

## Middle Ground Ethics and Human Rights in International Relations

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### Introduction

What is the discussion about Middle Ground Ethics (MGE) all about? How is it important for those who study international relations? Few would be interested in a panel on “Far Out Ethics” or “Foreground Ethics”. What of interest is caught by the phrase “Middle Ground Ethics”? The answer I would suggest is that this phrase, like the phrases “Communitarian Ethics”, “Kantian Ethics”, “Utilitarian Approaches to Ethics” and “Deontological Ethics”, can be used to refer to a well known set of problems in the field of international ethics together with a well known body of ongoing discussions directed towards seeking answers to the problems posed. It refers we might say to a *problematique*. The phrases are merely labels for ongoing sets of ethical discussions. In the first part of this paper I wish briefly to set out the core features of the MGE *problematique*. In the second part of the paper I shall offer a criticism of one constitutive feature of the discussion about MGE. I shall argue that taking note of this criticism is important for anyone concerned to understand the human rights discourse in contemporary international relations.

“Middle Ground Ethics” refers to an ongoing discussion within the English School approach to the study of international relations. The problem at the heart of this discussion is a perceived tension between, on the one hand, understanding international relations, the relations between sovereign states, in starkly realist terms which comprehends them as dictated by the play of power and interest, and, on the other hand, a desire to understand international relations in ethical terms. This tension is sometimes portrayed as one between power-focussed understandings of the international realm and understandings that stress it as a realm of moral action. Those engaged in the conversation about MGE seek a resolution of the problem by finding a “middle ground” which does not plump either for a thoroughgoing realist understanding of the international realm - a power-centric view - or for an idealist approach which understands it in terms of moral values achieved or not achieved. The English School approach seeks to do this by claiming, on the one hand, that the key actors in international affairs are states which act in their own self interests and which have to rely on the deployment of power in order to achieve these, and, on the other hand, by making the case that while states are, indeed, self interested actors, they have managed to form an international society of states within which the participant states recognize certain moral constraints as binding upon them. The MGE approach is thus both realist and idealist.

The core tension between realist and idealist approaches which MGE seeks to resolve, is one that is easy to link to, and even to elide with, other dichotomies that are well known within the discipline of IR, such as that between empiricism and idealism, positivism and interpretivism, communitarianism and cosmopolitanism, pluralism and solidarism, order based theories and justice based theories, fact based theories and value based theories. There are, no doubt, other dichotomies which display a family resemblance to the central tension outlined above.

It is worth noting as an aside at this point that this ‘middle ground’ sought by the English School is somewhat similar to the “middle ground” sought by the constructivist approach to the study of international affairs. Constructivists claim to have found a “middle ground” between positivist theories

(which rely on theory verification by reference to observable facts) and normative theories (which interpret international events in ways that rely on a whole slew of normative (moral and ethical) claims that are not verifiable or falsifiable with reference to observable facts).<sup>1</sup>

Before I can make my contribution to the MGE conversation, I must first clarify the ES understanding of the way in which MGE resolves the tension between power and morality in the middle ground. What kind of compromise or accommodation do Middle Ground theorists claim to have achieved here? On my reading the ES in general interpret MGE as making the case that the best understanding of international relations is one which understands these relations as in part comprising the naked push and pull of power relations and in part comprising states acting towards one another within a thin set of moral constraints.<sup>2</sup> This seems to be the argument that emerges in the writing of Hedley Bull who as Cochran puts it “..came to defend a middle-ground ethics which prioritized international society management as a limited form of international justice.”<sup>3</sup> The whole of Hedley Bull’s *The Anarchical Society* is directed to forming this kind of understanding of international relations.<sup>4</sup> I believe that this can be generalized across the ES. Put crudely the many versions of the English School thought, all defend the claim that the international is in part power politics and in part a realm of moral action. There may be an analogy here

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1. See Emmanuel Adler, “Seizing the Middle Ground: Constructivism in World Politics,” *European Journal of International Relations* 3, no. 3 (September 1997): 319–64.

2. See the discussion of Martin Wight in these terms in Molly Cochran, “Charting the Ethics of the English School,” *International Studies Quarterly* 53, no. 1 (March 2009): 205. Where she interprets Wight as holding that “International politics is primarily a field of material force, beyond the control of man and impervious to the taming effect of ideas.”

3. Cochran, “Charting the Ethics of the English School,” 211.

4. H. Bull, *The Anarchical Society* (London: Macmillan, 1977), obiter.

with some liberal understandings of individual behaviour by men and women in civil society which stress that individuals are in part guided by the pursuit of self interest, but that most individuals acknowledge some (probably minimal) moral constraints which sometimes curb their pursuit of power and interest. Middle Ground theorists invite us to accept a realist view of international relations that is partially tamed by moral concerns. On this view the realm international relations comprises a lot of power and a thin skein of ethics.

#### A Different Understanding of the Middle Ground

In what follows I wish to challenge this understanding of the notion of “Middle Ground”. I shall challenge the suggestion that what is involved in international relations is an uneasy compromise between power and morality. Instead, I shall argue that the dichotomy which MGE is said to resolve is not properly understood as one of power play on the one side versus ethical constraint on the other. It is better understood as displaying a tension between two different global practices each with its own internal moral compass. The tension is between one ethically informed global practice, the society of sovereign states, and another one, global civil society, the society of individual rights holders.

My argument will that the power pole of the dichotomy presented to us by the English School is not the morality-free domain of real-politik between sovereign states in which states pursue power and interest without paying heed to ethics and morality.<sup>5</sup> Although it is easy to understand why this way of understanding world politics is so persistent, it is, nevertheless, misguided.

In the standard account of the two poles of world politics between which Middle Ground Ethics finds its place, the “real world” pole (a world of power contests between states, a world in which interests clash, a world of necessity, a world beyond our control, a world to be looked at with pessimism and from which tragedy is never far off, a world in which there is at best a struggle for order, in short, an anarchic

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5. I am well aware of the distinctions often made by normative theorists between morality and ethics, but for the purposes of this paper I shall use the terms interchangeably.

world) is always portrayed as empirically present in a way that is certain, uncontentious and above all observable. This is in stark contrast to the way in which the other pole (a world of moral action) is presented. Understandings that rely on normative, moral or ethical insights are presented as anything but empirically certain, uncontentious and observable. The only thing that is not contentious about ethical and moral claims that might inform an understanding of world politics is that they are contentious. It is settled within contemporary IR that we live in a world within which there is a wide range of moral and ethical positions to be found among the many people involved in international affairs. It follows of necessity, from this widely held view, that any account of world politics that relies on moral arguments will be contentious.

It is important to note that claims about moral and ethical matters were not always understood as being so unsettled. Initially the proponents of the morally informed view of international affairs understood the moral rules to be part of a natural law. Originally natural law thinking had been informed by religious certainties.<sup>6</sup> In the West, in the face of secularizing forces, the religious underpinnings of natural law have come to be doubted. In place of the religious certainties during the Enlightenment scholars came to rely on “the dictate of right reason” as Grotious put it, to reveal the details of natural law. There is, of course, an obvious problem in placing too much reliance on the dictates of reason. It is that different people have different views about what reason dictates. So, it seems to be the case, that any attempt to understand international relations in moral, ethical or normative terms is bound to be disputed. If we take the normative turn, it would appear, that we are doomed to end up with a number of conflicting understandings of what is going on in international affairs. Some will portray contemporary world politics as a clash of civilizations, others as a conflict between Islam and infidels, and others as a

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6. There are vestiges of this point of view still be found in the early proponents of what has come to be known as the English School. See the discussion of the contributions of Donald MacKinnon and Desmond Williams to the British Committee as outlined by Molly Cochran Cochran, “Charting the Ethics of the English School,” 206–9.

clash between modern rational liberal principles and outdated and backward cultures. It is this, then, this pessimistic conclusion about normative theories of international relations that leads many to favour the other pole of the dichotomy which appears to rest on the certainties of empirically verifiable realities about the relations between states. In this vein we can see how many people might accept the following proposition about international affairs: We might not all agree on what is moral, but we can all agree that we find ourselves in a world of competing states pursuing their self interests.

The flaw in this dichotomy between the “real” and the “moral” is that the “real world of interstate relations” is not as norm and morality free as it is presented. Indeed, whatever account is given of the “real” involves the account giver in moral argument in one way or another. The supposed “empirical” basis of the realist account is not given in a way that is free of moral and ethical norms. For that which is taken to be “real” is always a set of actions carried out by human actors, either acting as individual men and women or acting in concert as collective actors. Interpreting these acts is anything but the giving of neutral descriptions of observable facts. In order to illustrate this point, consider one example of “real” state on state interaction, consider the “facts” of the contemporary war between NATO and the Taliban in Afghanistan. To use the jargon let us consider the “facts of the matter” as they are “on the ground.” There is an array of different accounts of who, “on the ground”, is doing what to whom in that territory. The only neutral description that might be agreed to by all is that there is much deliberate killing going on. To say merely this is to give but a minimal account of what is happening.<sup>7</sup> Once one seeks a richer account of the realities, we are confronted with a range of rival descriptions of the action taking place. Some Taliban say that the NATO troops are imperial forces who have invaded their territory. Other Taliban say that the faithful are being attacked by infidels. Yet others say that the NATO troops are

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7. This kind of superficial account is analogous to one which gives us an account of a rugby match in the following terms: There is a field on which people are running about in pursuit of a leather object. This might command agreement from all who observe the event, but it would not give anyone an understanding in this case, of what game was being played.

fighting on behalf of (and in the interests of) the northern league tribes (Uzbeks and Tajiks) and against the majority Pashtuns. They claim that these troops are shoring up the government which is corrupt at every point. None of these claims can be evaluated without the researcher knowing something about the moral underpinnings of the claims being made. Built into each account is a set of ethical allegations. The most prominent of these would be ethical claims about the rights of groups to be represented in government structures.

From the NATO participants in this conflict one hears a different set of accounts about who is doing what to whom. One such is put by Gen Petraeus who argues that the troops under his command are fighting an insurgency that is directed towards the overthrow of the democratically elected government and is committed to the destabilization of the Afghan state and also the neighbouring state of Pakistan. He presents the actions of the military apparatus he heads as actions in pursuit of democracy and human rights. There is another different account that is sometimes given of the actions of the NATO forces. This explains the initial invasion into Afghanistan as being directed at a state that was playing host to international terrorists. After the initial success against the Taliban government of Afghanistan, an attempt was made to install a democratic government. In the face of corruption and an ongoing insurgency this has failed, and what we now have is an attempt to engineer some kind of retreat with honour from Afghan territory. All talk, according to this account, of installing democracy and protecting human rights, is short term window dressing to cover what is “in fact” a retreat.

The key thing to note here is that these different accounts of the “reality on the ground” all purport to be about exact same set of “concrete, factual, empirical, events.” The different accounts are given by analysts who are looking at the same set of actions.

As an aside to the present argument I might mention that as we approach the period in which it seems likely that there will be negotiations between the warring parties (including the Taliban), we can expect a slow merging of the descriptions of what is happening and what has been happening since the inception of the war. Whereas in the current phase the descriptions are often diametrically opposed, what will emerge as the negotiations progress is a set of descriptions which show that there are indeed some common interests.

The key point to be made here is that the description of human actions in any realm always involves an act of interpretation (as opposed to straightforward observation) and such acts always involve engaging with ethical issues. Let me elaborate. Consider the claim “The NATO troops are imperial aggressors in Afghanistan which is an autonomous state.” This is the kind of description that might be given by a Taliban commander to a young recruit. In order to interpret this and to determine whether it is indeed true, the recruit would need to know something about the value attached to sovereign statehood, something about aggression by one state against another state being wrongful, something about the moral rights of citizens within an aggressed against state to defend themselves, and so on. The recruit being addressed would have to be able to distinguish between the proper uses of such claims and improper ones. Similarly, consider a British citizen who is thinking of joining up with a view to going to fight in Afghanistan. He or she might be told the following about the facts on the ground there: “The war is a just war against terrorism, and against an insurgency; it is a war in defence of the Afghan state against those who would destroy it, and it is directed towards creating democracy and protecting human rights.” In order to understand whether all these claims about “the reality on the ground” are true or not, the volunteer would need quite a sophisticated legal and moral compass. He/she would have to know something about the right to defend sovereign states; he/she would have to know when foreign powers are morally and legally entitled to enter into sovereign states to protect them (knowing this would require that some knowledge about when it would be inappropriate to do this); he/she would have to know something about the value of democracy and when it is appropriate for people to take up arms to create democracies in far-flung places and when it would be inappropriate to do so. In each case the moral competence referred to requires of the recruit that he/she be able to distinguish good use of these arguments from hypocritical uses of the same arguments.

It is important to note here that when there are differences of opinion about how to interpret an action or a given set of actions “on the ground”, those involved in the dispute will find themselves inevitably drawn into a discussion involving complex moral arguments. In the UK since the start of the Second Iraq War on 20 March 2003 we have encountered (and many of us have participated in) many

examples of this kind of ethical discussion. Although there is often common agreement on a superficial account of what transpired there, this kind of agreement tells us very little. For example, the simple account is that American and British troops went into the territory with force of arms and toppled the government of Saddam Hussein. This kind of agreement tells us little more than who went where with what weaponry and who shot whom. But this superficial level of description, is not the kind of interpretation that matters in international politics when what is sought is a full understanding. What we require is a richer more authoritative interpretation of these actions. Were the deeds of the NATO forces acts of aggression of one set of sovereign states against another and were they done in order to secure access to cheap oil? Or, were they directed towards the elimination of terrorism? Or, were they directed towards the elimination of weapons of mass destruction? Or, is there some truth in the seemingly farfetched allegations that these actions a final show of strength by the younger President Bush in order to prove his mettle against his father who failed to push his advantage in the first Gulf War? Arriving at the right interpretation of these actions is not a matter of simple observation or of finding out what the intentions of the actors were. It requires detailed knowledge of international law and of the ethical values underpinning it.

In order to decide whether this was a genuine act directed towards the eradication of weapons of mass destruction, or, whether the argument about weapons of mass destruction was simply being used as a rationalisation, the person making the interpretation needs to be well versed in number of moral issues. She needs to know, first of all whether intervention on these grounds is justified in international law or in terms of international morality. She needs to know the kind of weapons of mass destruction that would justify this act. She needs to know whether the mere possession of these kinds of weapons justifies an armed response, including military invasion, or whether the possession has to be supplemented with an imminent threat to use them in a wrongful attack against other states. Here she need to know what would count as a wrongful attack. Knowing this requires knowing some international law and something about the legal and moral reasons for respecting state sovereignty. In households throughout Britain, both at the time of the invasion and subsequently, there have been pitched arguments aimed at establishing a proper account of what was done at the time. Now we have the Chilcot commission in progress. This is directed

towards finding out who decided to do what and how the decision was made. The “facts” will not speak for themselves. The commissioners will have to interpret them in the light of their understanding of international law and international ethics.

Sir John Chilcott spelled out the aims of the Iraq Inquiry in the following passage:

"Our terms of reference are very broad, but the essential points, as set out by the Prime Minister and agreed by the House of Commons, are that this is an Inquiry by a committee of Privy Counsellors. It will consider the period from the summer of 2001 to the end of July 2009, embracing the run-up to the conflict in Iraq, the military action and its aftermath. We will therefore be considering the UK's involvement in Iraq, including the way decisions were made and actions taken, to establish, as accurately as possible, what happened and to identify the lessons that can be learned. Those lessons will help ensure that, if we face similar situations in future, the government of the day is best equipped to respond to those situations in the most effective manner in the best interests of the country."

Although there is no mention here of an inquiry into the legality or the ethicality of these actions, it is patent at every point, in every interview conducted by the inquiry, that a host of ethical issues are in play. For example, these are to be found in the discussion about the role of the Attorney General; in the discussion about the role of the UN inspectors and the role of the UN Security Council (whether there ought to have been a delay before the invasion to allow for a second resolution dealing with Iraq's failure to comply with earlier resolutions); in the discussion about the intelligence reports; in the discussion about whether the decision was taken in informal forms of discussion on the sofa, or in *ad hoc* committees of cabinet or in the formal cabinet sessions; in the discussion about what formal agendas were printed and what minutes were taken; in all of these (and many more) the members of the Inquiry, the people being interviewed, the members of the press, and the general public, interpret the questions and answers against what one might envisage as a projection on the back wall of a map of core legal and

ethical assumptions. Some crucial features on the map include injunctions that prime ministers of democracies ought not to go to war on the basis of unreliable intelligence, that Prime Ministers of democracies ought not to tamper with intelligence estimates in order to bring about a preferred result at odds with the original report, that key decisions about war and peace ought not to be made in sofa meetings on the periphery of cabinet government rather than in full cabinet meetings, and others. To put the matter in the most general way possible, the map is about sovereign states and what they and their governments ought from a moral point of view to be doing. What the public wishes to determine is whether the decision to go to war in Iraq was illegal and/or unethical.

In this section I have argued that even when we are considering the interactions of sovereign states we engage in an interpretive exercise that involves us in interpreting the actions of states and their governments and their citizens in terms of a set of background assumptions that are moral ones. They are assumptions which hold that sovereign states have an ethical right to defend themselves, to pursue their national self interest, to participate with other such states in alliances aimed at achieving balances of power, and that at the limit they are ethically justified in resorting to war to defend themselves from aggression by others. This background ethical grid against which we read the actions of states spells out what, from an ethical point of view, states are entitled to do. So for example as things currently stand states are not entitled to seek to conquer other sovereign states simply for their own enrichment - imperial acts are prohibited. The grid specifies what entities are to be counted as legitimate states entitled to participate in the practice of sovereign states. Spelling out the details of the grid would require book length treatment.

The point of the foregoing has been to make the case that the state centric part of the polarity identified by English School theory is not well understood as referring to a domain without an ethical dimension. There is a rich ethical map, against which background, the acts of states are interpreted. About this map it is important to ask: What is the ethical point of this particular ethical construction? What ethical reason may be given for holding that state sovereignty is an ethical value? An obvious answer to this question is that a practice of sovereign states makes possible the preservation of freedom and diversity. Sovereign states hold it important from an ethical point of view that they be recognized as

autonomous actors. On this view it is wrong to deprive states of their autonomy for to do so is to make them into colonies or subject orders of one kind or another. While this particular ethical configuration allows for the value of freedom for individual states, it also makes possible the nurturing of diversity between different states. Where one state might pursue socialist policies another might pursue the construction of a Christian or Islamic order within its borders.<sup>8</sup>

If the state centric pole of the bipolarity within which MGE is situated is not an ethics neutral domain of power politics, but is an international practice rich in ethical commitments, what is the nature of the other pole with its acknowledged ethical component? Also, what is the tension between it and the state centric pole that we have just discussed? The answer seems to me to be quite straightforward. This pole is the human rights one. There is in the world today a discourse concerning the ethical value of human rights. According to it, all people everywhere must be understood as having a equal set of fundamental human rights. There is widespread evidence of the existence of this human rights practice. The institutions of the United Nations (to which most states belong) are shot through and through with references to human rights, the major regional institutions have built in human rights protecting instruments (EU and the AU are two good examples), many states (including the UK) have human rights provisions built into the domestic legal system in one way or another, the global economic order itself is built on notions of human rights (the global market is a rights based institution), there is the negative argument that there are almost no people (or peoples) who explicitly deny that they have human rights, and finally even where states have not yet formally adopted human rights provisions into their legal systems most of them profess that they are moving in a rights respecting direction. Many of the failed states of Africa fall into this category. For the sake of simplicity let me call the practice within which people recognize one another as the holders of fundamental human rights, global civil society. It is crucial to notice that participants in this practice do not consider that the sovereign state within which

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8. For more detail on the ethical theory supporting the practice of sovereign states see Mervyn Frost, *Global Ethics: Anarchy, Freedom and International Relations* (London: Routledge, 2009), obiter

they find themselves is the entity which confers human rights upon them. The rights one has are not the gift of any state. They are held independently of any sovereign state.

In the light of what has been presented above it is easy to see how students of contemporary international relations might discern a tension between the practice of sovereign states and the practice of global civil society. Those who consider themselves to be the holders of human rights hold that these rights place constraints on what other social institutions might ethically do to them. For them a defining feature of rights is that they may not, except in the most extreme circumstances, be overridden by other ethical values. In particular there ought not to be a rights over-ride for the sake of the good of the whole. So it follows that having individual rights constrains the freedom of sovereign states. It precludes them from exercising their freedom in ways that infringe individual rights. The core tension, then, is between states' rights and individuals' rights.

What makes this tension particularly acute is that the vast majority of people everywhere in the world are simultaneously participants in the practice of sovereign states and also in global civil society (the society of rights holders). On the face of it, the tension produces some excruciating dilemmas. Let me illustrate this by simply talking about a single rights holder, namely, me.<sup>9</sup> As a participant in the practice of sovereign states I am committed to the value of the autonomy of states, including those within which I am a citizen. It is not just that I happen to be committed to this value, it is required of any participant in this practice. Within this practice, I am ethically opposed to intervention by states in the domestic affairs of other states (this would include military intervention). In this practice I respect the autonomy of other states because it creates a space of freedom within which the people of those states can construct a polity that is in accordance with their deeply felt beliefs about the good. So, although I might

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9. My contention is that everyone worldwide is in the same position that I am. They are both citizens of one or another sovereign state that claims autonomy for itself, and they are rights holders in global civil society.

not approve of the use being made of this freedom by many other states, I acknowledge their ethical right to have and to use this freedom. A problem emerges when I consider my position as a participant in the other great global practice, global civil society, the society of rights holders. As a participant in this practice I recognize the great ethical value that ought to be attached to the rights that individuals have. These rights include the standard personal rights such as the rights of the person, the right to freedom of speech, freedom of conscience, freedom of movement, and the freedom to own property. Importantly, I regard it as ethically unacceptable for the governments of states, either my own state or those of other states, to do anything that infringes my rights and the rights of other people. Indeed, in some cases where the rights abuses are severe, I might consider it an ethical imperative that my state, my church, my corporation, undertake a set of actions to constrain the rights abusing activity of that state. In what I have said here we can see the outline of the well-known debate about the rights and wrongs of humanitarian intervention.

On the face of it, it might seem as if I face a predicament in which I will have to choose between holding fast to my ethical commitments within the society of sovereign states, or, holding fast to my commitments as a rights holder in global civil society. It might seem as if there is no way that I can continue to be in good standing in both practices. It would seem that I face an ethical choice. It is in the face of this dilemma that one might begin to look for an English School compromise -- to look for, that is, a middle ground ethic.

Does this make sense? It seems to me that if we interpret "middle ground" as referring to some kind of compromise between the rights of states and the rights of individuals, then it does not make sense. It does not because both the idea of state sovereignty and the idea of individual human rights are generally

understood as value commitments that over-ride (or trump) other values.<sup>10</sup> These particular values are held in high esteem precisely because they are taken to have this characteristic. The autonomy of a state is held to be a value that it would be wrong to sacrifice to other values. It would be wrong to agree to colonization in the interests of achieving higher rates of economic growth. In like fashion people place particular value on their human rights because they know that they ought to be respected even when others might have utilitarian reasons for not doing so. It is difficult to envisage what would be involved in trading a bit of state sovereignty for the sake of human rights. Can we imagine for example that Palestinians would agree that in exchange for having their human rights protected, they would accept the establishment of a Palestinian colony under Egyptian rule (or some variation of this)? It is easy to set up a whole lot of other thought experiments here, but in each case it is difficult to find a plausible way of portraying a trade-off of sovereignty for a gain in individuals rights, or *vice versa*.

Is there a different way of overcoming this tension? Is there another “middle ground” solution that does not involve this kind of trade off between these ethically based practices? I think there is. There is a way of constructing a global practice that does not involve a trade off between the values embedded in these practices. This practice has already been partially constructed in the world as we know it today. What is required (and what has already been partially achieved) is something along the following lines. We who are participants in both practices have sought and are in the process of constructing a global practice in which the values of both state sovereignty and human rights are respected. We have constructed a composite international practice within which we regard it as important that for us to be fully free as individual men and women we need to be constituted as such within a practice of sovereign states that itself respects and protects human rights. It is indeed the case that in the contemporary world we who are citizens of sovereign states regard it as ethically defective if the state within which we find ourselves does not promote and protect human rights. This is the call that we hear from most weak and

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10. See Ronald Dworkin, “Rights as Trumps,” in *Theories of Rights*, ed. Jeremy Waldron (Oxford: Oxford University Press, 1984)

failing states both in Africa and elsewhere. This is what is required of states by the UN and other international organizations.

The solution which we the participants in both these practices are working our way towards is not one in which have had to chose either in favour of sovereignty or in favour of human rights. Instead, we have overcome the tension between the two by constructing a global practice which is building a freedom constituting practice by constructing a new practice in which both the sovereignty of the autonomous states and the sovereignty of individual rights holders is preserved. This composite practice does not so much establish a middle ground ethics as build a new ethical order which subsumes the other two. By building on the foundations of the poles identified we are establishing an international ethicality that encompasses both. This is not an idealist teleology that I am proposing here, but is a reporting on the programme of ethical construction that we are currently pursuing in international politics.

While this conclusion seems outrageously optimistic let me end on a pessimistic note. Although through seeking a middle way between the poles of sovereignty and rights we have pointed the way towards a new composite higher order ethics, we have been rather unsuccessful in working out the appropriate methods that might be used to bring the completion of this project to fruition. The efforts to create rights respecting states through the deployment of armed force have for the most part been unsuccessful. Many attempts at state-building have failed. The world is littered with quasi states, weak states and failed states in spite of decades of aid programmes and investment programmes. The current efforts in the Middle East directed towards the establishment of democracies there have also not been highly successful. What has to be learned is that the construction of the ethical practices that bring together the values of a society of sovereign states and the rights practice of civil society is not something that can be imposed. The best example of how it might be brought about is the series of actions over a long term which brought about the democratization of South Africa. The components of this were: the formation of a global political movement (the anti apartheid movement), long term diplomatic and political pressure on the government of South Africa by the international community of states, long term and sophisticated efforts by many international organizations (especially the UN) to discredit the rights abusing apartheid government, and a variety of sanctions against the apparatus of the government. This

was followed by a complex sequence of actions leading up to the final negotiations which established a new constitutional structure of the South African state.



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