
“Let’s Argue!”: Communicative Action in World Politics

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Introduction

The controversy between social constructivism and rational choice has become one of the most significant recent debates in the field of international relations and has largely crossed disciplinary boundaries between international relations and comparative politics.¹ In the U.S.-dominated intellectual community, this debate largely focuses on the differences between the “logic of consequentialism” theorized by rational choice approaches and the “logic of appropriateness” conceptualized by mostly sociological institutionalism. Using insights from recent controversies within the German-speaking international relations community, I claim that processes of argumentation, deliberation, and persuasion constitute a distinct mode of social interaction to be differentiated from both strategic bargaining—the realm of rational choice—and rule-guided behavior—the realm of sociological institutionalism. Apart from utility-maximizing action, on the one hand, and rule-guided behavior, on the other, human actors engage in truth seeking with the aim of reaching a mutual understand-

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1. For recent contributions and reviews of the debates in international relations, see, for example, Adler 1997; Checkel 1998; Finnemore 1996b; Finnemore and Sikkink 1998; Hopf 1998; Katzenstein 1996; Klotz 1995; Price and Reus-Smit 1998; Schaber and Ulbert 1994; Wendt 1992 and 1999; as well as several contributions in Katzenstein, Keohane, and Krasner 1998b. On related debates in comparative politics, see, for example, Hall and Taylor 1996; Powell and DiMaggio 1991; and Steinmo, Thelen, and Longstreth 1992.

ing based on a reasoned consensus (*verständigungsorientiertes Handeln*), challenging the validity claims involved in any communication. I claim that Jürgen Habermas's critical theory of communicative action is helpful in conceptualizing the logic of arguing and can actually be brought to bear to tackle empirical questions in world politics.

A focus on arguing helps to clarify two issues in the rationalist-constructivist debate. First, it furthers our understanding of how actors develop a common knowledge concerning both a definition of the situation and an agreement about the underlying "rules of the game" that enable them to engage in strategic bargaining in the first place. Thus, arguing constitutes a necessary (though not sufficient) step in a negotiating process. Arguing is also relevant for problem solving in the sense of seeking an optimal solution for a commonly perceived problem and for agreeing on a common normative framework. Seeking a reasoned consensus helps actors to overcome many collective action problems. I illustrate this point empirically using the negotiated settlement ending the Cold War in Europe. Second, argumentative rationality appears to be crucially linked to the constitutive rather than the regulative role of norms and identities by providing actors with a mode of interaction that enables them to mutually challenge and explore the validity claims of those norms and identities. When actors engage in a truth-seeking discourse, they must be prepared to change their own views of the world, their interests, and sometimes even their identities. Some of these debates actually take place in the public sphere, which has to be distinguished from the realm of diplomatic negotiations. My empirical example for such a process concerns public discourses in the human rights area, particularly those between transnational human rights advocacy networks and national governments accused of norm violation.

I proceed as follows. First, using the debate between rational choice and social constructivism as a starting point, I distinguish between three logics of social interaction. Second, I further distinguish between bargaining, rhetorical action, and truth-seeking arguing and then clarify the latter with reference to Habermas's theory of communicative action and the debate in the German-speaking international relations community. Third, I discuss critical issues concerning the relevance of argumentative rationality for international relations, particularly the alleged absence of a "common lifeworld" in world politics as well as the relationship between power and arguing. Fourth, I introduce two settings in international affairs in which arguing might occur—diplomatic negotiations and public discourses—and specify how argumentative rationality matters in these settings. Finally, I illustrate my argument through two empirical cases—the negotiations leading to an end of the Cold War in Europe and to German unification within NATO, on the one hand, and international public discourses concerning the domestic implementation of international human rights norms in various countries, on the other.

Argumentative Rationality, Social Constructivism, and Rational Choice

Three Logics of Social Action

There is considerable confusion in the field of international relations about what precisely is at stake in recent controversies between rational choice and social con-

structivism. Is the debate about the role of ideas or cultural factors as opposed to material interests in political life? Does it concern constitutive norms and identities as opposed to instrumental interests of actors? Does it center on deep ontological, methodological, or even epistemological differences?

Regarding epistemology, constructivists of various orientations disagree among themselves as to the possibility of making truth claims and generalizations in social sciences. But the methodological, epistemological, and ontological differences between, say, sophisticated rational choice and moderate social constructivism are usually vastly overstated. Rather, it might be helpful to distinguish between the two metatheoretical approaches as emphasizing different logics or modes of social action and interaction that are characterized by different rationalities as far as the goals of action are concerned (*Handlungsrationalität*; see Figure 1).² Each mode of action can be thought of as an ideal type that rarely occurs in pure form in real life. If the “games real actors play”³ usually combine several modes of social interaction, we should not exaggerate the differences among metatheoretical orientations, such as rational choice capturing the logic of consequentialism, on the one hand, and social constructivism encompassing both rule-guided and deliberative behavior, on the other. If behavior in the real social world can almost always be located in some of the intermediate spaces between the corners of the triangle in Figure 1, one single metatheoretical orientation probably will not capture it. Rather, the controversies mainly focus on how far one can push one logic of action to account for observable practices and which logic dominates a given situation.

I start with the distinction introduced by James March and Johan Olsen between a “logic of consequentialism” and a “logic of appropriateness.”⁴ The “logic of consequentialism” is the realm of rational choice approaches that treat the interests and preferences of actors as mostly fixed during the process of interaction. Rational choice focuses on strategic interactions in which agents participate on the basis of their given identities and interests and try to realize their preferences through strategic behavior. This is the realm of instrumental rationality whereby the goal of action is to maximize or optimize one’s own interests and preferences. To the extent that this is only possible through cooperative behavior, egoistic utility maximizers are expected to collaborate or coordinate their behavior with others. This is where rational choice approaches are at their best, since they analyze those modes of action and interaction where instrumental rationality prevails: “Rational choice is instrumental: it is guided by the outcome of action. Actions are valued and chosen not for themselves, but as more or less efficient means to a further end.”⁵ In international relations, neoliberal institutionalism or rationalist regime analysis have convincingly shown that “cooperation under anarchy” is possible and that self-interested actors can achieve stable

2. In other words, I am not concerned with irrational behavior, which, by definition, is not goal-oriented. But I want to emphasize that the term *rationality* cannot be and should not be confined to rational choice and its specific understandings.

3. Scharpf 1997.

4. March and Olsen 1989 and 1998. I owe the suggestion of the triangle to the editors of IO.

5. Elster 1989, 22.

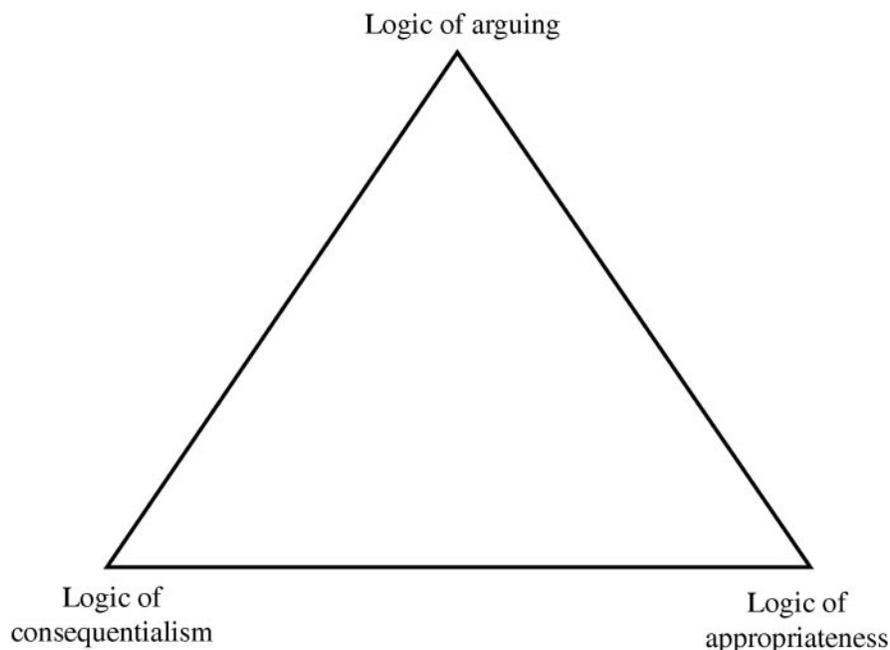


FIGURE 1. *Three Logics of Social Action*

and enduring cooperation and overcome collective action dilemmas.⁶ Many ideational accounts are compatible with an instrumentally rational logic of action. Under conditions of uncertainty or incomplete information, for example, instrumentally rational actors can use ideas as road maps or signposts indicating how they could best realize their interests under given circumstances.⁷ Moreover, principled and causal beliefs can enter the utility functions of actors, affect cost-benefit calculations, and influence the strategic interactions themselves.

Most social constructivists in international relations and comparative politics emphasize a different rationality, the “logic of appropriateness”: “Human actors are imagined to follow rules that associate particular identities to particular situations, approaching individual opportunities for action by assessing similarities between current identities and choice dilemmas and more general concepts of self and situations.”⁸ Rule-guided behavior differs from instrumentally rational behavior in that actors try to “do the right thing” rather than maximizing or optimizing their given preferences. Normative rationality implies constitutive effects of social norms and institutions, since these rules not only regulate behavior, that is, they have causal

6. See, for example, Hasenclever, Mayer, and Rittberger 1997; Keohane 1984 and 1989a; Martin and Simmons 1998; Oye 1986; and Zürn 1992. For general accounts, see Ostrom 1998; Ostrom, Gardner, and Walker 1994; and Scharpf 1997.

7. Goldstein and Keohane 1993.

8. March and Olsen 1998, 951. On the following, see also Finnemore and Sikkink 1998.

effects, but also define social identities (“good people do X”). This is where the “value added” of constructivism comes in. Following Nicholas Onuf, Fritz Kratochwil, and Alexander Wendt, constructivism points to the constitutive role of ideational factors.⁹ Socially shared ideas—be it norms (“collective expectations about proper behavior for a given identity”¹⁰) or social knowledge about cause-and-effect relationships—not only regulate behavior but also constitute the identity of actors. The norm of sovereignty, for example, regulates the interactions of states in international affairs and also defines what a state is. Human rights norms not only protect citizens from state intervention but also (and increasingly) define a “civilized state” in the modern world. Although it is difficult to develop valid empirical indicators for distinguishing the regulative from the constitutive effects of socially shared ideas,¹¹ social constructivism’s contribution to the study of ideas in international relations consists of emphasizing that collective norms and understandings constitute the social identities of actors and also define the basic “rules of the game” in which actors find themselves in their interactions. This does not mean, however, that constitutive norms cannot be violated or never change. The content of the norm of sovereignty has changed dramatically over time, becoming more circumscribed, particularly when it comes to human rights. But sovereignty still constitutes a state—as opposed to any other corporate actor (a multinational corporation, for example)—insofar as we cannot define what a state is without reference to the notion of sovereignty.

The constitutive effects of social norms also point to a further difference between social constructivism and rational choice. Proponents of the former emphasize against the latter the social aspect of ideational factors. They disagree with a methodologically individualist view of human action according to which “the elementary unit of social life is the individual human action.”¹² The fundamental insight of the structure-agency debate is not just that structures and agents are mutually codetermined in a causal way. The crucial point is that social constructivists insist on the mutual constitutiveness of (social) structures and agents. Constructivists claim against individualism that human agents do not exist independently from their social environment and its collectively shared systems of meanings (“culture” in a broad sense). At the same time, social constructivists maintain that human agency creates, reproduces, and changes culture by way of daily practices. In sum, social constructivism occupies a—sometimes uneasy—ontological middle ground between individualism and structuralism by claiming that there are properties of structures and of agents that cannot be reduced to or collapsed into each other.¹³ This means for the study of ideas that one can continue to study “beliefs” in terms of what is inside people’s minds and

9. See Onuf 1989; Kratochwil 1989; and Wendt 1999. For an excellent review of their work, see Zehfuss 1998.

10. Jepperson, Wendt, and Katzenstein 1996, 54.

11. A general rule could be that we find constitutive norms and the like whenever we cannot even describe the very properties of actors, including corporate actors, without reference to some underlying social rules. The same applies to interaction processes. We only “know” a chess game by its rules.

12. Elster 1989, 13. See Adler 1997, 324–25; and Wendt 1999, chap. 4, for the following.

13. For excellent statements on these positions, see Wendt 1999, chap. 4, and Adler 1997. On the agency-structure debate in general, see Wendt 1987; Carlsnaes 1992; and Dessler 1989.

simultaneously insist that these beliefs are representations and enactments of social and intersubjective culture.¹⁴

So far, most of the controversy between rational choice and social constructivism, at least in American international relations, has focused on the relationship between the “logic of consequentialism” and the “logic of appropriateness.” Thus, the debate is concentrated on the lower axis of the triangle in Figure 1.¹⁵ Rationalist institutionalism, for example, explains a great deal about the emergence of norms and institutions, about the norm of reciprocity as the result of and the condition for cooperative strategic interaction, and about the behavior of “boundedly rational” actors whose information-processing capacities are constrained by social norms.¹⁶ The extent to which an imagery emphasizing the constraining effects of norms can account for and accommodate their constitutive effects is the subject of the debate between rationalist and sociological institutionalism.

But this debate has overlooked the proposition that the “logic of appropriateness” as introduced by March and Olsen actually encompasses two different modes of social action and interaction. In many social situations, actors regularly comply with norms that they have thoroughly internalized and that, therefore, are “taken for granted.” Whereas strategic behavior is explicitly goal-oriented, the “taken for grantedness” of norm-regulated behavior implies that enacting the norm need not be a conscious process, even though norms that are no longer believed will probably disappear or soon change. This is how the most powerful social institutions influence behavior, and theorizing about the process is the realm of sociological institutionalism, which points to various socialization processes to explain how actors internalize a given social norm.¹⁷

However, March and Olsen also talk about rule-guided behavior as a conscious process whereby actors have to figure out the situation in which they act, apply the appropriate norm, or choose among conflicting rules.¹⁸ The more the norms are contested, the less the logic of the situation can be captured by the statement “good people do X” than by “what does ‘good’ mean in this situation?” or even “what is the right thing to do?” But how do actors adjudicate which norm applies? They argue. I suggest, therefore, that social constructivism encompasses not only the logic of appropriateness but also what we could call a “logic of truth seeking or arguing” (moving toward the upper corner of the triangle in Figure 1). When actors deliberate

14. There is a further corollary of this statement. Rational choice, beginning with methodological individualism, has a hard time theorizing the social realm and nonindividualistic logics of social action, whereas constructivism can easily accommodate the logic of consequentialism in the sense that there are social circumstances in which acting instrumentally is appropriate and legitimate.

15. See the various reviews of this debate in Adler 1997; Checkel 1998; Katzenstein, Keohane, and Krasner 1998a, 674–82; Kahler 1998; and Ruggie 1998.

16. See, for example, Axelrod 1997; Axelrod and Keohane 1986; and Keohane 1984 and 1989b. On bounded rationality, see Simon 1982.

17. See, for example, Finnemore 1996b; Finnemore and Sikkink 1998; and Powell and DiMaggio 1991. For an excellent review of the various institutionalisms, see Hall and Taylor 1996.

18. See March and Olsen 1989 and 1998.

about the truth, they try to figure out in a collective communicative process (1) whether their assumptions about the world and about cause-and-effect relationships in the world are correct (the realm of theoretical discourses); or (2) whether norms of appropriate behavior can be justified, and which norms apply under given circumstances (the realm of practical discourses).

Arguing implies that actors try to challenge the validity claims inherent in any causal or normative statement and to seek a communicative consensus about their understanding of a situation as well as justifications for the principles and norms guiding their action. Argumentative rationality also implies that the participants in a discourse are open to being persuaded by the better argument and that relationships of power and social hierarchies recede in the background.¹⁹ Argumentative and deliberative behavior is as goal oriented as strategic interaction, but the goal is not to attain one's fixed preferences, but to seek a reasoned consensus. Actors' interests, preferences, and the perceptions of the situation are no longer fixed, but subject to discursive challenges. Where argumentative rationality prevails, actors do not seek to maximize or to satisfy their given interests and preferences, but to challenge and to justify the validity claims inherent in them—and they are prepared to change their views of the world or even their interests in light of the better argument.

Communicative action and the logic of argumentation and persuasion have not yet been systematically explored in the American international relations debates.²⁰ But they have been the focus of a distinct German version of the controversy between rationalists and social constructivists that has taken place in the *Zeitschrift für Internationale Beziehungen* (*ZIB*, Journal of International Relations) since 1994.²¹ This debate focuses on the relationship between the “logic of consequentialism” and the “logic of arguing” (the left-hand axis of the triangle in Figure 1). I use the *ZIB* debate to conceptualize the logic of argumentative rationality and to make it empirically applicable to international relations. Turning to this debate, I begin with some conceptual clarifications of the logic of arguing using Jürgen Habermas's theory of communicative action.²²

19. Jürgen Habermas calls this “communicative action.” Habermas 1981, vol. 1, 141–51. Since communications are all-pervasive in social action and interaction—including strategic behavior (see later), I prefer the term “argumentative” rationality, since the goal of such communicative behavior is to reach argumentative consensus on validity claims of norms or assertions about the world.

20. See, however, Kratochwil 1989; and Onuf 1989. Although Kratochwil's and Onuf's work on norms has been widely received in the American international relations community, their emphasis on communicative behavior derived from speech act theory has been largely ignored. See also Alker 1996; Linklater 1996; and most recently Lynch 1999; and Payne 1999.

21. See Müller 1994 and 1995; Schneider 1994; Keck 1995 and 1997; Risse-Kappen 1995; Schmalz-Bruns 1995; Jaeger 1996; Müller 1996; Prittwitz 1996b; and Zangl and Zürn 1996.

22. I am not interested in the endless debates about whether or not Habermas's social philosophy is purely normative or can be applied to tackle empirical questions (see the various contributions in Elster 1998b and the excellent discussion in Chambers 1996, 155–72). My aim is to illustrate that we can shed light on many important issues in international relations when we incorporate argumentative rationality and deliberative processes in our theoretical “tool kit.”

Jürgen Habermas and the Logic of Arguing

To begin with, it is quite trivial that communicative behavior is all-pervasive in international relations as in any other social setting. We talk a lot, but we do not necessarily argue, reason, or deliberate. Strategic interactions of the most conflictual kind—as in compellence and deterrence models—are all about communication. We can distinguish among different forms of communicative behavior corresponding to a movement along the left-hand axis of the triangle in Figure 1. First, communication can take the form of bargaining on the basis of fixed preferences, which corresponds to the logic of consequentialism or instrumental rationality. Following Jon Elster, bargaining is characterized by a logic of the market (similar to instrumental rationality as defined earlier) whereby actors try to accomplish their goals by exchanging demands backed by credible promises, threats, or exit opportunities.²³ The goal is to maximize, optimize, or satisfy given preferences as much as possible. Bargaining involves communication that is primarily directed at exchanging information about preferences, making promises, or threatening. Communication as information exchange is clearly part of any bargaining process and can be easily accommodated by rational choice. Quite some progress has been made in incorporating communication as information exchange about preferences and perceived definitions of the situation in bargaining models. These models are commonly identified as “cheap talk” as opposed to the exchange of “costly” signals.²⁴ Cheap talk models refer to a subset of games under uncertainty and incomplete information. They concentrate on verbal utterances to exchange information about each other’s preferences and model the conditions under which the exchange of truthful information leads to cooperation. However, these preferences and the underlying identities of actors are still considered to be fixed. Cheap talk models also do not violate the “common knowledge” assumption of conventional game theory, since the interaction partners both know that they act under incomplete information and they also know that the others know that they act under uncertainty, and so forth.

Moving further up on the left-hand axis of the triangle in Figure 1, actors might use arguments in a strategic mode in order to justify their identities and preferences. Following Frank Schimmelfennig, I call this type of communication “rhetorical action.”²⁵ The point is that actors use arguments to persuade or convince others that they should change their views of the world, their normative beliefs, their preferences, and even their identities. There are many social circumstances, including bargaining situations, in which actors need to give reasons why they prefer certain courses of action or why their interests are justified. But actors engaging in rhetoric are not prepared to change their own beliefs or to be persuaded themselves by the “better argument.” If everybody in a communicative situation engages in rhetoric—the speaker, the target, and the audience—they can argue strategically until they are all blue in the face and still not change anyone’s mind. Thus, rhetoric presupposes, in

23. Elster 1986. For excellent reviews, see Saretzki 1995 and 1996.

24. See Morrow 1994; Schneider 1994; Cooper et al. 1992; and Farrell and Rabin 1996.

25. Schimmelfennig 1995 and 1997.

order to be successful, that at least one person in the audience is prepared to be convinced by the better argument. Its condition for success is, therefore, based on the logic of argumentative rationality oriented toward common understanding. Rhetorical action is then located somewhere in between the logic of consequentialism and the logic of arguing on the left-hand axis of the triangle in Figure 1. Even rhetorical exchanges often involve further movement toward the logic of arguing, since speakers need to respond to each other's arguments. They cannot simply repeat their utterances, if they want to convince a skeptical audience, but need to come up with ever more sophisticated justifications. As I will illustrate later in this article, argumentative processes might well begin as purely rhetorical exchanges but often evolve toward true reasoning.

But what is "true reasoning?" Habermas introduces behavior oriented toward reaching a common understanding (*verständigungsorientiertes Handeln*) as follows: "I speak of communicative actions when the action orientations of the participating actors are not coordinated via egocentric calculations of success, but through acts of understanding. Participants are not primarily oriented toward their own success in communicative action; they pursue their individual goals under the condition that they can co-ordinate their action plans on the basis of shared definitions of the situation."²⁶ The goal of such communicative action is to seek a reasoned consensus (*Verständigung* as opposed to *Verstehen*). In arguing mode, actors try to convince each other to change their causal or principled beliefs in order to reach a reasoned consensus about validity claims. And, in contrast to rhetorical behavior, they are themselves prepared to be persuaded. Successful arguing means that the "better argument" carries the day, while one's (material) bargaining power becomes less relevant. As Harald Müller put it,

once collective actors—states—reach the limits of purely strategic behavior, they know intuitively and by experience that the repertoire for action of all actors—their own and that of their opponents—contains the alternative of action oriented toward common understanding (*Verständigungshandeln*). This is the decisive difference to the utilitarian paradigm which does not entail this alternative. . . . [Actors] also have indicators at their disposal—intuitively and by experience—by which to judge if and when the partner is willing and able to switch from one mode of action to the other. Communicative discourse allows for the test of these criteria.²⁷

Building on speech act theory as proposed by J. L. Austin and J. R. Searle, Habermas distinguishes three types of validity claims that can each be challenged in a discourse.²⁸ The first concerns the truth of assertions made, that is, the conformity with perceived facts in the world (for example, is my interpretation of Habermas substantially correct?). Theoretical discourses challenge the validity claims of primar-

26. Habermas 1981, vol. 1, 385 (my translation). For the following, see Prittwitz 1996a; Saretzki 1996; Lose 1998; and Eriksen and Weigard 1997.

27. Müller 1994, 28 (my translation).

28. Habermas 1981, vol. 1, 397–452.

ily causal assertions and beliefs. The second validity claim focuses on the moral rightness of the norms underlying arguments (is writing an article on Habermas morally justifiable while innocent children die?). Practical discourses justify and criticize the validity claims of principled beliefs and norms. The third validity claim concerns the truthfulness and authenticity of the speaker (do I mean what I say about arguing, or am I just trying to position myself in an academic discourse?). The authenticity of a speaker can be challenged in a discourse only to some extent (for example, by probing the consistency between my words and deeds) but ultimately relies on trust.

Habermas posits that our communicative practices work and are effective only because we assume that we can revert to argumentation in order to challenge validity claims made in our daily utterances. Communicative processes oriented toward achieving mutual understanding counterfactually presuppose an “ideal speech situation” whereby nothing but the better arguments count and where actors try to persuade each other and are themselves open to being convinced:

In this sense, communicative action points to an argumentation in which participants justify their validity claims in front of an ideally extended audience. Participants in argumentation proceed from the idealized assumption of a community of communication (*Kommunikationsgemeinschaft*) which is debordered from social space and historical time. They must . . . presuppose the possibility of an ideal community “within” their real social situation.²⁹

Interests and identities are no longer fixed, but subject to interrogation and challenges and, thus, to change. The goal of the discursive interaction is to achieve argumentative consensus with the other, not to push through one’s own view of the world or moral values. Since the validity claims of identities and interests are at stake in theoretical and practical discourses, an argumentative consensus has constitutive effects on actors. This point helps to clarify the mutual constitutiveness of agents and social structure that social constructivism emphasizes. Agents are not simply the puppets of social structure, since they can actively challenge the validity claims inherent in any communicative action. At the same time, they are social agents that produce and reproduce the intersubjective structures of meanings through their communicative practices.³⁰

Argumentative rationality in the Habermasian sense is based on several preconditions. First, argumentative consensus seeking requires the ability to empathize, that is, to see things through the eyes of one’s interaction partner. Second, actors need to share a “common lifeworld” (*gemeinsame Lebenswelt*), a supply of collective interpretations of the world and of themselves, as provided by language, a common history, or culture. A common lifeworld consists of a shared culture, a common system of norms and rules perceived as legitimate, and the social identity of actors being capable of communicating and acting.³¹ It provides arguing actors with a repertoire

29. Habermas 1992, 391.

30. On this point, see Lose 1998, 5.

31. Habermas 1981, vol. 2, 209.

of collective understandings to which they can refer when making truth claims. At the same time, communicative action and its daily practices reproduce the common lifeworld. Finally, actors need to recognize each other as equals and have equal access to the discourse, which must also be open to other participants and be public in nature. In this sense then, relationships of power, force, and coercion are assumed absent when argumentative consensus is sought. This implies respect for two principles: all interested parties may participate in the argumentative discourse, and all participants have equal rights concerning making an argument or challenging a validity claim.³² I discuss these conditions further in the following sections.

Communicative Action and Rational Choice

How far can one push rational choice-based theories to accommodate argumentative behavior? Otto Keck points out in this context that the assumption of “common knowledge” about the structure of the game as prevalent in orthodox game theory presupposes what should be problematic, that is, a common definition of the situation. In orthodox game theory, any uncertainty or ignorance about the structure of the game (including the set of feasible actions of each player and the players’ preferences) is common knowledge. The players know what other players are uncertain about or ignorant of and the others know that they know it, and so on.³³ Keck proposes a family of communication games that are no longer based on the “common knowledge” assumption, but start with incompatible definitions of the situation and then model the decision of a player whether to communicate to the other in such a way that points out the differences in their definitions of the situation. He conceptualizes communication as a choice between different verbal utterances, such as asking a question, giving a hint, or concealing something. As a result, recipients of such information might choose new ways of acting, learn about unforeseen consequences of their actions, or even change their utility functions.³⁴ Keck argues that a modification of the assumptions of orthodox game theory, though not violating fundamentals of rational choice, can help to incorporate meaningful communication into the game and address two problems of rational choice identified by social constructivists: (1) how can common knowledge be achieved? (2) how can preferences change during the interaction itself?³⁵

But communication in these games still involves exchanging information, whether it concerns the world outside of the players or the players’ utility functions. Players have the choice of lying or telling the truth, of revealing or concealing their preferences. They choose according to these preferences and strategies. They want to reach their goals and strategize. They might well change their view of the world or even

32. Lose 1998, 9.

33. For this and the following, see Keck 1995 and 1997. See also Keck 1987; Sebenius 1992, 349–50; Plümper 1995; and Wendt 1999, chap. 4.

34. Keck 1987, 1993, and 1997, 141–42.

35. On this point, see also Ferreira, Gilboa, and Maschler 1995.

their utility functions resulting from the information received.³⁶ At best, the players in these communication games engage in rhetorical action as defined earlier. This is not controversial, but it has little to do with challenging validity claims in a theoretical or practical discourse.³⁷ Communication in truth-seeking discourses oriented toward reaching a reasoned consensus is not motivated by the players' desire to realize their individual preferences—be they egoistic or altruistic. Communication is motivated by the desire to find out the “truth” with regard to facts in the world or to figure out “the right thing to do” in a commonly defined situation.

One could ask, however, why actors are motivated in the first place to seek the truth in negotiating situations. Rational actors interested in realizing their values and desires must be interested in correcting false information and cognitions about the outside world, the consequences of their action, and the preferences of their interaction partners. As a result, they should be willing to discuss the validity claims of their cognitions and should be open to being persuaded and changing their minds. It is entirely possible that a slave convinces his or her master that the latter is economically and socially better off if the former is freed and employed by the master as a paid worker. Bernhard Zangl and Michael Zürn claim that, therefore, argumentative processes are entirely consistent with a rational choice program broadly defined.³⁸ In this case then, searching for the truth is motivated by the desire to change the situation in such a way as to solve or at least mitigate social dilemmas.

At this point, sophisticated rational choice and moderate social constructivism can readily admit that each theorizes different modes of social interaction that are both necessary to explain significant phenomena in the world but cannot be collapsed into each other. For example, let us assume a dilemma situation that originates because of differing and conflicting preferences (if preferences are in harmony, we neither need to argue nor to bargain in order to achieve cooperation; sheer information should do) and that requires collaboration rather than pure coordination to solve or mitigate it.³⁹ Instrumentally rational actors should be interested in such a situation to “get the facts right” and to acquire “common knowledge.” Thus, truth seeking refers here to a reasoned consensus on the “facts in the world” reached through a theoretical discourse. Although a change in underlying interests might result from such a consensus, such a discourse does not require that actors question their preferences.

But “common knowledge” also refers to the “rules of the game,” that is, the underlying principles guiding the interaction. If the master is convinced to free the slave, we have witnessed a process of persuasion in a practical or moral discourse leading to a change of interests and identities. In this case, the participants in the discourse need to be prepared to have their interests questioned and challenged. Thus, a reasoned consensus about underlying principles of interaction—the “rules of the game”—can no longer be reached if the participants follow a logic of consequentialism, since their interests are at stake and subject to justification. Thus, it might be

36. Some of this can be captured by Bayesian updating in standard game theory.

37. Müller 1995. See also Risse-Kappen 1995.

38. Zangl and Zürn 1996. See also Gehring 1999, chap. 5. I owe the following point to Otto Keck.

39. Stein 1983.

in the enlightened self-interest of rational actors to enter such a conversation. But it is quite different to suggest that such argumentative exchanges can be modeled by rationalist approaches. Even instrumentally rational actors need to adopt a mode of social interaction whereby their exogenous goals only form background conditions, while the predominant mode of social action consists of mutually justifying validity claims oriented toward achieving collective understandings. In the absence of “common knowledge,” argumentative rationality is necessary for developing trust in the authenticity of the speech acts (does the speaker mean what he or she says?); for advancing an argumentative consensus on the definition of the situation (can we agree on the underlying problem or aspects of it?); and for acquiring a collective understanding of the underlying normative framework (what principles should guide our efforts at finding a cooperative solution?).⁴⁰

Of course, there are some functional equivalents to trust in various interaction settings. If an agreement has a hegemonic enforcer, trust among the participants might not be necessary. Absent coercion, though, trust building has been established by the negotiation literature as a precondition for reaching cooperative solutions to dilemma situations.⁴¹ Findings from experimental research support the point. As Elinor Ostrom points out, face-to-face communication increases the likelihood of cooperation drastically: “Exchanging mutual commitment, increasing trust, creating and reinforcing norms, and developing a group identity appear to be the most important processes that make communication efficacious.”⁴² Results from social psychological research on persuasion also suggest that the trustworthiness of the communicator as unbiased increases the persuasiveness of an argument during communication.⁴³

As to the necessity of reaching a consensus on the definition of the situation and on the underlying normative framework, I do not suggest here that actors always have to agree on everything before they can cooperate. Some pragmatic cooperative arrangements can be achieved by “agreeing to disagree” and not to reach a consensus on ultimate truth claims. Wage bargaining does not require that labor and business agree on the prospects for the domestic economy or on the best economic strategy for reducing unemployment. But labor and business need to accept each other as valid interlocutors and negotiating partners, they need to have a common understanding on what it is that they are bargaining about, and they need to reach a consensus on underlying principles (such as whether wages should be attached to rates of inflation, company profits, or productivity growth). Of course, they might try to impose their respective viewpoints on the other by means of coercion (such as lock-outs and strikes). But absent effective coercive means at their disposal or a hegemonic enforcer, it is hard to see how negotiators could acquire the “common knowledge”

40. Müller 1994, 29–30.

41. See, for example, Zartman and Berman 1982; Stein 1989; Ostrom 1998; and Ostrom, Gardner, and Walker 1994, 328.

42. Ostrom 1998, 7.

43. Chaiken, Wood, and Eagly 1996, 710, 716. Of course, this does not imply that people never lie in face-to-face interactions. But lying presupposes trust in order to be effective. If the actors in a communication fundamentally distrust each other, they cannot even successfully lie.

necessary for any (distributive) bargaining situation without entering into an argumentative process with the goal of achieving a reasoned consensus. On the basis of these collective understandings that define and clarify the game they are playing, actors can then engage in strategic bargaining to reach a distributive compromise.

Arguing and International Relations

One could agree with everything so far and still object that this metatheoretical debate about the foundations of social action is utterly irrelevant in furthering our understanding of world politics. There are essentially two major arguments against the claim that arguing plays a substantial role in international relations:

1. International relations are anarchic, and, thus, there is no “common lifeworld” supplying collective interpretations of the world to the actors involved. Actors in world politics do not share a common language, history, or culture.
2. Relationships of power are never absent in international relations. It is, therefore, preposterous to assume that truth-seeking discourse is possible in international politics.

In other words, two crucial preconditions for argumentative rationality as identified by Habermas are missing in world politics. I address each of these objections in the following section in order to then specify when we might expect arguing in international affairs.

Preconditions of Arguing in World Politics

International relations—A common lifeworld? The existence of a “common lifeworld” represents a crucial background condition for argumentative behavior supplying common experiences with the world and its history as well as a common system of values and norms to which actors can refer in their communications. However, Habermas’s theory is rather silent on the question of how much of a common lifeworld people need to share in order to communicate in a reasonable manner.⁴⁴ Moreover, the lifeworld itself is open to argumentative challenges and counterchallenges; that is, the collective supply of interpretations can itself be questioned during a discourse.

First, in a most fundamental sense, anarchy in international affairs could itself be considered a limited common lifeworld if this is the shared cultural background against which actors communicate in world politics. Note, however, that “anarchy”

44. In his original argument, Jürgen Habermas sharply distinguished the “common lifeworld” from the “system world,” which is functionally differentiated through complex divisions of labor and where instrumental rationality prevails. Modern political systems—we could add international relations—were originally conceptualized as part of the latter. In his later work, however, he no longer maintains this strict separation and theorized about deliberative politics as institutionalized in the practices of modern democracies. Compare Habermas 1981, vol. 2, 173–296, with Habermas 1992.

in this context does not refer to the pre-social Hobbesian “state of nature,” but already constitutes an, albeit “thin,” collective (social) interpretation of the world. But this point only helps to some degree, since a shared interpretation of the world as a “dog eat dog” world is not particularly conducive to a reasonable dialogue. Meaningful communication requires that actors see at least some room for cooperation with their interaction partners and, thus, wish to overcome a world of sheer hostility.⁴⁵ If so, they can actually construct their common lifeworld as a prerequisite for building mutual trust in the authenticity of each other’s communications. As Harald Müller pointed out, prenegotiations usually encompass a phase whereby actors construct such a common lifeworld in a symbolic sense, mainly through narratives. Almost ritualistic references to common experiences such as suffering during wars frequently serve such purposes.⁴⁶ The exchange of memories of World War II, for example, has been a regular feature of almost all East–West negotiations during the Cold War. One might dismiss such practices as sheer rhetoric in light of the tough bargaining problems at hand. However, they appear to be a precondition for establishing the trustworthiness of negotiating partners.

Second, focusing on international relations allows us to differentiate among social situations such as “anarchy” where actors have to construct their common lifeworld almost from scratch and to develop stable patterns of expectations and interactions, on the one hand, and dense interaction patterns within highly regulated international institutions, on the other. For example, pluralistic security communities based on a collective identity and shared values and norms might constitute a common lifeworld.⁴⁷ The European Union or the transatlantic community come to mind. We can also infer from the literature on the “democratic peace”⁴⁸ that democracies not only rarely fight each other but also develop a collective identity based on shared liberal values and norms constituting a common lifeworld. Moreover, some issue-areas in world politics, such as trade, human rights, or the environment, are heavily regulated by international regimes and organizations. A high degree of international institutionalization might then provide a common lifeworld. International institutions create a normative framework structuring interaction in a given issue-area. They often serve as arenas in which international policy deliberation can take place. Whether they can play this role or not depends largely on their organizational structure. Nonhierarchical and networklike international institutions characterized by a high density of mostly informal interactions should provide the structural conditions in international relations to allow for discursive and argumentative processes.⁴⁹

Third, one might object here that a common lifeworld resembles “common knowledge” in game theory.⁵⁰ How can I claim that argumentative reasoning is necessary

45. A focus on arguing shares this assumption with neoliberal institutionalism.

46. See Müller 1994, 33–35. As one anonymous reviewer pointed out, a communicative discourse could actually begin with very little shared understanding and work from there.

47. See Adler and Barnett 1998; and Deutsch 1957.

48. See Russett 1993; and Owen 1997.

49. On networks as a structure of nonhierarchical and communicative interaction, see Börzel 1998.

50. I owe this point to the editors of IO.

to establish the common knowledge that game theory takes as given if a common lifeworld in terms of a shared history, common experiences, and a common culture is itself a prerequisite for deliberative discourses? To answer this question, it might be helpful to distinguish among three social situations. The first situation resembles the “anarchy” in world politics mentioned earlier, with little common lifeworld and even less common knowledge. In such a situation, actors can construct the common lifeworld through narratives by referring to shared experiences, common historical memories, and the like. This then might enable them to engage in a communicative process in order to reach a consensus on a joint definition of the situation and, thus, to develop the common knowledge necessary for a bargaining process. Second, if actors find themselves in a densely institutionalized environment, the common lifeworld might not be a problem, but common knowledge still is, if and when actors are uncertain about their own interests and/or lack knowledge about important features of the situation. As mentioned earlier, even instrumentally rational actors should be interested in arguing in such cases. Third, in densely institutionalized environments, actors might share a common lifeworld and they might know what they want. Only then would the common lifeworld equal the common knowledge in game theory. Argumentative discourse might still be necessary to reach a cooperative solution, but not to establish common knowledge (see later discussion).

In sum, the degree to which a common lifeworld exists in international relations varies considerably according to world regions and issue-areas. Even “anarchy” constitutes an, albeit “thin,” common lifeworld from which actors can move on to refer to common experiences, develop shared understandings of history, and, thus, to develop a collective culture.

Arguing and power. The second objection raised against emphasizing argumentative rationality is more difficult to tackle. Habermas’s point that relationships of power are supposed to be absent in ideal speech situations where only the “better argument” counts has met with considerable criticism and has been labeled both “idealistic” and “utopian.” Power as a relationship of influencing an actor’s behavior against the actor’s will might affect arguing in at least two ways: First, power relations might define who has legitimate access to a discourse. The UN Security Council is a perfect example of how some states are more equal than others in terms of having permanent access to the deliberations. Second, they might affect what counts as a “good argument.” It makes a difference in the UN Security Council whether the United States or Cameroon pushes a certain argument. At least, the latter probably has to make a much greater argumentative effort than the former to gain support for its views. More important, power asymmetries in the Security Council might affect who says what and when and how arguments are framed in the first place.

Michel Foucault raised objections against the possibility of an “ideal speech situation” that go deeper and do not just concern the possibility that power relationships external to the discourse might influence actors engaged in arguing.⁵¹ According to

51. See, for example, Foucault 1978 and 1991; Habermas 1985; and Love 1989. Thomas Diez helped me to clarify the following points.

Foucault, power as a social structure resides in the discourse itself. The rules of the discourse prescribe which arguments can be legitimately used by the participants. As Elster points out, it is virtually impossible in public debates to make self-serving arguments or to justify one's claims on self-interested grounds.⁵² Even rhetorical arguments that try to justify egoistic interests must normally refer to some universalistic values or commonly accepted norms. National governments that want to participate in the global human rights discourse might still object to specific accusations of norm violations. But it is virtually impossible for them to deny the validity of global human rights norms themselves without risking being labeled as "pariah" states. While Habermas's "ideal speech situation" implies that any argument can be used in a theoretical or practical discourse, Foucault's objection posits that the social context of such discourses establishes clear boundaries of what can be legitimately argued.

Some of these objections indicate a misunderstanding of Habermas's theory of communicative action, whereas others reflect deep theoretical disagreements. First, the ideal speech situation is not meant as a statement about the empirical world or—even worse—some utopian ideal; instead it constitutes primarily a counterfactual presupposition. To quote Habermas,

I do not assert that a valid consensus can only be achieved under conditions of the ideal speech situation. Communicative daily practice is embedded in a sea of cultural taking for grantedness, i.e., of consensual certainties; . . . As soon as one component of this naively known and pre-reflexive background is transformed into the semantic content of a verbal utterance, the certainties enter the conditions of criticizable knowledge: They may become subject to dissent. Only when this dissent is persistent enough to provoke a discursive treatment of the disputed issue, does this become an instance of which I assert that a reasoned consensus cannot be achieved unless the participants in the discourse assume that they persuade each other only on the basis of better arguments. If one side uses privileged access to arms, wealth, or prestige in order to wring agreement from the other by way of sanctions or rewards, none of the participants will doubt that the conditions for argumentation are no longer satisfied."⁵³

An alleged reasoned consensus might often be an illusion, and the analyst's task is then to criticize it. Interestingly enough, we can only "know" such a false agreement if measured against a reasoned consensus resulting from truth-seeking argumentation. The earlier-mentioned social psychological literature on persuasion seems to suggest that people are indeed capable of distinguishing between strategic reasoning and arguing. Biased or self-interested communicators are far less persuasive than those who are perceived to be neutral or motivated by moral values.⁵⁴ The criticism of rational argumentation as just another form of domination and discipline presupposes argumentative rationality in the sense that the objection itself can only be made within a reasoned discourse.⁵⁵

52. Elster 1998a.

53. Habermas 1995, 553.

54. See, for example, Chaiken, Wood, and Eagly 1996. See also Johnston 1998.

55. On this point, see Chambers 1996, 137–38.

Moreover, one should not forget that the various modes of social action—strategic behavior, norm-guided behavior, and argumentative/discursive behavior—represent ideal types that rarely occur in pure form in reality (see Figure 1). We often act both strategically and discursively—that is, we use arguments to convince somebody else that our demands are justified—and by doing so we follow norms enabling our interaction in the first place (language rules, for example). As a result, the empirical question to be asked is not whether actors behave strategically or in an argumentative mode, but which mode captures more of the action in a given situation.

These counterarguments to various objections raised against the possibility of an “ideal speech situation” in international affairs only help to some extent. The Habermasian condition of “equal access” to the discourse, for example, is simply not met in world politics. But does this mean that those actors who are privileged to participate in the discourse of international organizations or in interstate negotiations never engage in truth-seeking behavior and in arguing over norms? We can probably relax the condition of “equal access” as long as the condition of nonhierarchy among participants in a discourse can be met. Concerning the UN Security Council, for example, it might not worry us too much that there are permanent and nonpermanent members, as long as this does not determine what counts as a “good argument.”

This latter point concerns precisely the objection that the structure and social context of an argumentative process delineate the boundaries of which types of arguments can be legitimately made or are viewed as “reasonable arguments.” But does this objection imply that truth seeking and argumentative rationality are impossible within those structural boundaries of a discourse? Furthermore, does it imply that human beings are forever caught within the boundaries of their discourses and cannot challenge the very legitimacy of these boundaries under any circumstances? I do not think so. Rather, I suggest treating Foucault’s points as valid objections against an “anything goes” view of truth-seeking discourses. We can treat these arguments as attempts to provoke a discussion between the logic of arguing and the logic of appropriateness along the right axis of the triangle in Figure 1.

The real issue then is not whether power relations are absent in a discourse, but to what extent they can explain the argumentative outcome. We need some indicators for knowing an arguing situation in international politics when we see one. The following criteria offer some clues:

- By carefully examining the communicative utterances of speakers it should be possible to establish whether the conditions are present for argumentative rationality in terms of nonhierarchy. Communicative situations where actors point to their rank or status to make an “argument” do not qualify as a discourse.
- Discursive rationality requires argumentative consistency. Actors changing their arguments depending on the audience with which they are dealing probably engage in rhetorical behavior.
- Assuming that the materially more powerful actors do not necessarily have the better arguments, an arguing situation should disproportionately empower the

weaker actors who have less material resources at their disposal. This might refer empirically to small states, such as Cameroon in the earlier example of the UN Security Council, or to the impact of nonstate actors such as international nongovernmental organizations (INGOs) in international negotiations. If INGOs convince the more powerful actors to change their minds, we have probably witnessed arguing.

- Argumentative rationality can be investigated particularly well in situations where instrumental interests of actors (material or ideational) are stacked against the arguments being made. If actors change their mind in a communicative process, even though their instrumental interests would suggest otherwise, we have probably observed a process of persuasion.
- Whether actors engage in dialogue and argumentation or not should be particularly obvious in situations in which they are accused of violating certain norms of appropriate behavior to which they have previously agreed. Do they dismiss such accusations as irrelevant or engage in some self-serving rhetoric? Or do they start justifying their behavior, give reasons for their action, or even apologize?

In sum, we do not need to posit an “ideal speech situation” in world politics and can even relax some of the strict preconditions for argumentative rationality but still maintain that truth-seeking behavior leading to a reasoned consensus is possible in international affairs. We have probably witnessed processes of argumentative persuasion when powerful governments change their minds and subsequently their behavior, even though their instrumental interests would suggest otherwise, or when materially less powerful actors such as small states or nonstate actors carry the day. Moreover, the more the rules of international institutions prescribe nonhierarchical relations among actors, the more these rules should enable arguing and policy deliberation.

So What? Does Arguing Matter?

So far, I have suggested that it is neither outrageous nor heroic to assume that the logic of arguing sometimes prevails in international relations. Based on the preceding discussion, the following conditions should be conducive to truth-seeking behavior in world politics:

- The existence of a common lifeworld provided by a high degree of international institutionalization in the respective issue-area.
- Absent international institutions, conscious efforts by actors to construct such a common lifeworld through narratives that enable them to communicate in a meaningful way.
- Uncertainty of interests and/or lack of knowledge about the situation among the actors.
- International institutions based on nonhierarchical relations enabling dense interactions in informal, network-like settings.

But does arguing really matter? What can we infer from the preceding discussion about the consequences of truth-seeking and argumentative processes on the outcomes of international negotiations and other processes? Does establishing a reasoned consensus about the situation on the ground and/or the norms guiding the interaction make for a “better” outcome? In the following, I distinguish between two settings in world politics where arguing might be expected under certain circumstances: diplomatic negotiations and public debates among various actors.

Arguing and international negotiations. Concerning international negotiations, it is useful to distinguish among stages in a negotiating process. The first phase in which arguing matters concerns the process of “getting to the table.”⁵⁶ This involves agenda setting as well as developing the “common knowledge” about the situation and the underlying principles for negotiations that then enable a negotiating process. As to agenda setting, actors need to be convinced that there is a problem to solve in a cooperative process before they can start negotiating. We know from the literature on epistemic communities and advocacy coalitions that transnational actors often serve as agenda setters in multilateral negotiations by pointing the international community to new problems or reframing issues in a new way. A most recent prominent example concerns the international campaign leading to an international treaty banning antipersonnel landmines.⁵⁷ INGOs and other transnational actors normally do not command important material resources. Consequently, they have to rely on the “power of the better argument.” We can posit, therefore, that arguing matters in terms of putting new questions or new problems on the agenda of international negotiations.

The prenegotiating phase also involves establishing “common knowledge.” As discussed earlier, arguing establishes trust among actors regarding mutual belief in the truthfulness of one’s respective speech acts and in the authenticity of the speakers. Moreover, if actors are uncertain about their interests or lack the knowledge to tackle a particular situation, they are likely to engage in truth-seeking behavior to develop “common knowledge” in a mixed motive situation in terms of both a collective definition of the situation and of the underlying principles and norms guiding the interaction (the “rules of the game”).⁵⁸

Once common knowledge is established, actors can engage in the actual negotiations, including distributive bargaining following the logic of consequentialism. But cooperative success in negotiations is by no means assured. The next step in multilateral negotiating processes where arguing and communication geared toward a reasoned consensus might be necessary concerns the “production” or “problem-solving” part of such negotiations, that is, the search for an optimal rather than a

56. Stein 1989.

57. Price 1998. See also Haas 1992; and Keck and Sikkink 1998.

58. “Common knowledge” entails information about the structure of the game (“definition of the situation”) and its underlying rules. It does not entail agreement about a cooperative norm solving the collective action problem.

“lowest common denominator” solution to a collective action problem.⁵⁹ This is where the widely known “negotiator’s dilemma” becomes relevant: “The successful joint search for better overall solutions requires creativity, effective communication, and mutual trust, whereas success in the distributive battle depends on strategic, and even opportunistic, communication and withholding of available information—and a good deal of distrust against potential misinformation.”⁶⁰ Specialists on negotiations suggest disentangling the problem-solving part of negotiations as much as possible from the distributive bargaining part, particularly since a joint agreement about principles, norms, and rules is a necessary condition for a successful distributive bargain. Some specialists recommend solving the “negotiator’s dilemma” sequentially (solving the commonly perceived problem first, then engaging in distributive bargains), and others suggest having different negotiators deal with the two aspects separately.⁶¹ The assumption underlying these tactics is that arguing allows negotiators to tackle the problem-solving dimension of multilateral negotiations and to achieve agreements on principles of fairness and justice, which then allow for distributive bargains.

I next discuss an empirical example of international negotiations—the Two plus Four talks ending the Cold War in Europe and enabling German unification within NATO—which concerned both problem-solving and distributive questions. I claim that an arguing process was indeed necessary to resolve the “production part” of these negotiations, which then allowed for distributive bargaining with a satisfactory result for the participants. This case study involves a mix of argumentative and instrumental rationality and is, therefore, located on the left axis of the triangle in Figure 1.

Arguing in the international public sphere. Communicative processes in world politics are not confined to secret diplomatic negotiations. In fact, Habermas’s original points concerning communicative action involved arguing not so much behind closed doors, but in the public sphere of modern democracies.⁶² The existence of a public sphere ensures that actors have to regularly and routinely explain and justify their behavior. Although such public spheres are taken for granted in democratic polities, they vary dramatically in international relations. Compare the secrecy of some international negotiations with the publicity of UN-sponsored world summit meetings or with the semipublic proceedings before the UN Human Rights Commission and its subcommittees. I assume in this context that the speakers in a public discourse are likely to use arguments in a rhetorical sense, that is, trying to convince others and to persuade an audience rather than being

59. Neofunctionalism talks about “upgrading the common interest” (Haas 1958). The point is not to reach some solution to a collective action problem, but a solution that the participants perceive as innovative and optimal.

60. Scharpf 1997, 124. See also Lax and Sebenius 1986.

61. See Zintl 1992; and Mayntz 1997.

62. See Habermas 1990 and 1992; and Chambers 1996. I owe the following argument to Marc Lynch. Lynch 1999. See also Payne 1999.

prepared to be persuaded themselves. These audiences do not necessarily consist of the larger public, but can also be other state actors in an international setting. Although rhetorical action in the sense specified earlier dominates much of these meetings, the actors at least presuppose audiences who are prepared to listen and be persuaded.

As to the preconditions for argumentative rationality, debates in the international public sphere differ from diplomatic negotiations in bi- or multilateral settings in various respects. First, they are more open in terms of access, since public spheres are usually not confined to state actors.⁶³ Nonstate actors such as nongovernmental organizations (NGOs) or advocacy networks participate regularly in international public discourses.

Second, debates in the international public sphere are more likely to invoke identity-related issues. Many international public discourses actually touch on normative issues that are directly linked to the social identities of actors. The debate about humanitarian intervention, for example, concerns understandings of two conflicting and constitutive norms of international society: sovereignty as a state property and human rights as a property of individuals.⁶⁴ Thus, this discourse cannot be separated from identity-related issues, since it concerns the social identity of states and of their citizens. The same holds true for human rights questions in general (see later discussion). International human rights norms are increasingly understood as a constitutive property of what it means to be a modern and civilized state.

Third, public discourses have a “civilizing” effect on actors. As claimed earlier, justifying selfish interests on the basis of egoistical reasons is nearly impossible in the public sphere.⁶⁵ Rather, even actors such as profit-seeking multinational corporations must justify their actions on the basis of some common goods or shared values. Such behavior, however, allows other actors to scrutinize and criticize these arguments with regard to a common normative framework with which everybody in the audience agrees.

Fourth and related to the third point, the more an issue is subject to public scrutiny, the more likely it becomes that materially less privileged actors have access to the discourse and that their arguments carry the day and convince an audience. Moreover, actors who can legitimately claim authoritative knowledge or moral authority (or both) should be more able to convince a skeptical public audience than actors who are suspected of promoting “private” interests. The moral power and authority of many NGOs seems to be directly related to this feature of public discourses.⁶⁶

In sum, communicative behavior in various international public arenas is likely to involve all three logics of social action specified earlier. The logic of consequentialism is present to the extent that actors use rhetoric to convince others to change their

63. This does not mean that there are no restrictions to public access. Getting attention in the international public arena is still hard; but everything else being equal, access for nonstate actors is still easier in the public sphere than in (secret) diplomatic negotiations.

64. Finnemore 1996a.

65. On this point, see Elster 1986 and 1998b.

66. See, for example, Keck and Sikkink 1998.

interests, identities, or views of the world. The logic of appropriateness prescribes what is considered a legitimate truth claim in a given public discourse and, thus, circumscribes the boundaries of this discourse. Finally, the logic of argumentative rationality and truth-seeking behavior is likely to take over if actors are uncertain about their own identities, interests, and views of the world and/or if rhetorical arguments are subject to scrutiny and counterchallenges leading to a process of “argumentative self-entrapment.”

To illustrate these points, I discuss the case of public arguing in the human rights area, particularly debates between advocacy groups, such as (I)NGOs, and national governments accused of norm violation. This case involves a particular mix of rhetorical, rule-guided, and argumentative behavior leading to argumentative self-entrapment.

The Power of the Better Argument— Two Empirical Examples

“Friendly Persuasion:” Arguing and the End of the Cold War⁶⁷

A quite extraordinary argumentative process took place during the international negotiations ending the Cold War in Europe and settling the international issues concerning German unification. In the end, the Soviet Union under President Mikhail Gorbachev agreed to German unification within NATO in exchange for limits on Germany’s and NATO’s military posture in the former East Germany, on the one hand, and the transformation of NATO from an anti-Soviet alliance to a cooperative security institution, on the other. At the same time, these negotiations laid the groundwork for the post-Cold War security architecture in Europe, creating a surprisingly stable security partnership between the former Soviet Union/Russia and Western Europe (less so between the United States and Russia). Under circumstances of enormous turmoil and uncertainty on both sides, the outcome of these negotiations went well beyond a simple compromise and represented an almost optimal solution to the security problems of all concerned, including particularly Germany’s neighbors. In other words, the Two plus Four talks⁶⁸ solved the “production” or problem-solving part of international negotiations to a startling degree that one would not have expected on the basis of the initial negotiating positions of the governments concerned. Although several compromise solutions were possible, I claim that this particular outcome largely resulted from a successful effort on both sides at arguing out the differences in a true dialogue of mutual persuasion. During these talks, which took place from late 1989 to September 1990, Western policymakers, particularly the United States and Germany, engaged the Soviet leadership in a continuous dialogue to convince Gorbachev to agree to German unification within NATO.

67. This part builds on Risse 1997. “Friendly persuasion” is a chapter title in Zelikow and Rice 1995, 251.

68. “Two” stands for the two Germanies, and “four” stands for the Allied Powers: France, Great Britain, the Soviet Union, and the United States.

One has to ask, of course, whether Moscow had a genuine choice. The Soviet Union had already lost its East European empire when the negotiations began in early 1990. Its economy was in a deep crisis and increasingly dependent on Western aid and credits. There is no question that the overall balance of power had considerably shifted in favor of the West. The use of force against German unification within NATO was not a serious option, since this would have ruined relations with the West and probably Gorbachev's domestic reform program, too. We know in hindsight, of course, that things worsened for the Soviet Union—Gorbachev lost his job and the Soviet Union disintegrated. But decision makers in Washington, Bonn, and Moscow did not anticipate this. Given the speed with which the Cold War order fell apart in 1989–90, they were extremely worried about instabilities in Central Europe and faced enormous uncertainties.⁶⁹ It is all the more significant how a cooperative solution was worked out during the Two plus Four talks.

Although Moscow could no longer influence events or bargaining outcomes in its desired direction, it still could make life quite miserable for the West and for Germany in particular. First, Moscow could have forced the German people to choose between unification and NATO membership, thereby triggering a major domestic dispute in the country during an election year. Second, the Soviet Union could have provoked an international crisis and confrontation with Bonn and Washington by fully insisting on its legal rights over Germany as an allied power. The price to be paid by both sides would have been to start another Cold War just as the first one was about to end peacefully. Third, in the absence of a cooperative agreement with the West, the Soviet Union could have decided to leave its 300,000 troops in East Germany. The West could have not done much short of using force to prevent such a course of action. Each of these three options was discussed in Moscow at the time, and each was taken quite seriously by Western policymakers.⁷⁰ In other words, both sides perceived the situation as rather open; Soviet agreement to German unification within NATO was not to be taken for granted. The Soviet Union still had some bargaining leverage.

Although several negotiating outcomes were possible in this particular situation, it was arguing rather than bargaining that ultimately laid the groundwork for a cooperative post–Cold War security order in Europe. The arguing process in this case was not so much about establishing “common knowledge.” Although it did not take place in an environment strongly regulated by international institutions, both sides had been interacting since the mid-1980s when Gorbachev and his foreign minister Shevardnadze came into power; they had created a common lifeworld establishing mutual trust. In this case arguing was about problem solving to establish which norms should guide the post–Cold War security architecture in Europe. It entailed a practical discourse on the “right thing to do” in this peculiar situation.

69. This is the overall impression one gets from the memoir literature on the events in 1989–90. See, for example, Gorbachev 1995; Shevardnadze 1991; Teltschik 1991; Genscher 1995; and Baker 1995.

70. See Zelikow and Rice 1995; Elbe and Kiessler 1996; and Beschloss and Talbott 1993.

The negotiations between the Western powers and the Soviet Union included televised public discourses in the East and the West as well as secret negotiations and fulfilled to a large extent the preconditions for argumentative rationality. Particularly the U.S. and German governments tried to reassure their Soviet counterparts that they were not trying to exploit the current weakness of the Soviet Union. President Bush told Chancellor Kohl, “we will not exacerbate the problem by having the President of the United States posturing on the Berlin Wall.”⁷¹ Both leaders reassured Gorbachev and Shevardnadze time and again that they had no interest in further destabilizing an already tense domestic situation in the Soviet Union. Western leaders treated their Soviet counterpart as an equal and serious negotiating partner, even though the power relationship between them was increasingly asymmetrical. That reassurances were also in the Western interest in order to gain bargaining concessions from the Soviet Union is beside the point. Avoiding aggravating language in a tense negotiation serves a communicative purpose. It acknowledges empathy for the bargaining partner’s concerns and communicates that the partner’s demands are legitimate even if disagreed with.

Of course, traditional distributive bargaining played a significant role in the negotiations settling the Cold War in Europe. But there have been crucial moments—mostly in a bilateral context—where actors did not pursue instrumentally defined goals, but communicated in order to learn more about each other and to genuinely convince each other. At least two of the three main actors did not hold fixed preferences during the negotiations settling the Cold War. First and most important, the Soviet leadership changed its preferences not only over policies but also over outcomes in the course of the talks. The Soviet leaders remained opposed to German unification prior to 1989, even though they sometimes engaged in speculative talk about what might happen in the future. When events in Germany unfolded, Gorbachev and Shevardnadze gradually changed their minds. They come across as lacking fixed preferences and as being open to persuasion and communication—another precondition for argumentative rationality. U.S. and German officials frequently concluded from their conversations that “the Soviet government did not seem to know where it was going,” that Gorbachev and Shevardnadze “seem to be genuinely wrestling with these problems, but [had] yet to fashion a coherent or confident response.”⁷² Gorbachev appeared as an “uncommitted thinker and motivated learner,” as Janice Gross Stein put it.⁷³ U.S. and German leaders embarked on a process of friendly persuasion and engaged in almost continuous conversations with Shevardnadze and Gorbachev.

As to the German government, its preferences over outcomes seemed to be fixed from late 1989 on, when Kohl determined to push for unification. But Bonn’s preferences over policies to attain this goal were influenced by events and by talks with various world leaders. The strategy toward unification changed several times as events unfolded, including its form, its speed, and the settlement of its international conse-

71. Quoted from Zelikow and Rice 1995, 112. See also Elbe and Kiessler 1996.

72. Zelikow and Rice 1995, 130, 232. See also *ibid.*, 108–109, 131.

73. Stein 1995.

quences. The only actors whose preferences over outcomes and policies remained rather fixed during the entire process were U.S. leaders. Once the Bush administration had decided to push for rapid German unification within NATO, it held this course rather steadily. U.S. leaders understood that Soviet security concerns had to be accommodated somehow and that some restrictions had to be placed on NATO forces in former East Germany. But there is not much evidence that U.S. negotiators were open to persuasive processes during their talks with German or Soviet leaders. President Bush and Secretary of State Baker were convinced that their preferred outcome was the right solution to the problem, and they engaged in a genuine attempt at persuading their Soviet counterparts whom they trusted as valid interlocutors.

Several conclusions emerge from this variation in the extent to which actors held fixed preferences during the talks. The United States largely followed a “logic of consequentialism” and engaged in rhetorical action; its negotiators mainly used arguments and justifications rather than threats to persuade the Soviet leadership. As suggested earlier, rhetorical action as a tool to reach one’s goals can only be effective if the other listens and remains open to persuasion. The Soviet leadership listened indeed, thus following the “logic of arguing.” Both sides then engaged in a discourse about the validity claims inherent in each other’s preferences and about the norms that should guide their approach to the issues. Two examples illustrate my point.

The first example concerns a discourse challenging claims over alleged “national interests.” This discourse framed the question in mainly realist terms. In early February 1990, James Baker tried to persuade Gorbachev that a neutral Germany would pose a greater threat to Soviet security than one firmly integrated in NATO. Thus, Baker challenged a Soviet policy that dated back to the 1950s whereby unification would only be acceptable if Germany became neutral and left NATO. Gorbachev had already acknowledged that there was nothing terrifying about German unification. Baker then asked the Soviet leader whether he preferred an independent Germany outside NATO and without U.S. troops on its territory, or a united Germany in NATO with the assurance “that there would be no extension of NATO’s current jurisdiction eastward.” Gorbachev remained noncommittal at first and maintained that any extension of the zone of NATO was unacceptable. Baker agreed. Gorbachev now seemed to think openly. He argued that he could see advantages of having U.S. troops in Germany. He then continued that we “don’t really want to see a replay of Versailles, where the Germans were able to arm themselves. . . . The best way to constrain that process is to ensure that Germany is contained within European structures.” He promised that the Soviet side would think about it, but that he could not give a clear answer right away. While Baker held a firm line in this conversation, Gorbachev appeared to be genuinely struggling with the question of how to interpret Soviet security interests. In contrast to other Soviet officials with whom U.S. negotiators met at the time, he appeared to be “truly flexible on the German question,” as Philip Zelikow and Condoleezza Rice put it.⁷⁴

74. Zelikow and Rice 1995, 184. The other quotes are from *ibid.*, 183–84. See also Gorbachev’s account in Gorbachev 1995, 715–16.

One could argue, of course, that a unified Germany that remained firmly anchored in NATO was in the “enlightened” self-interest of the Soviet Union. Of course, it was—except that the vast majority of the Soviet leadership did not think so until 1990. When the negotiations started, Gorbachev and Shevardnadze were firmly convinced that a neutral Germany was best for Soviet interests. They changed their minds during the process of negotiations.

The second example concerns a moral discourse about norms. This discourse was even more important, since it led to Gorbachev’s principal agreement that united Germany could remain in NATO if it chose to do so. During the U.S.–Soviet summit at the end of May 1990, Bush and Gorbachev chaired a meeting of both delegations. The conversation started in a rather polemical manner, with both sides accusing each other of fearing German attempts to threaten peace in Europe once again.⁷⁵ Gorbachev then accepted the realist argument that the U.S. presence in Europe was stabilizing but requested that NATO needed to change. In a decisive move, Bush reframed the issue from a realist discourse into a liberal one. He linked German membership in NATO to the question of self-determination and the principles of the Conference on Security and Cooperation in Europe (CSCE) according to which Germany should have the right to decide for itself which alliance it would join. Gorbachev agreed to this argument right away.⁷⁶ The two leaders then settled on a formula whereby the United States would advocate Germany’s membership in NATO but Germany’s decision would be respected if it chose otherwise.

If Zelikow and Rice are correct, Gorbachev agreed to NATO membership of united Germany on the spot. His delegation was completely stunned, and some members started infighting in front of U.S. officials. There was “a palpable feeling . . . among Gorbachev’s advisers of almost physically distancing themselves from their leader’s words.”⁷⁷ The authors conclude that Gorbachev changed his mind right at the table. If so, the incident probably constituted one of the most extraordinary cases of arguing in international negotiations. The two leaders were engaged in a discourse about norms. Bush apparently persuaded Gorbachev by reframing the NATO issue from realist terms linked to Soviet security and stability in Europe to a liberal argument emphasizing democracy and self-determination. He also linked it to the CSCE principles in which Gorbachev believed. Persuasion worked when the U.S. president justified united Germany’s membership in NATO on the basis of principled beliefs that fit the core of Gorbachev’s convictions. Thus, the normative claims implied in the idea of “self-determination” appear to have finally persuaded the Soviet leadership that it should accept rapid German unification within NATO. In a sense then, the principle of self-determination served as the main and most effective legitimizer of

75. Gorbachev 1995, 722–23. For the U.S. version, see Zelikow and Rice 1995, 276–79.

76. Testifying to the extreme sensitivity of this conversation, Gorbachev’s account puts a different spin on it. According to his version, it was Bush who agreed that Germany was free to leave NATO if it wanted to. A comparison of the U.S. version and Gorbachev’s account appears to indicate that the Soviet leader quoted selectively from the Soviet records. Compare Gorbachev 1995, 722–23, with Zelikow and Rice 1995, 276–78.

77. Zelikow and Rice 1995, 278.

Western demands, up to the final international settlement of the German question. Note that self-determination had originally motivated the demands for German unity articulated by the peaceful protesters in East Germany, from “we are the people!” to “we are one people!” And only after both sides had agreed on the appropriate normative principles that should shape the situation could they solve the distributive issues involved, such as German credits for the Soviet economy and payments for the resettlement of Red Army soldiers to the Soviet Union.

I am not suggesting that the Two plus Four talks and the bilateral meetings in conjunction with them represented “ideal speech situations” in the strict sense of the concept. But I claim that we cannot explain the cooperative outcome of these negotiations without acknowledging that argumentative rather than instrumental rationality prevailed during crucial phases. Although there were good reasons why the Soviet Union should accept a unified Germany within NATO—and these reasons were indeed argued about at the negotiating table—Moscow still had choices. Both sides not only tried to genuinely understand each other’s concerns but also engaged in a discourse challenging the respective normative claims of each other’s preferences. As a result, the Soviet leadership changed its preferences right at the negotiating table when Bush persuaded Gorbachev to reconsider the normative framework within which to deal with the German issue. Arguing was used here in a problem-solving mode to produce a consensus on the underlying norm for the post–Cold War environment. The Soviet leadership apparently found Western liberal standards of self-determination more convincing than realist arguments about security and stability in Europe.

Socializing Human Rights Norms into Domestic Practices

My second empirical example deals with the process by which actors are socialized into international norms and start implementing these norms into their domestic practices.⁷⁸ Given the stakes in the human rights area, the interference of external actors in the domestic affairs of state, this case represents a “most unlikely” example of arguing processes. Two features are of interest here: (1) human rights issues are identity related and constitutive in the sense of defining membership in the community of civilized nations; and (2) the norm-promoting agents, mostly INGOs, do not command many material resources; they can rely only on the power of the better argument.⁷⁹

The socialization of international human rights norms into domestic practices involves all three logics of social action, with each of them dominating in particular phases of the process. Argumentative processes are particularly crucial (1) when mobilizing international public opinion, Western governments, and international organizations about the human rights situation in a norm violating state; (2) when the oppressive state starts “talking the talk” and begins justifying its actions at interna-

78. This part summarizes Risse 1999 and is based on research reported in Risse, Ropp, and Sikkink 1999.

79. See Keck and Sikkink 1998; Sikkink 1993; and Smith, Chatfield, and Pagnucco 1997.

tional human rights organizations and the like; and (3) in some rare cases, when the transnational and domestic advocacy coalition actually manages to convince rather than force repressive leaders to change course and remedy the human rights situation for good.

I concentrate on the latter two cases, because we would expect strategic bargaining or coercion through economic sanctions, rather than argumentative processes, to be decisive here. The communications between governments accused of norm violations and transnational advocacy networks as well as domestic opposition groups initially do not fulfill any of the conditions for argumentative rationality specified earlier. The speakers do not recognize each other as equals, and they certainly do not empathize with each other. We can nevertheless observe a gradual process whereby the communications move, by means of rhetorical behavior, from purely instrumental rationality toward a dialogue.

The communications between norm-violating governments and transnational as well as domestic advocacy networks resemble a public discourse that is carried out in front of international as well as domestic audiences in the target state. The international audiences include Western states, Western publics, and international organizations, and the domestic audiences mainly consist of the society of the target state. In general, instrumental interests and strategic rationality dominate the early phases of the controversy, whereas argumentative behavior becomes more relevant later. Norm-violating governments initially deny the validity of international human rights norms and are not interested in engaging in a serious dialogue with their critics. At this stage of the process, the two sides do not accept each other as valid and truthful interlocutors. The advocacy coalition treats the norm-violating state as an international pariah, an outsider to the community of civilized nations. At the same time and in response, norm-violating governments not only deny the validity of the international norms but also ridicule their accusers as ignorant “foreigners,” “communists,” or “terrorists.” Kenya’s arap Moi, Indonesia’s Suharto, and the communist regimes in Eastern Europe as well as the white minority in South Africa used very similar rhetoric in this regard. Their main target audience was domestic society in an attempt to fight off the challenges to their legitimacy. Many Third World governments engage in an anti-colonial and anti-imperialist as well as nationalist discourse at this stage.

Under increasing international pressures, norm-violating governments feel that they must make some concessions in order to increase their international legitimacy or simply to regain foreign aid. This transition to tactical concessions is accompanied by an important change in rhetoric. Norm-violating governments no longer deny the validity of the international norm, but they continue to ridicule their critics and to reject specific allegations of norm violations. Toward later stages of this phase and in conjunction with continuing transnational and increasingly domestic pressures, we observe a striking development toward arguing. The more norm-violating governments accept the validity of international norms, the more they start arguing with their critics over specific accusations. If the transnational and domestic pressure increases, norm-violating governments start engaging in a public dialogue with their

critics, and the logic of arguing incrementally takes over. I discuss two cases in more detail, Indonesia and Morocco.⁸⁰

When Indonesian police forces committed a massacre in East Timor in November 1991 that was witnessed by the UN Special Rapporteur on Torture, the international outcry forced the government to move from denial of human rights norms to tactical concessions. This change was accompanied by a dramatic change in rhetoric. At the 1992 session of the UN Human Rights Commission, the Indonesian delegate claimed that Indonesia strictly prohibited the practice of torture. He also stated that the invitation of the Special Rapporteur had been motivated by the desire “to learn and benefit from such a visit in order to minimize, if not eradicate, the practice of torture in Indonesia.”⁸¹ This statement not only acknowledged the validity of the international norm but also was the first time the Indonesian government accepted allegations of torture.

From then on, the Indonesian government cooperated fully with the Human Rights Commission during the 1993–97 sessions and acknowledged specific human rights violations. In 1996, for example, Indonesia presented the Human Rights Commission with a list of detailed measures undertaken to deal with human rights violations, including immediate investigations of some abuses in East Timor. At first, government officials differentiated between valid critiques by UN (that is, interstate) bodies and inaccurate or baseless allegations by INGOs. The attitude toward the latter changed over time, particularly when two prominent East Timorese NGO leaders gained the Nobel Peace Prize in 1996. In turn, NGO officials also modified their argumentative behavior and acknowledged “the legitimate concerns of countries in preserving their national unity and territorial integrity. Many developing countries, Indonesia being a prime example, experienced a traumatic nation-building process with numerous attempts from within and without to undermine the unity of the state.”⁸² Such a statement by the most prominent East Timorese opposition leader would have been unthinkable only five years earlier. The discourse between the Indonesian government and its critics shifted dramatically over time. It began with a contestation of the underlying norm (self-determination and human rights versus noninterference in internal affairs) and a complete denial of the authenticity and credibility of the respective speakers. Later, however, the underlying norms became consensual—human rights in particular—and the speakers accepted each other as valid interlocutors. As a result, the discourse began focusing on questions of norm compliance and implementation on the ground.

This change in public discourse had significant repercussions for the domestic situation, since it empowered the opposition against Suharto. When the economic crisis hit Indonesia in the fall of 1997, the domestic opposition was fully mobilized,

80. For the following, see Jetschke 1997 and 1999.

81. United Nations ECOSOC, Commission on Human Rights, 48th Session, Summary Record of the 25th meeting (E/CN.4/1992/SR.25, par. 53–54), quoted from Jetschke 1997. See *ibid.* and Jetschke 1999 for the following.

82. Nobel Peace Prize winner José Ramos Horta at the 1997 session of the Human Rights Commission, quoted from Jetschke 1997, 12.

and Suharto ultimately had to resign. His successor, Habibie, immediately opened a dialogue with the domestic opposition and began implementing important human rights norms, even though Indonesia still has a long way to go.

The Moroccan case represents an unusual example of a process of public persuasion involving the late King Hassan II, the ruler, and his domestic as well as transnational critics.⁸³ The case is counterintuitive, since Morocco is both an Islamist state and a monarchy where the king's position constitutes a societal taboo. As in the other case, King Hassan II claimed the principle of noninterference against international human rights norms until about 1990. The more the transnational and domestic network pressures increased during the late 1980s and early 1990s, the more the king's rhetoric changed. When he instituted the Moroccan Human Rights Commission in 1990, for example, he claimed that human rights were a constitutive part of the Islamic tradition. He also argued at the UN General Assembly two years later that the principles embodied in the Universal Declaration of Human Rights reflected values prevailing in Morocco for the last fourteen centuries. He now reconstructed Moroccan identity as belonging to the (Western) community of civilized nations: "Our history, thanks to the creative spirit, which illustrates a large contribution to the sciences, the arts, to civilization, and to the law, shows that our country has always seen itself as living in a civilized society next to the developed states and nations."⁸⁴ Compared to two years earlier, the nationalist discourse had completely changed. Morocco now desired to be part of the civilized international community, which included respecting human rights.

At the same time, the king no longer denied that human rights violations occurred in Morocco and recognized that continuous human rights violations betrayed the image of Morocco as a civilized nation that he wanted to portray to the outside world. As a result, the mission of the newly founded Human Rights Commission was to "purify the face of Morocco."⁸⁵ His words and deeds set in motion a process that enabled domestic human rights networks to become more and more outspoken. They began interacting regularly with the state-sponsored Human Rights Commission, which later became the Ministry of Human Rights. Today, Morocco is the most liberal of the Maghreb states; human rights policies have been implemented in domestic law, and violations have decreased substantially. The Moroccan king thus began a process of controlled liberalization from above. This outcome is all the more remarkable, since his rule was never challenged domestically and he continued to enjoy great popularity.

What these and other cases have in common is that the communicative behavior between a norm-violating government and its transnational and domestic critics changes dramatically over time. At first, neither side accepts the other as a valid interlocutor. When the process moves toward tactical concessions, an increasing consensus emerges about the validity of international human rights norms. Norm-

83. For the following, see Gränzer 1998 and 1999.

84. Speech to the nation, 8 May 1990, quoted from Gränzer 1998, 6 (my translation).

85. Speech of 8 May 1990.

violating governments accept the norms rhetorically in order to decrease the international and domestic pressures against them. They keep denouncing their critics and do not accept the authenticity of their arguments. At this stage, rhetorical action prevails. Argumentative concessions are part of a larger picture of tactical moves to fight off the transnational and domestic opposition. So far, the process remains fully within the logic of consequentialism.

However, when norm-violating governments find it necessary to make rhetorical concessions and cease denying the validity of human rights norms, a discursive opening is created for their critics to challenge them further: If you say that you accept human rights, then why do you systematically violate them? The usual response is that such violations either did not occur or are marginal developments. The discourse then shifts toward the issue of whether norm violations constitute isolated incidents or are systematic in character. At this point during the tactical concession phase, the arguments of both sides become more and more detailed and also more legalistic. It is no longer a discourse on the validity of the norm, but on the interpretation of the law of the land. At the same time, the two sides gradually accept each other as valid interlocutors. They no longer denounce each other as ignorant foreigners or pariah states. Arguments that would not have been acceptable in earlier stages of the debate are now treated as valid points. There are many examples whereby norm-violating Third World governments convincingly argue that they were not fully in control of their own armed forces or their police. In earlier stages of the argumentative process, human rights advocates would have dismissed such a point out of hand as self-serving. Finally, the argumentative consistency of actors irrespective of the audience increases dramatically. Toward the beginning of the tactical concession phase, norm-violating governments might “talk the talk” at the UN and toward the Western donor community but adopt an entirely different language when making statements targeted at a domestic audience. Later, the arguments become substantially more consistent.

In sum then, the evidence shows a process of argumentative “self-entrapment” that starts as rhetorical action and strategic adaptation to external pressures but ends with argumentative behavior resembling the criteria defined earlier. How can one explain this process of argumentative “self-entrapment” theoretically? It is not an “ideal speech situation,” since governments do not enter the process of arguing voluntarily but are forced into a dialogue by the pressures of fully mobilized domestic and transnational networks. They might also face economic or political sanctions by the international community. At the same time, the dialogue no longer resembles rhetorical exchanges, either, through which both sides use arguments to justify their given interests and behavior but are unprepared to reconsider and change their preferences. Even these “forced dialogues” have all the characteristics of a true argumentative exchange. Both sides accept each other as valid interlocutors, try to establish some common definition of the human rights situation, and agree on the norms guiding the situation. In other words, they behave as if they were engaged in a true moral discourse. Argumentative rationality has taken over. And it matters: Governments that started moving down the road of arguing eventually matched words with deeds

in terms of an improved human rights record. Those that did not continued to commit serious human rights abuses while making some tactical concessions here and there.⁸⁶

Conclusions

In this article I introduced a mode of social action and interaction that has so far been largely overlooked in the U.S.-dominated international relations debate between rational choice and social constructivism, which has mainly focused on the differences between instrumental rationality, on the one hand, and norm-guided behavior, on the other. Drawing on insights from a theoretical debate within the German-speaking international relations community, I suggested that actors have a third mode of social action at their disposal: arguing and deliberating about the validity claims inherent in any communicative statement about identities, interests, and the state of the world. Arguing and truth-seeking behavior presuppose that actors no longer hold fixed interests during their communicative interaction but are open to persuasion, challenges, and counterchallenges geared toward reaching a reasoned consensus.

I then posited that the preconditions for argumentative rationality, particularly a “common lifeworld” and the mutual recognition of speakers as equals in a nonhierarchical relationship, are more common in international relations than is usually assumed. International institutions, for example, provide an information-rich environment and a normative framework structuring interactions. Public spheres enabling challenges and counterchallenges to validity claims also exist in many issue-areas and regions of the world. In the absence of these social structures, actors can construct common lifeworlds through narratives during prenegotiations in order to establish mutual trust in their authenticity as speakers. Arguing processes are more likely to occur both in negotiating settings and in the public sphere,

- the more actors are uncertain about their interests and even identities;
- the less actors know about the situation in which they find themselves and about the underlying “rules of the game” (“common knowledge”); and
- the more apparently irreconcilable differences prevent them from reaching an optimal rather than a merely satisfactory solution for a widely perceived problem (“problem solving”).

I distinguished between arguing and policy deliberation in international negotiations and in the international public sphere. In either context, however, arguing is likely to increase the influence of the materially less powerful, be it small states or nonstate actors such as INGOs.

86. In contrast to Morocco, Tunisia provides an interesting example of a country whose leadership initially engaged in human rights rhetoric accompanied by tactical concessions but then did not move further along the path, partly because of a lack of transnational and domestic mobilization. For details, see Gränzer 1999.

Finally, I illustrated my claims with two plausibility probes for the relevance of arguing in international relations. The first concerned the East–West talks leading to a negotiated settlement of the Cold War in Europe and German unification within NATO. The problem-solving part of these negotiations required a reasoned consensus about the underlying principles and norms guiding interactions in the post–Cold War order. Only when both sides went into an arguing mode and reached an understanding about the norm—self-determination in this case—were they able to settle the distributive issues, too. The second case focused on the implementation of international human rights norms into domestic practices of Third World states. Sustained changes in human rights practices occur when governments become convinced through arguing processes that human rights constitute part of their collective identity as a modern member of the international community. Moreover, the human rights case served as an example of how arguing empowers actors who lack material resources and so must rely on the “power of the better argument,” transnational advocacy networks in this case.

I do not claim that truth seeking is all-pervasive in world politics. First, even if actors are engaged in truth-seeking behavior in a given situation, they might still fail to reach an argumentative consensus. Second, we rarely observe pure argumentative rationality prevailing in world politics; instead we see various combinations of the three rationalities identified earlier. But focusing on argumentative processes allows us to become more specific in the conversation between rational choice and social constructivism by “unpacking” the latter. As to rational choice, the logic of arguing challenges the assumption that actors hold fixed interests and identities during the process of interaction. As to the logic of appropriateness, argumentative rationality brings agency back in and allows us to overcome the structuralist bias in some social constructivist statements.⁸⁷ Social constructivism often emphasizes learning and socialization processes in order to link social structure to agents. The two empirical cases discussed in this article illustrate how arguing provides a mechanism for both learning and norms socialization in social settings.

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87. On this bias, see Checkel 1998.

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