Interview – Terry Nardin

Terry Nardin is a leading political theorist. He is currently head of the political science department at the National University of Singapore. Prior to joining the political science department at NUS, he was the UWM Distinguished Professor at the University of Wisconsin in Milwaukee. He has studied philosophy at the University of Chicago and New York University and has a PhD in political science from Northwestern University. He has been a Rockefeller Foundation Humanities Fellow, a Visitor in the School of Social Science at the Institute for Advanced Study in Princeton, and a Visiting Canterbury Fellow at the University of Canterbury in Christchurch, New Zealand. He is the author of *Law, Morality, and the Relations of States* (Princeton University Press 1983) and *The Philosophy of Michael Oakeshott* (Penn State Press 2001).

Terry Nardin answers your questions about humanitarian intervention, human rights, recent events in the Middle East and West Africa, and global justice.

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Where do you see the most exciting research/debates happening in contemporary IR?

I'm not easily excited. But I'm happy that there appears to be growing interest in the intellectual history of international relations, as evidenced for example in the work of Noel Malcolm, David Armitage, Ian Hunter, and other intellectual historians who have brought their expertise as historians and as students of modern political thought to bear on questions of interest to IR scholars.

There are two sides to this. One is simply to broaden and deepen our understanding by studying the past as well as the present. After all, today's heated debates will eventually fade and be forgotten and with them anything of value they might have contained. The other is to recover ideas and debates that have been obscured not only by the passage of time and an understandable failure to pay attention to them but also, more culpably, by the uncritical perpetuation of misinformation on the part of IR scholars who have been careless in making historical claims. International relations scholars often mention classical figures, like Thucydides and Hobbes, or emblematic dates like 1648 or 9/11, but their references to these things are often wildly off the mark. In his essay 'Hobbes's Theory of International Relations', included in his book *Aspects of Hobbes*, Malcolm demolishes the received view of Hobbes as a theorist of international anarchy. Armitage does the same for the received view of Locke as an apologist for European colonialism, showing that though his arguments were often used by others to justify expropriating indigenous peoples, a close study of Locke's writings on the subject contradicts such an interpretation.

These studies by intellectual historians support the revisionist work of IR scholars like Brian Schmidt and Edward Keene who have paid attention to the historical context of ideas about international relations. Schmidt has given us a genealogy of the twentieth-century discipline of international relations that has provoked new rounds of historical inquiry, while Keene (supported by Armitage) has overturned the standard view of international history as a history of states in favor of a more complex view that gives proper attention to the importance of empires. Many other excellent scholars, both historians and political scientists, have been contributing for years to shaping a more objective and nuanced understanding of international history, but the movement that Armitage calls 'the international turn in intellectual history' is a very recent, and happy, development.

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How has the way you understand the world changed over time, and what (or who) prompted the most significant shifts in your thinking?

Like many other students of IR, I came to the subject through an interest in current affairs. In my case, it was an interest provoked by fears for the future for a world (and for myself) endangered by the existence of nuclear weapons and of what seemed to be to be stupid patriotism and belligerence on the part of people around me. I remember as an undergraduate at the University of Chicago arguing with a fellow student, a foreign policy buff who I remember as being ecstatic on hearing that the rumored US sponsored invasion of Cuba in the Bay of Pigs had been launched. This was an event that seemed to me to be the height of immorality and folly. But he was the 'expert', a young autodidact and advocate with a vast store of what he took to be facts at his command, and a ready tongue. I could not win an argument with him but I knew he was a fool. Later, knowing more, I came to know why. I was a student of philosophy, not international relations, but I suspect my distress at being unable to counter arguments I felt were misconceived and disgraceful provided a motive for me to educate myself about foreign affairs.

Questions about nuclear war and deterrence loomed large in the 1960s and 70s, and I joined many others in studying these and related topics, including the arms race, crisis escalation, and questions of what Thomas Schelling called 'strategic interaction'. And just as Schelling drew not only on economics and game theory but on social psychology, I wrote a thesis based on laboratory experiments based on n-person iterated prisoner's dilemma games. I wish I'd been smart enough to think of advancing this research using computer simulations, as another fellow Chicago undergraduate, Robert Axelrod, did in his path-breaking 1984 book *The Evolution of Cooperation*.

In the aftermath of the civil rights and student protest movements of the 60s and subsequent race riots in the United States, I took up the study of 'political violence', where my main concern was to refute the views of people like Samuel Huntington who were retailing right-wing nonsense dressed up as social science. I think I was able to show that much of the social science literature on political violence was pseudo-science, and that even serious scholars like Ted Robert Gurr had fallen into an ideological trap by defining 'civil strife' as attacks on a regime. This patently asymmetrical definition, which ignores violence perpetrated or encouraged by the regime, was compounded first by including peaceful protests as attacks ('symbolic violence') and then by using deaths and injuries to measure the magnitude of anti-regime violence when in fact many of those deaths and injuries were inflicted by the police and other authorities. I thought objective social science research would do better with a less biased definition of violence and better ways of operationalizing it.

It was the Vietnam War that generated my interest in international ethics, and here again I was manifesting the spirit of the age because lots of people – international lawyers, philosophers, and political theorists – were trying to figure out what they thought about the difference between aggression and self-defense, noncombatant rights, war crimes, and humanitarian intervention. But my interest in first-order ethical questions turned gradually into a more detached interest in the principles and, more importantly, the ideas, that constituted just-war discourse. Though I have sometimes been engaged in moral and political arguments, my deeper interest was in the traditions or 'languages' in which arguments about war and other topics in international ethics, law, and politics are carried on, not only today but historically. This led to collaborations that yielded a series of edited books in the 1990s, including *Traditions of International Ethics* and *The Ethics of War and Peace: Religious and Secular Perspectives* . But it was also my main interest in *Law, Morality, and the Relations of States* and remains my concern as a theorist of international and now global politics.

Can you reconcile your thinking on humanitarian intervention, which appears to acknowledge that states' rights are conditional on maintaining human rights, with your earlier work, *Law, Morality, and the Relations of States*?

There is nothing to reconcile. I did not absolutize sovereignty or states' rights in that book. On the contrary, one of its arguments was that states have legal standing and therefore rights only as members of an international society constituted by international law. You can't claim rights unless there are antecedently-authoritative rules that confer and define the scope of those rights. And the whole point of law is to have rules that everyone agrees *are* the rules, even if they differ over whether they are good rules. David Armitage makes a similar point about the priority of rules

when he discusses the paradox of the American colonies declaring their independence as an example of what in a recent essay ('The Diffusion of Sovereignty') I called 'the paradox of sovereignty'. A claim to authority can only be made within a system of laws, which leaves us wondering how a claim to sovereign authority – authority above rather than within the law – can be grounded. Sovereignty cannot be self-conferred. To transform an insurrection of rebels and traitors into a war between legitimate belligerents, able to engage in trade and make alliances, the colonies had to gain international recognition for their claim to be independent states. Without that the Revolution was doomed. The argument of the Declaration was complex because it invoked natural as well as positive law, which in the eighteenth century were still conjoined, as in the expression 'the law of nature and of nations'. Sorting out the relationship between natural or moral law, positive national and international law, and principles of prudent statecraft provided the agenda for the nineteenth- and twentieth-century debates I studied in *Law, Morality, and the Relations of States* and which have been the foundation for much of the work I've done since.

Can human rights exist in the absence of law? Do you believe there are absolute values?

Using the word 'human' to modify 'right' is supposed to convey that the right is one that a person possesses by virtue of being a human being, whether or not it is recognized in positive law. In an older vocabulary, it is a 'natural' rather than an artificial right that exists by agreement or convention. So in one sense, human rights do exist in the absence of law. But whether a human right can exist in the absence of law in the sense that it is likely to be respected if it is not recognized and enforced legally is another question. It might exist conceptually but not contingently, as an ideal but not as a realized fact. The difference between 'right' and 'value' as concepts is that the former implies some kind of objectivity that the latter seems to deny. 'Value' is inherently a subjective idea. Something is of value if there is someone who values it. And people value different things. The use of the word "value" in ethics is pointless because the word is not only crude but infected with an essentially economic understanding that is alien to morality, utilitarian arguments notwithstanding. Talking about justice, character, rights, or humanity in terms of values is like doing eye surgery with a kitchen knife.

The words 'moral' and 'morality' are important. They refer to ways of life, to practices and principles, that have authority for us, and our efforts to use, ground, or explain those practices and principles gives rise to discourses that have a certain pattern or logic. It is one of the tasks of moral philosophy to identify and examine these patterns.

I don't believe in absolute anything – rights, values, theories, or facts. It seems to me obvious that what counts as a value or even a fact depends on presuppositions of the discourse in which it is being invoked. There are everyday practical facts, historical facts, scientific facts, theological facts. 'Facts' are claims that are compelling according to the relevant evidence, and it is the discourse that specifies what counts as evidence. This relativism (I prefer to say 'skepticism' or 'constructivism') is one reason I continue to be interested in Oakeshott, whose comments on modes of experience, categories and idioms of inquiry and understanding, and the like offer a well-articulated and powerful version of an anti-realist metaphysic. In ethics I like to joke that I'm a 'post-structural Kantian', by which I mean that I think Kant gives a masterly account of the distinctive character and presuppositions of morality but a less persuasive account of its foundations. It's not that I think his arguments are mistaken but rather that I don't understand how they prove what they purport to prove. I agree with Oakeshott that morality, like politics and indeed all of practical life, is a matter not of proof but of persuasion.

How do you view recent events in the Middle East and West Africa, and the response of the international community, in light of your conception of justice?

I'm horrified by the massacres and by the breakdown of civil order that has made them possible, and believe that intervention might in some cases be justified, morally and prudentially, together with other measures, in dealing with some nasty situations. The 'international community' does have obligations to do something, if it can act without making things worse. But you don't get policies out of conceptions of justice. Let me explain.

My conception of justice is Kantian, by which I mean that justice concerns not what is morally right but what people can be rightly compelled to do. In my view, our freedom as intelligent human beings, which like Kant I understand in broadly republican terms as independence or non-domination, is the basis of justice both within and between states.

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On this conception of justice there is a close connection between justice and law. That connection is not an identity but one that is determined by criteria for assessing the proper use of coercive force and therefore the proper scope of political authority, which is the authority to enact and enforce law. Justice, in this context, is a matter of determining when coercion is justified. If freedom is a basic postulate of what it means to be a human being, justice must forbid people, acting individually or collectively, from arbitrarily imposing their will on others. The state can use force justly only when it is used to enforce laws that respect people's independence and protect them from domination. Only then can law enforcement avoid the charge of being itself a form of domination.

The casuistry needed to work out the implications of such a theory in situations like those in Africa or the Middle East, or for that matter anywhere, is not something that belongs on the agenda of political theory. Theoretical inquiry is general but questions about what to do – practical questions – are particular. They depend on contingencies and answering them requires practical wisdom, which is skill based on experience, not on theoretical insight.

Many of the political principles and arguments that we are familiar with from just war theory or other kinds of international discourse are relevant, but they cannot be applied mechanically. The most tedious kind of so-called just war theory is on display when the author of an article, textbook, or newspaper editorial tries to arrive at an answer about what to do in a particular conflict by running through a checklist of criteria – just cause, proper authority, right intention, last resort, and all the rest of it. This is bad theory and bad practice. You don't have to read Aristotle, Machiavelli, or Oakeshott to know that politics is an art, not a science, and that the chief virtue in politics is prudence, which comes not from theory but from experience. In politics we tackle problems that are not clearly defined and for which there are no stock solutions. Practical wisdom involves having principles but it also involves knowing how to use them and which ones to use. It means being able to act when principles are unclear or contested, as in politics they always are.

How do you think the rise of the global south, and a geo-political future where the US is no longer the dominant hegemon, will change the international practice of sovereignty and non-intervention (if at all)?

It will certainly affect the way we think about sovereignty and intervention but is not likely to change it radically. Powers rise and fall, and one does not need the dogmas of political realism to observe patterns like balancing and bandwagoning, the assertion and denial of sovereign immunities, or the tensions between morality and expediency. Too much IR discourse is focused on the present, on what will happen next. Those are important questions, practical questions, and it is important to remember that not all questions are practical even in the realm of politics and international relations. There should be room for science and history, for philosophy and art, in understanding international affairs.

What is the most important advice you could give to young scholars of IR?

Do some detailed, meticulous, and substantive research, and avoid theoretical debates. Good theory emerges from first-order questions, which can be historical or scientific as well as ethical or pragmatic, and is grounded in efforts to answer those questions and to resolve the anomalies or paradoxes those efforts sometimes generate. And don't write about 'global justice'.

This caution against writing about global justice seems to reflect arguments made in your article, 'Justice and Authority in the Global Order', where you emphasize the importance of the rule of public law for the oversight and regulation of global justice. If a system of global public law is desirable as a means to – or condition of – global justice, is it also foreseeable? What challenges face its development and maintenance?

My advice to avoid writing about global justice is just a joke. If there is a serious point to be made, it would be that one should think for oneself. This might mean not writing on a topic that everyone else is writing about. It certainly means not assuming that a term that has become fashionable, such as 'global justice', is a coherent one. My point in the article you mention is not that global public law is desirable but that the idea of global justice as suggesting principles that could rightly be enforced implies the existence of a legal order of some kind. That legal order is very

likely to be more than an international one and to contain laws that apply to persons as well as states. The challenges are the same as those that face any legal order: making it legitimate, just, and effective.

Is your approach to teaching political theory and IR affected by being in Singapore – and has working in Asia changed any of your world views?

Yes, it has been interesting and enlightening to live and work in a country that is both like and unlike the United States. I'm less likely to think like an American. Americans are on the whole rather ignorant of the rest of the world and rather smug in their ignorance. I have come to detest the ideological style of American political discourse, which is on display on both sides of the political spectrum. The view of many American academics that the political system of Singapore is objectionable in a way that the American system is not is simply laughable. Living in Asia for many years has taught me that decency and humanity come in different forms, as do cruelty and brutality, and that anyone who thinks their own country has a monopoly on virtue is an idiot.

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This interview was conducted by Adam Groves. Adam is the Founder of e-IR and a director of e-IR's editorial board.