Habermas, Kosovo and the applied turn in international relations:

A critical assessment of applying Habermas

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This paper is an assessment of Naomi Head's application of Habermas' theory to the international deliberations that took place during the Kosovo crisis 1998-99. It will explore how a communicative ethics approach can provide a useful analysis of international justifications for military intervention. The success of the 'applied turn' in Habermasian discourse ethics will be questioned to explore the practical applicability of theory. By examining Habermas' theoretical project it will argued there is more to be done to achieve this 'applied turn'. Although the application has reflective critical power, international relations continue to undermine a communicative framework.

Since the end of the Cold War there have been changes in global order and the international economy. Yet dominant states have continued to conform to traditional customs of International Relations, employing technomilitary power and deterrence strategies to ensure stability. The reality of global relations among cultures and societies is not a reflection of international law among nations. The apparently enlightened and rational person, as Horkheimer and Adorno warned, 'reduces the flux of existence to a strategic framework of unity and coherence' (George 1994: 150). Challenging this mode of thought Walker and Ashley have argued that new intellectual possibilities become apparent as realist hegemony comes to an end (Linklater 1992). Expanding on this, Linklater has stressed the need for Critical Theory in a changing world. He points to three areas for consideration. First, the concepts of sovereignty and territoriality and the dialectic between citizens and aliens. Second, Eurocentric values of states bound by legal and moral norms: there is no longer any justification for excluding non- western states from analysis, or indeed international relations themselves on the basis of ideas of "civilisation". The final area he highlights is emerging of cosmopolitan values, including the idea that states belong to a wider community of humankind (Linklater 1992).

The Neo-realist programme in International Relations effectively maintains dominance because it rejects the need to explore normative social needs in global politics. A 'backward discipline', it closes down the thinking space, embracing 'unself-consciousness and analytical primitiveness' (George 1994: 16). But this dominant ideology is strengthened not only by the perceived lack of an alternative, but also by the inflexible framework of the nation-state and market economy. Aided by this, realist critics dismiss Critical Theorists as abstract reflectionists and on this basis leave the question of political will largely unanswered.

Social enquiry promotes emancipation by illuminating constraints on human interaction (Linklater 1992). To recognise the prospects for social change a radical dialectical approach can be adopted to identify the dynamics which could lead to global transformation.

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There is a desire for normative progress. But theorists and activists have traditionally struggled with the problem of applying theory to practice, in order to go beyond criticism. This paper intends to assess Naomi Head's application of Habermas to International Relations. Her paper seeks to identify structures of repression and offer a practical response or 'applied turn' (Head 2008: 153). The case study investigates political deliberations over Kosovo in 1998-1999, and the case for military intervention. The value of the application will be determined by the strength of its ideas and their suitability to the problem. Applying Habermas' theory will be seen as an opportunity to test both the state of international relations and the practical value of his ideas. To do this a firm grounding in Habermas' theory and ambitions is required. Once this is established, an assessment of the application's intentions, and an analysis of its conclusions can take place. The important questions that should be kept in mind are: does this application aid our understanding of the issue; is it useful; and does it contribute towards transformatory praxis? Problems and limitations will then be addressed and further questions discussed.

My central argument is that testing the negotiations process during the Kosovo crisis against Habermas' theory has reflective value, by illustrating how instrumental rationality and coercive and strategic dynamics were a constant throughout. The application is successful in showing the power imbalances and strategic interests involved; however, I question its capacity to deliver an 'applied turn'. While the application refers to the process of negotiation that lead to weak discursivity, I suggest that this process is the product of fundamental imbalances in the organisation of international relations, which leaves any deliberation unlikely to support communicative ethics.

Habermas' intellectual project is rooted in an understanding of domination and in the early work of the Frankfurt School. Horkheimer and Adorno understood enlightened reason to be an instrumental tool for social dominance (Horkheimer and Adorno 1972). Their significant contribution was to answer for the crisis of Marxism through an evaluation of the effects of capitalism on culture and consciousness. Although profound, their conclusions in The Dialectic of Enlightenment are somewhat despairing. Habermas, in a bid to retrieve his mentors' theories from the obscurity of pessimism, reconstructed a project of emancipation which acknowledged the possibility of social progress. Unlike Horkheimer, Adorno and Marcuse, Habermas has a certain unity of perspective (White 1983). He believed that a critique of ideology alone offers little normative evaluative power, and so rationality structures must be questioned. Self-reflection, involving investigation into bourgeois ideology, and as the first stage of freedom (White 1983), is the beginning of the coupling of theory and practice. Once we start to question the validity of legitimacy, we can understand how power distortions affect decision-making processes. We have, moreover, a treatment for relativism (Blaug 1994).

Habermas wants to limit power but not make universal prescriptions. That would be to impose western cultural practices. Instead he advocates a process of communication that holds both beliefs and actions accountable. His theory remains abstract but intends to present a new direction for a post-positivist phase in the social sciences (Diez and Steans

2005). Transformative potential lies in the progression of knowledge (Ibid.).

The main concepts of Habermas' theory used in this application are: discourse ethics, communicative action, and the Ideal Speech Situation. These ideas form the basis of criticism from which judgements are made regarding the legitimacy of actions (Head 2008). Everyday conversation is characterised by implicit normative claims, which when contested are defended as truth claims. However, "the relation of speech acts to norms is not the same as the relation of speech acts to facts" (Outhwaite 1996: 181). Language, Habermas argues, needs justification because moral norms, regardless of context, claim validity of meaning. In order to justify truth claims there must be analysis of communication, and we must re-evaluate our use of language.

In Habermas, rationality processes and normative legitimation shift from their emphasis on knowledge and moral relativism to become embedded in structures of communication. This creates norms of practice. The goal, for Habermas, is in part to restore life-world practices, but ultimately to foster mutual understanding, reduce instrumentalism and domination (Diez and Steans 2005), and expose 'pure knowledge' (White 1983). 'Communication has its own rationality' because the conditions of communication are supported by relative validity claims rather than concern for the plurality of values (Blaug 1994: 53). However, individual reflection on moral norms in itself is not satisfactory. There must be a dialogical process. This is realised through intersubjective mutual consideration, functioning with complete participation to expose the structural dominance of social actors. And so we have the apparatus for social change – communicative rationality.

To test fairness in real discourse and examine domination in communication, Habermas presents the Ideal Speech Situation. It is a rational reconstruction of the capacity to communicate based on reaching fully informed and fair conclusions. Four presuppositions are required, which have been identified by Head: 1) that every participant must have equal opportunity for communication; 2) everyone must be able to defend and challenge validity claims; 3) there must be no coercion in deliberations; and 4) all attitudes, desires and needs must be expressed (Habermas cited in Head 2008:152). Through ensuring that these conditions of communication are met, Habermas' ambition is to privilege the better argument over strategic power. In International Relations, this aids social constructivists to advance arguments regarding the civilising processes of international relations (Diez and Steans 2005). Criticism has been made of Habermas' ideas and their practical applicability but this shall be confronted later.

Kosovo continues to experience unrest. This indicates that military intervention to bring peace and stability to former Yugoslavia was unsuccessful and left the conflict unresolved (Head 2008). In 1999, military intervention and an extensive bombing campaign by NATO was justified as a moral imperative. Unrest between the Yugoslav Serbs and Kosovar Albanians reached a tipping point after negotiations broke down, prompting NATO to enter the conflict, attacking targets on both sides. NATO's military actions have been the subject of criticism ever since. In her application, Head makes the case that both the justifications for action and the process of decision-making leading up to intervention are in need of

scrutiny. That a consensus was reached over the "right" action to take seems to have been a dubious claim by the United Nations. If there is no consensus on what action should be taken, then legal norms no longer provide legitimacy. Similarly, the rationale of just war theory lacks adequate justification. It is the assertion of the application that legitimacy stems from social phenomena (Ibid: 151). Legitimacy without equal representation cannot justify itself against a communicative ethics approach.

In light of the controversy, structural inequality and democratic deficit surrounding the management of the Kosovo crisis, we need a means of critique to guide our understanding of what legitimate dialogue should look like. Habermas' work on discourse ethics and the Ideal Speech Situation provides normative grounds for communication that, in the context of International Relations, provide profound insight into the strategic background to state deliberations. The application's dialogical critique focuses on two areas: 1) whether the decision-making process can be justified; and 2) to what extent dialogue was characterised by coercion or exclusion.

Within the United Nations Security Council and Contact Group for Kosovo there was an overlap in membership: France, Russia, USA and the UK were all represented in both organisations, and thus benefited from greater representation and influence. Processes in the Security Council prevent non-members from voting or even speaking until votes are cast. Meanwhile, the Former Republic of Yugoslavia, who never held a seat at the UN, and the Republic of Serbia, could engage diplomatically because of their privilege of sovereignty. Kosovar Albanians were denied this privilege. The permanent members of the Security Council wanted a state-based solution. Neither elected Kosovar representatives nor members of the Kosovo Liberation Army had access to discussions, on the basis that terrorists are not rational actors. Despite this, the Holbrooke agreement attempted a settlement securing state sovereignty without acknowledging Kosovo.

As a forum the UN was marginalised as state actors sought state solutions and territorial integrity. Despite the ideological intentions of the founders of the UN, it has failed to make this shift from arena of action to forum for deliberation. So it should follow that, clearly, those involved were motivated by predetermined outcomes. Inconsistency characterised the Rambouillet Agreement, however, because ethnic Albanians were included. Of course, no solution was reached, as the Yugoslav government and Kosovo Albanians could not accept terms of debate that left the issue of Kosovo's independence excluded. The Rambouillet agreement – which aimed to ensure peaceful coexistence of Serbs and Albanians in Kosovo through the autonomy of Kosovo within the Yugoslavian State – was a clear attempt to settle ethnic conflict along lines of international law (Otto 2001). In the end the Holbrooke and Rambouillet agreements were negotiated alongside the threat of bombing. As talks broke down NATO was obliged to take aggressive action just to save face. Consequently, passing UN resolution 1244 (permitting NATO presence in Kosovo) was not an informed decision.

The task here is to show that during the settlement talks there were other options available, so the outcomes were not inevitable but likely because of structural inequality

and power interests. Actions taken by political representatives at the time were regulated, even designed, by state-centric approaches to the issue. In her presentation of events, Head effectively highlights the need to challenge international norms. Her analysis of the situation in relation to communicative ethics exposes the mechanisms of systemic dominance and the distortion of communication in International Relations. As a result, the reality of the deliberation process is so far removed from Habermas' requirements of rational communication that it seems unjust to call it dialogue at all.

Unequal participation and exclusion made rational decision-making for mutual benefit impossible. Without legitimacy in dialogue, the exclusion of actors, coupled with the coercive threat of bombing, meant policy was unlikely to succeed from the start. As Head asks, "how did the international community expect the agreement to hold" (2008: 155) when representation was so inadequate? Clearly, then, there is a need for more discussion among international institutions. But the failure of talks and violence that followed becomes understandable, even rational, within the constraints of a one-dimensional theory of International Relations. It could be argued that justification for military action was relevant only after the global mediator – the United Nations Security Council – had failed in its responsibilities. When international law is unable to influence events, political actors need another yardstick to make judgements. In the case of the Kosovo crisis, justification came from an ethical position of responsibility to protect human rights and life in the face of potential genocide. However, as Karl-Otto Apel argues, this position of universal ethics of responsibility legitimises politico-military strategies (Apel 2001). The picture becomes even more contradictory when we consider NATO's commitment. NATO was prepared to deploy its techno-military resources in a bombing campaign, yet it would not deploy ground troops. This posed considerable risk to the civilian populations and in itself challenges the idea that humanitarian intervention by military action can secure human rights and ethnic harmony (Apel 2001). With this in mind, the application does pierce the boundaries of "rational" International Relations practices and, to this extent it raises questions about the claim of "community". The terms "international" and "global community", when limited in scope to sovereign states, reflect the reified language of international politics. But these questions could be developed into criticisms in this application. Such criticisms could clarify the blurred association between international law, ethics and politico-military strategy. Karl-Otto Apel explains it this way:

> the Security Council of the UN, which in our day de jure is in charge of putting through the monopoly of violence of the State on the level of international law, de facto is also and primarily an institution of the political balance of power at the global level; and thus far its decisions are not primarily orientated towards codified international law but towards strategic mediating of interests, above all those of the great powers" (ibid: 33).

Furthermore, the example of the war in Kosovo illustrates how reasoned policy

can have such an unreasonable impact on the vulnerable and disenfranchised, who are so far removed from the decision-making process. The terrorising bombing campaign from March to June 1999 had a disastrous effect on civilian populations, but clearly the social impacts were not a major consideration at the time.

By developing a normative progression of knowledge, the application has demonstrated its value. However, its ability to 'reflect the practical intentions central to Critical Theory… and thus make the critical "applied turn"' is not clear. As a purely retrospective analysis the practical benefits are limited. It is after all an ambitious task: Habermas himself has written little on international politics (Diez and Steans 2005: 127). Head is thorough enough to point out the difficulty of putting theory into practice, but perhaps does not make enough of it.

Critical Theory recognises the instrumental use of systemic approaches to social problems and reified practices of actors. The question of legitimacy – the basis of the application – is crucial. The application tests the legitimacy of political action but seems to disregard the main problem for the Frankfurt School, that it is the system in its entirety that is unrepresentative, instrumental and undeterred by social needs. Comparing Habermas' theory with a international political system already acknowledged to be unsatisfactory makes failure to make the 'applied turn' seem inevitable. Even before testing communicative rationality against NATO and UN deliberations over Kosovo, there is acknowledgement that the process has fallen short of communicative ethics.

In turn, geopolitical dynamics, national self-preservation and the supposedly anarchic arena of global politics are unaccounted for. Andrew Linklater has suggested that the "nation-state is the last bastion of exclusion which has not had its rights and claims against the rest of the world seriously questioned" (Linklater 1992: 90). There are also important socio-psychological and historical influences that legitimise current traditions. Habermas was also aware of this, writing on legitimacy that: 'the legitimacy of an order of domination is measured against the belief in its legitimacy on the part of those subject to the domination' (Outhwaite 1996: 261). And on history, he states that 'the extent of what has to be legitimised can be surmised only if one contemplates the vestiges of the centuries long repressions, the great wars, the small insurrections and defeats, that lined the path to the modern state" (Ibid: 256). To illustrate the point, the 2003 Iraq intervention can be used as an example to show that legitimacy is rooted in institutional practice. If we apply Habermas to the decision-making process leading to invasion we find varying levels of exclusion, coercion and misinformation. George W. Bush failed to gain the full backing of the UN and so his actions were deemed illegitimate. Had an updated resolution been passed though, would the invasion not have been officially considered legitimate and legal? And if this is the case, what values can we assume from legality?

Further problems relate to the Ideal Speech Situation. Its purpose is to 'distinguish between genuine communication and false or pseudo-communication" (Head 2008: 152), but given nature of the current order, can instrumental communication be called false? Moreover, William Connolly has pointed out that, although desirable, the probability of glo-

bal change towards the Ideal Speech Situation is not high (Connolly 2001). In addition, he makes the complaint that in itself the Ideal Speech Situation is ethnocentric and universalising, and puts efficiency before pluralism (Ibid.). As a result of these problems any application is unlikely to make the 'applied turn' because it cannot adequately denounce the current order. What the application lacks, as Linklater would argue, is a praxeological element that asks how to build a new discourse of international relations (Linklater 1992).

Theoretically, the application could fall foul of more general criticisms of Habermas. Recognising the difficulty of bridging theory and practice, Molly Cochran has suggested that a more practical problem-solving direction is needed to make theory more workable (Cochran 2002). Following this argument, David Owen warns of the threat of theoreticism, whereby theory becomes rooted in its own intentions and, unable to be pragmatic in its approach to the problem or to accept the validity of other ideas, it loses sight of the real issues (Owen 2002). He cites this problem when accounting for the competitive nature of Critical Theorists, who put ideas at odds with each other (Ibid.). It is not my intention here to denounce the value of Habermas or the application for failing to fulfil this applied turn, but rather to question its practical capacity. The Ideal Speech Situation is a yardstick that is informative to those who would like to see how instrumental rationality is embedded in international institutions. It is not a practical blueprint.

Frustration with Habermas stems from the fact that often one must choose between the 'conceptual sophistication of interpretive work and empirical sociological study' (Blaug 1997). There remains the paradox that although he is a theorist of emancipation, Habermas does not give us a definite solution, because that would be to predetermine the process of emancipation and replace one dogma with another. Therefore the application represents a missing tier of theory that is able to translate into practice (Ibid.). The risk is that until such theories come into being, Critical Theory will remain marginalised as abstract criticism, and thus the relevance of applications such as the one in question will be lost. Despite these challenges, it is important to bear in mind Piet Strydom's caution and not succumb to of 'unjustifiable reductionism' (Strydom 1990) when dealing with metacriticism. After all, the point is that modernity can be redeemed. Underlying Head's application is an optimistic but realistic belief that modernity can be questioned without losing hope for the future.

The need to rekindle retrospective cognition and develop emancipatory politics remains an imperative (George 1994). Using Habermas retrospectively can be both psychologically liberating and socially empowering. Under the scrutiny of Critical Theory, the excluded, oppressed and deprived may be given a political voice and representation as legitimate political actors. This chance of critical reflection and re-evaluation of ideological power dynamics is vital as we enter the 21st Century in an increasingly unstable, globalised world. However, while the value of Habermasian thought should not be denied, in a practical application it is unclear how it will affect policymakers.

Habermas sees the value in providing a catalyst for a new radical normative politics based on fair communication, non-exclusionary practices and discourse ethics. With respect

to this, Head's application has highlighted the illegitimacy of deliberation in international politics and identified the role of power dynamics and national self-preservation within the state-centric global arena. Dialogue failed because exclusion, coercion and exploitation characterised the process. However, such a failure was not inevitable, because in fact no attempt was made to legitimise the decision-making process in terms of any form of communicative ethics. An application into deliberations over the Kosovo crisis needs an approach that is critical of the organisation of deliberation, rather than simply of the process. Dialogue failed because it was not properly tried.

This is a worthy conclusion, but it raises further questions. Do we need Habermas in order to reach these conclusions? Would, for example, an application of Habermas to the Rwandan genocide aid our understanding of the negligence of international organisations and injustice of global power politics? Is it not possible to recognise international distortions of power and communication without prior knowledge of Habermas? It is important to remember that for a theorist of emancipation, Habermas is notoriously inaccessible. The capacity to recognise coercion, to liberate ourselves from instrumental reason, to promote alternatives and to contest the status quo, ought to have a place in social science. What remains to be seen, however, is practical action.

Head concludes that 'such a lack of legitimacy in dialogic procedures continues to impact on the shape of conflict and conflict resolution processes in Kosovo' (Head 2008: 158). Unfortunately the question remains: what can be done about it? Martin Weber has claimed that International Relations has yet to make full use of Habermas' critical architecture in social theory – the dialectic of "system" and "lifeworld" (cited in Diez and Steans 2005). A further application could expand on the development and radicalisation of the Kosovo Liberation Army, and how systemic approaches failed to acknowledge the needs and emotions of Kosovar Albanians. Excluded by the current order, they organised outside the reach of reformist interventions, and consequently caused violent conflict 'at the seams of the lifeworld and system' (Habermas 1981: 36), in an attempt to 'revitalise buried possibilities for expression and communication' (Ibid: 36). Rather than illustrate how conflict could or should be resolved, this inquiry would examine the interaction between marginalised groups and the system, allowing conflict resolution (beyond the scope of International Relations) to be understood through the prism of Critical Theory. Hopefully, we can then reconceptualise strategy and security policy in the post-Cold War era.

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