Against International Relations
Norms

This volume uses the concept of ‘norms’ to initiate a long overdue conversation between the constructivist and postcolonial scholarships on how to appraise the ordering processes of international politics. Drawing together insights from a broad range of scholars, it evaluates what it means to theorise international politics from a postcolonial perspective, understood not as a unified body of thought or a new ‘-ism’ for IR, but as a ‘situated perspective’ offering ex-centred, post-Eurocentric sites for practices of situated critique.

Through in-depth engagements with the norms constructivist scholarship, the contributors expose the theoretical, epistemological and practical erasures that have been implicitly effected by the uncritical adoption of ‘norms’ as the dominant lens for analysing the ideational dynamics of international politics. They show how these are often the very erasures that sustained the workings of colonisation in the first place, whose uneven power relations are thereby further sustained by the study of international politics.

The volume makes the case for shifting from a static analysis of ‘norms’ to a dynamic and deeply historical understanding of the drawing of the initial line between the ‘normal’ and the ‘abnormal’ that served to exclude from focus the ‘strange’ and the unfamiliar that were necessarily brought into play in the encounters between the West and the rest of the world. A timely intervention, it will be of great interest to students and scholars of international relations, international relations theory and postcolonial scholarship.

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Historically, the International Relations (IR) discipline has established its boundaries, issues, and theories based upon Western experience and traditions of thought. This series explores the role of geocultural factors, institutions, and academic practices in creating the concepts, epistemologies, and methodologies through which IR knowledge is produced. This entails identifying alternatives for thinking about the “international” that are more in tune with local concerns and traditions outside the West. But it also implies provincializing Western IR and empirically studying the practice of producing IR knowledge at multiple sites within the so-called ‘West’.

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1 The postcolonial perspective
Why we need to decolonize norms

Charlotte Epstein

The articles regrouped in this edited collection critique the concept of norms from a set of postcolonial and non-Western perspectives. The broader enterprise in which we are engaged is that of decolonizing the categories with which we study international politics, or the epistemology of International Relations (IR). In characterizing these contributions as ‘postcolonial’, I tread a fine line between drawing out their common undertaking and resisting the definitional gesture of nailing ‘postcolonialism’ as a unified theory or indeed a school of thought for the discipline. This is not merely because of IR’s ‘-ism’ fatigue; it goes to the heart of what is distinctive about the postcolonial. Its epistemological purchase for IR, then, is that it foregrounds ex-centred, post-Westphalian places from where to envision the international system. To say this is not only to say that it seeks to displace the starting point for theorizing, in order to undo the discipline’s Eurocentric and Anglo-American moorings. It is to say that it offers a perspective, in the strongest possible sense that location, and the particular, matter centrally to the type of envisioning that is sought once these moorings are loosened. The postcolonial provides what Donna Haraway (1988) first termed ‘partial perspectives’, which are deeply embedded ‘situated knowledges’, and from which the international system may begin to look rather different. In this introductory chapter I begin by charting the common enterprise of decolonizing norms in which we are engaged. I then consider what ‘situated perspectives’ in IR might look like in a second part, before introducing the individual contributions in the third part of this essay.

Decolonizing the discipline

The study of international norms provides a targeted focus for ‘decolonising the mind’ to study international politics, to play off the expression of the Kenyan activist and writer Ngũgĩ wa Thiong’o, who, in an influential 1986 essay, which was also a farewell to the English language, showed that political independence was but a milestone, rather than the arrival point, of decolonization. The task would remain incomplete so long as it maintained intact, indeed helped reproduce, the languages and the epistemologies that had underwritten the colonial project in the first place, and whose prolonged hegemonies were not a mere quaint legacy, but its enduring expression. Two decades on, in an essay published in a
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A seminal collection by Branwen Gruffydd Jones that set out to *Decolonize International Relations*, Julian Saurin (2006, 26) plainly observed ‘IR has inherited a colonizer’s model of the world’. The decolonizing undertaking has continued apace, yielding one of the discipline’s most productive fields of research; and one that in the context of a globalizing IR, is sustained by the scholarly desires – from its teachers and students alike – to move the study of international politics beyond its ‘Euro’ (Hobson 2012) or ‘Anglo-centric’ (Vucetic 2011) frames of reference. This collection contributes to the decolonizing enterprise, by showing the specific ways in which this colonizer’s model has been perpetuated in the study of international norms.

Why norms?

Norms have become part of IR’s established tool-kit for analysing the behaviour of international actors that is driven, not merely by a concern for self-interest maximisation, but by a ‘logic of appropriateness’ (March and Olsen 1998). Norms, or, in Martha Finnemore and Katheryn Sikkink’s (1998, 894) classic definition, ‘shared ideas, expectations and beliefs about appropriate behaviour’ are ‘what gives the world structure, order and stability’. They oil the workings of international cooperation. In the history of the discipline, norms – along with their conceptual counterpart, identity – have played a crucial role in moving IR beyond its narrow focus upon material understandings of power and interest-maximising behaviours. Norms are a hallmark of ‘conventional constructivism’ (Hop. 1998, Wiener 2004), and the driving concept of its highly successful empirical research programme, now into its third decade.

Constructivism’s merit is to have opened up the ideational dimension of one of the discipline’s oldest questions: what are the ordering processes undergirding the anarchic international system? Or to phrase it differently, why, despite the absence of a centralised authority to enforce them, do international actors consistently appear to observe common, implicit or explicit rules – the behaviour, that is, that makes international cooperation possible? Whether practically (they sustain cooperation) or for their theoretical contribution (bringing ideational and social dynamics into sight), norms, then, would appear to be good things for international politics. This may explain an enduring bias in the constructivist empirical research programme towards ‘good’ international norms (such as human rights or anti-whaling), notwithstanding a recent corrective by way of attention to some of the less felicitous international norms, such as the bearing of arms (see for example Bob 2012). Even the more critical strands of norms analysis, which have apprehended these as not merely benignly diffusing, but rather as operating specific exclusions in the international system (see notably Adler-Nissen 2014, Zarakol 2011, and indeed Epstein 2008), have fallen short of considering what these might look like from a postcolonial perspective. And yet the ideational mechanisms regulating this system have been a driving interest of postcolonial research for a long time.
Indeed, concerns with ‘global order’ were increasingly salient in the 19th century colonial project, notably as it was articulated by John Stuart Mill (Bell 2010). La mission civilisatrice (the civilizing mission), to use the consecrated term of the French colonial state, held a dual ordering function, internal and external. Internally, it aimed to bring the languages, mores and norms of civilisation to ‘barbarian’ populations (Lecour-Grandmaison 2005). Externally, it played a key role in the emergence of international law in the 19th century (see Anghie 2005). Moreover, the twin processes of colonization and decolonization have constituted crucial historical shapers of our contemporary international system, in which postcolonial states comprise a majority. These have been key drivers of the ‘diffusion’, to use constructivism’s term, of the very institution that yielded its unit, the state, and the norms of sovereignty it is bound with, which the contributions by Sarah Phillips, Anthea Vogl, Rebecca Adler-Nissen and Ulrik Pram Gad engage with directly from postcolonial perspectives. Insofar, then, as they seek to apprehend the normative matrices underwriting the behaviour of international actors, or the nomoi of the international system, as I have called them elsewhere (see Epstein 2012c), constructivist and postcolonial scholars would appear to be on the same page.

Constructivism’s shortcoming, however, is to have neglected the power relations running through these normative matrices and the specific exclusions they enact and enable – power that is still understood in its immaterial, relational dimensions. This line of critique was developed from the late 1990s onwards by the ‘critical constructivist’ and ‘poststructuralist’ quarters of the discipline; here I use the two terms interchangeably insofar as they share a common understanding of what constitutes the duty of critique. It is to ‘denaturalise the taken-for-granted’ social constructs that were built on and further entrench unequal power relations, to invoke the introductory essay by Jutta Weldes, Mark Laffey, Hugh Gusterson and Raymond Duvall (1999) to a seminal collection in the emergence of a postcolonial IR. It brought together a group of critical constructivist scholars who all turned to postcolonial empirics, and all eschewed the concept of norms to apprehend them. Norms are the taken-for-granted of IR that the contributors to this volume aim to denaturalise.

Orders of knowledge-power: the epistemological duty of critique

Our critical task is to understand how norms constitute powerful ordering mechanisms of international politics that are enabled and sustained by particular forms of knowledge. In this duty of critique, the ethical commitment differs from that at work in norms constructivism in ways that Naeem Inayatullah and David L. Blaney further expound in Chapter 2. The role of the normative consists not in determining the ‘ought’ that political actors or ‘norm entrepreneurs’ should orientate themselves upon in order to make the world a better place (Finnemore and Sikkink 1998). In that scenario, the normative is a guide to political practice or praxis. Here, instead, the duty of critique is necessarily epistemological, insofar as
practices are always sustained by specific forms of knowledge (see also Shilliam 2014). To engage with the normative at the level of practices, as norms constructivism does, is therefore to leave untouched the orders of knowledge that sustain them.

Returning power relations to the analysis makes this no longer viable, or at least sufficient, as an ethical commitment. Or to put it differently, apprehending the normative merely at the level of praxis is not enough, once one recognises that orders of practice are regulated by epistemological orders, which in turn are always suffused with power. ‘Knowledge-power’ (savoir-pouvoir) is the term Michel Foucault coined to capture this constitutive and mutually reinforcing relation between forms of knowledge and powerful normative orders. Re-examining the epistemological categories that both sustain practices, on the one hand, and scholarly analysis, on the other, then, becomes the duty of critique. The contributors to this volume seek to explore the specific forms of knowledge-power that have become institutionalised as a result of conventional constructivism’s success in adding norms to IR’s established tool-kit. What is it about the concept itself, its underlying logic, that can account for the erasure of the workings of power in the international system?

Norming and re-norming the study of international politics

Restoring power relations to the ideational analysis of norms beckons two crucial referents for beginning to think about international norms differently, Michel Foucault and Judith Butler. Norms are a key modality of the operation of discipline, which constitutes Foucault’s historic contribution to understanding the ideational workings of power. In his 1975–1978 lectures on power, Foucault (2003, 38–39) draws a first distinction between the power of laws and that of norms. Both hold a prescriptive power, over what is allowed and what is right, respectively. Laws, however, are encountered as external limits; they shape behaviour from without, through the threat of sanctions. Norms, on the other hand, require no such threat. They operate as ‘natural rules’ (Foucault 2003, 38). They work political actors from within, as a set of internalised prescriptions that are experienced as ‘chosen’. This naturalness explains a key source of the power of norms, which is this taken-for-granted, unquestioned quality they command. From an IR optic, which is grounded in a topological distinction between the ‘inside’ of the state and the ‘outside’ of the international (Walker 1989), the latter is where the law ceases to apply. Norms, on the other hand, fully folded as they are into actors’ behaviour, are not contained in the state. They can travel or indeed diffuse, to use the language of norms constructivism.

Foucault (2009, 57) then draws an additional distinction between ‘normation’ and normalization’. ‘Normation’ helps to locate precisely where the prescriptive power of norms lies. The ‘primacy of the norm’ (Foucault 2009, 57) in relation to the normal is that it draws the original boundary between acts that are deemed appropriate – suiting constructivism’s logic of appropriateness – and those that are not. ‘The determination and the identification of the normal and the abnormal
becomes possible in relation to this posited norm’ (Foucault 2009, 57). ‘Normali-
ization’ constitutes the battery of means then deployed to obtain that deviant actors
toe the line:

Disciplinary normalization consists first of all in positing a model, an optimal
model that is constructed in terms of a certain result and the operation of
disciplinary normalization consists in trying to get people, movements and
actions to conform to this model, the normal being precisely what can con-
firm to this norm.

(Foucault 2007, 57)

Building on Foucault’s insights, Judith (1997) Butler has shown how individual
desires, far from being innate or natural, are regulated by deeply entrenched nor-
mative matrices: in her example in Butler 2006, the heterosexual nomos. Key
to both Butler and Foucault’s setting into relief the disciplinary effects of norms
is the genealogical approach. Genealogies unsettle the fixity and naturalness of
norms, by drawing out how they constitute specific historical constructs, pertaining
to a particular set of social relations, rather than containing universal truths
about human behaviour.

‘Normation’, ‘normalization’ and ‘nomos’ all offer important concepts for
denaturalising norms. Indeed, constructivism’s analytical logic consists in starting
from an established international norm, one that can be shown to have a tangible
effect upon the behaviour of international actors. For example, and to draw on
a few that the contributors engage with, human rights (Chowdhury), racial equal-
ity (Smith), anti-whaling (my own). The norm is then tracked as it is ‘diffused’
through the international system, generally by ‘norm entrepreneurs’, and then as
it is ‘internalized’ by local actors who are more less successfully ‘socialized’ into
it, to run through the gamut of constructivist terms, which are analysed in detail in
Charmaine Chua’s and my chapters.

Instead, these concepts provide new starting points for apprehending the power
that inheres in international norms, the extent to which they constitute the actors of
international politics, and regulate the possibilities for acting ‘appropriately’. They
shift the focus from treating a norm as ‘given’ to considering its initial constitution,
so as to lay bare the dynamics that underwrite it; to account for the particular form
that a norm takes; and to account for how it authorizes certain forms of behaviour
and not others. Let us call ‘norming’ the processes by which the rules of appropri-
ateness in the international system are settled, and ‘re-norming’, their transforma-
tion. These are intensely powerful processes, as international activists or ‘norm
entrepreneurs’ intimately know. They constitute precisely the loci of power that
non-state actors, who hold none of the traditional currencies of international power
(military or economic might), have invested in and with which they have carved
out their roles as international actors, a dynamic I have documented with the first
successful case of global environmental activism, whaling (Epstein 2005, 2008).

An example of ‘re-norming’ is the shift in the West’s apprehension of whaling as
an unquestioned economic activity, to an uncivilised, unacceptable practice. 11

AuQ1
Apprehending the ‘problem-space’ of liberal norms constructivism

In an essay entitled ‘Criticism after Postcoloniality’, David Scott (1999) has developed the notion of ‘problem-spaces’ as an epistemological tool for appraising the ways in which research questions and the concepts they yield take shape at particular historical junctures. He also shows that the sets of questions raised within a given problem-space can cease to perform their critical function, of advancing knowledge-production, once they become entrenched. Problem-spaces, for Scott (1999, 8), reach thresholds beyond which ‘the theoretical apparatus by means of which answers [to its research questions] are generated (. . .) is simply applied without further thought given to the domain of questions that constitute the problem-space’. Scott’s diagnostic toolkit is useful for both aspects of our project, its critical and its postcolonial dimensions, since he develops it specifically to apprehend what it means to undertake critique in postcoloniality.

For Scott (1999, 8), ‘the problem-space in which a question has emerged as a question demanding an answer may have altered, thereby altering the critical (if not necessarily the logical) status of that question – leaving it recognizably coherent but largely academic’. In response to the epistemological problem he diagnoses, Scott introduces the idea of a ‘strategic practice’ of critique. He asks:

whether the moment of normalization of a paradigm is not also the moment when it is necessary to reconstruct and reinterrogate the grounds of questions themselves through which it was brought into being in the first place.

(Scott 1999, 8)

To undertake this task, Scott begins by tracking the paradigm shifts within postcolonial scholarship. He distinguishes between an initial ‘space of anticoloniality’ as the space of praxis where the anti-colonial struggles were fought out, and a subsequent ‘space of postcoloniality’.12 ‘What was not theorized’ in anticoloniality, Scott (1999, 12) writes, ‘was the whole question of (. . .) the decolonization of the conceptual apparatus through which their political objectives were thought out’. This was what came into view in postcoloniality whose first milestone was Said’s Orientalism (1979). It has ‘enabled a systematic re-interrogation of contemporary practices in terms of the extent to which they reproduced forms of knowledge that emerged as part of the apparatus of colonial power’ (1979). The postcolonial moment, then, for Scott, heralds this self-reflective return upon oneself, where one gauges one’s own complicity in prolonging the very power relations that one sought to undo in practice. It is fundamentally an epistemological gesture.

Such a strategic practice of critique is what we engage in here with one of IR’s normalized paradigms. Indeed norms are widely applied in empirical analyses of international politics; useful, even, for addressing what Robert Cox (1981) termed ‘problem-solving’–type questions of international cooperation, where I have also used them (see Epstein and Barclay 2012). The epistemological normalization of norms in IR, then, is our object. The problem-space that concerns us is that of liberal norms constructivism. Liberalism is the banner under which conventional
constructivism successfully established itself in the discipline’s mainstream (see, classically, Wendt 1992), and under which it continues to be taught (for a textbook classic, see Panke and Risse 2007). Yet these taken-for-granted moorings appear problematic in a postcolonial perspective, insofar as a new field of research, which took off around the same time that norms constructivism did, has begun to uncover the extent to which liberalism’s categories of thought enabled and sustained colonization (Casas-Klausen 2016, Lecour-Grandmaison 2005, Mantena 2010, Mehta 1999, Stoler 1995).

For example, Jimmy Casas-Klausen (2016) has shown how John Stuart Mill’s forms of essentialist thought, buttressed by a specific typology (the civilised vs. barbarians), wrought a particular form of ‘epistemological violence’ that sustained ‘physical violence’ in the colonies. In Karuna Mantena’s (2010) Alibis of Empire, this form of epistemological analysis is extended to the social sciences at large, to draw out how some of its core categories, notably the distinction between ‘traditional’ and ‘modern’ societies, are bound up with British imperial practices, and with a decisive mid-19th century shift in imperial rule and ideology. In older work, not traditionally associated with the postcolonial canon, but that is especially interesting in that it was developed in colonial times (France in the early 1950s) and explicitly to expose its workings, Roland Barthes (1957) has characterised colonial bourgeois thought as a particular combination of liberalism and universalism. The purchase of Barthes’ work is to have delinked colonialism from individual thinkers, and to identify it instead as regulatory discourse that worked to naturalise a particular set of unequal racial relations and exploitative practices, which is to say, an ideology. The privileged mode of operation of the colonial discourse is the myth. For example, Barthes draws attention to the militaristic myth of the le tueur Sénégalais, which casts a Senegalese soldier (or rather, literally, ‘killer’) fighting willingly for France. The myth masks its own situated-ness as a bourgeois ideology, produced and consumed by and for a particular class, by performing and projecting a universality.

This does not, of course, mean that we need to cast out a political tradition, liberalism, that is inseparable from modernity itself, with all the bad and the good it has wrought. But it does suggest that constructivism’s unquestioned grounding in liberal thought needs to be a little more carefully thought through. The problem, rather, lies in a particular turn taken by the Enlightenment’s defining category, that which enabled the entire modern scientific enterprise, including its critical dimension, which we subscribe to, namely, reason. The ‘western reason’ that stands in the sights of postcolonial critics, to use Roxanne Lynne Doty’s (1996) expression, takes shape in the 19th century. It is coextensive with the take-off of the social sciences, including anthropology (from which David Scott himself hails), which has had to reckon with its own early complicity in the colonial project, and with the ascent of positivism as the new ‘normal science’. This reason, in turn, is the terrain upon which liberalism and colonialism conjoined in the 19th century, in ways I will further chart below. From a postcolonial perspective, the problem then becomes how to recover the tools that modern reason itself has yielded, to develop the types of epistemological critiques we undertake here.
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The problem, to put it differently, is how to use reason in order to denounce the tyranny of reason that postcolonial research has brought to light.

The postcolonial as a site for practices of situated critique

Retrieving experiences

The category of thought that best captures what the postcolonial has to offer is experience. It provides a conceptual counterpoint for opening up a space for theorising beyond the constrictions that a particular emphasis on a universalising reason has placed upon political analysis. Its philosophical moorings lie in Sartrian phenomenology, which counter-poses embodied consciousness to abstract reason as a starting point for knowing the world. To ground the production of knowledge in experience first is to seek to retrieve that which has been stripped out a priori by the grindings of a universalising reason, that which cannot be abstracted into general propositions about the world – namely, the particular, the local, the historical and the affective; all that makes up a subject’s ‘situated-ness’ in the world.

Although retrieving ‘experience’ is not without its risks, which have generated a heated debate in history (See Scott 1991), a ‘strategic’ recovery, in the sense in which Spivak (1981) also intends it, is warranted in the specific context where a certain set of experiences and points of views – those of the colonized – were at the receiving end of practices of erasures that were inextricably bound up with colonialism, and that marshalled a universalizing reason to their service.

Rational erasures

In his analysis of the ‘denied links’ between liberalism and Empire Uday Singh Mehta’s (1999) shows how the reaction of British Liberal thinkers (Locke, James and John Stuart Mill, Macaulay) to the confrontation with the ‘strange and the unfamiliar’ of the new peoples that the Empire was bringing under its rule was one of elision and active erasure. Nor was this merely the expression of the difficulty of apprehending the unknown; Mehta shows how it went to the core of liberalism’s political project. It was a necessary precondition to being able to uphold and spread the liberal ideal of the rational individual as a universalizable model, and the necessary founding stone of modern democratic rule anywhere.

The educational programs of the Empire, which were especially dear to these British founders of liberalism, were key sites for the practices of erasure of the life-worlds and subjective experiences of the colonized other. These imperial pedagogues, such as Thomas Macaulay, were ‘norm entrepreneurs’ in their own right, intent on socializing the Indians into the norms of British civility. Thus, for example, when he wrote ‘we must at present do our best to form a (. . .) class of persons, Indians in blood and colour, but English in taste, in opinions, in morals, and in intellect’, Mehta shows how operationalizing liberalism’s normative ideals into practical imperial policies turned on constructing the colonized subject
as the irrational child or abnormal subject to be gradually brought into the fold of reason. Herein were also laid the seeds of the constructs that would sustain the subsequent development of the Empire’s practices of violent repression, such as those deployed to quash the Mau Mau insurgency in colonial Kenya in the 1950s, which turned on apprehending indigenous demands for independence and land rights as expressions of barbaric, tribal deviances (Lynn Doty 1996; see also Lecour Grandmaison 2005). To quote Mehta (1999, 18) at some length, in the context of appraising the thought of James Mill (John’s father):

the specific, but, more relevantly, the strange and the unfamiliar, are at the epistemological mercy of a rationality that is vouched for in advance of ‘viewing’ and certainly experiencing the strange and the unfamiliar. The project of the empire is inscribed in [epistemological schemes that] relentlessly attempt to align or educate the regnant forms of the unfamiliar with its own expectations. Liberal imperialism is impossible without this epistemological commitment – which by the nineteenth century supports both the paternalism and progressivism – that is, the main theoretical justifications – of the empire. (. . .) when the strategy of education or realignment through political change is unserviceable, Mills’s History and numerous others that share its convictions impute to the unfamiliar an impenetrable inscrutability that eviscerates their potential as forms of life and terminates the quest for understanding them.

Historically, then, not only were the practices of colonization infused with liberal ideals, they were key to diffusing normative and epistemological tropes – in particular, the conjoining of the rational with the universal. This was also the point at which the particular, the local, the subjective – all that conjured the experiential realm of the colonized other – were written off as ‘irrational’.

By contrast, a key figure in Mehta’s work is Edmund Burke, who exemplifies a radically different attitude to the strange and the unfamiliar. Mehta shows how, to the ‘cosmopolitanism of reason’ that powered the spread of these liberal ideals and acts of erasure, Burke opposed a ‘cosmopolitanism of sentiment’, founded in both an acute attention to the local and the particular, and a profound awareness of the impossibility of truly appraising them from where he stood – and which ultimately led Burke to advocate, at its heyday, a retreat from Empire. Burke remains an ambiguous figure from a postcolonial perspective, notably on account of his early support of slavery. Yet Mehta’s provocative recovery serves to unsettle the habitual, liberal reading of Burke as an irredeemable conservative, which also serves to re-affirm reason and progress on the same side.

For all of these reasons, then, the particular, the local, the historical and the subjective invoked under the broad heading of ‘experience’ offers an important counterpoint to the universalizing pull that is at work in both liberalism’s epistemological schemes and, as all the contributions in this forum draw out, in those of the norms constructivist scholarship in IR. The challenge, then, is how to mobilize the particular and the local, in their infinite richness, as sites for deploying a form of theorizing that, by way of this grounding, seeks to avert the pitfalls of a
universalization that was a key historical driver of colonization in the first place. This, not merely to right a historical wrong, but to explore what epistemological resources the perhaps too hastily erased the strange and unfamiliar may yield for appraising the contemporary dynamics of international politics. In this sense, then, foregrounding, and mining, the particular, without already collapsing it back (yet again) onto the universal, constitutes a crucial epistemological commitment in deploying postcolonial perspectives to study international politics. It is a commitment to what Tzvetan Todorov (1999) called ‘perspectivism’ as a mode of research (see also Inayatullah and Blaney 2004).

Theorising without universalising: the situated perspective

Nor does such perspectivism give up the possibility of theorizing – in the same way that to rehabilitate experience against the liberal overweighting of reason is not to abandon reason, but simply to shift back the balance so as to open up new places from where to theorize. What is eschewed here, specifically, is a particular form of theorizing that conflates the general with the universal. The latter is a specific form of generalizing that works to erase its own standpoint, in order to don what Donna Haraway (1988, 581) has called the ‘vision from nowhere’. Against this first, Sartre, in Hegel’s wake, had proposed a form of theorizing that is grounded not in reason but in consciousness and in embodied experiences, which explicitly foregrounds the viewpoint of the theorizer. In a different critical tack, Donna Haraway’s work unearths the ‘where’ that seeks to erase itself, since it derives its strength from this erasure: it is the idealized epistemological viewpoint of modern science, which upholds the universal as the utmost criteria for knowledge production. This, in turn, is instrumental to the sciences’ (including the social sciences’) claims to objectivity; to authority; and thus to social and institutional power (see also Aronowitz 1988).

Both Sartre and Haraway thus show how situated perspectives offer different starting points for theory-building, ones that seek not to deny the partiality of perspective, but instead use it to deliberately delimit the claims to be able to generalize about the social world. This is out of a profound recognition of the distinctness of that world which, by contrast with the natural world, is always already constructed.

This is pertinent to the norms constructivist scholarship for two reasons. First, because the constructed-ness of the social is of course its theoretical starting point. Yet, there is a tension, as old as the social sciences itself, between studying that constructed-ness and seeking universals, which is ultimately sustained by the (even older) myth of human nature. The place of this myth in the development of constructivist thought in IR at large and its associated quest for generalizable universals has been analysed elsewhere (see Epstein 2013b, Zehfuss 2002). Second and more specifically with regards to the study of norms, because of a particular conflation of the descriptive and the prescriptive that occurs when the universal comes into contact with the realm of political practice, as it did when the British liberal thinkers encountered empire, this is the point where the universal shifts...
from being an epistemological ideal (a quest for the ultimate essence that explains human behaviour) to a normative ideal (an absolute from which conclusions are drawn about how humans should behave, to better accord with that essence).

Situated perspectives, then, provide an epistemological via media that averts the pitfalls of both universalism and relativism. In Haraway’s (1988, 584) words, ‘such preferred positioning is as hostile to various forms of relativism as to the most explicitly totalizing versions of claims to scientific authority’, whose inherent links to colonialism she also expounds. As Haraway (1988, 581) shows, the unmarked position – the ultimate place of power – is that of Man and White. Against this, then, only ‘partial perspective promises objective vision’ (Haraway 1988, 583). Similarly, to the disembodied gaze of modern liberal reason that erases the unfamiliar to-be-colonized, Mehta (1999, 41–45) opposes Burke’s own embodied ‘viewing’, a looking at that is both deeply embedded in one’s own cultural sensibilities, and yet deeply aware of the limits such moorings impose when appraising other cultures. It is a way of seeing that breeds, at the very least, empathy, if not quite understanding, and averts the automatic foreclosure or indeed purposeful blindness to the strange and the unfamiliar. Two centuries apart, Burke’s situated perspective echoes, a classic statement of the postcolonial perspective, Frantz Fanon’s (1952) description of the painful consciousness of viewing, and being viewed, from within a ‘black skin’ forever trying to don a ‘white mask’ so as to remain inconspicuous. His black body stands in the way of him being able to occupy that unmarked place that would cast him, in the eyes of the terrified little boy and his mother sitting opposite him in the train, as a normal, rational, human being, as opposed to a potentially dangerous savage.

The postcolonial perspective, then, is necessarily a partial perspective that foregrounds grounded, embodied experiences, steeped in colonial histories, as the basis for engaging epistemologically. The scholars grouped here are each in their own way and with Haraway (1988, 589) ‘arguing for politics and epistemologies of location, positioning and situating, where partiality and not universality is the condition for being heard to make rational knowledge claims’. Each author does so by engaging pointedly with the constructivist norms scholarship on a particular set of norms and theoretical concerns, which I now consider at length.

**Introducing the contributions**

The contributions to this volume reveal the extent to which the broader ordering mechanisms of international politics as well as particular norms appear different once the universalizing perspective underwriting norms constructivism is flipped on its head and these are considered from a postcolonial or non-Western contexts and logics. Each provides in this sense an exemplar of a situated perspective. All engage in a strategic practice of critique, where the epistemological and the ethical are profoundly entwined, insofar orders of power are coextensively orders of knowledge, and no truly different ‘ought’ can emerge from leaving intact the categories that helped reproduce an unequal ‘is’ in the first place. In Chapter 2, Inayatullah and Blaney draw out the fundamental tension that undergirds norms
constructivism. It boasts an explicitly empirical research agenda, while claiming to be able to intervene in the normative questions of world politics from this thoroughgoing empiricism. This simply serves to bury away the normative presuppositions from which such moral adjudications are carried out. Hence it masks, not merely the Western origins of the values and norms underlying these adjudications, but the universalizing dynamics of norms and values, which are the source of their hegemonic power. Inayatullah and Blaney address the critique of the critics, as it were, as to whether constructivism’s critics can offer a moral positioning at all, by way of three figures or ‘heroes’, in their language who deployed their own perspectivism and sensitivity in navigating a complicated set of attachments that left them simultaneously accomplice to and denouncing the colonial atrocities they witnessed. Their contribution engages with the messy thickness of life in which moral decision-making is always steeped, and that gestures that abstract from this complexity to posit universal norms ultimately negate.

Vivienne Jabri’s contribution, in Chapter 3, contributes an important piece to her wider epistemological project of recovering the category that stands at the core of our discipline, ‘the international’, towards a postcolonial IR – one, that is, that can account for a form of agency that is genuinely postcolonial agency, to echo her emphasis. Jabri engages with what it means to undertake a postcolonial critique. For her, it entails a ‘double move’, namely, first, to render visible the epistemological erasures that have been enacted in the constitution of ‘the normative order of the international’. But this, for her, necessarily goes hand in hand with reclaiming the postcolonial subject of international politics, and exploring what kinds of agency are possible for this subject, notwithstanding this over-determined, exclusionary international order. To do so, she engages with the thought of Frantz Fanon, whom she illuminates as not merely a figurehead of anti-colonial activism, in Scott’s terms, but someone whose engagement contained the epistemological seeds of a postcolonial reconstitution of the normative matrix of the international. Her critique of the constructivist understanding of norms, specifically, turns on showing how it remains impervious to the unequal distribution of normative capital with which international actors start with – that is, the extent to which they have been able to shape international norms in the first place. She shows how these erasures are not just constitutive of the concept itself, as developed in IR, but an expression of the enduring colonial rationalities that underwrite it. Jabri is also here building on a crucial distinction she has drawn elsewhere to capture the two radically different ways of apprehending the space that lies beyond the state, which is our discipline’s topographical remit: that of a ‘global cosmopolitanism’, which uncritically reproduces neocolonial dynamics and structures, and the ‘international’ as a novel space, replete with possibilities for postcolonial agencies and subjectivities (see Jabri 2012, 2013).

Julia Gallagher then considers, in Chapter 4, one of imaginary constructs that underwrite notions of international order since they emerged in the 19th century, the myth of ‘civilization’. Indeed, this is the myth that sustained the ‘civilizing mission’ that, as Anthony Anghie (2005) has shown, is one of the crucial shapers
of the expansion of international law from the 19th century onwards and indeed of the ‘diffusion’ of the norm of sovereignty. In tackling this founding myth, however, Gallagher’s concern is with how norms reach deep into the affective make-up of postcolonial subjects in ways that persistently shape their political agency today, in her case, in Zimbabwe. She uses the tools of psychoanalysis to achieve two key critical purposes. First, in an exemplary self-reflective move, she uses them against psychoanalysis itself, by showing how the history of that discipline, and thus the making of these very tools, is bound up with the racial prejudices underwriting the civilizational myth, and the particular division of values it enacts, along coloured lines, between ‘civilized’ people who have norms, and ‘barbarian’ people who do not. But, she shows, nor are these dark origins a reason to dismiss these analytical tools, insofar as they also offer the means to appraise the constraints that norms impose upon political agency and subjectivity. Hence, second, the broader theme she engages with in considering these tools is the extent to which the postcolonial space is over-determined, epistemologically and politically. Epistemologically, the evolution of psychoanalyses – understood, here, as a form of analysis rather than a practical discipline – out of its originary, racially charged, modernist logic is exemplary of what becomes possible by reworking epistemological categories that are bound up with colonial histories are reworked. Politically, she considers questions of authority and legitimacy in the postcolonial polity. Gallagher, then, illustrates with her fieldwork how this plays out concretely for the everyday politics of Zimbabweans.

Whereas the first three chapters address broader epistemological foundations upon which analyses of international order and norms constructivism rests, the fifth and sixth chapters, by myself and Charmaine Chua respectively, consider some of the more pointed concepts that have been developed to analyse norm dynamics, ‘socialization’, ‘localization’ and subsidiarity. My chapter returns to the theoretical origins of ‘socialization’ as it was proposed by Peter Berger and Thomas Luckmann in order to appraise the dynamics of social construction in children. I show how adopting the term ‘sociology’ without reworking it theoretically has led norms constructivism to commit, once again, IR’s fallacy of composition: the assumption what works for individuals works for states as well. But the other unfortunate effect that appears specifically in a postcolonial perspective is that it reproduces the classic colonial trope, the infantilization of the actor-to-be-socialised, whether colonized people or, here, states. Contextualising the term epistemologically also serves to show how it has locked the analysis of international norms into a teleological and unidirectional set of frames that help explain norms constructivism’s persisting selection bias towards ‘good’ norms, by showing how it is built into the logic of the concepts deployed to analyse them. Drawing upon my own field work, the case of Japan and the anti-whaling norm provides a situated perspective that reveals both the limitations of ‘socialization’, with regards to understanding actual inter-state dynamics as they play out on the ground (in this case, on the floor of the International Whaling Commission), and the extent to which it elides the power relations driving the diffusion of international norms.
Whereas ‘socialization’ is the generic concept used to analyse how norms spread and are adopted by international actors, ‘localization’ and ‘norms subsidiarity’ were subsequently developed in response to the criticism regarding norms constructivism’s selection bias and in particular its lack of attention to non-Western, ‘Southern’, indeed, what we might call ‘situated perspectives’ on norm adoption. By engaging with the work of their main representative, Amitav Acharya, Charmaine Chua shows how ‘localization’ and ‘subsidiarity’ simply miss this mark. They merely extend outwards a logic that, not only remains in fact persistently Eurocentric, but leaves the focus upon the agency of a very small, westernised elite, rather than capturing the agency, and the perspective, of the local population. Using primary material drawn from the British colonial archive, and the writings of William Stamford Raffles, she illustrates the co-extensiveness of the universalizing perspective of the norm entrepreneur, and indeed of the norm constructivist scholar on the one hand, and that of the British colonial ruler on the other. She shows how this perspective was key to the ability to shape the agency of the colonised. It served to normalize some forms of agency, the docile agency of a consuming population, required for the expansion of British ‘free’ trade, while demonizing others, that of the Malay pirate, which threatened to disrupt this ‘indispensable’ trade. By taking the discursive production of colonial subjectivities as her object of analysis, she shows the extent to which norms cannot be analysed apart from the subjectivities they constitute and the forms of agency they legitimise.

The following two chapters then shift from considering elements of the standard toolkit used to study them to actual international norms. Chapter 7, by Arjun Chowdhury, considers human rights norms, while Chapter 8, by David T. Smith apprehends the norm of racial equality. By situating his analysis in the perspective of actual human rights activists who seek to bring about normative change in their local contexts, Chowdhury draws out, in Chapter 7, the disjuncture between international human rights norms and the needs of these postcolonial activists. He charts this misfit to two structural features of the logic of international human rights: an individualist, indeed Western, conception of agency, and the linear, teleological logic of liberalism (its arrow of progress, as I have called it elsewhere), which, Chowdhury shows, in ways that echo Mantena (2010), also underwrites the colonial episteme. Chowdhury explains how this logic forecloses the possibility of understanding the complex, often ambivalent, non-linear ways in which postcolonial activists negotiate relations to their own pre-colonial custom in order to bring about change. This foreclosure makes it difficult for postcolonial activists to adopt the Western language of human rights, even when they are fighting for the same ‘progressive’ cause as Western norm entrepreneurs. He illustrates this with regards to three case studies: indigenous lands rights claims in Canada, feminist activists in India, and the struggle for the rights of same-sex desiring individuals in Africa.

In Chapter 8, David Smith focuses specifically on the norm of racial equality. This is one of the few international norms that was not ‘localized’ by non-Western states. Indeed, it was in fact actively promoted or ‘diffused’ by some of them
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(Japan, India) through the international system, and over an extensive history (and even prior to decolonization, in India’s case). Hence it constitutes a ‘poster child’ of international norms from a postcolonial perspective, one of the few with no colonial ‘aftertaste’. And yet Smith shows how this picture perfect norm, which is also championed by the white, Western states, also serves to deflect their attention from the need to really engage with how genuinely internalised the norm is at home – and with the question of whether their own countries are racist. His analysis thus shifts the focus to how norms ‘do’ something for the identities of the norm entrepreneurs (for a similar move, see Gallagher 2014). Situating himself within Australia and the United States, he considers how white Western and supposedly non-racist countries deflect self-reflection by cultivating a keen interest in the racism of other members of the Anglosphere.

The last four chapters engage each in their own way with the founding norm of the international system, sovereignty. In Chapter 9 Sarah Phillips situates her analysis in Yemen, where she has done extensive fieldwork, and appraises the effects of the entrenched Western-Weberian operationalization of sovereignty as state’s monopoly of the use of force which is still being ‘diffused’ to the so-called failed states, from within this poster child of state failure, to echo the Western discourses on Yemen, which she engages with. She shows how this norm of sovereignty, which underwrites both norms constructivism and Western counter-terrorism policies in Yemen, presupposes a sharp distinction between the state (as monopoliser of the means of legitimate violence) and the (equally violent) non-state actors which simply does not apply to the Yemeni context, and defeats the international actors’ (practitioners and scholars alike) ability to locate the various local politic actors, including Al Qaeda, and the complex role switching between them. She thus shows how this top-down, binary epistemology with which the contemporary norms of sovereignty is bound up precludes the ability to apprehend local politics. She also shows how it locks Western counter-terrorism policy-making into Orientalist constructions of the Yemeni, which in turn yield self-defeating policies.

Chapter 10, by Anthea Vogl, considers the ways in which Australia instrumentalises the sovereignty of small Pacific island states surrounding it in the deployment of its refugee policies. Both hers, and the subsequent two chapters, engage with the question of postcolonial agency. Vogl analyses a perplexing setting in which a postcolonial state, which has not fully reckoned with its postcoloniality, alternatively asserts and denies the sovereignty of its own former colony, Nauru. Nauruan sovereignty has been both denied by Australia, in the economic relations between the two countries which have largely revolved around the exploitation of Nauru’s phosphate, and asserted for the purposes of ‘off-shoring’ asylum-seekers who have reached Australia’s shores onto Nauru, and denying any moral responsibility towards them or any breach of its international legal obligations. Nor is the economically motivated, neo-colonial denial of Nauruan sovereignty relegated to the past. Rather, Vogl shows that this motivation, and the mode of relation it is historically bound up with, is prolonged in contemporary asylum-seeker policies, through the private management of its off-shore detention centres. In Nauru, the
private security companies of today have replaced the phosphate mining companies of yesterday.

Rebecca Adler-Nissen and Ulrik Pram Gad in Chapter 11, consider another type of ‘sovereignty games’ that shine an unusual light upon the possibilities of acting in postcoloniality. They consider a set of contemporary hybrid colonial territories, known as ‘Overseas Countries and Territories’. These territories appear to be exploring, in their ‘paradiplomatic’ practices, a particular form of international agency that troubles the classic anti-colonial binary, between acquiring full statehood, on the one hand, or being relegated to the ‘waiting room of history’ (Chakrabarty 2000). For these ‘micropolities’, such as Mayotte, New Caledonia, or Greenland, not owning a state of their own, as Adler-Nissen and Gad show, constitutes an empowering choice. It enables the use of strategies to give them the upper hand over their own metropoles in them in international negotiations and in relations with supra-national organisations, such as the European Union.

In Chapter 12, Zeynep Gülşah Çapan and Ayşe Zarakol consider an especially sticky feature of contemporary postcolonial politics, namely the (ab)uses of the charge that the label ‘postcolonial’ holds. They analyse how an increasingly authoritarian Turkish state wields the postcolonial critique of Western norms to justify imperializing foreign policies abroad and neocolonial practices at home. The complexity lies in that the Turkish state, and the academics mobilized into what appears on one level as a highly cynical enterprise, are also chaffing against the extent to which the normative matrix of the international system has been fully scripted in and by the West, such that any attempt to carve out a form of political agency that is not already over-determined by these categories necessarily entails grappling with them in the ways that Jabri’s contribution expound. For all the excesses that their careful and nuanced analysis documents, it echoes, in manners reminiscent to Philips’, the difficulties and indeed abuses that are brought about by non-Western states attempting to fill out the robes of a statehood cut out of the Westphalian cloth that is not theirs. Hence by applying their own postcolonial lenses to Turkey they also delink these lenses from a narrowly historical (and geographical) understanding of the postcolonial as that part of the international system populated exclusively by formerly colonized states, and link these lenses instead to dynamics of positionality, to the need for these non-western states to position themselves in relation to the Eurocentric western white privilege that still underwrites the international system.

The contributors in this volume centre their postcolonial critiques of the discipline on the concept of norms. We hope that these pointed engagements will also work as an invitation to our fellow IR scholars to pursue the epistemological task of decolonizing each one of IR’s key concepts, as an important path towards building a postcolonial IR.

Notes
1 As Robert Young (2003, 7) put it, ‘There is no single entity called “postcolonial theory”’. Indeed, postcolonial scholarship has taken shape at the intersection of literary
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studies (Bhabha 2004, Spivak 1998, wa Thiong’o 1986); area studies (Said 1979); history (Chakrabarty 2000, Mamdani 1996), anthropology (Scott 1999, Stoler 1995); law (Anghie 2005, Bhandar 2014) and political theory (Mantena 2010, Mehta 1999), to the point that these works rapidly defeat any attempt to shoe-horn them into a single discipline. This inter-disciplinarity, reflected in the journal *Postcolonial Studies*, is consistent with the plurality of places and perspectives that characterizes postcoloniality. While it has established itself in the humanities, moreover, postcolonial thought has struggled to find a footing in the study of politics (Chandra 2013). This is the enterprise to which we are contributing in this volume.

Two broad axes have nonetheless taken shape in postcolonial research, which can be roughly mapped onto a distinction between material and ideational concerns. The first strand is interested in the material and institutional structures that not only endure beyond the end of colonialism, but are reinforced by the acceleration of economic globalization (in IR, see Matin 2013). The second considers the postcolonial subjectivities and the forms of agency that have emerged in such settings. Insofar as the organizing concept for this volume, norms, is ideational, it belongs to the latter strand.

This explicitly encompasses non-Western countries such as Turkey, showcased in Ayşe Zarakol and Zeynep Gülşah Çapan’s contribution to this volume, and Japan, in my own, that have not been formally colonized, yet in relation to which postcolonial analytical categories, we show, fruitfully apply.

Wa Thiongo forsook English, but also Kiswahili, Kenya’s other national language, in favour of Kikuyu. He did eventually return to English. He exemplifies the complexities for the postcolonial writer, and subject, of having to contend with the hegemonies of language in establishing their own voice.


Conventional constructivism’s wielding of ‘identity’ has been the subject of extensive critique elsewhere (Epstein 2011, 2013; Zehfuss 2002).

This question, of course, was also one of the defining questions of the English school. Norms, however, has not constituted their primary concept; hence insofar as these concern us, constructivism is our main site of engagement with the discipline.

To frame things in this way is also to locate this volume to rehearse the (very coarse) distinction between material and ideational strands of postcolonial research, on the ideational ‘post-structuralist’ strand; as distinct from the former, ‘historical materialist’ or ‘Marxist’. See, however, Scott (1999) for both a good exposition of these differences, and a good discussion in how these categorizations rapidly limit postcolonial enquiries.

This is why norms also represent a highly economical form of power, much more than laws, which require being enforceable.

Butler (2006 [1990] and 1997) shows how the ‘heterosexual matrix’ sustains heterosexual relations as the normal mode of relations between the sexes, rendering other forms of relating deviant. *Nomos* is my term rather than hers, drawing on Bourdieu and Foucault. For recent uses of Butler in IR, see Weber 2016.

This is also bound up with an interest in capturing change (see Finnemore and Sikkink 1998). Change can be identified when international actors can be shown to have modified their behavior to align with a norm.

Whaling, as I further illustrate in my own chapter to this edited volume, thus also rehearse the binary, barbarian vs. civilised, that underwrites liberal colonial thought, notably that of J. S. Mills (see Bell 2010; Casas-Klausen 2016; Mantena 2010)

‘Anti-colonial’ is the term Scott uses for the first wave of anti-colonial scholarship, exemplified by the African leaders Nkruma or Nyere, who simultaneously fought and wrote about their struggles.
My point here is not to contrast a ‘pure’, early modern reason with a ‘degraded’ 19th century variant, but rather to historicize reason. It is to underscore the extent to which reason, a notion that dates back to the Ancient Greeks, has taken different shapes and spawned different forms of ‘normal sciences’. The 19th century sees the advent of a particular form of liberal reason enmeshed in colonial practices.

These links were rendered explicit by Sartre penning the preface to Fanon’s *Wretched of the Earth*.

IR has been chaffing for some time now against the limitations that reason has imposed on its ability to apprehend the complex dynamics of world politics. Other productive expressions include the literatures on emotions (for two recent overviews, see Hutchison and Bleiker (2014) and Ross (2013)). For the relation between emotions and norms, see Widmaier and Park (2012), or on the use of psychoanalysis to study world politics, Edkins (1999), Epstein (2013, 2011), Gallagher (2009) and Zevnik (2016). ‘Experience’ also encompasses the affective and embodied dimensions that are bound with the postcolonial subject’s being-in-the-world. But it captures, in addition, a particular ‘situated-ness’ in postcoloniality that can, we contend, be especially productive for apprehending international orders in new ways.

The pitfalls of foregrounding ‘experience’ are those of fetishizing the particular of individual experiences, and treating it as an unconstructed ‘given’ that lies beyond the reach of critical inquiry. Joan Scott (1991) has aptly and extensively mapped the problems that have arisen from the turn to ‘experience’ in historical research. Her critique, however, concerns an explicitly empirical research that eschews any self-reflective attention to the way it has constructed its own categories (which therefore also become fixed foundations for the researcher’s authority), not unlike norms constructivism. Scott (1991, 791) herself, moreover, recognizes the impossibility of doing without ‘experience’ and the importance of ‘redefining its meaning’. This is especially so in a postcolonial context, given that the evacuation of the colonized experiences is one of the defining mechanisms of colonization. Hence insofar as our project seeks to recover experience within an explicitly epistemological, decolonizing undertaking, we hope to avert these pitfalls.

Once again, and for the purposes of clarity, the issue is not rationality per se. All knowledge is rational, including the that of emotions, psychoanalytic knowledge, phenomenological knowledge, or indeed the situated postcolonial knowledges to which we contribute with this volume. The problem, rather, is a particular emphasis on a specific kind of universalising reason, whose excesses have been born out especially acutely by colonial practices, and whose repercussions continue to ripple through the possibility of being and acting in postcoloniality today.

Macaulay’s 1835 *Minute on Indian Education* is quoted in Mehta 1999, 15.

Mehta is careful to point out that this ideal of universal reason that liberalism entrenched is a much older trope of Western political thought. His point, rather, is that colonization provided liberalism with the historical circumstances for its operationalization it into a concrete political project with a potentially global, and for which education and the ideal of progress comprised two central pillars (Mehta 1999, 198).

Similarly to Mehta, and to draw a parallel with French context, Lecour-Grandmaison (2005) recovers one of the most revered democratic theorists, Alexis de Tocqueville, and through detailed historical analyses of his speeches on the floor of the *Assemblée Nationale* reveals the extent of his engagement in favor of the French colonial enterprise in Algeria. Burke and Tocqueville thus reveal the extent to which postcolonial perspectives can unsettle conventional or indeed ‘liberal’ readings of, in this case, the arch-conservative anti-democrat, and the arch-democrat respectively. See also Hobson (2012) for a similar reading of Marx in the context of IR.

Hegel’s thought also contains a universalizing reason, which has come under extensive critique in postcolonial thought, including by Inayatullah and Blaney in this volume. The pull of this reason was significantly corrected by Sartre’s (1943) version of...
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phenomenology, where the dialectic is left hanging in a binary, being and nothingness, rather than resolved by a third term. Moreover, Hegel’s founding text (the Phenomenology) also contains other key figures of thought that have been especially productive for that thought, notably the master-slave dialectic (see Bhabha 2004; Fanon 1952). Hence Hegel occupies a deeply ambivalent place in postcolonial thought.

In a particularly poignant passage, Fanon (1952) describes his experience of sitting in a train in France opposite a mother and her little boy, and his powerlessness at the sheer fear that he seemed to be provoking in the child by virtue of his colour.

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2 Constructivism and the normative

Dangerous liaisons?

Naeem Inayatullah and David L. Blaney

the world we live in is shaped far less by what we celebrate and mythologize than by the painful events we try to forget. . . . Forgetting one’s participation in mass murder is not something passive; it is an active deed.

– Adam Hochschild, King Leopold’s Ghost

Introduction

The idea that we can change the world as we better understand it abides as an attraction of academic life. With the putative decline of political realism, the appeal and disciplinary success of norms constructivists rests in part on the reassertion of the activist and heroic aspects of academic life. Of course, criticisms of this vision abound. Critics, we among them, insist on the necessary complicity of contemporary academics in constructing and maintaining the structures and processes of global injustice. We also stress that recognition of that complicity will lead us to deeper ethical reflection and engagement.

Richard Price (2008), one of the key figures in norms constructivism, raises the issue of the ethical limits of international norms. We read his work as an invitation to dialogue and to openly debate the merits of norms constructivism. Frustrated with criticism of what he counts as norms constructivism’s achievements, he calls for answers to a simple question: might critics provide a praiseworthy target towards which norms constructivists can aim? We respond to Price’s challenge in two ways. First, we offer what might be seen as an internal critique of Price’s logic. We look closely at Price’s own sources, particularly other norms constructivists, like Finnemore and Sikkink, the international lawyers, Jochnick and Normand, and the international ethicist, Mervyn Frost, to suggest that Price underplays the darker side of modern ethical life which norms entrepreneurship assumes and promotes.

Second, we follow Ashis Nandy (1983, xvi–iii) in conjuring an alternative myth that we counterpoise to constructivism’s mythology of a settled ethical backdrop for norm entrepreneurship. We draw on Adam Hochschild’s King Leopold’s Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa (1999) to people our alternative account with exemplary figures (perhaps heroes), who teach us important lessons about complicity with colonialism that might inform
In search of praise denied

Price’s ‘Moral Limit and Possibility in World Politics’ (2008; references to page numbers are to this text) offers a trenchant defense of ‘norms constructivism’. He argues that constructivists are well placed to adjudicate the limits and possibilities of moral change, including addressing important moral dilemmas. Seemingly baffled and angered by criticisms of the ‘achievements’ of norms constructivism (209), he wonders why some would withhold moral praise for such accomplishments. Against skeptics and skepticism, Price embraces ‘progressive moral change’. As examples, he cites ‘the movements to end slavery and apartheid, the rise of human rights norms, humanitarian intervention, and the effects of humanitarian norms of warfare’ (192).

Critically minded scholars’ condemnation of these changes, Price confesses, caught him by surprise. He accepts that constructivists have, to date, mostly studied the origins and operation of ‘happy’ international norms (such as the abolition of slavery) rather than ‘bad’ norms (such as, say, slavery itself). While he thinks constructivists are well positioned to overcome this, he admits that they, like all people, are complicit in the oppression created by the very social structures that they also tout. Indeed, constructivists are well placed to uncover ‘identification of the complicity of humanitarian developments with the oppressive’. But by dint of...
the same argument he insists that ‘this agenda also points toward the humanitarian potential in social structures that some critical theorists may condemn for their repressive effects or potential’ (207). The fact that scholars are embedded in social structures works both ways: Price is happy to admit the complicity in oppression if critics will admit to the complicity in humanitarianism and moral progress, though, as we shall see, Price only wants half the bargain.

Price laments that critics seem unwilling to acknowledge this two-way flow. In particular he is irked by two critical legal scholars, Jochnick and Normand, who ‘excoriate’ the norms of warfare. Price cites the sharp point of their jab:

Despite noble rhetoric to the contrary, the laws of war have been formulated deliberately to privilege military necessity at the cost of humanitarian values. As a result, the laws of war have facilitated rather than restrained wartime violence. Through law, violence has been legitimated.

( Jochnick and Normand 1994, 50)

He deems this a one-sided critique and shows his frustration: ‘Critics of just war norms importantly underscore that these norms suffer from inadequacies in restraining the character of contemporary large scale violence – but, one must ask compared to what?’ (208).

We will return to this question but, for the time being, we trace Price’s frustration to its apex:

It must be noted that there are difficulties with the one-sided critique of these claims, not the least the lack of consideration of a plausible counterfactual scenarios and assessment of the implications of empirical cases to the contrary. To cite one obvious but telling example, what would the destruction of Iraq in the Gulf War of 1991 have looked like in the absence of norms that constrained the blatant targeting of civilians enough to prevent any bombing of Iraqi cities after the well-publicized bombing of a Baghdad air-raid shelter, let alone the use of nuclear weapons.

(208)

We take Price to say that the critique of norms of war is one-sided because the admiration and praise for moral advance is absent. Why, he asks, is there no mention of such progress? Without the restraining influence of such norms, surely the bombing of Iraq would have been much worse.

A reading of the two articles by Jochnick and Normand betrays what appears, on first glance, as Price’s interpretive haste, but actually reveals his deeper deflection of the colonial context in which ‘progressive moral advance’ takes place. Jochnick and Normand (1994) are at great pains to show that the laws of war – in ancient legal codes (61), in the early modern period (62), in various congresses in the 19th century (64–68), in the Hague conferences (68–77), and in the efforts in the 20th century (77–96), and even at Nuremberg (89–95) – have always
betrayed humanitarian goals for military purposes. Their verdict on Nuremberg is stark and chilling:

Notwithstanding its significant humanitarian accomplishments in the area of crimes against the peace and crimes against humanity, the Nuremberg Tribunal actually helped legitimate unrestrained conduct in war by refusing to convict, or even prosecute based on violations of the laws of war. Regardless of whether this reluctance was based on Allied unwillingness to face legal scrutiny of its own conduct, the Tribunal set the clear precedent that international law tolerated massacre of civilians, including those by nuclear weapons.

While their dark assessment of Nuremberg recognizes the ‘significant humanitarian accomplishments that Price demands critics acknowledge,’ Normand and Jochnick can offer only a negative reading of norms’ impacts on the execution of the 1991 Iraq war. Rather than exhibiting commendable restraint in Iraq, the US-led coalition perpetrated ‘one of the most unbalanced applications of military force in history’ (Normand and Jochnick 1994, 390). Not only was the war terribly destructive, Normand and Jochnick show how powerful states use the laws of war to reach their military and political goals and, more generally, how ‘internationalism may be a guise for the continued subjugation of developing countries by the industrial north’ (416). Laws of war, rather than constraining, allowed for the legal and legitimate destruction of Iraqi civilians.

Normand and Jochnick gesture towards the deeper, structural conditions in international society that permit the powerful to have their way. Nods and bows to the ‘rules’ are important, impressive, and cumulatively morally progressive, but, in the final analysis, the powerful use those rules as means to get others to submit. Despite Price’s seeming defiance of the critics most incisive accusation, he does articulate the central charge – that norms constructivists fail to see that ‘larger systems are fundamentally unjust’ (210). It is this possibility that must be, to use Charlotte Epstein’s language, ‘evacuated’ and ‘excluded’ (Epstein 2008, 9). This formulation upsets Price because it fails to answer his question: if critics deem the restraint shown by the US Coalition inadequate, then what action might count as praiseworthy? Price is contemptuous of such hyper-criticism: ‘Pushed too far, this ultimately results in a critical theory that seems inadequate to recognize progress, leaving it in a state of ethical paralysis’ (208).

Price thus offers scholars two options: We can embrace an empirical inquiry that suggests the possibility of ‘progressive moral advance,’ or we can sink into ‘a state of ethical paralysis.’ But Price locks us into this ‘obvious’ choice only via an act of historical denial – a refusal to recognize that his ‘progressive moral advance’ occurs along with and as a part of colonial violence. If Price were to acknowledge this description of the colonial context of IR, he would face two different options, neither of which leads to ethical paralysis, though both respectfully decline to recognize norm entrepreneurs for their ethical heroism. Either he could give up his ethical heroism and adopt an anti-colonial critique, or he could accept
colonial violence, even genocide, as the necessary cost of his ethical heroism – a kind of secular theodicy that sanctifies colonial violence as necessary to the unfolding of moral progress (see Inayatullah and Blaney 2010).

The second option is both implicit in Price’s own ethical commitments and denied and excluded. Indeed, it must be denied if Price is to sustain the relatively unblemished ethical privilege of the norm constructivists. To see this, we need to pay special attention to his arguments in the section ‘The Relation of the Empirical to the Ethical’.

Price wants to establish ethics as central to empirical inquiry. To do so, he turns to Mervyn Frost’s exploration of the constitutive role of moral ideas in the international system. This move is important for it seems to distance Price from the need to invoke a transcendental moral system that he could then bring to bear on the international system. Instead, following Frost, he finds ethical materials already present. This move aligns with contemporary constructivist thinking on ethics, like Onuf’s account of international social life as ‘a world of everyday ethics’ in which people live according to and with the ‘standards that make their worlds inescapably their own’ (Onuf 1998, 669–70) or Walker’s notion (1993, 50–51) that international relations theory and practice is ‘already constituted through accounts of ethical possibility’. The point is potentially powerful: to give an account of the international system is to map its existing ethical contours.

Price appears to begin humbly, recognizing that an emphasis on ethics as description or as integral to explanation requires that we get the ethical descriptions or explanations right. For example, he acknowledges that we cannot simply presume a unified international ethical community, as Frost seems to do (197). Despite this apparent doubt, Price’s engagement with Frost quickly raises the stakes, implying that constructivist empirical inquiry can adjudicate between various accounts of ethical possibilities within a universalizing modern history. Following Hegel, Frost (1996, Chapter 5) suggests that the modern era, with its distinctive recognition of individual freedom and rights connected to citizenship, arrives along with the modern state in Europe, which is gradually spread across the globe. A communitarian global ethics thus turns on the recognition of sovereignty and the states system as the institutional underpinnings for the norms of the international system.

However, Price argues that other accounts of the institutional underpinnings of modern ethical life are possible (198), though his account narrows our ethical vision. He points to cosmopolitan thought to suggest that a different set of institutional conditions (international interdependence; global governance, universal human rights) may be necessary to achieve the ethical fruits of modernity. Price inadvertently (and rightly in our view) exposes the communitarian-cosmopolitan debate as between competing claims about the institutional underpinnings of a modern vision of the world, not a wider exploration of ethical possibilities, such as those suggested by postcolonial scholars in IR, an issue to which we will return below.

It is the more limited set of ethical alternatives – between modernist communitarian and cosmopolitan ethics – that Price aims to adjudicate as empirical
questions. For example, we are asked to weigh the relative consequences of decisions to intervene or not for humanitarian purposes (199–200), but the standards for that weighing are presumed as part of the given backdrop of modernity. Norms constructivism works its empirical magic only against a broad historical story of (Western) international society, deciding whether and in what mixture cosmopolitan or communitarian institutional underpinnings best realize what is already given in the universal history of modernity’s advance. What Price delivers, then, is an empirical science that explores and makes possible the progressive unfolding of modern consciousness and ethics.

What Price’s constructivism does not or cannot tell us is equally important. He gives no account of the ascendancy of modern norms, nor does he investigate the possibility of alternative ethical visions. Here we have the central ‘empirical’ exclusion of Price’s account: gone is the colonial imposition of modern institutional forms; erased is the violence, the blood, the resistance, the destroyed ways of life. The answer might be that this is all in the past; now we can move forward with an empirical agenda of ‘progressive ethical advance’. But we can move forward readily only if the violence was complete, if the defeat of any alternative vision was so absolute that there really is no live alternative vision of international ethical life. If so, the claimed capacity to ‘unpack the dichotomy between relativism and universal objectivism’ (199) turns on the prior and complete destruction of alternatives. The ethical heroism of norms constructivism has cultural genocide as precondition.

Acknowledging this seems too painful. Much constructivist work trades in images of ‘persuasion’ and ‘consent’, excluding or denying the power involved. For Finnemore and Sikkink (1998, 895), norms have a ‘life cycle’ – a process of expansion and growth involving norm acceptance, norm cascades, and peaceful and voluntary internalization. There is no hint of coercion in this language – no epistemic, structural, or physical violence. But norm entrepreneurs do seem to need the ‘leverage’ that comes with control of information, symbols, accountability processes, and practices of shaming (Finnemore and Sikkink 2001, 401). Yet, the reference to ‘leverage’ hints at the ambiguities in the idea of ‘internalization’ or ‘socialization’ documented by Epstein in Chapter 5, where the existing identity and values of the ‘socializee’ is ignored so that the process of internalization appears without loss or resistance, or where norms emerge via a power-laden process that distinguishes normal identities and practices from de-valued others (see Epstein 2014).

A similar tactic and ambiguity is found in Risse (1999, 530), who distinguishes three modes of action that facilitate the progressive internalization of norms: ‘forced imposition,’ habituation, and ‘processes of moral consciousness raising, argumentation, dialogue, and persuasion’. At the outset, he admits that we find these modes combined – that ‘moral consciousness raising,’ the mode he wishes to stress, ‘rarely takes place in a power vacuum’ (Risse 1999, 531). Yet he argues that the role of power is not ubiquitous but an empirical question (Risse 1999, 536). In that open and inquiring spirit, he argues that norm internalization functions as dialogue or persuasion where actors share a ‘common lifeworld’, a set
of common values or a collective history. He names this space of relatively non-coercive argument and persuasion a global public sphere (Risse 1999, 534). The empirical debate, then, concerns whether the international system looks like a public sphere, but the power it takes to create a global public sphere is not discussed. Nor do we hear much about the exclusions necessary to the constitution of its norms (see Bially Mattern 2005).

To his credit, Price admits that the advancement of norms may carry a darker side, but the admission is thin. In return for this admission, he asks that critics accept the progressive side of modernity (207). What he does not admit into the discussion is that this kind of trade requires the erasure of alternative modes of life and their ethical visions in return for the advantages of modernity. If we re-admitted this ‘erasure’ into the exchange, the debate about European colonization becomes central to the discussion of norms – socialization and the character of a global public sphere. No longer could the privilege of norm constructivists be secured through truncating a more basic historical discussion. And no longer could the critics of norms constructivism be dismissed as relativists.

Informed by a broader historical discussion, we might arrive at a different account of the ethical contours of the world. There is not one world of ethical possibility to which we need refer, but many worlds (we gloss Walker 1988). If the genocidal violence of modernity has not been absolute, we might highlight the ‘cultural complexity’ of global ethical life: competing visions for constructing global social and political space form and circulate within and across complex cultural terrains (Hannerz 1992). These visions overlap and interact, containing multiple dominant and recessive voices (Nandy 1987, 12–18). And, importantly, processes of cultural differentiation and interaction have entailed relations of domination and subordination (Appadurai 1996; 23, 46, 64). If so, the ethical vision of modernity is ‘settled’ only by active forgetting or the continual violent erasure and/or subordination of alternative visions. So that, for example, the process by which slaves imagine their freedom and redeem themselves remains obscured by the abolitionists’ definition of legal freedom (Shilliam 2013) or the protests of those of African descent against the complicity of a liberal order of rights in their subservience disappears from the official accounts of human rights norms diffusion (Grovogui 2011).

The empirical/ethical task of the IR scholar likewise begins to look quite different. We would investigate how modern institutions and practices create domination and subordination. We would explore the way the ethical contours of modern international society have been ‘settled’ by acts of violence and remain settled by acts of historical denial. We would explore the implications of alternative visions of globality or the international that challenge the contours of modernity, but this requires thinking beyond the temporality of the modern, in which existing alternatives have been rendered impossible by being displaced into the past (Blaney and Inayatullah 2010; Hutchings 2008, Chapter 7). We would treat international relations as an exploration of difference (see Inayatullah and Blaney 2004). This is not ethical paralysis, though it does remove the ethical sheen and virtuous presumption from norms constructivism.
Price does allow domination of the world by a modern consciousness to find a way into his account. But he inserts the critics of colonial imposition into a role in a debate between relativism and universalism, where the modern stands in as the universal, which is always vindicated in the face of the particularity of the critics. Beyond this move, Price provides little basis for choosing the universalized modern as the basis for ethical judgment in international society. The only way out of this problem for Price is to appeal to a standard of ethics from beyond the theories and practices of IR – to an unimpeachable standard verified on philosophical grounds. He seems to recognize that this is impossible, but one can sense the appeal such a position holds for him (and for norms constructivists in general; see Hoffman 2009, 243).

In the end, Price cannot give full play to an anti-colonial critique that would imperil the ethical heroism of norms constructivism. Nor can he acknowledge colonial violence as a necessary cost of his ethical heroism. This would require admitting that he has imported an entire theory of history, with all its teleological alibis for death and destruction. Coming clean with such a theory of history would push norms constructivists into a debate with critics in which the ethical/scientific privilege of the constructivists would likely be undermined. Such a debate would turn on how we understand history.

**Praise delivered**

What must the norms constructivists do to receive the moral praise that they seek? We attempt to answer this question by juxtaposing the positions taken by norms constructivists with two characters in Adam Hochschild’s *King Leopold’s Ghost* (1999). Specifically, we follow the two main heroes of Hochschild’s narrative, E.D. Morel and Roger Casement, as they build a very successful international movement to stop the Belgian king’s systematic plunder and killing of Africans in the Congo.

Hochschild explains that, in the great European land-grab of Africa, the Congo became the private property of Belgium’s King Leopold II. The status of Congo as a private colony was recognized by all the major states of the world with the U.S. first to offer recognition. Under a humanitarian guise, Leopold was able to secure large profits from his colony through harvesting ivory and wild rubber. The harvest was lucrative and deadly as Leopold’s labor practices turned the population into virtual slaves. Hochschild estimates a decline of population of 10 million between 1880 and 1920. He thereby asserts that Leopold created one of the world’s great holocausts.

For ten years, this mass exploitation and systematic plundering of Congo was unknown to the larger world. This changed only when circumstances allowed Edmund Dene Morel, one of the two main heroes of Hochschild’s narrative, to draw some horrific conclusions. Morel was employed by a shipping company used by Leopold to haul ivory from the Congo. He noticed that what replaced the unloaded ivory – soldiers and firearms – did not indicate a free exchange of goods. Morel deduced that the soldiers and weapons were used to control the slave labor that harvested the ivory. So began an international crusade to expose Leopold’s crimes of plunder in the most profitable African colony.
A second hero is Roger Casement, an Irishman whose twenty years of experience in Africa allowed him to witness firsthand the systematic exploitation and brutality in Leopold’s colony. Casement and Morel met, developed a lifelong bond, and together founded a movement to expose Leopold. Morel was able to mobilize journalists and editors of major magazines and newspapers in Britain, the United States and, eventually, worldwide. The movement had branches in England and Scotland through which Morel was able to apply pressure on the British government.

Much of the momentum of Hochschild’s narrative is driven by the friendship between these two men and by the bold determination with which they constructed an international movement to expose and arrest Leopold’s machinations. Of course, Leopold himself lacked neither for effort nor resources to counter the labor of our two heroes. The propaganda and counter-propaganda intrigues between Leopold and the Congo reform movement fires the reader’s imagination and pulls the reader into a world-wide drama of some consequence. Indeed, as Hochschild claims, Morel and Casement created one of the world’s greatest investigative stories (Hochschild 1999, 187).

Hochschild’s story might support the norms constructivist arguments. Morel and Casement successfully generate a world-wide movement (a ‘transnational advocacy network’ in Keck and Sikkink’s [1998] parlance) that exposed and arrested the quasi-slavery perpetrated by Leopold. Additionally, Hochschild’s book retrieves a mostly forgotten part of European colonial history and it rekindled these events for the contemporary public imagination. He recounts some of the impacts of the book in the 2005 afterword, ‘Looking Back,’ appended to newer paperback editions. People worldwide were moved; statues of Leopold were desecrated; and Dutch colonial societies condemned the book. Thus, Hochschild himself might be treated as a norms entrepreneur, supporting reparations and truth in the face of past brutality, and counted among the heroes, someone deserving of the kind of moral praise Price demands.

We might read the lessons somewhat differently. All three of our nominated heroes demonstrate great sensitivity to the limits and even tragic costs of their putative success – a sensibility that tempers their own claims to heroism and makes them uncomfortable with potential praise. Morel, Casement, and Hochschild, unlike our scholarly transnational norms entrepreneurs, are too embedded in life’s complexity to harbor themselves in the calm waters of a triumph. How is this so? Hochschild builds his heroes with an awareness of their limits. Morel, the stalwart of the movement against Leopold, believed that Africans possess a heightened sexual drive that threatens white women, believed in free trade even within the colonial context, and, as a nationalist, continued to believe in the civilizing power of British colonialism (Hochschild 1999, 210). Morel appears the most limited initially. It seems that he was so enraged by Leopold’s villainy that he ignored his own country’s use of forced labor – wide though far less murderous – in its African colonies, particularly in the east and south. There is nothing inherently wrong with colonialism, he felt, if its administration was fair and just. He believed that to
be the case in the British colonies in west Africa, where, to be sure, there was no rubber terror and no massive seizure of all so-called vacant land. In the later stages of his Congo campaign, he even found time to go to Nigeria and write a generally approving book about British rule there.

(Hochschild 1999, 210)

The cost of ‘remembering’ or ‘uncovering’ Leopold’s crimes, we might say, is that Morel must not remember and must not uncover Britain’s own crimes. Nor must he recall that, relative to puny Belgium, British colonialism was global in scale. As Leopold’s counter-propaganda highlighted, the British colonial system produced opium wars in Asia, floggings in South Africa, labor abuses in Sierra Leone and human extinction in Australia (Hochschild 1999, 237).

Morel, Hochschild explains, felt at home within what we might call British exceptionalism. Even though he accepted that the events taking place in the Congo were part of a wider ‘system’, Morel simultaneously believed that ‘Leopold’s system of rule constituted a unique form of evil’ (213). He felt that the moral authority and practical power of Britain could be and ought to be used to undo slavery, ignorance, and paganism. The British could provide the rest of the world with ‘steam, free trade, and revealed religion’. He accepted the terms of an ‘evangelical imperialism’ (Hochschild 1999, 212).

Tellingly, Hochschild observes that Morel’s success was based on allowing the ruling classes of England to participate in his crusade without those classes feeling their own complicity and without threatening their material interests (Hochschild 1999, 212–13). Here we might juxtapose the heroic norms entrepreneur, Morel, of days past and the norms entrepreneurs and norms constructivists of today. We shall see, however, that this comparison is not quite fair to Morel.

Roger Casement is still more interesting and complex. Though Morel’s strongest supporter and co-founder of the movement, as Hochschild suggests, Casement’s Irish-ness and his secret homosexuality create doubts in Casement that eventually move him in a decisively different direction: After decades of internal struggle as resentful servant of the British foreign service, Casement eventually allows his best self to emerge; he creates within himself a continuity between his Irish self and Leopold’s slaves. Hochschild cites Casement:

“In those lonely Congo forests where I found Leopold,” he wrote to a friend, “I found also myself, the incorrigible Irishman”. To another, he said that “it was only because I was an Irishman that I could understand fully, I think, the whole scheme of wrongdoing at work on the Congo”. He had come to feel that Ireland, like the Congo, was a colony, and that here, too, the core injustice was the way the colonial conquerors had taken the land. “I realized that I was looking at this tragedy [in the Congo] with the eyes of another race of people once hunted themselves”.

(Hochschild 1999, 268)

Here, Casement links his sensitivity to injustice imposed on others to the injustice he feels imposed on himself as an internal other of the Empire; the Congo natives
and Irishmen are both hunted by Europeans. Casement thus chides Morel for his commitment to Britain’s moral exceptionalism: ‘I have no use for your British government. . . . When I think what J.B. [John Bull] has done to Ireland I literally weep to think I must still serve – instead of fight’ (Hochschild 1999, 268–9).

Parallel to Price’s reaction to radical critics, Morel is baffled by Casement’s radical alignment. The exasperated Morel wants to know exactly what Casement would have him do: ‘forgive me for saying so, it is a little difficult to know exactly anything [that] could be done that would fall in with your exact wishes’ (Hochschild 1999, 269). Neither Price nor Morel want to engage Casement’s intuition that, indeed, there is something that could be done, that they can uncover something that would fall into Casement’s exact wishes: a more systematic anti-colonialism. Their reluctance bespeaks their understanding that the price of this uncovering is high. They understand that the solidarity between the external and internal other that Casement pushes towards not only undercuts their material interests but also places them in danger.7

Later in life, Casement acts on the homology between his Irish nationalism and his anti-colonial sentiments. He turns to the Germans with a proposition: If the Germans would help Ireland retain its independence after the war, he would train Irish prisoners of war, the ‘Irish Brigade’, to fight against the British.8 Casement hoped that ‘if the Irish Brigade could not fight in Ireland. . . , it would fight besides the Egyptians, another colonial people yearning for freedom from Britain. His plan, he wrote in his diary, was to “link the green flag of Ireland with the green flag of the Prophet & . . . drive the allies into the sea” ’ (Hochschild 1999, 284–5).

Hochschild does not withhold praise for Casement’s linkage: ‘Like far too few nationalists, Casement’s passion for freedom applied to all peoples, not just his own’ (Hochschild 1999, 286). Or, better, Casement understood that an aspect of freedom is its non-fungibility; that his own freedom emerges in, through, and with the freedom of others. This equation was costly for Casement. The Germans deposited him on the Irish coast, where he was eventually apprehended, found guilty of treason, imprisoned, and, despite appeals from celebrities and officials around the world, executed.

Even Morel would arrive eventually at a principle that would land him in trouble with such high officials of colonialism as Lord Cromer, namely, that the land and its produce belong to the colonized (Hochschild 1999, 272–3). This is as far as Morel would go towards criticizing Britain. Not as far as Casement but perhaps still further than our contemporary norms constructivists.

After recounting the story of the Congo reform movement for nearly 275 pages, Hochschild’s penultimate chapter asks a crucial question: ‘Did it do any lasting good?’ (Hochschild 1999, 277). Asking this question directly foreshadows Hochschild’s conclusion. There was no marked drop in reported abuses after the Belgian government took over from Leopold in 1908. There was less news of women and children being burned and no more official sanctioning of hand severing, but the new regime was neither kinder nor gentler. Instead, new methods of forced labor were created. In sum: The central part of what Morel had called the ‘system’ remained in place (Hochschild 1999, 278). Leopold’s crimes were also perpetrated in neighboring colonies. The extraction of rubber by means of forced
labor was present in the ‘French territories west and north of the Congo River, in Portuguese-ruled Angola, and the nearby Cameroons under the Germans’ (Hochschild 1999, 280). At the same time, the Germans were butchering the Hereros; the US war in the Philippines left 200,000 Filipinos dead; the British continued to kill Australian aborigines; and the American Indians were ‘decimated’ (Hochschild 1999, 281–3). Why, then, were the Belgians singled out? Hochschild’s conclusion is instructive: ‘Certainly one reason Britons and Americans [sic] focused on the Congo was that it was a safe target. Outrage over the Congo did not involve British or American [sic] misdeeds’ (Hochschild 1999, 282).

Our third hero, Hochschild, also acquits himself well. In our reading, Hochschild uncovers the social construction of deflection: the Congo reform movement’s success was premised on its ability to remain focused exclusively on Leopold, Belgium, and the Congo. The Congo served as a screen on which to project and amplify the horrors of Leopold’s crimes while the horrors of complicity with one’s own governments’ crimes could be minimized and ignored. In this move, Hochschild also pinpoints what is required to undo this projected deflection and the consequences of doing so, as Casement’s connections, risks, and execution showed.

In the final chapter, ‘The Great Forgetting’, Hochschild bemoans that European museums and European textbooks make no mention of the 10 million killed in the Congo. He goes on to describe how so much of Brussels is built on the sweat and blood of those 10 million. He insists that this ‘great forgetting’ is neither unique to Brussels nor Belgium. He then delivers a poignant punchline:

the world in which we live – its divisions and conflicts, its widening gap between rich and poor, its seemingly inexplicable outbursts of violence – is shaped far less by what we celebrate and mythologize than by the painful events we try to forget.

(Hochschild 1999, 294)

The key word is ‘try’ – because ‘trying to forget’ is not the same as having forgotten. In the latter, we can still profess some version of innocence; the former requires concerted effort. As Hochschild intuits, ‘Forgetting one’s participation in mass murder is not something passive; it is an active deed’ (Hochschild 1999, 295).

Hochschild’s indictment of Europe and the West is plain: Europe acts to forget its systematic engagement with a murderous colonialism. What is also plain, even if he does not say so directly, is that against the weight of the story of forgetting he has just told, the efforts of Morel, Casement, the Congo reform movement, even his own work, do not amount to very much.

In the final two pages of the book, Hochschild capitulates to the commercial need to present a more positive and uplifting ending. He cites the two ‘achievements’ of the Congo reform movement: providing information for the historical record and keeping ‘alive a tradition, a way of seeing the world, a human capacity for outrage at pain inflicted on another human being’ (Hochschild 1999, 305). But the significance of this historical record and the tradition of
outrage depends on how we deploy it. It depends on whether we highlight the kind of courage and critical insight shown by Casement or whether we use it to emphasize the triumphs of heroic norms entrepreneurs and modern moral ‘progress.’

Coda

Perhaps we cannot live without myth. Our myths orient us to the world and give ethical meaning. But if myths point us to what is important, they also enable acts of forgetting. The myth of modern progress, despite its explicit narrative of historical advance, perpetrates a deflection of memory: that the triumph of the modern era – and its centering of our ethical projects – was paid for in violence and the near eradication of those occupying alternative worlds. This historical deflection locates all of us in a moral present that allows praise of norms entrepreneurs and orients them and us to a future of good and kind deeds. Yet we also need myths that display the tragic foibles of our modern heroes – the violence attendant upon our modern ethical certainties and the darkness accompanying ethical triumph. These alternative myths keep us in touch with our complicity in the injustices we condemn.

These myths that invoke our complicity draw us into, not away from, deeper ethical reflection and engagement. Mervyn Frost (2005, 488–9) insists that the presence of tragic ethical dilemmas invites us to think beyond the immediate injustices we battle – ‘to consider the overall architecture of the multiple social practices within which we are constituted as the actors we are’. But this invitation is not easy to accept. As David Williams (2009, 249; 231) notes, ‘we live in a dread of guilt’: our desire for ‘moral purity or perfectibility’ leads us to erase the ‘moral stain’ of the colonial experience that has constituted us as moral actors and paralyzes our ability to act to repair colonial injustices. Locating greater and deeper moral possibilities for world politics requires that we first recognize our own dark heart, instead of calling for moral praise for our limited and tainted accomplishments.

Notes

1 A different version of this text appeared as Inayatullah and Blaney (2012).
2 Perhaps less one-sided, Kinsella’s work (2011) on the laws of war suggests that the distinction between civilian and combatant remains unstable and that, combined with discourses of ‘civilization’, these norms enable killing ‘civilians’ as much as they restrain.
3 In Robert Cox’s terms (1986, 207–10), Price backs away from genuinely critical theory, embracing a ‘problem solving’ approach that takes the wider structures of world order as given.
4 Interestingly, Frost draws on Hegel to explicate the meaning of modernity but excludes Hegel’s own bloody account of the arrival of this ‘world history’ (1991, sections 330–60).
5 Sikkink (2014) does attempt to defend norms constructivism against the charge of ignoring Western domination by demonstrating that the South too has participated in norm creation. Yet her historical reconstruction demonstrates the exclusions involved.
The Latin American ‘South’ is represented by creole intellectuals who articulate legal doctrines turning on the idea of a ‘community of civilized nations’ that effectively exclude and demonize non-creole barbarians: the indigenous, the peasant.

Our point is not so much about hubris, though norms constructivists may be vulnerable to it. We want instead to draw attention to the moral dilemmas that arise in the exercise of power for moral ends ‘in a world characterized by competing ethical perspectives’ (Lebow 2005, 329).

The dangers should not be fully equated. Casement and Morel risk their lives; Price risks academic status.

A similar move was made by Subha Chadra Bose who, during WWII, formed the Indian National Army from Indian prisoners of war captured by the Japanese.

References


Constructivism and the normative


3 Colonial rationalities, *post*colonial subjectivities, and the international

Vivienne Jabri

The international is a location of politics the distinctiveness of which is historically defined in juridical-political terms, abstracted from the social-cultural terrain. Where the juridical-political evokes sovereignty and territorial limits, the social-cultural is a messier terrain, evoking identity, language, ideas, changing and unpredictable affiliations, movement and circulation. It is tempting to reify the former at the expense of the latter, or to retain a dualistic ontology where structure is separate from meaning. We might associate the former with ‘realist’ thinking in International Relations and the latter with ‘constructivism’ (see, for example, Ruggie, 1998). Historicizing the international reveals the complex imbrications of socio-cultural frames of reference with emergent juridical-political structures associated with Europe at the dawn of modernity, a time and place replete with conflict and contestation over political authority and locations. In the dominant discourses of International Relations, Europe scripts, indeed invents, the international.

This particular narrative erases from view the non-European together with the histories and interactions constitutive of relations between geo-political entities beyond Europe (see Hobson, 2004). It is this erasure that is then repeated through European colonial expansion, reinforcing a narrative that confers the authorship or design of the international to the European subject as if this authorship had its origins in a tabula rasa, a point zero where no other subject of history could be construed or imagined. This same move can be said to be present in narratives that define the normative order of the international. To provide a critique is to reveal the workings of such erasure, not just historically but in the present, and to reintroduce the subject of history as the *post*colonial subject. This double move is the aim of the chapter.

Discourses on norms are with us on a daily basis, mobilized in legitimizing strategies related to a multitude of issues, from climate change to human rights to interventions in conflict. Nowhere are norms more readily called upon, or more implicated, than in contexts of war and responses to conflict. That there is contestation around interventionist practices, especially when these are militarized responses, reveals much beyond the immediacy of the situation at hand and points us to the epistemological and ontological foundations of the normative structuring of the international. These are predominantly seen as having their genesis in
Colonial rationalities

Europe and spreading historically to encompass a world order where normative limits to decisions and actions derive from the realm of the international as a structured, rule-governed terrain of politics. Postcolonial states come to acquire voice on an international terrain built on the distinctly modern idea of sovereign equality. The problem, however, is that the distribution of normative capital remains unequal, and the postcolonial world, as witnessed in the ongoing interventions against postcolonial targets, remains vulnerable to a colonial rationality, the continuity of which bears testimony to powerful and ongoing discursive formations where the postcolonial subject is not considered equal in agency or indeed worth.

To suggest that the contemporary historic juncture, though postcolonial, is still informed by what I am referring to here as a colonial rationality is to stress not just a legacy from the colonial past but specifically the ways in which this legacy is articulated in discursive and institutional practices that come to define late modern modes of colonization. These come in the form of militarized incursions, seen most constitutively for our present age in the invasion and occupation of Iraq as discussed in this chapter, but elsewhere too where the assumption is that local populations are variously culpable in their own destruction, incapable of determining their own futures, and expendable, all practices framed in late modern normative discourses of rescue and humanitarianism. The colonial rationality that informs such interventions is a rationality of ‘government’ understood in Foucaultian terms: it involves the categorization and division of populations (in Iraq most prevalently in terms of a Sunni-Shiite sectarian divide); the policing and surveillance of local populations and their movements; outright racism in the conduct of foreign militaries manning roadblocks; and the use of collective punishment to discipline and deter dissent. The colonial rationality is unlike other governing rationalities in liberal societies: it is predominantly based on the view that the target population is somehow lesser in capacity to self-govern (agency) and worth (having a right equal to the invader in terms of life and respect). Both in turn are informed by an underpinning racism.

It is important from the very outset of this chapter to highlight the point that the use of the concept ‘colonial rationality’ does not somehow deny nor eschew the ‘postcolonial’. The political resonance of the colonial rationality as a way of describing contemporary practices is exactly located in a historic time and place wherein the world formerly colonized had, through anti-colonial resistance, achieved independence and hence sovereignty. The ‘post’ in the postcolonial is hence profoundly significant not just in the juridical-political sense, though this is core, but also in the socio-cultural sense – in the self-understanding of postcolonial populations. Practices informed by the colonial rationality in the present (and responses thereto, though this is not the subject matter for this chapter) can only be understood in this postcolonial context.

The chapter focuses on how the normative structuring of the international is implicated in the colonial rationality that I suggest is the basis, the condition of possibility, for the violent incursions and dispossessionsthat continue into twenty-first century modes of colonization. Drawing primarily on Fanon, and following a discussion of discourses that have drawn the postcolonial world into
understandings of the normative international order, the aim in the chapter is to reveal the workings of epistemological and ontological negations of the postcolonial subject and their violent implications. The practices that stand out for this author as the most evocative and most pertinent to the critique developed here include contemporary modes of warfare unleashed against populations, the wholesale destruction of national infrastructures and economies, accumulation by dispossession not seen since the colonial era, the systematic abuse of populations and their citizens through humiliation and torture, and the destruction of the postcolonial modern state as such. Any discourse on international norms and critiques of norms perspectives is called upon to reflect on the conditions that not only render these practices possible, but how it is that these practices can rely on the normative structure of the international for their legitimization.

The chapter derives its analytics from previous engagements with postcolonial subjectivity and the constitution of the international (Jabri, 2013, 2014). The formulation, ‘postcolonial subjectivity’, suggests articulations of meaning and identity that recognize the formative legacy of colonial dispossession and the postcolonial condition. The latter is especially significant as it defines a break from the past through anti-colonial struggles that conferred meaning to postcolonial political community while being at the same time held firmly in the grip of the past. The ‘break’ as such is hence itself constitutive of postcolonial subjectivity, but it is a break that is constituted by a colonial legacy that does not disappear, but re-emerges in memory traces, narratives, and the hermeneutic positioning of the postcolonial self. The postcolonial international as structure is also constituted by the break from a colonial past that is constitutively part of the continuing present. The agency to transform the international derives from the interface between postcolonial subjectivity as defined here and the continuities, discursive and institutional, that come to structure the international as a distinct location of politics.

It is in the context of these continuities that ‘norms’ come to matter, in their emergence and structuration as well as their constitutive potential. Understood thus, norms are not only regulative: constraining behavior, sanctioning transgression, and rewarding conformity, but also constitutive, determining identities and differences, conferring value and symbolic worth, drawing inside/outside boundaries (see Kratochwil, 1989; Ruggie, 1998; and cf Walker, 2010). How the postcolonial subject is located in relation to the regulative and constitutive potentiality of the normative ordering of the international raises questions relating to how this ordering is implicated in constructing the formerly colonized epistemologically and ontologically and what this looks like from the vantage point of the postcolonial subject.

Drawing on this understanding of postcolonial subjectivity and the postcolonial international, the chapter places the lens on what I would refer to as the hermeneutics of erasure and its constitutive practices. Three arguments are made: the first suggests that the epistemological and ontological schema informing norms perspectives are based on a hierarchical rendering of the international and entities constitutive of this terrain; a hierarchy premised on the dichotomy between
the universal and the particular. The second focuses on culture and its uses as a technology that differentiates populations and that services the hierarchical ordering of the international. We see here the racialization of cultural differentiation as the core practice defining the colonial rationality and its practices. The third argument reclaims the postcolonial subject of politics suggesting that the very presence of the postcolonial re-instantiates and reinforces the international in the face of a resurgent colonial rationality that, to this day, remains a powerful force in international politics.

The chapter engages with Frantz Fanon’s understanding of the colonial condition and its legacy. As will become evident through the chapter, while Fanon was writing in the middle of the twentieth century, a time defined by the anti-colonial struggles of the era, his analytics of the colonial condition hold resonance in understanding the colonial rationality that informs late modern, twenty-first century practices. At the heart of Fanon’s ‘colonial schema’, as I will argue, is the dynamic of culture and, specifically, representations of the cultural life and institutions of the colonized. Importantly in the present context, Fanon reveals both the racial dynamics of such representations and the uses of culture as a technology of control. For Fanon, as will be shown, the point of resistance is not defined by rejecting the international and its normative constitution, but by the enactment of presence onto this terrain. It is precisely this presence that reveals and renders apparent the colonial rationality informing practices that seek to govern late modern postcolonial populations.

The chapter is divided into three parts. The first outlines the universalizing claims of perspectives in International Relations that place primacy on ‘norms’ as the binding force that holds the international together. From Hedley Bull to contemporary ‘English School’ theorists and constructivists, the formative claim relates to the ‘expansion’ of international society to incorporate the postcolonial world. The second makes a turn towards ‘culture’ and its significance in the epistemologies and ontologies of a discipline that has for long based its core assumptions on a limited historic terrain, both temporally and spatially. The section reveals the formative tensions that persist even as the discipline seeks greater ‘inclusion’ of non-western voices. The third and final section turns to the question of postcolonial agency in the normative constitution of the international, suggesting that such agency emerges from the aporetic relationship between the postcolonial subject of politics and the international.

**Universalizing norms**

The term ‘erasure’ seems appropriate for the present discussion. Epistemologically, it suggests a deliberate and intended act of production that relies on a negation. Through this act, the European subject emerges as the subject of knowledge and categories that must be defined in universal terms. The ontological positioning and the negation upon which it relies is well understood by both Foucault and before him Fanon; the latter first in his articulation of the issue in terms of the
schema within which the other of Europe is constructed, the ‘corporeal’ and the ‘historico-racial’:

every ontology is made unattainable in a colonized and civilized society . . .

in the Weltanschauung of a colonized people there is an impurity, a flaw that
outlaws any ontological explanation . . . Ontology – once it is finally admitted
as leaving existence by the wayside – does not permit us to understand the
being of the black man. For not only must the black man be black; he must be
black in relation to the white man. Some critics will take it on themselves to
remind us that this proposition has a converse. I say that this is false. The black
man has no ontological resistance in the eyes of the white man. Overnight the
negro has been given two frames of reference within which he has had to place
himself. His metaphysics, or, less pretentiously, his customs and the sources
on which they were based, were wiped out because they were in conflict with
a civilization that he did not know and that imposed itself on him.

(Fanon, 1952: 82–3)

Erasure hence assumes a being that exists, and elaborate work is done to reframe
the being of the colonized as a body shorn of history and subjectivity. In a rare
moment where Foucault comes close to acknowledging European colonization
and its practices as part of his analytics, he provides us with a glimpse of how the
elaborate work of production and negation I am highlighting here is so crucially
centred on a historico-cultural articulation:

In the universality of the Western ratio, there is this division which is the
Orient: the Orient thought of as the origin, dreamt of as the vertiginous point
from which nostalgia and promises of return are born, the Orient offered
to the colonizing reason of the Occident, but indefinitely inaccessible, for it
always remains the limit.

(Foucault, 2006: xxx)

The colonial rationality produces epistemologies and ontologies that provide
it with the remit to universalize from its starting base. Drawing on the two state-
ments above, one category that stands out in the various technologies mobilized
to service this rationality is culture, or what Fanon refers to as the ‘historico-racial
schema’, in other words, the racialization of culture. This chapter investigates the
continued impact of the colonial rationality in the normative structuration of the
international and the potentiality of the postcolonial subject to reframe and rede-
fine the hermeneutic of the international.

The international understood in a socio-political and juridical sense is not simply
a product of relations of power but is cemented together by rules and norms that
have meaning for players who are both defined by it and partake in its constitution.
The modern international acquires its specificity through a historic understanding of
the sovereign state and the limits that the international confers to political commu-
nity (Walker, 2010). Much postcolonial thinking departs from this understanding in
its critique of ‘national liberation’; however, to base postcolonial thinking on such a departure is to deny or even negate the formative moment, as defined by Fanon and Said, of anti-colonial resistance and the constitution of the postcolonial subject of politics (Jabri, 2013). As argued previously, the modern international, its facticity and normativity, provides the constitutive backdrop to anti-colonial resistance and the formation of postcolonial political communities just as these latter, in their emergence and presence, reassert the normative and juridical limits that the international is based on. As will be elaborated below, this postcolonial ‘schema’, to use Fanon, remains vulnerable to a rationality of government that sees the global as its remit of practices and the postcolonial states and populations its targets.

The paradox of modernity as a distinctive historical era is that it produces coloniality as well as the discourses that enable anti-colonial resistance and the desire for liberation from colonial rule. Postcolonial political subjectivity is informed and enabled by this understanding of the international. Since Bull and Watson’s *Expansion of International Society*, the postcolonial subject is simply understood to have been socialized into the frames of reference the origins of which were determined in Europe and its conflicts. Importantly, these frames of reference have a capacity to be universalized, thereby transcending the particularities of European cultural and socio-political dynamics.

The question of norms and the postcolonial world might be conceived as being situated between two perspectives, neither of which can fully capture the postcolonial world’s agency in shaping the structure of the international. The dominant perspective, the developmental, sees the postcolonial world as forever ‘catching up’ with the West. The other perspective, now increasingly catching up in its own right, might be referred to as the ‘culturalist’ perspective, where the postcolonial world is understood not in terms of the anti-colonial struggles and modern political subjectivity and independence, but in terms assumed to be more relevant to non-western societies: variously, tribe, religion, culture. Importantly, this latter perspective would also see Europe as constituted by the particularities of its cultural constellations, but again importantly, ‘Europe’ or ‘the West’ tend to be reduced to singular universal categories. Where the first perspective understands the normative constitution of the international as having expanded onto the global terrain, and with it ideas relating to state sovereignty, the international political economy, and modern conceptions of the individual as autonomous being, the second seeks to question the assumed universality of these ideas, locating them firmly in the particularities of European history and European colonialism. The difference between the two perspectives is not so much that international norms have a universal application, but how epistemologically and ontologically, the postcolonial world is understood to have related to the modern international. The first, the international society perspective, or what I am referring to here as the developmental perspective, places the lens on ‘socialisation’ (see, for example, Finnemore, 1996, and cf Epstein, this volume, for a critique), while the second seeks to normatively reclaim what its advocates see as the more representative cultural signifiers that confer specificity to the non-western world (Acharya, 2014, and cf Chua, this volume, for a critique).
Looked at from the perspective of the developmental camp, we can identify the
distinct framing that then allows for the reproduction of the hierarchical order that
legislates for agency in international relations. As indicated in an earlier engage-
ment with this question (Jabri, 2014), for the formative voice in the so-called English
School, Hedley Bull, the distinctiveness of the international derives from the rules
and norms constitutive of ‘society’ and these are in turn distinctly products of
European history and philosophy. The postcolonial world, post-independence,
comes to be incorporated into an expanded international society, valuing ideas
related to state sovereignty as the vehicle towards future agential capacities inter-
nationally. The terrain of the universal remains with Europe while particularity
and diversity reflect the rest of the world. For Bull, this very particularity is a
danger to the West and the wider normative constitution of international society.
Writing in his essay, ‘The Revolt Against the West’, Bull suggests that the postco-
lonial world presents a ‘dangerous’ heterogeneity that could threaten international
order, but would seek conformity with the given (European) order of things. Bull
seems to recognize what we might refer to as the potentiality of the postcolonial
subject of politics, albeit an understanding that sees the postcolonial in terms of
disruption and danger in the event of a failure to socialize.

The pedagogical framing is evident in Bull’s understanding of the ‘expansion’
of international society. Europe teaches and the rest of the world learns. The uni-
versality of the former has a capacity to contain the particularity (and heterogene-
ity) of the latter and its associated unpredictability. This containment, interestingly
for the present context, is a product of a shared consensus over the normative
framework that constitutes the international as such. Constructivist approaches to
norms build on Bull’s understanding of the international normative order, but have
surprisingly little to say about the universality/particularity dynamic that informs
so much of the discipline’s theoretical and conceptual frameworks. Focusing
on normative change, these perspectives highlight the dynamics of ‘diffusion’,
‘translation’, ‘grafting’, as processes that capture the ways in which particular
norms come to be accepted and institutionalized internationally. As Finnemore
and Sikkink (1998) recognize, these processes are by no means linear, as might
be suggested in a developmental model, but are reflective of contingent matrices
that inform contestation and negotiation over particular norms in international
politics. Calling on global institutionalists to move away from simplistic consen-
sus models, Finnemore (1996) suggests a more political understanding of the nor-
mative ordering of the international, where such ordering is a product of power,
conflict, persuasion, and political mobilization. While this is entirely desirable as
far as such institutional analysis is concerned, it nevertheless demands an under-
standing of how the universal as a category is always associated with western
epistemologies while the particularity of culture is seen to reflect the non-west.

Norms are hence sites of conflict and contestation. Nowhere is this more readily
discernable than in relation to human rights where the universality of individual
rights is contested in terms of ‘group’ rights. A cursory survey of discourses that
currently engage the United Nations Human Rights Council reveals the different
frames of reference, where one side seeks to retain the rights of individuals while
the other wishes to see the defamation of group religious rights as a norm recognized internationally (see Skorini and Petersen, 2016). A political understanding of the normative ordering of the international places the lens on the contingencies of global interactions and the multiple ways in which postcolonial states have historically navigated the terrain of the norms in global institutions. While the focus now, as shown above in relation to the OIC and the UN, is on religiosity and specifically Islamic discourses relating to disputes over the definition of human rights, postcolonial negotiations of norms have historically focused on racism, self-determination, global economic equalities and rights of access (we might think of the Non-Aligned Movement and its efforts to define a ‘new international economic order’ or a ‘new international information order’). Given the contingencies of power relations and the wider legitimacy of normative claims, the agency to make normative difference is situated in a historical context that confers differential and unequal symbolic and authorial capital to the postcolonial world.

The postcolonial international holds normative meaning in relation to the colonial legacy and the history of colonization. The postcolonial subject articulates subjectivities that relate to a background knowledge of this history and its continuing resonance. However, as suggested above, the question is how such resonance is implicated in the continuing structures of domination where epistemological negations feed into and inform the inequalities and vulnerabilities of the present global order. Looked at from the postcolonial perspective, and drawing in particular on Homi Bhabha (1994) as one of the major theorists of the postcolonial condition, we might say that the international and its modern normative ordering is a product of ‘hybrid’ discourses and therefore hybrid subjectivities, so that a clear-cut distinction between ‘the European’ and the non-European is not only historically simplistic, but also fails to recognize the negotiations and navigations on the terrain of the international that the postcolonial subject enacts.

The problem, however, is that although the concept of hybridity may usefully reveal the intersection of different discourses and normative understandings of the constitution of the international, it nevertheless retains a culturalist understanding of agency and subjectivity, at the expense of understanding the conflicts and contestations that historically inform different political positionalities, not just in the relationship between Europe and the non-western world, but within the latter. Postcolonial agency cannot hence be defined in terms of culture alone, but much more importantly in terms of how subjectivity relates to power. For this understanding, a turn to Fanon is far more productive, as the following section argues.

**Culture and the normative structuring of the international**

Culture is understood broadly as the realm of meaning that constitutes societies and informs their ways of being and doing. It is also a point of departure for dissenting voices, those who draw on the rules and norms constitutive of culture in order to achieve change. Culture in this sense goes to the heart of International Relations as a discipline and the modern constitution of the international as its
subject matter. Institutional and diplomatic cultures aside, the important aspect of ‘culture’ for our purposes here is that it can be used to define populations, identities, and positionalities, thereby being constitutive of what Giddens refers to as structures of legitimization and signification. The epistemologies and ontologies of international relations are hence imbued with cultural meaning and specifically that of the modern West. So all-encompassing is the cultural framing of the international that any departure from ‘the norm’ can be interpreted as constitutive of radical difference. So the question is not so much that IR is Eurocentric, but that its cultural framing is so hegemonic that the ‘heterogeneity’ of the world has to be met and managed.

Modern discourses, as reflected in the social sciences and humanities, have a tendency to seek universal categories that are clearly distinguishable from the particularity of the empirical world. In this Kantian-inspired understanding of epistemological reasoning, to ‘know’ the world is to have a positionality that has a self-legislating capacity to stand apart from it and to make use of abstract categories that in turn have the capacity to capture the world epistemologically. This capacity is, as indicated by a number of postcolonial scholars (see Chakrabarty, 2000), attributed to the European epistemic subject who, in the colonial period and beyond, comes to be the legislator of knowledge, including that which relates to the territories and populations colonized. This epistemic primacy on the part of the European subject had profound implications during colonial rule, but importantly, continues to hold resonance in our contemporary times. Timothy Mitchell’s *Colonising Egypt* (1991) reveals the epistemic practices of ‘representation’ and ‘enframing’ that allowed the colonizer a superior vantage point whereby s/he could remain separate from the ‘real’ world and yet be able to experience it as if it were an ‘exhibition’, or, as Mitchell puts it, ‘to immerse oneself and yet stand apart’ (p. 27):

There was a contradiction, therefore, between the need to separate oneself from the world and render it up as an object of representation, and the desire to lose oneself within this object-world and experience it directly; a contradiction which world exhibitions, with their profusion of exotic detail and yet their clear distinction between visitor and exhibit, were built to accommodate and overcome. The problem in a place like Cairo, which had not been built as an exhibition, was to fulfill this double desire.

However, as Edward Said’s *Orientalism* (1978) reveals, this double act of immersion and distance; the representational practices that were/are its products, produced a particular form of immersion that guaranteed the primacy of distance, a form that reiterated the primacy of the European subject; what Said refers to as the ‘citationary nature of Orientalism,’ its writings added to one another in ‘repetition’ and ‘re-working’ (quoted in Mitchell, 1991: 31).

Such immersion at a distance ensures the epistemic dominance of the European subject whose representational practices take for granted this subject’s universal remit and reference point. Importantly, this assumption of the universal vantage...
point is not a product of eighteenth century philosophy and its exploration of universal reason, but emerges from the phenomenological condition of colonialism itself. We might say just as Bentham’s panoptic imaginary has its genesis in colonial administration, so, too, the universal standpoint is in this sense made possible through colonial conquest (see, for example, Mantena, 2010). How else could the monumental historic achievements of the world colonized be, on the one hand, so profoundly erased from the epistemologies and ontologies of the modern West, and, on the other, be so valued as remnants of the past as to be confined to museum spaces, dislocated from the histories of populations colonized?

In International Relations the question of universality is a particularly contentious one, in that much of the discipline’s history assumes the primacy of power and knowledge as being located in the West. We know from the various calls for a ‘Global IR’, a ‘decolonised IR’, and a ‘non-western IR’ (Acharya, 2014; Jones, 2006; Shilliam, 2011), that the orthodoxies of the discipline are beginning to shift or at least to come face to face with a world that contains a diversity of histories, experiences, and philosophies that inform modes of knowing and being in the world. Calls for IR to pay greater attention to the rest of the world seek to challenge a Eurocentric order no longer capable of legislating the shape of the world and its futures. At the same time, such calls for a global IR seem to be suggestive of a cultural relativism irrespective of the ontological and epistemological consequences of such a move, the inevitable over-simplifications of complex, not to mention contested, histories and philosophies. While it is important to ‘provincialise’ (to use Chakrabarty’s terminology) IR’s hegemonic discourses, the point is not to reify or even essentialize alternative culturally specific norms, but to understand how the specificities of culture are used in relations of power and contests for normative standing. In the context of the colonial legacy and the postcolonial condition, it is hence not so much that IR is Eurocentric, but how cultural difference is used to implement practices that reinforce hierarchical difference. It is when cultural difference is used to dominate that such difference should come to the fore in any postcolonial critique.

Any such critique would have to acknowledge the historic significance of the anti-colonial struggles that led to the end of formal colonial rule and the aporetic relationship that the postcolonial world has in relation to the international and its normative ordering. On the one hand, the international emerges in a context of colonial expansion and resistance, and, on the other, such resistance is rendered possible and meaningful by modern understandings of political community based on juridical, political, and territorial sovereignty and its limits. Anti-colonial struggles emerge from this historical milieu and are a crucial linchpin in understanding the potentialities and limits of the formerly colonized in determining the shape of the international normative order.

**Who is the subject of the postcolonial international?**

Efforts to ‘decolonise’ IR are reflections of wider contemporary efforts to ‘decolonise’ the wider terrain of knowledge and its spatial and temporal articulations.
The Oxford University students’ campaign ‘Rhodes Must Fall’ is one such effort to symbolically remove any reference to a colonial past that confers legitimacy to its legacy (Chaudhuri, 2016). The latter campaign, far more than the former, places its finger on a postcolonial pulse that seeks to rid not so much history as many opponents of the campaign have argued, but the sense of worth and the continued practices of exclusion that, to the campaigners, bear the continuing imprint of the colonial era. To the students at Oxford, and before them, those who started the campaign, at the University of Cape Town in South Africa, Cecil Rhodes remains the embodiment of continued colonial exploitation and expropriation. The campaign’s primary move is hence to question established norms – of racialised hierarchies and exclusions in education, in wider institutions, and in a postcolonial, post-apartheid global terrain where such practices continue to be the norm. However, above all else, for this author, the campaign’s achievement was to reveal what Rhodes meant when seen from the vantage point of Rhodes’ victims/survivors, the formerly colonized and the offspring who continue to bear colonialism’s imprint and its legacy. It is this aspect that the liberal establishment, the critics of the campaign, could not see.

Fanon provides a picture of the continuities of colonial rationality and its constitutive power over postcolonial subjectivity. What I refer to as colonial rationality, with a focus on how such a rationality is implicated in the government of the postcolonial world through contemporary forms of intervention, is reflected in Fanon’s understanding of the ‘colonial system’. Liberation for Fanon ‘is the total destruction of the colonial system, from the preeminence of the language of the oppressor and “departmentalization”, to the customs union that in reality maintains the formerly colonized in the meshes of the culture, of the fashion, and of the images of the colonialis’ (1988: 105). Such ‘liberation’ is not possible when the ‘colonized’ sees him or herself ‘through the filter of colonialist culture’ (1988: 103). Reflecting on the anti-colonial struggles that define Fanon’s core political position, he suggests ‘The Western “model” is being attacked in its essence and in its finality. The Orientals, the Arabs, and the Negroes, today, want to present their plans, want to assert their values, want to assert their relations with the world . . . it is no longer true that we must constantly trail behind, follow, depend on someone or other’ (Fanon, 1988: 125).

It would be a mistake to read Fanon here in terms of cultural enunciation as the input that guarantees a voice in the constitution of the international. In the statements quoted above, Fanon provides a radical interpretation of the subjectivity of the colonized and the postcolonial, not one based in or determined by cultural specificity, but one that is constituted in terms of resistance to colonial rule. The interjection of the formerly colonized onto the terrain of the international is hence only possible through liberation from colonial rule and a colonial system that continues to dispossess the colonized of their place in history. Fanon is all too aware of the corporeal imprint of colonial power and colonial violence, both of which are enabled through deep rooted and institutionalized discourses based not so much on cultural difference but on race. Fanon does not reject the international as such, nor its definition, in distinctly modern, secular terms based on national liberation and national sovereignty. What he reveals are the contingent matrices
of power and violence that continue to be informed by racialised hierarchies that continue to reinforce the colonial system even in the postcolonial era.

It is through Fanon that we see the implications of the epistemological and ontological hierarchies that enable the forms of intervention, such as the invasion and occupation of Iraq, I highlight at the outset of this chapter. Resistance for Fanon is suggestive of the interjection of the embodied self in opposition to the colonizer. At the same time, operations of power come to be articulated racially against the corporeality of the postcolonial subject of politics. Fanon’s understanding of the subjectivity of the colonized does not derive its basis from uniformity of experience or identity based on culture or ethno-national identity. Formative of colonial and postcolonial subjectivity is the colonial encounter, but also the capacity of the colonized to resist, to articulate forms of subjectivity that have the capacity to create something new – to found political community constituted not by the colonial system, but the desire for political liberation understood in distinctly modern terms, exceeding, in other words, the specificities of culture.

How does Fanon relate to the lexicon of the modern international and its normative constitution? The final chapter of *The Wretched of the Earth* provides us with some clues as to whether we might see Fanon in conforming or subversive terms; conforming to an order already scripted in Europe, or subversive of its core foundations. Fanon identifies the following international political aspirations:

> Come, then, comrades, the European game has finally ended; we must find something different. We today can do everything, as long as we do not imitate Europe, so long as we are not obsessed by the desire to catch up with Europe. (Fanon, 1967: 251–52)

This creation of something new is repeated several times here, so that the responsibility of the formerly colonized is no less than ‘starting a new history of Man, a history which will have regard to the sometimes prodigious theses which Europe has put forward, but will also not forget Europe’s crimes’ (Fanon, 1967: 254). However, in rejecting the European model, Fanon is keenly aware of Europe’s imprint and the desire to replicate and imitate. However, the condition of possibility for the creation of a seemingly cosmopolitan order for Fanon, one that is responsive to universal Man, in his view, is ‘independence’. This is, however, ‘not a word which can be used as an exorcism, but an indispensible condition for the existence of men and women who are truly liberated, in other words, who are truly masters of all the material means which make possible the radical transformation of society’ (Fanon, 1967: 250).

Fanon’s search for something ‘new’, a new vocabulary and a new ontology, is not without controversy and it would be misplaced to argue that Fanon somehow transcends the limits of the postcolonial international. Rather, Fanon is fully aware of how ‘culture’ is used variously to exclude, control, and contain:

> The unilaterally decreed normative value of certain cultures deserves our careful attention. One of the paradoxes immediately encountered is the rebound
of egocentric, sociocentric definitions. There is first affirmed the existence of human groups having no culture; then of a hierarchy of cultures; and finally the concept of cultural relativity. We have here the whole range from overall negation to singular and specific recognition. It is precisely this fragmented and bloody history that we must sketch on the level of cultural anthropology. (Fanon, 1988: 31)

For Fanon, the colonial system and its legacy do not emerge from a cultural vacuum, but are products of frameworks of knowledge and hermeneutic meaning that confer legitimacy to these practices of domination. The consequences are well spelt out here:

There are, as we may say, certain constellations of institutions, established by particular men, in the framework of precise geographic areas, which at a given moment have undergone a direct and sudden assault of different cultural patterns. The technical, generally advanced development of the social group that has thus appeared enables it to set up an organized domination. The enterprise of deculturation turns out to be the negative of a more gigantic work of economic, and even biological, enslavement. The doctrine of cultural hierarchy is thus but one aspect of a systematized hierarchization implacably pursued.

It is the ‘special character of the colonial situation’ that is at the heart of the racialised underpinning of this cultural hierarchical ordering of the world. Fanon writes of what every colonized population knows full well, from Algeria to Kenya, to Syria and Lebanon, Iraq of the past and present, Malaysia and China, that culture and its institutions can be mobilized in the service of colonial rule to exploit, kill, and govern, and to combat resistance. A machinery or bureaucracy of imperial domination was underpinned at once by racial domination, of the settler over the native, and by the division of the native into what Edward Said refers to as the ‘convenient categories’ of tribe and ethnicity. For Hannah Arendt (1968), the twin institutions of imperial domination, race and bureaucracy, were tried and tested first in the colonies and then came to underpin the Holocaust.

The racialization of cultural difference remains at the heart of twenty-first century articulations of the colonial rationality that informs the interventions of the recent past and present. Such practices are built on a colonial edifice that obliterated entire populations (the Hottentots, for example) through genocidal wars against the colonized accompanied by institutionalized practices that subjected them to forms of rule designed to reinforce European supremacy in all aspects of life. Importantly, what I am referring to as the colonial rationality is manifest through a variety of technologies mobilized for control, exploitation, and dispossession, including the discourses and practices of culture, the political economy, and the juridical system, all defined in terms of racialised difference where the
non-western is always constituted as the inferior entity. Mamdani explains the dynamics of rule involved in terms of ‘direct’ and ‘indirect’ rule:

Politically, indirect rule was an attempt to stabilize colonial rule by moving away from direct rule that created a volatile context in which the identity of both rulers and ruled was racialised, but the former as a minority and the latter as a majority. Indirect rule did this through a legal project that fractured the singular, racialised and majority identity, native, into several, plural, ethnicized, minority identities – called tribes.

(Mamdani, 2009: 137)

Seen in light of contemporary interventions, we see a replication of such practices, where so-called tribal and religious leaders are re-shaped to represent the fragments of population deemed more amenable to control. The imperialists of the present, on full view primarily in Iraq, could thereby look to past colonial rule and destroy with impunity postcolonial national infrastructures necessary for any modern state. Having so destroyed, they could appoint British or American ‘governors’ for local regions to negotiate with the assumed tribal elders, governors literally flown in to ‘govern’ a population now disposed of its history, territory, resources, and, above all else, its right to self-determination. All this and more could only be possible with the continued assumption that the population so targeted remained racially and culturally inferior to the invaders and occupiers.

Significantly for our present purposes, the racialised and bureaucratized forms that colonial rule took and continues to take are based on two inter-related forms of ontological assumption. The first continues to see the ‘white man’ or the westerner as the authorial architect of civilization, order, and rational judgment – the voice of theory as opposed to the particularities of the empirical domain. The second, constitutively related, ontology is that the non-western subject is a fragmented entity, incapable of creating and sustaining the juridical-political order that is the linchpin of modern political statehood. Both ontologies are at play in contemporary international inequalities, as reflected in multiple locations such as Iraq, Palestine, Syria, to name but a few. Structural continuities reinforce these inequalities, as do the discourses and institutional practices that continue to render entire populations vulnerable to late modern articulations of the colonial rationality.

Seen in light of the colonial past and its legacies, the question for the present context is: who are the subjects of the normative order of the international? One response to this question is to suggest, in cosmopolitan mode, all humanity. The paradox is that such a universalizing move can only equalize through a move that negates inequality. We must turn to Fanon once again if we are to unravel this paradox and foresee a potential way out short of descending into cultural relativism or racialised violence.

We know that the tendency in the norms literature and as indicated above is largely to engage with the question of how non-western states have endeavored
to make a difference in defining the norms that constitute the international order and its regulative potentials. Significantly, the ontological framing we see in these engagements is the rational self or even state negotiating a terrain of discursive practices potentially open to all who are equipped with an assumed universal language of diplomacy and negotiation. The directionality of change is historically determined in colonial terms, from the west to the rest, the latter variously mimicking, adapting, and eventually even contesting and re-shaping. Structurally, it is the international as such, the workings of its material and discursive terrain that enables the postcolonial subject access and voice.

At the same time, taking a step in unraveling the ontology of the normative order and its subjectivities, the universalizing moves implicit in the previous paragraph negate the inequalities that remain the legacy of colonial rule. These are manifest in economic, distributional terms; they are also manifest, as Gayatri Spivak (1999) among a number of other postcolonial theorists have outlined, in epistemological terms, and it is, therefore, manifest in terms of the authorial agency to script the normative order of the international. Does this mean that the postcolonial subject is, to use Spivak’s terminology, ‘foreclosed’ from the international as a distinctive location of politics? For Spivak, this notion of ‘foreclosure’ is used to suggest no less than a denial of a self-authoring subjectivity. Foreclosure, as discussed by Spivak, should not be interpreted simply as exclusion, but suggests an inscriptive agency that lies elsewhere, not with the colonized or even the formerly colonized, but with the ‘West’.

Such foreclosure, when applied to the question of who scripts the normative international, suggests that the postcolonial subject is both present and absent; in other words, present only in accordance with the terms already defined and subject to the discursive and institutional structures and practices that delimit the ‘legitimate’ or the ‘acceptable’. Any transformative capacity must hence have as its starting point and its framework rules of engagement the authorship of which remains predominantly in the West. How do we explain this differential capacity to make a difference in the (re)constitution of the international? The suggestion made in this chapter is that the colonial rationality persists, conferring legitimacy to western epistemological and normative standing. This is sometimes referred to in terms of the distribution of ‘moral resources’; according to Linklater (1998), attributed to societies that exhibit constitutional modes of governance, democratic accountability, and ‘sophisticated’ understandings of communicative practices. The differentiation is evident in ‘democratic peace theory’, where states deemed undemocratic are the likeliest source of conflict and even warfare. It is also evident in the discourse and practice of ‘peacebuilding’ or ‘statebuilding’, where the agency to ‘build’ and to design a future is not in the hands of those most closely affected. It is above all evident in the seeming precariousness of the postcolonial state and the postcolonial subject of international politics.

Concluding remarks

The precariousness of the postcolonial subject I refer to above, and placed in the context of the interventions highlighted in the chapter, should not be read in
terms of the absence of agency. Contrary to Spivak (1988), it does not mean that
the 'subaltern' in this instance cannot speak. For the subaltern in question is what
I am referring to as the ‘postcolonial subject’, the subject borne of resistance
against colonial rule and claiming a right of access to the political terrain that
is the international. This can, of course, be read in terms of a claim to universal
human rights. However, a more fruitful interpretation that does not subsume the
subject of postcoloniality, is one that places the lens on two elements that ensure
not just the capacity to speak, but to do so beyond the inscriptive limits set
down and defined by the governing/disciplining potential of a persistent colonial
rationality. The first relates to the specific articulations of postcolonial subjectiv-
ity and the primacy of the continued awareness of the colonial legacy. The second
relates to the structure of the international and the location of its distinctiveness
in modern understandings of the self-determining political community. Spivak’s
subaltern cannot speak precisely because her author does not consider the mutually
constitutive relationship between the postcolonial subject of politics and the
international. I want to suggest that Fanon’s subject speaks and does so with the
full awareness of her condition as the colonized and the specificity of the claim
made in the struggle for liberation, namely the right of access to the international.
While Fanon’s reference points were the colonized territories of his time, and
specifically Algeria, my reference point in this chapter has been Iraq.

It is perhaps the persistence of this claim for the right of access to the interna-
tional, the juridical-political claim for sovereignty and independence, that reveals
the profound implications of the colonial rationality and its contemporary articula-
tions. The juridical-political shift witnessed throughout the interventionist 1990s
and 2000s, from the international and its limits to an assumed liberal cosmo-
opolitan order, reveals the precariousness of the postcolonial international and its
constitutional order (Jabri, 2007). However, the colonial rationality that informs
the ‘government’ of populations is itself subject to the historicity of the locations
wherein such interventions have taken place, a historicity defined by a hermeneu-
tic awareness of a colonial past and its associated subjectivities. The postcolonial
subject of the present is shaped and formed by this monumental history and its
determining legacy. The subaltern speaks despite this history and because of it,
not in terms solely determined by the European, but in terms based on a distinc-
tive knowledge, one that has an awareness of what it means to be colonised.

Fanon, as Edward Said writes (1993), enables a ‘reordering of things’, when
‘he reverses the hitherto accepted paradigm by which Europe gave the colonies
their modernity and argues instead that not only were “the well-being and the pro-
gress of Europe – built up with the sweat and the dead bodies of Negroes, Arabs,
Indians and the yellow races”, but “Europe is literally the creation of the Third
World”’.11 This reordering of things is crucial in understanding the implications
of the postcolonial presence onto the terrain of the international.

Notes
1 I am grateful to the editor of this collection, Charlotte Epstein, for her comments on an
earlier version of this chapter.
The literature on interventions might be divided between liberal readings, reliant primarily on ‘humanitarian’ norms as explanatory variable, and the critical, specifically poststructural literature, that places the lens on power and the capacity to mobilise norms in the interest of particular interests. See, for the former; see Barnett (2009) and for the latter, see Hardt and Negri (2004); Jabri (2007).

On postcolonial articulations of sovereignty and postcolonial writing on the subject, see Scott (1996). I place the term ‘post’ in the postcolonial in italics to emphasize the temporal distinctiveness of liberation from colonial rule.

For an expanded discussion of this understanding of the colonial rationality, its continuities with the colonial past, and its articulations in late modern modes of colonization, see Jabri (2007).

For a critique of developmental perspectives, see Chakrabarty (2000) and Dussel (1998).

The norms literature uses a number of terms to describe the involvement of the ‘non-western’ world in diplomacy relating to international norms. See, for example, Bettiza and Dionigi (2014) on ‘translation’ and Christian Reus-Smit (2013) on ‘grafting’. See also Adler-Nissen and Pram Gad’s contribution to this volume for a critical engagement.

As Heini Skorini has revealed, the Organisation of Islamic Cooperation (the OIC) has used discourses centred on human rights norms, hate speech, and defamation to argue for the recognition of religion as a right. See Skorini, forthcoming doctoral thesis, Department of War Studies, King’s College London.

For discussions of the Non-Aligned Movement and its attempts at re-defining the international order and its normative basis, see for example, Morphet (2004).

Modern understandings of the place of ‘universals’ in epistemological reasoning have their antecedents in Greek philosophy, specifically Plato and Aristotle. See, for reference, Gerson (2009).

For one such story from Iraq as told by an Emma Sky, who volunteered for service and was appointed ‘governor’ of a region in post-invasion occupied Iraq, see Sky (2015).

Edward Said, in Culture and Imperialism (1993: 237) is here quoting Fanon, in Wretched of the Earth; p. 96 and 102.

References


Vivienne Jabri


4 Civilising norms and political authority in Africa

Reflections drawn from psychoanalysis

Julia Gallagher

Africa has had a particularly intense relationship with the norm of civilisation. In Western thought, the continent has been the exemplar of civilisation’s foil – primitivism – powerfully evoked as a place of darkness and horror (Conrad, 2007) that has fascinated European imaginations since Herodotus first wrote about it (Mudimbe, 1988). This idea was economically and politically realised through the slave trade and colonialism when European collective psychoses were projected onto colonial subjects, confining them to the realm of the barbaric and uncivilised, and soothing European anxiety about its own civilisation in the process (Fanon, 1986; McClintock, 1995; Bhabha, 2004). ‘Civilisation’ in Africa, therefore, is closely connected to colonial ideology and history.

However, even as Africa was invented or imagined by outsiders (Mudimbe, 1988), African agency has played a key part in shaping images and ideas of the continent (Gallagher, 2015a). Some of these were for foreign consumption (Bayart, 2000), and some formed part of the emancipatory political project of pan-Africanism (Suttner, 2014). Within Africans’ conceptions of the continent, various definitions of civilisation and primitivism have developed, both in relation to colonialism, and stemming from pre-colonial ideas.

‘Civilisation’ thus has a complex relation to Africa. It remains central to questions about the meaning of authority in a postcolonial context, shaping postcolonial international relationships and domestic politics as Western donors attempt to help ‘develop’ and shape political and social norms and practice (Williams and Young, 1994; Young, 1995; Abrahamsen, 2000), and African regimes, succeeding colonial regimes, attempt to establish authority.

‘Civilisation’ is an exemplar of normative order: it represents a moral and intellectual transcendence over instinct that is achieved through collective self-control. Civilisation can thus be seen as a cluster of disciplining categories and definitions that represents a repudiation of the primitive past we have left behind in our collective historical progression, so helping us to forget (or misremember) our individual psychic immaturity with all its overwhelming chaotic passion.

Foucault (1977, 2003) writes about the ways in which norms are disciplining – the process of defining and defending the normal in its relation to the abnormal or perverse structures, subjects and societies. For him, norms establish collective authority, which is carried by society in custom and language, and are embodied
in political structures and practice. In the case of colonialism in Africa, the normative structures that defined Europeans as civilised and Africans as primitive created the power imbalances that persist into the post-colonial era.

What Foucault does not address – because he is not concerned with the individual psyche and its relation to the collective (Butler, 1997) – is the emotional importance for the subject of the disciplining normative order. This is the aspect of norms that concerns me here. I believe it provides a way to understand the basis of political authority, rooted in individual anxiety. It goes to the heart of individual subjectivity and well-being. This account allows us to explore a complex understanding of norms that encompasses their ability to enable as well as constrain the individual. I propose therefore to follow Butler in exploring how psychoanalytic theory might enable us to understand how individual psychic anxiety and well-being underwrite political authority, and I do so through a psychoanalytic reading of the idea of civilisation.

However, doing this opens up a host of further problems. Psychoanalytic theory itself originally stems from the European tendency to use African ‘primitivism’ as antithetical to civilisation. Freud, in his discussion of ‘civilisation’, directly explains the way in which it is established in relation to its primitive antithesis which he finds in non-European parts of the world, including Africa. His work explains how civilisation allows individuals to transcend anxiety by enabling the suppression of frightening sexual fantasy. The norms represented by civilisation provide a realm of safety which show us how we have ‘outgrown’ our primal sexual omnipotence fantasies. But, as I argue here, Freud also (unconsciously?) reifies European omnipotence fantasies which soothe anxiety by not only repressing ‘primordialism’, but by projecting it onto African and other ‘animist’ societies. An attempt to use psychoanalysis to explore the relationship between Africa, the West and civilisation needs to employ critical reflections in every direction.

Moreover, it is possible to trace similar processes in pre-colonial social practice in Africa, where, as Mudimbe (1991) shows, ideas of progress and civilisation were also used to establish political authority rooted in a collective defence of psychic anxiety. As a result, postcolonial politics contains layered and complex meanings of ‘civilisation’, drawing on both pre-colonial and colonial meanings.

What I offer here, therefore, is an intellectual history of psychoanalysis and Africa as an attempt to understand the significance of the idea of civilisation in creating political authority. I approach the topic from four angles. The first is an exploration of early psychoanalytic ideas of civilisation in relation to Africa; the second is Fanon’s use of psychoanalytic theory in relation to colonialism in Africa; the third is a discussion of ideas of progress and civilisation in African political thought and practice, derived both from pre-colonial and colonial experience. Finally, I draw broader conclusions about the relationship between civilisation and political authority in Africa by looking at the case of Zimbabwe’s Robert Mugabe.

Early psychoanalysis and Africa

Psychoanalysis stems from Freud’s discovery of the unconscious – the parts of the human psyche that we are not aware of. He argued that they emanate from innate
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death and life drives, instinctive, aggressive parts of the human character that are repressed in childhood as we become socialised.

Freud worked in Vienna in the first part of the 20th century and moved to London in the 1930s. His theory was built on observations made during clinical work with individual patients. Using a technique in which the patient talked – often using free association – about their thoughts, feelings and dreams, Freud was able to observe the importance of powerful fantasies that the patient was unaware of in their day-to-day life. Drawing on his observations, Freud argued that the individual, born with powerful life and death drives, is ruled by the id – the selfish, pleasure-seeking part of the self – in early infancy, and gradually learns to control and suppress it through the development of the ego and superego which are shaped in relation to its parents. This is done through five stages of psychological development which Freud linked to sexual gratification, beginning with the oral stage, moving through the anal and Oedipal stages to the latency stage and finally to the genital stage in adolescence. Although they have been repressed, these innate drives continue to shape us, and are responsible for emotions and thoughts that we cannot account for using the conscious parts of our minds. If we have not successfully worked through our development, then unconscious thoughts and emotions can be the cause of psychic neuroses such as depression, compulsive behaviours or paranoia.

One of Freud’s most important insights related to young children’s fantasies about their parents. Freud believed that boys feel they possess their mother, and fantasise about having a sexual relationship with her. As they become aware that the father is a powerful rival for her affections, they have omnipotent fantasies of killing him and are overwhelmed by fear that he will take revenge on them. Freud called this the Oedipus Complex after the Greek hero who inadvertently kills his father and marries his mother. The Oedipus Complex is resolved when the child, overwhelmed with fear at the father’s vengeance (felt as the fear that he will castrate him), relinquishes his claims on the mother and begins instead to identify with the father. Feelings of sexual love for the mother and hatred of the father are repressed. The critical Oedipal stage underlines Freud’s belief that the psyche is governed by powerful, aggressive and sexual feelings from the earliest stages of life.

Freud’s work spawned a whole raft of followers who took his ideas in various directions. Carl Jung, an early follower and then rival of Freud, developed work on the collective unconscious; Anna, Freud’s daughter, took up his work in London, shadowed by her rival heir to his legacy, Melanie Klein; and in France Jacques Lacan connected psychoanalysis to structuralism and language. As well as beginning the practice of psychoanalysis, Freud’s work has been enormously influential in intellectual areas far beyond psychology, including literature, art, social theory and politics.

Early psychoanalysis, like much contemporary European theory, was built on the back of ideas about the progress of civilisation. Its basic premise was that individuals overcome primitive drives as they join society. Society establishes norms – general rules and limits on individual behaviour – that require and enable the creation of the unconscious. These appear to banish the chaos and
disorder of early infancy, by tying us into a collective endeavour towards progress and order. In this way, the norms of society help individuals overcome anxiety through repression, although they also leave us detached from important parts of our psyche, partially estranged from ourselves. Civilisation, as Freud argues, banishes unacceptable sexual fantasies, aggression and omnipotence. Freud here is adding to a substantial body of political theory which describes the point of civilisation. Social contract theorists describe this in instrumentalist terms. Hobbes, Locke and Rousseau all argue that for the sake of collective security, or for the protection of individual property rights, or for the attainment of higher reason, individual primitive freedoms must be forsaken. Freud’s insight was to see how the material bases for ordered society are underwritten by fundamental psychic anxieties and needs.

However, Freud did not fully explore the ways in which norms about progress and civilisation themselves embody fantasies of omnipotence. In his ideas about European civilisation, and his comparison between it and what he saw as primitive societies where libidinal urges and omnipotence fantasies were manifest, he slips into the modernist logic which his work does much to explain.

We can see how Freud overlooks European omnipotence fantasies by examining his ideas about ‘primitive’ societies. Both Freud and later Jung looked outside Europe in order to understand what they saw as people in the early stages of development. Freud drew on contemporary anthropological material from all over the world, including Africa, while Jung visited east Africa and drew inspiration for his later work explicitly from his experiences there.

Freud was fascinated by what he called the earliest stage of human development, animism, which he thought had been superseded in the West first by religion and then by science. In his 1913 essay, ‘Totem and Taboo’, he discussed elaborate social taboos and practices of animism among ‘savage societies’ that he saw as a manifestation and means to restrict fears of incest and omnipotence that ‘civilised’ people had learned to repress. He suggested that in this, ‘uncivilised’ people were similar to ‘neurotics’ and children.

The persistence of taboo . . . teaches us one thing, that the original desire to perform that forbidden act persists among the taboo peoples. This means that they have an ambivalent attitude to their taboo prohibitions; in their unconscious they would like nothing more than to violate them, but they are also afraid to do so; they are afraid precisely because they wish to do it, and their fear is stronger than their desire. But in each individual member of this particular people the desire is unconscious, just as it is in a neurotic.

(Freud, 2005: 36 – italics in original)

As well as dealing with sexual taboos, which he related to the Oedipus Complex, the essay dealt extensively with ideas about omnipotence. In one section he describes the extreme veneration towards kings which his anthropological sources told him was common among African people, often accompanied with aggression and violence (in ceremonies of succession, or as punishment for failure, for
example). Freud likened this to ‘the infantile attitude of the child to his father’ (Freud, 2005: 54), something he found in his neurotic patients.

The significance of an individual is elevated to an extraordinary degree, and his omnipotence increased to an improbable level so that responsibility for anything adverse which occurs to the [neurotic] patient may be placed upon his shoulders. Savages are, in fact, treating their kings in a similar fashion by attributing to them power over rain and sunshine, wind and weather, and then dethroning or killing them because nature has disappointed their expectations of a good hunt or a rich harvest.

(Freud, 2005: 53)

Similarly, he discusses examples of beliefs in spirits and demons, which he describes as ‘nothing but the projections of primitive man’s emotional impulses; he personifies his emotional investments, populates the world with them and now finds his inner psychical processes outside of himself’ (Freud, 2005: 94).

Freud developed these ideas in his 1930 essay ‘Civilization and its Discontents’, where he discusses the pain experienced by individuals as they relinquish primitive drives (primarily the libido) in order to submit to society. Here development – both individual and societal – is viewed as a regretted relinquishment of liberty and joy in life in favour of caution and respectability (reality). ‘[C]ivilization is built up on renunciation ... it presupposes the non-satisfaction of powerful drives – by suppression, repression or some other means’. Freud calls this ‘cultural frustration’ (2002: 34) and argues that ‘[p]rimitive man was actually better off, because his drives were not restricted’ (2002: 51).

Thus the development of the individual can be seen writ large in the development of civilisation. Freud argued that after the animist stage when people still believe in their own omnipotence, comes the religious stage when omnipotence is ceded to the Gods – the parental figures. In the final, mature, scientific stage, ‘man’ has ‘abandoned the pleasure principle and adapted to reality, seek[ing] his object in the outside world’ (2002: 92). This process of the history of humankind echoes the development of the individual in which gradually the child becomes reconciled with his place in the world and the inevitability of his own death.

Freud was famous for his ability to overturn received understandings (his theories about childhood sexuality and particularly the Oedipus Complex deeply shocked polite Viennese society). Yet he was also blinkered by contemporary assumptions. He was unable to break out of the logic of modernity (the ‘arrow of progress’, as Epstein [2014] terms it) that dictated the philosophy of his time; and he was unable to break out of the European tendency to see non-Europeans as less developed. Throughout his essay on taboos he coaxes readers to try to get their heads around the strangeness of the people he is describing. He displays an extraordinary lack of self-awareness in his assumption that civilisation has so completely cut his readers off from this side of themselves: customs that exhibit the persistence of instinctive drives – primarily aggression and sexual desire – are the lot of ‘primitive people’, absent because sublimated from ‘modern’ European
Freud takes his anthropological sources at face value, on the whole assuming that the 'savages' who follow these practices do so without any self-awareness. This is highlighted by one slightly apologetic point he makes right at the end of 'Totem and Taboo', in which he wonders if 'savages' might be more aware of the way in which their social structures, taboos and customs work than supposed – that taboos and animism might actually convey an awareness of psychic processes and emotional needs. He almost immediately backtracks, limiting such self-awareness to that to be found in children:

We may well be laying ourselves open to the accusation of attributing to contemporary savages a degree of delicacy that is highly unlikely. But I think that our attitude towards the psychology of these peoples who have remained at the animistic stage may be very much the same as our attitude towards the psychical lives of children, which we adults no longer understand, and whose richness and delicacy of feeling we have for that very reason so greatly underestimated.

(Freud, 2005: 100)

Stuck in modernist logic, Freud overestimates European tendencies to repress aggressive omnipotence fantasies, and underestimates the degree to which they express these collectively through social practice and custom. At the same time, he sees non-Europeans as largely at the mercy of childish instincts, unable to develop mature, rational approaches to the world. Because, as Mudimbe suggests, he 'neatly dissociates and opposes the primitive to the civilized pole, in a clear diachronic tempo' (1991: 69), he cannot work through the manifestations of his theory in different parts of the world, including his own.

Jung also creates a dichotomy between Africans and Europeans, although his is rooted in an idealisation of Africa, a tendency that is as flattening or de-humanising as its opposite. For Jung, 'cultural frustration' was more than an inconvenience of development; it was how human beings lost touch with an essential 'shadow' part of themselves. The 'shadow' represents the unsavoury parts of the psyche – the bits that Freud argued were repressed as part of development. Jung argued that people could only achieve wholeness by finding and incorporating the 'shadow' into their conscious. In 1925, after a crisis in his professional work, Jung embarked on a four-month trip to east Africa where he felt as if he were 'returning to the land of my youth' (Jung, 2005: 283). Burleson, who has retraced Jung's trip, explains that Jung was in search of 'an undifferentiated layer of the human (and animal) psyche which had evolved out of the ubiquitous unconscious' (Burleson, 2005: 16). For Jung it was self-evident that he would find it in Africa, the 'dark continent', the 'perfect objective correspondent to the collective shadow of the so-called "civilized" Western world' (Burleson, 2005: 13).

In Africa Jung 'allowed himself to be "psychically infected" by the "primitive"' (Burleson, 2005: 17). The trip was to form the basis for his later seminal work, and in particular, to inform his approach to European patients who, he argued, had
been alienated from their psychic foundations. Psychoanalysis became for Jung a way to reconnect with the ‘primitive’ side and achieve psychic integration.

Jung’s travels in Africa (which were little more than a glorified safari, according to Burleson) largely seem to have confirmed widely-held European fantasies about Africa, enabling him to construct a theory of the psyche that was predicated on ideas of African innocence and simplicity. Jung was more prepared than Freud to see the positive in ‘primitivism’; he equally fell into the trap of viewing Africans as ‘other’, in his case through a naïve, idealised engagement. Jung remained steeped in ideas of African exceptionalism and an essentialist logic that saw Africans, through their ‘simplicity’, as possessing some magic key to emotional fulfilment.

**Fanon on the omnipotence fantasy behind European civilisation**

Franz Fanon grasped the way in which the founding father of psychoanalysis fell victim to his own blindness about the omnipotence fantasy that is an expression of civilisation. He arrived at his critique by using psychoanalysis to understand the European colonisation of the ‘uncivilised’ world. Fanon shows how European anxiety is dealt with through the colonial project: the projection of aggression and sexual deviance or excess onto Africans. Thus, rather than avoiding fantasies of omnipotence, ‘civilisation’ appears to sanction them, as the colonised subject is made to internalise anxiety and inferiority, while Europeans are left as the embodiment and guardian of order, structure and normality.

Working as a psychiatrist in French-occupied Algeria in the 1950s, he used psychoanalysis in an innovative way to attempt to understand the causes and effects of colonial violence. Although he expressed ambivalence about its direct usefulness in African contexts, his work was deeply infused with its ideas, using it to construct an account of colonial abuse that explores the effects of the idea of ‘civilisation’ on the psyches of colonised people.

Fanon views psychoanalysis as a European phenomenon and imposition on colonised people. In *Black Skin, White Masks*, Fanon argues that individual and collective psychosis is created by colonialism, which, using the logic of modernity, infuses Africans’ consciousness with ideas of inferiority. Fanon discusses the colonialists’ fascination with black ‘primitivism’ and in particular about their fantasies of the sexual prowess and large penises of black men. His account describes the ways in which Western societies project repressed, unwanted fantasies onto Africa. Over time, white fantasies are internalised and shape black psyches: the black man comes to appear to himself as well as to others as little more than a sexual organ, drawing down the envy and fascinated fear of white men and women. ‘[T]he black man stops behaving as an actional person’; his ego has collapsed (Burleson, 2005: 154). This internalisation of inferiority sets up for colonised people an invidious choice between the family, ‘black and savage’, and society, ‘white and civilized’ (1986: 149). His own internalisation of the idea of
himself as aggressive and fearful leaves him estranged from himself and members of his society. Fanon pushes Freud’s ideas about the discontents of civilisation to its limits: ‘civilisation’ in the colonial context demands a total repudiation of the self of the colonised subject. Fanon’s reading it is difficult to separate psychoanalysis from the modernity that has imposed itself upon Africa, destroying cultures and alienating colonial subjects from themselves. For Fanon, the psychic hang-ups of Europeans – created by repression occasioned by the pursuit of civilisation – have now been imposed on Africa and caused collective psychosis there.

In the remotest depth of the European unconscious an inordinately black hollow has been made in which the most immoral impulses, the most shameful desires lie dormant. And as every man climbs up toward whiteness and light, the European has tried to repudiate this uncivilized self, which has attempted to defend itself. When European civilization came into contact with the black world, with those savage peoples, everyone agreed: Those Negroes were the principle of evil.

(Fanon, 1986: 190)

Thus the norm of European civilisation has been constructed atop the creation of a particular colonial subjectivity. Collective and individual colonised identities are subverted by colonial standards of civilisation.

Fanon brilliantly engages in what McClintock has called ‘a mutual engagement that would comprise both a decolonizing of psychoanalysis and a psychoanalysing of colonialism’ (1995: 74). But this comes at a price – the denial of neurosis as naturally occurring in Africans. Africans, he argues, do not experience the Oedipal Complex, possibly because their societies are matriarchal (1986: 152). Fanon is so convinced that Africans do not experience the same psychic development as Europeans, that he argues that ‘neurosis is not a basic element of human reality’. He continues: ‘Like it or not, the Oedipus complex is far from coming into being among Negroes . . . in the French Antilles 97 per cent of the families cannot produce one Oedipal neurosis. This incapacity is one on which we heartily congratulate ourselves’ (1986: 151–2). Instead, neurosis is produced only through the ‘cultural situation’, i.e., colonialism. In a revealing aside, he asserts that the lack of Oedipus Complex among Africans also means that there is no ‘overt presence of homosexuality in Martinique’ (1986: 180).

As Butler (1997) has pointed out, the identification of homosexuality as abnormal is an effect of civilisation in repressing the range of sexual desire that is experienced in early life. The rigid categories established by normative frameworks (what is normal and what is abnormal) are a codification of repression through the production of disgust which every human being experiences in relation to some form of sexuality or other. Norms establish what is to be treated as disgusting and what is not. While Fanon sees that Freud and Europeans generally project their repressed sexual fantasies onto Africans, here, he seems to be doing something similar with respect to neurosis and homosexuality.
It seems then that both Freud and Fanon project neurosis onto the other. Freud overdoes the repudiation of primitivism in Viennese society; only his neurotic patients are attached to it. Fanon can’t bear the idea that neurosis is natural in Africa – it is induced by European colonial authority. So although both men understand psychoanalytic processes of projection and the working of the unconscious, both also fall victim to it. In these overly-neat dichotomisations of the civilised and the primitive, we miss an appreciation of ambivalence, and it is ambivalence that, I want to argue, lies at the heart of attachment to normative order, and to the political and social authority that rest upon it.

In her exploration of the ways in which subjectivity is created through relationships, Butler (1997) compares Foucault’s idea of the ‘soul’, created by the internalisation of the panopticon, a constraining, even persecutory force, with Freud’s superego, an internalisation of the judging, constraining parental figure that comes to constitute the conscience. Each operates to repress primal instincts, and yet each is entirely necessary for the formation of the subject. What Foucault misses, she argues, is the individual’s attachment to this form of subjectivity, constraining and even persecutory though it is.

Called by an injurious name, I come into social being, and because I have a certain inevitable attachment to my existence, because a certain narcissism takes hold of any term that confers existence, I am led to embrace the terms that injure me because they constitute me socially.

(Butler, 1997: 104)

In psychoanalysis, the subject is still constituted by repressed, forbidden desires, which sit in relation to a judgemental conscience that regards them as illicit but also thrilling and erotic. It is this more ambivalent attachment to the normative order that Bhabha (2004) reflects on in his work on mimicry and hybridity – in which the colonised subject plays with, subverts and mocks her internalised colonial identity, while retaining an attachment to it. This too chimes with Butler’s understanding of an ambivalent relationship to subjectivity when she argues that:

( . . . ) only by occupying – being occupied by – that injurious term can I resist and oppose it, recasting the power that constitutes me as the power I oppose. In this way, a certain place for psychoanalysis is secured in that any mobilization against subjection will take subjection as its resource.

(Butler, 1997: 104)

It is possible from this view to see the constraints of norms as also enabling. It demands, as Butler suggests, a careful reading of the way in which social or political authority creates, expresses and resonates with individual psyches.

In the next section, I take up Butler’s more subtle understanding of the ambivalent relation between the individual and the collective, in a discussion of African understandings of civilisation and primitivism as explored in the work of Valentin Mudimbe and Achille Mbembe. This will allow us to think about the nature of political authority and its foundations in individual anxiety.
The more muddled genesis of civilisation

Looking for psychoanalytic resonances within autochthonous ideas and practices in Africa, Mudimbe provides a more nuanced understanding of civilisation as a norm. In his book *Parables and Fables* (1991), he traces Bemba foundational myths and ritual practices that deal with the murder of fathers and sexual relationships within families. Mudimbe argues that such myths resonate deeply with Freudian theory on sexual drives and their repression, although they reflect different familial configurations from the child-mother-father triangle postulated by Freud, involving step-parents and siblings, for example. What they have strongly in common, however, is the sense that ancient incestuous practices are viewed as illicit in modern life. Both ancient illicit practice and its supercession are expressed in political ritual, for example, at the investiture of kings when incestuous relations between a king and his mother and sisters are both enacted and repudiated (1991: 74–5).

Of particular interest is what Mudimbe sees as an overt recognition of incest fantasies, alongside their social repression, within Bemba ritual. Mudimbe argues that the body of the king is made to represent both a disordered, incestuous past and a conventional, structured present, embodying the idea of progress and civilisation, that gives legitimacy to political authority.

[These rituals represent an opposition between] the primitive and the civilized [that] recites a historical succession and a major paradigm: the origin of history is linked to the foundation of the state. Both witness to the same binary opposition that the myth emphasizes: the possibility of a history means the invention of a refused space and its figures – those of a primitive, which are whisked away in the name of civilization. The meaning of this invention of a prehistory makes itself explicit in the rejection of an original sin. In this confrontation with its own past, a civilized society establishes itself as a cultured space opposed to untamed nature and its aberrations.

(Mudimbe, 1991: 83)

Ritual and myth are closely linked to ideas of progress and the advent of civilisation – just as they are in Freud. But for Mudimbe, what Bemba myth and practice reveal is a more ambiguous relationship between the two, an ability to hold both ‘primitivism’ and ‘civilisation’ together. Repression, he hints, is nowhere near as claustrophobic as Freud suggested, allowing possibilities for being fascinated by ‘illicit’ sexual fantasies, owning them as part of the foundations of society, even while repudiating them. Mudimbe’s analysis of the power of political authority rests on this double, self-contradictory feature, and its resonance with individual fantasy and repression.

For Mudimbe then, the Oedipal Complex could be as African as it is European. He provides examples of the way in which ‘civilisation’ is summoned up by African societies in order to deal with the anxieties it produces: civilisation provides a collective way to overcome individual primitivism. Mudimbe also shows, in
his exploration of the nature of political authority, the importance attached to the leader’s ability to embody both primitivism and civilisation. His authority relies on his capacity to express the general ambivalence towards unconscious aggression, sexual fantasy and their repression.

The theme of ambiguity is also explored by Mbembe, whose work on postcolonial politics is steeped in psychoanalytic language and imagery. In On the Postcolony (2001), Mbembe draws on Freud and Lacan in his analysis of the ambivalence felt about the state. His depiction is one of the inherited omnipotence of the colonial state – at once supreme paternal provider and arbitrary tyrant – that is both projected onto it, and constantly undermined in it, by citizens.

In Mbembe’s description of the relationship between people and leaders in Togo and Cameroon, obscenity and consumption – realised corporally, particularly in the association of political leaders with orifices, sexual organs, consumption and excretion – both reify and undermine state authority. These are characteristics that can be admired and made fun of at the same time.

The obesity of men in power, their impressive physique or, more crudely, the flow of shit from such a physique – all these appeal to people who can enjoy themselves with mockery and laughter, and, sometimes, even join in the feast. Thus they become part of a system of signs that the commandement leaves, like tracks, as it passes, and so make it possible to follow the trail of violence and domination intrinsic to the commandement.

(Mbembe, 2001: 107)

The ambiguity comes from the way in which citizens recognise that state power is a fetish, an image, but also reify it through their own desire.

The body of the despot, his frowns and smiles, decrees and commands, the public notices and communiqués repeat over and over: these are the primary signifiers, it is these that have force, that get interpreted and reinterpreted, and feed further significance back into the system.

(Mbembe, 2001: 108)

His authority comes from this ‘desire for majesty on the part of the people’ (Mbembe, 2001: 131). Here postcolonial authority, resting both on colonial ‘civilisation’ and a repudiation of it, is experienced as violent and sexually bloated.

Mbembe describes an attachment to the primitive alongside a desire to create distance from it; a self-awareness that Freud did not see in Europeans and would not have expected in Africans. It is also a challenge to Fanon’s idea of the alienation created by negating colonial authority; in their ability to maintain distance by laughing at an authority that rests on colonial logics – and at themselves for desiring it – Mbembe’s subjects are aware of the ways in which their subjectivity is formed through their contingent relationship to political power.

Mbembe focuses on the dysfunction of the postcolonial state, its excesses, its inertia and its ‘zombie-like’ qualities. In doing this, his emphasis falls largely on
the state as expressing both pre- and colonial primitivism. Here the state fulfils a function as an embodiment of violence and sexual excess, an entity that excites and repels.

The political authority of Robert Mugabe

Political authority has a highly complex relation to the idea of civilisation in post-colonial Africa. This is hardly surprising, given the story told so far. Let me recap. First, we saw how Freud suggested that civilisation represses individual sexual freedom and connection to infantile fantasies, a mixed blessing, and one that he believed was unknown among ‘uncivilised’ people in Africa. Fanon argued that it was the colonial project itself that estranged Africans from themselves, creating a debilitating dichotomy between black primitivism and white civilisation. Mudimbe found that autochthonous African states were built, similarly to European ones, when political authority overcame individual anxiety by establishing the idea of progress and civilisation. His argument supports Freud’s on the social basis of the repression of early sexual fantasy; but he understood that state authority rested on its representation of both the fantasy and its transcendence. Finally, Mbembe describes how postcolonial African states, aggressive and corporally bloated, build authority on their expression of the primitive which is derived from both colonial and pre-colonial ideology.

This all suggests a complex understanding of the idea of civilisation whose autochthonous and imported manifestations form a tense and contradictory relationship. The colonial can be representative of both the primitive and the civilisation that overcame it. This complexity, I suggest, is born out in deep ambivalence felt towards colonialism, and the ways in which political authority is developed through an ambiguous relationship to it. To make my point, I turn to the example of politics in Zimbabwe.

Robert Mugabe has been in power in Zimbabwe since Independence in 1980. Now in his nineties, he has presided over acute economic crisis, hyperinflation, and dramatic episodes of political violence and repression (Sachikonye, 2011). Mugabe won another election in 2013. He has been accused of rigging elections in the past, and there was substantial evidence of rigging in this election. Yet the margin of the win – 61 per cent in the presidential election and two thirds of parliamentary seats – points to a substantial popular endorsement (Gallagher, 2015b; Chan and Gallagher, forthcoming).

Mugabe is feared and despised, but he is also revered and loved, not only in Zimbabwe, but throughout the region. Mugabe was the only African leader to be cheered at Nelson Mandela’s funeral. His popularity rests partly on his credentials as a freedom fighter against the white-minority Rhodesian state in the 1970s, which he has frequently reprised in his policies of land redistribution and public share ownership, and in his loud criticism of the ‘neo-colonialism’ of Britain.

Anti-colonial rhetoric resonates powerfully with many Zimbabweans. It touches on memories of dispossession and exclusion, particularly in their alienation from their land, ‘the mother of African being’ (Ndlovu-Gatsheni, 2009), and it reminds
them of their attachment to key moments of *Chimurenga* (revolutionary struggle) in the anti-colonial wars of 1896–1897 and 1975–1980. Drawing on ‘historical reservoirs of antipathy to colonial and racial subjugation’, Mugabe is not ‘peddling a particular form of false consciousness’; his rhetoric strikes a ‘broader and visceral resonance’ (Raftopoulos, 2009: 161).

But the story is far more complicated than this. Zimbabweans can hold ideas of Britain as perfidious coloniser alongside ideas of Britain as benevolent saviour. Britain can be equated with an idealised colonial past in which ‘everything worked’, had order and rationality, and is often compared with the chaos and deprivations of recent years. It can also be seen as the potential saviour, who, when Zimbabweans are finally reduced to utter destitution, will come to the rescue and rid them of a brutal regime.

It would be a mistake to ascribe Mugabe’s popularity to a straightforward support for his anti-colonialism. For many Zimbabweans, one of Mugabe’s key qualities is his ‘Britishness’, something that reflects their own sense of relation to the old colonial power and to ideas of civilisation. For many Zimbabweans, particularly in their confrontation with a state that fails or refuses to provide for them, Britain can offer an ideal of progress, structure and order. Britain’s political and economic systems are admired; it is assumed that everything works perfectly there. People argue that ‘Britain means development’, or ‘Britain means democracy’, a place where people ‘have almost everything’. Such comments might represent Fanon’s ideas of the internalisation of white ‘civilisation’. A Harare-based teacher told me: ‘The ordinary Zimbabwean vision of England is of a green land. It’s an idealised picture of England. We all emulate white as good, black is bad. It was drilled into our parents. I can’t get my father to understand that whites make mistakes.’

Many Zimbabweans say that they absorbed Britishness through colonialism. This carries problems – colonialism bequeathed discriminatory laws, over-powerful political structures, and a too-passive population. But there remains a strong tendency to equate the absorption of Britishness with the attainment of civilisation. Many people list the benefits to their culture, language, political institutions. One man said: ‘Zimbabweans took British culture, we behave like Britons. That is true of the entire society – we are British in thinking.’ Another: ‘Look at how we dress and speak – we are just the same except the colour of our skin. We are so proud of our connection with Britain.’ Others have remarked that, ‘[Britain] is part of our culture’, and even that, ‘We are more British than the British themselves’.

To complicate matters further, Mugabe too is often described as British: ‘Mugabe is pure British. Mugabe and Blair are one and the same. He dreams English, he speaks English, he *is* English’. This is usually a source of pride rather than disquiet. The president’s intelligence, his good manners and his education, his Savile Row suits and the fact that he can hold his own on the world stage – all seen as markers of his Britishness – are an important part of his political authority.

Thus Mugabe embodies a very complex Zimbabwean identity. He is a freedom fighter who won independence from a racist, colonial state. He draws heavily on this legacy to establish continuing anti-colonial credentials, linking his struggle to
the traditional Zimbabwean leaders and spirit mediums who fought colonial conquest, and constantly attempting to reify a pre-colonial patriotic history (Ranger, 2004; Tendi, 2010). He is also the beautifully-tailored intellectual who can hold his own in any international gathering. In this, Mugabe represents civilisation and progress, which are difficult to disentangle from Britishness. Mugabe also heads a violent, authoritarian regime which fought a bloody war against a handful of Ndebele ‘dissidents’ in Matabeleland in the 1980s, made thousands of families destitute in urban clearances in 2005, has brutally repressed opposition activists, and whose members have, while presiding over economic disaster, managed to appropriate huge personal fortunes. Once again, this is viewed as both extension and repudiation of the colonial state which was violent and authoritarian, and is remembered for bringing structure and order. Zimbabwean ideas of what a state should be, what forms of civilisation and primitivism it should embody, draw on a multi-layered blend of colonial and post-colonial ideas and memories that, because they underwrite a complex Zimbabwean subjectivity, form a particularly ambiguous web of characteristics.

It is this complexity, and the powerful and ambivalent feelings it provokes amongst Zimbabweans, that lie at the heart of Mugabe’s political authority. Morgan Tsvangirai, the opposition leader who has battled Mugabe for the presidency since 1999, cannot hope to match him. Although he is admired for his personal courage, he lacks the anti-colonial record, the ability to embody the key characteristics of ‘civilisation’, and the visceral power and violence that Mugabe is able to master and project. Zimbabwe’s postcolonial state produces its own ambivalence: ideas of civilisation are there, expressed in a state authority that embodies the colonial past, but at the same time rejects it as violent, disempowering and de-subjectivating.

**Conclusion**

Freud was too emphatic in his separation of the individual unconscious and norm-enforcing society, which he played out in his perception of the difference between civilised and primitive societies. This logic was given material form in European colonialism, whose psychic origins and their effects were dissected by Fanon. However, Fanon also tended to dichotomise, in his understanding of pre-colonial African societies as being without neuroses. His subsequent argument in *The Wretched of the Earth* for the need for violent reassertions of black identity expresses a desire to repudiate the chaotic neuroses brought about by colonialism. His dissatisfaction with the pragmatic, negotiated end of colonialism expresses distaste for ambiguity.

What the studies of political relationships in Africa demonstrate is the inevitability of mixing things up: that civilisation (norms, political authority) both represses and represents unconscious drives. Colonial discourses of civilisation have provided extra layers of complexity and perhaps a more acute awareness of ambivalent relations to authority. Yet, as Mudimbe suggests, ambivalence towards civilisation was already there before colonialism.
These psychoanalytically-informed accounts of politics in Africa disrupt the European foundations of psychoanalysis in modernisation theory. Fanon deconstructs the implicit modernist foundations of psychoanalysis itself, analysing the effects of European fantasies on Africa — for him the most insidious imposition of colonialism. In contrast, Mudimbe looks for similar processes of repression in pre-colonial Africa. He explores the idea of repressed sexual fantasy and its incorporation into a logic of social progress. The outcome of his analysis is that an African society also represents the idea of the suppression of Oedipal drives in the way they create a narrative of civilisation. However, Mudimbe’s understanding of the role of myth and ritual is that it allows a social expression of repressed ‘primitivism’: the primitive and the civilised are understood to together constitute personhood and statehood in central Africa. Exploring postcolonial statehood, Mbembe exposes the ambivalent nature of political authority. He bases his account of the uncanny power of the state on its ability to represent repressed fantasies, and to become the object of ambivalent feelings about them.

What Mudimbe and Mbembe both do is to show how the state itself – personified by the Bemba king or the postcolonial autocrat – embodies the ambivalence of the relationship between the individual and the collective. In both accounts, the ‘civilised’ does not triumph, but rests on and contains the ‘primitive’. Its validity as a social institution is its ability to embody both and express the tension between them. Robert Mugabe illustrates this ambivalence, particularly in relation to the idea of civilisation. His political authority appears to rest on his success in expressing a form of progress and civilisation that both embodies and repudiates the colonial past.

Psychoanalysis is a powerful tool in understanding the way in which norms structure social life. In a way it provides us with a paradigm for understanding the power of the collective, one that is constantly baffled and undermined by our own inability to understand ourselves. I think one of the most important insights psychoanalysis offers is its take on what it is to be human – the creation of subjectivity through relationships, the suppression of sexual and aggressive fantasies as part of the way we tame ourselves within the broader relationships of society, and the way these are projected onto the political apparatus. Different societies do this in different ways, but important themes are common to all including ideas of progress that create the civilisation to replace sexual taboos. Psychoanalytic theory, in its ability to at least partially grasp this, has plenty to tell us about the nature of norms and their links to individual subjectivity as a basis for political authority.

Notes

1 Freud had a parallel explanation for girls and their fathers, although it was not as well worked through as his theory for boys, and his theory has been criticised for failing adequately to understand women.
2 For accounts of a long-held European fascination with Africa as a place of innocence and wonder, see Mudimbe, 1988; Gallagher, 2011; Harrison, 2013.
3 The Bemba live in Katanga in the Democratic Republic of Congo.
4 Like Freud, Mudimbe bases his analysis on anthropological accounts. He too is drawing on what Western academics and colonial authorities have made of observing and questioning Africans. He discusses some of the limitations of this approach, most tellingly in a point about how far these researchers stimulate and catch onto stories of progress, which are ‘an exegesis . . . offered for consumption’ (1991: 81).

5 This section draws on empirical research carried out in Zimbabwe between 2011 and 2014. The main findings of this research are part of an ongoing project on African conceptions of the international.

6 These comments, made during interviews in Harare and Chitungwiza in 2011, were echoed by many of the 200+ people I have interviewed in this project.

7 Teacher, Harare, 30 August 2011.

8 Joshua, Chitungwiza, 28 August 2011; Civil society activist, Harare, 30 August 2011; Trade union activist from a group interview, Harare, 5 September 2011; Trade union activist from a group interview, Harare, 1 September 2011.

9 Trade union activist from a group interview, Harare, 1 September 2011.

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Norms, it would seem, are good things. They oil the workings of international cooperation and sustain peace in the anarchic international political system. Understanding how norms work is thus an important aspect of both the theory and practice of International Relations (IR). In practical terms, norms are an important tool in the policy-maker’s tool-kit. A fine diplomat is one who, understanding how norms work, knows how to engage her interlocutors upon them. To understand norms is to understand whether states can or will change their behaviour towards increased collective action on international policy problems, such as nuclear non-proliferation, climate change or whaling. Restated differently, it is to understand whether they are likely to be socialized into the norms such cooperation requires. In theoretical terms, norms have been a defining concern of conventional constructivism.

The purpose of this chapter is to critically re-examine some of the conceptual frames underpinning the study of international norms. I focus on the concept centrally mobilised within that scholarship to appraise normative change, socialization. Returning to the concept’s origins in sociology, I show how its adoption in the conventional constructivist scholarship has yielded an epistemological apparatus that effectively silences those whom one might call reluctant socializees, that is, actors of the international system who more or less actively reject certain norms. This article belongs to a larger critique levelled at conventional constructivism for its neglect of the dynamics of power in the international system, a core theme running through this forum.

First, however, a methodological caveat. The aim of this forum is to offer pointed, and in that sense necessarily limited interventions, for the purpose of opening up a conversation around a critical re-examination of the way we have studied norms in IR. In this context, what this chapter does not offer is a comprehensive stock taking of the constructivist literature on socialization. The engagement it proposes, rather, takes the form of a grounded, bottom-up critique. That is, I use an issue-area of international politics that has been extensively mined under the constructivist socialization lenses, whaling, as a prism for highlighting some of the pitfalls that have taken shape in the way the concept has been adopted from sociology. These pointers, while empirically grounded, provide theoretical lines...
of flight that, it is hoped, can be used to flag the potential pitfalls to the use of the
concept elsewhere. The purpose of my efforts are not to discount how useful the
concept has been in capturing norm dynamics but to caution against these three
specific forms of silencing effected by the epistemological apparatus that it car-
ries with it. Space constraints imposed by this conversational format, moreover,
have required me to draw at length on my existing work, for which I must ask for
the reader’s leniency. The choice has been to focus the effort on the self-reflective
movement of bringing these distilled empirical findings to bear on the broader
conceptual frames deployed to capture norm dynamics.

Whaling lends itself especially well to developing a grounded critique of
socialization for three reasons. First, as one of the oldest success stories of global
norm diffusion, it presents three decades of socialization scholarship. But it is also
today, second, a case of failed socialization. Indeed, after over three decades of
efforts to spread the global anti-whaling norm across the globe, the resistance to
the anti-whaling norm is increasing on the ground, whether on count of the num-
ber of countries supporting whaling or of whales caught. Of course one case does
not ring the death knoll of a concept that may remain pertinent elsewhere. Yet it
remains perhaps more useful for drawing out limitations to the concept that may
remain less visible, but no less present, in instances of successful socialization.
My suggestions is thus to use this phenomenon of norm resistance productively to
examine what has been framed out by the concept – and what can come back to
defeat it, as the whaling empirics draw out. In line with a Foucauldian analytics of
power, resistance provides here the catalyst to reveal the ‘other’ face of socializa-
tion, the face of the socializee. Third, whaling offers a case of policy gridlock,
where collective action has been ground to a halt by the socializees’ persistent
rejection of the dominant anti-whaling norm. Whaling is thus useful for examin-
ing the juncture between scholarship and policy-making. What whaling illustrates
is how an epistemological shortcoming doubles up as a policy deadlock, and the
extent to which the lenses through which we look at the world shapes our ability
to devise policies to change it. Diplomats who attempt to socialize other states
by trying to persuade them to adopt what they consider to be norms of appro-
riate behaviour can, when uncritically donning what I call the ‘happy socialization
lenses’, remain blinkered to how their efforts may be received – and therefore
why they may be rejected.

My critique of the ways in which socialisation has been mobilised to ana-
lyse normative change is three-pronged, with each yielding a particular form of
silencing or epistemological erasure. First, it carries with it a unilinear, liberal
understanding of progress that is highly problematic in that, in concealing its own
normative origins, it purports to cast as universal what is always necessarily a
localised and historically specific set of values. Second, it frames out the voice
of the socializee, not least by, third, infantilizing it. I will develop these lines of
critique successively, after first mapping how the concept was first elaborated in
the constructivist conceptual framework to articulate the relationships between
norms, identities and change.
Socialization: norms, identity and the study of change in international politics

‘Socialization’ provides the conceptual hook that links the study of identity, norms and the appraisal of change in international politics. Ushering the concept of identity into the study of international politics in the late 1980s, and, from there, emphasising the multiple ways in which identities are socially constructed rather than innate or given, was the founding achievement of constructivism. Identity served to deepen the rationalist understanding of interests by casting the focus upon how these interests are formed; that is, by drawing out how these interests relate to their identities. Identity has since remained a key concern across both ‘conventional’ and ‘critical’ strands of constructivism that began to take shape in the late 1990s (see Hop. 1998; Katzenstein, Keohane and Krasner 1998; or Wiesner 2009 for extensive developments on the distinctions between the two strands of constructivisms). From there, norms became a focal point of conventional constructivism’s empirical research agenda (Katzenstein 1996; Finnemore and Sikkink 2001). Critical constructivists, for their part, pursued their enquiries instead into the social construction of inter-subjectively shared meanings and their political consequences; either by targeting the key signifiers of international politics such as ‘national interests’ (Weldes 1996) or ‘sovereignty’ (Weber 1993), or by focussing more broadly on the discourses where these meanings are negotiated and partially fixed (Doty 1996; Campbell 1998; Hansen 2006; Epstein 2008).

Within conventional constructivism’s overall focus on norms and identity, socialisation added a mechanism for conceiving how these identities changed. States adopts a new norm, often peddled through the international system by a small group of dedicated ‘norm entrepreneurs’ (Keck and Sikkink 1998), because of the way it has come to shape their identities, rather than because of any economic pay-offs associated with being seen to be observing it. The end of whaling in the West (Nadelmann 1990; Peterson 1992; Stoett 1997) or of slavery (Keck and Sikkink 1998), for example, was brought about by these states having been successfully socialized into the anti-slavery and anti-whaling norms, respectively. Socialization is thus successful once these states have reached a ‘tipping point’ (Finnemore and Sikkink 1998; Bailey 2008) where consideration of any economic benefits that might have accrued from pursuing these practices is outweighed by the sense that doing so would run contrary to how they see themselves. This is the point where these socializees have fully internalised these norms as constitutive of their identities and therefore of their interests as well.

An implicit liberal teleology: bettering the socializee

A first flaw to the use of socialization in conventional constructivism is its in-built normative teleology. The type of change that analyses of socialization have tended to focus on is a change for the better; change is rarely for the worse or even simply neutral. Although this case selection bias has been recognised within the school (see notably Kowert and Legro 1996, 435; Checkel 1998, 339; Finnemore
Stop telling us how to behave

and Sikkink 2001, 403; Acharya 2004), its persistence two decades on suggests there is something more to the concept that may need explaining. Contrary to Finnemore and Sikkink’s (2001, 403) assertion that ‘there is no necessary reason for this orientation’, I suggest that there may in fact be a necessary reason, of the logical kind, to this persistent lack of focus upon ‘bad’ norms in conventional constructivism two decades on; which is to be found in the cognitive frames underpinning the concept’s use in that scholarship. The empirics, moreover, reveal another related silence: the near-total absence of focus on the histories of colonization (see also McKenzie and Sesay’s contribution in this forum). Of course, an entire approach cannot be taken to task for an empirical omission. However, given the central role colonization played in shaping the contemporary state system and diffusing its norms, the charge here is laid on account of the schools’ foundational interest in the social construction and the historical processes that were central to that system’s making; of norms being a defining theme of its empirical research agenda; and of its declared interest in change. As David Blaney and Naeem Inayatullah’s piece in this forum draws out, the history of European states emulating one another in their empire-building land-grabbing exertions is rife with instances where actor behaviour has been changed in the ‘wrong’ direction; with enduring effects upon post-colonial states’ relationships with international norms. To be clear, my suggestion is that the ‘moral proselytism’ that has already been self-reflectively identified within that school (Acharya 2004, 242; Nadelmann 1990, 481) is associated not merely with the actors or norm entrepreneurs wielding the norms, as these authors have suggested, but with the conceptual frames developed to study these.

What, then, underpins this progressive norms bias? It bears a double ideological grounding in, on the one hand, liberal, Hegelian conceptions of history, and, on the other, in the classic ideal of progress that can be traced back to positivism’s founding fathers, notably Auguste Comte. Together these have yielded a universalising teleology, a marked feature of liberalism. Thus the uni-directionality that surfaces in the persistent case selection bias thus owes to an implicit, unacknowledged liberal ideology. It is not, as I will show below, inherent to the concept itself. Yet it sets important blinkers to the study of change in international politics. In a sense this simply rehearses critical constructivism’s classic critique of conventional constructivism’s reluctance to acknowledge its own normative location as part of the analysis itself, and thus its complicity in reproducing the very structures it purports merely to be studying. As Ted Hopf (1998, 185) puts it in a classic statement of the differences between the two strands ‘conventional constructivism does not accept critical theory’s ideas about its own role in producing change’.

In socialization analyses the line is rapidly blurred between the ‘is’ and the ‘ought’ and the descriptive blends into the prescriptive. Whaling offers a case in point, where the scholarly assessment of the anti-whaling norm’s progression around the globe is over-layered with the sense that this is a desirable outcome – that the norm’s progression, in other words, constitutes progress (see notably Scarff 1977; M’Gonigle 1980; Birnie 1985; Nadelmann 1990; Peterson 1992; Caron 1995; Stoett 1997; Mitchell 1998). To a degree, even more recent efforts
to re-assess the norm’s progression remain trapped in these uni-directional and normatively laden cognitive frames, as we will see in the next section. As the first success story of global environmental activism, whaling constitutes one area where norm-entrepreneurs decisively altered the course of global policy-making. Here the scholar, the norm-entrepreneur, and indeed the state representative are often one and the same person (see Epstein 2005, 2008). Whaling thus presents a case where the line is especially thin between scholars and activist-practitioners who bring their own values to their scholarship. Conversely, however, the cognitive frames developed to analyse the norm’s dynamics are also more or less wittingly mobilised towards the activist’s normative goal.

Back to the drawing board: Berger and Luckmann on socialization

Returning to socialization’s conceptual origins in sociology is useful for further separating out this unidirectionality from the logic inherent to the concept itself and for locating it in the assumptions underpinning its adoption in conventional constructivism. I refer here to the early conceptualisation in Peter Berger and Thomas Luckmann’s (1967) *The Social Construction of Reality*, a linchpin of the constructivist turn across the social sciences at large. There the analysis of socialization was deployed as part of a broader effort to unpack the processes underpinning the construction of the social world and the epistemological frames through which we know it. It is noteworthy that in this founding text identity is not the main concern, but rather how knowledge of and ability to function in the social world is initially acquired and subsequently reproduced by the social actors. Social institutions, including norms, are born of the dialectical interplay between three processes, ‘externalization’, ‘objectivation’ and ‘internationalisation’. Schematically, human beings enter into habitualized interactions with one another and their environment out of ‘anthropological necessity’ (Berger and Luckmann 1967, 70). Even the proverbial individual on an island will repeat the same gestures as every morning he [sic] resumes his attempt to build a canoe out of matchsticks (Berger and Luckmann 1962, 71). As they are repeated, these habitualized interactions between A and B become externalised. They establish a pattern for future interactions between these two actors. This is the first moment of creation of a social norm. They then become increasingly ‘objectivated’ as an increasing number of other humans start to imitate A and B when interacting with one another (Berger and Luckmann 1967, 78–79). This is the point at which institutions are born. These objective social structures are subsequently internalised as norms by A and B’s children. ‘Socialization’ per se refers to the last moment of this dialectical process, internationalisation. It captures the early dynamics by which the individual internalises norms and thereby becomes a fully-fledged social actor who in turn will perpetuate the whole process of social construction (but not necessarily the same norms).

Berger and Luckmann’s analysis underscores the profound contingency of the dynamics underpinning social construction. That a particular social norm took the shape that it did was only because of highly contingent series of habitualized
interactions that were progressively sedimented at a particular time in a particular place. This is owed to this particular historical context rather than to any internal ethical necessity of the norm or indeed to the absolute worth of its content; let alone to any universal reach it may have. The original template for the analysis of norms dynamics, in other words, remained much more sensitive to changes in any direction, good or bad. Yet in constructivist thought the main focus has tended to be cast mainly on the moment of socialization, at the expensed of the first two moments of the dialectical process of social construction, externalization and objectivation. One important consequence is that the contingency of norms, and their original situatedness, has tended to fade out of sight; rather than being mined in order into perspective the process of their naturalization into international norms. Historically, the striking feature of the whaling case is that the current norm regulating interactions around whales (whale saving) is the mirror opposite of that which obtained half a century ago (whale killing). Whether this constitutes progress depends of course on one’s own location. Whaling is thus useful for underscoring this original contingency and historical relativity as a generic feature of international norms.

Framing out the socializee

A second concern with regards to the application of ‘socialization’ to the study of international politics also relates to the concept’s uni-directionality. It is bound up with the broader issue of the translatability of concepts developed at the individual level to the international level, or more precisely to what I have elaborated elsewhere as IR’s fallacy of composition; that is, a tendency to assume that works for individuals in the appraisal of identity works for states as well (Epstein 2011). In the study of social dynamics, ‘socialization’ was coined to capture a movement that runs in one direction: from the socializer to the socializee. Noteworthy here is that Berger and Luckmann’s original model for the socializee is the child, the implications of which I will explore extensively in the next section. The point I want to underline at this stage is that these lenses inherently frame out the socializee. Taken to the international level, this becomes not only problematic in terms of research ethos but it actually foreshortens the concept’s explanatory reach. Jennifer Bailey’s (2008) analysis of the international politics of whaling, for example, which presents a rare attempt in the whaling scholarship to restore the perspective of the whaler and thereby offers a sound example of scholarly sensitivity as to one’s own normative situatedness, also illustrates how the concept itself curtails otherwise laudable efforts in that direction. My argument is that these epistemological limits carry over into the policy arena where, effaced theoretically, the socializee’s perspective becomes even harder to bring to bear upon the negotiations. I consider these conceptual and empirical levels here in turn.

In a classic conventional constructivist approach, Bailey deploys the ‘norms lifecycle’ framework developed by Martha Finnemore and Katheryn Sikkink (1998) to gauge the degree to which the relevant actors have been successfully socialized into the anti-whaling norm since the adoption of the 1982 moratorium.
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on commercial whaling. Yet her application of the framework also illustrates the difficulty of fully reintegrating the socializee’s perspective while seeking to dwell within it. Bailey (2008) rightly identifies the resistance to the anti-whaling as the empirically significant phenomenon marking the last three decades of whaling politics. However, appraised under the prism of socialization, the resistance’s significance can only be as ‘a case of failed norm change’, to paraphrase Bailey’s title; and efforts to restore the socializee’s perspective have been reduced to identifying alternative ‘proto-norms’ held up by the whalers against the anti-whaling socialization efforts (Bailey 2008, 314). What the pro-whalers have developed are not merely ‘proto-norms’ but more fundamentally a broad array of fully-fledged pro-whaling identities that draw in complex and variegated ways upon local whaling histories (see Epstein 2003, 2008 for extensive developments). What is missing here to gauge the significance of such developments is the concept of identity; where constructivism cast the focus in the first place. Only by understanding that what is at stake in the rejection of the anti-whaling norm is indeed nothing less than the defence of political identities can one make sense of the persistence of whaling despite three decades of international criticism and at great material and reputational costs (in the cases of Japan or Iceland, for example).

What I take issue with here is not so much Bailey’s analysis but rather the logic of a concept which, I argue, inherently impedes the possibility of fully restoring the perspective of the socializee, insofar as the latter can only ever be apprehended on the receiving end of the socialization process. And yet the cost of not doing so is to reduce the agency of the socializee mere resistance, that is to say, to a reaction, rather than a fully-fledged, autonomous capacity for agency bound up with particular identities.

Empirically, these epistemological blinkers help account for failure of the anti-whaling diplomats to successfully engage their whaling interlocutors, in that they explain their difficulty to gauge how they are perceived by those they seek to engage with. They make sense of the type of patronizing anti-whaling diplomacy that has been a persistent trait of exchanges on the floor of the International Whaling Commission’s annual meetings (see Epstein 2008). There the same cognitive frames blocking out the perspective of the socializees are donned by policy-makers. Here is an example of a diplomatic exchange at the 1989 meeting where an anti-whaling country (Australia) attempts to socialize a whaling country (Japan) by inviting it to behaving ‘like’ itself and, by extension, the society of like-minded, self-respecting anti-whaling states:

Australia referred to its own experience following the closure of its last whaling station and reported that some unemployment has resulted. Subsequently new ‘whale watching’ activities have developed in some parts of the country. Australia also noted that interest in non-consumptive uses of cetaceans were beginning to develop in Japan as exemplified by ‘Whaleland’ in Ayukawa.

Japan stated that although it does not oppose non-consumptive uses of whales under the Australian policy, it is felt encouragement of such policy should be confined in the 200 nautical mile zone of Australia

(International Whaling Commission 1989, 41)
What makes this sort of patronizing diplomacy possible in the first place is the anti-whaling discourse that has created the conditions where it has become acceptable to tell another sovereign state how to behave in the name of a ‘good cause’. In other words, the rise to global prominence of this discourse, which I have extensively traced elsewhere (Epstein 2003, 2008, 2006), is what creates the conditions of possibility for this style of diplomacy. The frames set by this discourse make it impossible for Australia to fathom that other, non-interest based, indeed cultural factors may motivate Japan’s desire to pursue whaling rather than whale-watching, for which Australia’s advice on unemployment measures misses the point entirely. However, the most significant trait about this otherwise rather typical exchange in this discursive arena widely ordained and regulated by the anti-whaling norm, is that, seven years after the adoption of the 1982 IWC moratorium on commercial whaling it constitutes one of the first expressions of a Japanese pro-whaling discourse of resistance. An additional subtext to this plea for Japan to follow its lead is that Australia’s, and by extension all former-whaler-turned-whale-saver countries’, is the road of progress onto which Japan, and by extension all countries that ‘still’ whale, has not yet quite made it to – which announces the third line of critique developed below. From the Japanese perspective, at stake here is the erasure of an ancient whaling past (traced back by anthropologists to the 16th century), and of the specificity of Japanese whaling, for which categories by which whaling is managed today in the IWC today is ill-suited.

**Infantilising the socializee**

This diplomatic exchange also illustrates the implicit infantilization of the socializee, my third and final line of critique. Australia’s socialization efforts implicitly casts Japan in the position of child in need of learning the norms of ‘good’ behaviour vis-à-vis the whales; the reference to amusement parks is revealing. By the same token, Japan’s whaling past, and the way Japan chooses to relate to this whaling past in positioning itself on this issue today, is simply delegitimized or even erased. Once again the seeds of this erasure are contained in the concept itself, or rather in its translation to the study of international norms. The fallacy of composition, or tendency to extend to the international level without reworking concepts deployed to appraise individuals, becomes especially problematic when the archetype for the individual in that conceptual framework is the child.

It is noteworthy that Peter Berger and Thomas Luckmann’s (1967) themselves are careful to warn against the pitfalls of hasty generalization of these dynamics to already socialized individuals. They specify that internalization of new norms in adult, although ‘it exhibits, at least superficially, certain similarities with both primary and secondary socialization, is structurally identical with neither’ (Berger and Luckmann 1967, 131). Indeed they further drive in the point by distinguishing between analyses that focus on ‘the societal at large’, where the three moments of the dialectical process through which the social construction of reality occurs (externalisation, objectivation and internationalisation) ‘are not to be thought of as occurring in a temporal sequence’; whereas ‘in the life of the individual, however, there is a temporal sequence, in the course of which he [sic] is inducted into
participation into the social dialectic’ (Berger and Luckmann 1967, 129, emphasis in original).

One important consequence of extending this socialization model to actors of international politics, who are not only collective rather than individual actors, but more relevantly here, are also priorily socialized actors with fully-fledged pre-existing identities, is the de-politicization of the concept of identity itself. Focussing on socialization leads to underestimating the political costs incurred in processes of identity change – or indeed downplaying the identity stakes altogether, as in Bailey (2008). This, I propose, is because the model of social actor it implicitly mobilizes is the child, a being with no past and no prior social identity. Only by assuming that the socializee, like the child, holds no prior legitimate identity, or whose identity is in need of being moulded, can both the analyst and policy-maker come to ignore the fundamental violence that inheres in the loss of one identity in order to acquire another. The new pro-whaling identities, although they are not reducible to them, are built on quite concrete losses (the loss of particular whaling practices) that are mobilized in into new narratives about contemporary whaling identities.

**Change or loss?**

The root of the problem lies, I suggest, in the articulation of identity and change. Conventional constructivism has a single modality for appraising identity change: change, rather than loss. This line of critique is a logical extension to the concept of socialization what has now become a classic post-structuralist critique of the conventional constructivist understanding of identities. Indeed, constructivism has been extensively taken to task for deploying a fixed; static conception of identities that remains ill-suited to capturing the openness, ambivalences and indeed losses that inhere in the dynamics of identity formation and change (Zehfuss 2001; Hansen 2006; Epstein 2011). My point here is that the essentialization of identities and the infantilization of the socializee are in fact two sides of the same conceptual coin.

Schematically, in the conventional constructivist framework, the identities of social actors feature as fixed, given ‘essences’ (Wendt 1999) that change when actors are socialized into new norms. Socialization, in this context, offered itself as the dynamic, empirical concept. However, what happens with that concept, because of its inherent logic, is that identities are not simply captured as succeeding one another along a long line of stable, fixed states, where past identities simply give way to new ones. Rather these past identities are actively erased by of the infantilization of the socializee that the concept itself paves the way for, because of its inherent logics. The losses are thus neutralised, and the concept depoliticized. One key feature of the anti-whaling discourse, for example, is the denial of Japan’s past whaling nation, which is always discounted as a recent invention rather than a legitimate history and culture. The essentialized, fixed identity and the de-politicised conception of change logically imply one another.
Conclusions

Conventional constructivism has been highly successful in broadening the analytical focus beyond the rationalism and in developing tools for better appraising the behaviour of the actors of international politics, particularly in their social dimensions. A cost of this success has been the uncritical entrenching of some of these tools, notably the concept of socialization, considered in this article. To critically re-examine it I first returned to the concept as it was originally developed in sociology in order to understanding where socialization, as it has been developed to analyse international norms, has fallen short of rendering the full range of dynamics at play for all the actors involved, specifically for the socializee.

Because of the way it casts the focus on a movement that runs from the socializer to the socializee, socialization is not well equipped to capture the significance and the costs for the socializee of its internalizing a new norm. These costs are expressed by the phenomenon of norm resistance, as exemplified by the international politics of whaling.

In this article I thus focussed on norm resistance to develop a threefold critique of the constructivist deployment of socialization to analyse normative change. First, socialization has so far been difficult to shake from an implicit assumption, grounded in a teleological conception of change as progress, that norm internalization leads to an improvement of the socializee; largely because most norms that have been studied have been ‘good’ norms. This liberal bias, I argue, has left the scholarly sensitivities blunted as to why norms can actually be rejected by the actors concerned. Second, because of the unilinear direction of the movement the concept was coined to capture, it has proven difficult to fully restore the perspective of the socializee within the framework it sets up. Third, because it was developed to analyse the dynamics of norm internalization in the child, ‘socialization’ tends to effect and legitimize an infantilization of the socializee.

The root of the problem, I have suggested, lies with the way in which identity change itself is apprehended in this framework. The analysis of identity change in terms of socialization vehicles with it a neutrality that is problematic, politically and conceptually. Insofar as changing identities involves losing an identity to acquire another, this can bear out significant costs for the actors – even when such changes are willingly embraced. My concern is that such costs are obscured by an approach that appraises change a priori as a good thing, such that it crowds out the possibility of considering it as loss. Conceptually, there is an active erasure at work that is brought on by such a focus on change rather than loss that centrally mobilizes the infantilization of the socializee. Politically, this legitimizes policymakers discounting of the socializee’s past and treating it like a child or a blank page upon which the international system’s good norms can be written.

Like the proverbial child, however, there is no need to throw away socialization with the bathwater. One of the motivations for unpacking the concept’s original logics was to show how fruitful it remains for drawing out the historical relativity of the norms it sets the focus on so long as the full dialectal movement...
of externalization, objectivation and internalization/socialization, and its political costs, are taken into account. One way to do this is to apprehend norms within the broader, historically specific, discourses within which they have developed. Two avenues for a future research that would significantly sharpen the concept of socialization would be, first, to put it to the test of ‘bad’ norms, and second, to consider colonial and post-colonial dynamics under its lenses.

Notes

1 This chapter previously appeared in International Studies Perspective, Volume 13, no.2, 2012.
2 ‘Socialization’ has a long history in IR theory that cuts across neorealist, neo-liberal institutionalist and constructivist thought (see also Cortell and Davis; 2000). Constructivism, however, is the school of thought that has most thoroughly explored how the socialization ties in not merely with immaterial incentives but with norms; not least as a result of constructivism’s explicit rapprochement with social theory and sociology. The constructivist understanding of socialization is my sole focus here.
3 For a notable exception see Sharman (2008).
4 I am grateful to one journal’s reviewer for helping me draw out this point.
5 To be clear, mine is not a nostalgia for a value-free standpoint from which, removed from the world, the scholar might conduct a purportedly objective analysis – which would be to fall prey to a rationalist fantasy. The scholar is always situated in a particular time and a particular place (as are the activist and the policy-maker) and carries her own set of values, nor is this necessarily a problem. What is problematic as a scholar is the lack of critical awareness as to one’s own situatedness. My concern here is thus unreflective espousal of that teleological design implicitly vehicle by the uncritical embrace of norms as ‘good things’. This is why a discursive approach remains a more effective way of mobilizing one’s situatedness into the scholarly research (Epstein 2008; 2010; 2011).
6 This ‘anthropological dimension’ to Berger and Luckmann’s (1967) analysis remains problematic because of the essentialized conception of identities is conveys. Identity, however, is not their main theme. Thus insofar as this dimension remains tangential rather than a central pillar of a theoretical framework that can conceivably function without it, the three moments of the dialectical process they identify remain useful for understanding the emergence of social institutions. For example, once can conceive that ‘externalization’ can occur simply through the contingent, historical repetition of interactions – as, say, through practice – without any need to recourse to biological necessity.
7 I am not saying that conventional constructivist scholarship is unaware of the origins of particular norms or that histories have remained unexplored in that scholarship. Rather, this awareness and this historical work tend not to be brought to bear to critically re-examine the process by which the norm has been externalized or projected onto the international level prior to its being diffused around the globe. In other words externalization and objectivation tend to be taken as unproblematic; when they are precisely the moment when of the norm’s universalization; that is, when the rightly identified ‘moral proselytism’ (Acharya 2004, 242) take root.
8 This is not to deny the work that has been done within the constructivist scholarship to appraise the ways in which norms have been adopted and adapted by the socializee (see notably Acharya 2004; Wiener 2009). Yet it is telling that shifting the focus to the socializee has actually required resorting to alternative concepts, such as localization (Acharya 2004).
9 It is also significant that in other, closely related issue such as the regulation of tuna fishing, Australia is significantly more sparing of Japanese sovereign sensitivities. For example, in 2005 when the Australian press heard wind of an Australian government
report tracking Japanese overfishing in Tuna fisheries, the Australian government went out of its way to quell the news.

10 Elsewhere I have retracl the history of the creation of the distinction between ‘commercial’ and ‘aboriginal subsistence’ whaling over the 1970s and 1980s, which was created specifically to cater to US domestic interests so as to enable the government to allow the outlawing of the former and the continuation of the former (Epstein 2008). Yet the distinction, which was then instituted at basis for the international management of whaling management, does not capture the forms of whaling that have historically developed in Japan. For over two decades Japan has struggled, unsuccessfully, to obtain the institution of a category that better represents its own whaling, known as ‘Small Type Subsistence Whaling’.

11 Such as, for example, factory whaling, which was born in Norway in the early 20th century and development of which was centrally related to the early development of Norway’s foreign policy and its presence on the seas of the globe (see Author 2008 for an extensive development).

12 Whaling in Japan has been traced back to the 16th century, although it began as a national enterprise in the 1920s–1930s, and Japan was encouraged back into it by General McArthur under American occupation. Concerning the latter part of Japan’s whaling history calling that into question raises in turn the question of how old does a culture need to be ‘legitimate’ – and more importantly still, who holds the authority to grant such legitimacy.

Bibliography


6 Against localization
Rethinking compliance and antagonism in norm dynamics

Charmaine Chua

In recent years, scholars have criticized the study of norm dynamics for employing a Eurocentric frame to understand normative change in global civil society. Under fire for conceptualizing a model of norm diffusion that masks western coercion as ideational change, norms scholars have made efforts to show that norm dynamics are frequently authored and structured in key ways by non-western actors. Most recently, a *Global Governance* special section dedicated to the “Neglected Southern sources of global norms,” argued that norms central to contemporary global governance have their origins in Southern sources, from Latin America’s contribution to the norm of international human rights to the role of Chinese and Indian pioneers of the international development norm (Helleiner 2014; Sikkink 2014). The “growing Southern influence” in global governance, these scholars claim, reveal that global norms are a product of “not just Northern values and power,” but also of the constitutive influence of Southern countries (Helleiner 2014, 360). Norms, they argue, are neither Eurocentric nor coercive, since they emerge from multiple local contexts. As such, the norms discourse is, and has always been, a globally constituted process.

In this chapter, I challenge these attempts to disavow the norm literature’s Eurocentrism by engaging with Amitav Acharya’s concepts of norm localization (2004) and norm subsidiarity (2011). Even as they claim to the agency of “Southern source,” both models inadequately recognize the colonial frame of reference in which they are mired. Although Acharya insists that we pay attention to the role of local agency in the constitution of global norms, he assumes that expressions of local difference and agency are readily legible through the dynamics of institutional change, and further, that institutional change is the primary realm through which the autonomy of local and regional ideas are expressed. The claim that the “cognitive priors and identities” of norm takers are maintained as they become mutually inflected with external norms assumes a self-evident commensurability between the presence of cultural difference in the periphery, and its expression through elite discourses (Acharya 2004). As such, Acharya’s focus on the local sources of international norms makes the conception of peripheral autonomy thinkable in one form, but unthinkable in another: On the one hand, he makes thinkable the fact that weak and less powerful agents have a key role in the constitution of normative change. On the other, by confining his analysis to elite
negotiations within regional and global institutions, forms of local agency and
difference that lie beyond the institution are made unthinkable.

This chapter argues that the “difference” Acharya identifies in third world agen-
cies are only made legible within the “universal” framework of normative change
because they have been, as Vivienne Jabri puts it, “already scripted elsewhere,
namely the West” (Jabri 2014). Despite his best intentions, Acharya’s advocacy of
Southern agency restrictively squashes multi-layered differences and ideological
positions into the narrowly common interests and values of international society.
The interests and desires of postcolonial peoples feature in the study of global
norms only after they have been translated into the normative structure of the inter-
national, which legitimates itself through disavowals of the violence, dispos ses-
sion, and forgetting that underwrite discourses of universality and modernity. The
insistence that norms scholarship has ‘non-western origins’ thus misrecognizes
its own essentializing politics as a celebration of difference, while circumscribing
difference into a framework in which only certain norms are deemed desirable.
I offer a counterpoint to the figure of the norm entrepreneur and the individualist
agency it entails by analyzing two discursive productions of colonial subjectivity
in the colonial archive. I demonstrate that in the colonial archive, indigenous sub-
jectivities were placed on a spectrum between moral lack of depravity according
to how neatly they could be slotted into projects of colonial conquest. My chapter
shows that while global normative change may seem to have Southern origins, the
histories of conquest implicated in them must be carefully interrogated.

Particulars into universals: subsidiarity and localization

Amitav Acharya’s scholarship makes a crucial intervention into claims that the
scholarship on normative change is a fundamentally Western enterprise. In his
articles on norm localization (2004) and norm subsidiarity (2011), he shows how
norms are received, contested, and drawn from local and regional contexts, argu-
ing it is a mistake to assume that local and regional actors statically and indiscrim-
inately adopt global norms. Less powerful local actors do not passively accept
“cosmopolitan” and “universal” norms (Sikkink 1993) propagated by “moral
entrepreneurs” (Keck and Sikkink 1998) through processes of “moral proselyt-
ism” (Nadelman 1990), as the first wave norms scholarship implied.1 Rather, local
and regional actors frequently use processes of “norm localization” and “norm
subsidiarity” to contest, revise, and even resist norms after their initial articula-
tions (Acharya 2004, 2011). Rather than downplay or deny the agency of local
actors, Acharya’s models account for the constitutive role of weak actors in the
development of global normative order.

At first blush, Acharya’s localization and subsidiarity models share similarities
with postcolonial approaches, since both are critical of approaches that deny the
humanity and agency of colonized populations. Acharya, after all, is interested in
“norm creation and diffusion as a bottom-up process” that recognizes the agency
of relatively weak local actors, and the political will that drives their normative
ideas (2011, 96). Norm subsidiarity, in particular, stresses that norm rejection and
resistance play important roles in constituting global social order. Yet, though conceived seven years apart with theoretical differences, the concepts of localization and subsidiarity both share a compliance-oriented approach to normative change (Richmond 2011). The assumption underlying both dynamics is that resistance or rejection are only legitimated through their "universalization" into a global norm (Acharya 2011, 98).

Acharya is not alone in this conception of local contestation. Constructivist norms scholars following the first wave literature began to challenge a uni-directional conception of diffusion, suggesting that new norms are continually re-negotiated, adapted, or even rejected (Wiener 2007; Sandholtz 2008; Prantl and Nakano 2011; Zwingel 2012). While such research acknowledges norm contestation as they transfer between contexts, they nevertheless share an interest in ‘recovering’ the “cultural background information” that provides better congruence between external norms and cultural practices (Wiener 2007; Wiener and Puettter 2009). These approaches privilege normative orders that reshape rejection into (albeit altered and renegotiated) status quos. In doing so, they neglect the violent tension that characterizes the relation between the abstract standards and norms of global civil society, and the multiplicities of difference that trouble its narrative.

To summarize Acharya’s two concepts: The concept of localization is critical of the norm diffusion literature’s emphasis on “conversion rather than contestation” (2004, 242). Local agents – whom Acharya refers to as “norm-takers” – are not passive targets or learners but “actively borrow and modify” transnational norms (2004, 270). Localization is thus the active construction of foreign ideas by local actors, resulting in global norms “developing significant congruence with local beliefs and practices” (2004, 245). As such, Acharya positions localization between the “strictly dichotomous outcomes of acceptance and rejection” (2004, 241), since it entails both the reinterpretation or refusal of a norm, and its reconstitution, a “congruence-building” process which establishes shared normative space between an outside norm and preexisting local order (2004, 244). Foreign norms do not settle or diffuse into local contexts unscathed; in fact, the reconstituted norm and local actor play more crucial roles than externally imposed norms. The foreign has “retreated” into the local, and not vice versa (2004, 245). Localization provides a key intervention into first wave norms literature: in viewing local agents as neither “infantalized” (Epstein 2012) nor products of “stigmatization” (Zarakol 2014), Acharya sees locals as active participants with the agency to reshape rather than be shaped by foreign norms.

Subsequently, Acharya’s 2011 concept of norm subsidiarity attempts to take rejection within the socialization process seriously. Whereas in localization, local actors are norm-takers, in the subsidiary process they can be norm rejecters and/or makers. Norm subsidiarity designates a “process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful actors” (2011, 97). This definition not only encourages local autonomy, but also cultivates participation positioned against domination. Whereas in localization, questions of colonialism or Eurocentrism are suspended,
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in subsidiarity they are the beginning point. Historically, the extension of European colonial rule established “standards of civilization” against which colonized states were placed on a hierarchy. Against this, Acharya explains, during decolonization Third World states and leaders questioned and rejected international norms that “harked back to the era of European dominance,” seeking to “replace or modify them with ones consistent with their interests and identities” (2011, 99).

However, while the article takes norm rejection to be a legitimate site of change, Acharya acknowledges that states were “more concerned with advancing decolonization than developing rules of conduct” (2011, 103) only in passing. Here, Acharya acknowledges that strategies of decolonization – which were often conflictual and even revolutionary – were more important to state leaders than developing norms of global order. Yet, he never spends time on such strategies or debates, choosing instead of the development of rules of conduct. Rather than take decolonization seriously as a form of resistance, Acharya quickly instrumentalizes non-western difference into an explanatory account of domestic rule-making. He admits that Third World resistance to the West may retain the “normative predisposition” of Third World actors (Acharya 2011, 100). Norm subsidiarity, however, ultimately requires that actors “export” or “universalize” regionally constructed norms into global civil society. Only in doing so do they redefine the meaning and scope of “the global” (Acharya 2011, 98).

Similarly, even though localization transcends the binary between rejection and acceptance, the analytical framework denies the possibility that localization itself can be a site of resistance (Yaylaci 2014). Rather, Acharya locates “resistance and contestation” within the pre-localization stage (2004, 251). Where localization begins, resistance ends. In this respect, forms of resistance and contestation are analytically located as non-events where “no new tasks and instruments are created” (2004, 251).² Their only function within the model of ‘normative change’ is to provide its negative counterpoint, as forms of obstruction that are eventually overcome by more universalizable norms.

Underlying both approaches to the “local,” therefore, is a similar reformist impulse. While both subsidiarity and localization challenge the supposition that norms are foreign impositions by foregrounding Southern agency, revolt or resistance nevertheless are reconstitutive of a conceptually stable category of universality. Under localization, a ‘universal’ norm enters the local scene to “strengthen, not replace, existing institutions” (2004, 246). Local agents may adapt these norms to domestic contexts, but the universal character of the norm itself is not questioned. Under subsidiarity, local actors resist great power control by “invoking existing global norms that they considered universal” in order to secure their autonomy, but any possibility for agency against domination is located within the universalizing category of globally accepted norms, not outside or against it (2011, 102). In other words, while the content of a norm may be challenged or adapted, the provenance of their universality is never interrogated. Thus, Acharya’s frameworks ultimately fail to challenge the colonial histories of rule that produce the nation-state and international institution as the primary sites wherein change takes place. In both models, Acharya does not consider how his focus
on institutional change delimits forms of struggle outside institutional structures, neglecting the forms of dispossession and violence that have universalized the institution as the most desirable locus of normative change.

Three aspects of this universalizing horizon are troubling. The first is that if the “local agency role” is primarily institutional, normative change is perceived—even when rejection is taken seriously—as something occurring within the diplomatic process, and which in turn legitimizes institutions as the central site for change. Agents are conflated with institutional elites, and elites are placed at the center of processes of normative change. The point I am making is not simply that we need to look at non-elite and non-state actors, but that Acharya’s focus on institutional governance assumes coherence between elites as self-conscious speaking subjects, and what they say as legitimate expressions of cultural difference. This concept of agency remains confined to an individualist ontology, predicated on a rational self. Acharya never explicitly conceptualizes what he means by local agency, relegating to parentheses the quick definition that agency entails “voluntary initiative and selection” (2004, 243). Conceived as such, the local agent is a self-activating individual who consciously selects, borrows, and modifies norms, but is not interpellated within the social orders from which those norms emerge. Nor can this agent retain a resistant, non-compliant subjectivity that can be valued as difference in its own right. Irresolvable antagonisms are excised in favor of difference that can be brought under the control and tutelage of the institutional frame. By understanding “agency” to be a matter of ‘voluntary’ selection in this way, Acharya locates subjectivity within an idealized concept of the unitary, autonomous, self-sufficient agent.

Second, while Acharya recognizes that contestation is central to the diplomatic process, norm rejection is slotted into a teleological horizon (Epstein 2012). Rejection plays a part in the process of norm subsidiarity, but only insofar as challenges to great power domination are situated as an initial phase of a process toward normative change. Ultimately, compliance, defined as the support, revision, or addition to “existing global norms” (Acharya 2011, 113), is the end goal.

Third and relatedly, Acharya does not recognize forms of critical agency that exist outside this framework of elites enacting institutional change. Instead, we are given a picture of Third World ‘difference’ and ‘alternatives’ that reaffirm static divisions between particulars and universals. Embedded in this is the assumption that Third World particularities, in all their diverse forms from “traditionalist” religious and cultural practices to anti-colonial resistance, will remain particular if they are unable to make broader appeals to the global universal.

As a result, taking Acharya’s models as exemplary theories of ‘non western’ change has serious implications for understanding postcolonial difference: since they privilege institutional, elite-driven, compliance-oriented models of non-western difference, they recognize anti-hegemonic struggles that re-surface in the field of the international only at the point when they become universalizable. By retaining the universal as the organizing frame though which ‘alternative’ worlds are made intelligible, norm subsidiarity and localization cannot recognize the critical agencies of those for whom the colonial situation is a “murderous and
decisive struggle between two protagonists” (Fanon 2004, 30). The only differences that are normatively constructive are those expressed on liberal, agonist planes through respectful engagement with adversaries. Differences otherwise – expressed through antagonistic irruptions of rebellion or violent resistance – are contestations that must be overcome. Under conditions of norm localization and subsidiarity, global civil society is seen as a totalizing unity that “undergoes a process of development within historical time” (Chakrabarty 2007, 47). Acharya thus conceptualizes universality not as a structure in and through which particular differences struggle and are staged, but the teleological horizon into which struggle must be enfolded.

Postcolonial historiography and the question of the universal

A postcolonial perspective illustrates the problems inherent in Acharya’s understanding of universality. Universal norms are not the encompassing container of particular content, nor do they necessarily entail a “liberal arrow of progress” from local difference to global universal (Epstein 2014, 308). Rather, approaching norm dynamics through postcolonial history shows how the universal is a contested field, or “the site of an unbearable antagonism and self-contradiction” between colonizer and colonized (Zizek 2009, 49). The colonial encounter produces and incites its counterpoint of anti-colonial resistance. By postulating normative change to the exclusion of antagonistic forces, norm constructivists deny that the international system within which such normative negotiations play out is determined by violent tensions. Drawing from postcolonial perspectives, it becomes crucial to understand that in the aftermath of European colonization, it has become no longer possible to think of the “universal” as an un-coercive site of global consensus, since the encounter between “congenitally antagonistic forces” of colonizer and colonized is inscribed into the very notion of a global civil society (Fanon 2004, 2).

It is important to note that Acharya extrapolates his notion of plural difference from Southeast Asian historiography that takes no account of postcolonial approaches. My issue with this neglect is not simply methodological; Acharya’s failure to engage in postcolonial approaches – in scholarship avowedly about the agency of the colonized – decisively evacuates the violence at the heart of colonial narratives from the story of Third World agency. Instead, subsidiarity and localization are inspired by an image of multiculturalism in Southeast Asian historiography. Drawing from Thomas Kirsch’s (1977) work on the evolution of Thai religion, Acharya describes how the arrival of Indian Buddhism on Thai shores did not lead Thais to abandon the worship of local spirits, but to a “transformation” in the status of both religions. Over time, Thai shrines began to place Buddhist deities alongside local spirits (2004, 246, 2011, 98). This image of syncretic religious pluralism allows Acharya to extract that claim that the meeting of two cultural forces does not result in conquest or commerce, but indigenous adaption, giving a frame of “parochialization” to Indian Buddhism on the one hand and the
“universalization” of Thai Animism on the other (2004, 246). Acharya draws key conceptual assertions about the relationship between the parochial and universal from this image of universalism. Yet, Kirsch’s historical context is a syncretic cultural and religious meeting from which the specter of Europe is wholly absent. This image of syncretism allows Acharya to imagine hybridity as an encounter between two polytheistic forms, rather than one fundamentally shaped through the violent and monotheistic history of European colonization.

European colonization was, from the beginning, not about syncretic plurality. In fact, as Couze Venn notes, from its earliest days in 1492, when the Spanish planted the royal standard in the name of God and Spain on Caribbean shores, Europeans inaugurated a form of colonialism that bound sovereignty with conquest and a monotheistic missionary project (2006, 48). Making the monotheistic claim that all were children under God allowed Europeans to deny and erase the difference of colonized others, by inscribing them into the philosophic opposition between identity and difference: The Other could convert to Christianity and receive salvation, or remain a barbarian outcast who could be dispossessed, conquered, and killed (Venn 2006, 74). Within the ethos of the Christianizing mission, co-articulated with colonialism and capitalism, deities and spirits could not possibly be placed alongside each other in a shrine, as Acharya’s compelling parallel imagines. In pivoting his study of institutional change on an image in which local perspectives intermix with the foreign and reshape the contours of global governance, Acharya’s conception of the Southern sources of global norms works by substituting the material and epistemic dispossession of European colonialism with a depoliticized story of liberal pluralism.

This chapter argues that narratives of order and pluralism are always accompanied by rebellion and struggle. As Gyan Prakash notes, colonies were always “founded in force.” Societies “deemed unable to self-constitute and self-regulate” required intervention from imperial powers (2002, 82). In fact, as Gayatri Spivak insists, the very emergence of the human rights model as “the global dominant” is contingent upon the “turbulence” of conflicts and struggles that emerged “in the wake of the dissolution of imperial formations and global economic restructuring” (2004, 530). Plantation workers, slaves, pirates, and natives constantly “met the challenge not to be consumed” (Stoler 1995, xix). For the universalizing form of natural and human rights to structure the demands of civil society in which difference only appears as an autonomous “cognitive prior,” all this turbulence had to be continuously made invisible (Acharya 2004, 251). If resistance is often evacuated from norms analyses because they are regarded as futile, significant only as obstructions prior to the localization of norms, a postcolonial approach should thus take these forms of resistance seriously, engaging with both the persistence of conflict and the colonial process of normalization that rendered episodes of struggle ‘abnormal’. Rather than sweep histories of resistance and violence under the carpet, my analysis seeks to “make visible, within the very structure of its narrative forms” colonial history’s own “repressive strategies and practices” (Chakrabarty 2007, 45).
Norm takers and norm antagonists: the colonial manufacture of docile populations and rebel agencies

Drawing from the British colonial archive to understand how it normalized certain forms of agency while demonizing others, I ask: how has the imposition of ‘universal’ modes of behavior and thought been made to seem not only acceptable, but also inevitable and necessary? I follow Ann Stoler in arguing that a postcolonial approach to norms requires that we unpick the “common-sense making of colonial conventions” (2010, 38). The colonial archive is not a neutral entity. Rather than take its record of history to be self-evident, the archive should be read in terms of the “grids of intelligibility” that make certain conventions acceptable and familiar, while others discordant, strange, and threatening (Stoler 2010, 39). Demonstrating this practice of interpretation through a textual analysis of previously unpublished memoranda of the East India Company’s settlements in Malaya, I show that critical engagements with elite texts, produced for the state and by state officials, provide insight into how colonial common-sense is employed in the legitimization of colonial rule.

Within this archive of the British presence in Malaya, I identify two fields of common-sense making: first, the docile population, whom Sikkink or Acharya might term “norm-takers” or “norm localizers,” ruled through the creation of new economic desires and wants. Second, Malayan pirates, whom I term ‘norm antagonists’ for the explicit threat they pose to British regimes in the nineteenth century. Norm localizers and norm antagonists are two sides of the same colonial coin. They reveal both strategies of imperial domination and normalization, and their limits. First, by construing native populations as acquisitive and undeveloped individuals, the British could profess a commitment to ‘progressive’ ideals of indirect rule, free trade, and cultural respect, instrumentally espousing such virtues to justify commercial conquest. Second, the Malayan pirate presented a rebel agency that challenged such claims of ‘developing’ the other: in threatening maritime mercantile trade through taxation and plunder, pirates’ alternative understanding of economic life directly threatened the dominance of English rule, and thus they had to be eradicated. As such, normative investments in the preservation and respect of native subjects were replaced by a demand for the extirpation of savages.

Docile populations – colonized consumers as norm takers

Between the mid-eighteenth and early nineteenth centuries, administrators of the British East India Company (hereafter EIC) began to espouse “free trade” as a principle of British colonial rule in the eastern archipelago. Seeking to establish maritime dominance by ‘founding’ coastal entrepôts of trade in Southeast Asia, the EIC’s first series of administrative regulations thought of free trade as a bait to attract shipping to new markets, until commerce became worth taxing. The object, claimed Thomas Stamford Raffles, was “trade and not territory,” directed towards
the “preservation of a free and unrestricted commerce, and to the encouragement
and protection of individual enterprise” (1819, 37). While there were deep res-
ervations in the metropole about foregoing trade dues in order to attract Asian
immigration (and thus cheap indentured labor) to growing port cities, colonial
administrators became convinced that the “simple but almost magic result of that
perfect freedom of trade” led not only to flourishing British seaborne commerce,
but also reflected the liberal principles of a superior normative order (Raffles
1823, in Turnbull 2009, 2).

By the late eighteenth century, the British had come to regard their role as
guardians of Indian Ocean trade, working towards removing obstructions to
seaborne commerce, as well as the commercial enlightenment of backward indig-
enous peoples. At stake was how to maintain and manufacture both consumer
markets and native consent. As Steinmeitz argues, “[a]lthough the quest for mar-
kets and raw materials was certainly a leading motive in the acquisition of many
colonies during the nineteenth century, the problem of native regulation became
paramount once these regimes were up and running, often overshadowing imme-
diate economic considerations” (2006, 144). Fearing rebellion and resistance, the
British constructed governing principles that would allow them to introduce their
goods and trade without “exciting the jealousy [of native governments] which
has hitherto obstructed the demand” (Raffles 1819, 1). Creating a market for
British imperialism meant that colonial officials imagined and managed native
populations in terms of their amenability to British conceptions of industry and
enterprise. British officials thus construed mercantile commercial exchange as an
affirmation rather than displacement of the virtuous citizen’s commitment to the
public good and relations of equality (Pocock 1985). As they saw it, the function
of capitalism was to “refine the passions and polish the manners” rather than exac-
erbate selfish competition (Pocock 1985, 49). This process normalized the fusion
of capital consumption with a conception of the good citizen as a docile consumer.

As the colonizer who established Singapore as a British ‘factory’, Thomas
Stamford Raffles was so convinced of the value of free trade that he declared,
“Our own interests are so manifestly connected with the advancement and
improvement of the native states, that it is obvious we can have no view which
are not equally to their advantage” (1819). Raffles argued that the general interests
of the company would be best served by “fostering and protecting the individual
enterprise of [native] traders,” whose “ardent and enterprising” energies Dutch
trade restrictions had previously paralyzed (1819). Free trade offered an equality
of means that would justly reward the most enterprising of populations, to the
long-term benefit of both the metropole and its colonies. Framed within a newly
emerging vocabulary of abstract rights, the logic of the free port allowed Raffles
to imagine a colonial commerce that tied the fate of native welfare to the flourish-
ing of British commercial exchange.

In an extensive letter to the secretary, Raffles assessed the extent and value
of trade in the Eastern Islands in terms of both the quantities of raw materials
one could derive from island resources, as well as the “prospective advantages”
that would accrue to the natives from the extension of imperial influence. Of the Malay states of the peninsula, Raffles remarked:

We shall find none of the obstacles which exist among the more civilized people of India, to the exception of new customs and ideas. They have not undergone the same artificial moulding . . . and the absence of bigotry and inveterate prejudice leaves them much more open to receive new impressions, and adopt new examples . . . They are addicted to commerce, which has already given a taste for luxuries, and this propensity they indulge to the utmost extent of their means. Among a people so unsophisticated . . . it is obvious that a greater scope is given to the influence of example, that in proportion as their intercourse with Europe increases, and a free commerce adds to their resources along with the wants which will be created and the luxuries supplied, the humanizing arts of life will also find their way.

(1819, 65)

In Raffles’ logic, while India’s civilizational hierarchy created bigoted native populations, in unoccupied territories, native populations were a blank slate onto which the British “influence of example” could inscribe an ethos of “free commerce.” British free trade would create new wants and advance civilizational progress through the “humanizing arts.” By assuming that pre-existing conceptions of exchange and commerce either did not exist or were “unsophisticated,” Raffles excised non-western difference from the archival record. Administrative memos provided a written medium for colonial officers to record assessments of indigenous territories in ways that hierarchized difference in subordination to universal logics, and left any specific attributes of indigenous life either unrecorded or invisible.

Read through the specific rationalities of a marketplace of self-activating, rights-bearing individuals, these governing principles instituted the logic of the civilizing mission. Moralizing standards assumed to have universal applicability were fused onto naturalized conceptions of industry and enterprise. As Blaney and Inayatullah have argued, instituting such a culture of competition required that “formal equality [was] socially constituted and explicitly endorsed as an intrinsically necessary social value of market society” (2004, 134). The passage of colonial authority depended thus on the inscription of indigenous populations into the universalizing lens of the market, where, as Sudipta Sen describes, “commercial exchange motivated by measurable profit” began to be employed as the “enduring template for acquisitive behavior” (1998, 1), and by extension, the moral individual. Native differences were quickly translated into the logic of the market, which produced a particular vision of the good society: one in which the creation of new wants would produce selves that were formally equal, free, and therefore “humanized” in the eyes of the metropole.

No wonder, then, that within the history of the civilizing mission, colonial officers imagined the rearrangement of native desires towards commercial exchange as a non-coercive process of normative change, autonomously adopted
by rights-bearing individuals. Raffles was able to conceive of colonization as a benevolent form of indirect rule, which manufactured populations through the creation of new needs, and allowed native states to autonomously adopt and localize the norms of commercial life:

by avoiding with the native states all interference which may be of a political nature, we shall expose to their view, and recommend for their adoption those arts and rules of civilized life which contribute to the superior happiness of our condition, and leave them free to adopt and apply them to themselves in the degree and manner which may be most accordant to their own notions and feelings.

(Raffles 1819)

Consider the parallels between this excerpt and the models of localization and subsidiarity espoused by Acharya. For Raffles, avoiding “political” interference would allow the British to provide un-coercive influence in the “arts and rules of civilized life,” leaving the Malays to self-consciously adopt the “superior happiness” that was “most accordant” with local customs. For Acharya, in a parallel fashion, norm localization is an un-coercive process that allows locals to build congruence between pre-existing local order and an outside norm, autonomously altering the externally imposed norm into local notions and contexts (2004). In both cases, the act of sharing ‘better’ ways of life does not, in itself, contain colonial violence. Yet, in both cases, violence and imposition take other forms. Raffles’ civilizing mission relied on introducing hierarchical and exploitative forms of economic enterprise as a moral virtue. Likewise, Acharya’s norm localization fails to consider how abstract ‘universal’ norms carry coercive histories. Instead, he describes how such norms are adapted, without questioning whether they should be. In both cases, an epistemic violence enters the frame by assuming first, that a universally “superior happiness” exists, and second, that possessing this virtue necessitates that it be shared with local populations.

To construe local subjects as individuals willing to ‘take up’ the norm of economic progress, the British had to imagine them as compliant subjects and docile populations. This legitimization of certain subjectivities linked the perception of their docility to naturalized conceptions of civic virtue, simultaneously delegitimizing more resistant others and advocating colonization as deliverance. As entrepreneurs of the free trade ‘norm’, British colonial administrators may have been convinced of the normative desirability of ideals of freedom and respect, but the ethical appeal of such norms were inseparable from their instrumental application as props for commercial conquest. The nineteenth century investment in commercial freedom as a form of civilizational progress thus forms a core ‘common-sense’ that shapes conceptions of autonomy and agency today. Enshrined and codified as moral right, European exceptionalism was refracted back onto colonized populations in the guise of protection, improvement, and respect for local customs. In this sense, the pursuits of exploitation and enlightenment, domination and normative change, are not mutually exclusive but rather deeply intertwined projects.
The barbarous hordes: pirates as norm antagonists

If the docile population became a rationalizing category of compliance for colonial domination, the figure of the pirate was its non-compliant counterpoint. As Britain’s aspirations toward global maritime dominance grew, in the early nineteenth century it met with the increasing inconvenience of Malay seafaring communities who questioned the validity of British contracts, impeded free passage through the EIC’s newly-imposed shipping lanes, and interrupted British claims to their rights to trade in particular places and goods. If the native ‘difference’ that might have existed in the docile populations described above was deleted from the colonial archive, piracy was one episode of rebellion that consistently resurfaced in the historical record of the East Indies. For Malay sea peoples living on the waters around Southeast Asia, the sudden imposition of the free-trading British disrupted long-established practices of seafaring, which included exacting tolls and custom duties from passing ships.7 These age-old practices were interpreted as threats to the universal good of British rule. Charles Assey, secretary to the Batavia Government in 1813, noted that in order for the British to “promote the ends of Civilization and the increase of industry and commerce” for the benefit of all, indigenous seafaring had to be deemed illegitimate and thus designated “piracy”: an “unlicensed system of plunder and public robbery” that was morally reprehensible for its tyrannical exploitation of free commerce (Assey 1813).

Writing in 1819, at the same time that he was extolling the virtues of native autonomy, Raffles opinion of piracy saved no space for cultural respect:

The prevalence of piracy on the Malayan coasts, and the light in which it was viewed as an honorable occupation, worthy of being followed by young princes and nobles, is an evil of ancient date, and intimately connected with the Malayan habits . . . The practice of piracy is now an evil so extensive and formidable, that it can be put down by the strong hand alone.

(Raffles 1965: 232–3)

Simultaneously acknowledging piracy’s perceived legitimacy among Malayan locals and attributing this perception to ignorance and moral depravity, Raffles justified the use of force in attempting to change these views. Similarly, when Mephillips, stationed at Fort Cornwallis in Penang, encountered the “predatory excursions” of the Sambas pirate Pangeran Anom in 1813, he too justified the full use of the British naval forces on similar terms, understanding the “barbarous hordes of unconnected robbers” to “conceal a native and ferocious character” under “the Cloak of fair and open commerce.” The “molestation of the Eastern seas” would not stop, and the pirates’ attempts would “never be effectually checked,” he opined, “until the habits, character, and pursuits of the people are entirely changed by our hand” (1813).

These strategies of suppression act on both a moralizing and economic register. Through a moralizing logic, Raffles and McPhillips both claimed intimate knowledge of the causes of piracy, attributing it to moral lack. This simultaneously
assumed an alternative practice of livelihood belonged to a distant barbaric past, and generalized the conception that Malayan “habits” were equated with a morally odious and savage character. The moralizing logic also piggybacked on an economic one: by construing various Malayan seafaring practices as forms of acquisitive and economically-driven behavior that lay outside the structures of sovereign authority, they were able to assign a pejorative connotation – greed, ferocity, depravity – to ways of life that were not brought under colonial submission.

In this way Sambas piracy was construed as destructive, not only to British economic interests, but the entire civilizational project of prosperity and happiness that the British insisted their rule would bring to eastern shores. By criminalizing piratical behavior that would not conform, after ironically normalizing piracy more than two centuries before, British institutions of rule and the societal and cultural values built around it were able to masquerade as the universally legitimate form of sovereign authority. Thus, the criminalization of Eastern piracy was a politically constructed and strategically mobilized category, meant to attribute moral lack to any economic behavior that was practiced outside the colonial purview.

These methods of strategic criminalization also produce an enemy other that justifies colonial violence as a force for change. Sir Stamford Raffles and others continued to insist that piracy was a fundamental threat to trade and commerce. This finally persuaded the EIC, backed by the British navy, to send a naval detachment accompanied by two ships of war. One month later, Raffles proclaimed a “completely successful attack” that resulted in the “total destruction” of the pirate and his adherents (1813). In a proclamation sent to surrounding cities, Raffles cautioned local authorities from supporting piracy, holding up the treatment of the Sambas pirates as “exemplary punishment”:

> The Town and Works of Sambas which have been destroyed and razed to the ground, afford a striking example of the punishment which awaits those concerned in piracy, and of the power of the British Government . . . It is the desire of the British Government to support legal Authorities, maintain peace and harmony, and to encourage and protect Trade and Navigation . . . But on such as may afford encouragement a shelter to pirates it denounces Vengeance . . . [we are] determined to pursue the most decisive measures until there is not a Pirate left on foot in the Eastern Seas.

(1813)

Represented as enemies, and their activities designated illegitimate and criminal, ‘pirates’ became ‘norm antagonists’: Because their ways of life were deemed antithetical to the now universal ‘good’ of free trade, their practices could not be understood as anything but threatening to the framework of colonial rule, and had to be extirpated at all costs.

This is why, in the aftermath of the destruction of Pangeran Anom’s crew, British governors in the surrounding islands of Java were dispatched to examine “how far the several states respectively are disposed to acknowledge that dependency
upon the British government is equally essential to the peace and tranquility of these seas” (Assey 1813). Local elites who acknowledged that only the British could keep them safe would be accommodated and would thus “benefit from the increase of industry and commerce” which the suppression of piracy facilitated. Those who continued to harbor pirates or failed to arrest them, on the other hand, would be held personally responsible, and “no excuse [would] save the state from destruction where they may be harbored and protected” (Raffles 1813).

The conflict between pirates and colonial administrators reveals how a new notion of the social became normalized and regulated through the asymmetrical exercise of colonial power. By making an example of piracy to show that any antagonism to colonization would be met with wholesale destruction, British officials could continue to insist that surrounding territories would be protected only if they maintained purview over oceanic trade. Imperial governance was thus “not primarily concerned with constituting the social” per se, but with “the partial constitution and management of a segment of the population for imperialism’s own ends” (Venn 2006, 67). The British construed piracy as the formative threat not only to its own economic interests, but to that of the entire world of oceanic trade – and by extension global welfare and civilization. With this conviction came a new ethos of responsibility: either backward civilizations had to be converted into modern consumer markets, or they had to be disciplined and destroyed for their non-compliance. Thus creating ‘norm antagonists’ through the piratical designation, the British used the category of piracy to communicate moral authority over disparate forms of seafaring life. This allowed them to prop up imperial trading might and political influence with claims to the universal legitimacy of their legal regime.

Conclusion

How do these two examples of imperial governance map onto a postcolonial critique of norm diffusion? If we are to follow the logic of Acharya’s norm localization and subsidiarity models, Raffles and his fellow colonial administrators were doing a good thing: spreading the norm of free trade would lift the tyranny of monopoly and piracy, and would enable local populations to take up the spirit of industry and commerce in ways accordant with local customs and sentiments. Such practices could after all suggest that empire can be benevolent, tempering explicit practices of domination and coercion with humanitarian social reform. Could we not say, as Acharya might, that a colonial project that opens pathways to greater commercial activity might allow local populations to take up the norm of free trade, and that norm entrepreneurs motivated by ‘respect’ for local populations did not limit locals’ autonomy but merely offered them a path to improvement?

As I have shown, quite to the contrary, colonial governance managed and targeted different local populations differentially, declaring a power over local needs and wants that constituted the social field in the interests of mercantile empire. Logics of localization, diffusion, and subsidiarity normalize the ‘universal’ frame they operate by conceptualizing the ‘other’ as a lack, needing to be brought under
tutelage, ban, or extirpation. In this way, the imposition of the free trade norm becomes sensible only through colonial logics legitimized through the universalization of a Eurocentric worldview. The forms of community and economic and social organization that might have been fertile in native Malayan populations were made invisible in the colonial record. Today, their traces are hard to find. They could thus be discursively reconstructed as ‘docile’, ‘weak’, and ‘uncivilized’, ready to be compliant ‘norm-takers’ of superior forms of commercial activity. On the flip side, seafaring communities whose expressions of difference directly threatened mercantile trade had to be criminalized as ‘pirates’ so that their presence would no longer remain an impediment to the imposition of British commerce. As the always already non-compliant presence within the framework of universalizing, colonial rule, piracy thus became stigmatized as the abnormal, antagonistic activity of the ‘other’, and as such, its presence in a global economy deemed impermissible.

In these ways, British imperialism had to position the colonized other as intellectually and civilizationally deficient, lacking sensibility, and morally depraved. It understood the colonized other as either amenable or resistant to transformation within the homogenizing plane of European civilization. All of this is legitimized through the supposition of the universality of the acquisitive, rights-bearing, formally equal subject. Mercantile ideology, ushered in by protestant ‘spirit of capitalism,’ draws from what Todorov deems “the homogenization of values by money,” a phenomenon specific to European colonialism that “heralds the modern mentality, egalitarian and economic” (Todorov 2002, 143). As cultural difference was devalued and stripped of its history, docile populations came to be inserted into modern civilization through the mechanisms of development, and antagonistic ones came to be declared the morally odious enemy.

Antagonists, therefore, do not feature on the plane of norm diffusion. Rather than champions of progress, they are figures of resistance who function both as a challenge to empire, and as its oppositional fantasy. Because Acharya’s historical readings of ASEAN and Bandung barely acknowledge that such antagonistic moments pervade colonial history, his models of subsidiarity and localization should be treated with some suspicion. The postcolonial elites that negotiated and translated new norms were neither untouched by enlightenment interests from without, nor unaffected by the constitution of their subjectivities inaugurated and shaped well before the period of decolonization from within. Norm creation and diffusion may in some respects be a “bottom-up process, in which weak actors can challenge and influence global normative processes” (Acharya 2011), but such a model buries the rebellions and contestations that have occurred outside, behind, and against the colonial framework through which they are read. As I have shown, the idea that norms can be localized or authored from the margins distorts the story of not only coercion within the process of norm diffusion, but coercion’s constitutive outside – the world of antagonists and rebels that, once declared antagonistic to civilized negotiation, become assigned an immutable quality of villainy. It is this production of the binary between compliant and non-compliant subjectivities, and this suppression of the constitutive role of antagonism in norm dynamics,
which produces those in the periphery through the homogenizing logics of universal modern progress. Processes of normative change do not happen without historical coercion, antagonism, or the obliteration of the other. In enabling the elevation of norm dynamics as the foremost theory of how the international system comes to be a ‘better’ space, IR scholars such as Acharya have had to bracket the histories of violence through which colonial subjects became constituted.

Notes

1 This distinction between first and second wave norms scholarship is drawn from Cortell and Davis (2000). They argue that the first wave norms scholarship engaged theories of norm diffusion at the level of the international system, while the second wave scholarship locates and explains norm dynamics within the domestic realm. Thank you to Ismail Yaylaci (2014) for alerting me to this distinction. These first wave literatures have already been subjected to important and significant critiques (see, for example, Epstein 2012; Engelkamp et al. 2014; Jabri 2014; Yaylaci 2014). As such, I have chosen to focus here on Acharya, whose work may no doubt advance a more nuanced critical norms agenda, but is nevertheless a crucial example symptomatic of the constructivist scholarship that re-inscribes troubling assumptions in divisions between the West and Non-West.

2 Similarly, in Antje Wiener’s work, contestation is a problem to be solved rather than an end in itself. The thrust of many similar constructivist interests in norms contestation is thus to ask how resistance can be effectively dealt with, so as more effectively formalize and proliferate international norms into domestic contexts (Wiener and Puetter 2009).

3 As Charlotte Epstein (2013) argues, this individualist ontology is a constitutive feature of constructivist logic, built on a model of self-interested and self-activating agency in which “self-other relations remain secondary rather than constitutive of the self” (Epstein 2013, 297).

4 For a parallel discussion on the production of abnormality as a form of stigmatization, see Epstein 2014 and Zarakol 2014.

5 What is today known as the South-East Asian peninsula.

6 Quite distinct from colonial wars waged through territorial occupation and settler colonialism, this particular emphasis on commercial exchange treated foreign lands as transitional hubs, termed “factories,” between key maritime trade routes. Since the establishment of such nodal points was less land-intensive, it did not always require the wholesale displacement of native populations. Because forcible occupation was not a prerequisite for this particular form of conquest, colonial officers could claim a moral commitment to the cultural respect of native territories, while rationalizing other more violent forms of expropriation elsewhere in the British empire. It is important to note, however, that such a hub-based models of colonization were not improvements from violent colonization by any means, but that both were interconnected and complementary strategies of colonization that could expropriate raw materials from some peripheries, while establishing entrepôts to transport those products to the metropole in others. For more on the interdependencies of colonial trade, see Wolf [1982] 1997.

7 Seafaring livelihoods in the Middle East faced a similar fate where any seafaring peoples who disrupted British trade routes were designated pirates. For this regional context, see Davies 1997; Al-Qasimi 1988.

8 The historical irony of such efforts to criminalize piracy should be noted: in the sixteenth century, the British empire was facilitated the raiding, looting, and privateering excursions of many seafarers, including Sir Francis Drake, whose plunder of Spanish ports was only distinguished from piracy by a letter of marque from Queen Elizabeth.
I. English piracy was normalized for the purposes of imperial mercantilism, and thus leveraged for the universalizing enterprise of the EIC (See for e.g. Fuchs 2000).

9 Numerous arguments have been made in favor of the civilizing mission and the positive effects of free trade in particular, dismissing accusations of hypocrisy or instrumental interests on the part of empire. See, for example, Albertini 1982; Ferguson 2003; Weitz 2008.

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Published

Charmaine Chua


In 1996, the artist MF Husain’s line drawings of the Hindu goddess Saraswati in the nude drew the ire of Hindu nationalist organizations in India. The controversy continued, culminating with a legal charge – hurting public sentiments – in 2006. Husain went into self-imposed exile in Qatar and London, where he died in 2011. Many public figures in India defended Husain, possibly India’s most prominent post-independence painter. But, as the sociologist Dipankar Gupta pointed out (2000, 194), their defense focused on how Husain’s depiction of nudity was consistent with medieval Hindu traditions, such as temple statues of goddesses. What these defenders did not say, Gupta astutely observed, was, first, Husain had the right to expression that the Indian state was obligated to protect under its own Constitution and the human rights treaties it was a signatory to, and, second, this right made the question of whether his work was consistent with medieval Hindu representations of goddesses irrelevant.

How did representations of Hindu goddesses in the precolonial past become the ground for political contestation in the postcolonial present? More relevant from the perspective of international norms: why were Husain’s human rights not invoked in his defense? I will argue that postcolonial subjects often reproduce a colonial understanding of their own past as dominated by their ‘customs’ or traditions, which are represented as invariant. I call this a ‘colonial episteme’ (Foucault 1970, 367–373) to highlight that a nineteenth century historical schema, drawing on colonial anthropological definitions of tribe, caste, and so on, is the condition for knowledge of self in the postcolonial world. Otherwise different postcolonial subjects will still understand themselves through this colonial episteme. Consequently, despite the heterogeneity of postcolonial subjects, this invariant past constitutes the ground of political contestation in the postcolonial present, forcing those postcolonial subjects who would break with the past to still invoke it. This leads to a different trajectory of political change than the linear, progressive trajectory of international norms.

Consequently, international human rights norms are, at best, not implemented in most postcolonial spaces (e.g., Hafner-Burton 2013), much less ‘internalized’ by much of the population. At worst, the dissemination of international norms is in overt conflict with postcolonial subjects’ understanding of their own past, and this disempowers activists in the postcolonial world who are working for causes
seemingly congruent with international norms, such as women’s rights and rights for same-sex desiring individuals, which I explore below. My analysis suggests that not only should we not expect international human rights norms to be implemented in much of the postcolonial world, we should not be surprised when they are not propounded even by postcolonial activists pursuing seemingly congruent ends.

To make this argument, I will analyze the concept of historical time articulated by the anti-colonial movements and continued into the postcolonial present, and how it departs from a linear progressive concept of historical time. The temporal logic of international norms, as progressive projects, hews to the latter formulation. When we put together these two concepts of historical time, we find deep disagreements, if not outright incompatibilities, between postcolonial activists and transnational norm entrepreneurs, even when they are mobilizing around similar issues. This should not be attributed to a dichotomy between tradition and modernity, because, I will argue, modernity in the postcolonial world emerges in relation to tradition, or what I will term, for consistency, ‘custom’; it does not supersede custom. This circumscribes the strategic options of activists in the postcolonial world in their own societies, and often reduces their willingness to forge alliances with transnational norm entrepreneurs.

The rest of this chapter is structured as follows. In the next two sections, I analyze the colonial episteme that has been reproduced, first by anti-colonial activists, and now by postcolonial subjects. The fourth section relates this discussion to international norms, specifically the concept of linear-progressive time they instantiate. The fifth section explores three examples of the tension between these two concepts of historical time: indigenous land title in Canada, debates over abortion in India, and bans on same-sex desiring behavior in Africa.

What’s ‘colonial’ in ‘postcolonial’?

The term ‘postcolonial’ does not imply a colonial past that the present has broken away from, nor a past that runs in seamless continuity with the present. Rather, in a postcolonial society aspects of the colonial are reproduced in the present, often by postcolonial subjects even as they reject colonialism or repetitions of it. I am concerned with the reproduction of colonial epistemic categories – what I call the colonial episteme – through which postcolonial subjects know themselves and their history. Two aspects of this episteme bear emphasis. First, in the late eighteenth century and early nineteenth century, the past came to be conceptualized as a distinct moment to be superseded; second, colonized people were characterized by their inability to transcend the past. As the episteme is about the conditions of possibility of knowledge as much as the content of knowledge (Foucault 1970, 328–335; Mudimbe 1988), debates about specific historical events or processes in the postcolonial world are conducted according to the structure and rules of the colonial episteme. The colonial episteme thus constitutes the ground of political contestation, as I will show in the penultimate section.

To analyze the colonial episteme, I turn to an undertheorized element of the ambivalence felt by the colonized, even anti-colonial activists who challenged
colonialism: the doubt, verging on distaste, for their own precolonial past, and how that past, in their view, had enslaved their colonized fellows. To be sure, I am not claiming that ambivalence itself is undertheorized, but that with some notable exceptions (e.g., Amin 1995; Guha 1997), the seminal analyses of ambivalence (e.g., Memmi 1965), have focused on the ambivalence colonial subjects felt towards the colonizer. Colonial subjects felt estranged from the colonizer, because the design of colonial policies and institutions made it impossible for them to be treated as equal, as anything more than a ‘class of intermediaries’ (Bhabha 1994, 86–87). Along with this estrangement from the colonizer, however, came a sense of estrangement from one’s fellow colonized (Anderson 1991, 119). A good example of both elements of ambivalence was articulated by Bipin Chandra Pal, a bureaucrat in colonial India turned anti-colonial activist.

[He] had not only passed a very rigid test on the same terms as British members of the service, but had spent the very best years of the formative period of their youth in Europe. Upon their return to the homeland, they practically lived in the same style as their brother Civilians [i.e., British members of the service], and almost religiously followed the social conventions and the ethical standards of the latter. In those days the India-born Civilian practically cut himself off from his parent society, and lived and moved and had his being in the atmosphere so beloved of his British colleagues. In mind and manners he was as much an Englishman as any Englishman. It was no small sacrifice for him, because in this way he completely estranged himself from the society of his own people and became socially and morally a pariah among them . . . he was as much a stranger in his own native land as the European residents in the country.

(quoted in Anderson 1991, 92–93, emphasis added)

Jawaharlal Nehru would later express his own sense of this estrangement. He felt himself to be ‘an alien critic’ in India, ‘full of dislike for the present as well as many relics of the past that I saw . . . did I know India? I who presumed to scrap most of her past heritage?’ (Nehru 2004, 41).

Nehru’s statement is worth putting into context to reveal the complexity of his position. In the same book, written while he was in prison in 1944, that he expressed his dislike for the ‘relics’ of India’s past, he also noted the greatness of India’s antiquity (Nehru 2004, 170, 181). It was not India’s past, per se, that Nehru disliked, it was that Indian society had become rigid and its structure ossified, mostly because of the caste system, at the time that Europeans began to expand overseas and seek scientific discoveries. This had left India vulnerable to conquest. Indeed, conquest was itself an indication of the superiority of the colonizer: ‘India became a prey to foreign conquest because of the inadequacy of her own people and because the British represented a higher and advancing social order’ (Nehru 2004, 305). Nehru was not idiosyncratic; from Indian reformers in the nineteenth century to Gandhi, the grating presence of colonial rule was indicative of a failure on the part of Indians. Indeed, some nineteenth century reformers
saw British conquest as freeing Indians from ‘the despotism of traditional opinions’ in the words of Mahendra Lal Sircar, the founder of the Indian Association for the Cultivation of Science, the first Indian research institute, in 1876 (quoted in Prakash 1999, 69).

The ‘despotism of traditional opinions’ recalls John Stuart Mill writing that ‘the greater part of the world has, properly speaking, no history, because the despotism of Custom is complete ... this is the case over the whole East’ (1975, 66). The despotism of Custom was twofold: the people of the East could not break from their past, and consequently they could not rule themselves in the present. Even when they rebelled against foreign rule, as in the Indian Mutiny, they did so not because their innate capacity for self-rule was being suppressed, but because of a series of random events, akin to accidents (Casas Klausen 2016). Unable to transcend their customs, they could not take advantage of new knowledge, like Mill’s own principle of utility-maximization, and would stagnate as others progressed (Mehta 1999, 102–103). Mill, just like Sircar and Nehru, saw the dominance of custom as responsible for the subjugation of the East by ‘the subjects or dependents of tribes whose forefathers wandered in the forests when theirs had magnificent palaces and gorgeous temples’ (1975, 66). Establishing this continuity between an advocate of colonialism like Mill and an opponent of it like Nehru is essential to understanding ambivalence in the postcolonial world. What colonial subjects, even those who became anti-colonial activists, accepted was the essentially invariant or ‘static’ (Nehru 2004, 564) nature of their own society – under the names ‘custom’ or ‘tradition’ as analyzed by colonial anthropologists and surveyors (Mudimbe 1988; Appadurai 1996, 114–135) – and the sense that those customs were what defined their society as different from that of the colonizer. Like Mill, they saw their society as defined by its invariant customs. Contra Mill, though, that invariant quality was not (or not just) a reason for subjugation, it was the basis for any movement to evict the colonizer. That is, the colonial episteme was reproduced by anti-colonial activists in the process of forging the anti-colonial movement.

For Mill, the ‘despotism of Custom’ indicated that the precolonial past disqualified the colonized from being historical subjects. Yet, as Pal had found out, emulating the colonizer did not guarantee recognition as historical subjects either (Memmi 1965, 70–72). Their past, no matter how static and distasteful, was the only source of history the colonized could claim; it was the only place from which they could claim to be historical subjects. Furthermore, that past, in their view, held their colonized fellows in thrall. To make common cause with those fellows, they had to invoke that past. Yet, this created a dilemma. The anti-colonial project was a project not just of freeing the colonized from the colonizer, but of freeing the colonized from their own backward practices. To assert the greatness of the precolonial past at the same time that one excoriated how it had made colonialism possible was, at best, a tricky balancing act between two notions of historical time, neither of which anti-colonial thinkers, in their ambivalence, could fully endorse.

The first was an unequivocal endorsement and emulation of European norms, and the progressive time they embodied. Colonial subjects had learned from hard
experience that to adopt these norms did not make them European, and the more they tried, they found ‘all that the colonized has done to emulate the colonizer has met with disdain from the colonial masters . . . they explain to the colonized that all those efforts are in vain, that he only acquires an additional trait, that of being ridiculous’ (Memmi 1965, 124, emphasis mine). However, because of colonialism a colonial subject could not unequivocally endorse the second notion of historical time, the static time of invariant Indian norms. For a colonial subject, the precolonial past was what distinguished one from the European, and could form the basis for resisting European rule, but also what had enabled European rule in the first place. The fact, or more precisely the facticity, of colonial rule indicated the superiority in at least some respects of the colonizing society, and necessitated critique and reform of one’s own society, which could not remain invariant if it was to resist future conquest. Anti-colonial activists would struggle not just with the colonizer, but with their own society.

Yet, this critique faced an internal limit: what made the colonized society a society was precisely the customs that made colonialism possible (some even argued that the dominance of custom had necessitated colonialism to force the colonized out of their stagnation). To criticize and reform these customs ran counter to their unchanging nature, and how they set the colonized apart from the colonizer. Put differently, if Mill had argued that the colonized were not historical subjects because their past was invariant, the recovery of the past by anti-colonial activists asserted that what made the colonized historical subjects was that their past was invariant, because it had survived colonial rule without losing its essential difference with the colonizer. This principle of colonial difference (Chatterjee 1993, 26) required the colonized to posit a realm of life that the colonizer had not been able to alter, hence invariant. That realm of life in India centered around the home, caste, and peasants – could form the foundation to resist colonial rule. Custom was the property of the colonized, in the dual sense: custom was the colonized’s own, and what was proper to the colonized. As such, it became the foundation to resist colonialism, rather than the emulation of the colonizer.

Basing anti-colonialism on shared precolonial custom was not the same as straightforwardly recuperating these customs, because the facticity of colonialism – the humiliations colonial subjects felt in the face of ‘not white, not quite’ as much as the fact of colonial rule – forced a reckoning with the inadequacies of custom. This reckoning led anti-colonial activists to castigate their own society in language that could have come from the mouths of the crudest promoters of the civilizing mission. The colonized were ‘enveloped in darkness’ (Nnamdi Azikiwe), ‘lethargic’ (Kwame Nkrumah), and were told to ‘eschew idleness’ (Jomo Kenyatta) (Chowdhury 2015, 185–186). Gandhi would describe his own supporters demonstrating in his name as ‘a mob without a mind,’ their activism ‘mobocracy’ (Amin 1995; Guha 1997, 138). But the imperative for self-criticism was external to the customs itself; it was forced by colonial rule, and it did not lead anti-colonial activists to emulate the colonizer. Even when anti-colonial activists drew on Western ideas, like Marxism, they did so by asserting its affinities with...
their own customs, as in Nyerere’s claim that socialism was indigenous to Africa (Mudimbe 1988, 94–95).

Valentin Mudimbe examined the epistemic basis of such claims. He looked at colonial anthropology and its separation of savage African and civilized European, then traced the extent to which analyses that followed, including African political and philosophical thought, diverged from this characterization or stayed true it. His argument bears quoting:

Many African leaders, in order to legitimize a political process and to establish the right to differentiate themselves from the colonizer, accepted such colonial anthropological concepts as tribe, cultural particularism, etc. . . . modern African thought seems somehow to be basically a product of the West. What is more, since most African leaders and thinkers have received a Western education, their thought is at the crossroads of Western epistemological filiation and African ethnocentrism. Moreover, many concepts and categories underpinning this ethnocentrism are inventions of the West.

(Mudimbe 1988, 184–185)

Leaders like Nyerere might have valorized African customs rather than castigated them, but they accepted that these customs were what constituted Africans. They reproduced the epistemic basis of colonialism – what I term the colonial episteme – while rejecting the political implication that Africans were incapable of ruling themselves and should be conquered.

Rewind to the future

We can now begin to answer the question with which I opened this chapter: why is an Indian artist’s work defended on the basis of its fealty to precolonial Hindu sculpture and not postcolonial law or human rights norms? It is because precolonial, invariant customs have been posited, by colonial and postcolonial subjects, as the ground for such debates. This reproduces the colonial episteme where custom was the property of the colonized, and imposes a burden on those who are not arguing from the perspective of custom, for example, those arguing from the perspective of international human rights norms. The latter are irrelevant to the debate, or seen as foreign stooges. The continuing hegemony of this colonial episteme – the ‘colonial’ in ‘postcolonial’ – is precisely that the latter arguments are difficult to make in, if not absent from, postcolonial debates.

I stress the reproduction of the colonial episteme by those opposed to colonialism. Analytically, this paradox is crucial to understanding the place of international norms in postcolonial spaces. In such a space, the ground of contestation invokes custom, and activism will frequently be from within the idiom of custom, not from what will be perceived as Western or colonial sources. Political change, including changes to custom itself, thus often occurs in a non-linear fashion because it draws on the past to claim a different future.
Similarly, the Arab poet Adonis identified an Islamic opening to modernity, defined as the willingness to ‘believe in things that had not been known before,’ in eighth century Arab poets like Abu Nuwas (1990, 78). This enabled individuals to ‘reveal a certain failing or lack in the old’ (Adonis 1990, 78). By acknowledging this ‘failing in the old,’ individuals could forge a future that was different from the past. Adonis used this argument to contest state-sanctioned Islamic teachings through history that were ‘stuck not only in the past but in rigid and authoritarian rereadings of that past’ (Said 1993, 313). In Abu Nuwas, ‘the Baudelaire of the Arabs,’ Adonis identified a proto-secular position, for example (Massad 2007, 95). Adonis makes a not entirely straightforward, but intriguing claim here. The openness to the new, ‘to things that had not been known before,’ enabled self-criticism in the eighth century. This counters the colonial notion, reinforced by postcolonial Arab regimes, of Islam as unchanging. As such, one does not need to do supersede Islamic practices with foreign ones, or relegate Islam to a private sphere, to accommodate what was not believed before. There are resources within Islam that enable individual and groups to do so.

Thus, to accommodate what was not believed before within custom must begin by acknowledging the value of custom. Without this step, advocates of change will have no credibility (even with it, they may not). They must go back to the historical record, like Adonis does, to draw out parallels between custom in the past and the practices they would like to see in the present; to authorize the present with reference to the past. This is very different from the modernity invoked by Marx when he wrote, almost gleefully, that ‘all that is solid melts into air’ and ‘all that is holy is profaned’ (Marx and Engels 1955, 13). Marx’s modernity is a modernity of rupture, where the new comes into being to supersede the old. Adonis is attempting to describe the new, or the potential for the new, that existed in the old. Postcolonial modernity lies in uncovering this potential, without superseding the old.

Scholars of postcolonial politics have recognized the difference between this linear version of modernity and what is unfolding in the postcolonial world. Rejecting the oversimplified notion that postcolonial politics is a return to the past and a rejection of modernity, they have offered two broad positions. The first is the idea of ‘multiple modernities’ wherein custom and modernity coexist and are combined in various ways (Appadurai 1996). The second is more critical. For example, Gupta (2000) suggests that Indians have arrived at a ‘mistaken modernity,’ confusing consumption for modernity while ignoring social mores of equality and rule of law. Comaroff and Comaroff argue that the ‘postcolony’ sees a ‘counterfeit modernity,’ where the appearance of putatively modern institutions like the commodity and the state is mirrored by a shadow world of counterfeit goods and private wielders of violence (2006, 13–16). Despite their differences, both sets of scholars identify the impossibility of eliminating custom in the postcolonial world (whether desirable or not), and the inapplicability of a linear, progressive trajectory to that world.
International norms in historical time

This trajectory of political change in the postcolonial world – keeping the past alive rather than superseding it – defies the expected trajectory of change in the literature on international norms. Models of international norm dissemination posit a linear, progressive trajectory, where political and cultural differences are eventually overcome, and behavior converges to a single, global standard (Inayatullah and Blaney 2004, 118–123; Epstein 2012, 137–138; Zarakol 2014, 315–316). In these models, norms emerge in the work of Western activists like abolitionists and anti-colonial activists, who persuade states to implement them into domestic law, after which norms come to be seen as appropriate standards of behavior within societies (Finnemore and Sikkink 1998, 895). More recently, this view has been qualified in two ways. First, scholars suggest that international norms frequently emerge in non-Western locales. Reus-Smith identifies the emergence of norms of state sovereignty in struggles for individual rights, while Sikkink points to Latin American and Greek activists as developing and diffusing norms around prosecutions for human rights abusers (Sikkink 2011; Reus-Smit 2013). These accept the linear-progressive trajectory of change in the international system, but identify a different location for the source of change, so I will not engage them. The second qualification, best articulated by Amitav Acharya’s analysis of how international norms are adopted, more clearly reveals the problems I am analyzing.

Acharya’s theoretical concern has been to reveal the importance of local actors in the adoption, or not, of international norms (2004, 2011; 97–102). He argues that unless local actors draw parallels between norms and the particular conditions they face, international norms will gain little traction (2004, 245). Consequently, he emphasizes that rather than ‘transnational moral entrepreneurs,’ it is local actors with credibility and an interest in adopting an international norm – ‘insider proponents’ – that are central to its implementation (2004, 247–248). I want to highlight the notion of historical time at work: ‘localization is progressive, not regressive or static . . . it reshapes both existing beliefs and practices and foreign ideas in their local context . . . localization is an evolutionary or ‘everyday’ form of progressive norm diffusion’ (2004, 252). There is an implicit opposition here between progressive norms, which must be localized to yield change, and its static alternatives, presumably local customs absent the influence of international norms. Acharya can be accused of ignoring the possibility of customs being transformed from within, but his broader point, which I support, is to draw attention to the process by which external ideas must be cast in local idiom to gain traction. What I want to argue, contra Acharya, is that the localization of norms strengthens custom insofar as norms are successfully localized through reference to compatibility with custom. Two implications follow. First, there is a complicity between the concept of historical time embodied in the study of international norms and the colonial episteme: both represent the colonial and postcolonial world as characterized by static custom, and if change occurs, it is through localizing ‘modern’ ideas from outside that world (Shilliam 2014, 354–356). Second, this misses the
crucial interpretive and empirical phenomenon that custom is not superseded by being ‘localized’; rather custom is reproduced, indeed strengthened, as the condition for making claims in the postcolonial world. This strengthening of custom departs from linear progressive time (although that does not make it regressive). In terms of contemporary international norms, it also departs from the abstract rights-bearing individual as the claimant of rights, implying instead more concretely embodied and communal political subjectivities.

**Making claims, giving ground**

Rather, the process of claims-making requires an invocation of custom that unites a group that can then make claims. I will present three examples across geographical contexts to illustrate the consequences of making claims by invoking customs. What unites these three cases – indigenous land claims in Canada, activism over women’s rights in India, struggles over same-sex desiring behavior in Africa – is that despite being materially disadvantaged, activists are ambivalent over forming alliances with Western human rights groups or claiming human rights.

**Indigenous peoples’ activism in Canada**

Transnational movements of indigenous peoples have become increasingly assertive since the 1960s and 1970s, culminating in the 2007 UN Declaration on the Rights of Indigenous Peoples. These groups assert a claim to the land based on their precolonial customs of collective use. In the sense used here, of opposition to colonialism reproducing the epistemic categories of the colonial, movements of indigenous peoples are resolutely postcolonial. A legal case in Western Canada reveals the benefits and limitations of such claims. In 1984, two First Nations groups, the Gitxsan and Wet’suwet’en Nations, claimed jurisdiction and ownership over 58,000 sq. km. in British Columbia, arguing they had never relinquished the land by treaties. Initially the Supreme Court of British Columbia rejected the claim, arguing that the original, or Aboriginal, title to land no longer applied, and the evidence of ownership the Nations presented, oral history, did not, in any case, meet the standards of the court (McKee 2000). On appeal, the Supreme Court of Canada reversed parts of this judgment, deciding that oral history could be used to as evidence, but did not grant ownership to the groups in question on a technicality. Despite the lack of specific decision in this case, the Supreme Court laid out the criteria for First Nations to make future land claims by defining Aboriginal title. The litigants would have to show, through their oral history, that, first, their group had precolonial and continuous occupation of the land (a difficult task given that indigenous populations were quite mobile); second, that they used the land for their customary practices. Aboriginal title as the Supreme Court has decided is thus quite different from Aboriginal title in the sense of possessing the land to do what one will with it.

This is because custom, how the First Nations used the land prior to conquest, dictates their use of the land in the contemporary moment. Legally, Aboriginal
title is a communally held claim, not individual property rights. Further, Aboriginal title does not allow First Nations to use the land in ways that conflict with their precolonial relationship with the land. For example, if the customary use of the land was for hunting, they cannot use the land for establishing a strip mall or casino if that would detrimentally affect hunting. Finally, Aboriginal title does not allow First Nations to sell the land to anyone but the federal government. Custom here is necessary for the claim, but the use of the land is limited by custom, and the claim itself limits how much they can break with custom. The latter point is worth elaborating. It may be the case that First Nations prefer collective ownership to individual property rights, and prefer maintaining their customary practices to using the land for mining or strip malls. There are good arguments, of course, why First Nations would prefer these customary claims to the alternative of private property and resource extraction. Glen Coulthard’s analysis of Dene activism in northern Canada lays out some of these arguments. Following the pioneering Lakota thinker Vine Deloria Jr., Coulthard suggests that indigenous groups understand their history in connection to the land or ‘place,’ rather than in terms of the passage of time, which he contrasts with Western societies (2014, 59–60). Understood this way, the land is not just a site for extraction, but marks a system of relations that require First Nations to observe ‘certain obligations to the land, animals, plants, and lakes in much the same way that we hold obligations to other people . . . and if these obligations were met, then the land, animals, plants, and lakes would reciprocate and meet their obligations to humans’ (Coulthard 2014, 61). Coulthard quite reasonably highlights the difference between indigenous customs and those of the colonizer, but illustrates that it is this very difference, and the precolonial custom it is founded on, that enables the First Nation to make a claim at all. If they break with that custom, both their claim to the land and their claim to be a Nation may be in question.

That is, because First Nations’ precolonial use of the land, in the legal judgment of the Canadian state and in their own arguments, is the basis of their claim, they cannot demand individual property rights or a different communal ownership of the land even if they wanted to. Further, as their claim requires them to continue customary practices, they cannot end these practices even if they would prefer to do something else. In the 1970s, the Dene articulated their land claim in terms of ‘communal enterprise’ inspired by the ujaama socialism of Tanzania. This proposal was criticized, including by a leading indigenous thinker, as espousing left-wing notions that departed from indigenous customs (Coulthard 2014, 68–70). The conditions under which First Nations make their claims as First Nations renders options – from individual property rights to collective ownership – on terms different from their customs closed to them, whether they want to pursue those options or not.

The essential point in all of this is that activists in postcolonial spaces operate with a concept of time that is decidedly non-linear: they must invoke the past to make claims in the present. This move is necessary to specify a precolonial community whose customs were not inferior to that the Europeans (Shilliam 2014). At the same time, doing so circumscribes the degree to which these activists can
break with the past. If they do so, they become vulnerable to defenders of custom
and lose the ability to represent their group or even be a part of it. The reader might
ask: what’s wrong with that? Surely they are no longer burdened by custom, and
can ally with transnational norm entrepreneurs working for progressive change?

This argument is inadequate, because it divides the ground of debate into pre-
cisely the custom vs. modern dichotomy that many postcolonial activists are work-
ing against. Further, it forces the activist to accept a linear, progressive concept
of historical time that, first, she anticipates has little traction in her own society;
second, does not allow her to articulate another, non-linear, trajectory of change
that might have more traction. The second problem is more pressing. It suggests
a fundamental disagreement between activists advocating for putatively similar
causes, and the potential for the postcolonial activist to be silenced in the process.

Recall here that many postcolonial activists are not trying to reproduce the past
in its entirety, but they are not trying to supersede it either. Because of the colonial
episteme that structures postcolonial spaces, the past is rendered invariant, and
what was denigrated under colonialism valorized. This means that activists face
challenges from their own society when trying to alter customary practices, and
face challenges from outside actors for seeming to support customary practices.
Lost in this is the perspective of the activist herself if it diverges from those of the
other two sides.

**Feminist activism in India**

To show how the perspective of postcolonial activists can be lost, I turn to Nive-
dita Menon’s provocative question: why would Indian feminists sometimes
oppose abortion? On this issue, they consciously depart from the articulation of
‘reproductive rights’ as articulated by transnational women’s rights groups. There
are various reasons for Indian feminists to take a qualified position on abortion.
Often, abortion is the consequence of husbands refusing to use contraception,
confident in the knowledge that they can force their wives to have abortions
(Menon 2004, 91). On an aggregate level, sex-selective abortions, where expect-
ant couples have pre-natal screenings, and then abort female fetuses, has reduced
the number of women in society. Consequently, Indian feminists often associate,
as a Chennai group argued, campaigns for reproductive freedom with ‘the liberal
individualistic tradition related to birth control advocacy, when their own concern
as feminists from the South, is the opposite, that is, population control policies
that coerce women by control of their fertility’ (Menon 2004, 92). Government
population policy, which includes the legalization of abortion, has frequently
posed a problem for Indian feminists. But beyond the government, their concerns
or the logic behind their concerns also bring them into conflict with other parties
in the dispute. Their concern – the policy of abortion – puts them at loggerheads
with transnational women’s rights groups. The logic behind their concern – to
prevent coercion of women through control of their fertility – puts them at logger-
heads with proponents of custom who may oppose abortion, like Hindu national-
ists (Menon 2004, 86–87). Hindu nationalists oppose abortion because they want
women to have more babies and remain in the home, which hearkens back to the position of nineteenth anti-colonial activists who posited ‘the home (as) the principal site for expressing the spiritual quality of the national culture, and women must take the main responsibility for protecting and nurturing this quality’ (Chatterjee 1993, 126). Even if there is a superficial similarity between feminist groups calling for restrictions on abortion (very few call for a blanket ban) and Hindu nationalists, their rationales are diametrically opposed.

The complex position of Indian feminists is best revealed by a postcolonial approach to international norms. Indian feminists are being placed at a significant disadvantage when it comes to forging alliances. They cannot ally with Hindu nationalists without subordinating their concerns for reducing coercion of women through controlling their fertility. But they cannot ally with transnational women’s groups without subordinating their own nuanced policy position – a version of which is articulated by Menon as ‘abortion must be available to those who want it, while selective abortion of female fetuses must be stopped’ (Menon 2004, 96, emphasis in original). Epstein has argued that a postcolonial approach to norms offers a ‘situated perspective’ (2014, 298–300) that enables norms to be understood in concrete and historical terms, rather than abstract and outside of history. This captures an essential part of the activism described above, but I would suggest as well that a postcolonial approach to norms also reveals the dislocation – between defenders of invariant custom and proponents of linear progress – that activists in the postcolonial world face. This is as much an ‘unsituated perspective’ as a situated one; the ground from which these activists must speak is epistemically unstable.

lgbti activism in Africa

Another contemporary example will reveal just how unstable this ground is, and how much is denied activists who try to occupy it. In many African states (38 of 54 in sub-Saharan Africa), same-sex sexual practices and relationships are legally proscribed, and individuals engaging in such are subject to harassment, which has intensified in the last decade. These legal bans are justified by African politicians like Robert Mugabe who say that same-sex desiring behavior is un-African (Awondo, Geschiere, and Reid 2012, 147). Transnational activists have circulated petitions, and organized demonstrations at embassies, especially Ugandan ones, in Europe and North America. The response of scholars and African lgbti activists has, in many ways, been more equivocal, and in some cases, they have challenged Western politicians, like British Prime Minister David Cameron, and activists who are putatively advocating for them (Gunkel 2013, 72–75). These arguments reveal the epistemically unstable ground from which African lgbti activists are fighting. To counter notions that same-sex sexual practices and relationships are alien to Africa, they have identified such practices and relationships in diverse African contexts, some prior to colonial contact, some as adaptations to changed circumstances. In addition, they have taken great pains to identify how these relationships and practices, in the past and present, may not lead to a collective
self-identification as ‘gay’ like it did in the West, and thus lead to a distinct set of concerns that differ from those of gay rights advocates in the West.⁹

Here, again, a colonial episteme limits what postcolonial activists can say. The notion that Africans did not engage in same-sex sexual practices reflects nineteenth century European representations of Africans as too primitive to have degenerated into such behavior, unlike, for example, Arabs (Epprecht 2006, 190–192). A past where ‘Africa’ was free of same-sex relationships is a historical construction, but, at the same time, there was no unified ‘African’ approach, whether favorable or unfavorable, to same-sex sexual practices. Like most other societies, these practices likely occurred and were sanctioned in some areas and periods and prescribed in others (Msibi 2011, 65). The question of same-sex sexual practices or relationships being African or un-African is, in a historical sense, irrelevant. This is not because same-sex sexual practices did not occur on the African continent, it is because the ‘Africa’ that is said to have been immune from such practices did not exist prior to colonial contact. What is at stake in the strident claim that same-sex sexual practices and relationships are un-African is precisely the positing of an invariant ‘Africa’ that claims a past free of same-sex sexual practices. Insofar as that past, with its purported absence of same-sex sexual practices, justifies banning those practices in the present, one can say that Africans in the present are not being allowed, by other Africans, to depart from what is said to be their past. That is, African leaders are arguing that Africans today should not be allowed to break with their past, just as Europeans said that Africans were primitives who could not transcend their past. This ‘Africa,’ an entity with a past that dictates action in the present and cannot be changed in the present, is a European invention (Mudimbe 1988), but an invention that can be and is reinvented by Africans. This is an important, if somewhat distressing caveat, to the argument that Europeans introduced homophobia to Africa (e.g. M’Baye 2013, 123). Certainly, Europeans, especially the British, introduced legislations against same-sex sexual practices, as well as represented Africans as exclusively heterosexual. But the reinvention of these notions, and the colonial episteme they instantiate, is not a mindless repetition of the past. They are a set of political maneuvers that respond to contemporary problems, for example, the challenging of masculine identities because of economic dislocation (e.g., Mbembe 2006, 326–328; M’Baye 2013, 113–116).

In terms of practical politics, the debate about whether same-sex relationships occurred in precolonial Africa precludes some statements. For example, once one enters this debate one cannot say ‘it is irrelevant what occurred in the past, for we should be able to break with the past and author our own future.’ Or, ‘even if the evidence for same-sex relationships in precolonial Africa is ambiguous or hard to ascertain, these relationships occur today and we claim the human right to engage in them.’¹⁰ And, of course, by noting the existence of same-sex practices and relationships in the African past that depart from the homo/hetero binary, they cannot say ‘we should be able to engage in same-sex relationships because we have been inspired by Western gay rights advocates, and would like to identify as homosexual.’ This is analogous to how the invocation of customary practices in relation to the land denies indigenous groups the option of claiming private
property rights even if they would prefer them. African lgbti activists are unable to claim an exclusively homosexual identity even if they wanted to, because the history of same-sex sexual practices and relationships in Africa they invoke does not fall into a homo/hetero binary. Nor can they unequivocally ally with Western gay rights groups, because such alliances bolster the contention of African homophobes who see same-sex desiring behavior as a Western imposition (Msibi 2011, 72; Awondo, Geschiere, and Reid 2012, 161).

The conflict over same-sex sexual practices and relationships in Africa is not a conflict between African homophobic (or backward) tradition vs. Western homophilic (or depraved) modernity. To understand the lack of implementation of norms in postcolonial contexts as the playing out of this binary is not just misleading, it silences postcolonial activists (Hoad 2007, 84). This often distances African lgbti activists from transnational gay rights activists, just like it distances Indian feminists from transnational women’s rights groups or indigenous activists from environmentalists, but not because these postcolonial activists are in thrall to custom. Nor is it simply the case that their ‘local’ concerns diverge from those of transnational activists, though this is frequently true. Rather, the historical conditions, particularly epistemic conditions, under which postcolonial activists must work means their claims often diverge from those of transnational activists and make alliances harder to forge. These claims are necessary but also limiting.

Conclusion

In this chapter, I have drawn attention to the process of political change in the postcolonial world, specifically how it instantiates a different concept of historical time from the linear, progressive time in the literature on international norms, even in more recent qualifications of this literature (Acharya 2011; Sikkink 2011; Reus-Smit 2013). We should expect claims-making by marginalized groups to occur alongside, indeed through, the affirmation of custom, not superseding it. As such, even activists working for causes similar to international human rights organizations may either not invoke international human rights norms or invoke them in purely strategic ways.

Scholars of international norms, especially human rights norms, would benefit from examining the complicity between the linear-progressive notion of historical time that underpins models of norm diffusion, and the colonial episteme that characterizes colonial and postcolonial subjects through their customs. This can prevent two analytical mistakes that compromise current scholarship on international norms. First, postcolonial activists who do not mirror the language and demands of international human rights activists are often represented as incapable of interpreting their own condition through modern concepts, whether legal or scientific (Shilliam 2014, 354–356). This, I have suggested, is a mischaracterization of the activists themselves. Further, it is a mischaracterization of postcolonial societies as being in thrall to custom, which even as it is contested, forms the ground for contestation. Second, scholars have assimilated anti-colonial activism, especially, into support for a liberal regime of rights (e.g., Reus-Smit 2013), which misses
the fact that anti-colonialism movements were only rarely liberal in inspiration or program, and postcolonial polities often depart from liberal rights regimes even if they sign on to international human rights treaties. This should not be a surprise; the colonial episteme often forecloses appeals to rights, and marginalizes those who would argue on that basis. The lack of implementation of human rights norms should not obscure political contestation in the postcolonial world. Instead, this contestation should force a rethinking of the linear-progressive concept of historical time that scholars of international norms, and international relations more generally, take for granted.

Notes

1 For feedback, I am grateful to Erin Baines, Bruce Baum, and especially Charlotte Epstein.
2 While I cannot elaborate for reasons of space, this brings up a troubling question: if custom is above criticism and revision, and Enlightenment practices of self-criticism are foreclosed as Western impositions, what is to be the source of self-criticism in the postcolonial world once colonialism formally ends?
3 In Canada, indigenous or Aboriginal encompasses two sub-categories: First Nations and Inuit, who are Status Indians recognized by the state, and Metis, who are not.
4 This limitation is revealed in the tenuousness of the alliances between indigenous groups and environmentalists. When indigenous groups declare interest in selling land to extractive companies, environmentalists often criticize them for not being true to their ‘customs’ of ‘living in harmony with the land’ (Nadasdy 2005, 292–293).
5 I use this formulation as opposed to ‘gay’ or ‘homosexual’ because there is a diversity of practices and relationships encompassed in the longer formulation, for example, the possibility that men engage in sexual acts with other men despite being married to women, and not identifying as ‘gay’ or ‘homosexual.’
6 Consider the irony that same-sex desiring is deplored as a colonial imposition by devout Christians (Msibi 2011, 69).
7 E.g., Michael Mumisa, ‘It is homophobia, not homosexuality, that is alien to traditional African culture,’ Guardian (UK), February 19, 2014.
8 E.g., men who moved to work in mines in southern Africa sometimes took younger men as ‘wives,’ with the sanction of their wives in rural areas as it was seen to reduce the likelihood that the men would consort with prostitutes (Epprecht 2006, 192).
9 Massad (2007, 189) makes a similar point about the Middle East, arguing that Western gay and lesbian organizations operating with a dichotomous view of hetero- and homo-relations miss much of how same-sex desiring is enacted in that region.
10 There are two versions of such arguments. First, as same-sex sexual practices do not harm individuals or families, they should not be criminalized, and those who engage in them should not face discrimination (Academy of Science of South Africa 2015, 21). Second, even if there is no evidence of such practices in Africa’s past, contemporary Africans engage in them (Olorutobo-Oju 2011).
11 Again, I am not saying this is what they actually prefer; I am saying they cannot advocate it even if they prefer it.
12 This should beg the question of how the concerns of transnational activists came to be ‘universal’ and not local.

Works cited


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I was in South Africa for the first time in 1962, and it happened that our guide was the son-in-law of Mr. Verwoerd, the then Prime Minister. The young guide, very much taken by the doctrine of Apartheid, was – surprisingly – very critical of American racial practices, by which he meant Jim Crow in the South, and the systematic deprivation of votes for what we then called Negroes. ‘I just don’t understand it,’ he said. ‘What excuse do you people have? You outnumber the Negroes by 10 to one. Our problem is entirely different. They outnumber us by six to one.’

– William F. Buckley Jr., ‘Meddling in South Africa’, Palm Beach Post, August 21 1985

Racial equality has become a celebrated international norm. While racial inequality is still a fact of life throughout the world,¹ there is near-universal acceptance among states that racism is a bad thing. In the second half of the twentieth century, the Civil Rights struggle in the United States and the fight against Apartheid in South Africa made anti-racism a moral focal point for the international community. The anti-Apartheid campaign in particular involved most of the world’s major powers in an effort to force political change in South Africa through a combination of argument, dialogue, sanctions and shaming. Scholars in IR have used the ultimate success of the anti-Apartheid campaign as evidence of the power of international norms to bring about domestic political reform (Black 1999, Klotz 1999).

Unlike some of the other norms discussed in this volume (see, e.g., Epstein on anti-whaling), there is almost no remaining ethical debate about the racial equality norm in either scholarship or international politics.² Racial equality is also a notable example of a norm whose institutionalisation was led by non-Western powers rather than imposed on them as part of a colonial project.³ Japan first proposed a racial equality clause in the League of Nations covenant at the Paris Peace Conference in 1919, where the other major powers blocked it (Shimazu 1998).⁴ After the Second World War India led the campaign to enshrine racial equality at the United Nations, and its clashes with the nascent Apartheid state in South Africa shaped the development of the racial equality norm (Bhagavan 2010). India’s allies consistently included small, postcolonial powers such as Syria, Haiti and Pakistan. China also played a significant role, and had originally proposed a racial equality
clause in the Dumbarton Oaks documents (Von Eschen 1997, Waltz 2001). The victorious western powers including the United States, Britain, and former British colonies were notable laggards in the global implementation of the racial equality norm.5

Racial equality, then, would appear to be the ‘poster child’ of international norms – morally uncomplicated, without the aftertaste of colonialism, and with a very famous if overstated example of success.6 In this chapter, however, I will suggest that the construction of an international anti-racist norm around moral outrage at the worst violators of that norm has had a mixed legacy, especially for domestic anti-racism campaigns in other English speaking, white-dominated societies. Returning to the idea of a ‘deflection’ at work in norms constructivism, first introduced by Inyatullah and Blaney (2012) in an earlier iteration of this project, and further developed in this volume, I argue that by taking the Apartheid and Jim Crow systems as reference points for what constitutes racism, citizens of other white-dominated societies can maintain their internationalist anti-racism while assuring themselves that their own societies are not ‘truly’ racist. In this way, the proclamation of loyalty to the international norm of racial equality can inhibit serious reflection on racism in white-dominated societies.

In one of the classic accounts of the international diffusion of norms, Risse and Sikkink argue that transnational advocacy networks ‘put norm-violating states on the international agenda in terms of moral consciousness-raising. In doing so, they remind liberal states of their own identity as promoters of human rights.’ (Risse and Sikkink 1998, 5). The way that liberal states affirm their anti-racist identities by condemning norm violators risks blinding them and their citizens to their own realities of racial inequality. Multidisciplinary scholarship about the discursive denial of racism shows how this can occur. The very success of the anti-racist norm in most countries has made the word ‘racist’ into a damaging, accusatory label to be avoided at all costs. Across Europe, North America and Australia, researchers have catalogued the ways in which both elites and ordinary citizens counter the suggestion that they or their societies are racist, often while maintaining racist attitudes (Van Dijk 1992, Augoustinos and Every 2007). Van Dijk notes that:

Denials of racism, and similar forms of self-representation, have both an individual and a social dimension. Not only do most white speakers resent being perceived as racists, also, and even more importantly, such strategies may at the same time aim at defending the ingroup as a whole: ‘We are not racists’, ‘We are not a racist society’.

(Van Dijk 1992, 89)

Both forms of denial require other reference groups or individuals as exemplars of racism in order to show that the speaker or the speaker’s group is not racist. A discourse of ‘racism’ as something practised by uniquely aberrant, unpleasant individuals allows speakers to characterise themselves as part of a non-racist, ‘normal’ mainstream without racist intent.7 Deflecting racism to another society,
On the therapeutic use of racism

however, requires specific discursive constructions of entire other cultures as uniquely racist, as opposed to one’s own society where the racial equality norm supposedly prevails.

While the white supremacist past of one’s own country may sometimes serve as the racist ‘other’, especially in the United States and South Africa, here I am concerned with the international dimension of deflective racism – how other countries become the racist ‘other’ in national discourses. This chapter examines this phenomenon in a particular corner of the postcolonial world – Britain and the white-dominated former colonies of Britain, including Australia, New Zealand, Canada, the United States and South Africa, which was white dominated for the majority of its postcolonial history. I argue that in members of this group of ‘Anglosphere’ countries, understandings of what a ‘racist society’ looks like are shaped in large part by discourses about the racist failings of other members of the Anglosphere group. While the canonical pariahs of Apartheid South Africa and the Jim Crow South are the most frequently invoked reference points for what ‘real’ racism looks like, Britain and Australia also serve as reference points for deflective racism in other countries.

Despite the similarities between these countries, white domination in each society operates in subtly different ways, shaped by different historical configurations of economic, social and political power. There is a range of social practices and forms of expression that may reinforce racial hierarchy; in each country, some of these practices are tolerated or encouraged, others are ignored, and others are taboo. Which practices are tolerated, encouraged, ignored or taboo are often different in different countries, with the result that what may be a shocking racist transgression in one place is seen as no cause for alarm in another. Similarly, structural inequality between groups takes on different forms in different places. In each of the Anglosphere countries different non-white groups occupy particular tiers of disadvantage, and in each country there are naturalising discourses about why this is the case. For this reason, a citizen of one Anglosphere country may be appalled by obvious racial inequality in another Anglosphere country while remaining relatively oblivious to it in their own, or acknowledging their own country’s inequality but believing it to be more complex, natural and justifiable than inequality found in other places. The other country’s racism is always worse.

The rest of this chapter proceeds in two parts. First, I show how the international campaigns of solidarity that shaped the racial equality norm ultimately served the self-image of Anglosphere countries, even as they delayed shedding their own structures of white supremacy, allowing them to construct newly anti-racist identities in contrast to the racist white ‘others’ of South Africa and the US South. Second, I explore a relatively recent example of an expressive practice – blackface performance – that is a racist considered taboo in some white-dominated societies and harmless in others. By examining international and domestic reactions to a notorious Australian blackface episode, I show how both Australians and Americans opportunistically use the other country as proof of racial enlightenment in their own.

I have chosen to focus on the ways that countries with shared racial and colonial pasts have constructed their self-images in contrast to each other, taking what was
once a source of shared pride and solidarity between them – white supremacy – and transforming it into a source of shame that is collective, but always worse for others than for oneself. A separate essay could be written on the long-standing discourse found in white-dominated countries about the dangers of non-white racism. Reaching for real or imaginary examples of non-white prejudice is the strategy of what van Dijk terms ‘reversal’, allowing the speaker to claim, ‘They are the real racists’ and ‘We are the real victims’ (Van Dijk 1992, 104). The ‘reversal’ strategy of citing non-white racism, while often used in service of colour-blind narratives (prejudice is found in all groups and must be universally condemned) also fits older narratives of white superiority: whites have reached a level of civilisation where universal rights have supplanted racial particularism, while other peoples are mired in tribal conflicts, relying on group identity rather than individual accomplishment for their self-image.9

The strategy of deflection, grounded in international anti-racist norms, is different, and has not been properly explored.10 The deflection strategy of citing racism in other white-dominated societies at least acknowledges racism as a white problem, something that goes beyond psychological prejudice to legacies of colonial and slaveholding domination that continue to structure relations between peoples worldwide. Deflection is part of anti-racist rather than racist discourse, even as it ultimately serves to reinforce structural racism.

South Africa and the US south: racist white ‘others’

The twentieth century saw a profound shift in how citizens of English-speaking, white-dominated countries saw themselves and each other. At the beginning of the century, many politicians and public intellectuals throughout the Anglophone world aggressively celebrated the ‘new religion of whiteness’ (DuBois 1920). The rigours of maintaining white supremacy in settler colonies – restrictions on immigration and the suppression of indigenous rights – created solidarity among the leaders of South Africa, Australia, New Zealand and Canada, who banded together to resist Britain’s calls for greater openness and colour-blindness within the empire.11 This solidarity extended to the United States, where Australian-style restrictions on nonwhite immigration were increasingly popular. All shared a prevailing white supremacist ideology, seeing racial homogeneity as the wellspring of democracy and regarding nonwhite populations in their countries as a ‘problem’ requiring urgent political attention (Lake and Reynolds 2008). A petition to the parliament of New South Wales, for example, described how Chinese immigration would bring the colony’s working class into competition with ‘a race who are in a state of semi-slavery, which must have an inevitable tendency of lowering the standard and civilization of the British workman, and thereby frustrating the carrying out of those high functions of citizenship which our moral and Christian teaching has taught us to aspire to’ (Alomes and Jones 1991, 128). This was overlain with the added conviction that ‘Anglo-Saxon’ culture was the highest exemplar of white civilization (Vucetic 2011).
By the last decades of the twentieth century, white supremacy was a source of embarrassment and shame rather than celebration in the Anglophone world. South Africa, the last country to dismantle its formal structures of white supremacy, was by the 1980s a white ‘other’ against which other white-dominated countries defined their newly antiracist identities. Apartheid occupied a central place in global antiracist discourse. From its earliest meetings in 1945, the United Nations General Assembly, prompted by India, repeatedly condemned South Africa for its resistance to the norms of racial equality that would be enshrined in the Universal Declaration of Human Rights in 1948. As South Africa hardened its white supremacist stance, former allies Britain, the United States and Australia gradually joined the movement to ostracise it from the international community. Following the lead of predominantly non-white former colonies in the Organisation for African Unity and the Commonwealth, the white Anglophone countries engaged in sanctions against South Africa from the 1960s onwards, though it was not until the mid-1980s that major western powers took measures that could seriously hurt the Apartheid state (Klotz 1999). The white Anglophone countries only incurred a fraction of the material costs borne by the African ‘front line states’ that refused to deal with South Africa.

Anti-Apartheid campaigners in the Anglosphere had to overcome entrenched resistance from business and political elites who had financial interests in South Africa, as well as Cold War hawks who saw South Africa as an undesirable lesser of two evils in the global struggle against communism (Borstelmann 1993). Nonetheless, by the end of the 1980s anti-Apartheid had become a near-universal cause in the Anglophone world. The end of Apartheid in the early 1990s was a cause for global celebration and self-congratulation among leaders of countries who had joined in sanctions, regardless of how late. Apartheid had come to represent all that was unjust and cruel about racial inequality, and where countries stood on the issue of South Africa defined where they stood on race. Even the declared American preference for anti-communist ‘authoritarian’ regimes over communist ‘totalitarian’ regimes could no longer justify tacit support for Apartheid.

Such was the extent of international condemnation of Apartheid that the word itself – an Afrikaans term meaning ‘apartness’ that referred to a set of policies enacted by the National Party in 1948 – entered into international law as a punishable crime. In 1973 the UN General Assembly adopted the Apartheid Convention, declaring apartheid a crime against humanity. Article 2 defined apartheid, ‘which shall include similar policies and practices of racial segregation and discrimination as practised in Southern Africa,’ as ‘inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other group of persons and systematically oppressing them.’ In 1998, The Rome Statute of the International Criminal Court included apartheid as one of eleven crimes against humanity. As this came several years after the end of the eponymous system in South Africa, it is now the case that ‘apartheid’ legally refers to crimes anywhere associated with racial segregation and discrimination, and not a just specifically South African policy (Dugard 2008). No one has ever
been prosecuted for apartheid. By making racist crimes eponymous with a particular system of racial domination, international law has set a very high bar for what would qualify as such a crime.

While many white South Africans during the Apartheid years openly upheld the principles of racial inequality and white supremacy, others justified the South African system as a necessary evil, and perhaps one more enlightened than the systems of white domination that existed in other countries. William F. Buckley’s encounter in the epigraph at the beginning of this chapter is a good example. Prime Minister Verwoerd’s son-in-law, according to Buckley’s recollection, seemed normatively to accept the principle of racial equality, going so far as to berate his American guest over the denial of voting rights to black Americans. White Americans, unlike white South Africans, had ‘no excuse’ for doing so in a country where they were not, as he seemed to see himself, a threatened minority.

This reference to the US South by a white South African elite shows the discursive salience of the US South as a white racist ‘other’ of almost equal importance to South Africa itself. The so-called ‘Jim Crow’ system of cradle-to-grave segregation in former slave states, maintained by the violent denial of voting rights to African Americans, was internationally notorious by the end of the 1940s (Borstelmann 2001). The American Civil Rights movement was, like the anti-Apartheid struggle, an international cause. Its milestones and setbacks received global coverage, and leaders such as Martin Luther King remain global icons of anti-racism. The international context of the Cold War also significantly affected US civil rights policy. American agencies anxiously monitored and reported on international outrage in response to racist atrocities in the United States (Dudziak 2000). Successive administrations believed the Cold War would be won or lost in the non-aligned, mostly postcolonial Third World, where citizens and media outlets closely followed developments in American race relations. American leaders knew that the image the United States wished to project as a guardian of democracy and human rights was fatally compromised by the treatment of its black population. The Civil Rights Act (1964), Voting Rights Act (1965) and Immigration and Naturalization Act (1965) were all passed with a view to repairing American moral authority, especially in Africa and Asia (Dudziak 2000).

Even after the end of Jim Crow, the US South has remained a racist white ‘other’ in global discourse, including in other white-dominated, English speaking countries. The salience of this region is no doubt related to the cultural dominance of the United States, and the fact that the South serves as an internal racist ‘other’ for Americans themselves. Jansson (2003) describes the ‘internal orientalism’ by which Americans have, virtually since the revolution, cast the South as a distinctive region characterised by poverty, violence, ignorance and racism, a counterpoint to an American national identity based on enlightened individualism and progress. From the Civil Rights era onward, Southern racism has performed an important discursive role as the backward-looking other against which the racially progressive United States defines itself. Cultural products like the 1989 film Mississippi Burning have dramatised for the world the narrative of a tolerant and
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heroic American people struggling to overcome a Southern enclave in which the vicious past lives on (Jansson 2005).

Neither the United States nor the rest of the world, however, has ever completely discursively separated Southern white supremacy from race relations in the rest of the country. Residential segregation, racial discrimination and police brutality are today broadly recognised as widespread ‘American’ rather than uniquely Southern problems. Black political leaders, scholars, writers, musicians, artists and athletes have consistently tempered post-Civil Rights self-congratulation with reminders of the continuing persistence of inequality. Because of the country’s international power and cultural reach, issues around race in the United States are internationally well-known. Touchstone events such as the election of Barack Obama generate intense emotional engagement even outside the US. The citation for Obama’s 2009 Nobel Peace Prize, awarded in the first few months of his presidency, noted that ‘rarely has a person to the same extent as Obama captured the world’s attention and given its people hope for a better future.’ The early discourse of hope about Obama in other white-dominated countries was about how extraordinary it was that a black man could get elected as President of the United States, not about how remote that possibility was in any other white-dominated country.

Because of the prominence of the US and especially the South in global discourse about racism, the fact that Americans often see other countries as racially backward may come as a shock to citizens of other Anglosphere nations. A striking example comes from Bill Buford’s 1990 book about English football hooliganism, Among the Thugs. At one point Buford, an American, recounts taking another American to a game in London and hearing the notorious ‘ape grunt’ among the crowd when black players touch the ball, a sound he describes as ‘so foreign I couldn’t figure out what it was.’ Buford witnesses ‘old, young, fathers, whole families’ participating in the grunt, ‘sticking out their lower jaws in crude imitations of apes.’ As his friend watches in bewildered incomprehension, he wonders ‘[w]hy was it so much worse here? (. . .) I was embarrassed to be living in this country.’ By way of explanation to his friend, he simply says ‘It’s England.’ (Buford 1993 [1990], 136–138).

The above is an example of an American, intimately familiar with another white-dominated country, who concludes its racism is ‘so much worse’ than that of his own. This assessment is not based on Britain having an international reputation as a racist norm violator, but on seeing practices of expressive racism there that would be completely taboo in the United States. Racism, in this case, is the other country’s racism. There is nothing wrong with being shocked and appalled by racist practices in another country; the problem with deflective anti-racism comes when we construct the very meaning of ‘racism’ with reference to practices in other countries rather than our own. All white-dominated countries, to paraphrase Tolstoy, are white-dominated in their own way. The following section shows how condemnation of racism in another country can play an active role in the denial of racism.
On the night of October 7, 2009, five Australian men donned blackface behind another wearing whiteface to perform as the ‘Jackson Jive’ on Red Faces, the parodic talent quest portion of the variety TV show *Hey Hey It’s Saturday*. *Hey Hey* was a carnivalesque, family-friendly mainstay of Australian weekend viewing in the eighties and nineties, though it looked increasingly dated by the time it was ended in 1999. In 2009 the Nine Network brought the show and its original cast back for several reunion episodes; the ‘Jackson Jive’ were included because they had performed the same routine on the show twenty years previously. Their version of The Jacksons’ ‘Can You Feel It’ did not go over well with American guest judge Harry Connick Jr., who told host Darryl Somers that he scored the act zero out of ten because ‘If they turned up looking like that in the United States, it’d be “hey hey there’s no more show.”’ Nervous laughter and ‘oohs’ greeted Connick’s statement – the show’s audience and cast realised how offensive the performance would have been to an American audience. However, the seriousness of Connick’s complaint about the act and the show did not register until a later segment, when Somers allowed him to explain why he was personally affronted. ‘I just want to say on behalf of my country’, said Connick Jr., ‘I know it was done humourously, but you know, we’ve spent so much time trying to not make black people look like buffoons, that when we see something like that, we take it really to heart.’ He went on to tell an increasingly contrite-looking Somers: ‘If I knew that was going to be part of the show, I probably . . . I definitely wouldn’t have done it.’

The episode had an estimated audience in Australia of 2.5 million, more than ten percent of the population (Due 2011). It soon reached a far larger global audience as high-profile American media personalities reacted with astonishment to footage of the segment, praising Connick’s response. A frequent theme was that Australia lags behind the United States in race relations. Fox News contributor Margaret Hoover said in an interview with Bill O’Reilly, ‘Here’s the deal with Australia: Australia’s a little bit behind the US insofar as their civil rights movement. It has started, but it is a little bit behind ours’ (Rose 2009). Joy Behar on *The View* noted that ‘the Aborigines, they (Australians) don’t treat them very well’, to which Whoopi Goldberg added that ‘they also don’t have an Aboriginal group that is anything like the Jackson family.’ While the same commentators acknowledged that cultural differences meant the performers and producers may not have understood how offensive the segment was, they did not see this as a mitigating factor. Instead, it was further evidence that Australia had not advanced as far the United States.

Many Australian counter-responses, however, took the inverse position: that Americans only found the act offensive because their racial history is so much worse than Australia’s. Blogging for the *Herald Sun*, widely-read commentator Andrew Bolt noted that the group’s front-man Anand Deva had apologised, sincerely claiming that he had no intention of mocking ‘blacks in general’:

His reply also suggests the real sin. Deva admits he would not have pranced around in blackface before an American audience, because, I assume, he
realises that blackface there has a very, very different cultural resonance than blackface in Australia. Yet what he, Somers and the \textit{Hey Hey} team failed to consider is that in their Australian audience was indeed an American. Worse, that American was from New Orleans, in the American south, and he was now sitting right in front of them as a judge of the Red Faces segment. What on earth did they imagine Harry Connick Jr might think? And even if Connick were inclined to laugh it all off as a culture clash, what else could he do but protest? YouTube clips of him sitting there unprotesting in front of a black-face skit would have killed him at home. That others overseas will now grab this as evidence our racism is in part another manifestation of this clash of cultures. I doubt many American commentators will realise that black face isn’t for us a symbol of iconic racism.\footnote{Bolt 2009} 

It is important to note the way Bolt draws upon the specifics of the American racial experience – that Connick’s reaction would have been particularly acute because he is from the south – to imply that the ‘real sin’ to which Connick was responding was the American history of slavery and segregation, which gave a sinister context to an otherwise innocent, if misguided, parody of the Jackson family. Due (2011) documents the same theme among the hundreds of comments that appeared beneath stories covering the incident and its international coverage on News Limited websites: Many readers acknowledged the act would have been offensive to African Americans, and Americans in general, but maintained that the real source of that offence was America’s sinfully racist past. Because Australia has not had the same history, they maintained, blackface does not have the same racist resonance, and is excusable in the Australian context (even if the show’s producers should have been more conscious of an international audience).\footnote{It is important to note the way Bolt draws upon the specifics of the American racial experience – that Connick’s reaction would have been particularly acute because he is from the south – to imply that the ‘real sin’ to which Connick was responding was the American history of slavery and segregation, which gave a sinister context to an otherwise innocent, if misguided, parody of the Jackson family. Due (2011) documents the same theme among the hundreds of comments that appeared beneath stories covering the incident and its international coverage on News Limited websites: Many readers acknowledged the act would have been offensive to African Americans, and Americans in general, but maintained that the real source of that offence was America’s sinfully racist past. Because Australia has not had the same history, they maintained, blackface does not have the same racist resonance, and is excusable in the Australian context (even if the show’s producers should have been more conscious of an international audience).} 

The fact that several of the Jackson Jive performers were not themselves white was a complicating, and, to some, mitigating factor in the subsequent discussions of whether the act was racist. One of them, Suresh da Silva, wrote in the days afterwards about the multicultural make-up of the group (Sri Lankan Australian, Indian Australian, Greek Australian, Lebanese Australian, Irish-Italian Australian, and one Anglo-Celtic Australian).\footnote{The fact that several of the Jackson Jive performers were not themselves white was a complicating, and, to some, mitigating factor in the subsequent discussions of whether the act was racist. One of them, Suresh da Silva, wrote in the days afterwards about the multicultural make-up of the group (Sri Lankan Australian, Indian Australian, Greek Australian, Lebanese Australian, Irish-Italian Australian, and one Anglo-Celtic Australian).} In celebrating Australian multiculturalism (‘We’re all Australians’), he hinted at the theme of Australia’s non-racism compared to other countries: ‘Apart from the odd joke when I was at school, I’ve never been subject to racism in Australia. In other countries, certainly, but never here’ (Stratton 2011). Da Silva’s remarks contributed to the self-image of Australia as so racially innocent that even non-whites wouldn’t find it offensive to participate in a blackface performance. 

The protest that the Jackson Jive was parodying American popular culture, and was thus silenced away from any Australian form of racism, was subtly undermined by \textit{Hey Hey} itself. During the broadcast of the performance, producers cut away for two seconds to show an impromptu caricature of Kamahl, a Malay-Australian singer who had been a frequent guest on the original show in the 1980s and 1990s. The picture by resident cartoonist Andrew Fyfe, which exaggerated the singer’s nostrils and upper lip, was labelled ‘Where’s Kamahl?’\footnote{The reference}
may have been funny to the audience, but it was painful to its subject. Despite his repeated appearances on *Hey Hey*, Kamahl had frequently been racially mocked on the show. In the 1980s, performers had also impersonated him in blackface. He threatened legal action after the Jackson Jive broadcast, and told an interviewer ‘whenever they do the “blackface” thing I don’t think it helps my basic insecurity, which is, always, that western civilisation uses the word black always with the negative aspects of life’ (Mahony 2009). Kamahl’s description of his ‘basic insecurity’ echoes Frantz Fanon’s description in *Black Skin, White Masks* of the traumas endured by black people in white-dominated societies: ‘In Europe, evil is symbolized by the black man. . . . The perpetrator is the black man; Satan is black; one talks of darkness; . . . Darkness, obscurity, shadows, night, the labyrinth of the underworld, the murky depths, blackening someone’s reputation’ Fanon (1967, 165–166).

Even if Australian blackface performances referencing African Americans have often gone unremarked, the recent history of Australian blackface is not an innocent one. In 1992, widespread anger greeted amateur video footage of an outback party where two white police officers wore nooses and body-covering black paint to mock Lloyd Boney and David Gundy, Aboriginal men who had both died in police custody within the previous five years. In 1999, the Melbourne *Footy Show* presenter Sam Newman blackened his face during a show to impersonate Nicky Winmar, an Aboriginal guest who had supposedly agreed to appear but had not shown up. Newman’s mockery of Winmar was particularly pointed given Winmar’s status as an icon of Aboriginal pride in Australian Rules football, cemented in 1993 when he defiantly responded to racial abuse from fans at a game by lifting his jersey and pointing to his skin (Stratton 2011). In both cases, the fleeting blackface outrages referenced events that had been significant flashpoints for anti-racism campaigns. Though these blackface incidents may have been mostly forgotten by 2009, they received significant media coverage at the time, and they should not be overlooked in any assessment of the ‘resonance’ of blackface imitation in Australia. While canonical blackface performance has its origins in American vaudeville mimicry of slaves (Waterhouse 1990), in Australia it has also been part of a repertoire of white humiliation of Aboriginal people.

The point here is not that Australia is more racist than the United States, or that both are equally racist. The point is that Australians must reflect carefully on our own historical and cultural practices of white domination, rather than pointing to another country as an example of ‘real racism.’ Citizens of all white-dominated countries must do the same.

**Conclusion**

Understanding racial equality as an international norm inhibits our understanding of racial inequality. Racial inequality is a persistent, deeply embedded social phenomenon that takes different forms in different places and is often difficult to understand. The complexity of racial inequality can be seen when we look at how people from one white-dominated society view racism in another white-dominated
society. Condemnation of racism in another society may generate the kind of sympathy and solidarity that is necessary for confronting racism at home. But it may not generate the kind of self-reflection that is necessary for recognising that racism in the first place. Any international ‘norm’ of racial equality, especially one forged in opposition to a specific system of racial domination, will have very limited power to force reconsideration of racist structures and practices that are localised and seen as natural in the places where they prevail.

The purpose of this essay is not to denigrate anti-racism, nor to discount the considerable gains in racial equality that were achieved throughout the world in the twentieth century. Rather, I have sought to show the pitfalls of constructing liberal, anti-racist national identities in contrast to racist ‘others’, and the limitations of these identities when it comes to recognising and addressing racial inequality at home. Constructivists in international relations have attributed great power to national identity to induce conformity to international norms. In a world, however, where racial inequality is still the true norm, self-congratulatory condemnation of racism in other countries has long outlived its usefulness.

Notes


2 In his introduction to the edited volume *Moral Limit and Possibility in World Politics*, made up of constructivist analyses of ethics in international relations, Richard Price concedes that accounts of moral change that are ‘presumed to be desirable’ may in fact be problematic. However, he notes that ‘the challenge of having to offer a convincing defense of the ethical desirability of norms like the abolition of slavery or torture would not exactly keep too many constructivist scholars up at night.’ (Price 2008, 203). The racial equality norm also falls into this category, and indeed it is much less controversial outside of scholarly circles than torture, the persistence of which is a blind spot in constructivist analyses of norms (McKeown 2009).

3 Constructivist scholars in IR are increasingly interested in the emergence of global norms from Southern, non-Western or small-power origins. See for example the essays in issue 20(3) of *Global Governance*, especially Acharya (2014), Finnemore and Jurkovich (2014), Helleiner (2014) and Sikkink (2014).

4 Naoko Shimazu argues that, while there were numerous factors motivating Japan’s proposal, the most important was its desire for great power equality with the major western powers, rather than universal racial equality. Nonetheless, this proposal was the first time the possibility of institutionalizing a racial equality norm had been discussed at the international level.

5 Many of the early and enthusiastic supporters of India’s stance on racial equality no doubt maintained double standards in the treatment of their own ethnoracial minorities. However Britain, the United States, the former British dominions and other European colonial powers were notable for lagging in the international as well as the domestic sphere: resisting decolonization (until the United States broke with Britain and France over the Suez Crisis of 1956), maintaining discriminatory immigration policies until the 1960s, and being slow to apply economic and diplomatic pressure on South Africa.

6 Klotz (1999) has influentially claimed a major role for international sanctions in ending Apartheid, a claim that resonates with constructivist scholars and also with the self-image of western powers that participated in them. This view, however, is not
supported by scholarship that addresses the internal dynamics of South Africa’s transition. Wood (2000) persuasively argues that democracy in South Africa was ‘forged from below’ by mass domestic pressure rather than through international efforts. As important as sanctions may have ultimately been, the sanctions imposed by major powers happened in response to incidents of popular insurgency and state repression. International sanctions, in other words, were endogenous to South African domestic politics, rather than acting as an external shock to it.

7 On the discourse of racism as individual pathology, and the way it impedes understanding of structural racism, see Hage (1998) and Bonilla-Silva (2014).


9 In international relations, this worldview has arguably been encoded in the term ‘ethnic conflict.’ Singer (1994) notes the term is generally applied ‘by “White” intellectuals upon conflicts that occur in regions largely inhabited by people of color. . . . The frequent implication is that we fight over many things – allegedly national in nature – whereas they fight over nothing more significant than race, tribe, religion or language. This is not only an empirical question calling for a lot more rigorous research, but a statement of such chauvinism as to be a source of great embarrassment to those of us concerned with the problem’ Singer (1994), quoted in Henderson (1997), 652.

10 For example, in their overview of twenty years of interdisciplinary scholarship on how national majorities discursively rationalize or deny racism, Augoustinos and Every (2007) make no mention of this strategy, which suggests there is little or no scholarship that addresses it. They do discuss scholarship on positive self-presentation (i.e. ‘we are an unusually tolerant society’), but when turning to negative other-representation, the scholarship they discuss has concentrated on how non-white ‘others’ within white-dominated societies are presented.

11 Lake and Reynolds (2008). Despite the degrees of formal independence all these colonies had attained by the first decade of the twentieth century, citizens of these countries regarded themselves as British, and part of the empire, until at least the Second World War. They acted with Britain as a bloc in international relations; crucially, at the Paris Peace Conference of 1919, Britain refused to acquiesce to Japan’s insistence on a racial equality clause in the League of Nations Covenant because Australia and the other settler colonies opposed it. This in turn gave the United States cover to oppose the clause on the grounds it did not have unanimous support.

12 William F. Buckley’s article, excerpted above, is representative of this position, which was shared by prominent members of the Reagan administration and Thatcher government.

13 The memoirs of former Australian Prime Minister Bob Hawke include about 25 pages on the international struggle to end Apartheid in South Africa, especially his own role in persuading other national and financial leaders to adopt sanctions in the mid-1980s. Hawke devotes just over two pages to Aboriginal reconciliation in Australia, ‘a domestic issue that was close to my heart’ (Hawke 1994, 434).

14 In the blunt assessment of Malcolm X, “When we say South, we mean south of the Canadian border’ (Glanville 1964).


16 Footage of the performance and Connick’s remarks is available at www.youtube.com/watch?v=qEtjaZ8ZuNU (last accessed July 28, 2015).

17 Footage is available at www.youtube.com/watch?v=XKeo3w4RhkM (last accessed July 29, 2015).

18 Among the comments Due (2011) cites, illustrative examples are:

‘The U.S. is uncomfortably aware of its slavery history, leading to a degree of PC that is unwarranted (sic) in Australia. Sure we have our racism issues, but we are also
able to laugh at out controversies, and at ourselves, in a way that puts matters in per-
spective thus allowing tensions to dissipate.’

‘Oh that’s rich. Being called racist by the Americans. I guess that we don’t have
enough history in being racist like the yanks. We didn’t import black slaves and beat
them to work for us. We didn’t have “whites only” waiting rooms, buses, schools and
so on. No, we just have an amazing multicultural melting pot of people that have man-
gaged to get on with each other, and still be able to poke fun at each other. Australia is
a perfect example of how to be tolerant, unlike other so called “civilized” countries.’

19 Until the end of the Second World War, the White Australia policy banned immigra-
tion from Southern Europe and the Mediterranean as well as Asia and most other non-
European places. The result is that Australians of Greek, Lebanese, Balkan and Italian
backgrounds are not quite ‘white’ in the same way as Anglo-Celtic Australians. They
are part of the multicultural ‘other’. See Hage (1998).

20 In the YouTube video cited above, the caricature is visible from 1:33 to 1:35.

21 Stratton (2011) points out that in 2007, members of the Australian Broadcasting Cor-
poration satirical sketch show The Chaser imitated the Jacksons in blackface while
performing a version of ABC about the similarities between Australia’s two major par-
ties. The routine attracted little or no condemnation. In another interview following
the Jackson Jive, Kamahl stated ‘They are just trying to push the envelope. Like The
Chaser. The Chaser may take it to another level but at least it’s witty. Hey Hey is
devoid of any real wit.’ (McCabe and Burns 2009).

22 Boney was found hanged in a cell in Brewarrina, NSW in 1987; his death was ruled a
suicide in 1991. Gundy was shot dead during a police raid on his home in Sydney in
1989 when police were searching for another suspect who was not there; a coronial
inquiry accepted the explanation that police had accidentally discharged a shotgun.
For footage of the subsequent blackface incident, see www.youtube.com/watch?v=x2_z9W6WnIY (last accessed August 3, 2015). On the Boney case, see Rowse (2007). On
the Gundy case, see Cuneen (1990).

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9 The norm of state-monopolised violence from a Yemeni perspective

Sarah Phillips

There are few norms in International Relations so pervasive as the Weberian notion of the state as the set of institutions that legitimately monopolise the use of violence (Weber 1919/1946). The assumption that the monopolisation of armed force is a universally held ideal – even among states unable to exercise it fully – is so widespread that it rarely occasions comment within the literature on the emergence and resilience of norms in the international system (Krahmann 2013, 57). When it does, generally in the literature that deals specifically with the rise of private military contractors or mercenaries in international conflicts, it is powerful Western states that are seen to be challenging the norm (Krahmann 2013; Percy 2016; Wulf 2011). This piece argues that this is only so because the focus of inquiry has implicitly excluded post-colonial experiences of statehood, and that amending this would reveal that other states have long challenged this norm. Nor has the challenge occurred through the processes of active contestation or norm ‘entrepreneurship’ that dominates the literature (Finnemore and Sikkink 1998; Nadelman 1990; Risse, Ropp and Sikkink 1999) but rather simply through the fact that this purportedly universal norm was never universal to begin with.

Using Yemen as its primary case, this piece examines the assumptions that underpin the norm of state-monopolised violence, and how they break down when unhinged from their Western origins. It proposes first that a monopoly on violence is not necessarily something that all states strive for all of the time as a function of universally rational self-interest. Second, it suggests that the logic of state-monopolised violence implicitly establishes a clear separation between state and non-state actors, which has been unquestioningly taken up in scholarly analyses of the norms bound up with statehood (Boli and Thomas 1999; Keck and Sikkink 1998; Risse, Ropp and Sikkink 1999). This dichotomy appears at its most pronounced when states contend with violent non-state actors (Jo and Bryant 2013, 239). This piece analyses Yemeni discourses about al-Qa’ida to unsettle an assumption that is implicit to Western discourses about what constitutes a state and to the norms constructivism literature: the apparent logical inevitability of the binary distinction between state and violent non-state actors. It suggests instead that state actors may facilitate violent non-state actors that challenge their authority or, at least, that citizens may interpret them as doing so. Using this ‘situated’ perspective (Epstein 2014), this chapter then deconstructs the dominant discourse,
The norm of state-monopolised violence which takes strengthening the state’s monopoly on legitimate force as the only long-term solution to instability and political violence, and yields specific counter-productive counter-terrorism practices and policies. It argues that in conceptualising the links between the coercive capacity of the state and political stability so rigidly, the norm of state-monopolised violence can help to produce the threats to stability it is believed to contain.

Before elaborating further on the conceptual challenges this piece will pose, the Yemeni case study that it is anchored to will be briefly introduced. To most Western observers, al-Qa’ida in the Arabian Peninsula (AQAP) is a non-state terrorist network that targets Western interests and the ability of the Yemeni state to contain it. Its resilience derives, in part, from the outlet that it provides for disaffected Yemenis, therefore benefiting from ‘a natural base of Yemeni popular support’ (Cilluffo and Watts n.d.). AQAP is framed as an outcrop of the violence, insecurity, and poverty that is endemic to Yemeni society, which can be countered only by strengthening the coercive capacity of the state, and improving the political and economic opportunities available to its citizens (USAID 2010).

Although they tend to be dismissed as irrational by Western observers, Yemeni discourses reject the notion that AQAP is always a non-state actor. Rather, it is taken for granted that there is no logically impermeable line separating state actors from violent non-state actors, and that top state officials may operate in both capacities simultaneously as a way of managing either competitors or alliances. In Yemen, al-Qa’ida is widely seen as a pliable entity, sometimes serving the interests of powerful ‘players’ (al-la’abeen) and, at times, exercising little independent agency. Yemeni discourses implicitly reject the notion that private Yemeni citizens bear the weight of responsibility for the emergence and resilience of AQAP. Instead they emphasise the power of the Yemeni state to manipulate violent extremists – and the naivety of Western actors for assuming that the state is (or at least was, under former President Ali Abdullah Saleh) too weak to defeat AQAP. They suggest instead that the regime’s failure to defeat the group was at least partly intentional.

This piece shows how Yemeni discourses informally theorise the ways in which local actors are not constrained by state/non-state dichotomies when they employ violence. They do so, however, in a way that goes beyond the now common observation that governments and ‘private actors such as companies or NGOs’ are not necessarily limited to acting only in their respective public or private capacities (Risse 2011a, 12). They also go further than the more nuanced literature on hybrid political orders, which emphasises the diverse and competing forms of authority so prevalent in post-colonial states (Boege et al. 2009; Mac Ginty and Sanghera 2013; Meagher 2012; Phillip. 2013; Renders and Terlinden 2010; Richmond and Mitchell 2013). This piece argues that Yemeni discourses about al-Qa’ida implicitly pinpoint a core tension within dominant Western conceptions of legitimate statehood. In the latter, the power of ‘spoilers, like warlords and leaders of organized crime’ – that is, violent-non state actors – ‘definitely will have to diminish in order to build and maintain legitimate forms of political order’ (Boege et al. 2009, 19). In Yemeni discourses and political practices, however, the power of
such actors is not seen to inevitably reduce the power of the ‘legitimate’ (and internationally supported) state apparatus. Using this logic, the internationally recognised, funded, and legitimate president may, for instance, secretly release al-Qa’ida convicts from prison as a threat to other competitors despite the fact that al-Qa’ida has, as an organisation, announced its intent to violently overthrow him. A powerful military commander may also funnel weapons from his unit to al-Qa’ida fighters that are then used in attacks against military units led by rival commanders. The president may prevent an elite military unit from fighting a powerful insurgent group in the hope that the insurgents will wear down the martial power of his factional competitors first. Or, a top national security official may order the withdrawal of the police from a certain area just hours before violent extremists occupy it and successfully steal millions of dollars from unguarded banks. While the factual detail of any of these scenarios, all of which are based on anecdotes relayed to me during my fieldwork or since, is entirely open to dispute, most Yemenis would accept that they are at least logically plausible. That is, they would accept that state actors can, at times, willingly facilitate violent non-state actors that challenge the state’s monopoly on force, or even the very basis of the state’s authority.

The aim of this piece is not to pathologise Yemeni politics. Rather, it is to illustrate that its politics are not produced solely by local conditions: they are also a consequence of the dominant, Western discourse about what constitutes a state and the norms associated with statehood. This is the discourse by which ‘any person or group exercising effective power in less developed countries’ is permitted to enjoy the privileges that sovereign recognition provides (Pogge 2010, 17). These privileges afford the ability to borrow money in the name of the state, receive overseas development assistance, import weapons, and sell the state’s natural resources – all of which reinforces the power of those individuals or groups against domestic competitors. The core aim of the chapter in this respect is to offer a situated perspective on a political logic (and the popular perceptions thereof) that counters the universalising assertions of the norms literature, as well as the state-building and counter-terrorism policy practices that draw from it. This literature portrays states as inherently legitimate entities and armed non-state actors as necessarily distinct and oppositional. The chapter proceeds by first analysing in greater detail the framing of states and non-state actors in norms constructivism. It then sketches out the dominant representations of political violence in Yemen against a background of Western discourse about violent extremism in states where formal public authority is weak. This discourse often explicitly holds that full Weberian statehood is the only long-term solution to violent extremism (Collier 2009; Ghani and Lockhart 2008; Kilcullen 2009, 47; Krasner and Pascual 2005; Rotberg 2004; World Bank 2011; Zartman 2005), and that where the state does not exercise a full monopoly on coercion this is because it lacks the capacity to do so – not because its leaders have chosen not to do so (see, for example, Risse and Rop. 2013, 18). It then turns to Yemeni discourses about the resilience of al-Qa’ida and the challenge they pose to universal claims about the ontology of contemporary statehood.
The norm of state-monopolised violence

States and non-state actors in norms constructivism

The norms constructivist literature has tended to focus on non-state actors as the engines of (almost always) progressive change within the international political system. Norm ‘entrepreneurs’ push or ‘socialise’ unwilling state actors to ‘internalise’ and thus comply with certain standards of behaviour, whether this is the respect for human rights, ‘good governance,’ the responsibility to protect civilians from mass atrocity crimes, or individual criminal responsibility for those crimes. In this literature, states have tended to be understood as having ‘a full monopoly over the means of violence and the capacity to implement and enforce rules’ (Risse and Rop. 2013, 17). The editors of the influential book The Power of Human Rights (Risse, Ropp and Sikkink 1999) realised the problematic nature of this assumption in their work, and fourteen years later produced a new volume, The Persistent Power of Human Rights (Risse, Ropp and Sikkink 2013). The later volume explicitly acknowledges the prevalence of ‘limited statehood,’ which it defines as ‘parts of a country’s territory or policy areas where central authorities cannot effectively implement or enforce central decisions or even lack the monopoly over the means of violence’ (Risse and Rop. 2013, 3). Contributors to the volume note that many states in the Global South have some areas for which this definition applies (Risse and Rop. 2013, 18; see also Börzel and Risse 2013, 63), though they do not propose that this fact undermines the orthodox understanding of states, only that some states are functionally limited in some areas and capacities.

While these acknowledgements address some problematic aspects of the previous volume regarding the assumption that states are unitary actors, its contributors still frame state and non-state actors as discrete entities that necessarily behave differently: ‘we seem to know a lot about how states behave, but we know a lot less about how non-state actors comply with international rules’ (Jo and Bryant 2013, 239). Contributors also assume that state-monopolised violence is an ideal that all states (rationally) strive for, using the term ‘enjoy’ to refer to instances where a monopoly exists: ‘While the Pakistani state enjoys a monopoly over the use of force in many parts of its territory, the so-called tribal areas in the country’s northeast are beyond the control of the central government’ (Börzel and Risse 2013, 68, 63, 67, see also Risse 2011b, 5, 6). Finally, the distinction between state and violent non-state actors is framed as one of binary opposition:

We are agnostic about connotations among the terms ‘insurgents,’ ‘rebel groups’ and ‘armed opposition groups’ . . . rebel groups are, by definition, political entities fighting against existing authority.

(Jo and Bryant 2013, 239 footnote 2, and 239)

When examining various characteristics of ‘rebel groups’ later in the chapter, Jo and Bryant note that their methodology ‘control[s] for the regime type of the opposing government’ (emphasis added, Jo and Bryant 2013, 246). Thus despite the important move away from the assumption that states are unitary actors that
was pervasive in the norms literature, contributors to the volume still assume that all states share other basic universal traits. The most basic of these is that they do not – by definition – facilitate violent non-state actors that challenge their authority.

In the literature on the rise of private military force, the state’s monopolisation of legitimate force is a more direct focus than elsewhere in the norms literature. However, it is still powerful Western states that are seen to be challenging the norm through their increasing use of paid non-state combatants. For example, Sarah Percy notes that ‘the privatization of force has occurred with extraordinary speed. It is hard to imagine that in the late 1980s and early 1990s, the widespread use of private force, especially by major powers, was unthinkable’ (Percy 2016, 219). Elke Krahmann observes that:

Article 5 of the 1989 UN Convention made not only being a mercenary an offence, but also the recruitment, use, financing and training of mercenaries by sovereign governments – that is, practices considered legitimate until the 19th century.

(Krahmann 2013, 59)

Like the literature on the ‘socialisation’ and ‘internalisation’ of norms referred to above, these characterisations uphold state/non-state or public/private binaries. They describe discrete entities in which one (the state) pays the other (the non-state mercenary) for a service. One begins where the other ends. This clear, definitional demarcation between them renders them incapable, however, of explaining the dynamics of the anecdotal Yemeni scenarios that were sketched out earlier in this chapter. Neither can they explain the metastasisation of those dynamics to the complexities of Yemen’s current conflict, in which former President Ali Abdullah Saleh remains the official leader of the country’s largest and most powerful political party (the General People’s Congress – GPC), despite being forced to resign from the presidency in November 2011. The party that he leads is also the party of his successor, President Abdu-Robu Mansoor Hadi, whom Saleh helped force into exile in March 2015. That is to say that Saleh is, simultaneously, the head of the ‘legitimate’ president’s political party, and a militia leader fighting a civil and international war against supporters of President Hadi (among others). He also maintains the support of powerful factions of the military (principally the elite – and previously US supported – Republican Guard), and so many of the weapons that he (and his current allies, the Houthi insurgents) are using to fight the government actually belong to Yemen’s national army. Perhaps most revealing about the degree of permeability of lines between state and violent non-state actors in Yemen, however, is the fact that prior to their current alliance, Saleh fought six civil wars against the Houthi insurgents (2004–2010) during his presidency. As this rough outline clearly illustrates, there is simply no way to explain Yemeni politics if one assumes clean lines between state and violent non-state actors.

None of this is to say that the above observations about private military force are not valid to the case studies the authors have selected, only that the
privatisation that they observe is not universally ‘unthinkable’ (Percy 2016, 219) because the use of armed force was not de-privatised in all states ‘in the 20th century’ (Krahmann 2013, 59). In many post-colonial states, the use of armed force has been employed – legitimately and otherwise – by actors that cannot always be definitively categorised as either a state or a non-state actor, as Yemen’s former president Saleh vividly illustrates. This chapter now turns to the treatment of these ambiguities in both Western and Yemeni discourses about political violence, particularly regarding violent extremism. It begins with Western constructions of a violent Yemeni ‘other’ (Said 1978)5 that affirm Western discourses about statehood, in which the state is always ontologically distinct from non-state actors and must assert its coercive dominance over them in order to provide stability.

Ambient violence: representations of Yemen in the West

Mainstream representations of Yemen within the West are of a tribal backwater, awash with weapons, ‘little more than a code word for bizarre terror plots,’ (Worth 2012) and the closest one can come ‘to land[ing] on another planet’ (Wright 2015). Popular culture references to the country are rare, and when they occur – Chandler in Friends pretending to move there to escape his girlfriend, and President Bartlet in The West Wing threatening to send journalists there for writing about his family – its obscurity serves to underscore its presumed unpleasantness. Much of the media attention that Yemen receives offers two facts to situate the country: that there are some 60 million guns spread among 20 million people,6 and that Yemen was once home to the bin Laden family.7 David Finkel’s 2006 Pulitzer Prize winning series of Washington Post articles on Yemen characterised the country as:

an embryonic democracy of 20 million people, 60 million guns, ongoing wars, active terrorists, extensive poverty, pervasive corruption, a high illiteracy rate, an infamous port where al Qaeda attacked the USS Cole in 2000, a notorious patch of valley that is the ancestral homeland of Osama bin Laden, and a widespread belief that the United States is the reason life here for so many is so miserable.

(Finkel 2015)

US Senator Carl Levin warned Congress in 2009 that Yemen is a place ‘where many mujahdeen returned to after the Soviet withdrawal from Afghanistan and, often forgotten, it is the ancestral home of Osama bin Laden’ (Levin 2009). The Yemeni state is widely framed as unable to manage the endemic violence within its borders. New York Times journalist Robert Worth has spent considerable time reporting from inside Yemen, and wrote in 2010:

Every time I drive out of Sana I get an ominous sense of going backward in time to a more lawless era . . . Once you’re out of Sana province, there are virtually no signs of the Yemeni state. Every able-bodied man seems to carry
an AK-47 rifle over his shoulder; it’s not uncommon to see rocket-propelled-grenade launchers.

(Worth 2010)

He continues by pairing the birth of Mohammed bin Laden (Osama’s father) with a recent terrorist attack in Yemen, evoking a sense of natural progression between the two events despite being separated by just over a century:

Last year I expected to see at least a few government soldiers when I visited the ancient city of Shibam in Hadramawt, the vast eastern province where Osama bin Laden’s father was born. A few months earlier, four South Korean tourists were blown up by a suicide bomber as they admired the view of Shibam from across the valley.

(Worth 2010)

The dominant representation of Yemenis within the West is one of unchecked violent impulses – whether between each other, against the state, or against foreigners. Violent jihadism is framed as another manifestation of the ambient violence that Yemenis collectively emit, and from which it follows that AQAP attracts ‘a natural base of Yemeni popular support’ (Cilluffo and Watts n.d.). AQAP is then portrayed as a domestic dysfunction that the Yemeni state must learn to contain by better providing for, and more effectively disciplining, its citizens (USAID 2010, 2014). In other words, the Yemeni state must more effectively exercise its presumptive monopoly on legitimate force, and should be assisted in doing so by the international community. Put differently again, the state must be assisted as it rationally strives to assert its monopoly against the violent non-state actors that challenge its pre-eminence.

A 2011 program Risk Assessment by the United States Agency for International Development (USAID) – by far the largest international development agency working in Yemen – articulates these beliefs about Yemenis’ supposed proclivity to violence. Written in the context of the anti-government protests that built throughout 2011 after President Hosni Mubarak was toppled in Egypt (and which ultimately caused President Saleh to resign in November 2011), the assessment notes that achieving stability in Yemen would require that Yemenis demonstrate ‘reduced support for violent means of resolving conflicts and grievances and increased support for the central government to prevent fragmentation of the state and continued conflict’ (USAID 2011, 2). The assessment frames the central government as the only means of increasing Yemenis’ security despite the fact that the protests resulted from a widespread view that the government was actually a source of insecurity in many peoples’ lives. Moreover, it disregarded that ‘support for non-violent means of resolving conflicts’ is already embedded in traditional legal norms, while implying that violence is the preferred method of conflict resolution among Yemenis. In fact, tribal conflict resolution prioritises nuanced and complex processes of persuasion and
negotiation rather than the vanquishing of an adversary (Caton 1990; Dresch 1989; Weir 2007).

In line with this risk assessment, one of USAID’s main implementing partners, Creative Associates, described its in-country activities the following year (which included talent competitions, civic engagement courses, and a sports tournament that aimed ‘to foster peace through volleyball and soccer’) as:

an attempt to redirect youth’s energies from exploding into violence as a consequence of the current and recent political events in Yemen. Those taking part in these contests show the resilience of Yemeni youth when provided support from programs such as USAID’s CLP [Community Livelihoods Program]; these youth exemplify that they are more than willing to cooperate and redirect their energies in a positive way.

(Creative Associates 2012)

This implies that it was the young protestors who ‘explod[ed] into violence’ during the 2011 uprising, rather than the central government – a contention against which the evidence is overwhelming. Footage of the massacres repeatedly shows peaceful unarmed protestors being shot by snipers on surrounding rooftops. The protests were not, as Creative Associates implies, unruly violent occasions that necessitated the orderly intervention of the state. The other strong intimation by Creative Associates is that Yemen’s youth protested against the regime at least partly due to the lack of somewhere else to ‘redirect their energies’ rather than as a result of legitimate political grievances against a central government that was being directly supported by the US government. Regardless, USAID continued to assess that the protests were violent events because of the protestors’ actions. In its subsequent Country Development Cooperation Strategy 2014–2016 (2014), USAID confirmed its earlier assessments by reiterating that: ‘Mass unrest in 2011, which culminated in violent revolt, emerged from, and was catalyzed by, conditions of acute societal fragility stemming from sectarian, tribal, and regional divisions’ (USAID 2014, 7). Thus, the violence being experienced by Yemenis was again portrayed as the result of societal divisions between citizens rather than of grievances against the behaviour of the state and its international backers. This framing both draws from and reinforces the notion that the state is an inherently legitimate entity, and that even non-violent challenges to its authority constitute an unacceptable threat to political stability. USAID makes this unusually explicit in its Country Strategy 2010–2012 document when it characterizes a ‘vulnerable’ individual or group as one that ‘distrust[s] a seemingly distant, disconnected central authority’ and is willing to engage in ‘illegal and/or rebellious activities against widely accepted religious leaders or ideologies, traditional governing bodies, elected or appointed local representative bodies, local government entities, and/or the central government’ (USAID 2010, 2 footnote 1). In other words, a vulnerable person is one who may be considered liable to challenge the authority of the central government, and it is the state’s vulnerability to dissent that USAID consistently frames as its primary object of concern.
Securing the state against its (violent) citizens

The public statements made by other US officials throughout 2011 also show that their main objective was to secure the Yemeni state against the protestors because the state was believed to be the only vehicle through which to fight AQAP. For example, days after the Yemeni government committed its first massacre of peaceful protestors in Sana’a (18 March 2011), the US Secretary of Defense, Robert Gates, reflected on the implications of the incident: ‘Instability and diversion of attention from [al-Qa’ida] are my primary source of concern in Yemen’ (cited in Fleishman 2011). When a journalist later asked Gates, ‘How dangerous is . . . a post-Saleh Yemen to the United States?’, he replied: ‘We’ve had counter-terrorism cooperation with President Saleh and the Yemeni security services . . . so if that government collapses, or is replaced by one who is dramatically more weak, then I think we’d face some additional challenges out of Yemen, there’s no question about it. It’s a real problem’ (al-Jazeera 2011). As the protests gained intensity and the Saleh regime increased its violence against protestors, the American Deputy Assistant Secretary of Defense for Special Operations and Combating Terrorism, Garry Reid, stated that the Yemeni regime was: ‘the best partner we’re going to have . . . and hopefully it will survive because I certainly would hate to start over again in what we’ve tried to build’ (Associated Press 2011). The US Administration has since continued to reiterate that a strong central government is the only viable basis for a counter-terrorism strategy in Yemen, with Defense Secretary Ashton Carter lamenting the fall of the government in March 2015: ‘It’s always easier to conduct counterterrorism when there’s a stable government in place . . . That circumstance obviously doesn’t exist in Yemen’ (cited in Cooper and Schmitt 2015).

American diplomats also echoed the Administration’s hope that Yemen’s central government would endure despite the popular challenge it faced. The Ambassador to Yemen, Gerald Feierstein, cautioned Yemenis that removing President Saleh was not a solution to the troubles that the protestors were articulating: ‘We’ve also been very direct with our friends in civil society and in the street protests, that the idea of ‘isqat al-nitham’ [the fall of the regime] is not really the answer to the problems’ (United States Embassy, Yemen 2011). In December 2011, Ambassador Feierstein caused offence when he reportedly called a planned peaceful protest march between Ta’izz and the capital city of Sana’a ‘provocative.’ A Yemeni news agency quoted Feierstein: ‘Being peaceful isn’t just about not carrying weapons. If 2,000 people decided to march on the White House, we wouldn’t consider it peaceful and we wouldn’t permit it.’ In official American narratives, therefore, peaceful protestors and AQAP were functionally merged as an overarching threat to the viability of the Yemeni state. The nature of that threat was one of non-state actors – whether peaceful protestors or al-Qa’ida – against the ability of the state to impose itself coercively on its citizens in the name of stability.

Underlying each of these statements is the assumption that states and violent non-state actors are ontologically separate and that it is irrational, and thus unthinkable, for the former to facilitate the violence of the latter. However, classified
documents released by Wikileaks confirm that the US (and its regional allies) had long held misgivings about the Saleh regime’s willingness to genuinely fight AQAP (Miller 2011). Concerns about the authenticity of Saleh’s commitment were most notably raised in February 2006, when twenty-three of al-Qa’ida’s most senior figures tunneled their way to freedom from a high security prison run by the state’s internal security agency (the Political Security Organisation – PSO), an institution with well-known interactions with Yemen’s jihadi community (see Johnsen 2013, 195). At the time of the jailbreak, Western analysts and officials widely suspected that the incident could not have occurred without some form of assistance within the PSO, and that this could have gone all the way to Saleh himself.9 One US Embassy cable sent from Sana’a reportedly emphasised, ‘One thing is certain: PSO insiders must have been involved’ (Hosenball 2006). Saleh’s actions following the incident did little to assuage these concerns about his possible complicity, and later that month he gave an interview announcing that he was in contact some of the fugitives and that they would soon be back in custody. Gregory Johnsen writes that Saleh had privately promised to pardon the men if they agreed not to conduct attacks in Yemen (Johnsen 2013, 196). He later publicly delivered on this promise by releasing two of America’s most wanted escapees to house arrest, to the ire of US law enforcement officials (Isikoff 2008; Phillip. 2011, 44).

Former US Ambassador to Yemen Edmund Hull (2001–2004) noted that the historical relations between some Yemeni political elites and members of al-Qa’ida, including Osama bin Laden, during the Soviet occupation of Afghanistan (1979–1989) were also an enduring cause for concern: ‘The FBI and the CIA were always very suspicious of these [historical] ties and were also concerned about officials within the Yemeni government who would have sympathy or obligations or personal relationships [with al Qaeda]’ (Hill and Kasinof 2015). Despite such widely held concerns, President Saleh’s government remained the sanctioned conduit for hundreds of millions of dollars worth of counter-terrorism assistance – the majority of which, the Pentagon later admitted, it could not account for.10 However, while such doubts about the reliability of the Saleh regime did not alter the centrality of state partners to US counter-terrorism practices, they were not dismissed as irrational either. As discussed below, these dismissals have tended to be reserved for the ‘many conspiracy-minded Yemenis [who] believe that the gravity of the terrorist threat has been exaggerated’ (Time 2011). In fact, when generated by Western actors, the doubts about the reliability of President Saleh as a counter-terrorism partner appear to have reinforced the resolve to strengthen his hand against AQAP. This was despite the widely held Yemeni view that maintaining a threat from al-Qa’ida was part of the president’s self-preservation strategy.

**Yemeni discourses about the sources of AQAP’s resilience**

This section illustrates how Yemeni perspectives on the sources of al-Qa’ida’s resilience undermine the supposedly universal norms that have justified the nature of Western intervention Yemen and elsewhere. In the Yemeni discourses, state
actors have strategically used Western norms to gain funding and legitimacy and that Western intervention increased the traction of AQAP, which was otherwise vulnerable to deep opposition from within Yemeni society.

An opinion poll of just over 1,000 Yemenis in March 2011 found that 86 per cent of respondents saw AQAP as either ‘very’ or ‘somewhat’ unpopular in their local area. At the same time, 96 per cent said that they disapproved of the Yemeni government’s cooperation with the United States (Glevum Associates, p. 19 & 26 respectively). If this is an accurate representation of popular views, it suggests that al-Qa’ida’s ideology and/or methods are unpopular but that the nexus of domestic and international politics surrounding the attempt to destroy it are seen as even worse. This view was expressed by the young activist, Farea al-Muslimi, when he testified to the US Senate about a drone strike in his village in 2013: ‘What radicals had previously failed to achieve in my village, one drone strike accomplished in an instant: there is now an intense anger and growing hatred of America’ (al-Muslimi 2013). Implicit is the notion that Yemenis would have been more effective in routing al-Qa’ida were it not for the perverse incentives instilled by the coercive support offered to state partners by Western counter-terrorism practices: ‘I think if we had been left alone, we would have less terrorists in Yemen than we do now’ (Abdul-Ghani al-Iryani, cited in Scahill 2012).

Nadwa al-Dawsari, an expert on Yemeni tribal conflict resolution, describes Yemeni tribes as ‘inherently anti-ideological and . . . fearful of the appeal of radical groups, such as al-Qaeda, which seek to replace tribal culture and social structure with new leaders and agendas’ (al-Dawsari 2012, 7). A sheikh from Azzan (Shabwa governorate) who established a coalition of tribal leaders against AQAP told a Yemeni journalist in 2011:

> We told [AQAP] that they have to leave our land and that we will not be watching them taking over. We are the majority and there is no comparison . . . Our tribal power enables us to gather over 10,000 warriors in less than two days to fight Al-Qaeda . . . We managed to expel Al-Qaeda from our area and that is proof that they are urged by the state for political reasons and not Islamic reasons as they claim.

(Sheikh Hussein bin Saleh bin Othman, cited in al-Harazi 2011)

**AQAP’s resilience and the Yemeni state**

Photos of the demonstrations in early 2011 show protesters holding a banner that reads ‘the removal of the regime = the removal of al-Qaeda.’ Yemeni al-Qa’ida expert Ahmed al-Zurqa commented at that same tumultuous time ‘Once the regime falls, [al-Qa’ida] will disappear’ (cited in Boone and Harazi 2011), thereby reiterating the widely held view that al-Qa’ida was largely a reflection of the political one-upmanship underway between the country’s leaders. In 2014, the well-known Yemeni journalist Mona Safwan wrote on her Twitter account that ‘al-Qa’ida and the Houthis are just toys in the hands of the two main rivals in Yemen for more than ten years: [former president] Ali Abdullah Saleh and
The norm of state-monopolised violence

Alluding to the same factional struggle, Yemen’s 2011 Nobel Peace Prize winner, Tawakkol Karman, wrote on Twitter in 2015 that ‘Al-Qaeda in Yemen is the deposed Ali Saleh’s militia.’

The Yemeni media widely reports the tweets of ‘Tameh,’ a source believed to either have close access to, or be highly placed within, the Yemeni security services. Tameh alleges that the current head of AQAP, Qassim al-Raymi, has co-operated with Saleh and his family on a number of occasions. Tameh claims that Saleh paid al-Raymi $US70 million to publicly claim that AQAP was responsible for the attack on al-‘Ordi Hospital (located within the Ministry of Defense compound in Sana’a), that killed 56 civilians in December 2013. Tameh implies that this payment was made to conceal that the attack was actually a failed coup attempt by Saleh and his supporters, who were trying to assassinate Saleh’s successor, President Hadi. With this theory (presented by Tameh as ‘classified’ information), Tameh articulates the widespread belief that AQAP is at least partly an instrument of the political elite – here Saleh against Hadi – in their internal power struggle, in which AQAP is not necessarily always and independent agent.

In June 2015, al-Jazeera aired a documentary in which Hani Mujahid, who claimed to have been a member of AQAP working as an agent for the Yemeni government, made similar accusations (Swisher 2015). Mujahid claimed to have warned Saleh’s nephew Ammar (then the powerful deputy head of the US-funded National Security Bureau) three times of the impending AQAP attack on the US Embassy in Sana’a in 2008, to no avail. The attack killed at least a dozen civilians and guards, in what was then the biggest attack on a US embassy in ten years. Mujahid also alleged that Ammar Saleh arranged to provide (then deputy leader) Qasim al-Raymi with the explosives used in the suicide attack against a convoy of Spanish tourists in Marib the previous year that killed ten people. Mujahid describes al-Raymi, as ‘a creation of Yemen’s National Security Bureau’ and claims that ‘many al-Qaeda leaders were under the complete control of Ali Abdullah Saleh.’

The views presented here are not the isolated observations of either the urban elite or the undereducated, but chime closely with the analysis of a wide cross-section of Yemenis. They also extend to sources close to Saleh (both during his presidency and after it), some of whom have recounted conversations where he reassured his audience that he remained ‘in control’ of AQAP and that despite appearances the group did not pose an existential threat to his regime. The renowned political analyst Abdul-Ghani al-Iryani stated in 2015 that Saleh: ‘managed to use AQAP, and he actually harbored them and provided them protection and safe houses in Sanaa . . . I heard this from people who are intimately close to the process, including some people who are directly involved’ (cited in Cockburn 2015). In May 2011, The Yemen Times quoted Judge Hamood al-Hitar, a Minister of Religious Affairs under Saleh, who led the government’s dialogue committee with al-Qaeda, but had defected from the regime the previous month: ‘Saleh uses the Al-Qaeda card to blackmail Arab and foreign countries into giving him more aid and financial assistance . . . The real size of Al-Qaeda in Yemen does not exceed ten percent of what is being portrayed by the media.’ Hitar concluded that
‘Yemen will put an end to Al-Qaeda if Saleh stepped [sic] down and a new modern, civil state existed’ (Yemen Times 2011). Ali Muhsin, the powerful general who also defected from the regime in 2011 (and was appointed Vice President in April 2016), responded to a journalist’s question about the threat posed by AQAP shortly after he announced his split from Saleh: ‘al-Qa’ida is present but it is exaggerated because the subject of al-Qa’ida has big material returns and has become a money farm’ (cited in ‘Okaadh 2011).20

Yemeni discourse about the sources of AQAP’s resilience emphasises the degree to which some elements of the group are enmeshed in – and at least partly re-produced by – Yemeni elite politics, including in how these elites interact with Western counter-terrorism norms. It sharply disputes the notion that the central government in Sana’a (particularly during Saleh’s presidency) was always motivated to fight groups that violently challenged its rule. From this perspective, AQAP is a story marshalled and sustained by powerful actors in a cynical bid to extract resources and garner legitimacy from external actors eager for reassurance, while settling factional scores. AQAP was never an entirely autonomous terrorist organisation fighting a determined battle against the state but was also an outcrop of the state and its dysfunctions. These were dysfunctions that Western money, weapons, and legitimacy underwrote through its inability to see that al-Qa’ida might be countered through any means other than military force and increasing the writ of the state. In sharp contradiction to Western counter-terrorism practices, Yemeni discourses portray AQAP as vulnerable to Yemeni society, which they frame as the most likely source of the group’s destruction. Therefore, by viewing AQAP as only a terrorist organisation – and not also part of a plotline that has helped to sustain a squabbling elite – Yemenis see the West as fumbling around in a domestic confrontation that it has always misunderstood (Phillip. 2015).

Conclusions

The level of truth contained within Yemeni discourses is only part of the point – and probably the less important part. Discourses mobilise people to action (Epstein 2008; Hansen 2006; Milliken 1999); they influence behaviour, which alters the context in which beliefs continue to evolve and influence behaviour. Yemeni discourses reveal a profound distrust of Western (and official Yemeni) narratives about what AQAP ‘really is’ and what sustains it. However, despite the many parallels between these aspects of Yemeni narratives and the findings of Western government agencies, Western observers and policy makers routinely dismiss Yemeni views as irrational conspiricism. They are taken to be invalidated by the fact that some within AQAP unambiguously declared their intention to overthrow President Saleh (Bonnefoy 2016), or because the muddy intrigues they articulate are a by-product of an ‘opaque system of governance and a heavily partisan and polarized press’ (for more see Craig 2012). The widely perceived connection between AQAP and regime actors is not discussed in any detail either in the two major field research based works that have been published in English.
on the group (Johnsen 2013; Koehler-Derrick 2011). Alternative conceptions of state actors and their relationship to the monopoly on violence in contemporary world politics are routinely censored:

It is so frustrating that many are completely dismissive about the relationship between Saleh (and others in his former regime) with extremist groups. I say it sometimes and people accuse me of being a ‘conspiracy theorist.’ Saleh has a well-documented history of using extremist groups . . . Most Yemenis believe he works with them and to dismiss their perception is strikingly arrogant. 21

The same Yemeni author noted that Western editors have also simply removed sentences that refer to possible connections between Yemeni state actors and al-Qaeda prior to publication. When similar allegations are made by Western sources, however, they are incorporated into the broader discourse about the ontology of statehood, in which states that do not exercise a monopoly on legitimate force require – and rationally desire – external assistance to achieve it. Many Yemenis doubt that their state leaders consistently covet a monopoly on violence, believing instead that AQAP has been used to fight factional battles, garner external resources, or ‘tinge [peaceful] opponents with extremism’ (Shiban 2016). From a Yemeni perspective, disregarding these competing constructions of AQAP and conceiving of it as only one thing – a non-state terrorist network – almost certainly facilitated the group’s expansion. It did so by too narrowly framing solutions to that ‘one thing’ as being either to increase the writ of the state, or to eliminate its members through physical force. To many Yemenis, this thinking marginalised those best placed to contest al-Qaeda: the majority of the population who believed at least some of its power to be an elite fabrication. Meanwhile, it emboldened state actors who were not constrained by Western conceptions of universal statehood, wherein state actors rationally strive to assert their coercive dominance over all violent non-state actors as the only viable means of maintaining their power. By discounting the study of discourses situated within non-Western contexts, the norms literature (and the policy practices it continues to inform) assumes that norms that are uncontested in the West are uncontested everywhere. This chapter has illustrated that this is neither true, nor benign.

Notes
1 I would like to thank M in Yemen (who will not be further identified) and Omar Zreika for research assistance with this chapter. I am also grateful for the Faculty of Arts and Social Sciences Teaching and Research Re-engagement Grant that helped to fund this research.
2 This piece focuses on AQAP, though similar accusations are now being made regarding the supposed relationship between former President Saleh and ISIS in Yemen.
3 I conducted the majority of my fieldwork in Yemen from early 2004 to late 2008, with shorter subsequent visits in 2012 and 2013.
4 This is not because Yemen may simply be classified as a ‘failed state’ and is, therefore, an aberration to ‘normal’ statehood because aspects of these dynamics have been
apparent in Yemeni discourses for well over a decade – that is, when Yemen was still a ‘functional’ member of the international community.

5 This framework draws, of course, from Edward Said’s *Orientalism* (1978) and others who have used his work to deconstruct stereotypical representations of difference that reproduce power relations between the West and the (inferior) ‘others’ (Klein 2003; Barkawi and Stanski 2012).

6 Despite its virtual ubiquity, the figure of 60 million weapons is almost certainly inflated. The 2003 Small Arms Survey found the figure to be more in the order of between 6 and 9 million, which is still one of the highest per capita figures in the world, albeit less than in the United States (Miller 2003).

7 Osama bin Laden’s father, Mohammed bin Awad bin Laden, was born in Yemen but he spent most of his life in Saudi Arabia, where Osama was born. Osama never lived in Yemen, though according to Tariq al-Fadhli (who later fought with him in Afghanistan), he visited in the 1970s (Balad News 2012).

8 The original citation appeared in the Yemeni news outlet *al-Masdar* but is no longer available online. The quote is available from Ghobari 2011. Government forces subsequently killed three unarmed protestors during the march.

9 Author’s field observations in Sana’a throughout 2006.

10 Between 2006 and 2014, Yemen received $US401 million in ‘Section 1206 Train and Equip’ funding alone (Sharp 2015, 27), making it the largest recipient from the fund that was established to allow the US government to finance the counter-terrorism operations of foreign militaries. Yemen has also accessed other military funding from the US, and in 2015, the US admitted it had lost track of more than $500 million worth of military aid that it had given Yemen since 2007, and that one has to ‘assume it’s completely compromised and gone’ (Whitlock 2015).

11 For photograph see Naseh News, 2011. The quote in the text above is my translation of the Arabic on the banner (*raheel al-nidhaam* = *raheel al-Qa’ida*) rather than the English translation written underneath, which was ‘step down the regime = step down al-Qaeda’.

12 See @monasafwan, 10 August 2014 (in Arabic), cited in Phillip, 2015.

13 See @TawakkolKarman, 22 March 2015, cited in Phillip, 2015.

14 See @tameh0 (in Arabic). For English language commentary on his tweets see al-Arashi 2013.

15 Qassim al-Raymi was Nasser al-Wahayshi’s deputy until the latter was killed in a drone strike in June 2015.

16 See, for example, the various tweets from @tameh0 on 13 December 2013 (in Arabic).

17 See @tameh0, 27 December 2013 (in Arabic).

18 Tameh makes these allegations throughout 13 December 2013, in tweets that begin with the word “classified”: @tameh0 on 13 December 2013 (in Arabic).

19 Interview with source close to President Saleh, other details of which cannot be given to maintain their anonymity. Informal conversations with others close to Saleh have contained similar accusations, cited in Phillip. 2016.

20 Ali Muhsin, of course, remains widely implicated in Yemeni narratives as one of the key ‘players’ influencing AQAP after having such a long association with some of the returnees from Afghanistan.

21 Personal communication with Yemeni researcher and author, 29 May 2016.

References

The norm of state-monopolised violence


The norm of state-monopolised violence


Sarah Phillips


10 Sovereign relations

Australia’s ‘off-shoring’ of asylum seekers on Nauru in historical perspective

Anthea Vogl

Introduction

The concomitant policies of offshore processing and territorial excision are foundational and extraordinary aspects of Australian refugee and immigration law. First introduced in 2001, territorial excision designates certain parts of Australian territory to be ‘excised’ from Australia’s migration zone. Under this policy, any person who, without authorisation, reaches an ‘excised offshore place’ by sea is classified as an ‘unauthorised maritime arrival’ (Migration Act 1958). Unauthorised maritime arrivals are held to be outside Australia’s migration zone and may not apply for a visa under Australia’s existing onshore visa application process. This policy of territorial excision redefines traditional understandings of territorial sovereignty, reconstructing the consequences of presence on sovereign territory for a specific class of persons: irregular migrants who arrive in Australian territory by sea.

The policy of territorial excision has – in two distinct phases – been accompanied by a regime of so-called ‘offshore processing’ of individuals seeking asylum in Australia. Under the disturbingly named ‘Pacific Solution’ (2001–2008) and then the ‘Pacific Strategy’ or ‘Pacific Solution Mark II’ (2012–ongoing), people seeking protection in Australia who arrive by boat may be sent to neighbouring Pacific states, where centres have been set up to detain and process a portion of Australia’s refugee arrivals. The Australian Government funds in full the operation of these centres. To date, the two countries involved in Australia’s offshore regime are Nauru and Papua New Guinea (PNG).

This chapter focusses on the offshore processing centre on Nauru, in order to interrogate how the norm of sovereignty is used, or rather, abused in the Australian policy of offshore processing. Nauru is an island state, located in the Central Pacific Ocean with a population of approximately 10,000, including a current non-Nauruan population of about 1,000 people. It is the world’s smallest republic and consists of a single coral atoll that spans roughly 21 square kilometres; driving by car around Nauru’s only ring-road takes about 20 minutes. The island’s remoteness has been described as ‘impossible to exaggerate’ (The Economist 2001), and the distance to the closest territory, Banaba (Ocean Island) to the southeast, is 266 kilometres (Davidson 1968, 145). It is on this tiny, isolated island that many of Australia’s asylum seekers have been housed. As of January 2016, the Nauruan Regional Processing Centre hosted
484 asylum seekers, including 58 adult women and 54 children, though the number of occupants in the centre has at times exceeded 1,200 (Department of Immigration and Border Protection 2016, 4).

The Australian Government has repeatedly and consistently claimed that under the laws of sovereignty, Nauru is responsible for the refugee processing centre on its territory. Against this view, I argue in this chapter that the Australian Government abuses foundational norms of sovereignty in the policy of offshore processing in order to avoid liability for refugee detention and processing on Nauru. In so doing, the Australian Government undermines Nauru’s formal sovereign status, exercises effective control over Nauruan territory, and in essence implements its own migration and asylum policy on Nauruan soil. This chapter further argues that Australia’s offshore processing regime on Nauru is best understood through a postcolonial lens; that is, Australia’s use of Nauruan territory to establish a processing centre beyond Australian legal regulation is directly continuous with Australia’s colonial history in the Pacific, and with Nauru in particular. Australia’s ability to exploit Nauru’s territory and its sovereignty in order to implement its own migration and ‘border control’ strategies is made possible by Australia’s former colonial relationship with Nauru. In turn, offshore processing extends and continues Nauru’s ongoing relationship with Australia of dependence and aid, which began with Australia’s colonial exploitation of Nauru’s land and resources. While similar questions and arguments apply to Australia’s policy of offshore processing on PNG, due to scope, this chapter does not explore the processing centre on PNG’s Manus Island.

This chapter’s analysis of Australia’s offshore processing policy places it in the context of Australia’s colonial and postcolonial relationship with Nauru, particularly the aggressive Australian and British exploitation of Nauru’s formerly rich phosphate stores. Part One of the chapter details the policy of offshore processing; Part Two sets out Nauru’s history of structural and colonial exploitation to argue that the current Processing Centre continues a history of exploitation of Nauru by Australia; and finally, Part Three presents the Australian Government’s position regarding who is responsible for offshore processing on Nauru – and critiques this view as a direct abuse of both Nauru’s sovereignty and the ‘norm’ of sovereign responsibility.

Elsewhere I have considered and critiqued the Australian Government’s rationale for the policies of territorial excision and offshore processing, as well as the hermetic, securitised vision of Australia’s borders that these policies seek to construct (Vogl 2015). In this chapter, however, I wish to focus on offshore processing not as a policy that governs how Australia controls its borders or treats asylum seekers, but rather as a regime quite literally built on Australia’s relationship with its former colonies. Indeed, the regime is premised on the Australian Government’s willingness to exploit the postcolonial sovereignty of the ‘offshore’ island of Nauru, such that because of its remarkably recent sovereign status Nauru is responsible for Australia’s offshore processing.
In relation to so-called irregular migration, as with any area of law or governance, language and naming are laden with power, politics and contested meaning. The Australian Government refers to asylum seekers on Nauru as ‘transferees,’ erasing their status as refugee applicants and defining them by virtue of their forced relocation to an offshore processing centre. Unless directly quoting, I will use the term ‘asylum seekers’ to refer to the population of people sent to Nauru for processing. Both the Nauruan and Australian Governments refer to the processing centre on Nauru as the ‘Regional Processing Centre,’ and object to its characterisation as a detention centre. I refer to it as the Processing Centre throughout this chapter, and make explicit reference to when and how the Processing Centre has mandatorily detained asylum seekers. Finally, and most significantly, the very designation of Nauru and PNG as ‘offshore territories’ ignores or indeed erases their status as sovereign states; the terminology defines these states, in a deeply imperial register, by geographic reference to Australia, the metropole. The ‘onshore’ or territorial centre is that of the (imperial) Australian mainland – a point critical to my discussion throughout this chapter.

**Asserting Australian sovereignty: territorial excision and offshore processing**

Onshore asylum seekers, particularly those arriving by boat, have been at the centre of political debate and discussion in Australia for well over two decades. Representatives from each of Australia’s two major political parties have agreed that domestic policy should aim to minimise and deter the number of asylum seekers reaching Australia. Although the rationale for deterrence has varied, questions of national security and sovereign rights have featured consistently in policy debate, as onshore asylum seekers have been cast as illegitimate, illegal or as threats to the safety and integrity of the state (see generally Grewcock 2009). The policies of territorial excision and offshore processing, and my discussion of them here, are best understood within this wider context of Australia asserting its sovereign ‘right’ to control its borders, even as the idea of ‘perfect’ border control has been persuasively critiqued as being both fantastical and outside the reach of contemporary governments (Sassen 1996; Dauvergne 2008).

Asylum seekers attempting to reach Australia are transferred to Nauru for processing under the ‘Pacific Solution.’ Much literature places this particular policy within the context of refugee and asylum seeker policy in Australia, rather than locating it within Pacific history, or indeed as part of Nauruan (or alternatively, Papua New Guinean) history or politics. In this section, I briefly explain the establishment of refugee processing within the context of Australian law and policy, primarily in order to critique the Australian Government’s construction of refugee processing on Nauru as a function and responsibility of the Nauruan Government.

The primary function of offshore processing is to prevent people who arrive by boat without a valid visa from entering Australian territory, and to exclude them from accessing the statutory framework under which applications for a protection visa can be made. Jennifer Hyndman and Alison Mountz point out that Australia
practises an extensive geography of exclusion, via interdiction of asylum seekers and boats, detention policies, and the externalisation of asylum – of which offshore processing and excision form just one part (Hyndman and Mountz 2008, 260). Offshore processing, first introduced in late 2001, was part of an extensive set of reforms that was presented as a ‘tightening up’ of Australia’s borders (Australian Associated Press 2001). The reforms were part of an ‘urgent government response’ to what were characterised as waves of boats carrying smuggled migrants and heading towards Australia’s territorial waters (Clennell 2001).

The arrival of six Indonesian smuggling boats in Australian waters in this period was characterised as a ‘loss of control’ of all borders, and it was assumed that more and more boats were set to arrive (Manne and Corlett 2004, 12–14). One such boat was the Palap. 1, a small Indonesian fishing boat carrying 433 asylum seekers towards Australia in August 2001, which was rescued by a Norwegian freighter, the MV Tampa. The Australian Government aggressively denied the MV Tampa permission to enter Australian waters and dock at the Australian territory of Christmas Island. In a move that attracted worldwide attention, Australian defence force personnel took control of the Tampa before it was able to reach the island, then disembarked its new passengers onto a naval carrier ship and set sail out of Australian waters (Taylor 2005).

On 26 September 2001, less than one month after the MV Tampa performed its rescue of the Indonesian fishing boat, and two weeks after the September 11 attacks in the United States, the Australian Parliament passed a package of six acts amending the Migration Act 1958 (Cth) (Mathew 2002). These legislative reforms redefined Australian islands and territories as ‘removed from the Australian migration zone’ in certain circumstances, thereby creating a new category of Australian territory, namely ‘excised offshore places’. Under the new law, any person without a valid visa, who first reached Australian territory at ‘an excised offshore place’ by sea, was classified as an ‘offshore entry person’. Crucially, ‘offshore entry persons’ were prevented from applying for a visa under Australia’s existing application process; were precluded from initiating legal proceedings against the Government to challenge their designation as ‘unlawful non-citizens’; and could be transferred to third countries for processing.

As the ‘Palap. 1’ asylum seekers were stranded on the high seas, and the Australian Government declared that none of them would ever set foot on Australian territory, the Government devised the policy ‘solution’ of offshore processing. The Government struck a deal with the Nauruan and PNG Governments to host the 433 asylum seekers, and subsequent unauthorised boat arrivals, on their territory. Nauru and PNG were not the only Pacific states consulted. The Australian Government approached Fiji, East Timor, Tuvalu and Kiribati (Kneebone 2006, 708). Only PNG and Nauru, however, signed on. They did so in the initial 2001 stage of the policy and again in 2012. To establish a processing centre on Nauru, in 2001 Australia invested about $400 million dollars in Nauru and provided approximately $AU20 million in extra aid. This constituted a roughly sixfold increase in aid to Nauru, a near-bankrupt state at the time, in exchange for Nauru’s participation in offshore detention and general compliance (Afeef 2006).
Australia’s asylum policy in this period can be aptly described using Michelle Foster and Jason Pobjoy’s conceptual framework of ‘excision and exile’ (Foster and Pobjoy 2011, 586). For Foster and Pobjoy, excision (of Australian territory) and exile (of asylum seekers for processing to locations outside of Australia) explain the ‘mutually supporting’ features of Australia’s approach to onshore boat arrivals from 2001 to 2008. When the Labor Government was returned to power in 2008, it dismantled the entire Pacific Solution, criticising the policy as punitive and cynical (Foster and Pobjoy 2011, 7). From August 2012, however, offshore processing once again became the backbone of government policy; this reintroduction of third-country processing broke one of the Labor Party’s core electoral promises and was dubbed the Pacific Strategy or the Pacific Solution Mark II.

The second phase of the Pacific Solution, which remains in effect today, is the focus of this chapter. The Pacific Solution Mark II implemented the recommendations of the Houston Expert Panel on Asylum Seekers, a government-commissioned panel that was charged with producing a report on ‘how best to prevent asylum seekers risking their lives by travelling to Australia by boat’ (Australian Government 2012, 9). A chorus of scholars have critiqued the ‘saving lives’ justification for offshore processing as cynical and misleading, and deemed it a remarkably ineffective way of protecting asylum seekers (Ware et al. 2012). Nonetheless, despite the Labor Government’s pre-election commitment to repealing offshore processing arrangements, the 2012 nominally non-partisan Houston Panel enabled the reintroduction of a full regime of offshore processing.

Fertilising the empire: a history of imperial exploitation of Nauru

My argument in this chapter is that Australia’s exploitation of Nauruan sovereignty must be read as continuous with Australia’s historical exploitation of Nauruan territory. Australia’s use of the norm of sovereignty to escape responsibility for offshore processing – whilst using Nauruan territory to perform its own sovereignty in the region – reveals what Jini Kim Watson had called the ‘unevenness’ of the distribution of sovereignty between Australia and Nauru. Indeed, in one of the handful of pieces addressing offshore processing in historical perspective, Watson maintains that we must situate the ‘Pacific Solution’ as part of ‘a longer story of postcolonial sovereignty in Oceania.’ Further, she argues that examining the Pacific Solution through the lens of colonialism, decolonisation and contemporary regional relations reveals the ‘necessary and prior constitution of Pacific Islands as potential external detention sites’ (Watson 2015, 30). This section seeks to tell the ‘longer story of [colonial] and postcolonial sovereignty’ on Nauru as a means of critiquing the Pacific Solution and Australia’s ability to ‘offshore’ unwanted arrivals to its territory.

Nauru’s history has been defined by commercial and colonial interest in its land and resources. Over the past century, Nauru has been successively occupied or administered by no fewer than five colonial powers. In 1888, Nauru was annexed by Germany as part of its Marshall Islands Protectorate, and the German...
Government granted a German company, Jaluit-Gesellschaft, the exclusive right to possess unoccupied Nauruan land in exchange for the company underwriting the cost of administering the territory. Imperial interest in Nauru was based on its large store of highly valuable and rich phosphate reserves. Phosphate is a primary ingredient in commercial fertilisers and is used in the production of steel and munitions (Tabucanon and Opeskin 2011, 340). Soon after phosphate was discovered on Nauru, the British Pacific Phosphate Company gained a primary shareholding of Jaluit-Gesellschaft, and title over the land passed to them (Tabucanon and Opeskin 2011, 340). The initial profits from phosphate mining were shared with Germany. During World War One, however, Nauru was seized by Australian troops, and in the post-war ‘division’ of the Pacific Islands among allied powers, the League of Nations granted Britain, Australia and New Zealand joint mandate of Nauru. Australia was granted administrator status, and with it the power to make ordinances for ‘the peace, order and good government of the island’ (Leslie 1990, 412).

At the close of World War One, though, Australia had sought more than administrator status over the territory. The newly federated nation had aggressively attempted to assert its economic and indeed imperial interests in the region. At the 1919 post-war British Empire delegation in France, then-Australian Prime Minister William Hughes fought ‘tooth and nail’ in favour of Australia’s full annexation of Nauru and New Guinea. Hughes emphasised the huge cost that Australia had incurred during the war and the need for the new nation to impose its own trade and migration policies in the region, and to keep out foreign interests (Thompson 1980, 212). Hughes also argued that the phosphate-rich Nauru was ‘of considerable value not only as a commercial proposition but because the future productivity of [Australia] absolutely depends on such a fertiliser’ (Thompson 1980, 212).

While Hughes ‘reluctantly agreed to capitulate on the mandate issue,’ Australia’s control of both Nauru and its phosphate, and new territory within Papua New Guinea, nonetheless ‘fulfilled longstanding imperialist desires towards the Pacific that have been called Australia’s ‘first foreign policy’ and elevated Australia from ‘British colony to colonising nation’ (Watson 2015, 34). In signing the Nauru Island Agreement in 1919 Australia, Britain and New Zealand also established the British Phosphate Commissioners Board, which was given title to the phosphate deposits and the task of operating the phosphate business on behalf of the three governments. As Tabucanon and Opeskin note, this neat arrangement avoided ‘the vesting of title in the mandate holders themselves, which would have been inconsistent with their obligations as trustees’ (Tabucanon and Opeskin 2011, 341). From the end of the war, the British Phosphate Commissioners (BPC) operated out of Sydney, Melbourne, Auckland and London, and owned and operated Nauru’s phosphate mines (Thompson 1980, 212). During World War Two, from 1942 to 1945, Nauru was occupied by Japan, and at least two-thirds of the population was deported as forced labour to Micronesia. When the war ended, Nauru was designated as a UN Trust Territory, with Australia, Britain and New Zealand once again acting as the tripartite trustees, and Australia as the administering power.
Both the mandate period and the trustee period that followed saw the ‘unremitting destruction of Nauru’s physical environment’ – and between 1919 and 1968, 34 million tons of phosphate were mined from Nauru (Tabucanon and Opeskin 2011, 341). Even though Nauru was a mandate and trustee territory, from 1947 Australia had the power ‘to exercise full powers of legislation, administration and jurisdiction’ over the island (Trusteeship Agreement for the Territory of Nauru 1947). The administrators mined, sold and profited from Nauru’s phosphate stores. Nauruan phosphate was not sold at market value, but instead priced by the Commission to help subsidise Australian agriculture and production (Hughes 1964, 533). The British Phosphate Commission also provided Nauru with a negligible percentage of its phosphate revenue in the form of what is too generously called a ‘royalty.’ By 1964, the Nauruans were receiving royalties of roughly 7.6 per cent, while ‘their claims for substantial ownership’ were met with strong resistance from the British Phosphate Commissioners (Weeramantry 1992, 367).

In the course of extracting Nauru’s phosphate, the Commission destroyed the island so utterly that in the late 1950s and early 1960s, the administering governments agreed, in conjunction with the United Nations, that the most viable solution to the destruction of land and depletion of phosphate was the eventual resettlement of the entire population of Nauru in Australia. Somewhat incredibly, the Australian territories of Fraser Island and Curtis Island were both proposed as potential sites for a ‘new’ (though not independent) home for Nauru’s local population. In the 1963 Trusteeship Council meeting, Australia formalised the details of its offer to resettle Nauru’s population on Curtis Island; however, the agreement did not go ahead – in part because the Nauruan representatives were concerned about the loss of national identity and economic control over Nauru’s natural resources (Tabucanon and Opeskin 2011, 349). The Nauruans involved in negotiations rejected the resettlement offer, and the country gained independence in 1968.

Alongside Australia’s history of administering Nauru, as both a colonial and civilising force. After gaining independence, Nauru continued to operate the phosphate mines, until accessible phosphate stores ran out. In this period, Nauruans were ‘temporarily and notoriously wealthy’ (Teaiwa 2015, 378). Katerina Teaiwa notes that with wealth came widespread corruption and misuse of funds in Nauru, ‘particularly by a global cadre of questionable investment advisers,’ and the eventual bankruptcy of the Nauruan Government (Teaiwa 2015, 379). Australia provided a bailout plan and aid funding, became heavily involved in Nauru’s administration, and also continued mining Nauru’s phosphate. Indeed, the island’s debt levels and the destruction of its national industries meant that ‘the transition from colonial territory to postcolonial nationhood [in Nauru] . . . has been especially marked by the structures of neo-colonialism and dependence’ (Watson 2015, 35). As Teaiwa notes, Nauru still uses Australian currency, is significantly dependent on Australian aid and its economy certainly
has not been ‘rehabilitated’ from its economic devastation, despite promises made by various incarnations of predominantly Australian-run mining companies (Teaiwa 2015, 377–8).

In its ‘heyday,’ Nauru possessed one of the world’s highest-grade deposits of phosphate. Although the primary deposits have since been exhausted, secondary mining of much less valuable ‘marginal stores’ is likely to continue for some time yet (Tabucanon and Opeskin 2011, 340). Opeskin and Daniel Ghezelbash put the point mildly but accurately when they write that the ‘economic vulnerability of some PICs [Pacific Island countries] make them susceptible to pressure by Australia’ to comply with its offshore processing proposals (Opeskin and Ghezelbash 2016, 2). That economic vulnerability is, as Teaiwa argues, the result of colonial exploitation. It is not – as contemporary political discourse might have it – a result of Nauru’s wanton and (recently) sovereign mismanagement of its own affairs.

The above history is partial, as it is a history ‘from above’ – of colonial resource and land grabs – and does not attend to a history of Nauru and Nauruans outside of imperial exploitation of its territory. Yet outlining, even in a cursory way, the details of colonial exploitation and devastation of Nauruan territory reframes discussions of Nauru’s ‘sovereign’ participation in the Pacific Solution. In the colonial period, Australia did not recognise Nauru or Nauruans as sovereign; yet it now wilfully uses Nauru’s sovereignty to ‘manage’ and outsource its own sovereign responsibility for asylum seekers who seek to or indeed have reached Australian territory. Australia persists in using Nauruan territory as part of the Pacific Solution. Furthermore, Nauru’s need for the ‘aid’ that the Australian Government has offered (in exchange for its hosting of an offshore detention centre) is a direct result of Australia’s exploitation of Nauru’s natural resources and the British Phosphate Commission’s failure to even partially rehabilitate the territory it mined.

The following, final part of this chapter addresses in detail the establishment and operation of the Regional Processing Centre on Nauru, particularly from the time of its reestablishment in 2012, in order to critique how the Australian Government answers the on-going and critical question of who is sovereign over the Processing Centre. I discuss the Australian Government’s position by examining two particular sources: first, the Australian Senate Committee Report, ‘Taking Responsibility: Conditions and Circumstances at Australia’s Regional Processing Centre in Nauru’ (Commonwealth of Australia 2015) (hereinafter ‘Taking Responsibility’ report); and second, the High Court of Australia decision of Plain-tiff M68/2015 v Minister for Immigration and Border Protection (2016). I show that Australia exercises full control over the running of the centre – and yet presents the processing centre and the policy of offshore processing as exclusively Nauruan and as reflecting the sovereign will of the Nauruan Government. In so doing, Australian erases both its historical, imperial administration of Nauru’s entire population and resources and, somewhat improbably, its own role in effecting, designing and implementing the present policy.
Sovereign responsibilities, colonial legacies

Regardless of the manner in which the Processing Centre on Nauru functioned, questions of sovereignty and responsibility would be raised. Yet from the centre’s inception, allegations of extreme physical and sexual abuse of asylum seekers, as well as neglect and mismanagement, have been levelled at the Centre (Moss 2015). As such, questions of responsibility, particularly in relation to allegations of flagrant breaches of duty of care, are both urgent and politically significant. And, they are significant not only for Australia and the Pacific States involved in offshore processing, but also, more generally, for the policy option of ‘third country’ processing of asylum seekers within refugee law. Where Global North states use the territory of poor or postcolonial states to process refugees, the option of ‘third country’ processing is rendered much less a move towards cooperation in response to asylum seekers, and much more a means to expel the ‘problem’ of refugee arrivals and border regulation to states, whose sovereignty and territory are available for use (Rajaram 2003).

The reintroduction of offshore processing on Nauru and Papua New Guinea in 2012 was motivated by the perceived ‘large’ numbers of asylum seekers arriving in Australia irregularly by boat (Migration Legislation Amendment (Regional Processing and other measures) Act 2012). The Houston Panel, which recommended the reintroduction of the Pacific Solution, suggested that the ‘capacity be established in Nauru as soon as practical to process the claims of IMAs [irregular maritime arrivals] transferred from Australia in ways consistent with Australian and Nauruan responsibilities under international law’ (Australian Government 2012, 16; emphasis in the original text). The reestablishment of offshore processing on Nauru was formally achieved by a Memorandum of Understanding (MOU) between the Australian and the Nauruan Governments in 2012 and 2013 (Republic of Nauru and Commonwealth of Australia 2012, 2013). The 2013 MOU amended the original document in order to permit so-called ‘transferees’ who were found to be refugees to resettle and remain in Nauru, subject to agreement between Australia and Nauru (Republic of Nauru and Commonwealth of Australia 2013, cl. 12).

The MOU reveals the extent to which the Australian Government and relevant Australian authorities determine who is transferred to Nauru and how these individuals are processed and housed, even whilst Nauru accedes to and accepts sovereignty over these arrangements. Most of the pledges made in the MOU are made by Nauru. Under the heading ‘Commitments,’ the MOU sets out that ‘[t]he Republic of Nauru assures the Commonwealth of Australia’ that it will not return transferees to any place where life or liberty will be threatened; and that it will process transferees according to the [UNHCR Refugee] Convention. Elsewhere in the agreement, it also states that it will house transferees and resettle refugees. And yet, key provisions of the agreement reveal that Australian authorities will carry out these tasks, with the two Governments ‘jointly’ determining how the agreement will be realised and implemented on Nauru. The Memorandum also clearly sets out that ‘[t]he Commonwealth of Australia will bear all costs incurred
under and incidental to this MOU as agreed between the Participants’ (Republic of Nauru and Commonwealth of Australia 2013).

As Watson observes, the 2013 MOU describes the two States as parties that are ‘wishing to build on their existing strong and cordial relations’ (Watson 2015, 42). In describing Nauru’s role in the MOU, ‘the Australian government has insisted on expressing the Pacific Solution as a set of bilateral service agreements between equally sovereign parties’ (Watson 2015, 42). The former colonial relationship with Nauru, and Nauru’s ongoing economic dependence on Australia, is omitted from these declarations of Nauru as a sovereign state, and of Nauru’s sovereign responsibility for owning and administering the Processing Centre. From the very outset, though, the Australian Government established that it would itself control the terms upon which processing took place on Nauruan territory, via the Department of Immigration and relevant private contractors. Indeed, the Houston Report recommended a condition of processing on Nauru be that ‘[d]ecisions in relation to how [asylum seekers] in Nauru would be processed would be determined by Australian officials in accordance with international obligations’ (Australian Government 2012, 48).

Throughout its existence, the Processing Centre has been operated by various private companies contracted by the Australian Government. The Government of Nauru has not been party to any of the contracts. The Australian Government has thus overseen the building and maintenance of the Processing Centre, through to all aspects of its daily operation, via a range of subcontractors providing core services such as health, welfare and processing assistance. Since September 2012, the Processing Centre has been operated by the international construction and engineering company, Transfield Services, whose contract is with the Australian Government. The International Health and Medical Services also holds a contract with the Australian Government for the provision of health care services to asylum seekers, and two NGOs, Save the Children and the Salvation Army, both hold substantial contracts for the provision of welfare services.

The Australian Government occupies an office at the Processing Centre, ‘at which officers of the Australian Border Force carry out functions in relation to the Centre . . . including managing service provider contracts, Commonwealth-funded projects, such as construction projects, and relationships and communications between the Commonwealth, the service providers and the Government of Nauru’ (Plaintiff M68/2015 v Minister for Immigration and Border Protection 2016, 4). Under these arrangements, it is no accident that the corporations running the centre and their contracts function to keep the Australian Department of Immigration at one further remove from day-to-day involvement in the centre. In reading these arrangements as a neocolonial continuation of Australia’s imperial relationship with Nauru, the presence of these corporations (as contractees of the Australian Government) must be understood as part of Australia’s ongoing treatment of Nauru as a territory at its disposal, as ‘available for utilisation – not only in terms of the exploitation of resources, but also in terms of the negation of local populations . . . as [an] extra bit of land available for use’ (Smith 2012).

Against the Australian Government’s view, that the Processing Centre is the Nauruan Government’s policy and responsibility, international law experts have
Anthea Vogl consistently maintained that the Australian Government is liable for the centre because it effectively controls the centre and the terms upon which asylum seekers are held there (Commonwealth of Australia 2015; Plaintiff M68/2015 v Minister for Immigration and Border Protection 2016). The Law Council of Australia, for example, has identified several factors in support of an assessment that the Australian Government exercises effective control over the Processing Centre on Nauru and the terms of its governance. Among other factors, the Australian government arranged and funded the Processing Centre’s construction and establishment; funds its operations; engages and oversees the contractors who run its daily operations; ‘maintains a staff presence’ at the centre to oversee operations; and ‘is solely responsible for the placement of all asylum seekers at the RPC’ (Law Council of Australia 2015, 13).

The facts of how the Processing Centre is formally constituted and managed reveal the minimal, or near-absent involvement of the Nauruan authorities – let alone their authority – in regards to its operation. In an Australian Government review into allegations of sexual abuse within the centre, even the ‘on the ground,’ contracted managers of the Processing Centre reported that they could not give accurate evidence as they did not have sufficient knowledge of its day to day operations because third-party service providers reported directly to the Australian Department of Immigration (Moss 2015). Indeed, Transfield [as it previously was], through its subcontract with Wilson Security, made most of the decisions that shaped detainee’s daily lives, including ‘decisions about detainee welfare, movement, communication, behaviour, accommodation, food, clothing, water, security and environment’ (No Business in Abuse 2015, 6). Moreover, Transfield was permitted to use force against detainees, controlled their entry and exit, and ‘monitor[ed] the movement and location of all people on the Site’ (No Business in Abuse 2015, 6).

These details of the operation of the processing centre on Nauru, when set against the Australian Government’s persistent claim that the Nauruan Government ‘owns and administers’ the centre under Nauruan law (Department of Immigration and Border Protection 2015), become implicated in questions about Australia’s use and abuse of the law of sovereignty. The Australian Department of Immigration’s view on this question, which could not be clearer, has been expressed in some detail as part of an Australian Senate ‘Taking Responsibility’ Report into conditions on Nauru (Commonwealth of Australia 2015).

There are numerous, generally critical reports into the conditions in the two offshore processing centres. The 2015 ‘Taking Responsibility’ report, though, is centrally concerned with questions of responsibility and sovereignty. The Senate Committee’s terms of reference required it to report on ‘the responsibilities of the Commonwealth Government in connection with the management and operation of the Regional Processing Centre in Nauru’ (Commonwealth of Australia 2015, 1). As such, the Report directly raised the question of who is responsible for the Nauru Processing Centre. This question was raised even though the centre is on Nauruan territory and is (according to the terms of the MOU) administered by the Government of the Republic of Nauru. This question of responsibility for the
centre was addressed by Michael Pezzullo, Secretary of the Department of Immigration, who presented evidence on behalf of the Government before the Senate Committee. Pezzullo stated:

The Australian government does not run the Nauru Regional Processing Centre, or RPC. It is managed by the government of Nauru, under Nauruan law, with support from the Australian government. The government of Nauru operates the RPC, assesses asylum claims and, where persons are found to be in need of protection, arranges settlement. The government of Nauru is specifically responsible for security and good order and the care and welfare of persons residing in the centre. On behalf of the Commonwealth, my department provides support services and advice, pursuant to an agreement between our two governments.

(Commonwealth of Australia 2015, 11)

In his evidence to the Australian Senate, Pezzullo discussed the ‘issue’ of sovereignty directly, asserting that the question of sovereignty was ‘a matter of law,’ and that for Australia to have sovereignty, what would be required is ‘a treaty level transference of sovereignty, an abrogation on the part of the government of Nauru and an acquisition of sovereignty on the part of the Commonwealth of Australia’ (Commonwealth of Australia 2015, 11).

In the Senate Committee’s summary of their views and recommendations, the Committee stated that it believed ‘that the Commonwealth must accept ultimate responsibility for conditions at the Centre, [and] commit to a clear plan for its future as part of genuine regional arrangements for dealing with irregular migration’ (Commonwealth of Australia 2015, 120). The ‘Committee conclusively found that the level of control exercised by the Government of Australia ‘supports a strong argument that the primary obligation rests with Australia under international law for protecting the human rights of the asylum seekers’ and that at a minimum the Australian Government held joint obligations with the Government of Nauru (Commonwealth of Australia 2015, 121).

The Government’s line of argument, though, was held to be correct as a matter of law in the subsequent High Court of Australia decision, Plaintiff M68/2015 v Minister for Immigration and Border Protection (2016) (hereinafter M68).

In its submissions in the M68 matter, the Government directly expressed its view that it held no responsibility for the processing centre or Nauruan law or policy in relation to it. The plaintiff in the case was a Bangladeshi woman, M68, who was brought to Australia from Nauru for medical treatment; the case was linked to a ‘series of challenges being run on behalf of more than 260 people who were brought to Australia for urgent medical treatment after suffering harm in offshore detention centres’ (Human Rights Law Centre 2016). M68’s challenge to the offshore detention regime on Nauru raised the question of whether the Australian Government was authorised under the Australian Constitution and Migration Act 1958 (Cth) to sign and give effect to the MOU with Nauru, and to secure, fund and participate in offshore detention. As part of this argument, the plaintiff
Anthea Vogl claimed that the Government was not legally authorised to impose, enforce or procure restraints on the plaintiff’s liberty, including her detention on Nauru. It was the Government’s response to this argument – which the Court accepted – that is most relevant here. Rather than arguing that it (the Australian Government) was authorised to detain the plaintiff under Australian law, the Government ‘consistently maintained the position that the detention of the plaintiff on Nauru was by the Executive government of Nauru’ (Plaintiff M68/2015 v Minister for Immigration and Border Protection 2016, 7).

The High Court agreed with this argument in a majority decision of 6:1, finding that ‘[c]ontrary to the plaintiff’s submissions, it is very much to the point that the restrictions applied to the plaintiff are to be regarded as the independent exercise of sovereign legislative and executive power by Nauru’ (Plaintiff M68/2015 v Minister for Immigration and Border Protection 2016, 9 French CJ, Kiefel and Nettle JJ). The Court found that the Commonwealth ‘participated’ in the plaintiff’s detention on Nauru but did not ‘authorise or control’ it, and to the extent that it did participate, this was authorised by a valid Commonwealth statute (Plaintiff M68/2015 v Minister for Immigration and Border Protection 2016, 11).14

Beyond the brazen exploitation of Nauru’s sovereignty evident in such arguments, they are noteworthy because in holding up Nauruan statehood, the Pacific Solution contradicts far more common postcolonial constructions of Pacific states, as ‘failed’ or ‘in crisis’ in order to justify postcolonial economic, and at times territorial, intervention. More commonly, ‘in the geographic imaginary’ Australia constructs the region as a ‘development disaster,’ which ‘allows the continuation of the existing paternalism and neo-colonialist attitudes’ (Banks and McGregor 2011, 235). Under the Pacific Solution, such paternalism and neocolonial control of territory persists, but in this instance the Australian Government exercises control whilst upholding Nauru’s status as a self-governing and responsible Pacific state.

Conclusion

The Australian refugee policies of excision and offshore processing are, in one sense, acts of border control and regulation. They constitute a performance of the Australian state’s territorial integrity and sovereignty vis-à-vis ‘unauthorised’ refugee arrivals. This performance is best explained by Cynthia Weber’s conception of sovereignty as performative, whereby sovereignty is inferred from doing, practice and iteration (Weber 1995, 1998). Indeed, sovereign status (and responsibility) is not only iterative but the terms of what is normatively sovereign – and of each iteration – cannot be stabilised or naturalised. Indeed, under the Pacific Solution, Australian Government declares and affirms Nauru’s sovereignty even as it simultaneously denies and undermines Nauru’s ability to control the terms upon which offshore processing takes place on its soil and makes neocolonial use of Nauru’s territory and economic dependence. Here, apparent norms of (Nauru’s) sovereignty are undermined as its sovereignty declared and exploited.
In this chapter, I have traced the Australian Government’s manipulation of the norms of sovereignty to avoid responsibility for its actions on Nauruan soil – actions that ultimately seek to affirm Australia’s sovereign control of its own territory. By envisaging Nauru in the context of its colonial history, the Australian Government’s use and abuse of the ‘law’ of sovereignty – and of Nauru’s sovereignty in particular – is rendered continuous with Australia’s imperial role in the region. The offshore processing centres ‘were agreed to by poor countries that were approached precisely because of their vulnerability and dependence upon Australia’ and ‘in so doing, Australian seignorage . . . demand[ed] that the laws of those sovereign countries be placed in stasis’ (Rajaram 2003, 290).

‘Offshore’ processing relies on the use and abuse of postcolonial sovereignties in the Pacific, and raises questions about the very possibility and nature of sovereignty in a postcolonial context. The sovereignty performed by Australia – itself a postcolonial state – takes place on the territory of its sovereign, ‘offshore’ neighbours. As such, the ‘offshore’ in ‘offshore processing’ must be questioned and critiqued. Analyses of offshore processing must closely attend to Australia’s colonial and postcolonial relationship with Nauru and interrogate the effects of the ‘Pacific Solution’ on the Pacific states, now held responsible for the ‘irregular’ asylum seekers expelled from Australian territory.

Notes
1 Including the Migration Amendment (Excision from Migration Zone) Act 2001 (Cth); Border Protection (Validation and Enforcement Powers) Act 2001 (Cth); Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Act 2001 (Cth); Migration Legislation Amendment Act (No 1) 2001 (Cth); Migration Legislation Amendment Act (No 5) 2001 (Cth); Migration Legislation Amendment Act (No 6) 2001 (Cth).
2 The migration zone was defined as ‘the area consisting of the States, the Territories, Australian resource installations and Australian sea installations’ and also included Australia’s territorial waters: Migration Act s 5(1) (definition of ‘migration zone’). The question of the legality of the redefinition of sovereign territory under international law, although not the focus of this piece, has been considered in other contexts: see, e.g., Kesby (2007). For a general discussion of the duty under international law of non-refoulement or non-return of asylum seekers who reach a state’s sovereign territory see Goodwin-Gill and McAdam (2007).
3 Migration Act s 14(1).
4 Migration Amendment (Excision from Migration Zone) Act 2001 (Cth) sch 1 item 3, inserting Migration Act s 5(1) (definition of ‘offshore entry person’).
5 Migration Amendment (Excision from Migration Zone) Act 2001 (Cth), sch 1 item 4, inserting Migration Act s 46A. Note, the terminology ‘offshore entry person’ was replaced with ‘unauthorised maritime arrival’ in 2013 by the Migration Amendment (Unauthorised Maritime Arrivals and Other Measures) Act 2013 (Cth).
6 Migration Act ss 46A, 494AA(1)(b), (c), (e).
7 Of the roughly 1200 Nauruan deported to forced labour, only 737 survived the labour camps and starvation (Hughes 2004, 2).
8 Tabucanon and Opeskin record that those arrangements required the Commissioners to sell Nauruan phosphate to the partner countries at cost, which was ‘only one-third
to one-half of the market price of similar grade phosphate mined at Makatea in French Polynesia’ (Tabucanon and Opeskin 2011, 343).

Tabucanon and Opeskin document a minute from the Secretary of the Department of Territories to his Minister in 1953, which expressed that ‘the solution to the Nauruan resettlement problem lies not in finding another island Nauru to which they could be transferred as an entire community, but in steadily educating them to the stage where they can fit into the economic and social life of Australian Territories, after the European manner’ (Tabucanon and Opeskin 2011, 351; see also Weeramantry 1992).

For example, one Australian financial adviser persuaded Nauru to invest $2 million in a musical he had written about the life of Leonardo da Vinci, which folded after four weeks in London (The Economist 2001).

In 1989 Nauru took Australia to the International Court of Justice, claiming that Australia had underpaid Nauru in relation to the (limited) royalties that were owed in relation to phosphate mined prior to independence in 1968, and also claiming compensation for devastation of Nauruan land. The Australian Government settled the claim out of court in 1993 for AU$50 million over 20 years, a fraction of the sum the Republic of Nauru claimed was owed (Taylor 2005, 20).

In 2014, Transfield Services rebranded as Broadspectrum Limited, which at the time of writing is the company running the Processing Centres in both Papua New Guinea and on Nauru through a subcontract with Wilson, an Australian security services company.

This is not the first time a Senate Committee has made such a finding in Australia (Commonwealth of Australia 2014, 151).

As well, the Court held that the Government’s actions in signing the MOU were supported under a valid law of the Commonwealth.

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11 In the post-colonial waiting room
How overseas countries and territories play games with the norm of sovereignty

Rebecca Adler-Nissen and Ulrik Pram Gad

Today, in contrast to the nineteenth century, it would be almost inconceivable for a country readily to vote to become a colony.

(Jepperson, Wendt and Katzenstein 1996: 36)

Introduction

Greenland, New Caledonia and Mayotte have one thing in common. They have so far opted not to decolonize formally from their European metropoles. This chapter investigates this puzzle of choosing non-sovereignty in a postcolonial setting. It explores a number of European overseas countries and territories. More specifically, it focuses on French dependencies in the Pacific and Indian Oceans, and North Atlantic Greenland constitutionally connected to Denmark. These islands belong to a larger group of 21 ‘Overseas Countries and Territories’ (OCT) that are constitutionally tied to an EU member state without being part of the European Union (EU). Spread around the world seas, these territories are engaged in constructing their own identities – separate and distinct from their former colonizers – in more or less close cooperation with a supranational EU.

Historically, the question of freedom from imperial hegemony has been linked to how Western colonialism involved keeping the colonized in ‘the waiting room of history’ (Chakrabarty 2000: 8–9) by insisting that they were not yet ready for sovereignty. The immediate aim of anti-colonial struggles was to make the colonizers leave so that the colonized people could decide for themselves. Many anti-imperial struggles settled for nation-states each acquiring a separate, formal sovereignty-based international status (Grovogui 2013). More recent versions of postcolonialism, inspired by poststructuralism and critical constructivism, have aimed at accounting for ways of realizing agency, which escape, first, imperial submission, and second, norms of an international society based on sovereignty.

Instead of representing a rejection of sovereignty, the EU overseas countries and territories that remain under their metropole’s formal authority rearticulate sovereignty. As this chapter demonstrates, a universalizing European discourse on a universal norm for how to organize community and authority as a sovereign state makes a range of postcolonial choices possible, which both constructivist and some postcolonial thinking fail to fully acknowledge. A number of overseas
territories take alternative routes to agency; not by resisting the norm of sovereignty – but by creatively articulating it beyond its claim to represent an ‘either/or’ distinction. The chapter demonstrates that territories not formally decolonized may very well perform a postcolonial agency, which tampers with the sovereignty norm.

The chapter is organised as follows. First, we discuss the limits of the constructivist understanding of sovereignty as a norm, overlooking how sovereignty is discursively stretched and situated. Second, drawing on postcolonial insights on hybridity and Wittgenstein’s language games, we develop the notion of postcolonial sovereignty games to understand how some of the overseas countries and territories manoeuvre in identity politics and paradiplomacy. We conclude that the way these micropolities mime certain aspects of sovereignty – appearing ‘sovereign, but not quite’ – produces a hybridization, which questions sovereignty as an either/or norm.

**Sovereignty as a norm in constructivist IR and anti-colonial activism**

Within International Relations (IR) theory, sovereign statehood appears as the subject position that allows for international agency. Most IR scholars would agree with the activists who fought colonialism in the 20th century that there is an intimate relation between international sovereignty and political agency in world politics. This agreement is grounded in a reading of European decolonisation as involving the global spread of the norm of sovereignty, making sovereignty the entry ticket into international society. Also in international law, sovereignty is an either-or question: Either both polities are sovereign and are therefore equal – or one polity is hierarchically subjected to the other with only one being sovereign.

Historically, European empires legitimized their rule by insisting that natives did not have the competences and capabilities necessary to exercise sovereignty – yet. Therefore, patience was required while the civilizing mission of empire was allowed to prepare the colonized for responsible, rational, sovereign agency. Unsurprisingly, anti-colonialist activists and writers insisted that the colonized was indeed ready to leave this ‘waiting room of history’ (Chakrabarty 2000: 8–9), and thereby, in effect, agreeing that sovereignty was the precondition for real agency.

IR constructivists and English school theorists largely accept the universalizing discourse that sovereignty ‘is now the only game in town’ (Krasner 2003: 1077), but they introduce a processual perspective. The first generation of constructivists and international society scholars explored sovereignty’s global spread as a norm. Most prominently, the English School promoted a narrative of a one-way expansion of an international society of sovereign states through colonialism, imperialism, trade, etc., from Europe in the 19th century. Arguably, this society now has a global extension (Watson and Bull 1985; Buzan and Little 2010). As the international society of sovereign states has become universal, non-sovereign polities are observed as objects rather than subjects in international society (Browning and
Joenniemi 2008:144). They are relegated to a place outside international society and to the margins of the study of international relations.

Building on this narrative, constructivist IR scholarship understands sovereignty as constitutive of international society. Constructivists drew inspiration from the neo-institutionalist argument advanced by Meyer and his colleagues (1997) that the state had become a global cultural standard. In tune with the English school narrative, constructivists showed that sovereignty functioned as a norm that not only regulated most interactions of states in international affairs, but also defined ‘what a state is in the first place’ (Risse 2004: 9). Statehood was copied through ‘structural isomorphism’ (Meyer et al. 1997: 145). This neo-institutionalist argument, however, soon became problematic for constructivists studying the evolution of sovereignty and its historical manifestations.

A second wave of constructivism demonstrated that sovereignty is not only a norm that emerged and spread across the globe; it also changes meaning over time (Philpott 2001; Reus-Smit 2013). Throughout the late 1990s and 2000s, constructivists aimed at demonstrating how the globalization of other norms, such as human rights, humanitarian intervention, indigenous rights, supranational law and environmental protection (Finnemore and Sikkink 1998, 2001), challenged established understandings of the norm of state sovereignty. In other words, sovereignty as a norm was being tested by other norms. However, rather than interpreting this as a deeper challenge to the norm of sovereignty as such, the constructivist lesson was that there was a continuous transformation and struggle around the norms deciding who or what qualifies for sovereignty. The norms of sovereign recognition – that is what it takes to become recognized as a sovereign state – were changing. For instance, control over territory might become less important than democratic institutions or plans to establish them (Barkin 1998). Yet whatever their specific content, these international norms underpinning sovereignty still ‘determine who are allowed to be players in international affairs’ as Biersteker characteristically put it (Biersteker 2002: 255). Sovereignty, for constructivists, had a normative and ‘progressive’ appeal linked to the idea of an international order where states can be socially regulated – indeed civilized or socialised – qua the advance of norms of sovereign recognition. Sovereignty, in this constructivists reading is embodied formally in international documents such as United Nations declarations, the Helsinki Accords, treaties, and more informally in customary law and understandings – which bind states through legitimacy and practice, even though they are not necessarily enforced (Philpott 2001: 21–22). This is part of the theoretical baggage behind conceptualizations of the weak states left by decolonization as expressions of a ‘pathological form’ of sovereignty (Jackson 1990). A ‘rogue’ or ‘failed’ state in this reading represents a case of failed socialization, an imploding or a ‘decoupling’ where leaders or polities pay lip service and sign up to norms of sovereign recognition, but do not comply with them (Risse 2004).

Sovereignty in constructivist scholarship is conceived of as a status that every eligible polity would aspire for. As the landmark constructivist volume Culture and National Security explains; today ‘it would be almost inconceivable for a country readily to vote to become a colony’ (Jepperson, Wendt and Katzenstein

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To choose non-sovereignty in a world where sovereignty is a norm is puzzling for constructivists because of sovereignty’s strong normative appeal and regulative force. Consequently, in a standard constructivist reading, choosing not to opt for sovereignty appears as yet another type of failed socialization. Yet in practice former colonies have sometimes voted to remain non-sovereign within an empire. And they are not necessarily ‘failed’ or un-socialized.

Postcolonial approaches

After WWII, local elites across the colonized world insisted that they were ready to have their own independent states. However, anti-colonial thinking provided different answers to the ‘foundational question’: How does one found a new political community? (Kohn and McBride 2011). As Vivienne Jabri acknowledges, declaring independence does make a difference for the conditions of articulating agency by constituting communities which may then ‘claim the international’ (2013: 108). Yet, this leads into a number of problems that have occupied postcolonial theory for decades. Indeed, influential strands of anti-colonial thinking implied unsustainable essentialisms. As Mbembe (2002: 241) explains: One prevalent version constructed indigenous identity as a self-sufficient, native alternative, which the (de)colonized could return to. Another option was to construct an identity based on victimhood, reducing it to a derivative of the Western ‘Other’. Both essentialisms belie a history that is much more complex; a complexity of the past which could form a more flexible basis for future agency than the simpler nativist and victimized alternatives.

Therefore, the key ambition of postcolonial studies has been to rephrase the anti-colonial question about the foundations of community into the more generic: How can independent agency be achieved? Spivak (1988) explained how the subaltern is structurally barred from speaking as subaltern in relation to Western modernity: Agency is only achieved by subjecting to modernity. However, subjecting to modernity did not in itself provide a quick fix. The decolonisation logic argued that a modern, responsible subject was to be developed under the custodianship of the imperial masters, before colonized peoples could enter history as their own masters. Often the empire concluded that the colonized lacked progress, and rather than leading to questioning of the custodianship, this observation was used to legitimize a prolonged stay in the ‘waiting room of history’ (Chakrabarty 2000: 8–9; cf. Seth 2013: 9). As Chowdhury (this volume) notes, anti-colonialist elites largely inherited the imperialist image of indigenous cultures lacking their own impulse to develop. Nevertheless these elites found the distinct character of the self-same culture to be the answer to the question of how to found a new political community. Hence, they found themselves ready to take over leadership of the development process (often educated in the metropole as they were). The result is a doubly essentialist reflex: First, anti-colonialists do not like the (imperial) state so much that they want (the colonized to have) their own. Second, the importance of having an independent voice eclipses the homogeneity of the community identified to form its base.
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In contrast to early anti-colonialism, in the words of one of its critics, ‘Postcolonial criticism has revealed the impossibility of any clear-cut cultural distinction between colonizer and colonized, showing how the cultural formations of one are incomprehensible without reference to the cultural formations of the other’ (Dirlik 2002: 612). Mbembe finds both diffraction among the colonized (2002: 262) and an entanglement of colonized and colonizing agents and cultures (2001) in an analysis that allows agency on the part of the colonized – in the past, present and future. Similarly, Bhabha (1994) suggests that the very ambiguity of the colonized’s mimicry of the practices of the colonizer opens room for agency in a context of imperialism. By appearing ‘white, but not quite’, the colonized put the ‘white’ norm into question. However, what allows for postcolonial agency is, according to Paolini, not hybridity as such but rather the paradoxical acceptance of hybridity as part of one’s identity and the everyday, practical handling of ambivalent power structures (1999: 107–19). Mbembe describes how the postcolonial subject in its everyday interactions with state power assumes multiple identities ‘confirming in passing, the existence of an undoubtable institution [. . .] precisely in order to better “play” with it and modify it whenever possible’ (Mbembe 1992: 23). Paolini explains Mbembe’s point: ‘It is precisely because th[e] everyday space is ambivalent and identity is multiple that post-colonial subjects are able [. . .] to improvise, bargain with, and reshape their environment’ (Paolini 1999: 119).

In Mbembe’s original conceptualization, this ‘environment’, which can be reshaped, seems to be thought of as domestic or even local. However, as we shall see, also the international environment can be reshaped in a similar way. In handling an ambivalent international environment, however, it is not obvious that statehood is the best option. Where Jabri (2013) pursues the question of just how much of a difference it means to declare independence, our focus is on the other side of the fine line defined by formal sovereignty. We analyse the difference made by the mere possibility of declaring independence (which the polities in question have but do not realize) in a context where most postcolonial communities have done just that.

From this point of departure, it is no longer useful to conceive of sovereignty as (just) a question of either/or. Instead, we use the notion of ‘sovereignty games’ to illustrate the point and to analyse agency in the international. ‘Game’ is a loaded word and may lead some to think about ‘game theory’ or other rational choice approaches in which sovereignty may be won by one, lost by another. We use it differently (Walker 2003, 4; Adler-Nissen and Gammeltoft-Hansen 2008). Contemporary sovereign states and polities which qualify as potential states manoeuver between dependence and self-determination; and in these manoeuvres, sovereignty is a card that can be played – or played on – in different ways. Elsewhere we have defined a sovereignty game to involve two or more players who, in their interaction, make strategic claims about authority and responsibility with reference to a traditional, ‘either/or’ norm of sovereign equality. Sovereignty games are negotiated in public debate; they are formalized in legal texts; and they are managed in specific forms of diplomatic praxis (e.g., meetings, negotiations,
documents). A distinct type of sovereignty games, the postcolonial, concerns the acquisition of sovereignty; the very constitution of agency in the international to which we will now turn.

**Imperial remnants and postcolonial sovereignty games**

The most obvious result of the anti-imperial struggle, involving a first round of postcolonial sovereignty games, was the sovereign, post-colonial state. The tidal wave of decolonization began with giant India immediately after WWII and petered out in the 1970s and 1980s as a number of small islands gained independence (Baldacchino 2013). After decolonization a number of imperial remnants remained – polities very small in terms of population size (Baldacchino 2013), which had the possibility of becoming independent (Bereton 1994), but have preferred staying in ‘the waiting room of history’. Being neither formally sovereign nor simply hierarchically subordinated to their metropole, the self-governing countries are political entities that do not readily fit the conceptual categories offered by the conventional international theory (Palan 2003: 74; Anghie 2005: 38–39). Some self-government arrangements even include transfer of jurisdiction in foreign affairs (Loukacheva 2008: 109), an area traditionally considered the prerogative of the sovereign. While legal texts and practices do not constitute these ‘Overseas Countries and Territories’ (OCTs) as strictly sovereign (they are attached to their former colonies), the OCTs do articulate and refer to the norm of sovereign equality. In a peculiar sense, the status and, more pertinently, the practices of non-sovereign imperial remnants are closer to the suggestion that agency emerges from hybridity.

Colonial heritage is integral to political debates in these polities. A few examples should make the point: In a statement to the European Commission, the Conseil Economique, Social et Environnemental of French Polynesia explicitly referred to colonial injustices by claiming that France – and the EU – are historically indebted to Polynesia because the islands have endured French nuclear testing on its territory (CESE 2008: 1), thereby involuntarily contributing to French and European security (cf. Hannibal et al. 2013).

Yet these polities cannot be conceived of as only ‘colonial’. Their relation to their metropole is not that of a traditional colony: undifferentiated, hierarchical submission. Paradoxically, their position involves independent claims to renounce independence. Acquiring their own sovereign status exists as a real option, embodied in the neighbouring islands which did opt for their own flag pole in front of the UN headquarters. The overseas countries and territories just didn’t choose independence. But since they did make a choice, they can no longer be counted as traditional colonial subjects, rather they represent a peculiar type of postcoloniality.

The overseas territories vary in terms of material resources and political ambitions. In terms of population, the OCTs range from the un-inhabited to archipelagos with up to 300.000 inhabitants. More importantly, the political ambition of the OCTs vary a lot; some aim for independence; others aim for integration with the metropole; yet others cherish their hybrid position; some are deeply divided over
which road to choose. Because of the diversity of ambitions, the rationales of the paradiplomacy pursued also differ.

One caveat is in order: We are focusing on overseas countries and territories related to the EU. In the EU, sovereignty has mutated into ‘late sovereignty’ (Walker 2003; Adler-Nissen and Gammeltoft-Hansen 2008). The EU challenges the norm of sovereignty as either here or there by combining the traditional territorial organization of sovereignty with dividing sovereignty by functional criteria. This ‘late sovereign’ organization of sovereignty may very well have made the EU more hospitable towards sovereignty games played in the relation between former colonies and metropoles. The point of this chapter is not to make a definitive claim about how sovereignty has changed or whether Europe is a particular in this respect. We limit ourselves to demonstrate that it is indeed possible to play games with postcolonial sovereignty.

The remaining part of this chapter shows that the way these micropolities mime certain aspects of sovereignty; the way in which they appear ‘sovereign, but not quite’; produces a hybridization, which questions sovereignty as an either/or norm. The micropolities, in certain situations, and in varying degrees, simulate a state-like identity allowing them to play with and possibly modify the norm of sovereignty. They do, in other words, perform agency without sovereignty. The following sections concentrate on two concerns central to postcolonial theory: indigenous identity and independent agency in the international.

Indigenous identity and representation – competition and convolution

As the great wave of post-WWII decolonization levelled, a growing number of peoples have been identified as indigenous: These peoples point to the way their identities have been marginalized as their territories have become parts of states to which they do not feel any ownership. Within the UN, a ‘Permanent Forum on Indigenous Issues’ has been established to facilitate a dialogue between the UN member states and these peoples marginalized by the state system. So in (international legal) theory, you may either have agency as a sovereign nation state or as an indigenous people without a state. Available options for indigenous peoples would thus seem to be: either to reconfigure the fundamental concepts and principles organizing the international system of states; to fight for an independent state; to insist on being left alone by the particular state in question; or to acquire some sort of autonomous status within the state. Yet, in paradiplomatic practice, more games are played which involve articulating sovereignty and indigenous identity. In a number of the OCTs, a majority or minority of the populations may credibly be categorized as indigenous peoples by advocates and theorists applying standards developed in international law – but the people in question do not always identify themselves in such terms. And even if they do, such identification may entail to diametrically opposed stands in similar policy questions.

One obvious symbol of national identity is currency. The French Pacific islands all use the Franc des Colonies Françaises (CFP) and debate whether to ask Paris
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and Brussels to switch to the Euro. In this question, the positions of the proponents of full formal sovereignty in Polynesia and New Caledonia respectively are at odds. In Polynesia, the separatists favour the Euro, as Louis Savoie, a foreign affairs advisor to then President Oscar Temaru, explains: ‘The Pacific Franc is not a real currency; it is an administrative currency, a substitute money, an anomaly. . . . The euro is not a colonial currency . . . Introducing the euro in French Polynesia would be a way to go beyond the bilateral relation with France’ (quoted in Poirine 2013:164). So to Polynesian separatists, paying with Euros in the local Carrefour signifies an agency, which is less colonially subjected than paying with CFP. In contrast, the separatists in New Caledonia, a prominent element of the indigenous Kanaky, do not want the euro because its banknotes do not carry distinctive signs of the Kanak identity, whereas the Pacific Franc does (Brown 2013: 177; Poirine 2013:164). They find a truer representation of their identity in the symbols on the currency than the symbolics of who issues the banknotes. France insists on interlocking the two separate sovereignty games by: offering to request the European Commission to allow the Euro to replace the CFP – provided that Polynesia and New Caledonia both agrees. The imperial authorities, in other words, have successfully turned the CFP/euro question into a stalemate.

In another French overseas dependency, Mayotte, separatism is a marginal discourse as most of the population agree on remaining under French (First world) sovereignty with the European integration that may come with it, to avoid Comoro (Third world) independence. Yet as the French language is not widespread as mother tongue in Mayotte, the status and character of the local language has become pivotal for games regarding how to fit this anomaly into nationalist discourse. One game situates defence of the local tongue within the long-standing struggle between French and the (mainland) regional languages. The local Direction of Regional Languages of Mayotte – supported by educated and, hence, francophone Mahorans – refer to the 1992 European Charter of Regional and Minority Languages in defence of Shimaore (the name given to the local version of the Swahili-derived language used throughout the Comoros archipelago). As a counterstrategy, French officials impose French aggressively, and valuing local tongues less than is the case in other dependencies. This conflict is reminiscent of metro regionalist movements of the 1970s and 1980s; locals have internalized French micro-nationalism. Simultaneously, a second game is played by linguists, officials and the elite, both in Mayotte and in the Comoros. Both start from the ideological position that language and political borders are ‘naturally’ identical. Consequently, Mayotte, which is part of France, has its own language reflecting its unique choices. Pan-Comorians, in contrast, insist that all four islands speak the same language with minor variations, proving that the Comoros archipelago is ‘really’ a single political entity. The preferred national sovereignty – French or Comoro – is the outcome taken for granted.

In New Caledonia, where indigenous Kanaky and French Caldoche settlers constitute the two largest minorities, everybody seems to agree on the need for ‘greater integration’ of New Caledonia within its regional context. But the competition to represent both indigenous particularity and New Caledonia as a whole
in regional fora has made for surprising paradiplomatic manoeuvres. First, the intergovernmental Pacific Islands Forum (PIF) was originally established out of sympathy for the Kanak pro-independence movement. The Forum played a leading role in the 1980s in seeing the French territory included on the agenda of the UN Decolonization Committee. Recently, however, not only the independence forces but also the non-independence forces seek confirmation of their legitimacy through supporting full New Caledonian membership of the Forum, even under its current affiliation with France which the Forum has opposed. In parallel, the smaller Melanesian Spearhead Group (MSG) is composed of the independent countries of Papua New Guinea, the Solomon Islands, Fiji, Vanuatu – and the separatist Front de Libération National Kanak et Socialiste (FLNKS) of New Caledonia. The very raison d’être for creating the MSG in 1986 was to support the FLNKS, as tensions in New Caledonia were escalating and the independence question came to a head. The FLNKS still sees itself as the sole legitimate representative of New Caledonia in the MSG, which it considers to be a check on French actions. However, recently, New Caledonia’s anti-independence, Caldoche president Philippe Gomes turned the tables by using the ‘decolonization’ category in an attempt to have New Caledonia, still a French sovereign territory, accepted as a member of the MSG. On this course he was, however, soon overtaken by the speaker of the parliament, Roch Wamytan, elected by the separatist FLNKS. On behalf of parliament, he signed an agreement with the MSG according to which New Caledonia will provide financial support for the MSG, which, in return, will promote French as one of its official working languages. So an indigenous separatist in public office spend public money to support an organization, consisting of separatists and independent neighbour countries ruled by indigenous ‘sister peoples’; an organization designed to support separatism, but courted by anti-independent settlers. A complex set of identities struggle to occupy positions from where sovereignty may credibly be (dis)claimed.

At the other end of the globe, the Inuit Circumpolar Council offers a similar example of how a similar set of paradiplomatic fora may be convoluted to resist any clear-cut distinction between state and indigenous identity. The ICC is a transnational organization involving people in Canada, Alaska, Chukotka and Greenland who identify as Inuit. Challenging the indivisible sovereignties over the Arctic claimed by the Arctic states, the ICC in 2009 adopted a ‘Circumpolar Inuit Declaration on Sovereignty in the Arctic, basing the challenge on the observation that ‘Sovereignty is a contested concept . . . and does not have a fixed meaning’ (ICC 2009). The ICC consists of four ‘member parties’, each representing Inuit in one of the four states. In the case of Greenland, members are a range of civil society organizations. The Charter of the ICC, however, was also acceded by Inatsisartut, the Parliament of Greenland established by law by the Danish Parliament as part of the Greenland Home Rule arrangement, which is territorially rather than ethnically defined. Accordingly, a handful of the members of the Greenlandic delegation to international ICC meetings are appointed by this parliament, lately including representative of the Demokraait party, which generally refrains from defining its political project in ethnic terms. Moreover, the annual
budget of the Naalakkersuisut, the executive arm of the same legal extension of the Danish state pays a substantial part of the annual expenses of the Greenlandic body of ICC. The involvement of the Danish state with the international level of the ICC became even more intimate when H.R.H Crown Prince Frederik of Denmark was the official patron of its 2010 General Assembly taking place in Nuuk.

These examples show that indigenous identity is not an unproblematic foundation for indigenous agency – whether in the form of sovereign diplomacy or as para-diplomacy. Games are played, confrontational or collaborative, to define, shape and prioritize identities which may then act to perform identity at another level or in different fora. These second order identities may never get to perform agency if the first order games played keep the identities from coagulating.

**Retouching the metropole away on paper and in practice**

The lack of independent agency for the colonized without sovereignty is a core anticolonialist concern. Obviously, full formal sovereignty facilitates forms of agency otherwise precluded. But in practice, non-sovereignty open up other possibilities. For instance, formal sovereignty over Greenland resides unquestioned in Copenhagen – even if the 2009 act on Greenlandic self-government adopted by the Danish parliament acknowledges that Greenland constitutes a people in the sense of international law (Gad 2016).

Regardless of formal non-sovereignty, Greenlandic agency on the diplomatic stage appeared earlier, most evidently in relation to the European Union. In 1973, Greenland followed Denmark into what was then the European Communities despite a clear majority against in Greenland in the 1972 referendum. This was one decisive factor behind the introduction in 1979 of a Greenlandic home rule arrangement which allowed a new, separate referendum leading to Greenland leaving the EC in 1985. Following negotiations, Greenland transferred to the legal status as an ‘Overseas Country or Territory’. This marginal position – outside the EU, but inside a member state – has been used by Greenland as a platform (to quote the Greenlandic prime minister) to secure a steady stream of Euros to the Greenlandic budget and access to EU cooperation programs. In 2006, a separate ‘partnership agreement’ was added.

Since 1992, a Greenlandic bureaucrat with a Danish diplomatic passport has been posted in Brussels, formally to take care of Greenlandic ‘commercial interests’, as stated in the legal basis for the home rule arrangement. The first representative, however, immediately expanded the interpretation of this to include the full range of interests and contacts – and he successfully made independent Greenlandic visibility a top priority (Vesterbirk 2006). If you visit the Danish Embassy in Brussels at Rue d’Arlon 73, you will find the EU flag alongside the Danish. You will also find the Greenlandic and the Faroese flags hanging in equal stature by the entrance. Furthermore, if you proceed a few steps down the street to No. 71, you will be able to visit the Greenlandic and Faroese representatives through a separate entrance without having to pass by the Danish insignia.
Another example of how Denmark is retouched away in the practical handling of Greenland’s relations to the EU, concerns one of the main points on the program of a Greenlandic minister’s visit to Brussels: When a Greenlandic minister goes to talk to a Commissioner, Denmark does not interfere. A junior Danish diplomat is often present in the room – s/he might be visible to the accompanying Greenlandic officials and perhaps to the Commission officials – but the Greenlandic minister would not necessarily notice. Neither would the European Commissioner, for that matter. Greenland does not declare independence, as it could formally easily do. But on a number of occasions, Greenland mimes sovereignty.

The Government of Greenland also routinely retouches Denmark away when rhetorically describing the relation to the EU – at home and when talking to Europe. One example is the way in which Greenland’s then Minister for Foreign Affairs defended the present relation to the EU in a parliamentary debate in 2007: Denmark is an EU member; Greenland is outside the Union but enjoy an associated status on account of its constitutional links to Denmark. The minister begins his argument against re-accession to the EU by recalling on whose lap Greenland will have to sit to be at the table:

In the present constitutional situation a membership of the EU will only be possible as a part of Denmark. [ . . .] Greenland will not directly and automatically be guaranteed participation in meetings where questions of interest for Greenland are dealt with. Participation will in every single case have to follow an agreement with the Danish government and have to take place as part of a Danish delegation.

Interestingly, this future-to-be-avoided (because it allows a disturbingly prominent role to Denmark) is contrasted with a present in which Denmark does not stand between Greenland and the EU:

[T]he prescriptions for mutual dialogue in existing agreements [i.e., OCT, fishery and partnership] are better at securing Greenlandic interests at direct meetings between the Commission and Greenland. . . [Now, w]e can have a direct dialogue with the EU, and if we become members, then we will have to be dragged around by Denmark inside the EU.

When explaining the benefits of the present relation to the EU to a domestic audience, Denmark disappears: Greenland and the EU have a direct – and in that sense an equal – relation. In this way, to its own people, a Greenland appears to have broken with the colonial dependency of the past and is, already now, taking care of its own international relations; it is a Greenland which, for all practical purposes, enjoys sovereign equality in relation to the EU.

In 2008, the European Commission published a green paper on the future of the EU’s arrangement for the OCTs. The Greenlandic response to the Commission was not co-ordinated with the Danish Ministry for Foreign Affairs, which
is in charge of Denmark’s relations to the EU. In its reply, Greenland presents itself as on its way to be on equal terms with the EU: ‘A future model [of the OCT-EC association] should take into account the European strategies vis-à-vis Greenland as an OCT as well as a strategic partner’ (Greenland 2008: 11, italics inserted). A strategic partner demanding that the EU will ‘enter into bilateral dialogue’ (Greenland 2008: 7). This equality is constructed in two steps: First, Greenland stresses the unique resources it commands – resources to which the EU may only have access in Greenland: Greenland is ‘the place to identify new possibilities that arise with the melting of the ice in terms of potential and future shipping routes and maritime traffic’ (Greenland 2008: 2, underlining in org). Greenland presents itself as in command of ‘an unprecedented energy potential’ which allows Greenland to project agency (Greenland 2008: 2). Second, Greenland lays out a game in which the EU needs to reward Greenland for its loyalty; for working with the EU rather than other parties (Greenland 2008: 3). The threat of depriving the EU of the future resources is explicit: Greenland stresses its indignation over the EU’s ban on the import of seal skin. And this indignation is linked to how the EU in the future should act in relation to Greenland if the EU wants to attain access to the strategic resources of Greenland: ‘This is for Greenland an issue of principles and will be the cause of strong reactions which will not be beneficial to the strong and constructive relationship between the EU and Greenland’ (Greenland 2008: 3).

Formally, the Government of Greenland only has the authority delegated from Copenhagen – and Greenland is only allowed the present (beneficial) status in relation to Brussels as a direct result of its relation to an EU member state, Denmark. Yet, Greenland plays games with (Danish) sovereignty. In Brussels, Danish presence is carefully reduced as much as possible. In the narrative on Greenland’s relation to the EU, Denmark is not present – a Greenland taking care of its own business is already here. The limited Greenlandic agency, circumscribed by Danish sovereignty, has been employed to play rhetorical and practical games which make the postcolonial Greenland appear almost sovereign but not quite.

The postcolonial – every island for itself

The above analyses of the legal, discursive and practical strategies employed in sovereignty games have a number of implications for our understanding of political agency and sovereignty. First, it broadens the study of ways in which formerly colonized polities are performing international agency from focusing exclusively on full formal sovereignty. Where constructivist analysis would see a traditional, colonial relation, we have provided examples that show that the practical distribution of agency is much more complex. The postcolonial future is never a question of either/or but invariably a choice between different versions of ‘both – and’. Postcolonial identity formation process involves an oscillation between more or less strategic essentialism and the interplay of differences (Hall 1996): At times, the anti-colonial struggle must coalesce around an identity posing certain fixity to obtain momentum. At other times the de-naturalization
of the fixed, modernist categories takes precedence to allow for other identities than the postcolonial nationalist. The paradoxes involved in the way in which the Greenlandic elite has combined Greenlandic nation and state building with paying allegiance to pan-Inuit organizations and indigenous peoples critiquing the international system of states may serve as an example (Strandsbjerg 2014). In this sense, postcolonialism can advocate both modernist categories such as ‘identity’, ‘nation’ and ‘sovereignty’ (Appiah 1996; Hall 1996; Mongia 1996) and challenge the very same categories by promoting hybridization and creolization (Bhabha 1994). This oscillation takes effect not only on the ‘inside’ of the ‘domesticated’ relation between colonizer and colonized but also on its ‘outside’, the international system of states.

We have focused on other ways of acquiring agency as a postcolony than full, formal sovereignty. These pathways to agency each involve acceptance of certain elements of the imperial legacies (cf. Darby and Paolini 1994: 377–8), of Western modernity, and of the state system. Total resistance to all the categories of Western modernity appears a lost cause. Instead, agency may be achieved by selectively accepting some (but not other) categories. ‘The state’ and ‘sovereignty’ are both categories that are difficult to escape altogether (cf Pasha 2013: 150, 155, 158), but sovereignty as a norm can be articulated in very different ways. Consequently, a rejection of the ‘either/or’ argument opens up new types of agency, which, on the one hand, involves staying in the waiting room allotted to not-yet-sovereigns, while, on the other hand, reconfigures the waiting room away from coloniality proper. In some cases, this new waiting room, postcolonial rather than colonial, may be more attractive than acquiring formal sovereignty. Indeed, the postcolonial entities that we have examined feature a combination of the resistance to and instrumentalization of the either/or norm of sovereignty.

A new agency of the waiting room may culminate in formal sovereignty even for the very tiny player; the possibility exists, manifest in the alternative chosen by the neighbouring polities, now sovereign states. However, a number of those neighbouring states testify to the grave consequences of the sovereignty claims made in the heyday of decolonization (Grovogui 2013). The disappointments of realized postcolonial sovereignty possibly account for the propensity of micropolities for choosing(!) non-sovereignty. Sovereignty claims are serious business. If polities do not claim sovereignty, they will have to live with the consequences. And as neighbouring polities have chosen to decolonize all the way to formal sovereignty, the polities left behind will also have to live with the knowledge that they themselves have chosen submission. If, on the contrary, they do make a successful sovereignty claim, it is also serious. Then they have to not only live with the consequences, they also have to take responsibility for managing the consequences themselves. Sovereignty is always only a claim (Mac Amhlaigh 2013) waiting to be explicitly or implicitly accepted – or challenged. Moreover, one infelicitous claim will make future claims difficult, so timing is crucial. It is hardly possible to escape the question of sovereignty altogether. There is no way of escaping the dilemmas of this predicament – the seriousness of the games.
The arrangements inhabited by the formally non-sovereign micropolities such as the OCTs may not look heroic from the perspective of a staunch anticolonialist quest for agency independent from the powers and categories of Western modernity. In many cases, arrangements which some of these micropolities have made are grossly parasitic not only on their metropole, but also on other postcolonial micropolities: By denying to be straight-forward parts of regional and national identities promoted as indigenous, some of these not-properly-postcolonialized polities weaken the legitimacy of these identities in the international. And by abusing their hybrid status in relation to sovereignty, e.g., by functioning as ‘tax havens’, they may directly harm other postcolonies (Palan 2013). But from the isolated perspective of a number of the individual micropolities non-sovereignty makes a sensible choice when compared to available alternatives. Even if by staying ‘colonized’ they opt out of the destructive sovereignty games played in their geographical region in a way, which eventually assist in upholding these destructive games to the detriment of their – sovereign – neighbours. Moreover, if the agency of the waiting room is used to play the sovereignty games well, the polity in question may even find the time well spent – and, when finally leaving, find itself better fit for struggling with the inequalities of the international.

**Conclusion**

A number of postcolonial polities have opted to remain colonial. This is a puzzle for constructivist IR theory that sees sovereignty as a norm to which every polity would aspire. Sovereign recognition in a constructivist reading is an entry card to international affairs and is part of a story of international progress. Choosing not to opt for sovereignty is also bewildering for large segments of postcolonial activists. Yet formally sovereign or not, by performing an agency of their own, the EU Overseas Countries and Territories such as Mayotte, New Caledonia and Greenland, have already left behind their status as mere colonial objects. Sovereignty games, in these cases, are not just activities flying under the radar of the official diplomacy of sovereign states; the strategies employed construct these polities as ‘almost sovereign, but not quite’ in a way which in effect softens the sharp distinction between either sovereign or not. This particular type of post-colonial sovereignty games thereby reconfigures the norm of sovereignty itself. For these polities sovereignty games is a way to appear state-like. Some of the OCTs gesture towards sovereignty in a way, which does not imply a claim to sovereignty but a more limited claim. Playing sovereign, in other words, is a way of saying and achieving something different than being sovereign. In this way the sovereign state system *does* provide for agency for formally non-sovereign, yet postcolonial polities. An agency for polities, which should not have had any, if we conceive of sovereignty as an either/or phenomenon. Grovogui (2013) reminds us that postcolonial sovereignty is not just about the transfer of the regalia of power. Postcolonial agency may be significant even without the formalities, when we are looking for a gradual reconfiguration rather than a wholesale rejection of the categories of Western modernity.
Articulating sovereignty creatively makes a difference for those postcolonial entities, remaining in the ‘waiting room’ by abstaining from declaring independence. For these formally non-sovereign polities, the question whether to opt for independent sovereignty is just one among a series of considerations. The relevant question for the last imperial remnants is rather a broad how to articulate sovereignty to enhance agency. Choosing to stay in the ‘waiting room’ is not very heroic. It may even be parasitic on neighbours; there is no way to know a priori that a postcolonial subjectivity will articulate a politics which is progressive in the eye of the theorist.

Notes

1 An earlier version of this chapter was discussed at the Island Dynamics conference, 15–17 January 2013, Spitsbergen, and at the 2013 ISA Convention, San Francisco. We thank Charlotte Epstein for constructive comments to earlier drafts. Empirical cases and examples are drawn from our collective research project on the EU’s ‘Overseas Countries and Territories’ and their respective metropoles (Adler-Nissen and Gad 2013). The research has received funding from the Danish Council for Independent Research; the Carlsberg, Augustinus, Stjerngren, and Letterstedska foundations; and the Center for European Politics at the Department of Political Science, University of Copenhagen.

2 Dirlik (2002: 612) argues that important strands of postcolonialist thought have inherited both essentialisms, detracting attention from the most important task at hand: how to understand and combat global capitalism.

3 For a detailed discussion, see Adler-Nissen and Gad 2013 and Adler-Nissen and Gad 2014.

4 For parallel examples; cf. Gad 2013; Maurer 2013.

5 This paragraph relies heavily on Muller (2013:190–2).

6 This paragraph relies heavily on Brown (2013: 173–4).

7 Originally Inuit Circumpolar Conference, but re-named to signal its more permanent structure.

8 The following paragraph summarizes empirical examples discussed in more detail in Gad 2013, 2014.

9 Greenlandic official, interviewed in Copenhagen, 24 February 2011.

10 Even if his staff would expect that a Danish diplomat is present, to secure that the Commission does not interfere in the constitutional arrangements of a member state (Commission official, interviewed in Brussels, 24 March 2011).

11 Josef Motzfeldt (IA), Minister for Finances and Foreign Affairs, Inatsisartut parliamentary records, 24 April 2007.

12 This paragraph relies heavily on Hannibal et al. 2013.

13 According to a Danish official, interviewed in Copenhagen, 14 September 2009.

14 Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products. According to the regulation, placing on the market of seal products is only permitted when these products result from hunts traditionally conducted by Inuit and other indigenous communities to ensure their subsistence.

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12 Postcolonial colonialism?
The case of Turkey

Zeynep Gülşah Çapan and Ayşe Zarakol

On January 12, 2016, a Turkish group called Barış için Akademisyenler (Academics for Peace) released a public petition signed by 1,128 Turkish and 346 foreign academics, protesting the Turkish state’s conduct in South-eastern Turkey since the breakdown of the Kurdish peace process in the summer of 2015. The petition stated that:

the Turkish state has effectively condemned its citizens in Sur, Silvan, Nusaybin, Cizre, Silopi, and many other towns and neighbourhoods in the Kurdish provinces to hunger through its use of curfews that were ongoing for weeks. It has attacked these settlements with heavy weapons and equipment that would only be mobilised in wartime. As a result, the right to life, liberty, and security, and in particular the prohibition of torture and ill-treatment protected by the constitution and international conventions have been violated.¹

The petitioners asked the Turkish state to observe international and domestic human rights norms. The next day, the Turkish president Recep Tayyip Erdoğan gave an angry speech, broadcast live on multiple channels, and accused the petition’s Turkish signatories of being a ‘fifth column’ and displaying a colonial mentality: ‘Turkey experienced betrayal [at the hands of] this mind-set 100 years ago. Then there was a group of so-called intellectuals who preferred the protectorate of a great power with the belief that only foreigners could fix the [problems] in this country’.² Since Erdoğan’s speech that day, and many similar others since, hundreds of academic signatories in Turkey have lost their employment and faced criminal investigations for engaging in ‘terrorist propaganda’.³

It would be one thing if Erdoğan had characterised his critics simply as ‘terrorist sympathisers’. It is common enough for authoritarian rulers to use the label of terrorism to discredit dissidents (see, e.g., Lagon and Puddington 2015). What is significant for our purposes here, however, is Erdoğan’s invocation of a ‘post-colonial’ critique to condemn his opponents who had demanded that the Turkish state observe international laws and norms in its conduct against the Kurds. Erdoğan’s choice to invoke the language of resistance to colonialism to justify fascistic measures and to defy international norms is not an accident, but rather
part of a troubling trend in Turkey (and elsewhere) where anti- and post-colonial critiques are deployed in service of authoritarian regimes. Nor is it just politicians who use this discourse.

In Turkey, there has emerged a cadre of ‘pro-government’ academics who use ‘postcolonial’ arguments to intellectually shield Erdoğan and the government from criticism. While it may be tempting to dismiss their efforts as a cynical appropriation of the ‘postcolonial’ condition for political posturing, doing so assumes that we can determine the sincerity of such academics and politicians who use such arguments. As we discuss below, for historical reasons, such as the manner in which the Ottoman Empire/Turkey joined the international society of states, many of these critiques work well in the context of Turkey, even if they do not necessarily point to the policy recommendations drawn from them by ‘pro-government’ academics. It cannot be assumed, then, at least without further exploration, that the arguments are simply distorted for political gain. In fact, academics that we are labelling as ‘pro-government’ would likely counter that they are not using ‘postcolonial’ critiques in the service of Erdoğan but rather that they support Erdoğan because of their ‘postcolonial’ positionality. In other words, the deployment of postcolonial critiques to support regimes such as that of Erdoğan raises difficult questions about the ‘rightful’ use of postcolonial critiques. Who gets to do so and how should this be decided?

As noted in Epstein’s introduction to this volume, David Scott’s notion of problem-spaces offers a productive way of thinking about this. Scott’s argues that the postcolonial questions also need to be interrogated, to see whether they are right for our postcolonial times and places. In order to probe the present we need to identify ‘the difference between the questions that animated former presents and those that animate our own’ (2004, 3). For instance, anticolonialism and postcolonialism do not have the same enquiries. Anticolonialism frames the issue with respect to political decolonization and postcolonialism as being a problem of representation. Postcolonial interventions in IR have unearthed the different trajectories in the construction of the international (Krishna 1999; Grovogui 2002, 2006; Jabri 2012). What is termed the ‘expansion’ of the international system has in fact taken many routes and the ‘postcolonial subject’ has joined the international system with differing motivations and with varying manifestations of agency (Jabri 2014, 375, also see Jabri’s contribution to this volume, and Jabri 2012). The colonial past and the postcolonial present are therefore constitutive aspects of the international. The expansion of the international system cannot be conceptualized without discussions of empire, colonialism, anticolonial struggles and decolonization (Keene 2002; Suzuki 2009). The issue then is to develop criticisms for the variety of (post)-colonial presents. Scott’s arguments, then, relate to this chapter in two ways. First, questions for our postcolonial presents have to vary because not everyone inhabits the same present and the same critical lens may not work everywhere. A postcolonial analysis of Turkey, for instance, has to deal with the fact that those in power are using the language of postcolonialism. Second, engaging with the political afterlife of postcolonial critiques is necessary precisely because it forces us to articulate responses to a present and a near
future where postcolonial analytical lenses will increasingly have to be trained on countries such as Turkey, i.e., countries that occupy an ambivalent space between postcolonial and colonial agency.

This chapter thus problematizes one of our postcolonial presents through the example of the AKP era in Turkey. This example works to underline the paradoxes involved in the variegated experiences of the postcolonial present. Krishna (1999, xix) defines ‘postcolonial anxiety’ as referring to the phenomenon that ‘the social construction of past, present, and future for state elites and educated middle classes in the third world are mimetic constructions of what has supposedly already happened elsewhere: namely, Europe or the West’. As a consequence, ‘Both the past and the future become an imitative and thankless quest to prove that supremely unworthy maxim: ‘We are as good as...’” (Krishna 1999, xix). As Chowdhury’s contribution to this edited collection also illustrates, this anxiety works in differing ways because of the variegated experiences of colonialism, anti-colonial struggles, the conditions under which independence was achieved (see also Jabri 2012). Furthermore, the dominant manifestation of anxiety varies depending on the period: for example, within Kemalist Turkey it was oriented towards becoming more ‘Western-oriented’ whereas the way it manifests itself in the AKP era is through the criticism of ‘Western norms’ such as the Westphalian state system, as we discuss below.4

The first section of the chapter discusses Turkey’s relationship to postcoloniality5 and reviews the historical background in order to explain why the Justice and Development Party (hereafter the AKP) government has come to increasingly rely on postcolonial concepts to justify its policies. The second section focuses on academic knowledge production in Turkey and how the postcolonial critique of Western norms has recently manifested itself in troubling ways in the Turkish foreign policy analysis literature: i.e., directly influencing and enabling various neocolonial strategies adopted by the AKP government of President Erdoğan. In the conclusion, we speculate as to why in contexts such as Turkey postcolonial arguments are often used in service of what are in essence alternative exclusionary political exclusionary projects. Postcolonial critiques, if we are not careful, therefore may end up reproducing the hierarchies they mean to dismantle.

We do not intend this chapter as a substantive rejoinder to the postcolonial literature itself or to the rest of this volume, but rather as complementing the many arguments advanced therein. As Epstein notes in the introduction to the volume: ‘From a postcolonial perspective, the problem then becomes how to recover the tools that modern reason itself has yielded, to develop the types of epistemological critique we undertake here... how to use reason in order to denounce the tyranny of reason’ (x). The case of Turkey we discuss in this chapter demonstrates such dilemmas rather acutely. How do we resist what is happening in Turkey without resorting back to the language of universal norms? There are several traps here to be avoided: on the one hand, for some, the ‘real world’ use of postcolonial critiques in justifications of regimes such as Erdoğan’s may increase the temptation to draw back into the ontological safety and the certainties of the supposedly universal international norms. On the other hand, the appropriation
of postcolonial language by the Turkish government acts is intended as in-built
defence mechanism to neutralise any criticism of the government as being universal-
izing or hegemonic or colonial against Turkey. Epstein’s question about using
reason, therefore, becomes even more pointed and significant in a case such as
Turkey’s: the challenge here is to rescue an ethical postcolonial positionality with-
out resorting to the ‘tyranny of reason’.

(Post)coloniality of Turkey?

Historically, the basis for the contemporary claims in Turkey to ‘postcoloniality’
are not straightforward. Not only was Turkey never colonized by European pow-
ers, it is the heir to an empire. At the same time, the unequal relations between the
Ottoman Empire and the Europeans paralleled colonial dynamics in many ways,
from the nineteenth century onwards. European powers certainly viewed Turkey
as colonisable and Turkey was occupied for a brief period after WWI. There were
also serious proposals for including Turkey in the League of Nations Mandate
system (for an overview of this history see Zarakol 2011, 2014).

The manner in which first the Ottoman Empire and later Turkey was socialised
into the international system inscribed within Turkish society a sense of ambiva-
lence towards the idea of ‘Europe’ (see, e.g., Zarakol 2011; Bilgin and Bilgiç
2012). It is also that ambivalence (which has also been characterised as ‘liminal-
ity’ or ‘hybridity’6) of Turkey that makes possible the use of postcolonial lenses
when discussing Turkish politics. As part of its integration to the modern inter-
national order, (most in) Turkey accepted the ‘norms’ produced by the West as
being universal and the ‘European gaze’7 as the authoritative standard by which
one should be judged, or alternatively, against which one should rebel. Turkey’s
anxiety with respect to the international society and the West has thus manifested
itself as both ‘Western-orientedness’ and ‘anti-Westernism’. Such attitudes there-
fore should not be thought of as existing in a dichotomous fashion but rather as a
continuing negotiation of Turkey’s ambivalence towards the international system.
As such, both attitudes in differing degrees can be present at the same period
(Bilgin and Bilgiç 2012).7

For a very brief period following the collapse of the Ottoman Empire and the
foundation of the Turkish Republic in 1923, anti-colonial arguments were used by
Mustafa Kemal (later Atatürk), leader of the Turkish militia8 and later the founder
of the Turkish Republic. At the time, Turkish forces looked to Muslims in India and
the Bolsheviks for financial support, and anti-colonial as well as anti-imperialist
arguments were used to fan winds of solidarity. Anti-colonial arguments were
used to undermine occupying forces in Anatolia, especially Britain (Zarakol 2011,
125–135, 148). Soon after the creation of the Turkish Republic, however, anticolo-
nial arguments were abandoned in favour of a strategy that cast Turkey and Turks
as European, white and “modern”, while de-emphasizing the similarities between
Turkey and countries under colonial or mandate rule (Zarakol 2011, 141–159).
For example, according to Turkish Republican historiography, Atatürk was alleg-
edly motivated to create the Turkish Historical Commission (Türk Tarih Kurumu)

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196  Çapan and Zarakol
because he was “alerted” to the fact that Turks were described as belonging to the “yellow races” in the French textbooks Turkish students were using at the time. The Turkish Historical Commission was tasked with coming up with a historical narrative that demonstrated that Turks were one of the civilizations capable of self-rule, and in this narrative much was made of the fact that Turkey was never formally colonized, the many indirect interventions in Ottoman affairs by European powers especially after the nineteenth century notwithstanding.  

As a result of such efforts in the initial years of the Republic, whatever anti-colonial sentiments and sense of solidarity with colonised peoples that had existed prior to the founding of the Republic dissipated quickly. The Turkish ruling elite at the time wanted to distance themselves from the territories of the former Ottoman Empire that were now under League of Nations mandate arrangements, fearing the same fate. Additionally, anti-colonialism in those years was associated with communist or socialist intellectuals, who were designated as subversives after the Republic broke away from its Bolshevik alliance (see, e.g., Uzer 2002; Berkes 2005). From that point on, the official discourse had little to say about anti-colonial struggles elsewhere (and in fact at times went to the opposite extreme, flirting with Nazism in the lead up to World War II). After World War II, Turkey sought and gained a place in the Western alliance, and generally maintained a cool distance from later solidarity efforts such as the Bandung Conference and the non-aligned movement. From the inception of the Republic in 1923 until the twenty-first century, then, Turkish foreign policy maintained an almost singular focus on its Western alliances and ignored most developments outside of the West, including the politics of anti-colonial struggles. The state was guided by principles of Kemalism, which was focused on proving that Turkey was a modern, European, Western and, by implication, not a “postcolonial” country. Much of this would change after the Justice and Development Party (AKP) came to power in 2002 following the financial crisis of 2001.

The AKP, despite having been established shortly before the 2002 election as an umbrella party bringing together various elements of the Turkish political right (economic and political liberals, nationalists, etc.), had its primary roots in the political Islam movement in Turkey. Many of the original founders of the party were intellectually predisposed to be sceptical of Kemalism and its aggressive pursuit of Westernisation and modernisation. The AKP was able to form the first majoritarian government after a decade of weak coalition governments, and continued to increase its share of the popular vote in each subsequent election. Once in power, the AKP initially ushered in a period of liberalisation both in politics and intellectual life, and opened the door to challenge various orthodoxies, including the Kemalist historiography of Turkey underwriting the established patterns of Western-oriented foreign policy as well as the tutelary role of the military in Turkish politics. As we discuss below, this is what created the intellectual and political space for the rise of postcolonial approaches in Turkish academia.

However, such ‘liberal’ trends have been drastically reversed in recent years. Since the AKP narrowly escaped dissolution by the Constitutional Court in 2008 the country has been on anti-democratic trajectory, especially after the
constitutional amendments of 2010 and the Gezi protests of 2013. Most observers agree that Erdoğan has been moving towards one-man rule and has consolidated his power over all organs of the government and the media (Esen and Gümüşçü 2016). Within the AKP itself, which had started out as an umbrella party as noted above, many of the initial coalitions have been dismantled, and the party has ideologically retreated back towards its political Islamist core. Especially important for our purposes in this chapter has been the shedding of more ‘liberal’ alliances within the party. While Turkish liberals were never a powerful group in Turkey, in the initial years of the AKP rule they played a very important ideological function in the party by formulating justifications for AKP policies that were especially palatable to international audiences. Up until the 2013 Gezi protests, the AKP and Erdoğan had very positive images in the West, especially in the US, which had partly to do with the desire in Western capitals to find a suitable ‘model’ for the post-‘Arab Spring’ Middle East (Tuğal 2016) but also much to do with Western networks of the liberal academics and public intellectuals in AKP’s camp, such as Cengiz Çandar, Ahmet Altan and Murat Belge. After the liberal camp started criticising Erdoğan for his repressive policies following the Gezi protests, most liberal intellectuals and academics either left the AKP or were purged. In terms of justifying Erdoğan’s policies especially in the international realm, the departure of liberals left an intellectual vacuum. It is precisely this political void onto which ‘postcolonial’ approaches to Turkish politics have been mounted.

Politics of postcolonialism in Turkey

In 2014, the first postcolonial research centre in Turkey was established. In the section outlining the aims of the research centre, one of the aims of the centre is stated as follows: ‘to support the development of the concept of ‘New Turkey’’. ‘New Turkey’ is an aim that is referred to with increasing frequency by the AKP. After his election to the Presidency in 2014 after three terms as Prime Minister, Recep Tayyip Erdoğan declared that ‘today, the day the first elected President of Turkey assumes office is the day Turkey rises from the ashes and the building of new Turkey gains impetus’ (Erdoğan 2014). In a speech on 27 August, then-Prime Minister Ahmet Davutoğlu also reiterated the theme of ‘new Turkey’ and underlined a program for AKP that would build ‘new Turkey’ through ‘restoration’ (Davutoğlu 2014). In that sense, the aim of the first postcolonial centre in Turkey to ‘support the development of the concept of ‘New Turkey’ situates them as developing the intellectual tools to legitimise the ‘new Turkey.’ The director of the new research institute, Merve Kavakçı, stated in an interview that ‘our President also talks in line with postcolonial thinking’, pointing to Erdoğan’s statement about Muslims having first discovered the continent of America, as well his argument about the need to reform the UN because ‘the world is bigger than five’, referring to the make-up of the UN Security Council. She emphasised that ‘postcolonialism is very important in understanding the new era Turkey has entered and the New Turkey’ (Star Gazetesi 2015). Although the concept of ‘New Turkey’ had been used intermittently for years, following these developments the concept...
gained new traction and garnered a lot of intellectual debate in Turkey. In this section, we briefly look at some examples from pro-AKP academia to demonstrate how scholarship that labels itself as ‘postcolonial’ serves to legitimise and justify various hegemonic and essentialising projects of Erdoğan and the AKP.

A ‘new subjectivity’ and a ‘post-Westphalian order’

The postcolonial research centre is one among several centres the Erdoğan regime uses for generating intellectual capital for the regime, a realm long monopolised by secularists. SETA (Siyaset, Ekonomi ve Toplum Araştırmalar Vakfı – Foundation for Political Economic and Social Research) is another non-profit research institute that is known for its close ties to the Justice and Development Party. For example, Talip Küçükcan, who was the Coordinator of Social and Economic Research and the Director of Foreign Policy Research at the foundation and Editor-in-Chief of *Insight Turkey* (a policy journal published by SETA), is now elected as an AKP Member of Parliament. Other academics and analysts associated with SETA, such as Nuh Yılmaz and Ibrahim Kalın, have served as official advisors and spokesman for the regime. In other words, there is a great deal of symbiosis between centres such as SETA and the government bureaucracy.

Elaborating on the concept of ‘New Turkey’, a position analysis from SETA written by Nebi Mis and Ali Aslan describes the aim of ‘New Turkey’ primarily as creating ‘a new subjectivity’ that will ‘transform the present political structures’. This transformation according to the writers has three pillars: ‘it is post-Kemalist with its aim of democratization’; ‘post-Western with its aim of independence, and post-Westphalian with its aim of a new political unit and institutionalization’ (Mis and Aslan 2014, 26). Thus, ‘aiming to transform itself and its region by way of creating a new body politic and a new political unit, Turkey is also working towards transforming the global politics’ which will be ‘multicivilizational and democratic-pluralist’ (Mis and Aslan 2014, 26). What is noteworthy about Mis and Aslan’s analysis, however, is what it omits: the critical lens is reserved only for the West and Kemalism, which is in stark contrast to the essentialising and jingoistic lens adopted in the discourse on Turkey, the AKP and President Erdoğan.

The notion of a ‘new’ subjectivity is present again another article by Ali Aslan, ‘Problematising Modernity in Turkish Foreign Policy: Identity, Sovereignty and Beyond’, where he argues that ‘the most striking aspect of Adalet ve Kalkınma Partisi [AKP]’s foreign policy is its search for a “new subjectivity”‘ (Aslan 2013, 28). This search includes not only redefining Turkey’s place in the world (the identity dimension) but also attempts to weaken Turkey’s attachment to the Westphalian polity (the sovereignty dimension)’ (Aslan 2013, 28). Aslan’s article does not deviate from the examples in the previous section as he compares two subjectivities – Kemalists and the AKP – and argues that AKP aims to produce a ‘conservative-democratic “nation”, a regional order transcending the Westphalian polity, and the production of world order based on the plurality of civilizations’ (Aslan 2013, 41). Aslan locates the causes of the decline of Kemalist subjectivity
and rise of AKP subjectivity ‘in the dislocation of the Westphalian foundations in Europe and the transformations in modern Western identity’.

The narratives of overcoming an alien Westphalian order as well as the borders that were established through Sykes-Picot and the necessity for a post-Westphalian and post-Western global order are also the main tenets of the ‘New Turkey’ project in the international arena. Defending that project, Murat Yeşiltaş argues that:

Before the [AKP], Turkey’s foreign policy was determined through a secular-nationalist identity with the purpose of reproducing a Westphalian political unit at the regional level. This meant the acceptance of the universality of modern Western civilization and the establishment of Turkey as an integral part of the universal civilization.

(Yeşiltaş 2014, 43)

This argumentative strategy works to impose a clear separation between the (Kemalist) period before the AKP and the post-AKP period, underlining that before AKP the subjectivity of Turkey was premised upon ‘reproducing a Westphalian political unit’ and hence dependent upon the norms and ideas ‘imposed’ by the West. According to Yeşiltaş, only with the AKP did the search for a new ‘political subjectivity’ begin, which ‘succeeded in decentering the historical construction of Turkey as an integral part of the Western civilization’ (Yeşiltaş 2014, 43). Yeşiltaş further argues that the orientation towards the “Western-oriented nation-state political unit” is now being replaced by a supra-national and civilizational understanding in Turkish foreign policy (Yeşiltaş 2014, 44). The article elaborates on the concept of ‘New Turkey’ and advances the theme of ‘restoration’, focusing on the writings of Davutoğlu and his arguments with respect to civilisational analysis. The conclusion states that ‘the “New Turkey” discourse reproduced the civilisational identity part of Turkey’s international order narrative by blending it with an anti-hegemonic “dissident” discourse’ (Yeşiltaş 2014, 69).

Yeşiltaş’s article is part of a trend in Turkish academia. Articles that celebrate the advent of the ‘new Turkey’ through references to the Westphalian international order and the establishment of a new subjectivity present certain commonalities. First, they argue that a new subjectivity is necessary because changing international structures have brought the Westphalian foundations of the international system into question. This line of reasoning still problematically situates the beginning of all developments in Europe and interprets the changes in Turkey as being derivative of dynamics there (see Barkawi and Laffey 2006 for a general criticism of such narratives). Furthermore, it takes both the Westphalian origins of the international system and the idea that a Westphalian nation-state was established in Turkey as unproblematic until the 1990s (cf. Osiander 2001; Branch 2012; Hobson 2009). Second, the new subjectivity is characterized as being post-Kemalist: a clear demarcation is made between the problematic Kemalist subjectivity (as Western or colonial) and the new subjectivity being established by the AKP (as postcolonial). Such a rendering of events overlooks the postcolonial
anxieties at work in Kemalist Turkey and the reasons for its ‘Western-orientatedness’ (Bilgin 2009).

Challenging western narratives?

The narrative of a post-Westphalian subjectivity is also extended into analyses of the ‘Arab Spring’ and ISIL. For example, in a recent article Murat Yeşiltaş and Tuncay Kardaş declare that ‘the new Middle East’ is undergoing a new ‘revolt against the West’ that is challenging ‘the dominant Western values of statehood and personhood’ and through and analysis of the Arab Spring and ISIL the paper aims to ‘go beyond the confines of narrow, ethnocentric accounts’ (Yeşiltaş and Kardaş 2015, 65–66). They argue that the Westphalian model was ‘transferred to the Middle Eastern society of states’ and that ‘Western international society upholds its hegemonic view of international order and membership criteria for being accepted into the Western society of states’. Thus, the article draws from the English school literature on socialisation into the international system literature and discusses uncritically the idea of the norm of ‘sovereignty’ expanding from Europe outwards (cf. Epstein, this volume; Vogl, this volume, Epstein 2014, Zarakol 2014). The authors then underline the different hierarchies and exclusionary practices at work in the Western international system by stating that ‘the modern society of states has, over time, grown able to make certain forms of state acts either legitimate or illegitimate, as in the case of global disgust with apartheid or of ISIL’s woman and child slavery or publicized beheadings of civilians’ (Yeşiltaş and Kardaş 2015, 73). The authors argue that dissent to the international order is labelled as ‘barbarism’ in opposition to ‘western secular humanism’ (Yeşiltaş and Kardaş 2015, 73).

Thus, the authors argue, ISIL challenges the Western society of states because ‘its vision of international relations is outside the institutions and purview of the Western society of states’ (Yeşiltaş and Kardaş 2015, 73). Furthermore, they maintain that unlike previous revolts against the West ‘this is not an elite undertaking, a top-down initiative, but one involving a different subjectivity – namely that of the Ummah community of believers as a whole, a new multi-national subjectivity of inhabitants’ (Yeşiltaş and Kardaş 2015, 77). As such, ISIL is a challenge and presents a new ‘revolt’ against the West because it questions ‘almost all of the “primary institutions” of international society that incorporate the classical “Westphalian set” such as sovereignty, territoriality, war, international law and great power management, nationalism and human equality’ (Yeşiltaş and Kardaş 2015, 78). We can see the political echoes of this academic analysis in the AKP’s general softer stance to Islamist rebels in Syria, including ISIS and al-Nusra (as compared to its aggressive towards the Syrian Kurdish rebel group PYD). It should also not be forgotten that Turkey has shown its eagerness to intervene in the civil war in Syria both to topple Assad and to counter the Syrian Kurdish groups, and there are many allegations that it has actively meddled in the war by supporting various Islamist rebel groups, if not ISIL directly (Cockburn 2014; Coughlin 2015; Hersh 2016).
From the academy to politics

The brief overview of the academic discussions in the previous sections reveals two interlinked themes that also reverberate in the speeches by politicians such as the former Prime Minister Ahmet Davutoğlu (who himself came from an academic background) and President Tayyip Erdoğan. On the one hand, we have the claim that a (postcolonial) ‘new subjectivity’ is being created through ‘new Turkey’, and on the other, we have the strident criticisms of the Eurocentric Westphalian international order and its ‘universal’ norms. For example, in a speech given in 2013 entitled ‘Transformation of World Politics’ then Prime Minister Davutoğlu argued (in English) that:

There is no – like [the] Cold War – a Eurocentric or Euroatlantic plus Soviet Union center of world politics any more. There are new rising powers, the language of politics have [sic] changed, the structures of politics have changed and there is a need for a new response to this. For example, as a question, as a global order, [the] UN system based on 5 permanent members who are able to decide for the entire political issues of humanity, do they? [sic] What is the legitimacy of having this structure? In the 1950s, 60s, 70s they [sic] had a legitimacy because of being winners of the Second World War.  

(Davutoğlu 2013, errors in the original)

The present international system is criticised because of the power differentials in the workings of international institutions. In recent years, Turkish politicians such as Davutoğlu and Erdoğan have started attacking the structure of the United Nations and arguing that international institutions should reflect the changes in the international system. This echoes the arguments of the academics as discussed in the previous section whereby the changes in the international system necessitated a change in subjectivity. It also suffers from the same problems as the academic analyses, as such a rendering continues to situate Europe as the centre of history, reproducing Eurocentric ‘historical geographies and periodisations’ (Barkawi and Laffey 2006, 334). The ‘Cold War’ is still accepted as a correct periodisation and events in Turkey are still conceptualised as ‘derivative of European developments and driven by great-power competition and the definition of European ideas and institutions’ (335).

Explaining how the transformation of the international system has impacted the Middle East and Turkey’s vision Davutoğlu stated that:

There will be many more challenges in the region, but at the end of the day the new regional order in the Middle East should be based on – like in Europe, what I told [sic] in Europe – high level political dialogue, a common security zone, an economic interdependency and a cultural inclusivity of city life. We are looking at and we are working for a new Middle East run by the people of the Middle East, not imposed by outsiders. We will respect borders, we will respect all nations. But like Europe, European Union, we have to make these
borders meaningless [sic]. Because all the borders in the Middle East are artificially drawn. We have to see this fact. Tribes were divided, families were divided, cities, towns were divided between Turkey and Syria. Who divided? [sic] The natural connections were lost. Now this will be restored. (Davutoğlu 2013, errors in the original)

Thus Davutoğlu stresses the Eurocentricism of international order, as well as the artificial imposition of the borders in the Middle East. Once again, what is significant about the speech is not so much what it argues but rather what it omits. Davutoğlu’s remarks about borders take on a different light when contrasted both with the Turkey’s interventionist policy vis-à-vis Syria as discussed above (which was many years in the making by the time this speech is delivered) and its continuous efforts to thwart any kind of communication let alone merger between the Kurdish populations and armed groups on either sides of the Turkish-Syrian border.

In another speech delivered on February 2016, where he outlined his action plan to deal with terrorism, then Prime Minister Davutoğlu also presented his views on the history of Anatolia and the borders of the Middle East. In that speech, Davutoğlu discussed the history of a “unifying spirit” in Anatolia and the different ways in which it was challenged and regained throughout history. He contended that “we stood unbendable (dimdik) with the same unifying spirit until the colonialists came. When Napoleon entered Egypt in 1798 the first dagger had been thrust” (Davutoğlu 2016, translation ours). He then went on to discuss the Siege of Kut al-Amara and underlined how it is generally forgotten even though ‘in this war the peoples of the Middle East won the last battle against the imperialist forces moving towards Baghdad’. He then referenced the Sykes-Picot agreement and stated that ‘either Kut al-Amara will win or Sykes Picot’. According to Davutoğlu, the unifying and anti-colonial spirit of Anatolian history, which had resisted valiantly against imperialist forces as demonstrated in the siege of Kut al-Amara, is being sought again through the AKP against the contemporary ‘forces of Sykes-Picot’. The implication here is that the AKP is a postcolonial saviour not only of Turkey, but of the entire Middle East.

President Erdoğan also gave a speech in 2014 underlining what according to him is the anti-Western and postcolonial leadership potential of Turkey by drawing comparisons between the World War I battles of Gallipoli, Sarıkamış and Kut al-Amara. In that speech, then-Prime Minister Erdoğan argued that ‘when borders were being drawn in this geography, these borders were also drawn within the minds of our academics, artists and writers’. As such, the ‘status quo in Turkey was established with the First World War’ and ‘Sykes-Picot did not only intend to draw geographic boundaries but it also aimed to draw boundaries in minds, and unfortunately it has been successful’ (Erdoğan 2014, translation ours). Foreshadowing his 2016 ‘fifth column’ accusations against academics discussed in the introduction, Erdoğan went on to underline that there are presently ‘voluntary Lawrences’, who through the guise of freedom of speech and press freedom, continue to implement Skyes-Picot. As in the more recent accusations
against academic signatories of the peace petition, the speech casts anyone who criticises Erdoğan as a tool of Western colonialism and as suffering from a colonial mentality. Erdoğan concluded that speech by stating that ‘100 years ago Ottoman Empire could keep this geography in peace. The hope of the people in the region is Turkey, they are awaiting Turkey’. In other words, the solution for the problems created by Western colonialism is for Turkey to be more like the Ottoman Empire.

On April 29, 2016, for the first time in a century, the anniversary of Kut al-Amara was officially commemorated by the Turkish government, with Erdoğan declaring that ‘he rejects the sensibility that starts Turkish history in 1919’ and adding that the name ‘Turk stands for all Muslims in the West’ (Erdoğan 2016). What is omitted from this new discourse of Turkish-Muslim anti-colonial victory surrounding the siege of Kut al-Amara is the fact that the 13,000 British soldiers defeated and taken as prisoners of war at the time inconveniently consisted mostly of Indian battalions, many of who were also Muslims. Some of these Indian troops later fought under the Ottoman banner, commanded by German military officers who were overseeing much of the Ottoman war effort. In that sense, Kut al-Amara was not at all the much-vaunted victory of anti-/de-/post-colonial forces over a colonial army; it was rather the (very short-lived) victory of one type of colonialism over another. For that reason, and rather ironically, it is indeed the perfect symbol of Erdoğan and the AKP’s self-proclaimed postcolonial leadership plans in the post-Western world.

Conclusion: how do we find a balance?

In this chapter, we have discussed how postcolonial concepts have been used in recent years by both political leadership and the pro-government academics in Turkey to justify a range of very questionable policies by the Turkish government, from interventionist and neocolonial foreign policy approaches towards Syria and the Middle East (and elsewhere, especially North Africa) to all manners of domestic repression, including internal colonialism, especially of Kurds. Another telling discourse surrounds the academic advocacy of ‘Turkish Style Presidency’ (Türk Tipi Başkanlık), which combines a ‘postcolonial’ criticism of the ‘universal’ norms of democracy and checks-and-balances with an extremely essentialising discourse about a unique Turkish national identity, which is argued to need its own special regime. Such developments are not unique to Turkey either; Putin in Russia has deployed similar criticisms to justify interventions in the Caucuses or to advocate for homophobia domestically. Modi in India also displays similar tendencies with his divisive rhetoric within India and the manner in which he underlines India’s civilizational role and the greatness of India (Ghosh 2014; Mishra 2015). In the hands of such politicians and their intellectual enablers, postcolonial critiques of universal norms seem to become tools of reasserting essentialist, particularist and nationalistic policies of new imperialisms. However, as we stated in the introduction, it is a mistake to dismiss these moves as purely utilitarian; at least in some of these cases, such moves could also be seen as genuine efforts
to deal with the anxieties created by the postcolonial legacy of the international system. This possibility makes it difficult to formulate an appropriate response to such arguments.

When confronted by this current reality of world politics, there is a tendency to react one of several ways, which are equally problematic. One is to dismiss such discourse simply as pragmatic manoeuvring by politicians. However, while utilitarian motivations must certainly play a role in these situations, we cannot dismiss all such efforts as cynical ploys. Even in the case of career politicians but certainly in the case of academics, there is no way to prove that their postcolonial analyses of the international system do not start from a position of sincerity, especially given the fact that the critical starting points of their analyses are well-conversant with the established postcolonial academic literature. Furthermore, even if it could be proven that politicians were taking up postcolonial discourses simply as a tactic, it would still need to be asked why their audience, e.g., Erdoğan’s Turkish base, responded enthusiastically to such arguments. Another tendency is to retreat back into the ontological security of upholding ‘universal’ norms as a criticism against such regimes, but this is also a dead end. Postcolonial criticisms have demonstrated time and time again that what are upheld as ‘universal’ norms have their own history and origins, and therefore inevitably create their own social hierarchies. Pretending that they do not only adds fuel to the fire of the inevitable backlash. In fact, the aforementioned audience for Erdoğan (and other politicians like him) may not exist but for the historical ‘tyranny of reason’ imposed on Turkey by the Kemalist modernizers and their quest to conform to the ‘universal’ norms of the Western civilisation. Yet another problematic reaction is to welcome behaviour such as that displayed by Erdoğan and the AKP in Turkey as discussed in this chapter as a necessary corrective for the last two centuries of imbalance between the West and the rest. Yet this is also very fraught; even if successful (which is unlikely), such a strategy merely replaces one essentialist hegemonic discourse with another, and one which has not yet developed its own internal postcolonial critique at that. This is as an empty victory as that of the Ottoman army in the aforementioned Battle of Kut-al-Amara: substituting one type of colonialism with yet another.

The case of Turkey demonstrates that questioning of the colonial past of the international system and its (post)colonial present could also enable discourses that reproduce hierarchies and contribute to the continuation of exclusionary practices in the international system. The impulse should not be to succumb to the reproduction of differences but to question ‘what failure of form, what failure of the postcolonial lies here?’ (Muppidi 2014, 38). The only way out of this bind, we suggest, is to take the insights of postcolonialism seriously: just as postcolonialism can be used to explain the condition of countries such as Turkey that were never formally colonised (as well as their internal colonies), the critical tools offered to us by such analysis can and should also be used to dismantle hegemonic and would-be hegemonic discourses outside of the West, such as that of Turkey’s. It is only then that we can really transition to a genuinely postcolonial and post-Western world.
Notes

1 For the full text of the petition in English as well as other languages, please see http://internationalsolidarity4academic.tumblr.com as well as https://barisinacakademisyenler.net.


4 See e.g. Bilgin 2015, 2016. For a different but concurring theoretical take on this issue, see Zarakol 2010, 2011, 2014.

5 For the purposes of this article postcolonialism refers to the postcolonial condition and postcolonialism to the study of this condition. Thus postcolonialism ‘designates the perspective of tricontinental theories which analyse the material and epistemological conditions of postcoloniality’ (Young 2001, 58)

6 For uses of these characterizations in analysing Turkey see e.g. Yanık 2011; Morozov and Rumelili 2012. The ‘critical IR’ stances and writings in Turkey are few and far between especially ones that focus on postcolonial thought, the notable exception being the work of Pınar Bilgin, for further see Bilgin 2012, 2015, 2016.

7 For a discussion of the mechanisms behind a particular attitude dominating during a given period see Zarakol 2011.

8 During the Greco-Turkish War of 1919–1922 (‘Independence War’ in Turkish historiography)


10 For more on Turkey’s relationship with Germany during World War II see Çalış 1997; Güçlü 2000.

11 Turkey was one of the participants of the 1955 Afro-Asian Conference held in Bandung, Indonesia. The Turkish delegation at the Conference had disagreements with the Indian delegation mainly on the issue of how to define colonialism and the concept of non-alignment. There is very little literature that specifically focuses on Turkey’s attendance in the conference and its meaning for Bandung and the future of the non-aligned movement. For some works that do mention Turkey’s involvement in Bandung see Bağcı 2001; Abraham 2008.

12 For example, Turkey abstained in the United Nation on a vote for a resolution calling for negotiations between France and the Gouvernement Provisoire de la Republique Algerienne in December 1958. For further on this see, Ersoy 2012.

13 Given the developments since the failed coup attempt of July 15, 2016, the trend towards authoritarianism is unlikely to be reversed. For more on the coup attempt of July 15 see Zarakol 2016a. The response to the coup attempt has also intensified Turkey’s ambivalence towards the international system and the West focusing primarily on why Western powers’ reaction or lack of reaction to the coup attempt. See e.g. Idiz 2016, Mert 2016, also Zarakol 2016b.

14 Somewhat ironically, the overwhelming Western support and sympathy for the AKP in those years could also deployed as a political weapon in domestic politics against AKP’s secular Kemalist critics who, for reasons discussed above, were especially sensitive to the judgments of the Western gaze. Such dynamics were very much at play during the 2010 constitutional referendum, for instance. With American and EU support on their side, most liberals campaigned in favour of the constitutional changes proposed by the AKP with the slogan “Not Enough, but Yes”. Since 2010, the AKP
has used some of the reforms to bring the judiciary more firmly under its control. The Kemalist critics of AKP still hold the “Not Enough, but Yes” camp responsible for this outcome. Given that liberals were (and are) a very small group voters to begin with, we can only speculate that the lingering resentment has something to do with the fact that liberals were using against the critics of the constitutional changes, which appealed to the Western sympathies of the Kemalists.

15 Authors discussed in this section were selected based on their association with the government and/or centres associated with the government. They are all well-known in Turkish academia. The material that is covered is not exhaustive but meant to be a relatively representative sample.


17 Davutoğlu resigned from this post during the first week of May 2016. There are strong indicators that his decision came at the urging of Erdoğan.

18 Merve Kavakçı is an important figure not only in Turkish politics but also in understanding postcolonial feminism. She was elected as a member of parliament in April 18, 1999, but was prevented from serving due to headscarf. In 2007 European Court of Human Rights ruled that her expulsion was a violation of human rights. The many injustices that she had to endure has become one of the symbols of the subaltern position of the head-scarfed women in Turkey. For more on these events see Peres 2013. Kavakçı herself has written a book about the postcoloniality of Turkey and the politics of headscarf: see Kavakçı Islam 2010.

19 There is not a lot of work being done with respect to the intellectual production of think tanks close to AKP, but there have been some op-eds written about the subject. For further discussion see www.birgun.net/haber-detay/dis-politikada-entelektuel-kozaya-hapsolmak-84496.html (last accessed August 25, 2016)

20 Nebi Mis is an Associate Professor of International Relations currently teaching at the Department of Political Science and Public Administration at Sakarya University.

21 Ali Aslan is a researcher at Foreign Policy desk at SETA.

22 Murat Yeşiltaş is an Associate Professor of International Relations currently teaching at the Department of Political Science and Public Administration at Sakarya University.

23 The article draws as its main sources the articles of Davutoğlu but does not engage with criticisms directed against civilizational analysis in general or the way it is employed in Davutoğlu’s works specifically. For these criticisms, see Bilgin 2012; Buck-Morss 2014; Dirlik 2015.

24 The siege of Kut al-Amara was the siege of an British-Indian garrison by the Ottoman army during the First World War. For more on the historical background, see Rogan 2015, 243–274.

25 Gallipoli campaign (the Battle of Canakkale) was a battle during World War I. It ended with Ottoman victories against the allies. It has occupied a central place in the imaginations of Turkey’s national identity. The way the commemorations have worked to resignify a national identity have changed over the years. In recent years it has been instrumentalized to signify an identity that ‘contains Islam and depicts the First World War, and Gallipoli in particular, as a war fought by common people’ (Demirci 2016: 25).

26 The Battle of Sarıkamış was a battle between Ottoman and Russian forces during WWI.


28 He is referring here to Kemalist historiography that dates the beginning of the Turkish ‘Independence War’ to 1919, when Mustafa Kemal travelled to Anatolia to head militia forces.

Works cited


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Postcolonial colonialism?


