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Ethical Competence in International Relations

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In order to participate effectively in international relations, international actors of all kinds, including states, international organizations, corporations, and individual men and women, have to acquire a measure of what I term "ethical competence"—that is, the skills necessary to protect freedom and diversity in the modern world. International actors that display ethical *incompetence* can expect negative outcomes, not only for those affected by their actions, but also for themselves in the form of losses of power, authority, and prestige. Many of the problems that presently beset the world community have arisen because of displays of ethical incompetence by important international actors.[1]

This unusual assertion, that ethical competence is a core *skill* that international actors need to *learn*, draws on a deeper claim that "doing ethics" is part of what is required for even the most rudimentary participation in international affairs. All international actors engage with two distinctly global practices: (1) the society of sovereign states; and (2) global civil society. In order to participate in these practices, actors need to learn certain basic skills, and key among these are *ethical* skills.

Action and Ethics in International Affairs

In August 2008, Georgian troops attacked and occupied South Ossetia. The action was presented by Georgia in ethical language—not as a grab for power, but as an ethically justifiable response by the government of a sovereign state to prior attempts by South Ossetia to use military force to expel Georgians from the territory. This attempt at forcible removal, the Georgian claim went, was made with a view to subsequent secession by South Ossetia. The Georgian military action met a military reaction by Russia. Russian forces drove the Georgians from South Ossetia and proceeded deep into Georgia, in an act portrayed not merely as a use of force, but—in ethical language—as a sovereign state coming

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to the aid of the Russians of South Ossetia, who had been wrongfully attacked by Georgian troops. The Russians accused the Georgian government of acting contrary to a longstanding agreement conferring a large measure of autonomy to South Ossetia (an agreement monitored by an international peacekeeping force under the Organization for Security and Cooperation in Europe since the early 1990s). Russia also accused Georgia of carrying out human rights abuses, including ethnic cleansing, against the South Ossetians. In reaction to the Russian military incursion, the U.S. government responded with humanitarian and other assistance to the Georgian government. The United States, like the other actors involved, couched its response in ethical language, accusing Russia of nineteenth-century style "imperial" action against the sovereign state of Georgia.

This recent international encounter cannot properly be understood merely as a set of military events, described in terms of the deployment of troops and military hardware. The actors themselves, after all—and we, the international audience—understood these events in ethical terms. Moreover, these claims and counterclaims were set out in a well-known ethical language, using such normative terms as self-determination, sovereignty, wrongful and imperial aggression, human rights abuses, democratic rights, nationhood, and so on. None of the participants, or the international audience, would have been satisfied with an account limited to a bald statement of what military forces went where and did what. Everyone in the international community presented (or would have, if asked) *ethically saturated accounts* of what was done by the Georgians, South Ossetians, Russians, and Americans.

One could make an equivalent observation regarding all major international events of our time. We find this pattern of ethical contestation—claim and counterclaim—where wars are conducted, where trade negotiations take place, where there are disputes about international control of migrants, where there are arguments about whether and how to preserve the environment, about how to respond to globalization, about how to structure and restructure international organizations, and so on.

Importantly, where actors assess their own actions and those of others, they are doing more than putting an ethical gloss on the proceedings: they are determining how the action will be interpreted and responded to. An action's ethical content is rarely destined to be significant only as some superficial effort at rationalization; instead, it is part of the context through which the action will be encountered by supporters, opponents, and other observers.

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Global Practices and the Ethical Grounds of International Relations

The ethically charged claims and counterclaims made in international affairs are not simply assertions of rival positions, where each side's perspective is incomprehensible and foreign to the other party. More often than not, the rival parties formulate their analyses and policy choices in language that appeals to a common set of value commitments. An actor (Georgia, for example) starts by presenting an ethically charged history of international actions and reactions leading up to the present state of affairs (the Russian invasion). This history is presented in a language that makes use of a particular set of terms, such as sovereign equality, the sanctity of state borders, the right of states to pursue their self-interest, the right to defend sovereignty against aggression, the right to form alliances, and so on. This Georgian narrative is then confronted with rival histories presented by the other actors (such as Russia and the United States), but cast in the same language. There is, then, a distinctly ethical contest between the parties as to which of the histories is most plausible, most convincing, and true. Like all arguments, this engagement is only possible because it takes place in a common framework of accepted premises, starting points, and settled norms, or what Aristotle called *topoi*—a common practice of argument and action.

A central component of international interaction is a struggle for the ethical upper hand. The evidence for this is to be found, first, in the common ethical language used by participants in international practices; second, in the fact of ethical argument between supporters of rival positions; third, in that rivals do not confront one another in mutual incomprehension; and fourth, in the observation that actors are vulnerable to ethical assessments and insights by other parties. Where Georgia claims genocide by the Russians, Russia does not show itself to be indifferent toward the claim, but immediately denies it and calls for the evidence on which it was based. It is additionally important to underscore that ethical engagement, competent or otherwise, is not optional for participants in global social practices. Failure to respond would itself be open to ethical analysis and evaluation by other participants, and could result in a loss of standing and authority.

As noted above, it is often suggested that such processes of ethical argument as are to be found in international relations are best interpreted as mere rationalizations of actions undertaken for strategic reasons. Sometimes, moreover, it is said that the

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ethical arguments must be understood as the *hypocritical* use of ethical language to dress up actions better understood in other terms. Both of these claims may be valid in specific cases, but neither can be used to dismiss the salience of ethics in international interaction in general. Both rationalizing and hypocritical arguments are parasitic on the fact that most actors use ethical terms in nonrationalizing, nonhypocritical ways most of the time. The idea that all international actors use ethical language hypocritically all or most of the time flouts the logic governing the term "hypocrisy": one can only become a hypocrite once one has credentials as a bona fide ethical actor. Acts of hypocrisy are the exception.

All participants desire to avoid negative ethical criticism and the loss of standing that goes with it. This means that governments should constantly be wary of putting forward defective ethical analyses or policies. For example, states that profess commitments to democracy and human rights have to guard against evaluations, policies, and outcomes that undermine these values. Moreover, states have to guard against being criticized in this manner not only for what they do but also for what they do not do. This perpetual vulnerability of all actors to ethical assessment provides even relatively "weak" actors (measured in conventional military or economic terms) the opportunity to be significant players on the world stage, for even those with minimal conventional power may deploy ethical criticism to telling effect against the traditional great powers.

Our Global Practices

As things stand, there are only two global social practices in which all people are participants: the society of sovereign states (SOSS) and global civil society (GCS). Before reviewing the core features of each, I need to say something briefly about practice theory.

Practice theory has at its core the insight that actors are constituted as actors *of a certain kind* within social practices. Thus, for example, to be the kind of actor we know as "a state" is to be constituted as such within the society of states. States come to be constituted as collectives of citizens and are given a certain kind of recognition by other, already existing states. The recognition is dependent on the would-be participants meeting certain social criteria. Would-be states are only recognized as full participants in good standing insofar as they are committed to advancing the values implicit in SOSS. Practice theory, therefore, is a form of *constitutive theory* because it stresses the ways in which participants constitute one

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another through mutual recognition. It is through such processes that actors in social practices come to co-constitute one another in ways that make possible the realization of shared values.[2]

A central contention of constitutive theory is that, in many practices, participants—through their participation—realize certain values that are foundational for them. Crucially, though, these foundational values are not ones that could be realized in any other way than through participation in the practices in question. These values are not external to the practices. SOSS and GCS are two such practices.[3] Thus, in order to maintain their good standing within these social practices, participants must pursue, uphold, and defend the foundational values that underpin them. If the participants are to maintain their standing as such, pursuing these foundational values is an imperative, not an option.

The Society of Sovereign States

The society of sovereign states (SOSS) is a worldwide social practice within which people, through a process of reciprocal recognition, constitute themselves as citizens within sovereign states. SOSS participants, in other words, include both states and their citizens. Among other things, these actors value and recognize sovereignty and the rule of nonintervention, are opposed to aggression and war (other than in self-defense), are committed to balance-of-power mechanisms in maintaining peace and security, and use the mechanisms of diplomacy in conducting their affairs. All these terms are charged with injunctions about the ethical entitlements and duties of participants.

The central values realized in this practice—the values that give point and purpose to the interactions that take place within it—are *freedom* and *diversity*. In the society of sovereign states, states are constituted as valued entities that are free to pursue their chosen social ideals subject to the constraint that they acknowledge the right of other states to pursue their ideals. This allows states to pursue a diverse range of aims and policies. Some will pursue socialist objectives; others will be democratic, libertarian, conservative, and even autocratic. For the individual citizens within states the values realized are those associated with being a citizen in a sovereign state. Were they not constituted as such and had they lived in an earlier epoch, they might have found themselves to be unfree subjects in a colony of an empire. Of course, what being a citizen in a sovereign state means (how it "cashes out") varies from state to state. In some states citizens might find themselves subject to authoritarian rule, but being subject to internal rule of this kind is nevertheless

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an ethical status different to being a colonial subject. On the road to the full set of freedoms enjoyed by citizens in democracies, people usually pursue, as a first step, independence from the imperial power. The process of state formation following the breakup of the Soviet Union represents this process in action.

Global Civil Society

Global Civil Society (GCS), meanwhile, is a society within which people come to constitute one another as holders of first-generation rights. By constituting one another as rights holders, we create a further social context in which the values of freedom and diversity are realized. Through acknowledging one another's rights, rights holders are free to pursue their own conceptions of "the good life."

There are disputes about what precise list of rights is included in the GCS package, but the core rights are found in the overlap between international human rights conventions.[4] To be a participant in GCS it is obligatory to recognize other participants as rights holders, irrespective of race, class, creed, or nationality. Rights holders may legitimately *claim* their rights no matter who or where they are. This is not to deny the secondary question as to whether they are in a position to *enforce* their rights. In some places rights holders have instituted more efficient enforcement procedures than in others, with the most efficient of these procedures found in democratic states. There is, of course, no single, centralized rights-enforcement agency. Some participants rely on the sovereign state to enforce their rights, others rely on international organizations, and still others—living in places where effective institutions are absent—have to rely on self-help.

The evidence for the existence of GCS and for the claim that just about all people, everywhere, are participants in it, is found in what people say and do. Most of us claim first-generation rights for ourselves and, where these are infringed, we object. For example, we claim the rights to "life, liberty, and the security of the person" and the other rights listed in the Universal Declaration of Human Rights. Most people, moreover, are active participants in the rights-based global market system, perhaps the most prominent component of GCS. On a daily basis, in one way or another, they exercise their rights to buy and sell material property and their labor. Furthermore, people as participants in GCS have announced their broad support for human rights. This is displayed when they support their states becoming signatories of international human rights conventions and when they participate in civil society organizations.

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Ethical Competence

What is required of us if we are to be ethically competent in the global practices that I have sketched in this essay? In referring to "us" I include states (and their governments), international organizations, nongovernmental organizations, multinational corporations, and individual men and women who are active in international affairs as citizens within sovereign states and as civilians in GCS. In one way or another we are all participants in international affairs.

First, we need to engage with the ethical values embedded in our practices. A serious engagement with these is not an easy task. It requires ethical fitness, practice, and rigorous training. We need to be ethically fit in order to cope with the pace of change that faces SOSS and GCS. The drivers of change include the development of new technologies (such as genetically modified food, the Internet, military technologies, nuclear technologies), the occurrence of crises (such as AIDS, famine, global warming, the "credit crunch," global terrorist networks), and political developments (such as the emergence of new states, new great powers, the multiplication of weak and failed states, and so on). These put pressure on the practices within which we are constituted, and require of us a constant re-engagement with our core values. The need to adapt, in the face of these pressures, is strong. A key problem is how to adapt our global practices in ways that preserve and advance the ethical values made possible within them.

Second, as participants in GCS and SOSS our primary concern must be the maintenance of our ethical standing as participants in these practices. This is achieved through two strategies: (1) preserving the standing and integrity of global practices qua practices; and (2) preserving our own standing within the practices qua participants. In other words, defending our personal values requires also the defense of the practices to which we subscribe. A failure to protect our global practices will result in the weakening or disappearance of the values made possible within them. On this analysis, self-defense requires defense of the whole within which the self is constituted as a free individual.

Unethical international conduct, meanwhile, results in our own loss of standing within SOSS and GCS and, at the limit, our exclusion from one or both global practices. Such loss of standing was experienced by South Africa under apartheid, and has been experienced by Libya, North Korea, and others. To guard against such loss, actors have to be seen to be upholding the complex of rules, maxims,

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laws, and norms necessary to protect the freedoms and diversities made possible by SOSS and GCS.

Third, ethical competence requires that we apply constitutive theory in our analyses of international relations and in our choice of policies; that is, we need to pay attention to the ways in which the structures of mutual recognition constitute us as who we value ourselves to be. For example, if we are considering the use of drones launched from Afghanistan to kill suspected al-Qaeda terrorists in Pakistan, and if we suspect that non-combatants might be killed in the process, we ought to consider that the citizens and rights holders in that region (and, indeed, worldwide) might see us as: (1) not respecting the sovereignty of the state of Pakistan (a core rule of SOSS); and (2) not respecting the rights of people on the ground within that territory (a core requirement for any actor wishing to maintain standing as a rights holder in GCS).

Fourth, given that we are all simultaneously participants in two global practices, GCS and SOSS, it is imperative that we pay attention to possible tensions and conflicts between them. Just as conflicts might arise between our simultaneous participation in both a religious community and a scientific community with regard to acceptance of the theory of evolution, so, too, conflicts might arise with regard to our simultaneous participation in SOSS and GCS. We have seen that the primary value for participants in the society of sovereign states is the preservation of the autonomy of states. In like manner we have seen that the primary value embedded in global civil society is the autonomy of individual actors (preserved through a system of individual human rights). These ethical commitments often seem to pull us in contradictory directions.

One of the most intense manifestations of this in recent times has arisen in connection with humanitarian intervention. Where we are faced with the question to intervene or not to intervene, it often seems we are faced with a choice between protecting the value of state sovereignty on the one hand, or protecting the rights of individuals on the other. A similar tension arises when we consider the complex issue of economic migrants, refugees, and asylum seekers. For while we might say as members of GCS that all people have a right to freedom of movement, this seems to clash with the right of states within SOSS to maintain the integrity of their borders; and once again we are forced to choose between states' rights and individual rights.

It might be thought that in such cases we therefore have to choose between the two practices, prioritizing one over the other, but I wish to argue that the choice

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is not so stark. An alternative is to think of ways to harmonize these two practices so that this tension is minimized or removed. An obvious way in which this might be achieved would be to specify that participants in the states-centric SOSS must always act in ways that respect the requirements and inherent values implicit in GCS, and vice versa. When considering humanitarian intervention, states would be required to show themselves committed to the norms of sovereignty that are core to SOSS and also to the human rights norms that are central to GCS. Doing this in a convincing way would require a lot more than simply paying lip service to these norms. In formulating a plan for intervention, a would-be intervening power would have to show in considerable detail just how the policy would serve both GCS and SOSS norms at the same time. If the state could not do this, the assumption would be that the policy was flawed and an intervention would not be warranted. The ethical *skill* required here is the ability to achieve ethical coherence across social practices, including the willingness and indeed *competence* to think through and to implement practical adjustments.

Fifth, we must avoid relying on analyses that suggest that international standing depends only on the possession and use of economic and military power. Whatever we do, our analyses and actions will be judged by the extent to which we can be interpreted as reinforcing the core requirements of SOSS and GCS. President Mugabe has successfully maintained military power in Zimbabwe; but because he has for a long time flouted the fundamental rights respecting requirement of GCS, he is now a pariah in the eyes of rights holders everywhere, and his international power and influence have waned in spite of his strong military machine. In like vein, we have seen how the United States, through its military actions in the aftermath of September 11, 2001, has also waned in power and influence by failing to take seriously the ethical dimension of international politics. Indeed, President Obama has declared that the rectification of this failure is a high priority of his administration.

Sixth, we must never rely on analyses that claim events or circumstances are so *exceptional* that we are freed from the standard constraints operative on our coparticipants in global social practices.[5] A precondition for participation in global practices is obedience to the constitutive rules, and actors that flout the rules are in danger of becoming pariahs. In some measure, this was the fate of the recent Bush administration.

Seventh, we must always subject the *means* by which ethical goals are pursued to ethical scrutiny. If the means undermine the core values underpinning global

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practices, then the ethical goals sought may not be realizable. Actors must not fall into the trap of reacting to provocations in ways that fundamentally undermine the core values of these practices. For example, to abuse human rights (as with the use of torture) in the name of protecting human rights will almost certainly result in a negative outcome. At the limit, a participant using such means will lose all ethical standing.

Ethical competence requires the ability to nurture and preserve the global practices within which the fundamental values of freedom and diversity are realized. The necessary skills are complex and involve weighing alternative interpretations of the ethically charged interactions that lead to the state of affairs within which actors find themselves. A failure to get this right is an ethical fault that may well have destructive consequences, including corrupting subsequent policy decisions. This assessment of the ethical history of a particular state of affairs must be followed by a consideration of the range of available courses of action. In this, actors have to demonstrate an ability to evaluate each course of action in terms of the contribution it can make to upholding and advancing the coherence of the practices within which the core values of freedom and diversity are constituted.

NOTES

[1] It would be a useful exercise to investigate the reasons for this loss of competence, but I do not have the space to do so in this article. A more complete argument for the centrality of ethics to a full understanding of contemporary international relations is set out in my book *Global Ethics: Anarchy, Freedom and International Relations* (New York: Routledge, 2009).

[2] On constitutive theory in general, see Mervyn Frost, *Ethics in International Relations: A Constitutive Theory* (Cambridge: Cambridge University Press, 1996).

[3] Because what is being described here is a set of relationships internal to a practice, it may seem as if there is an element of circularity here, but this circularity is not different from that found in the following assertion: the fundamental value realized through participation in a democracy can only be had through participating in a democracy.

[4] For a list of these, consult Centre for Human Rights, *Human Rights: A Compilation of International Instruments* (New York: United Nations, 1988).

[5] For a defense of this kind of claim being made by states, see Giorgio Agamben, *State of Exception* (Chicago: University of Chicago Press, 2005).

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