Peace Research Institute Frankfurt

Nicole Deitelhoff & Lisbeth Zimmermann

C *Which World Order?*

World order in crisis

Norms in crisis

Contestation of application

Stabilization of meaning

Strengthen robustness

Contestation of validity

Becoming permanent

Weaken robustness

For some time now, the headlines have been yelling it from the front pages: the liberal world order is in crisis. National interests are coming to the fore, while rule-based order is being downplayed. The turn away from multilateral cooperation is a very visible manifestation. Trade relations are turning into trade wars« and civil society engagement is being restricted. Yet can we really describe this situation as a crisis? How can we describe the condition of liberal forms of organization beyond the crisis rhetoric of the media? On which data and incidents should the stability of the common system of norms be judged?

Drawing on protocols from the UN General Assembly and the UN Security Council, interviews, and research in subsidiary literature, Nicole Deitelhoff and Lisbeth Zimmermann distinguish between two forms of contestation of norms that do not necessarily lead to their weakening. An application contestation refers to a conflict over concrete situations in which a norm could or could not be applied, as well as the manner in which this should be done. Such questioning can lead to a refinement and broadening of the scope of application

and thus to a strengthening of the norm. This can be observed in the case of the »Responsibility to Protect« norm. It formulates an obligation of states to guarantee, support, and, in case of emergency, intervene militarily to enforce the protection of human rights in both one's own and other states. Though the situations in which the R2P norm is to be applied are disputed, its validity is largely uncontested.

By contrast, a contestation of validity calls into question the very nature of a norm as worthy of compliance and enforcement, and, in fact, often leads to its weakening. The fact that such dynamics are often caused by a lack of communication is exemplified by the ban on whaling. This ban was initially adopted as a moratorium that would remain in force until the whale population had »recovered.« In the meantime, however, as an increasing number of states opposed to whaling prevented a renegotiation of the application framework for controlled whaling from even entering the agenda of the International Whaling Commission, the ban was increasingly perceived as an instrument of post-colonialism. The readiness of individual nations that had been denied influence and a voice to challenge and ignore the norm increased considerably.

Norms must be able to disintegrate and change in order to adapt to everyday life. Therefore, it is important that all those who are affected have access to an open-ended discourse consisting of approval and rejection, protest and applause, justification and accusation. Norms that cannot be questioned, the discussion of which may even be suppressed without any counter-arguments being heard, run the risk of being (intentionally) transgressed by (intentionally) overlooked actors.

Similarly, a lack of response to infringements damages a multi-perspective consensus on norms and their respective fields of application. For example, awareness of the fact that a norm is being violated dwindles in the »War on Terror« as waged by the USA and even Israel, partly in disregard of the ban on political assassinations in peacetime and attacks on civilians. The mere focus on one's own position goes hand in hand with a kind of »operational blindness«: transgressions are accepted so long as they relieve one's own foreign policy of unpleasant decisions.

An externally imposed consensus, however, which only takes one side, easily becomes numb to the productivity of dissent between different interests and world order models. Only such dissent can keep norms alive and agile as temporarily fixed preliminary results of mutual agreements.