Interview with Antje Wiener[1]

Your research is closely linked to the concept of contestation of norms – a concept that you have shaped significantly within the field of international relations and beyond. How exactly do you understand this concept and why is it so important in understanding global dynamics?

The concept *contestation of norms* entails two components, *norms* and *contestation*. *Norms* are soft institutions ranging from fundamental principles at the macro-scale, and organising principles at the meso-scale, to specific standards at the micro-scale of a given order. Norms have a dual quality insofar as they are socially constructed as well as structuring. In turn, *contestation* is defined as a practice that can either indicate objection to something, for example the implementation of a norm as ›contested compliance‹ or breaches of a norm as ›contested norm violation‹. In these cases, we speak of *reactive contestation*. In turn and less frequently, contestation may also include critical engagement with a norm (a rule, a principle, or an order) in order to clarify distinct meanings or agree on the means (instruments, mechanism, policies) that are required to implement the norm. In this case, we speak of *proactive contestation*.

My decision to elaborate on the concept of *contestation of norms* by identifying its roots in James Tully's Public Philosophy as the ethical background against which the concept is developed may be read against the wave of structural constructivism and, relatedly, the compliance literature in international law and international relations in the 1990s. The normative concern arose from political situations of ›contested compliance‹ when predominantly ›Eastern‹ or ›Southern‹ groups of states were not convinced about the moral validity of the international liberal order's norms and therefore refused to comply

(Wiener 2004). Subsequent research built on this observation and sought to critically challenge explanatory norms research that aimed to identify mechanisms of compliance or to solve issues of non-compliance while leaving the moral question of norm-ownership or moral validity to one side. That is, the compliance literature predominantly considers norms as ›good‹ prescriptive rules of the given liberal world order that are to be implemented because they are part of that order. This emphasis on the *regulatory* role of norms stresses their structuring quality and leaves their constructive quality to one side. In the process, the *ethical and value-based* aspects of norms are bracketed. In the absence of highlighting ethical reasons for a norm's goodness, this leads to ›cryptonormativity‹ however (Havercroft 2018). That is, why should a norm which is followed by many be considered as ›good‹? The ›multiplicity‹ of local cultures in a global world emphasises this misperception.

In turn, critical norms research would argue that only a contested norm can ever be a good norm. For normative legitimacy requires both shared values and accepted regulatory mechanisms. It therefore depends on ›contestation all the way‹ (Tully 2002). Therefore, the critical norms literature focuses on explorative research in order to identify, map, and evaluate distinct meanings of norms that are generated through practice. *Practice* plays a key role here, for it is only through identifying distinct practices of contestation that we are able to ›follow the conflict‹ and study the effect of practice on norms. The leading questions then become:

- How do norms and their meanings change through interaction?
- And how does that effect order/s in world society?

In the context of practice, one particularly interesting question arises at the interface between political science and political philosophy, and that is the question of how to understand normativity. Given the different theoretical approaches and traditions, which conception of normativity do you consider to be most plausible to grasp specifically global developments?

Regarding the question of normativity, the *contestation of norms* framework turns to the *quod omnes tangit* principle (what affects all must be approved by all) and asks *whose practices count* in complex and long-winded processes of pro-active contestation that are a condition for implementing fundamental norms in world politics. This is the lead question of my recent book (Wiener 2018, Chapter 1, p. 1).

And to answer the question, norm conflicts are identified, empirical research ›follows the conflict‹, maps practices of contestation, and then evaluates these practices with regard to affected stakeholders' access to practices of norm validation that reflect unequal power relations. This research begins from a dictum that is widely shared among constructivists of all stripes, namely, that norms lie in the practice and all practices are normative. If practices of norm contestation are norm-generative, then the leading question must be whose practices count, if the *quod omnes tangit* principle is applied.

Importantly, to counter the cryptonormativity that inevitably follows the absence of ethical roots that is implied by analysing norms as social facts, but not as ethical values, the concept *contestation of norms* has been conceived at the intersection of Public Philosophy and critical norms research in International Relations. Both approach the normative goal of countering injustice through political struggle from different angles. On the one hand, Public Philosophy emphasises the normative claim of the *quod omnes tangit* principle and therefore calls for access to norm contestation ›all the way‹ for those affected by norms of governance (Tully 2002). In turn, against the finding of ›contested compliance‹ in international relations (as the political among agents of different national roots), critical norms research in International Relations (as an academic discipline) addresses injustice in the wider global context. To that end, my work, for example, has sought to identify and improve means to warrant equal access to contestation for affected stakeholders (Wiener 2014). This bottom-up approach is inspired by Public Philosophy. A fitting summary of the two societal spheres that are at work here is David Owen's distinction between the often juxtaposed but normatively constitutive interrelation between ›civic practice and civil order‹ (Owen 2019).

Currently, a central theme with regard to global dynamics is the tension between diversity (of norms, political opinions, cultural patterns of behaviour, etc.) and the formation of generalisable structures at the level of global governance. How would you describe this tension theoretically? And how do you think this tension can best be dealt with at the concrete political level?

Norm contestation is the practice that brings out the tension between socially constituted soft institutions (norms) on the one hand, and formally stipulated hard institutions (law, political organisations)

on the other. Unlike ›hard‹ institutions which are constitutionally set to represent the internal boundaries of formal political space, soft institutions emerge through social interactions that often criss-cross these boundaries. As such, norms reveal the socio-cultural grid that underlies formal political order. This grid is part of the larger malleable ›structure of meaning-in-use‹ whereas the political order that sets the rules of engagement represents the ›normative opportunity structure‹. While the socio-cultural grid remains largely ›invisible‹ to modern regulatory institutions of (global) political order, this order's legitimacy is closely related to the grid. The dynamics of re-enacting the structure of meaning-in-use constitute the cultural background of political order. As social constructions, norms are continuously re-enacted, and through that practice, the normative structure of meaning-in-use changes constantly. Notably, the change generated through this socio-cultural dynamic occurs *in relation with* political order. However, it does not necessarily develop *in tune with* that order.

The result is that agents feel increasingly that the norms that govern them are no longer the norms they voted for. This growing alienation is highlighted with reference to the *quod omnes tangit* principle. While it will always remain an ideal in global politics, its motivating impact as a moral principle is a helpful driver for research on globalised politics. The problem has been addressed by political theorists, public philosophers (compare for example the literature on citizenship, constituent power, or sovereignty) and international lawyers (compare the literature on the crisis of international law), in International Relations the problem remains largely to be addressed by a handful of international ethics scholars (Heinze/Steele 2018).

The perception is shared by a growing range of actors in world society, including (1) EU citizens who live and work in another member state than the country of their citizenship; (2) indigenous people who live on the grounds of their nation in a ›state‹ which they did not choose as e. g. in Canada; (3) or heads-of-state and government representatives who no longer wish to (co-)operate under the rules of international agreements that their countries had previously signed, as for example represented by a range of US President Trump's decisions including the Paris Agreement on Carbon Emissions, or the Arms Trade Treaty; or Hungarian President Orban's reluctance to implement the Treaty on European Union (TEU).

This matters for the reflection of global dynamics because the socio-cultural grid that informs individual perceptions of norms often

clashes with the expectations of norm-following that are related to a given order. In environments of high cultural multiplicity the spatio-temporal genealogies of orders constituted by the respective soft and hard institutions do not overlap. Good examples are states that include many nations or tribes (compare for example Canada as well as most post-colonial polities) or in contexts where one nation stretches across the boundaries of more than one state (compare for example the Kurdish nation), or more generally the United Nations framework. Norm clashes are therefore to be expected. In such contexts, *norm contestation* is therefore considered as a key indicator that normative justification for the norms of governance is lacking.

One current conflict where this tension is evident is Brexit. In the past years, you have worked on theories of European integration as well as on Brexit. What can be said about these political areas against the background of Contestation research?

If you begin with the notion of *contestation* as an indicator of *norm* clashes and then follow the conflict to the sites where norms are contested, then the Brexit scenario reveals the perception of mismatch, especially with regard to the lack of democratic legitimacy. On the macro-scale the conflict about the fundamental norms of sovereignty (expressed by the expectation to regain ›full sovereignty‹ after exiting the EU) is expressed by British representatives vis-à-vis the EU. On the micro-scale, following the conflict to sites of contestation within the UK, a multiplicity of agents reveals the existence of quite distinct socio-cultural grids that differ according to multiple factors such as geography, culture, education, or demographic differences.

Without going into too much detail here, which is impossible without more detailed data, it is nonetheless possible to note that the *quod omnes tangit* principle is fundamentally challenged in the United Kingdom. Consider, for example that almost all citizens and residents (i.e. those stakeholders that are affected by the Brexit referendum) feel that they have not had enough ›say‹ with regard to the norms that govern them. And, as the conflict is extended into its third year after the 2016 referendum, the ongoing contestations have given rise to questions about the ›normative opportunity structure‹ (i.e. the political and legal framework that enables and/or constrains access to contestation on local sites, see Wiener 2018: chap. 3, but also Tarrow 1989), including the unwritten British constitution, the institution of Parliament, the relation between Parliament and Gov-

ernment, and not least the relation between Government and the UK's Supreme Court.

The call for Brexit then somewhat ironically – but not unexpectedly from the angle of contestation theory – ultimately reveals the need for better procedures and organising principles at the meso-scale of the UK's political order. Debates about whether a written constitution is needed, whether an electoral system of proportional representation would offer a fairer representation of voters' preferences, and last but by no means least, the issue whether Union citizens ought to be able to vote in national elections. These issues demonstrate how the referendum brought a multiplicity of expectations vis-à-vis political issues and institutions to the fore which had previously remained invisible. They cut deep into the British normative opportunity structure, questioning the legitimacy of the political rules of engagement substantially.

The tension between diversity and universalization is closely linked to a second distinction, that between ›local‹ and ›global‹. From your perspective, does it still make sense to work with this distinction and if so, how?

The distinction between ›local‹ and ›global‹ remains key to understanding the dynamics of international relations. The concept of *contestation of norms* operates with an understanding of local-global co-constitution of norm(ative) change. Theoretically, this involves distinguishing ›normative opportunity structures‹ that set the rules of engagement for local orders on site on the one hand, and intangible ›normative structure of meaning-in-use‹ that reflects the accumulated socio-cultural background experiences spanning the globe on the other. Contestation theory works with two methodological tools to map and evaluate norm contestations and their effect on norm(ative) change. First, the cycle-grid model allows for mapping and zooming in on local contestations. To that end, it includes nine ideal-typical sites that are distinguished with regard to the scale of global order and the stage of norm implementation as well as the cycle representing the three distinct practices of norm validation that – ideally – ought to be available to affected stakeholders according to the *quod omnes tangit* principle and the cycle of validation which sets the standards for normative evaluation. Second, the norm-typology distinguishes three types of norms according to scale of order, moral reach and expected degree of reactive of proactive contestation.

Both tools allow for following the conflict to the site of norm contestation, mapping the affected stakeholders that are involved, evaluating the conditions of access to contestation, as well as identifying norm(ative) change and issues of global tension.

Within the discipline of International Relations, but also in many other disciplines dealing with global contexts, there is a lively debate about the appropriate theoretical approach. You yourself describe your approach as a critically constructivist approach. What does this approach entail and what are its advantages over other theoretical positions?

This reference to ›critical constructivism‹ manifests the distinction from ›conventional‹ (*aka* ›first generation‹ or ›liberal‹) constructivism on the one hand, and ›consistent‹ (*aka* post-structural, postmodern) constructivism on the other (Fierke 2006). Conventional constructivism centres on the observation that in addition to the explanatory power of material facts, state behaviour in international relations also depends on social facts and, therefore, is structured by norms. In turn, consistent constructivism is interested in the social construction of international relations through socially constitutive practices. By contrast, critical (*aka* ›second generation‹ or, increasingly, ›de-colonial‹) constructivism is interested in questions of unequal power relations, injustice, and legitimacy and therefore includes value-oriented and normative questions about the legitimacy of fundamental norms, their stipulation in international treaties and agreements, and relatedly, their roots in everyday practices. This said, recent discussions' caution against the use of generational distinctions because some of the leading critical constructivists in the 1980s were central for the emergence of constructivism as the third main theoretical strand of the Western IR teaching canon (e.g. Kratochwil 1989; Onuf 1989) and in turn many current constructivist contributions represent a return to conventional liberal approaches of the 1990s.

In recent years, you have addressed the question of normativity with regard to many concrete political areas, such as security or migration. In your view, what are the central insights that can be gained from dealing with such concrete areas for the theory of International Relations in general and for a convincing understanding of normativity in particular?

Normativity often remains a relatively elusive concept in International Relations, while the norm-generative effect of the everyday practice of international relations is less well studied in Political Theory or Public Philosophy. Case studies that scrutinise the legitimacy of fundamental norms in world politics shed light on important questions about international order/s that are validated through local practices. To probe an order's legitimacy, these case studies zoom in on everyday practices of contestation, and identify the affected stakeholders and the normative opportunity structures under which they operate. This ethnographic method of ›zooming in‹ on ›local sites‹ allows for un-bracketing the value-based ethical roots of norms. By unearthing everyday background knowledge and demonstrating how it impacts on the re-constitution of order/s, new questions about the underlying normative assumptions of world order/s come to the fore. It encourages questioning and critically scrutinising the effects of research logics that engage in *up-loading* the guiding norms of Western liberal orders to the ›global level‹ (i. e. constituting the modern global liberal order) to then engage in *down-loading* the same norms to any domestic political order (i. e. diffusing the norms of the global liberal order). The process leaves the ›rest‹ to comply with the guiding norms of the West.

The Contestation literature in International Relations (IR) has followed Tully's critique by developing a practice-based approach to norms that puts the perpetuation of liberal norm constitution and diffusion through liberal orders on its head. Framed by the Global IR project, this literature criticises the Western roots of the global liberal order for its incapability to include all affected by its norms (Acharya 2017; Owen and Tully 2007), insofar as stakeholder's access to constitute the guiding norms of global order is *per se* limited by the very logic of this liberal global order. To counter this logic, I have proposed developing the practice-based approach towards ›contemporary‹ norms of political association based on two distinct qualities of contestation: reactive and proactive contestation (Wiener 2018).

These two practices of contestation follow Tully's observation that the ›unfreedom‹ of the moderns is re-enforced on two grounds. The *first* and »most outstanding form of exclusion remains the one Dewey identified as paramount: the exclusion of those subject to national and transnational corporations from having a democratic say over them« (Tully 2002: 222). And, »[t]he *second* form of unfreedom is brought about by relations of assimilation. Subjects are permitted

and often encouraged to participate in democratic practices of deliberation yet are constrained to deliberate in a particular way, in a particular type of institution and over a particular range of issues so their agreements and disagreements serve to reinforce rather than challenge the status-quo« (Tully 2002: 223; emphasis added AW).

Currently, you are also involved in international climate policy. The study of climate consequences and the reflection of their normative and political implications has also played a central role at the Munich School of Philosophy for many years. This topic seems to have become one of the decisive social issues of modern societies. From a theoretical perspective, what do you consider to be the most interesting aspects of this topic, also for the understanding of normativity?

Within the framework of the Hamburg Cluster of Excellence on *Climate, Climate Change and Society* (CLICCS) my team works on contested climate justice in politically sensitive regions (i.e. the Arctic and the WANA region).[2] We seek to understand how novel pathways of governance such as organising principles are generated through contestations of climate justice at different local sites. As we engage in this research, which only started in the summer of 2019, a particularly interesting aspect that emerges is the importance of spatio-temporal factors. These include, on the one hand, the well-known harming effects of human activities with regard to greenhouse gas emissions that are demonstrated by the ever faster melting of Arctic ice-shelf and related changes of the sea-water level as well as dramatic changes of ice, land and sea boundaries. On the other hand, these factors now also include the more recent phenomenon of the globally constituted and widely shared fundamental norm of climate justice. When we began to write the research application in 2016, this norm was not (yet) considered common knowledge but a rather academic, philosophical concept. In the wake of Greta Thunberg's school strike and the Fridays for Future movement, climate justice has become a global hashtag. This fast development enhances our original research question which sought to address the question of whether and how the fundamental norm of climate justice would be considered as globally legitimate, and which distinct meanings local con-

testations would reveal with regard to the concept's claim as a global fundamental norm.

At present, there is much discussion about levers and actors of social and political transformation. Against the background of your research, what would you want to bring to these debates?

The concept of *contestation of norms* and the related ethics of contestation that it advances shift the focus from states that act through international organisations such as especially the vast and complex context that is constituted by the United Nations (UN) and connected institutions including state and non-state actors. Contestation theory enables researchers and policy-makers alike to obtain a more concise understanding of the role and impact of societal actors. A good example in this regard is offered by research on the prohibition of sexual violence against women and girls during wartime and the related Women, Peace, and Security agenda that has cast women as new security actors. By asking whose practices count, and applying the related normative question of whose practice *ought* to count, contestation theory therefore advances a novel focus on the political agency of the governed (Wiener 2017). Its two main tools – the norm typology and the cycle-grid model – seek to frame research that zooms in on political contestations in local contexts and to then zoom out to global norm(ative) change. In our current research at the University of Hamburg the relationality of local contestations and global political change is advanced by the CLICCS excellence cluster's social science research on global climate governance[3] as well as by the Institute for Peace Research and Security Policy's (IFSH[4]) research on the democratisation of global security practices.

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[2] Details: https://www.wiso.uni-hamburg.de/fachbereich-sowi/professuren/wiener/forschung/aktuelle-forschungsprojekte/contested-climate-justice-arctic.html

[3] Details: https://www.cliccs.uni-hamburg.de

[4] Details: https://ifsh.de/en

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