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State agency: social action without human activity?

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Action without a name, a 'who' attached to it, is meaningless.

Hannah Arendt

What are we to make of the state? According to Hegel, it was the 'Divine Idea on Earth'.[1] For Hobbes it was an 'Artificiall Man'.[2] Nietzsche declared it the 'coldest of all cold monsters'.[3] And for Alexander Wendt it is a 'person'. Wendt is absolutely serious about this; it is not that the state 'is like' a person; it literally is a person; 'states are people too'.[4] Wendt's literalist take on the state marks a watershed within that broad category of scholars committed to a scientific International Relations. Previous generations of scientifically orientated IR scholars, many of a positivist persuasion, have been happy to personify the state only insofar as this is understood as an instrumental device aimed at facilitating explanation. Talk of a state acting was admissible only as long as it was understood that this implied no ontological commitment to the state possessing any of the properties assigned to it. It may seem 'as if' the state acted; it may even seem 'as if' states existed. But as David Easton knew only too well, the state was only a 'ghost in the machine'.[5] A necessary ghost, of course, but a spectral apparition nonetheless. Wendt, whatever one thinks of his treatment of the state, has at least reopened the question of state ontology and state agency.

There are two issues I wish to address in relation to this question: First, there is the question of whether or not the state exists; is the state real, is it a fiction, or is it a theoretical abstraction? This is a question of philosophical ontology. Second whether, real or not, is the state a person; does the state possess those properties we would normally ascribe to people? This is a question concerning scientific ontology.

[1] Georg Wilhelm Friedrich Hegel, *The Philosophy of History*, trans. J. Sibree (New York: Dover, 1956), p. 39.
[2] Thomas Hobbes, *Leviathan* (London: Oxford University Press, 1962).
[3] Friedrich Nietzsche, *Thus Spoke Zarathustra* in *The Portable Nietzsche*, trans. Walter Kauffman (New York: Penguin, 1976), p. 160.
[4] Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), p. 215. For the purposes of this piece I will not draw any theoretical distinctions between 'persons' and 'people'.
[5] David Easton, *The Political System* (New York: Knopf, 1953).

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The two questions are related. A negative answer to the first makes the second redundant. This partly explains the absence of a concerted and systematic attempt to theorise the state within the discipline. Mainstream International Relations (IR), in general, simply does not believe its main unit of analysis exists. The question is whether we wish to continue in this fashion? Wendt clearly does not and subjects the state to sustained theoretical scrutiny.

I suggest that the state is real, but that it is not a person. Put simply, I agree with Wendt that we need to treat the state realistically in order to move beyond metaphorical, epistemological and methodological platitudes that obscure the important ontological questions concerning the state. But against Wendt, I argue that we gain nothing by attributing to the state those properties possessed by persons. In particular, from the perspective of the agent-structure problem, when we treat the state as a person we once again denude the social field of human agency. We have agency, but no human activity. As such, to treat the state as a person simply leaves open an individualist riposte that threatens any attempt to construct a structurally aware, although non-structuralist, theory of IR. If this riposte is successful we once again lose the state. This means there are also serious political and normative implications. In order to show this I approach the question as an aspect of the agent-structure problem and examine the state through a discussion of social agency.

How real is the state and why does it matter?

According to Robert Gilpin when we talk of the state acting we all engage in a collective illusion. We all know that the state does not really act. We also all know that in reality there is no such thing as the state; 'the state does not really exist'.[6] However, we continue to talk in this manner because it seems 'as if' the state acts. This occurs not only in academic discourse but also, as Wendt notes, in public and political discourses.[7] In fact, so commonplace is this anthropomorphising of the state that it seems churlish to challenge it. After all, if social actors treat the state in this manner what right have social scientists to question it? There are approaches to social science that would say we have no right; accounts in which the discourses of actors engaged in social practices take primacy. It seems to me, however, that two of the defining characteristics of any critically engaged social science are 'trans-phenomenality' and 'counter-phenomenality'. By 'trans-phenomenality' I mean the ability of social science to go beyond the appearances and suggest explanations of appearances in terms of that which is not apparent. By 'counter-phenomenality' I refer to the ability of social science to go not only beyond the appearances, but also, potentially at least, to contradict appearances.[8] Appearances may deceive. It may seem as if we only talk of states 'as if' they existed; and it may seem 'as if' the state

[6] Robert Gilpin, 'The Richness of the Tradition of Political Realism', in Robert Keohane (ed.), *Neorealism and its Critics* (New York: Columbia University Press, 1986), p. 318. See also, John Schwarzmantel, *The State in Contemporary Society* (Hertfordshire: Harvester Wheatsheaf, 1994), p. 7.
[7] Wendt, *Social Theory*, p. 195.
[8] See Andrew Collier, *Critical Realism: An Introduction to Roy Bhaskar's Philosophy* (London: Verso, 1994), pp. 6–7.

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is nothing more than a series of metaphors; but apart from tenaciously defending theoretical turf does anyone seriously deny the existence of states in terms of political practice?

The distinction, and potential contradiction, between appearance and reality was why Marx thought science was necessary.[9] If reality was exhausted by appearances we could dispense with the notion of reality altogether and simply deal with what was apparent. Positivists wedded to a strong empiricist epistemology have argued exactly this. *Esse est percipi* functions here as a reality principle; 'to be' is literally 'to be perceived'. But since most of the interesting action in the social world is non-observable, scientifically-minded social scientists of a positivist persuasion needed some way to legitimate reference to these non-observable entities. The chosen 'get out of jail free card' was some version of instrumentalism that was, in turn, legitimated by a philosophical commitment to nominalism.[10]

This instrumentalist treatment of the state is adopted by two of the participants to this symposium. For Iver Neumann there is no need to commit oneself to the reality of state.[11] According to Neumann most narrativists (and he includes himself in the category) would disagree with Wendt's claim that the state is real, preferring instead to underline the claim that states are *like* persons in some important respects. Patrick Jackson likewise rejects Wendt's claim that the state is real and considers it a useful fiction. Ontologically the positivist and the narrativist position on the status of the state is the same.[12] Both attempt to avoid the ontological question of the state by either outright denying its existence, or, treating all claims in relation to the state as metaphorical. There may be nothing to this similarity, but if the aim is to move from one terrain (positivism) to another (however defined), it might be one reason for being suspicious of the 'as if' treatment of the state. To continue with a metaphorical and/or fictious account of the state is to conduct 'business as usual'. Even if the desire to move beyond positivism fails to convince there are two further compelling grounds for rejecting an instrumentalist treatment of the state.

First, for positivists it was clear there was an important ontological difference between something being real and something being treated 'as if' it were real. The 'as if' serves as a tidy philosophical bulwark against the realm of metaphysics. It marks a clear dividing line between what actually existed and what was simply speculative. For Jackson all of social life seems only to exist 'as if' things were the case.[13] And the ontological distinction between treating something only 'as if' it exists or as really existing rests on the fact of social construction. Socially constructed entities do not really exist, it is only 'as if' they exist; they are fictitious. This raises questions about the deployment of the 'as if' qualifier. It cannot be intended to imply that all reality has this status; certainly Jackson does not seem to think this. If this were the case the 'as if' would be redundant. Jackson seems to imply that the

[9] Karl Marx, *Capital*, vol. III (London: Lawrence & Wishart, 1966), p. 817.
[10] Wendt, *Social Theory*, p. 197.
[11] Iver Neumann, 'Alex Wendt is a Dated Durkheimian – Discuss', this issue.
[12] See, for example, Neumann's claim that, 'The job of the social scientist is to draw up analyses of how and why worlds appear to us the way they do'. Notwithstanding that many would outright disagree with this account of social science, its limiting of ontology to that of 'appearance' is a restatement of the empiricist fallacy; that we deal only with the network and not what the network describes.
[13] Patrick Jackson, 'Hegel's House, or "People are States Too"', this issue.

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'as if' qualifier applies to socially constructed entities, but not to material ones. I have always found this bizarre. It confuses the question of how things came to be with the question of what they are. Socially constructed entities are real irrespective of how they came to be; unless, of course, we accept the empiricist's narrow definition of real.

But perhaps more importantly, even in social life the distinction between real and 'as if' is a vital one. The difference between having access to adequate housing, funds and social resources, and acting on the basis of this, is significantly different from acting 'as if' one had access to such resources; particularly in relation to the social consequences. And we would surely want to preserve the difference between states actually possessing weapons of mass destruction and states acting only 'as if' they possessed such weapons; even if we could not agree on the correct course of action given either circumstance.

A metaphorical treatment of ontological matters faces similar difficulties. Realism is a condition of possibility for the successful deployment of metaphors. To say X 'is like' x in certain respects is to accept that both X and x possess certain properties such that the metaphor illuminates. If the state is *like* a person in some respects and *like* a machine in others, we would want to know 'in what respects'. All language may be metaphorical, but it does not follow that it is only metaphorical or that reality itself has the structure of a metaphor. Unpacking the political deployment of metaphors as Neumann suggests is a vital part of social analysis, but there seems no reason to leave matters there. In fact, it is because metaphors are so ubiquitous in political discourse that we ought to make an assessment of their validity and we can only do this by inquiring into how like X, x is.

Second, both the 'as if' and metaphorical treatment of theoretical terms allow the theorist off the ontological hook. If theoretical posits are not attempts to refer to real entities the theorist has no obligation to give an account of them. What matters is that they play their circumscribed role in explanation. This has tended to be one of facilitating prediction and control; or as Wittgenstein put it 'knowing how to go on'. As long as they fulfil this role no further investigation is necessary. This misdescribes the practice of science. Scientists routinely put their theoretical posits to the test. They probe them, push them, take them apart, and generally attempt to ascertain if the posits possess the properties ascribed to them in the theory.[14] This is what drives the dialectic of science on. Without this implicit realism science would come to an end. Once we had a posit that explained and facilitated prediction and control we need inquire no further.[15] Any 'as if' would function as well as any other. Why do we need the state and other social fictions when religions have always had perfectly

[14] Ian Hacking, *Scientific Revolutions* (Oxford: Oxford University Press, 1981); Ian Hacking, *Representing And Intervening: Introductory Topics In The Philosophy Of Natural Science* (Cambridge: Cambridge University Press, 1983). Social scientists do the same, even if not in the same manner. See Mario Augusto Bunge, *Finding Philosophy In Social Science* (New Haven, CT: Yale University Press, 1996).

[15] This is not to say that scientists do not routinely accept pragmatic compromises concerning the status of theoretical posits; they do. However, where they do these posits are almost always picked up at a later date and put to the reality test. See for example, John Carey (ed.), *The Faber Book of Science* (London: Faber and Faber, 1995); Stathis Psillos, *Scientific Realism : How Science Tracks Truth* (London ; New York: Routledge, 1999); Ilkka Niiniluoto, *Critical Scientific Realism* (Cambridge: Cambridge University Press, 1999).

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adequate 'as if' entities that have the added advantage of explaining everything? It was for partly this reason that Feyerabend preferred realism to instrumentalism.[16]

Social agency

Wendt believes the state is a person.[17] Although not explicitly stated he also seems to suggest that agency is a category that applies only to persons. Only this explains why he treats the state as a person; agency is dependent upon the properties people possess and if the state is to have agency it must have personhood. Methodological individualists have always challenged this attempt to breath life into collective social forms. It may seem 'as if' collective social forms act; it may even be expedient at times to talk of collective social entities as being *like* people. But ultimately they neither act nor are people. The correct and complete explanation of social practices ultimately rests with individuals. The relationship between methodological individualism and the 'as if' and metaphorical treatment of theoretical terms is close. Empiricists tend to be methodological individualists and *vice versa*.

It is possible to treat the state as having agency without claiming it is a person. In such instances agency is a category broader (or narrower) than that applied to persons. Depending upon how we define agency it may be possible to argue that anything can have agency. This approach has been gaining ground in actor-network theory, which surprisingly has not yet made a major impact on IR.[18] However, Ole Waever has argued that, 'the concept of agent should be freed of its anthropomorphist connotations'[19] and Jackson suggests a similar position. Whether this is a legitimate move depends upon how we define agency and whether or not we find the ethico-political consequences of such a definition desirable.[20]

To my knowledge IR has no substantial body of literature that discusses the concept of agency. A notable exception is Barry Buzan, who argues that what is particularly agential about agents is the 'faculty or state of acting or exerting power'.[21] This usage is prevalent in the natural sciences where the common meaning ascribed to agency is that of the natural force or effect on matter; an oxidising agent

[16] Paul K. Feyerabend, *Realism, Rationalism and the Scientific Method* (Cambridge: Cambridge University Press, 1981).

[17] It is important to realise that there is more than one account of the 'person'. One could legitimately differentiate between 'moral personhood', 'legal personhood' and 'psychological personhood'. See, Andrew Vincent, 'Can Groups be Persons?' *Review of Metaphysics,* 42:2 (1989), pp. 687–715. This raises the interesting question of what kind of person, if at all, the state might be.

[18] John Law and John Hassard, *Actor Network Theory And After* (Oxford: Blackwell, 1999); Bruno Latour, *Science In Action: How To Follow Scientists And Engineers Through Society* (Milton Keynes: Open University Press, 1987).

[19] Ole Waever, 'Resisting the Temptation of Post Foreign Policy Analysis', in Walter Carlsnaes and Steve Smith (eds.), *European Foreign Policy: The EC and Changing Perspectives in Europe* (London: Sage, 1994).

[20] For a critical commentary on the anti-humanism of actor-network theory, see O. Amsterdamska, 'Surely, You Must be Joking, Monsieur Latour!' *Science, Technology and Human Values,* 15 (1990), pp. 495–504.

[21] Barry Buzan, Richard Little, and Roy Jones, *The Logic of Anarchy: Neorealism to Structural Realism* (New York: Columbia University Press, 1993), p. 103.

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perhaps. It may be that the state-as-agent thesis can be defended on these grounds. But in transposing such talk into the social realm, are we not in danger of underplaying the specifics of that realm and the differences in natural and social science? For what sets the limits of the boundaries between the social world and the natural world are the dual notions of meaning and intentionality; and both, I would argue, are properties best reserved for agents. This is an important point in relation to Wendt's work and constructivism in general.

Wendt's first important attempt to delineate a social ontology was constructed through the terrain of the agent-structure problem.[22] The agent-structure problem emerged out of a set of concerns surrounding the development of adequate theoretical accounts of the ways in which people, through their interactions, constitute society and of how to integrate this with the social formation of those human agents. Although very few theorists would deny that social structure is a human product, or, that this product shapes individuals and their interactions, successive theoretical developments have inclined towards either structure or action. And this is a slippage that has sedimented over time.

What this means is that one or other element becomes dominant and the other subordinate. For example, in structural-functionalism human agency appears lifeless and ghostly, whereas in phenomenological approaches – ethnomethodology, for example – structure assumes an ephemeral fragility. Eventually certain schools of thought repressed the subordinate element altogether. Thus for structuralist Marxism the acting subject became increasingly lifeless while the structural and/or cultural components seemed to enjoy a life of their own, self-propelling and self-maintaining. For interpretive sociology, on the other hand, human agency was sovereign with the structural banished to the realm of objectification and taking on a lifeless plasticity due to its constructed nature.

Contemporary approaches to the agent-structure problem have sought to mediate between these competing conceptualisations of social-phenomena in the hope of finding a 'third way' wherein one or other element of the social world is not reduced to the other. But the intellectual context in which the debate emerged was one in which various form of structuralism tended to dominate: the structural-functionalism of Tallcott-Parsons; Durkhiem's collective conscience; and, Marxian-inspired structuralism advocated by Althusser. Reacting to these forms of structuralism, the aim of the agent-structure writers was, as Rom Harré put it, 'to reinsert the agent into the story, the one who, in some way is significant in giving meaning to what he or she does and who they are.[23] When viewed from this perspective the only way in which the location of agency in the state can be said to constitute an answer to the agent-structure problem is if the state is attributed a set of properties that actually reside at a level below the state; *viz*., properties of human agents. This is what the various forms of structuralism have always advocated and it is one of the classic problems of structuralism.[24] If the agent-structure problem in IR is resolved by acceding agential status to the state then the concern to navigate between individualism and struc-

[22] Alexander E. Wendt, 'The Agent-Structure Problem in International Relations Theory', *International Organization,* 41:3 (1987), pp. 335–70.
[23] Rom Harré, *Social Being*, 2nd. edn. (Oxford: Blackwell, 1993), p. 3.
[24] Richard Harland, *Superstructuralism: The Philosophy Of Structuralism And Post-Structuralism*, *New Accents* (London: Methuen, 1987).

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turalism is not addressed but simply displaced. That is to say, if agency is located in the state then no thematisation of *human agency* is deemed necessary.

But individuals stubbornly refuse to be written out. Nothing happens in society 'save in virtue of something human beings do or have done'.[25] Or as Bob Jessop puts it, 'it is not the state which acts: it is always specific sets of politicians and state officials located in specific parts of the state system'.[26] It is important to see that this is not a form of methodological individualism. I am not suggesting that all, or even any, social explanation can be couched solely in terms of individuals; or that social structures do not exist. Human activity always takes place in a structured social context and this context is integral to both the activity and its explanation. If the irreducibility of human action to social outcomes is accepted, then the state-as-agent solution is always going to be susceptible to a potential individualist riposte. This means that we have moved little beyond the original dichotomy. It also means that there is: (1) little chance of integrating this individualist riposte into the more structuralist account based on corporate agency; (2) the distinct possibility that the lower-level explanation subsumes the higher-level explanation, thus effectively opening the door to reductionism.

Given these problems how should we think of social agency? I have outlined my approach to this issue in greater detail elsewhere.[27] However, the short version is as follows. I agree with Wendt that those properties we normally attribute to people are essential to any definition of agency. Or as Gayatri Spivak has put it, 'the idea of agency comes from the principle of accountable reason, that one acts with responsibility, that one has to assume the possibility of intention, one has to assume even the freedom of subjectivity in order to be responsible. That's where agency is located.'[28] But I do not think that this alone accounts for social agency; to argue that there is a locus of responsibility is not to argue that this is all there is; the recognition of a 'self' does not mean a denial of the role played by social and cultural factors in determining behaviour.[29] If Spivak's notion of the 'freedom of subjectivity' is *necessary* for any coherent theory of human agency it is not *sufficient*.

It is not sufficient, because agents in the social world are differentially located and much of their 'capacity to do' is derived from their social positioning. This highlights something important about the term agent. Agent has two senses. One is that alluded to by Buzan, which refers to the 'capacity to do'. This meaning was problematised since it allowed no means of differentiating between entities in the social world, each with differing properties, but each possessing causal power. The second sense of the term relates to the status of an entity as an 'agent of something'. This second sense is potentially of more value to social science since it allows us to

[25] Roy Bhaskar, *The Possibility of Naturalism: A Philosophical Critique of the Contemporary Human Sciences*, *Philosophy and the Human Sciences* (Hassocks, UK: Harvester Press, 1979), p.174.

[26] Bob Jessop, *State Theory : Putting the Capitalist State in its Place* (Cambridge: Polity Press, 1990), p. 367.

[27] Colin Wight, 'They Shoot Dead Horses Don't They? Locating Agency in the Agent-Structure Problematique', *European Journal of International Relations,* 5:1 (1999), pp. 109–42.

[28] Gayatri Chakravorty Spivak, 'Subaltern Talk: Interview with the Editors', in Donna Landry and Gerald Maclean (eds.), *The Spivak Reader* (London: Routledge, 1996), p. 294.

[29] It is for this reason that I find Jackson's attempt to read my account of agency as an essentialism of the self as confused. I may be guilty of essentialism, but the self does not exhaust the elements I deem essential to social agency.

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link an account of agency to a social context. An important context within which political actors exercise their agency is that of the state. In this sense, 'the state is not an actor'. . . and 'does not act or do; rather it is a structure.'[30]

Wendt accepts this, but wants to go further. The challenge for scientific realists, he argues, 'is to show that state action is anything more than the sum of [. . .] individual governmental actions.'[31] This is a valid concern. The reduction of the state to nothing more than the sum of individual government actions is explicit in the work of David Easton. According to Easton the 'metaphysical' connotations of the concept of the state must be rejected. Either the state is the empirical behaviours of government officials 'or it is some kind of undefined and undefinable essence, a "ghost in the machine", knowable only through its variable manifestations'.[32] It is not surprising that government and state should often appear as synonymous. As Ralph Miliband notes, 'it is the government which speaks on the state's behalf. . . . It is these [governmental] institutions in which state power lies and it is through them that this power is wielded in its different manifestations by the people who occupy the leading positions in each of these institutions.'[33]

Activity embedded within the structural context of the state cannot and should not be reduced to the actions of state officials. However, treating the state as a person is not the only way to halt this incipient reductionism. Moreover, since Wendt accepts that state action is dependent upon individuals I find it difficult to see why he feels it necessary to make this move. What does seem clear is that he achieves it largely through treating his individuals as little more than nodal points through which structural agency is exerted.

Wendt accepts that the state is a structure.[34] But importantly the state is a particular kind of structure that emerges into a corporate agent. Not all structures are capable of this move. But in terms of state emergence into a corporate agent, two factors are important; these are 'an 'Idea' of corporate agency and a 'decision structure'.[35] In both instances Wendt relates the emergence of these features to those of collectives of individuals. The 'Idea' of corporate agency emerges when 'individuals' shared knowledge reproduces an Idea of the state as a corporate 'person' or 'group self'.[36] This collective 'Idea' is an important aspect of the state, but it is not clear how, or why, it helps legitimate talk of the state acquiring personhood. After all, this is still a collective of individuals, accepting and/or constituting this belief.

As Wendt admits, what matters is that 'individuals accept the obligation to act jointly on behalf of collective beliefs, whether or not they subscribe to them personally'.[37] Again, it is not clear – since it is accepted that it is actually the individuals

[30] Roger Benjamin and Raymond Duvall, 'The Capitalist State in Context', in Roger Benjamin and Stephen L. Elkin (eds.), *The Democratic State* (Lawrence, KS: University Press of Kansas, 1985), p. 27.
[31] Wendt, *Social Theory*, p. 216.
[32] Easton, *'Political System'*, p. 316.
[33] Ralph Miliband, 'The Capitalist State: Reply to Nicos Poulantzas', *New Left Review*, 59 (1970), pp. 50, 54.
[34] Wendt, *Social Theory*, pp. 216–17.
[35] Ibid., pp. 218. Wendt claims that three factors are important. He only cites two yet disaggregates the second into two further dimensions.
[36] Ibid., p. 218.
[37] Ibid., p. 219.

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that do the acting – why we need accept the argument that it is the state doing the thinking, the state doing the reasoning, the state doing the reflecting, and the state then acting. Moreover, this way of putting matters portrays the individuals actually doing the acting as 'cultural dopes'; perhaps disagreeing with the collective decision but following its *diktats* nonetheless. This seems to be little different from previous forms of structuralism that essentially write out individuals and treat them as ciphers for structural forces. It also seems to leave little space for individuals to reflect on their collectively ascribed roles, voice their disagreement, act against the collective will, and in general distort and change the nature of the prevailing collective beliefs.

If so, we gain little – but lose a lot – by placing this reflective process into the state as a person. This is not to say that individuals have total freedom to reflect and act as they please, but it does relocate the question of how differing forms of state structure might either negate or facilitate rejection and questioning of collective beliefs. Hence, whilst I do not accept the argument that officials in the Third Reich were simply following the *diktats* of state, it is surely the case that the argument holds more water in that particular structural context than it does in terms of US treatment of prisoners in Guantanomo Bay.[38]

The situation is much the same in Wendt's idea of an 'internal decision structure', which he claims has two main elements; institutionalisation and authorisation. By institutionalisation he means the manner in which collective action takes place when individuals take it for granted that they will cooperate.[39] The collective action problem is solved because individuals expect cooperation; it is institutionalised. There is a superficial and a deep sense to this. The superficial sense is derived from the notion of *centralisation* and here collective action is explained through self-interest. For Wendt this is not sufficient since collective action based on self-interest is inherently fragile.[40] What is needed is a deeper sense of collective action based on a loyalty and identification with collective norms. Wendt views this as a process of *internalisation* of collective norms.[41] Again, however, it is important to see that even here, individuals are crucial and collective action predicated on the basis of the institutionalised corporate norms is always subject to negotiation, reflection and reproduction or transformations. Unless we are happy to see our individual political actors meekly following their prescribed roles in accordance with corporate norms we still need a theoretical way to integrate the individuals at this stage of the process.

Paradoxically, Wendt's notion of the *authorising* element of an internal decision structure, both provides the strongest argument in favour of the state-as-agent argument (when agency is understood in the limited sense of 'power-to-do'), but also highlights the potential problems of stretching this claim to cover agency as

[38] M. R. Marrus, *The Nuremberg War Crimes Trial 1945–46* (Boston: Bedford Books, 1997); Werner Maser, Nuremberg : *A Nation On Trial* (London: Allen Lane, 1979); Geoffrey Best*, Nuremberg And After: The Continuing History Of War Crimes And Crimes Against Humanity*; The Stenton Lecture, 1983 (Reading: University of Reading, 1984); Steven R. Ratner and Jason S. Abrams, *Accountability For Human Rights Atrocities In International Law : Beyond The Nuremberg Legacy*, 2nd. edn. (Oxford: Oxford University Press, 2001).

[39] Wendt, *Social Theory*, p. 219.

[40] Ibid., p. 220.

[41] Ibid.

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personhood. It is potentially the strongest argument since it foregrounds the manner in which 'rules specify the relations of authority, dependency, and accountability among a group's members and transfer the responsibility for individual actions to the collective, so that individuals act as representatives or on behalf of the latter'.[42] This is correct, but again, unless all responsibility is located in the rule structure the individuals still have some say in how the rules are implemented, if at all. This fact underlies notions of democracy, revolution, promotion and all concepts where a potential change in individuals is intended to bring about change in social practices; even if these practices emerge in structured social contexts. So whilst we may try to bring about change through a change in individuals, this change can only occur in a context of continuity. Moreover, the idea of a rule structure that authorises some agents to act in certain ways does not require that we then assign intentionality and personhood to the structure. The state functions well enough in this role as a structure whilst leaving room for human agency.

Finally, it seems that in his discussion of the state-as-agent Wendt slips from corporate agency to collective agency. This is an important distinction that we should maintain in relation to institutional social forms. I have no problem with the idea of collective agency, where this is understood as a collective of individuals agreeing to act in a certain manner. The state, however, is not just a collection of individuals. In *Capital*, Marx argues that the state is a 'real-concrete' object, formed through 'the concrete synthesis of multiple determinations'; it is a 'structured institutional ensemble'.[43] The fact that the state is, a 'complex institutional ensemble', constituted in and through, material resources, state practices and discourses and differing structural configurations, and is endowed with political responsibility and recognised as a juridical subject, does not entail that it is a moral or psychological subject capable of independent action. And arguments based on collectives being bound by a rule structure and commitments to collective ideas do not help in this respect. For the state is not simply a collection of individuals. If it were methodological individualism may well be right.

Methodological individualism is most visible when collective social forms are theorised solely as groups of individuals. Wendt, for example, makes a valiant attempt to show how group intentionality emerges out of the structured interaction of individuals, whilst not being reducible to it. His first claim is that the set of individuals that constitute state personhood would have themselves to be reduced to a group. In short, individuality presupposes the group. This is obviously true, but it is not clear how it helps establish collective intentionality, or collective consciousness.[44] The simple point is that the state is not a group nor is it composed of only groups. Groups are not the issue in relation to state agency unless the state is nothing other than a group of individuals. His second argument is that groups can intend things that none of their members intend.[45] Once again, this is only relevant if the state is treated as a group; since it is clearly not, the arguments need develop-

[42] Ibid., pp. 220–221.
[43] Marx, *Capital*, vol. I, p. 100.
[44] It seems clear that although Wendt distinguishes intentionality from consciousness, the former is dependent upon the latter. The two concepts, however, although related are distinct. Wendt, *State as Person,* this issue p. 291.
[45] Ibid., this issue p. 299.

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ing in terms of a stronger account of the state. Equally, it is not clear how groups can intend X if none of the group members intend X? It is certainly possible for X to happen even if none of the group members intended X, but this falls under the rubric of unintended consequences.[46] Moreover, the ethical consequences of accepting that groups might intend X whilst none of its individual members did so seem to be greater than we should be prepared to accept.

Wendt's third argument is based on the claim that group intentions can persist over time despite a 100 per cent turnover in their membership.[47] Again this is obviously true, but it does not help establish the intentionality of the state, since once again the state is not simply a group of individuals. Moreover, this argument does not even help establish group intentionality (even though I accept the possibility of it), since members outside a group can have the same intention as members inside it. Hence the continuity of intentionality can be explained despite a 100 per cent change in membership and without recourse to some mystical group intention that exists independent of individual group members' intentions.

Wendt suggests his fourth argument might be decisive.[48] Once again, however, it deals with groups, not a complex social form such as the state, but even in terms of groups the argument is flawed. According to Wendt, since groups can do things individuals cannot do, group intentions are indivisible. From this he argues that this allows groups to do things those individuals cannot. Again, it is obviously true that groups can do things individuals cannot, but it is not clear how collective intentionality is required to accept this? Wendt builds on this and suggests that individuals 'cannot control the actions of a group'.[49] This seems to me to be obviously false and one can think of many counter-examples where individuals have controlled groups. Wars, for example, being a very pertinent and timely example and armies, when considered as groups (a mistake), are clearly dependent upon individuals controlling the larger group.

The problem in all of these arguments, however, is the treatment of the state as a group. The state is clearly more than the sum of individuals in the state system. Rather than talk of the power of the state as a group of individuals we should refer to the various state capacities inscribed in it as an institutional ensemble of structures. How far and in what way such powers are actualised will depend upon the action, reaction and interaction of specific agents located within and beyond this complex ensemble. In short, the state does not exercise power, but facilitates the exercise of power by agents.

Conclusion

In the final analysis, state activity is always the activity of particular individuals acting within particular social contexts. There is an ontological wall here that corporate forms do not cross (or cross only on the backs of individuals). None of

[46] Ibid., this issue, p. 299.
[47] Ibid., this issue, p. 299.
[48] Ibid., this issue, p. 299.
[49] Ibid., this issue, p. 299.

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this is to deny the reality of a common intention, or collective action, which individuals try to realise in their practices. Nor is this to deny the reality of social structures that enable and constrain common action. Nor does the denial of the 'state-as-person' thesis entail that there can be no common and coordinated action that is a bearer of causal powers greater than that possessed by individuals acting individually. But the causal power that does emerge as a result of the cooperative practices of collectives can only be accessed by individuals acting in cooperation with others; individuals drawing upon resources as the particular structural configuration allows. To assign personhood to the state is to neglect, not only the role of human agency, but also to occlude the power inscribed in the state as a structure.

In many respects Wendt is emerging as a structuralist. This is not necessarily a bad thing. Despite everything I have said above I would also locate myself on the structuralist side of social theory. However, structuralism comes in many forms. In an attempt to maintain agency in his theory Wendt's form of structuralism locates the properties normally assigned to human agents in the state. This has the effect of both denuding human agency, but also eliding the causal power of the state as a structure. A consistent structuralism does not need to make this move. Yes individuals matter, but given the particularities of individual behaviour they do not help, and perhaps hinder, any attempt to understand generally consistent patterns of behaviour. Individuals cannot be written out of explanations of social activity, but neither do they provide good explanations of why behaviour is frequently patterned in particular ways. This is not to argue that talk of states acting is necessarily inadmissible, but it is to insist on a very clear account of what is entailed in such talk; when we talk of the state acting what we mean is individuals acting in a particular structural context. And both context and agents acting are necessary for any social explanation.

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