almost be drawn between the creation of both truths since the discourse on “terrorism” is, at least in part, a fruit of the way scientific production is considered in the Western world. It is because of this reason that the first inspiration for this paper has been the philosophical reflection of Thomas Kuhn on the need to use a pluralist approach to (do) science in order to change the way societies look at it. This is because there is not only one Truth but many truths that are created and reproduced. Therefore, starting from the idea that science has become to be considered as the greatest and the only way of producing knowledge in the world, this paper will reflect critically on how the knowledge on “terrorism” is constructed.

The main problem this paper wants to highlight is that, in general terms, science – both “hard” and light” - is considered to produce the Truth, a knowledge that cannot be disputed and that is universally valid and recognized. However, on the contrary, knowledge is always a social product, the result of a specific historical context and of specific power relations. And whereas scientific knowledge is believed to be universal, they are social constructions and thus historically and contextually contingent. In other words, “sciences produce specific master narratives, and shape continuously by means of them new relationships between knowledge and power, between ‘ontological’ landscape and cognitive structure” (Henry, 2015: 223).

Considered these processes of construction of truth, what will be discussed is how there is, in fact, no neutrality of science/knowledge. In other words, knowledge is always related to power and it can even be seen as an expression of it. This does not only happen with “hard” sciences but also in a field like the one of “terrorism studies”, as it will be argued in this paper. As a matter of fact, here the epistemic community produces a certain kind of paradigm – or discourse – which dominates the way a society think about, act on, understands and deals with terrorism, etc. They produce the discourse that constructs the way “terrorism” is understood, made sense of and dealt with in a society.

Therefore, in broader terms, what this paper wants to carry out is a theoretical reflection on the process of the production of this knowledge. This can be achieved by “‘putting on a different kind of thinking-cap’, one that renders the anomalous lawlike but that, in the process, also transforms the order exhibited by some other phenomena, previously unproblematic” (Kuhn, 1977: XVII). Or, in other words, through the deconstruction and unmasking of these processes. In this sense, this article

wants to be an overview of one of the main issues the critical terrorism scholars (CTS) have highlighted in the production of knowledge of the mainstream terrorism studies (also named as “orthodox” terrorism studies). To this denounce, I add a deeper reflection on the processes of discourses production and a comparison with the creation of scientific knowledge in society.

It also has to be highlighted that CTS analysis – and, as a consequence, this article - finds its roots in Robert Cox’s distinction between “problem solving theory”, which takes for granted power relations and “solves” problems that may jeopardize them, and “critical theory” which, on the contrary, criticizes and questions these structures and the status quo they create and deconstructs the discourses that maintain specific power relations in society (Cox, 1981: 128 – 129). Clearly, it is the latter theoretical framework that wants to be adopted in this paper.

### **The production of knowledge**

Usually, at least in the Western world - because this is from where these lines have been written –, knowledge(s) is produced by scientific (or epistemic) communities and the resulting paradigms are never put into question until some new data is found. This depends on the fact that, as Kuhn argued, normal science is based on the idea that the scientific community knows (and has access to) how the world is (Kuhn, 1996: 5). Because of this, the knowledge they produce is always the “Truth”. Scientific communities thus have a central role in a society because “every society, or at least every society characterized by division of labor, must include groups of people and institutions whose task it is to cultivate – to gather and transmit - knowledge” (Amsterdamski, 1992: 9).

Nevertheless, there are two main theoretical problems with the kind of truth the epistemic communities produce. In the first place, it is a truth that is supposed to be universal but that, in reality, is very contingent and contextual since it is produced from a specific position within a certain society and in a particular historical moment. And this is an important fact to take into account, since there is no knowledge out of the knowing possibility of the subject and, consequently, there is no science out of the cultural environment this is entwined with. As a matter of fact, it is impossible to have a production of a universal knowledge since this will always be naturally and contextually embedded. There is no possibility of saying something that can be considered objective *a priori* because objectivity is not understandable without (and not in the light of) the specific scientific community this “truth” is a product of. And this, as it will be argued, is something to take into account also when considering the current production of the knowledge on “terrorism”.

Related to this, there is a second point that has to be highlighted: the nexus between the production of scientific knowledge and power. The possibility to produce knowledge is a role of absolute power on the definition of the state of the art of a certain object of reference, in the construction of how certain things are, how should be considered, understood and dealt with and so on. In this sense, the access to the creation of knowledge confers the power on the decision of which paradigm should be the main one and which one is not since the process of rejecting one paradigm and of accepting another one are simultaneous (Kuhn, 1996: 77). This process of a paradigm imposing itself on another one works in a way that “each paradigm will be shown to satisfy more or less the criteria that it dictates for itself and to fall short of a few of those dictated by its opponent” (Kuhn, 1996: 109 – 110), signing its final “victory” on the other ones.

Historically speaking, this process is cyclical since scientific knowledge is always constituted by ideals accepted at a given historical time and “some of these ideals might be socially accepted and institutionalized at a given time, and direct the cognitive activities of scientists; while others might exist as individual or group ideas which enjoy no such social approval and, at least for a while, might not be considered historically productive” (Amsterdamski, 1992: 12). Since the scientific communities are considered as the unique sources of knowledge, to have access to the production of the latter means to have power on it and thus to decide – or at least, be able to influence – how certain topics should be understood, dealt with, and so on. Consequently, science should be considered also in respect to the role it has in shaping a society and in creating and destroying its values (Amsterdamski, 1992: 4).

### **The relationship between power and discourse**

Before focusing on the creation of knowledge in the terrorism studies field, it is important to try to understand what power is and how discourses, which are the “paradigms” in the case of a more “qualitative” knowledge, work in our reality. Power can be defined as the capacity of an entity to control the behavior of others without a physical force or threat of force. This is a basic constituent of our reality, especially because, as Michel Foucault argued, power not only encompasses everything but also comes from everywhere (Foucault, 1980a: 93). As a matter of fact, it is present in our everyday routine, in the way we speak, in what we read, in the way we dress and so on.

Power and power relationships perpetuate themselves through the transmission of knowledge and culture. In this sense, power is a productive force that creates discourses, knowledge, regimes of truth but also objects and identities: in other words, it is about creating and recreating the world in a specific way (Longhurst, 2008: 64). Power is productive since it is related to the construction of

things, ideas, and identities but also because it produces classifications in our knowledge, which create our understanding of the surrounding world and society. And it is in this relationship between power and knowledge, already mentioned above, that lies what Michel Foucault defines as “discourse”.

Power circulates in the society through discourses, a system of ideas and narratives that characterize a certain – material or abstract – object (Anderson and Schlunke, 2008). Therefore, a discourse is “a cohesive ensemble of ideas, concepts, and categorizations about a specific object that frame that object in a certain way and, therefore, delimit the possibilities for action in relation to it.” (Epstein, 2008: 2). They create and influence the way we think, talk and behave through the configuration of power. In other words, they are networks that construct the structures of understanding and knowing the world itself or a specific issue (Longhurst, 2008: 21). Consequently, everything we know is learned through discourses: social groups, identities, and positions within society such as gender or race are not pre-existing concepts but the products of a discourse that defines them in terms of what they are and how they operate. As Charlotte Epstein highlights, discourses “do” two things: they create “space of objects”, by making specific things matter in a different way they were meaningful before, and they constitute new identities for the social actors through the creation of new subject-positions (Epstein, 2008: 6). This way, discourses create new realities, new identities and new common senses that are experienced as obvious and evident; they incline agents to think and act in a certain way, they generate what will be considered as “normal” practices, perceptions and attitudes in reference to a specific object. Furthermore, these will not be consciously perceived but will be put into action without being dictated by any apparent norm (Bourdieu, 1991: 12).

Therefore, people become both enabled and constrained to think in particular ways through the assimilation of discourses. This happens because “in any society, there are manifold relations of power which permeate, characterize and constitute the social body, and these relations of power cannot themselves be established, consolidated nor implemented without the production, accumulation, circulation and functioning of a discourse.” (Foucault, 1980b). And, recalling the reflection on science and on truth mentioned above, it can be added that what we know about the world is a product of different discourses and it is exactly in these ones that power and knowledge merge (Foucault, 1994). Another important thing that has to be taken into consideration is that discourses emerge when they “can”, when they have the possibility when they are not prevented by a set of material interests against them. This does not mean that one kind of interest prevails over

other ones, on the contrary, discourses can appear when the material conditions allow them to bloom and impose themselves on others.

Furthermore, different discourses give rise to different narratives that can change our interpretations of reality and events. However, not all of them have the same power. In fact, different discourses can achieve a different degree of success. When one of them is really successful it becomes institutionalized and normalized and starts being incorporated in the political institutions. This because discourses, as Jennifer Milliken remarks, are constitutive of the social world and are thus “systems of signification” (1999: 229). In this sense, things do not have a meaning *per se*, rather people construct this meaning using systems of signs which are usually – but not exclusively – linguistic. Furthermore, following Jacques Derrida's view, discourses are systematically structured on (and create structures of) binary oppositions that create a relation of hierarchy – and therefore of power – of one element over the other one (Milliken, 1999: 229). Discourses create and give a meaning to these binaries that construct reality. In other words, they establish a relation of power and authority of one over the other one. For example, in some binaries such as male/female, civilization/barbarism or developed/undeveloped, there is the establishment of a relation of power with certain preconceptions, feelings, and ideas attached to them.

Discourses have a specific productivity: they produce knowledge about a phenomenon, a specific language to speak about it, behaviors in reference to it and towards the world. They constitute a “regime of truth”, eliminating other possible ways of interpretation of the phenomenon. Moreover, discourses define “subject authorized to speak and act” and “knowledgeable practices by these subjects towards the object” (Milliken, 1999: 229). In more general terms, hence, what discourses produce is a “common sense” about a phenomenon, since they create ideas, behaviors and ways of thinking about it that exclude other possible options; all these elements that make discourses extremely useful, for example, in a field like politics.

However they do not just exist in the vacuum: they have to be created, maintained and constantly rearticulated since they are historically dependent – even if to individuals’ eyes they appear as an ahistorical truth –. It is also very common for a discourse to contain many exceptions, inconsistencies or even contradictions. However, these do not usually become central or disruptive of it since they do not usually question the core ontological or epistemological core of the discourse (Jackson, 2009: 69). This also because they are reflexive and have the capacity to “continuously reconstruct and reinvent earlier discursive formations in order to maintain coherence in the face of internal and external contradictions and challenges” (Jackson, 2011: 156). And this process is endless

since all discourses try to become – or continue being – hegemonic by discrediting rival ones and by presenting themselves as ahistorical truths, recalling Kuhn’s quotation above. The process of the creation of meaning is not a lineal one, with a clear starting and an ending point, but it is a contingent one, constantly moving and changing because of the constant struggle of different ideas and interests that try to reformulate the “regime of truth” and reach, this way, their legitimization. As a matter of fact, all discourses try to become – or continue being – hegemonic by discrediting rival discourses. And they need to present themselves as the only truth about the referent object in order to maintain their legitimacy. Consequently, the struggle among adversary discourses is always present, even if individuals do not perceive it since they are under the sphere of influence of the dominant one.

Eventually, discourses tend to create a gnoseological order that gives meaning to the world (Foucault, 2002). Relations of power can be thus said to be relations of meaning: in fact, discursive formations are “made possible by a group of relations established between authorities of emergence, delimitation, and specification” (Foucault, 2002). Therefore, considered their characteristics and their power, discourses can result very useful in politics to achieve specific political goals since they can be used to affect the way individuals act and think in the social world. The knowledge that is constructed through discourses is presented as an ahistorical, neutral and objective tool and it is exactly in observing how discourses work that the nexus power-knowledge can be observed. Discourses create what should count as knowledge and what does not and define what should be produced, communicated, legitimated and resisted (Stump and Dixit, 2013: 117).

### **The elements of a discourse**

Powerful discourses can only be created by powerful actors. In fact, in order to create a powerful discourse “those who speak must ensure that they are entitled to speak in the circumstances, and those who listen must reckon that those who speak are worthy of attention” (Bourdieu, 1991: 8). Actors, in order to create powerful discourses, should have the authority that allows them to do so which is conferred by the rest of the individuals that listen and accept the “truth” that they create. Consequently, they receive the authority from the same individuals on which they are going to impose it. In this sense, a discourse gets its power from the same specific audience it creates (Foucault, 1981: 52).

Therefore, the speaker has to have the authority to speak but s/he also has to do it in a place where his/her authority has a value. In Bourdieu's words, it can be said that the actor’s power to create a powerful discourse depends on her/his “symbolic capital” (Bourdieu, 1991: 107). If a performative utterance is pronounced by someone who does not possess enough symbolic capital, or pronounces it

in the wrong circumstances or with a wrong procedure, the discourse will be destined to fail (Bourdieu, 1991: 111). On the contrary, a hegemonic – and thus successful – discourse is “one where the public debate uses mainly the language, terms, ideas and ‘knowledge’ of the dominant discourse, and where alternative words and meanings are rarely found and dissenting voices are almost never heard” (Jackson, 2011: 19).

Another reason of possible failure/success of a discourse resides in its “conditions of existence”. Discourses cannot just emerge and take on a life on their own, but, in order to gain power and result successful, they have to emerge under specific rules of formation which are their conditions of existence and, as Foucault remarks, also their conditions of maintenance, modification, and disappearance (Foucault, 2002). More specifically, their success depends firstly on the historical conditions: since objects do not exist on their own, but they exist only as conglomerates of relations. This means that the preexisting conditions have to be favorable for the emergence of a discourse since they are created in relations to outside factors and are not preexistent objects that just emerge in the world. In addition to this, their emergence must not be restrained by contrasting power.

To recognize the link between power and discourses – and therefore, knowledge – is of extreme importance because it helps highlighting how knowledge may always be used by political actors or by power in general as a tool of domination. In fact, a specific discourse may help in legitimize elites in the eyes of a broader public, for example in implementing extreme exceptional measures of security, and thus creating relations of dominations which seem to be justified and reasonable. This is a normal process since “all efforts to explain the social world are tied up with the interests and perspectives of their creators, and, just as importantly, they all have consequences for the worlds that are being explained” (Jackson, 2011: 19 – 20). However, by analyzing them and their formation, by showing that discourses are in fact historical formations and context dependent it is possible to denaturalize their power and to question the practices that created them. It is because of this reason that in the next part of this paper, I am going to analyze how the theories on the creation of discourses can help in the task of making sense of how the meaning of “terrorism” is created.

### **Power-knowledge in the production of “terrorism”**

As it has been seen, all the knowledge(s) produced in a specific society are a social product and so is the “knowledge on terrorism”. As a matter of fact, in every society – historically and politically – there are specific ways in which this phenomenon is conceptualized, thought about, acted on and so on. This depends on the fact that a specific model and framework of knowledge on terrorism came to dominate over the other possible ones, excluding them. This, that encompasses “everything” is

known about terrorism including how (not) to make sense of it, is the result of specific processes of power that have interacted to achieve its creation. In this sense, it is the fruit of a specific historical and political conjuncture, as every other knowledge is, that gave rise to particular ideals and material interests and it is aimed at making sense of terrorism in a certain way also because, as already seen, “theory is always *for* someone and *for* some purpose” (Cox 1981: 128).

As a matter of fact, the studies on terrorism have their own specific “epistemic community”, with leading scholars that share a common world view and common political values and whose production of knowledge is made sense from within it. Considered that all efforts that are done to try to explain the world are always intertwined with the situatedness, the perspectives (and thus the interests) of their creators (Held, as in Jackson, 2011: 20), the first thing to highlight when analyzing the production of knowledge about terrorism is that many analysts and academics are part of state institutions and end up formulating biased analysis (Jackson, 2001: 19). Because of these reasons, the theories they produce will – in general terms – tend to serve the status quo by assuming that existing power structures are natural and immutable and will not question how this came to be. As a matter of fact, many scholars, especially those belonging to the critical turn in terrorism studies (for example, see Jackson et al. 2011; Jackson et al, 2009; Gunning, 2007), have denounced that these theories have always focused more on a state-centric approach and on a status-quo security, instead of focusing more on human security, ignoring largely “whether the state itself and its repressive apparatus might have played a role in creating an environment in which terrorism may seem desirable (and even legitimate) to some actors” (Jackson, 2011: 21).

The theories elaborated in the field of terrorism studies do not question the extent to which the status quo, the imposition of certain relations of power and the dominant actors may have played a role in the emergence of the terrorist violence (Jackson, 2009: 67). In this sense, what is important to notice is that the discourse that has been created on “terrorism” and that dictates how “terrorism” should be understood is politically biased and it is used to reify specific positions status and hierarchies (Ibid., 77). A clear example of this is that usually “state terrorism” is not studied – nor more than sometimes recognized – by analysts. The bias is visible when taking into consideration that many analysts use databases that only enlist attacks committed by non-statal actors as “terrorism”.

In addition to this, the access to the creation of knowledge on terrorism gives, at a domestic level, the power to implement specific measures that could not be applied if this knowledge was created in a different way. An example of this may be the “state of exception” governments implement in case

of an emergency and that allows them to derogate from specific human rights and civil liberties in the name of security and protection from terrorism: the citizens, in this case, would be the specific receivers of the knowledge that has been constructed. Therefore, more in general terms, it can be said that “traditional terrorism studies has essentially served to sustain the status quo, reducing politics to the management of social order without much thought for emancipation – internal critics and dissenters notwithstanding” (Gunning and Toros, 2009: 91).

At the same time, these theories are deeply embedded in the context they come from: not only the institutional/governmental environment, but also, the Western world with its philosophical traditions, and thus reflect the values and the assumptions of this specific cultural context in a specific historical moment, that work to maintain a specific Western hegemonic and dominant position. As a matter of fact, not only the interpretation of the terrorist violence is given from this specific point of view, but the knowledge created around terrorism “works to maintain the potentially dangerous myth [...] of Western exceptionalism [...] (which) in turn permits Western states and their allies to pursue a range of discrete and often illiberal political projects and partisan interests aimed at maintaining dominance in a hegemonic liberal international order” (Jackson, 2009: 79).

### **The discourse constructing “terrorism”**

The knowledge on terrorism is constructed through a very strong discourse that “helps” a society in making sense of it, that shapes the things that are thought about it, the reactions individuals should have, how they should about it, what they should (not) say about it and so on. This happens because everything that is known about terrorism is the result of a social and political construction which indicates that the current interpretation that a society gives of this phenomenon is the only correct one: the discourse thus “help constitute a grid of intelligibility through which other events, risks and threats are interpreted” (Jackson, 2011: 71). However, on the contrary, this knowledge – as other “knowledges” –, is a social construction, it is contingent, highly historically and culturally dependent. Clearly, this is usually not openly recognized and the discourse is constructed through many narratives that protect its legitimacy by presenting it as the unique, ahistorical and only plausible way of interpreting terrorism.

Analyzing the terrorism discourse from a more theoretical point of view, we can see how Milliken's claims about discursive formations are satisfied. As a matter of fact, the terrorism discourse has become a system of signification since it gives meanings to everything within the discourse itself. Moreover, it can be argued that the discourse productivity is very high and there is a whole set of common sense ideas and behaviors in relation to this phenomenon that emerged through the

discourse and that nowadays constitute the regime of truth. This may be for example the idea that terrorism is such a bigger threat than it actually is, that terrorists are irrational and crazy actors, that their actions are not political and so on (for further details, see Stohl, 2008). Therefore, the terrorism one is a well-established discourse in our world that fills with meaning and provides us with a specific interpretation of this specific political kind of violence.

However, it has to be recognized that not all the agents have the power to “speak” within the terrorist discourse and some actors are more powerful than others. Undoubtedly, there are many actors that have a certain amount of symbolic power in the field of terrorism: the single States, international organizations, NGOs, governments, eminent political figures, the epistemic community, and so on are all figures that are entitled to talk about terrorism. In fact, the common sense created by the discourse is that any of these agents are capable of discussing the issue and has thus the power to create new truths about it and to reinforce the ones already existing. However, the most powerful actors within this discourse are the states – supported by the epistemic community, as mentioned before – since they are the ones that decide on what terrorism actually means in their territories and on what counter-terrorism measures to deploy. In this sense, the discourse may be used in order to maintain power, discredit oppositional groups and justify state policies (Hülse and Spencer, 2008: 577). And this is possible because “external threats do not necessarily exist independently of states; rather, states deliberately construct them for the purposes of disciplining the domestic sphere” (Jackson, 2011: 116). Giving a meaning to “terrorism” through a discourse can thus become a very powerful tool in politics.

On the contrary, who usually has no symbolic power at all – from the point of view of the Western state-centric discourse as analyzed so far – are the terrorist agents: they are usually not given the capacity to talk, being them the mere object/receptors of the discourse. In this sense, the terrorist identity is a product of a Western discourse and so are the dynamics that surround him/her, his/her the motivations and goals (Hülse and Spencer, 2008: 571). This happens because, as Sandra Silberstein explains, “the power to shape perceptions of violent events and their principal actors (both perpetrators and victims) usually rests not with the terrorist but with government officials. Who the terrorists are in the first place is a question largely determined by these officials” (Silberstein, 2002: 3). This is possible because, as we have seen, the language that constructs the terrorism discourse is extremely opaque: the only thing clear of the discourse is that “terrorist” is always the enemy, the dangerous opposition (Jackson, 2011: 157).

Therefore, discourses create what should count as knowledge on terrorism and define what should be produced, communicated, legitimated and resisted (Stump, 2013: 117). To achieve this goal, the discourse of terrorism needs a new language, new narratives, and new authorities. Therefore, “it requires the remaking of the world and the creation of a new and unquestioned reality in which the application of state violence appears normal and reasonable” (Jackson, 2011: 1). This because the language that surrounds terrorism normalizes and reifies the practice through which societies deal with terrorism.

## Conclusion

This paper aimed at carrying out a theoretical and critical reflection on the concept of (scientific) knowledge. It also drew a reflection on the creation of a certain knowledge on “terrorism” starting from elements referring to the production of scientific knowledge. As argued, this, as the other “knowledges”, is a social product constructed through specific discourses in society. What has been shown in this paper is how in the production of this knowledge on terrorism, the nexus power-knowledge is specially relevant, being “terrorism” a highly politicized topic and being the epistemic community related to power and decision making, influencing thus the production of this knowledge.

This construction of terrorism through a specific discourse, as I mentioned before, should not be surprising. Knowledge is always created for some reasons and in the case of terrorism, the discourse that defines it has the clear goal of maintaining a specific status quo in the international system. As a matter of fact, as it has been argued, it empowers the authorities that created it, protects them from dissent and critiques and discipline society under a powerful set of norms and ideas which enables them, for example, to apply extreme measures. In this sense, it works “as a kind of disciplinary and hegemonic truth regime designed to reify existing structures of power and dominance” (Jackson, 2009: 80).

It is because of this reason that the discourse on “terrorism” needs to be analyzed and its biases need to be recognized – if not eliminated –. In this sense, the practices that gave rise and brought to the creation of this discourse need to be reconsidered and reframed (Henry, 2015: 223) in order to eliminate these biases and make the analysis more inclusive and complete. Therefore, it is important to analyze the production of this knowledge from a critical point of view. This way, a deconstruction can be carried out in order to highlight not only of the way this is created but, above all, of the hidden interests behind this construction. In other words, to analyze the production of knowledge on “terrorism” allows to denouncing the power relations beyond this discourse.

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(Model construction) and Theoretical framework

What theoretical framework and approach is used and why. If applicable, causal model may be shown at this point, or later, after data investigation.

Conceptualization and operationalization

Definition of basic terms and their indicators, choice of variables and their validity testing. Formulation of hypotheses (explicit or implicit) based on the theory/theories. Elaboration of specific claim(s) in the investigated theory/theories. If applicable, description of the causal mechanism, i.e. the chain of events purported to link your explanatory variables to the specific outcome.

Methodology

Description of the specific research method used (i.e., process-tracing, discursive analysis, MLA, etc.), its advantages and weaknesses and why it is chosen.

Data

Description of the data used, number of cases, method of case-selection, source of data, method of data collection, sampling method.

Analysis and findings

What the data show in detail, general tendencies and interesting particularities.

(Model construction) and Conclusions

Causal models may be formulated and general conclusions reached. Conclusions may or may not specifically challenge or support findings in existing literature.

Future research

Possibilities of future research for the researcher or other scholars, promising directions, requirements for future research.

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### Appendices

Every piece of data used to be shown so as to facilitate potential replications. If possible, data shared publicly and/or presented together with the manuscript.

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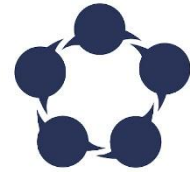
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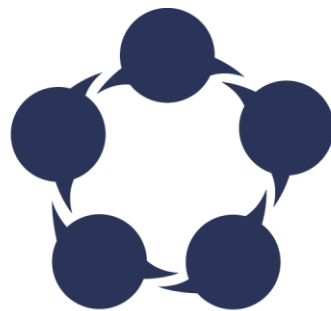
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