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The primary institutions of international society

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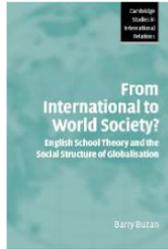
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From International to World Society?

English School Theory and the Social Structure of Globalisation

Barry Buzan

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6 The primary institutions of international society

The debate about pluralism and solidarism leads into the question of the institutions of international society. It seems safe to say that there will be a close relationship between where an international society is located on the pluralist–solidarist spectrum, and either what type of institutions it has, or how it interprets any given institution. A number of authors have, for example, tracked the evolution of sovereignty, relating it, *inter alia*, to changes in the internal character of the dominant states (Keohane 1995; Reus-Smit 1997; Barkin 1998; Sørensen 1999). The concept of institutions is central to English school thinking for three reasons: first, because it fleshes out the substantive content of international society; second, because it underpins what English school writers mean by ‘order’ in international relations; and third, because the particular understanding of institutions in English school thinking is one of the main things that differentiates it from the mainstream, rationalist, neoliberal institutionalist, study of international regimes. Quite a bit has been written about the similarities and differences between the English school approach to institutions and that of regime theory (Keohane 1988; Hurrell 1991; Evans and Wilson 1992; Buzan 1993; Wæver 1998: 109–12; Alderson and Hurrell 2000). There is general agreement that these two bodies of literature overlap at several points, and that there is significant complementarity between them. The essential differences are:

- (1) regime theory is more focused on contemporary events while the English school has a mainly historical perspective;
- (2) regime theory is primarily concerned with ‘particular human-constructed arrangements, formally or informally organised’ (Keohane 1988: 383), whereas the English school is primarily concerned with ‘historically constructed normative structures’ (Alderson and

Hurrell 2000: 27); the shared culture elements that precede rational cooperation, or what Keohane (1988: 385) calls enduring 'fundamental practices' which shape and constrain the formation, evolution and demise of the more specific institutions. Onuf (2002) labels this distinction as 'evolved' versus 'designed' institutions.

- (3) Closely tied to the previous point is that the English school has placed a lot of emphasis on the way in which the institutions of international society and its members are mutually constitutive. To pick up Manning's metaphor of the game of states, for the English school institutions define what the pieces are and how the game is played. Regime theory tends to take both actors and their preferences as given, and to define the game as cooperation under anarchy. This difference is complemented and reinforced by one of method, with regime theory largely wedded to rationalist method (Kratochwil and Ruggie 1986), and the English school resting on history, normative political theory and international legal theory;
- (4) regime theory has applied itself intensively to institutionalisation around economic and technological issues, both of which have been neglected by the English school which has concentrated mainly on the politico-military sector;
- (5) regime theory has pursued its analysis mainly in terms of actors pursuing self-interest using the mechanisms of rational cooperation; while the English school has focused mainly on common interests and shared values, and the mechanisms of international order (Evans and Wilson 1992: 337–9);
- (6) *de facto*, but not in principle, regime theory has mainly studied sub-global phenomena. Its stock-in-trade is studies of specific regimes, which usually embody a subset of states negotiating rules about some specific issue (fishing, pollution, shipping, arms control, trade etc.). The English school has subordinated the sub-global to the systemic level, talking mainly about the character and operation of international society as a whole.

The fact that there are two schools of thought within mainstream IR (not to mention others outside IR) both claiming the concept of 'institutions' is in itself a recipe for confusion (Wæver 1998: 109–12). This situation is not helped by a pervasive ambiguity in what differentiates many of the associated concepts such as norms, rules and principles. The first section takes a brief look at the definitional problems with these concepts. The second reviews how the concept of institutions is

handled in the English school literature. The third examines the concept of institutions through the lenses of hierarchy and functionalism, with a particular look at the distinction between constitutive and regulatory rules. The fourth surveys the relationship between the range of institutions and the types of international society. The fifth section concludes by reflecting on three questions: the relationship, if any, between institutions in the English school sense, and more materialist structural interpretations of the same phenomena; and the two questions left hanging in chapter 4 – one about how the interhuman, transnational and interstate domains relate to each other, and the other about the fate of the concepts ‘international’ and ‘world’ society in my structural scheme.

Definitional problems

The terms ‘norms’, ‘rules’, ‘values’ and ‘principles’ are scattered throughout the literature of both regime theory and the English school, yet it is seldom clear what, if anything, differentiates them, and in many usages they seem interchangeable. All are linked by the idea that their existence should shape expectations about the behaviour of the members of a social group. But what are the differences among shared norms and shared values and shared principles? Are norms and rules just shaded variations of the same thing? Perhaps the best-known attempt to confront this is Krasner’s (1983: 2; see also Kratochwil and Ruggie 1986: 769–71) definition of regimes as:

implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations. Principles are beliefs of fact, causation, and rectitude. Norms are standards of behaviour defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for actions. Decision-making procedures are prevailing practices for making and implementing collective choice.

This is quite helpful, but does not really produce clear, mutually exclusive concepts. There does not, for example, seem to be much difference between a principle understood as a belief of rectitude, and a norm understood as behaviour defined in terms of rights and obligations. Principles might serve as general propositions from which rules can be deduced, but inductive reasoning might also lead from rules to principles. Krasner’s distinction between norms and rules seems to hinge on the degree of formality. Both aim to regulate behaviour, and both

carry the sense that they are authoritative, though neither can be seen as causal (Kratochwil and Ruggie 1986: 767). In Krasner's scheme, norms feel more like the customs of a society, with rules occupying the more formal, written, possibly legal end of the spectrum. Yet norms could also be written down, and the general understanding of rules includes customary practices. It is fundamentally unclear how (or whether) these two concepts can be disentangled. The task is not made easier by Krasner's opening move of declaring that all of these concepts can be 'implicit or explicit' which weakens the basis for a distinction between norms and rules on grounds of degree of (in)formality. It is also unclear what the standing of 'decision-making procedures' is in this scheme. Identifying them as 'prevailing practices' simply disguises the fact that they could be principles, or norms or rules. They do not seem to be something that falls outside the first three concepts. Krasner does not mention values, and this term is much more important in the English school literature than in the regime theory one. A conventional understanding of values in the social sense is: the moral principles and beliefs or accepted standards of a person or social group. 'Moral principles and beliefs or accepted standards' easily embraces principles, norms and rules.

The unavoidable entanglements among Krasner's concepts perhaps explain why these terms are so often grouped together: 'norms, rules and principles' or 'norms, rules and institutions'. Even Kratochwil (1989: 10) uses rules, norms and principles as synonyms, and though he promises to distinguish them later in the book it is far from clear that he ever does so. Despite the difficulties, Krasner's formulation does suggest some helpful distinctions that are worth keeping in mind. The idea that norms represent the customary, implicit end of the authoritative social regulation of behaviour, and rules the more specific, explicit end, can often be useful, and I will try to retain that sense when I use the terms separately.

The concept of institutions shares some of the ambiguities that attend 'rules'. In common usage, 'institution' can be understood either in quite specific terms as 'an organisation or establishment founded for a specific purpose', or in more general ones as 'an established custom, law, or relationship in a society or community' (Hanks 1986). As noted above, these different meanings play strongly into what distinguishes English school theory from regime theory. Regime theory is mostly concerned with the first sense, though, as noted, regimes go beyond the idea of intergovernmental organisation. Keohane (1988: 383–5) is keen to draw a distinction between 'specific institutions' understood as things 'that

can be identified as related complexes of rules and norms, identifiable in space and time', and 'more fundamental practices' providing 'institutionalized constraints at a more . . . enduring level', a distinction also pursued by Wæver (1998: 109–12). Keohane puts particular emphasis on rules, arguing that specific institutions exist where there is a 'persistent set of rules' that must 'constrain activity, shape expectation, and prescribe roles'. This confines his meaning of institution either to formal organisations with 'capacity for purposive action' or international regimes comprising 'complexes of rules and organisations', a distinction also made by Kratochwil and Ruggie (1986). This comes close to making the meaning of institution synonymous with intergovernmental organisations and legal frameworks.

Some IR definitions of institution act to blur these two meanings. Krasner (1999: 43), for example, sees institutions as: 'formal or informal structures of norms and rules that are created by actors to increase their utility'. This formulation seems to lean towards designed rather than evolved institutions, but since 'created' is unmodified, could be read either way. A more elaborate blurring is offered by March and Olson (1998: 948): "'institution" can be viewed as a relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations. Such practices and rules are embedded in structures of meaning and schemes of interpretation that explain and legitimize particular identities and the practices and rules associated with them'. Here the first sentence seems to speak to Keohane's specific institutions, the second to his more fundamental practices. From the Stanford school (Meyer *et al.* 1987: 13) we get a definition that leans quite definitely towards the fundamental practices side: 'We see institutions as cultural rules giving collective meaning and value to particular entities and activities, integrating them into larger schemes. We see both patterns of activity and the units involved in them (individuals and other social entities) as constructed by such wider rules.'

Although Wæver (1998: 112) thinks that the English school operates across these meanings, and is confused about its position, a case can be made that in fact it largely takes the second, more general, sense of institution as its starting point. Bull (1977a: 40, 74) goes out of his way to make clear that when he talks of institutions he does not mean intergovernmental organisations or administrative machinery. Bull wants to get at Keohane's 'fundamental practices'. Keohane mainly discusses only one member of this category (sovereignty), which he also picks up in later work (Keohane 1995), though he acknowledges that there are

others, including Bull's set (1988: 383). The English school has explored a range of candidates within this deeper sense of institution, and it is on this basis that much of its claim to distinctiveness rests.

Standing back from the IR debates, the English school's understanding of institutions feels close to that developed by Searle (1995). Searle argues that institutions are created when a social function and status are allocated to something but which do not reflect its intrinsic physical properties. A wall keeps people out physically, whereas markers can do so socially if accepted by those concerned. Money is the easiest example where an exchange commodity evolved into paper money which has no intrinsic value other than its status of recognition as money. Money, and much else in the social world, is kept in place by collective agreement or acceptance. Searle's idea is that human societies contain large numbers of institutions in this sense, and consequently large numbers of what he calls 'institutional facts' resulting from them (e.g. husbands and wives resulting from the institution of marriage). For Searle (1995: 2, 26) institutional facts are a subset of social facts, which arise out of collective intentionality. Social facts are distinct from 'brute' facts which exist without human thought affecting them. He notes (57) that 'each use of the institution is a renewed expression of the commitment of the users to the institution', which underlines the concern with 'practices' in the IR literature on this subject.

Both the specific, designed, and the deeper, evolved understandings represent legitimate interpretations of 'institutions', and there is no good reason for trying to exclude one or the other from its meaning. Neither meaning is contested, and since the essential difference between them is clear, the issue is simply to find a way of clarifying which meaning is in play. Given the influence of international law(yers) on Bull, it is perhaps worth pointing out that the distinction between primary and secondary institutions does not derive from Hart's (1961: 79–99) well-known formulation about primary and secondary rules. Hart's concern was to distinguish between primary rules (defining (il)legitimate activity in any society), and secondary rules (which are about transforming custom into a formal framework of law and justice). The institutions talked about in regime theory are the products of a certain type of international society (most obviously liberal, but possibly other types as well), and are for the most part consciously designed by states. The institutions talked about by the English school are constitutive of both states and international society in that they define the basic character and purpose of any such society. For second-order societies (where the members

are themselves collective actors), such institutions define the units that compose the society. Searle (1995: 35) argues that 'social facts in general, and institutional facts especially, are hierarchically structured'. On this basis, and given that there is no disagreement about the English school's institutions reflecting something 'more fundamental', it does not seem unreasonable to call what the English school (and the Stanford school) wants to get at *primary institutions*, and those referred to by regime theory as *secondary institutions*.

The concept of primary institutions in English school literature

If the English school's focus is primary institutions, how are these defined, and what range of possibilities is encompassed? Regime theorists dealing with secondary institutions can make do with general definitions such as those provided by Krasner and Keohane. Within such definitions there are nearly infinite possibilities for types of formal organisation and regime. An indication of the type and range of diversity can be found in the discussion about 'hard' and 'soft' law referred to in chapter 5, and the three independent variables (obligation, precision, delegation) that produce degrees of hardness and softness in legalisation (Goldstein *et al.* 2000; Abbott *et al.* 2000). Dealing with primary institutions is a rather different proposition. Most English school writers spend little if any time defining what they mean by 'the institutions of international society', concentrating instead on listing and discussing a relatively small number that they take to define the essence of whatever international society they are examining. Since the idea of primary institutions is not controversial even for those who wish to focus on secondary institutions, the English school's neglect of definitions, though a shortcoming in its literature, does not weaken its general position. Usage of the term 'institutions' within the English school literature fits pretty well with the key features of primary institutions identified by others, viz.:

- that they are relatively fundamental and durable practices, that are evolved more than designed; and
- that they are constitutive of actors and their patterns of legitimate activity in relation to each other.

With this understanding in mind, and given that the English school literature is the main one making a sustained effort to develop the idea

of primary institutions for international society, it is worth surveying its candidates for the primary institutions as a starting point for an investigation into what this universe might contain. It seems immediately clear, for example, that second-order societies, being simpler and having many fewer members than Searle's first-order human societies, will contain a relatively small number of primary institutions.

Wight (1979: 111) says that 'the institutions of international society are according to its nature', which implies that institutions will be different from one type of international society to another. This is consistent with his more historical work (Wight 1977: 29–33, 47–9) in which he identifies various institutions of premodern international societies including: messengers, conferences and congresses, a diplomatic language, trade, religious sites and festivals. Wight does not attempt any distinction between primary and secondary institutions, and his list could be boiled down to diplomacy, trade, and religious sites and festivals. Also looking backward, Reus-Smit (1997) notes arbitration as a distinctive feature of classical Greek international society, and Cohen (1998) could easily be read as a study of diplomacy as an institution in ancient and classical times. In a study of premodern China, Zhang (2001) looks at sovereignty, diplomacy, balance of power and a form of ritual analogous to international law during China's anarchic phase (770–221 BC), and adds the idea that the tribute system was an institution of the classical Sino-centric international society in East Asia. Warner (2001: 69–76) shows just how different from Westphalian models the institutions of classical Islamic international society were, in the process illustrating both the contradictions when the West imposed itself, and the range of possibilities within the idea of primary institutions. These ideas about premodern institutions suggest an evolution from the simpler arrangements of tribes, city-states and empires in the ancient and classical period, into the more sophisticated Westphalian criteria of the modern states system, with some overlap in the role of dynastic principles. Wight (1979: 111–12) goes on to enumerate those of (what from the context is) the international society of the first half of the twentieth century, as: 'diplomacy, alliances, guarantees, war and neutrality'. Somewhat inconsistently, he then says that: 'Diplomacy is the institution for negotiating. Alliances are the institution for effecting a common interest. Arbitration is an institution for the settlement of minor differences between states. War is the institution for the final settlement of differences.' Elsewhere Wight (1977: 110–52) puts a lot of emphasis on diplomacy, sovereignty, international law and balance of

power as distinctive to European international society, but he does not anywhere draw together his various comments on institutions into a coherent discussion.

Bull puts institutions on the map for the English school, and his set of five institutions of 'international' (= interstate) society (diplomacy, international law, the balance of power, war and the role of great powers) occupies the whole central third of his 1977 book. Yet Bull never gives a full definition of what constitutes an institution, nor does he set out criteria for inclusion into or exclusion from this category. Neither does he attempt to explain the difference between his set and Wight's. Both by noting Wight's institutions for premodern international societies, and by himself setting out a variety of alternative possibilities for future international society, Bull appears to accept the idea that primary institutions can and do change, but he offers little guidance about how institutions arise and disappear. His core statement on institutions is firmly within the Westphalian straitjacket (1977: 74):

States collaborate with one another, in varying degrees, in what may be called the institutions of international society: the balance of power, international law, the diplomatic mechanism, the managerial system of the great powers, and war. By an institution we do not necessarily imply an organisation or administrative machinery, but rather a set of habits and practices shaped towards the realisation of common goals. These institutions do not deprive states of their central role in carrying out the political functions of international society, or serve as a surrogate central authority in the international system. They are rather an expression of the element of collaboration among states in discharging their political functions – and at the same time a means of sustaining this collaboration.

The location of this set in the overall structure of Bull's argument is that they derive from the second of his three types of rules: rules of coexistence, which are those setting out the minimum behavioural conditions for society (see chapter 2). In Bull's scheme, rules of coexistence hinge on the basic elements of society: limits to violence, establishment of property rights and sanctity of agreements. This placing explains both the pluralist character of these institutions (which occurs by definition as 'rules of coexistence') and the curious absence of sovereignty (which falls under Bull's first set of rules about the constitutive normative principle of world politics). Indeed, Bull (1977a: 71) does say that 'it is states themselves that are the principal institutions of the society of states', but he does not develop this idea, whereas the other five get a chapter each.

Bull's presentation of institutions can be read in two ways: either it reflects his pluralist predisposition, or it reflects his understanding of the history and present condition of interstate society. As argued in chapter 2, there is scope in Bull's institutions for solidarist development. But he makes little attempt to explore this, or to develop a general definition of primary institutions, or to explore the range of possibilities that might be covered by 'institutions of international society'. One possible lead for such an exploration is suggested by the link between Bull's choice of institutions, and the explicitly functional quality of his understanding of society. Do his ideas about society being constituted by limits to violence, establishment of property rights and sanctity of agreements open a functional path into thinking about primary institutions? More on this below.

Bull's failure both to give a clear definition of (primary) institutions, and to relate to earlier work, continues into, and in some ways worsens within, the more contemporary English school literature. For example, Mayall (2000: 149–50) says:

The framework that I have adopted describes the context of international relations in terms of a set of institutions – law, diplomacy, the balance of power etc. – and principles. Some of these – sovereignty, territorial integrity and non-intervention – have been around since the beginning of the modern states-system. Others – self-determination, non-discrimination, respect for fundamental human rights etc. – have been added more recently . . . do all these institutions and principles have equal weight, or are they arranged in a hierarchy? And if so, is it fixed?

Curiously, he does not mention nationalism, which might be thought to be his major contribution to the English school literature (Mayall 1990, 2000), and which clearly meets the criteria for primary institutions given above. Mayall (2000: 94) identifies international law as a kind of master institution: 'the bedrock institution on which the idea of international society stands or falls'. This view is supported by Kratochwil's (1989: 251) argument that: 'the international legal order exists simply by virtue of its role in defining the game of international relations', and Nardin's (1998: 20; see, contra Nardin, Whelan 1998: 50–1) that 'international society is not merely regulated by international law, but constituted by it'. The arguments made in chapter 2 about the centrality of positive international law to international society might also be taken as reason to privilege international law in this way. Aside from Mayall's

exasperating etceteras, which leave one wondering what the full sets might look like, we are offered a distinction between institutions and principles with no explanation as to what the difference might be, or any clear setting out of which items belong in which category. His good questions about weight and change seem to apply to both together, and therefore to suggest that perhaps there is no difference, and Mayall in any case does not attempt to answer them.

Perhaps picking up on Bull's undeveloped point, and in contrast to Mayall's and Kratochwil's elevation of international law, James (1999: 468) says that sovereignty is 'the constitutive principle of interstate relations', though in earlier work (James 1978) he identifies diplomacy, international law and sovereignty as the key 'phenomena' indicating the presence of international society. Interestingly, James (1978: 3) also hints at a functional understanding of institutions by talking of sovereignty in terms of rules about who can be a member of international society. The emphasis on sovereignty is also shared by Jackson (2000: 102–12), who although he does not mount a direct discussion of institutions, also talks about diplomacy, colonialism, international law and war in terms compatible with an institutional view. Reus-Smit (1997) focuses on international law and multilateralism as the key contemporary institutions of interstate society, and Keohane (1995) also seems to lean towards multilateralism. To add to the mixture, some solidarists (Knudsen 1999: 39ff.) want to push human rights almost to the status of an institution, while others (Wheeler 2000) talk about it more ambiguously in terms of a norm of international society. As with Mayall's distinction between institutions and principles, it is not clear what, if anything, draws the line between institutions and norms of international society. Both carry a sense of being durable features (and in that sense social structures) of a society, and both are about constituting roles and actors, and shaping expectations of behaviour.

If the concept of primary institutions is to play a coherent role in English school theory, then we need to improve our understanding of what it does and does not represent. The existing discussion suggests several points needing further thought:

- that there is an urgent need to acknowledge the centrality of primary institutions in English school theory, to generate consistency in the use and understanding of the concept and to make clear what does and does not count as a primary institution;

- that Bull's classic set of five institutions is much more a statement about historical pluralist international societies than any kind of universal, for-all-time set, and that consequently there is a need to flesh out the wider range of primary institutions;
- that institutions can change, and that processes of creation and decay need to be part of the picture;
- that perhaps not all primary institutions are equal, and that some sort of hierarchy may need to be introduced;
- that a functional understanding of primary institutions is worth investigating.

A timely paper by Holsti (2002) has begun a systematic and stimulating attempt to take the taxonomy of primary international institutions in hand. Holsti's starting point is a concern to develop primary institutions as benchmarks for monitoring significant change in international systems. Holsti (2002: 6) sees institutions in this sense as embodying 'three essential elements: practices, ideas and norms/rules' in varying mixtures. He adds (Holsti 2002: 9–10) a key distinction between 'foundational' and 'procedural' institutions: 'Foundational institutions define and give privileged status to certain actors. They also define the fundamental principles, rules and norms upon which their mutual relations are based.' Procedural institutions are: 'repetitive practices, ideas and norms that underlie and regulate interactions and transactions between the separate actors', including 'the conduct of both conflict and normal intercourse'. Although Holsti divides institutions into two types, it is clear that he is not repeating the division between primary and secondary institutions: his procedural institutions are still primary in concept, not regimes or IGOs. Like Mayall, Holsti shies away from giving definitive lists, but he includes as foundational institutions sovereignty, states, territoriality and the fundamental principles of international law. Among procedural institutions he includes diplomacy, war, trade and colonialism. A similar move is made by Reus-Smit (1997: 556–66), when he identifies three layers in modern international society. The deepest layer he calls 'constitutional structures', which are similar to Holsti's foundational institutions. Constitutional structures reflect a hierarchy of 'deep constitutive values: a shared belief about the moral purpose of centralized political organisation, an organising principle of sovereignty, and a norm of pure procedural justice'. Picking up the functional theme he says that these structures 'are coherent ensembles of intersubjective beliefs, principles, and norms that perform two functions in ordering

international societies: they define what constitutes a legitimate actor, entitled to all the rights and privileges of statehood; and they define the basic parameters of rightful state action'. The middle layer Reus-Smit calls 'fundamental institutions', which he sees as 'basic rules of practice' such as bilateralism, multilateralism and international law. This does not feel quite the same as Holsti's procedural institutions, but the concept is not elaborated enough to tease out the difference either in principle or practice, and the difference is perhaps not large. Reus-Smit's third layer is 'issue-specific regimes', which brings us back to the distinction between primary and secondary institutions. Although they contain some embellishments, both Holsti's and Reus-Smit's definitions of primary institutions are broadly in line with the definitions discussed above.

Holsti's approach tackles the question of change and evolution in international institutions and thereby allows both entry into and exit from Bull's pluralist model. In this aspect, his work runs in parallel with others who have not only focused on institutions, but also on the process of institutionalisation. Krasner (1999: 44) raises the question of 'durability' which he defines as whether principles and norms endure or change with change of circumstances. The Stanford school (Meyer *et al.* 1987: 13) define institutionalisation as: 'the process by which a given set of units and a pattern of activities come to be normatively and cognitively held in place, and practically taken for granted as lawful (whether as a matter of formal law, custom or knowledge)'. March and Olsen (1998: 959–69) draw attention to the way in which the development of interaction and competence tends to lead to institutionalisation, and to the need to study how political history evolves in terms of institutions. I will look more closely at the process of institutionalisation in chapter 8.

Holsti shows how new institutions arise (trade), and some old ones drop out of use altogether (colonialism – see also Keene, 2002: 60–144), and it is apparent that any study of institutional dynamics must incorporate both the rise and consolidation of institutions and their decay and demise. He argues that war has decayed as an institution of contemporary international society, taking a similar view to Mayall's (2000: 19) remark that in the twentieth century war became regarded more as the breakdown of international society than as a sign of its operation. Other institutions have become much more elaborate and complicated (international law, diplomacy). In general, Holsti sets up a scheme that invites observers to look not just for the existence (or not) of institutions, but whether the trend is for those that do exist to strengthen, weaken

Table 1. *Candidates for primary institutions of international society by author^c*

Wight	Bull	Mayall ^a	Holsti ^b	James	Jackson
Religious sites and festivals					
Dynastic principles					
Trade			Trade (P)		
Diplomacy	Diplomacy	Diplomacy (I)	Diplomacy(P)	Diplomacy	Diplomacy
Alliances					
Guarantees					
War	War		War (P)		War
Neutrality					
Arbitration					
Balance of Power	Balance of Power, Great power management	Balance of Power (I)			
International Law	International Law <u>The State</u>	<u>International Law</u> (I)	International Law (F) The State (F)	International Law	International Law
Sovereignty		Sovereignty (P) Territorial Integrity (P) Nonintervention (P) Self-Determination (P) Non-Discrimination (P) Human Rights (P)	<u>Sovereignty</u> (F) Territoriality (F)	<u>Sovereignty</u> Political boundaries	<u>Sovereignty</u>
			Colonialism (P)		Colonialism

Notes: ^a for Mayall (I) = institution and (P) = principle

^b for Holsti (F) = foundational institution and (P) = procedural institution

^c words underlined are where the author identifies an institution as 'principal', or 'master' or 'bedrock'.

or evolve internally. Holsti's scheme, and Reus-Smit's, also address explicitly the question of hierarchy among primary institutions, and not just between primary and secondary ones, though more thinking is needed about this. Holsti's statement (2002: 13) that sovereignty is 'the bedrock for all other international institutions', reinforces the discord between, on the one hand, the seemingly similar positions of Alan James and Robert Jackson cited above, and on the other, Mayall's, Kratochwil's and Nardin's virtually identical statements about international law. The whole idea of 'bedrock institutions' seems to suggest a special status for some even within the foundational category. It is also unclear in these discussions whether the claims for bedrock status are general to any interstate society, or specific to the Westphalian one and its contemporary derivative. In addition, Holsti's inclusion of the state as a foundational institution alongside sovereignty and territoriality looks problematic. It is not clear that anything of consequence is left if one subtracts sovereignty and territoriality from the state. Neither is it clear that the state fits within Holsti's definition. If, as he says, 'foundational institutions define and give privileged status to certain actors . . . [and] the fundamental principles, rules and norms upon which their mutual relations are based', then actors cannot be primary institutions. This argument also undercuts Bull's unexplored classification of the state as the principal institution of international society. Primary institutions have to reflect some shared principle, norm or value. In this instance, states would be the actors constituted by the combination of sovereignty and territoriality.

Although not identifying all of the writers who have had something to say about primary institutions, the current state of play on primary institutions in English school literature is roughly summarised in table 1. One might want to add to it Reus-Smit's and Keohane's idea that multilateralism is an institution if not of interstate society globally, at least amongst the Western states and their circle.

This summary is inspiring because it is clearly getting at something basic and important about international social structure that is not covered either by secondary institutions or by Wendt's broad classification of basic types of social order. It is also both instructive and a bit depressing. It is depressing because it reveals something approaching indifference towards both conceptual clarity and cumulative debate. The English school's interest in primary institutions might be a candidate for the 'coherent research program' that Keohane (1988: 392) accuses the reflectivists of lacking, but to qualify will require much more systematic

thinking than it has received so far. The summary is instructive on two grounds. First, because it suggests that there is a lot more to primary institutions than sovereignty. As Onuf (2002: 228) astutely observes, it is a feature of realist thinking that 'sovereignty is the only rule that matters for the constitution of anarchy'. A systematic approach through primary institutions would thus settle once and for all what it is that differentiates English school theory from realism. Second, primary institutions do have some kind of life-cycle in which they rise, evolve and decline, and this dynamic itself needs to be a focus of study (more on this in chapter 8). The summary also suggests a recurrent desire to differentiate primary institutions into some sort of hierarchy between the deeper and more constitutive, and the less deep and more procedural. Alongside this, and not clearly connected to it, are the hints about a functional understanding of primary institutions. How can one begin to transform the English school's lists into a coherent taxonomy? I will begin with ideas about hierarchy and then turn to the functional question.

Hierarchy and functionalism within primary institutions

What lies behind the persistent tendency in writings about primary institutions either to finger some one institution as 'primary' or 'master', or to make some more general distinction (Mayall's institutions and principles; Holsti's procedural and foundational institutions; Reus-Smit's constitutional structures and fundamental institutions). The idea of a 'primary' or 'master' institution implies that one deep practice essentially generates or shapes all of the others. The idea of two layers of primary institutions implies that some are 'deeper' than others.

Looking first at the notion of layers, Holsti's and Reus-Smit's distinctions are based on the idea that some (procedural/foundational) institutions are about repetitive practices and interactions, while others (foundational/constitutional structures) are about how the actors and the basic rules of the game among them are constituted. A distinction along these lines is similar to the one used by Ruggie (1998) and others (e.g. Kratochwil 1989: 26; Searle 1995: 27–8; Sørensen 1999) between regulative and constitutive rules. Since, as argued above (pp. 163–7), norms, rules, principles and values all overlap, and since institutions embody all of them, it seems reasonable to transpose the logic developed around constitutive and regulatory rules, to the discussion about different types

of primary institutions. Regulative rules are intended to have causal effects on a pre-existing activity, while 'constitutive rules define the set of practices that make up any particular consciously organised social activity . . . they specify *what counts as* that activity' (Ruggie 1998: 22). Searle (1995: 114) argues that 'institutions always consist in constitutive rules (practices, procedures) that have the form X counts as Y in context C'. It seems that the strange status of the state in Bull's scheme, and his silence about sovereignty, reflect the positioning of his institutions within his 'rules of coexistence' category, which leaves out the institutions to be found under his constitutive rules. Bull thus comes close to falling foul of the criticism made by Ruggie (1998: 25) of neorealists and neoliberals, that they exclude constitutive rules, and that 'the scope of their theories . . . is confined to regulative rules that coordinate behaviour in a pre-constituted world'. Yet that would not be quite fair, since several of Bull's institutions do seem to fit under Holsti's 'foundational' category and Ruggie's 'constitutive' one. At first glance, it is not exactly clear how one would interpret Bull's three types of rules in the light of Holsti's and Ruggie's dyadic classifications. Bull's constitutive rules probably fit within Holsti's foundational institutions and Ruggie's constitutive rules. His rules of cooperation probably fit within Holsti's procedural institutions and Ruggie's regulative rules, and may also overlap with secondary institutions. But quite where Bull's rules of coexistence, and hence his five institutions, fit, is not immediately obvious. We are in the murky waters signposted by Hurrell (2002a: 145) when he noted the absence of any clear answer as to what actually are 'the most important constitutive rules in international relations'. One thing that is clear is that this debate is about a different concern from Hart's (1961) distinction between primary and secondary rules, which is more narrowly aimed at how custom is transformed into law.

Just what does count as constitutive in relation to interstate societies? Since the English school has in part justified its distinctiveness from (mainly American) regime theory by pointing to the constitutive quality of what it means by institutions, getting some sort of coherent answer to this question is essential to the standing of English school theory. As already noted, Bull's idea of constitutive rules is the social structural analogue to Waltz's first tier of structure, comprising the ordering principle of the system that defines whether it is a society of states, a universal empire, a cosmopolitan society or whatever. Bull's rules of coexistence are heavily shaped by the prior choice of sovereign

territorial states within this first tier of constitutive rules. The rules of coexistence then set out the minimum behavioural conditions for society, in other words a kind of bottom line necessary for some sort of interstate society to exist. Holsti's and Reus-Smit's deepest layers define both the key actors and the fundamental principles, rules and norms upon which their mutual relations are based. Ruggie's idea is that constitutive rules define the set of practices that make up any particular consciously organised social activity, with the example of a game (e.g. chess – Searle 1995: 27–8) giving clear guidance. As in chess, the rules define the pieces, the environment in which the pieces act, and the ways in which they relate to each other and that environment. Taking all these ideas together, and staying with a game metaphor (chess, or Manning's game of states) it becomes apparent that there are two core elements in the idea of constitutive institutions: one is that such institutions define the main pieces/players in the game; the other that they define the basic rules by which the pieces/players relate to each other.

This sounds relatively simple, but is not. One problem concerns the separability of pieces/players on the one hand, and the rules of engagement on the other. These might be separate (as in chess), but they might also be linked, as in the mutual constitution resolution to the agent–structure problem. Sovereignty as the defining quality of states (pieces/players) cannot be disentangled from anarchy as the defining quality of system structure (and therefore the rules of the game). This link is dynamic, and as the several accounts of the evolution of sovereignty noted above make clear, both states and the game they play change over time. Sovereignty may stay constant as the key constitutive institution, but the practices that it legitimises are under continuous renegotiation. This changeability within a constant is less of a contrast to chess than might be imagined; the rules of chess have changed quite frequently without the identity of the game coming into question (Hassner 2003). A second problem lies in the conflation of 'pieces' and 'players'. In chess, the pieces are constituted by the rules, but the pieces are not the players, and although the activity of chess may be constituted by its rules, the people who play it are not (except in the very limited sense of being temporarily constituted as chess players). In the game of states, this distinction is much less clear. The pieces and the players are still separable (pieces = states, players = political leaders and diplomats), but they are closely interlinked, as captured in the distinction between 'role' and 'idiosyncratic' variables in the study of foreign-policy-making.

Where the pieces (states) are composed of sentient social actors, then what the pieces are and how they relate to each other will inevitably be connected. On this basis Holsti and Reus-Smit would seem to be correct in proposing that for the game of states, constitutive institutions must define both the main actors and the basic rules by which they relate to each other.

What does such a conclusion mean in practical terms? The clearest candidates for the status of constitutive institutions will be those that bear directly on the definition of the principal actors/players in the game. Taking the cue from Bull's discussion of constitutive principles, for the game of states in Westphalian form the key constitutive institutions would be sovereignty and territoriality, for the game of empires, it would be suzerainty, for a cosmopolitan community it would be human rights, and for a neomedieval system it would be the set of principles that differentiated the main types of actors and set out their rights and responsibilities in relation to each other. For something like the EU, the constitutive institution remains sovereignty, but accompanied by integration and 'subsidiarity' (the investment of authority at the lowest possible level of an institutional hierarchy – McLean 1996: 482). It is not impossible for some of these rules to coexist. During the colonial era, for example, the European states system was constituted by sovereignty, but the European powers related to the rest of the world on the basis of suzerainty, which defined a range of imperial entities from dominions through protectorates to colonies. Holsti (and Keene, 2000, 2002) are thus quite right to identify colonialism as a key institution of pre-1945 European international society. Thinking just about what constitutes the actors/players pushes one towards the idea of 'master' or 'principal' primary institutions, where perhaps one or two key foundational practices do seem to set up the rest of the game.

Moving to constitutive institutions focused on the basic rules of engagement is more difficult. Where is the boundary between what counts as 'basic' or 'fundamental' rules (coexistence for Bull, rules that define the game for Ruggie, fundamental principles defining relations for Holsti and Reus-Smit), and cooperation/regulative/procedural rules? Bull's idea of rules of cooperation being about secondary issues (those more advanced rules agreed by states beyond mere coexistence) looks immediately problematic. Such rules can include trade and human rights, both of which might well count as constitutive in the sense that they impact quickly and deeply on what practices are legitimised (or not) by sovereignty, and therefore how the key players are defined.

Both Holsti's and Reus-Smit's procedural rules and Ruggie's regulative ones are trying to define a level that is relatively superficial in the sense that it downplays or eliminates the constitutive element. Holsti's procedural institutions are: 'repetitive practices, ideas and norms that underlie and regulate interactions and transactions between the separate actors', Ruggie's regulative rules 'are intended to have causal effects on a pre-existing activity'. The idea here is to capture, as it were, the regular practices that sentient players engage in once the actors are established, the basic rules are in place and the game of states is under way. But this seemingly clear distinction is hard to sustain. Even at the level of secondary institutions there are plausible claims that the buildup of networks of regimes eventually entangles states to such an extent as to change quite fundamentally the nature of relations among them (more legal and institutionalised, less war) and thus to call into question the (neo)realist understanding of what anarchy means. Such claims are intrinsic to much of the discussion of globalisation and world society, and are not difficult to find in other literatures (Keohane and Nye 1977; Wendt 1999; Milner 1991). In effect, such claims connect even secondary institutions, at least in their cumulative effect as expressions of the primary institution of multilateralism, to constitutive status. Holsti counts both trade and war as procedural institutions, yet there are compelling arguments that both have major effects on the constitution and behaviour of states (e.g. Keohane and Nye 1977; Tilly 1990).

One key element in the difficulty of drawing a boundary between constitutive institutions and regulatory rules is the breakdown of the analogy between games such as chess where the pieces are not the players, and games such as 'states' where the pieces and the players are more closely intertwined. In the game of states, the players can reinterpret existing institutions as they go along. Ashley's (1987: 411) seemingly convoluted definition of international community is close to the sense of primary institutions, and captures this idea of essential fluidity well:

international community can only be seen as a never completed product of multiple historical practices, a still-contested product of struggle to impose interpretation upon interpretation. In its form it can only be understood as a network of historically fabricated practical understandings, precedents, skills, and procedures that define competent international subjectivity and that occupy a precariously held social *space* pried open amidst contending historical forces, multiple interpretations and plural practices.

As Holsti's discussion makes clear, within the game of states, even quite basic institutions (colonialism in his set, which does define actors in the system) can disappear as the game evolves, or at least atrophy to the point where the label is no longer an acceptable way of characterising practices. Holsti tracks substantial changes of interpretation in other primary institutions as well, such as sovereignty (see also Keohane 1995; Barkin 1998; Sørensen 1999), war and international law. The shared norms or principles represented by primary institutions can endure in a general sense, while the particular rules and institutional facts that they legitimise undergo substantial change. The problem is how to distinguish between those institutions that change the nature of the game and the character of the key players, and those that don't. Drawing any such distinction in a definitive way is certain to be both difficult and controversial. There is endless scope for dispute as to what extent new institutions (the market, or human rights) change either the game or the players, and over what time periods they do so. In terms of the discussion in chapter 5, the question is: does solidarism change the game of states, and at what point do those changes add up to a new game for which the name 'game of states' is no longer appropriate? A suggestive answer to this question is provided by the tendency of EU studies to drift away from both IR and Politics, implying that at least in the minds of many of those who study it, the EU cannot be adequately understood either as a state or as a game of states.

Taking all of this into consideration, one can make the following general characterisation of the primary institutions of interstate society.

- Primary institutions are durable and recognised patterns of shared practices rooted in values held commonly by the members of interstate societies, and embodying a mix of norms, rules and principles. In some cases these shared practices and values may be extended to, and accepted by, non-state actors.
- In order to count as a primary institution, such practices must play a constitutive role in relation to both the pieces/players and the rules of the game. There is probably not a useful distinction to be made between constitutive and regulatory (or fundamental and procedural) primary institutions.
- Although durable, primary institutions are neither permanent nor fixed. They will typically undergo a historical pattern of rise, evolution and decline that is long by the standards of a human lifetime.

Changes in the practices within an institution may be a sign of vigour and adaptation (as those in sovereignty over the last couple of centuries) or of decline (as in the narrowing legitimacy of war over the last half-century). One needs to distinguish between changes in and changes of primary institutions.

Although I have argued that a constitutive/regulatory distinction cannot be used as the basis for a hierarchy within primary institutions, the sense in the literature that there needs to be a hierarchy is strong. It is also uncontested that there needs to be a better taxonomy of primary institutions. The simplest solution to the hierarchy problem is to treat it as an issue of nesting. Some primary institutions can be understood as containing, or generating others. International law, for example, can be seen as a general institution, a set of fundamental principles, and also as the container of the potentially endless particular laws about a wide variety of specific issues that can be built up within it, and which mostly fall under what I have labelled here as secondary institutions. The trick is to find primary institutions that stand alone. Looking again at table 1, it is clear that some of the candidates do stand alone, whereas others are derivative.

Sovereignty is a good candidate for a master institution of Westphalian international society. Within it one could bundle up Mayall's 'principles' of non-intervention, self-determination and non-discrimination. A good case could be made for seeing international law as derivative from sovereignty. Although there could, in principle, be international law without sovereignty, as Mosler (1980: 1) argues, before sovereignty, in ancient and classical times, there was no conception of a universal community of rules or laws (on this question see Onuma 2000; Zhang 2001). Without international law, it is difficult to imagine much international relations among sovereign entities other than war.

Territoriality, or territorial integrity, is distinct from sovereignty and not necessary to it. Sovereignty can in principle exist without being territorial, even though in practice that might be difficult to implement. Territoriality is therefore a distinct master institution of Westphalian interstate societies (Ruggie 1993). It might be argued that boundaries are a derivative institution from territoriality, though it could also be argued that territoriality and boundaries are opposite sides of the same coin. As argued above, sovereignty and territoriality together constitute

the essence of the Westphalian state, and so eliminate Bull's and Holsti's attempt to see the state itself as a primary institution.

Diplomacy is another good candidate for a master institution. In historical terms, it predates sovereignty, and it easily bundles up Wight's messengers, conferences and congresses, diplomatic language, and arbitration and Reus-Smit's multilateralism.

Balance of power is a clear fourth Westphalian master institution. When understood as a recognised social practice, and shared value, rather than as a mechanical consequence of anarchy, balance of power contains alliances, guarantees, neutrality and great power management. It also contains war, again when understood as a social practice (Searle 1995: 89–90), which as Wight noted, is 'the institution for the final settlement of differences'.

Of the list in table 1, that leaves religious sites and festivals, dynastic principles, trade, human rights and colonialism as not clearly derivative or subordinate to any other master institution. Religious sites and festivals have dropped away as a feature of modern European international society, but clearly played a central role in ancient and classical times, and retain unquestionable importance in sub-global international societies, notably those of the Islamic, Jewish and Hindu worlds. Dynastic principles have also faded out of European international society, but they were crucial in its early phases, and were prominent also in ancient and classical times. Trade is another very old practice in human affairs and does not depend on any of the four master institutions listed above (Buzan and Little 2000). Whether trade as such is the institution, or particular principles applying to it, such as protectionism, or the market, is an interesting question needing more thought. A good case can be made that over the past century and a half, there has been a battle between these two principles of how to govern trade, and that since the end of the Cold War, the market has emerged clearly as one of the major primary institutions of contemporary interstate society. Even with that resolution, however, there remains a vigorous battle between 'economic' and 'embedded' liberals for the soul of the market. As noted above, human rights is a cosmopolitan institution, but it can also be picked up as a shared value in an interstate society. Probably it is not a master institution in itself, but derivative from the principle of equality of people established as part of decolonisation. Conversely, colonialism was a derivative primary institution of international society up to 1945, resting on the general principle of inequality of peoples.

Table 2. *The nested hierarchy of international institutions*

Primary Institutions	
Master	Derivative
Sovereignty	Non-intervention International law
Territoriality	Boundaries
Diplomacy	Messengers/diplomats Conferences/Congresses Multilateralism Diplomatic language Arbitration
Balance of power	Anti-hegemonism Alliances Guarantees Neutrality War
Equality of people	Great power management Human Rights Humanitarian intervention
Inequality of people	Colonialism Dynasticism
Trade	Market Protectionism
Nationalism	Hegemonic stability Self-determination Popular sovereignty Democracy

On the basis of this discussion, and setting aside religious sites and festivals, and dynastic principles on the grounds that they are mostly of historical interest, a simple logic of nesting generates a preliminary pattern of master and derivative primary institutions applying to modern interstate societies as set out in table 2. I am aware that some will find the dispositions in table 2 controversial, and I offer them more as a way of opening than of closing a debate about nesting as one way of dealing with the problem of hierarchy within primary institutions that is not resolved by the distinction between constitutive and regulatory rules.

Of course tables 1 and 2 do not contain all of the possible primary institutions, and neither do they tell us what the contemporary pattern looks like. Given the pluralist dispositions of the authors involved, these lists have not only an interstate, but also a specific Westphalian

bias, and even there are not complete. One thing that is noticeable about trade, human rights and colonialism in relation to sovereignty, territoriality, diplomacy and balance of power, is that they don't fit comfortably together. Sovereignty, territoriality, diplomacy and balance of power are a harmonious set. They do not guarantee peace, but they complement each other comfortably and contain no necessary contradictions. The market, human rights and colonialism raise contradictions. The contradiction between human rights on the one hand, and sovereignty/non-intervention on the other is well developed in the English school literature (Bull 1977a; Mayall 2000; Jackson 2000). Colonialism contradicts sovereignty by creating a society of unequals, a mix of Westphalian and imperial forms (Keene 2002). The market principle creates tensions with sovereignty and territoriality, not to mention balance of power, in ways that have been well explored in the literatures of IPE and globalisation.

Given the problem of contradictions, it is not without significance that nationalism which, given its importance as the political legitimiser for sovereignty, might well be thought a quite longstanding master institution of interstate society, is not part of table 1. Like trade, human rights and colonialism, nationalism, and its corollaries popular sovereignty and the right of self-determination, create contradictions with some of the other master institutions (sovereignty, territoriality, trade, even at times diplomacy), a story well told by Mayall (1990). Nationalism, as Mayall (2000: 84) notes, sacralises territory by making sovereignty popular. It can also underpin the solidarist call, derided by Jackson (2000: 366) to make democracy a universal institution of interstate society. It is perhaps no accident that the English school classics avoided talk of trade and nationalism for fear of disrupting the harmony of their core Westphalian set of institutions. Bull, and more recently Jackson, put the pursuit of order as their first priority. A consequent disinclination to take on board disruptive institutions would be of a piece with their often fierce resistance to human rights, which creates similar tensions. Although the potential for contradictions among primary institutions is real, it is also sometimes overdone. The fear that the WTO regime degrades sovereignty by imposing rules and restrictions on states, for example, is a common part of the debate about globalisation. In defence, the OECD (1998: 13–14, 77–90) argues that since states agree to the rules in pursuit of what they define as their own national interests, the trade regime is an exercise of sovereignty, not a surrender of it. This line is close to Manning's, cited in chapter 2, that 'What is essentially a system

of law *for* sovereigns, being premised on their very sovereignty, does not, by the fact of being strengthened, put in jeopardy the sovereignties which are the dogmatic basis for its very existence. Not, at any rate, in logic.' Those classics of the English school that subordinate the exploration of tensions among primary institutions to the concern for order, block one of the most interesting insights to be gained from the study of primary institutions: that tensions among them are a key driving force in the evolution of interstate society. More on this in chapters 7 and 8.

Another missing primary institution is environmentalism, discussed by Jackson (2000: 175–8) as a fourth area of responsibility (after national, international and humanitarian) involving stewardship or trusteeship of the planet. This was little, if at all, discussed by earlier English school writers, in part because the issue was not then as prominent as it later became. As discussed in chapter 5, environmental stewardship can, up to a point, be fitted into a pluralist logic of coexistence, but it can also become a solidarist project. It might be argued that environmentalism as a master institution is generating derivative institutions such as the right to survival for all species.

Taking these additions into account, and focusing in on the particular pattern of contemporary international institutions, is the task of table 3. Here it is also possible to begin seeing roughly how primary and secondary institutions relate to each other, though I have not tried to trace all of the cross-linkages where secondary institutions might well link to, or express, more than one primary institution (e.g. the UNGA linking to sovereignty, diplomacy, self-determination). Note also how in this more specific focus the market and great power management move to the status of primary institutions with their own derivatives. Again, as with table 2, I offer this interpretation as a way of opening a discussion that the English school, and others interested in international institutions, need to have.

I will look in more detail at the institutions of contemporary international society, and the dynamics that drive them, in chapter 8. There remains the question of exploring the path opened by Bull, James and Reus-Smit towards a functional understanding of primary institutions. One could also derive functional leanings from the discussion about constitutive rules being what define the players and the rules of the game. Heading in that direction requires abandoning the empirical, inductive approach with which I started, and turning towards a more deductive

Table 3. Contemporary international institutions

Primary Institutions		Secondary Institutions
Master	Derivative	(examples of)
Sovereignty	Non-intervention	UN General Assembly
Territoriality	International law	Most regimes, ICJ, ICC
Diplomacy	Boundaries	Some PKOs
	Bilateralism	Embassies
	Multilateralism	United Nations
		Conferences
		Most IGOs, regimes
Great power management	Alliances	NATO
	War	UN Security Council
	Balance of power	
Equality of people	Human rights	UNHCR
	Humanitarian intervention	
Market	Trade liberalisation	GATT/WTO, MFN agreements
	Financial liberalisation	IBRD, IMF, BIS
	Hegemonic stability	
Nationalism	Self-determination	Some PKOs
	Popular sovereignty	
	Democracy	
Environmental stewardship	Species survival	CITES, UNFCCC,
	Climate stability	Kyoto Protocol, IPCC, Montreal Protocol, etc.

approach. Jack Donnelly (2002: 21–3) has made a preliminary start down this path, choosing a functional logic as a way both of building on Bull’s understanding of society, and of addressing the manifest shortcomings of the English school’s simple lists. Without giving much explanation as to why, he offers five types of political functions as ‘likely to be performed in any international society’ and begins to allocate institutions to them: *communicating and interacting* (diplomacy, heralds and messengers, the ancient Greek practice of *proxeny*), *making and applying rules* (international law), *regulating the use of force* (war, ‘just war’ rules, various practices specifying the right to bear arms) *aggregating interests and power* (alliances, spheres of influence, IGOs, feudal obligations, religious solidarity), and *allocating jurisdiction and establishing status* (sovereignty, suzerainty, universal empire). Donnelly’s paper is his first cut at a large

project, and while understandably unsatisfactory in some respects at this early stage, is nevertheless usefully suggestive, not least in starting from the requirements of second-order ('international') societies rather than assuming (as Bull does) that one can start from the requirements of any form of society.

Unlike first-order societies, second-order societies do not have to deal with some basic human functions such as sex, birth and death. But because, unlike the individual humans who compose first-order societies, their entities are both collective and socially constructed, they do have distinctive problems about communication and recognition. As James and Reus-Smit emphasise, second-order societies have a particular need to specify what kind(s) of collective actors are allowed membership, and what not. Since the entities are collective, they also need rules about how communication is to be conducted, and which voice from within is to be treated as authoritative. Beyond that, the obvious historic core concerns of second-order societies are with war and commerce, which are captured by Bull's emphasis respectively on constraints on the use of force, and allocation of property rights. To pursue either commerce or restraints on the resort to war, necessitates bringing in Bull's third element of society which is understandings about the sanctity of agreements. One could therefore start a functional analysis of the primary institutions of international society with these five. In terms of the institutions discussed earlier in this chapter the allocations might go as follows:

Membership – the importance of defining the membership of a second-order society was apparent in the discussion above about constitutive rules and who the players/actors are. Membership partly overlaps with Donnelly's category of 'allocating jurisdiction and establishing status', but also goes beyond it, potentially taking in such identity issues as feudal obligations and religious solidarity, which Donnelly places under 'aggregating interests and power'. It is thus not just about Bull's constitutive rules, but also contains equality/inequality of people (or not) and their derivatives, human rights/colonialism and dynasticism; nationalism and its derivatives self-determination, popular sovereignty and democracy, and other variations on the question of identity that would bear on the 'standard of civilisation' that determines whether entities are admitted to or excluded from international society.

Authoritative communication – this is close to Donnelly's classification, and is mainly about diplomacy and its antecedents.

Limits to the use of force – it is difficult to make a tight distinction between this function and membership. It would obviously include many of the classic Westphalian institutions emphasised by English school pluralists: great power management, war, alliances, neutrality and balance of power. But at least for Westphalian-type interstate societies, it would be difficult to exclude from this function some of the institutions that also determine membership, for example, colonialism, dynasticism, and human rights. As I have argued elsewhere (Buzan 1996) membership of international society has security implications in and of itself, not necessarily guaranteeing survival, but giving some protection against being treated as a *terra nullius* whose inhabitants can be treated as non-human.

Allocation of property rights – curiously, Donnelly does not pick up this aspect of Bull's functional approach to society, thereby perpetuating the English school's neglect of the economic sector. Allocation of property rights has both political and economic aspects, respectively about who governs where, and who owns what. Whether these aspects can be treated as distinct, as in Tilly's (1990) counterpointing of coercion and capital, or whether they are intertwined, as in Ruggie's (1983) argument that private property and sovereignty emerged together, remains controversial. On the political side, the obvious Westphalian institutions are territoriality and boundaries, though as the feudal model indicates, this kind of hard territoriality is not the only way of allocating property rights. On the economic side, property rights points towards the institutions associated with trade and finance. In societies where the environment has become an issue, institutions associated with stewardship would also come under this heading.

Sanctity of agreements – this is close to Donnelly's 'making and applying rules' and is mainly about international law and its antecedents.

This discussion does no more than open the door on the question of how to understand the primary institutions of international society in functional terms. I do not have the space here to develop this line of thinking further, but the desirability of doing so is apparent for at least two reasons. First, a functional framing is one way of giving theoretical grounding to the English school's so far rather *ad hoc* and empirical approach to institutions, and moreover doing so in terms that can be linked into Bull's work. Second, Donnelly is no doubt correct in thinking that a functional approach would greatly facilitate the Wight/Watson project of comparing international societies across space and time. In the meantime, it is useful to try to get a somewhat more systematic sense

of the possible range of primary institutions beyond the Westphalian model. To do this one needs to look at different types of interstate society through the crude functional lens just established.

The range of institutions and the types of international society

First-order (interhuman) societies are typically complicated, and may well have large numbers of defining institutions (Searle 1995). Second-order societies will typically have fewer members and fewer institutions, but they can take many forms and shapes, and therefore even though the number of primary institutions within any given international society may be fairly small, the overall possibilities for such institutions are, if not infinite, at least very numerous. I am therefore unable to escape the 'etcetera' problem for which I earlier pilloried Mayall and others, although at least now one can see why. On the basis of the thin/thick argument in chapter 5, one would expect fewer institutions at the pluralist end of the spectrum and more at the solidarist end. Exactly what the primary institutions of any given international society are is a matter for close empirical enquiry conducted within functional guidelines. Holsti is quite right to link the question of how to benchmark change in international systems to the study of the institutions that define what the society is and what the rules of its game are. Especially in games where the pieces are the players, institutions are open to change, whether change of meaning and practice (e.g. sovereignty, war), or rise/decline of the institution as such (e.g. market, colonialism).

Even with a functional frame, one cannot set out a definitive list of primary institutions for all times and places, yet it is nevertheless interesting and instructive to try to think through the question of primary institutions in relation to the four types of interstate social order set out in figure 5. In particular, such an exercise enables one to revisit the issue of change in the context of the idea from the discussion of pluralism and solidarism above, that solidarist forms of interstate society at least initially build on pluralist foundations. One has to keep in mind that each model can in principle be held together by any mix of coercion, calculation and belief.

A *Power Political* interstate society was defined as based largely on enmity and the possibility of war, and therefore as thin in terms of primary institutions. Survival is the main motive for the states, and no values are necessarily shared. Secondary institutions are unlikely to

exist at all. At a minimum a Power Political society will require means of authoritative communication, even if only for alliance making, and therefore some form of diplomacy. By historical experience, there is also likely to be some institutionalisation around property rights. Trade becomes an institution when there is shared practice for granting particular rights to merchants, which was common even in ancient and classical times (Buzan and Little 2000). It is easy to find historical cases where diplomacy and trade existed without there being any shared political principle. It also seems likely that some sort of territoriality would be important because of its intrinsic relationship to the processes of war and conquest, though this might well not take the form of hard boundaries. Empires and tribes usually have fuzzy frontiers rather than fixed lines. In such a thin society, there may well not be much elaboration around the rules of membership. Sovereignty might or might not be an institution in a Hobbesian society, which could just as easily rest on suzerainty, or even on the simple pragmatic test of whatever kind of entity is able to field significant military force. In most of ancient and classical times, for example, international systems were composed of a mix of city-states, empires, nomadic barbarians and hunter-gatherer bands. This does not rule out that Power Political interstate societies could also feature shared political institutions such as dynasticism or suzerainty, as they did for much of classical history and also early modern European history. By definition, Power Political interstate societies are unlikely to feature major constraints on the use of force, though war may well be a strong candidate for an institution in the sense of a general acceptance of conquest as a legitimate way to establish political claims. Any society will require some method of establishing the sanctity of agreements, even if only the value placed on 'word of honour', but the ruthless survivalism of a Power Political one is unlikely to feature much in the way of developed international law.

A *Coexistence* interstate society was defined as based on the model of a Westphalian balance of power system in which the balance of power is accepted as an organising principle by the great powers, and sovereignty, territoriality, diplomacy, great power management, war and international law are the core institutions of international society. This is Bull's pluralist international society, close to the experience of modern European history up to 1945. In functional terms, these classic institutions already cover a quite well-developed means of authoritative communication (diplomacy), membership (sovereignty), limits

to the use of force (war, balance of power, great power management), property rights (territoriality) and sanctity of agreements (international law). Yet the classical pluralist presentation of institutions in the English school literature does not exhaust the possibilities. In terms of membership, colonialism is an option for such a society provided that it has room to expand outside its core (Holsti 2002; Keene 2000, 2002), and so also is dynasticism, as it was in Europe well into the nineteenth century. A 'standard of civilisation' embodying other cultural and/or religious identity markers might well also be applied to membership, as it was by the Europeans before 1945. In terms of property rights, Coexistence interstate societies can also generate economic institutions more sophisticated than the basic trading practices that can be found even in Power Political interstate societies. Coexistence interstate societies might well keep the mercantilist practices and principles inherited from Power Political forebears, but they might also seek to improve on them. In the case of nineteenth-century Europe, the Gold Standard could be seen as one such development, as, perhaps, could the attempts to move towards liberal trading practices, such as agreed tariff reductions and most-favoured-nation agreements. As Coexistence societies move towards the Cooperative model, they may well begin to generate secondary institutions in the form of regimes and IGOs, as began to happen during the late nineteenth century.

The most important institution missing from the English school's essentially Coexistence set is nationalism, which bears on both membership and the political side of property rights. Mayall (1990, 2000) has long been the champion of giving full recognition to this as a constitutive institution, arguing that during the nineteenth century it melded with the institution of sovereignty and transformed it in a number of quite fundamental ways. National self-determination not only displaced dynasticism as the key to political legitimacy, it also sacralised territory (Mayall 2000: 84) and imposed limits on the legitimate uses of war. Hurrell (2002a: 145) reinforces Mayall's position with his suggestion that 'national self-determination is the most important constitutive norm of the modern era'. Nationalism, like sovereignty, has spread well beyond its European origins. It has been instrumental in the demise of colonialism as an institution of Western interstate society. It is part of the explanation for the decline of war as an institution, and through its link to popular sovereignty is also implicated in the rise of the solidarist agendas of human rights and democracy.

A *Cooperative* interstate society was defined as based on developments that go significantly beyond coexistence, but short of extensive domestic convergence. This definition implies a considerable carry-over of institutions from the Coexistence model, and it would be surprising if a Cooperative interstate society did not possess a fairly rich collection of secondary institutions. It is not difficult to imagine that sovereignty, territoriality, nationalism, diplomacy and international law remain in place, albeit with some elaboration and reinterpretation. Judging by the UN Charter, the practices within the EU, and the still vigorous and interesting debate about unipolarity and multipolarity, great power management can also remain in place. It seems highly likely, however, that Cooperative interstate societies will have more elaborate criteria for membership, more stringent institutions concerning the sanctity of agreements, and greater restraints on the use of force. Indeed, such societies may well downgrade or even eliminate war as an institution. Recall Mayall's (2000: 19) remark that in the twentieth century war became regarded more as the breakdown of international society than as a sign of its operation. If interstate society is engaged in solidarist cooperative projects, then allowing free scope for war as a legitimate way of changing political control becomes problematic. Neither the liberal economic project nor the big science one can be pursued, at least not universally, in an interstate society where war remains one of the core institutions. War may not be eliminated, but its legitimate use gets squeezed into a relatively narrow range closely centred on the right to self-defence, and not in violation of the right of national self-determination. The squeezing of war in this way seems likely to downgrade the balance of power as an institution, at least in the robust sense of its meaning in a Coexistence interstate society. In the contemporary international system, this whole nexus of questions is under test by the apparent desire of the US to reassert a right to war for the purposes of combating terrorism and containing rogue states.

Whether and how downgrading of balance of power happens may well depend on what kind of solidarist project(s) a Cooperative interstate society pursues, and the question of what other primary institutions such a society might have also hangs on this question. It will make a difference whether the joint project is big science, human rights, collective security, the pursuit of joint economic gain, environmentalism, universal religion or some combination of these or others. If contemporary Western interstate society is taken as a model for the possibilities, then the most obvious candidate for elevation to the status of primary

institution would be the market. The market means more than just trade. It is a principle of organisation and legitimation that affects both how states define and constitute themselves, what kind of other actors they give standing to, and how they interpret sovereignty and territoriality. The market does not necessarily eliminate balance of power as an institution, but it does make its operation much more complicated and contradictory than it would be under mercantilist rules. I have elsewhere (Buzan and Wæver 2003) labelled this the liberal–realist dilemma, and it is most visible in contemporary Western, Japanese and Taiwanese relations with China. Realist, or balancing, logic suggests that it is unwise to trade with, and invest in, and thus empower, states one may later have to fight. Liberal, or market, logic suggests that one can reduce the probability of having to fight by allowing the operation of a market economy to democratise and entangle potential enemies.

A *Convergence* interstate society was defined as based on the development of a substantial enough range of shared values within a set of states to make them adopt similar political, legal and economic forms. This implies not only a thick development of institutions across all the functions, but also extremely exacting conditions for membership. Exactly what this type of society would look like depends hugely on what model of political economy its member states were converging around: liberal democracy, Islamic theocracy, absolutist hereditary monarchy, hierarchical empire, communist totalitarianism, etc. This choice would largely determine the practices and legal systems that would define the institutions. Some pluralist institutions might well still be in play, though it seems unlikely that war and balance of power would play much of a role. In a liberal (Kantian) version of *Convergence* interstate society, the market, property rights, human rights and democratic relations between government and citizens might well feature as primary institutions. But if the convergence model was Islamic, communist or some other, then the institutions would be radically different. All three of these forms would probably bring sovereignty and territoriality seriously into question, not necessarily, in Holsti's (2002: 8–9) scheme, by making them obsolete, but either by increasing their complexity or transforming their main functions. *Convergence* would almost certainly push non-intervention as a corollary of sovereignty towards obsolescence for many purposes. As *Convergence* developments moved towards *Confederalism*, and the border between international systems and unified ones, one would expect a change in the character of its secondary institutions. There would not just be significant IGOs of the forum kind, like

the UN, but also secondary institutions of a more integrative sort, like those in the EU. By this stage, restraints on the use of force would have to be nearly total, diplomacy largely transformed into something more like the process of domestic politics, and international law transformed into something more like domestic law, with institutions of enforcement to back it up. One can draw from this discussion the following conclusions.

- That it is possible, using a functional frame, to go some way towards identifying the institutions that would go along with different forms of macro, second-order, societies, but that the possible range of such societies is large, and all of their particularities impossible to predict.
- That norms, and therefore institutions, can change. This change may be driven by changes in the domestic societies of the member states, or as Hurrell (2002a: 146–7) argues about contemporary international society, by promotion by TNAs, by the discursive tendency of norms to expand by filling in gaps, by analogy, by responses to new problems and/or by debate in IGOs.
- That there are ‘master institutions’ in the sense that some primary institutions nest inside others, but not in the sense that some are constitutive and others regulatory.
- That while solidarist evolution does build on pluralist foundations initially, it does so not just by direct accumulation, but as solidarism thickens, by dropping or downgrading or transforming some key pluralist institutions.
- That as Hurrell (2002a: 143–4) observes, the set of institutions constituting any given interstate society may well contain contradictions/tensions among themselves. These contradictions/tensions may well be a key dynamic in the evolution (or decay) of any given interstate society. More on this in chapter 8.
- That one needs to beware of the limitations of a purely politico-military approach to conceptualising institutions. Economic, societal and environmental institutions can be just as constitutive of players and rules of the game in interstate societies as can the narrow set of strictly politico-military ones.

Conclusions

Three issues remain to be discussed: (1) the relationship, if any, between institutions in the English school sense, and more materialist structural

interpretations of the same phenomena; (2) the question left hanging in chapter 4 of how the interhuman, transnational and interstate domains relate to each other; and (3) the vocabulary question, also left hanging in chapter 4, about the fate of the concepts 'international' and 'world' society.

In the discussion of primary institutions above it was noted that war as an institution became more problematic as interstate society moved away from pluralist constructions and towards solidarist ones. This problematisation was not to do with technical issues such as the advent of weapons of mass destruction, which might well bring war into question even within Hobbesian or Lockean interstate societies. Rather, it concerned the contradiction between war as an institution, and the other institutions that might be cultivated by more solidarist interstate societies. War become increasingly incompatible with solidarist projects such as big science or the institutionalisation of the market. How is one to link this perspective to the more materialist one made famous by Tilly's phrase that 'war makes the state and the state makes war', which implicitly underpins much realist theorising about international relations? From this perspective, war is constitutive of states not in the form of a constitutive rule, but as a mechanical, Darwinian structure which favours the survival of units that are more like modern states, and drives into extinction or subordination other (older) types of unit that are less clearly organised around strict sovereignty and hard boundaries. If war itself gets driven towards extinction, what then becomes of the state? Although the logics driving this type of structural thinking are different from those underpinning primary institutions in the English school sense, the two do cross paths when one comes to consider the impact of the market. Like war, the market can be seen both as a mechanical structure and as an institution of interstate (and interhuman and transnational) society. In both perspectives there are some areas of overlap and complementarity between the two, but also an underlying contradiction that becomes more powerful as the market approaches global scale. War might, up to a point, support the market when the game is to grab control of sub-global shares. But when the market becomes global, war becomes a costly disruption to trade, production and financial markets. As institutions, war and the market become increasingly incompatible in solidarist interstate societies. As mechanical structures, they seem also to fall into a zero-sum game for what makes the state and what the state makes. It could well be argued that in contemporary interstate societies it is the market that makes the state and the state that

makes markets. To the extent that this is true the shift in balance between these two constitutes not just a shift in the institutions of interstate society, but also a transformation in the Darwinian structures that shape the principal units in the international system (Buzan and Little 2000: 362–7).

The second issue is how the interhuman, transnational and interstate domains relate to each other. The main point I want to underline here is the need to remain aware that liberal models of solidarism are not the only option for thinking about this question. From a contemporary Western perspective, inside liberalism, it is all too easy to lose sight of this fact. The liberal model of solidarism offers a very particular, and quite compelling, answer to how the interhuman, transnational and interstate will relate to each other as solidarism develops. Liberal arguments contain a strong logic that although the three units of individuals, TNAs and states are ontologically distinct, the interhuman, transnational and interstate societies that they form will be closely interrelated in a quite particular way.

As I have argued elsewhere (Buzan 1993) there are grounds for thinking that interstate societies aspiring to solidarism, especially if their constituent states are democratic, will have to be accompanied by matching elements of cosmopolitan world society among their citizens if the solidarist international society is to be sustainable. In other words, the twentieth century's obsession with nationalism as the link between the interhuman and the interstate domains has to be broadened out to incorporate the wider forms of interhuman society necessary to support a solidarist interstate agenda, whether in human rights, democracy or economic interdependence/globalisation. In addition, pursuit of the liberal economic project necessitates the creation and support of a host of transnational economic actors. In parallel with these developments in identity and economy, liberal interstate societies will need to promote (and/or allow) the development of a corresponding transnational civil society sufficient to carry the political burden created by moves into wider identities and more global markets. And while liberal solidarist interstate societies will need to encourage transnational civil society, the states composing them will need to adapt themselves by creating IGOs to deal with the forces of transnational uncivil society to which the processes of integration also give space. Amongst other things, dealing with transnational uncivil society can lead to reformulations of the institution of war, as visible in the post-2001 'war on terrorism' (Buzan 2003). Liberal solidarism will be unable to develop far unless the interstate

domain can carry with it degrees and types of interhuman and transnational society appropriate to the degree and type of norms, rules, institutions and identities that they want to share amongst their members. A liberal interstate society will require parallel developments of cosmopolitanism in the interhuman domain, and of economic and civil society actors in the transnational domain. Without such developments the pursuit of the interstate project will be impossible beyond a rather basic level. In a liberal perspective, more interstate solidarism requires more cosmopolitanism in the interhuman domain and more TNAs, and cooperation amongst TNAs to support it. Conversely, the desired cosmopolitan developments in the interhuman and transnational domains cannot take place without the provision of law, order and security from the interstate domain. Liberal solidarism develops as a close nexus amongst the three domains.

The EU provides an instructive case for investigating this liberal nexus. Its ongoing debate about the tension between further integration of the EU (i.e. deepening of its international and transnational society) on the one hand, and the absence of any strong European identity amongst its citizens (i.e. lagging development in the interhuman domain), on the other (Smith 1992), and the endless debates about the EU's secondary institutions from police to parliament, all provide an advanced case study for looking at the development of liberal solidarism. Among other things, the EU case raises the question of where the driving forces for the development of international society are located. The EU has been primarily state-led, which explains why the interhuman domain is the laggard. In other cases one might find the driving forces within the interhuman or transnational domains.

Through liberal lenses, it looks to be the case that as one moves towards the (con)federative end of the interstate society spectrum ever more room is created for interhuman and transnational society. It also appears that the interstate development depends on progress in the other two, and at least in the minds of the more extreme sorts of globalists, that the process/progress might/should (if it has not already . . .) eventually topple the state as the dominant unit in the international system. That the three domains have historically interacted with each other is beyond question. For example, the present scale of interhuman societies was heavily shaped by the influence of earlier TNAs (the Catholic and Orthodox churches) and states/empires (Rome, China, Abbasid). In turn, these collective actors depended in their time on being able to tie their own organisation and legitimacy to the structures of interhuman

society. In a realist world of competitive states, national states (those that make their subjects into citizens, and define themselves in terms of popular sovereignty) will outperform absolutist states both economically and militarily. The dynamics of the interstate society will thus work to make interhuman society conform to its political geography (both in terms of nationalism, and wider, interstate society developments such as the EU, the West, the Communist bloc etc.). But how the three domains interact with each other depends on what sort of values are in play, and where they are located. Liberal values encourage a broadly complementary relationship amongst the three, making developments in each dependent on matching developments in the other two. But even within liberalism more contradictory readings are possible. It can be argued that empowering transnational capitalist actors unleashes forces that not only assault patterns of identity in the interhuman domain, but also tend to atomise the interhuman world into individuals (consumers). Capitalist transnationals can also be seen as contradictory to the state, tending to hollow it out and shrink its domains of legitimate action. The liberal model, in sum, can raise a highly political agenda in which developments in one domain force quite extreme patterns on the other two, and the nature of these questions may well vary depending on the stage of development that liberalism is in (whether national, as in the nineteenth century, or globalist, as in the twenty-first).

Similar sorts of thought exercises could be conducted for non-liberal international societies. Islamic values, for example, could also be read as weakening the state domain by placing individual loyalty to the *umma* above the loyalty of citizens to states. The oft-told story of how a Westphalian states-system emerged out of European medievalism displays similar tensions between the demands of a universal religion on the one hand, and the demands of state sovereignty on the other. In the political sphere there was a zero-sum game between the emergent states and the Catholic church – between the interstate and transnational domains of society. It seems clear that in a communist interstate society there would be little or no room for TNAs, and strong assaults on religious and national identities in the interhuman domain. From the historical record, classical empires tended to constrain the development of transnational economic actors, and often did not care too much about patterns of identity in the interhuman domain (being more concerned with obedience than identity). In sum, the liberal model is not the only template on which one can and should think about the relationship among the three

domains. Even within the liberal model, different interpretations of the relationship are possible according to which ideological perspective one takes on capitalism.

This brief look at alternatives also underlines the question about where the driving forces for the social structure of international systems are located. Physical interaction capacity obviously matters, for the technical ability to move goods, people and information around the system conditions the opportunities of actors in all the domains and across all of history. The work of tracing this factor across history has been done by Buzan and Little (2000). Beyond that, the question of driving forces turns to which, if any, of the domains dominates the other two. Is it that developments in the state pillar push and pull developments in the transnational and interhuman domains? Or is it that autonomous developments in the interhuman domain (the rise of a consciousness of being a member of humankind) and the transnational one (the rise of powerful TNAs of various kinds) force the state domain to adapt? Even within the liberal model, this chicken–egg problem presents itself. Most realists will take the view that states are the drivers, many globalists that the interhuman and transnational domains are taking over. Campaigners for solidarist developments will try to mobilise the interhuman domain to influence the transnational one, and use both to influence states. Or, depending on issues and circumstances, they may try to mobilise the state to influence the transnational and interhuman domains. Both the realist and globalist positions contain elements of the truth, but the argument between them is more interesting as a political phenomenon than as an analytical question.

What is interesting analytically are the constraints and opportunities that developments in any one of these domains pose for the other two. Embedded patterns in the interhuman domain might act as a brake on or a facilitator for, developments towards deeper forms of interstate society, the difference depending on the geographical overlap, or not, of the relevant patterns in the two domains. A good example of this is the classical English school question about the relationship between interstate society and underlying cultural patterns. The assumption was that an underlying civilisational pattern would facilitate the development of an interstate society (classical Greece, early-modern Europe) whereas the lack thereof would be a problem (the expansion of Western interstate society to global scale). Similarly, the character of interstate society very much conditions the possibilities for TNAs, but once they are established and powerful, TNAs also condition and restrain the

possibilities for interstate society. The units in each domain have to operate in the conditions created by the units in the other two domains, but the units in each domain can, up to a point, and given time, also shape the nature of the other two domains. This is a highly dynamic universe in which agents and structure are engaged in a continuous game of mutual tensions and mutual constitutions. Both complementarities and contradictions are possible. Liberal solidarism must have supporting cosmopolitan and transnational developments. A communist interstate society is hard to envisage in a world in which transnational actors are strong, but a communist world society in which the communist party is the primary institution, and the state has atrophied, is just about possible to imagine. In this sense it is difficult to imagine developments in any one domain getting too far out of line with developments in the other two, and easy to see that some primary institutions necessarily extend beyond the strictly interstate domain. The range of possibilities is large. Some types of solidarist societies will require big developments in the transnational domain, others not.

Although I have argued that there is a lot of room for interplay among the three domains, it remains true in the contemporary world that states are still the most powerful and focused unit: states can shove and shape the others more easily than they can be shoved and shaped by them. But this is far from saying that states can shape the other two domains as they wish. Change is at best slow, and powers of resistance can be great. Politics, leadership, imagination and a host of other factors affect the way in which the three domains play into each other, and whether opportunities for change get taken up, or whether possibilities for resistance are effective or not. It is probably not possible to postulate a mechanical set of relationships among the three domains. What is possible is to set a mechanism of analysis that ensures that this relationship, and the changes in it, become a central focus of any examination of international social structures. I will have a first crack at this in chapter 8.

The other question left over from chapter 4 was the fate of the terms 'international' and 'world' society. World society disappeared in chapter 4 (p. 138) because of the decision to separate the interhuman and the transnational into two distinct analytical domains. International society has disappeared because the triad in figures 4 and 5 is now based on types of unit, making the term 'interstate' a necessary tightening up of usage (and reflecting more traditional English school formulations such as 'society of states' or 'states-systems'). The term 'international',

though often used to mean interstate, has always carried a certain ambiguity (Buzan and Little 2000: 32–3) which makes it awkward to use as a label for the strictly state-based domain. But given that there does seem to be considerable institutional linkage among the three domains, the ambiguity of ‘international’ becomes useful. There is a need for terms to encompass the complex patterns that result when one looks at the interhuman, transnational and interstate domains all together.

My proposal is to use *international society* to indicate something like the arrangement that emerged during the twentieth century (Mayall 2000: 17–25), where the basic political and legal frame is set by the states-system, with individuals and TNAs being given rights by states within the order defined by interstate society. This would roughly accord with James’s view cited above that individuals and TNAs are participants in international society rather than members of it, or with the arguments in chapter 2 about individuals being dependent ‘objects’ of international law rather than independent ‘subjects’ of it with standing in their own right. It also feels close to the alternative interpretation of Bull (given on pp. 95–6), where following his imperative about ‘international order’ in the conditions prevailing in the early twenty-first century, could lead one to a Davos-culture view of who it is that now provides it. This usage takes advantage of both the ambiguity and the state-centrism built into the term ‘international’. Defining international society in this way means that the term cannot be applied to the classical Westphalian period of European history. The resolute pluralism of that period, the relative absence of TNAs and political nationalism, and the widespread disregard for the interhuman sector displayed by slavery, imperial expropriation and on occasions genocide, mark the Westphalian system as an interstate society well towards the Power Political side of the Coexistence model. There may well have been some institutions in the interhuman and transnational domains, but these would not have been closely tied into those in the interstate domain.

Following this reasoning, *world society* then becomes a vehicle for dropping the assumption that states are the dominant units, and interstate society the dominant domain. In world societies, no one of the three domains or types of unit is dominant over the other two, but all are in play together. This feels close to Bull’s neomedieval idea, and to that one of Vincent’s versions of world society that hinged on a rights-based community among states, individuals and TNAs (see chapter 2, and Gonzalez-Pelaez 2002: 38–41, 246–9). Buzan and Little (2000: 365–7, 414)

discuss something close to it under the label *postmodern international society*. Given my criticisms of Vincent for his lack of clarity about the boundary between international and world society this move will strike some readers as sweetly ironic. But Vincent used world society in several senses, perhaps the main one taking off from the Wightian idea of opposition to international society. The usage proposed here does maintain the same blurring of boundaries between international and world society in traditional English school usage, but it proceeds from a position in which the traditional meanings of international and world society have been abandoned. Neither does it carry any of Vincent's and Wight's sense of opposition to, and/or exclusion from, interstate society. A world society in my sense would be based on principles of functional differentiation amongst the various types of entities in play, and agreements about the rights and responsibilities of different types of unit in relation both to each other and to different types. States and firms, for example, would have to accept the historical evidence that neither performs efficiently when it tries to do the other's job, and that their respective legal rights and obligations need to be clearly demarcated. Each type of unit would be acknowledged by the others as holding legal and political status independently, not as a gift from either of the others. Individuals and firms would thus become subjects of international law in their own right. Humankind has not yet seen a world society in this sense, though the EU may be heading in that direction. Such a development is certainly within the range of imagination, and it presents a far more plausible and engaging goal than the oversimplifications of anarchists, hyperliberals, hyperglobalists and dyed-in-the-wool realists who can only see the future in terms of the victory of one domain over the others.

Using these definitions, international and world society come back into play carrying specific, clearly defined meanings and representing an important distinction of relevance to contemporary world politics. That said, one might still complain, rightly, that my definitions leave gaps in the labelling scheme. Logically, one would also have to have labels for situations in which either of the non-state domains dominated over the other two. It might also be possible to imagine situations in which one would simply need to discuss the three domains separately, without bundling them together in some linking classification. For the reasons already argued in chapter 4, scenarios of non-state dominance are hard to imagine, and seem unlikely. Unbundled scenarios probably

require introduction of the geographic variable, which is the subject of chapter 7. On reflection, therefore, it seems to me that interstate, international and world society, plus the option to discuss interstate, inter-human and transnational separately, cover almost all of the interesting cases whether historical, contemporary or foreseeable within the next few decades.