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# A New Institutionalism? The English School as International Sociological Theory

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**Abstract:**

In this article I engage with the theoretical opening provided by Barry Buzan's *From International to World Society?* I present an argument for five functional categories, which should be able to encompass all of the institutions identified by English School scholars throughout history. Their introduction should point the way towards a more sound analytical framework for the study of what Buzan believes should be the new subject of the discipline of International Relations (IR). This subject is defined as second-order societies, meaning societies 'where the members are not individual human beings, but durable collectivities of humans possessed of identities and actor qualities that are more than the sum of their parts', and where the content of these societies, and the key object of analysis, is primary institutions. The purpose of the five functional categories is to break down this 'social whole' and provide a set of lenses through which to potentially analyse international societies throughout history.

Keywords: constructivism; English school; functional differentiation; international society; primary institutions; sociology.

When *The Anarchical Society: A Study of Order in World Politics* was first published in 1977, Michael Mandelbaum commented: 'Bull has written that rarest of books: It is not the last, but the first word on its subject'.[1] Something similar could be said of Barry Buzan's *From International to World Society? English School Theory and the Social Structure of Globalisation.*[2] Although it is not the first word on its subject, it is the first word of a new chapter in the international society debate. No one is more cognisant of this than Buzan, who in his conclusion remarks that the book is meant as 'an opening rather than a closing'.[3]

In this article I will attempt to respond to this opening by critically engaging with the conceptual debate instigated by Buzan, specifically the central concept of primary institutions. In doing this I present an argument for five functional categories, which should be able to encompass all of the institutions identified by English School scholars throughout history. Although I am keen to stress that my conceptualisation of the five functional categories is only a first attempt, their introduction should point the way towards a more sound analytical framework for the study of what Buzan believes should be the new subject of the discipline of International Relations (IR). This subject is defined as second-order societies, meaning societies 'where the members are not individual human beings, but durable collectivities of humans possessed of identities and actor qualities that are more than the sum of their parts'[4], and where the content of these societies, and the key objects of analysis, are the primary institutions that define international social life. The purpose of the five functional categories is to break down this 'social whole' and provide a set of lenses through which to potentially analyse international societies throughout history.

Some might object that the proper subject of IR should be our present international society and the problems it faces. This is, for example, the view found in Robert Keohane's agenda-setting address to the International Studies Association, 'International Institutions: Two Approaches', where he argued that we should study international institutions for the purpose of furthering the cause of international cooperation in the contemporary world.[5] This is indeed in line with the traditional way of approaching our discipline – namely as generating prescriptions for foreign policy. However, if one is interested in a sociological, and dare I say scientific rather than normative, approach to the discipline, there is no era of history that is *a priori* more interesting than

another. Furthermore, it becomes important to clarify how IR can contribute to sociology rather than just be subsumed within it. This is where the idea that we are looking at second-order societies, whereas sociologists are mainly looking at societies made up of individuals, becomes a way of defining a new rationale/added-value for the discipline.

A second potential objection, this time emanating not from IR scholars but from sociologists, is that functionalism, or structural functionalism associated with such writers as Talcott Parsons, Robert Merton and Jeffrey Alexander and Paul Colomy (neofunctionalism), occupies an increasingly marginalised position within sociology. If this is so, why try to export the idea/theory to the study of second-order societies? The short answer is that what is exported is a 'stripped' form of functionalism with the explanatory elements taken out. All functional theories within sociology have posited that social institutions contribute to, and are indeed functionally determined by, certain broad societal goals having to do with order and stability. And to a large extent the debates within the structural functionalist camp are about to which degree these goals can be said to single-handedly determine the content of individual institutions. Hedley Bull, in his classic study of order in international society, was careful to point out that his was not a structural functionalist argument.[6] However, this does not seem very convincing when he simultaneously argued that the institutions war, diplomacy, the balance of power, the great powers and international law sustained three elementary goals of social life. In other words, they provided for order. However, the functionalism I will introduce below is of a different kind, and thus sidesteps the major criticism levelled at this theory, namely that its basic mode of explanation is tautological.[7] There is no explanatory content in the functional theory presented here. It is basically a typology, following George and Bennett[8], based on the principle of differentiating between functionally defined activities at the international level. It can thus be said to be a pre-theory in the sense that it only aspires to a categorical scheme.[9] All this said, I cannot stress enough that this article merely amounts to a preliminary discussion of some of the possible ways of functionally differentiating between institutions. What will appear below is far from a fully-fledged sociological theory of international relations. It is, however, an important addition to the debate opened by Buzan.

The article is organised into four sections. In the first section I will look at the basic problem of differentiating between primary institutions, as it has been explored by Buzan in *From*

*International to World Society?* In the second section I will discuss a potential solution to this problem, namely that of functional differentiation and outline my critique of Buzan's attempt to follow this approach. Finally, sections three and four will be dedicated to elaborating the five functional categories, or what could potentially amount to a 'new institutionalism'.[10]

## Primary institutions take one: the basic problem of differentiation

Arguably the greatest novelty in Buzan's structural framework is that of primary institutions. He defined them as 'durable and recognised patterns of shared practices rooted in values held commonly by the members of interstate societies, and embodying a mix of norms, rules and principles'.[11] They are to be contrasted with the 'secondary institutions' talked about in liberal institutionalist theory: consciously designed regimes or organisations for dealing with various problems in international affairs.[12] The novelty has not so much to do with the sociological idea of institutions as patterned practices – this has in many ways been the core idea of the English School 'project' since its inception – but rather the conceptual clarity he sought to bring to the debate about institutions within the School. Here I will not go into the problem of how to empirically observe primary institutions, but merely offer some potential solutions to the problem of differentiating between them. I should also emphasise at the outset that I agree with Buzan's basic definition of primary institutions above. This is a quite expansive definition, and as the reader shall see below, many things can be captured by it, from mercantilism to human rights. Some have a long life span, historically speaking, some are more ephemeral.

In an illustrative analysis of six key authors, Buzan shows how each of them comes up with specific, though often over-lapping, catalogues of the institutions of international society. Examples range from 'religious rites and festivals', 'diplomacy' and 'trade' to 'war', 'the balance of power', 'international law' and 'colonialism'. However, none of these authors have managed to elaborate any transparent criteria for inclusion or exclusion within the category or differentiation within the category itself. James Mayall is approaching the inclusion/exclusion problem when he distinguishes between institutions (e.g. diplomacy, the balance of power and international law) and mere principles (e.g. sovereignty, territorial integrity and non-intervention) and Holsti addresses the

second issue with his distinction between foundational and procedural institutions.[13] Still, they are only scratching the surface of the problem.

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

Notes: for Mayall (I) = institution and (P) = principle, for Holsti (F) = foundational institution and (P) = procedural institution, words underlined are where the author identifies an institution as 'principal', or 'master' or 'bedrock'.

**Table 1 - Candidates for primary institutions of international society by author (adapted from Buzan 2004)**

Buzan's provisional solution is to make his own distinction between master and derivative institutions. He arrives at this through a critique of especially Holsti's[14] distinction between foundational and procedural institutions, mentioned above, and Ruggie's[15] somewhat similar distinction between constitutive and regulative rules and Reus-Smit's[16] between constitutional structures and fundamental institutions. As he states, the 'distinctions are based on the idea that some (procedural/foundational) institutions are about repetitive practices and interactions, while others (foundational/constitutional structures) are about how the actors and the basic rules of the game among them are constituted'.[17] His problem is that

> Both Holsti's and Reus-Smit's procedural rules and Ruggie's regulative ones are trying to define a level that is relatively superficial in the sense that it downplays or eliminates the constitutive element…the idea here is to capture, as it were, the regular practices that sentient players engage in once the actors are established.[18]

However, as he sees it, this distinction is hard to sustain since there are many examples of 'procedural' institutions changing the nature of the 'game', i.e. the constitution and basic behaviour of states. Here he holds out the examples of 'trade' and 'war', identified as procedural institutions by Holsti.[19] He concludes that the constitutive/regulative distinction cannot be used as a basis for differentiation between primary institutions and instead pursues his own master/derivate distinction.[20]

Yet, this distinction is equally problematic. Basically he proposes that the simplest solution is to approach differentiation as nesting. As he contends, 'it is clear that some of the candidates [primary institutions] do stand alone, whereas others are derivative'.[21]

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

**Table 2 – The nested hierarchy of international institutions (adapted from Buzan 2004)**

Although I agree that some institutions are clearly derived from others, it is not terribly clear on the basis of which principles he makes this distinction. He does engage in some discussion about why to include institutions such as sovereignty, territoriality, diplomacy and the balance of power on the list of primary master institutions, but no clear benchmarks are established. Maybe he discarded

the constitutive/regulative distinction a bit too quickly? The claim that Holsti, Reus-Smit and Ruggie neglected the impact of regulative institutions on constitutive institutions does not necessarily mean that we should abandon the distinction as such. It could just as well serve as an argument for conceptualising the relationship in more detail.

In fact, this is to some extent what Buzan is attempting in the final section of his chapter on primary institutions. Here he picks up on the idea of functional differentiation. Partly based on the work of Bull, Reus-Smit, Alan James and Jack Donnelly, he proposes five categories of functions: 1) membership; 2) authoritative communication; 3) limits to the use of force, 4) allocation of property rights; and 5) sanctity of agreements. Here the function of membership is tied to the idea of the constitutive rules which define the nature of the game, e.g. 'self-determination', 'colonialism', 'nationalism', 'popular sovereignty', 'democracy' etc., whereas the remaining four are tied to functional forms of interaction between the members of international society.[22] However, Buzan does not develop this idea of differentiation for the very simple reason that he does not have the space to do so! He concludes by saying that 'this discussion does no more than open the door on the question of how to understand the primary institutions of international society in functional terms'.[23]

## Primary institutions take two: functional differentiation

I am very sympathetic to the idea of pursuing a functional take on primary institutions. It responds directly to Nicholas Onuf's concern that a genuinely historical English School approach will only succeed in producing long, open-ended lists of institutions, without discerning any patterns or developmental tendencies.[24] The functional categories I intend to discuss here should help establish the foundation for a typology, and in the longer term social science theory[25], thus invalidating this concern. Furthermore, there is a long tradition in both political science and in sociology of thinking about social phenomena in functional terms. Michael Mann's monumental work of macrosociology *The Sources of Social Power* stands out in this respect, with his distinction between four functional power networks in society: ideological, economic, military and political.[26] It

therefore seems a reasonable endeavour to at least consider what the idea of functional differentiation can mean for the English School and IR.

In what follows I will discuss Buzan's and Donnelly's[27] attempts to establish a set of functional categories for primary institutions. I do not pretend to be able to move conclusively beyond these, but I do want to emphasise some problematic elements in their respective approaches and suggest some possible alternatives. I will also maintain the distinction between regulative and constitutive institutions precisely because some institutions seem to be predominantly about constitutive questions of membership and legitimate conduct, whereas others seem to be tied more directly to different areas of interaction. Ian Clark has argued that questions of legitimacy and membership are somehow more basic and different from primary institutions, and I will discuss this in the section on the constitutive functional category.[28] However, I would like to stress that I do not have a lot invested in this debate about the distinction between constitutive and regulative. To me, it just seems to be a useful way of separating questions of membership and legitimate conduct from the rest of what is going on between polities. The theoretical relationship between the two is still an open question from my perspective. Lastly, my critical comments to Buzan and Donnelly are informed by the ambition to create more genuine historical-sociological theory, and will thus mostly revolve around a number of problems related to Western-centrism. The key idea, following Fred Halliday, is to caution against essentialising concepts that inherently belong to the modern era of history:

> The second constitutive error within the English school approach to international relations, and to history as a whole, lies in its acceptance of a continuous historical narrative of international and interstate relations going back centuries and millennia…By contrast, the insistence of writers such as Karl Polanyi in economic history, of Ernest Gellner in sociology and of Eric Hobsbawm in history on the great divide that separates the pre-modern and modern worlds entails that we cannot write of political and social categories, be they market, state, family, economy or war, in abstract, or treat superficially similar instances of any of these from different centuries and epochs as meaningfully similar.[29]

To give the reader a better grasp of the reconfiguration attempted here, table 3 sets out the different lists of categories by author, including Bull's, which Buzan's scheme is mainly based on. It will be useful to refer back to this over the course of the argument in the following two sections.

| Buzan | Bull | Donnelly | Schouenborg |
|---|---|---|---|
| 1) Membership | | | 1) Legitimacy and membership |
| 2) Authoritative communication | | 1) Communicating and interacting | 2) Authoritative communication |
| 3) Limits to the use of force | 1) Limits to the use of force | 2) Regulating the use of force | |
| 4) Allocation of property rights | 2) Allocation of property rights | 3) Regulating ownership and exchange | 3) Trade |
| 5) Sanctity of agreements | 3) Sanctity of agreements | 4) Making rules | |
| | | 5) Aggregating interests and power | 4) International organisation |
| | | 6) Regulating conflicts | 5) Regulating conflicts |

**Table 1 - Functional categories for primary institutions by author (the table also illustrates where the authors' categories meaningfully overlap)**

## Primary institutions take three: the constitutive category

So I will begin by discussing Buzan's first category 'membership' which he thinks is important for defining international society's constitutive rules and who the players/actors are.[30] As already mentioned above, Clark has claimed that legitimacy is the defining feature of international society. This claim was proposed as a direct alternative to that of institutions, subscribed to by Buzan and others. As he argues:

> This [institutions] may be appropriate for describing international society at any point, but is overly cumbersome for any essentialist definition: since the institutions of international society are

> evidently changeable, one wonders why there is a need to identify international society per se with any one institution in particular. Instead, we should identify a more fundamental property of which these institutions are an expression.[31]

This property is legitimacy, or more precisely, the belief in being bound by some moral principle.

> This is the essentialist - albeit minimalist – notion of international society. Core principles of legitimacy articulate a willingness to be bound, both to certain conceptions of rightful membership of society, and to certain conceptions of rightful conduct within it. This is what defines international society, rather than its expression in any specific institutions or values – all of which are historically variable.[32]

I will argue that Clark falls into the same trap as the one he sets for the scholars he is arguing against: His principles of legitimacy – according to his own analysis, as well as other authors who have dealt with this issue[33] - are just as malleable as the primary institutions he is posing against. Furthermore, Clark also holds that primary institutions are expressions of these principles. This is the one-way causal relationship between constitutive and regulative institutions which was discarded above. As Buzan rightly emphasises, it is possible to identify several instances where supposedly regulative institutions, for example 'war' and 'trade', have had an impact on what counts as legitimate in international society.[34] Yet, I have no problem with seeing legitimacy as an essential, *constitutive* functional category of international society, along with the other functional *regulative* categories defined below. It is different in that it captures constitutive primary institutions, but again, there are no grounds for causally privileging these vis-à-vis the regulative institutions.

I realise that proposing the simple category of legitimacy and membership is problematic in so far as so many different principles can be bundled within it. In this sense it is not so much a solution to the problem of differentiation but its reification. I doubt, however, whether it is possible to create any meaningful sub-categories. Let me explain by way of drawing on the story of legitimacy in Westphalian international society.

A consensus gradually emerged in Europe after the treaties of Osnabrück and Münster in 1648 to the effect that the princes of Europe had a right to exclusive jurisdiction within a specified

territory. This is what is normally understood as the original principle of sovereignty.[35] This should not be taken to mean that dynasticism, understood as the hereditary title to exclusive, territorial jurisdiction, was the only principle present at the time. As Wight reminds us, dynasts co-existed with the 'great republics' (e.g. Venice, the Swiss Confederation and the United Provinces), the Papacy and the Holy Roman Empire.[36] However, the dynastic claim to sovereignty was the dominant principle. Following the American and French revolutions, a new principle became established, namely that of the popular will. The claim to exclusive, territorial jurisdiction no longer resided with the prince but with the people. The principle seems simple, but is in fact immensely complex due to a basic logical paradox which was so nicely captured by Ivor Jennings in 1956: 'On the surface it seemed reasonable: let the People decide. It was in fact ridiculous because the people cannot decide until someone decides who are the people'.[37]

A host of auxiliary principles appeared as a response to this paradox. A major one was that of nationalism, where sovereignty were proclaimed to reside in the popular will of the nation, however defined. A second major one was that of communism, with sovereignty thought to be residing initially in the popular will of a transnational proletariat and eventually, through the dictatorship of the proletariat, a harmonious community of mankind.[38] More concrete, and one could add sophisticated, principles were soon developed to judge the sovereign potential of a people, and by extension, a state. These included the 'standard of civilization', explored by Gong[39], the 'capacity to govern' in the League of Nations' criteria for membership, the eventual UN criterion of being a 'peace-loving' nation, and all the way up to the Copenhagen criteria of democracy and a free-market economy for joining the EU[40] and the universal respect for human rights, which can also to some extent be viewed as a principle derived from the inherent sovereignty of the people. In many ways, these can be seen as attempts at drawing a circle around what in these ideologies should constitute 'the People'.

The point, however, is that the fundamental paradox of rule based on popular will has never been resolved. On the contrary, tension between various principles remains. Furthermore, this is probably to be expected of any international society. And even though the story above conveys the message that some principles are derived from or developed in response to the shortcomings of others, it is not immediately clear to me if there are any potential analytical rewards in

differentiating between them and especially where to set the benchmarks. Table 4 provides suggestive list of principles of legitimacy in Westphalian international society based on the discussion (note that it is not meant to be exhaustive!).

| The Constitutive Functional Category | Primary Institutions |
|---|---|
| Legitmacy and membership | Sovereignty |
| | Dynasticism |
| | Popular will |
| | Nationalism |
| | Communism |
| | Liberal democracy |
| | 'The standard of civilization' |
| | Capacity to govern |
| | 'Peace-loving nation' |
| | Human rights |

**Table 2 – The constitutive functional category with suggestive primary institutions**

However, moving beyond the modern or Westphalian era, I believe we also need to think more carefully about the nature of the presumed units of international society: the kinds of collective entities that can qualify as members. Going back to Halliday's quote above, he argues that the English School has a problematic conception of the importance of the state. While Halliday's is a specific critique of the English School, a number of scholars over past 20 years have forcefully stressed the problem of IR's reliance on an essential notion of the state.[41] To be more precise, Buzan defines the state as 'any form of post-kinship, territorially based, politically centralized, self-governing entity capable of generating an inside-outside structure'.[42] The problem, as Osiander points out, is that this definition only seems to be a somewhat good fit with political entities present in the modern era, say, the post-18th century world.[43] Before that, many political communities were decentralised, not territorially based and non-exclusive. Perhaps the biggest problem here is the exclusivity that seems to come through in the idea of 'self-governing entity capable of generating an inside-outside structure'. Again according to Osiander, it is a very modern idea that people should be unambiguously and exclusively associated with one authority and constitute one community.[44]

Following on from this, I therefore agree with Osiander's more basic definition which holds that political communities 'consist of individuals considering themselves and each other to share

important interests across a range of issues'[45]; and when this develops into the legitimisation of one or more authorities to act on behalf of that community, I will refer to these as polities.[46] In this scheme it will possible to operate with the concept of a state, but only as a specific type of polity that belongs to the modern era. It is true that this move may lead to a problem of analytical holism[47], as so many things can be captured by these concepts - anything from a family unit to an empire count as a polity. Yet, I do think it is essential for avoiding the tendency of projecting concepts derived from our understanding of modern international relations onto the past and thus for developing truly historical-sociological theory.[48] Consequently, we may come across historical international societies where there are many competing principles of legitimacy due to the presence of many different types of polities. It is certainly also possible to imagine that some polities will not recognise each other as members belonging to the same society of collectivities. The latter is probably what classical English School scholars would term a *system* of states, highlighting the absence of social consensus between the relevant units. However, and here I agree with Buzan, conflict and discord are also social phenomena.[49] The basic point is that what counts as legitimate in any given period of history, and whether there exists a consensus about this, is an empirical question that the constitutive functional category, as an analytical lens, will allow us to get a handle on.

## Primary institutions take four: regulative categories

Buzan's five functional categories are: 1) membership; 2) authoritative communication; 3) limits to the use of force; 4) allocation of property rights; and 5) sanctity of agreements. The membership category was discussed above, and here I will consequently focus on what I term regulative functional categories: 2 to 5.

The four regulative functional categories are all - with the exception of authoritative communication, which I will reserve for the discussion of Donnelly's scheme below - drawn from Bull's definition of the elementary goals of any society.[50] They thus give the impression of having universal validity across time. However, I believe it is possible to question whether that is in fact the case.

To start with limits to the use of force, many international societies throughout history may have had this as one of their goals or maybe even ordering principles. However, it can easily be argued that this goal obtained an extreme sense of urgency in Westphalian international society after the almost unfathomable destruction of the Thirty Years War and the Napoleonic wars, followed by the exponential increases of WWI and WWII. The threat of a nuclear holocaust descending on mankind after the invention of the atom bomb probably only served to strengthen this trend. This is what Deudney seems to be getting at with his concept of increasing 'violence interdependence'[51], and it is reinforced by Osiander's detailed study of political ideas in ancient Greece:

> The relative difficulty of inflicting material destruction (compared to what we are accustomed to) helps explain what many present-day authors have found odd, to wit, that period observers display little fear or rejection of warfare as such. They did not see it as a social problem – even though they regarded domestic, civil, war as a very serious *political* problem [his emphasis].[52]

Therefore, it is arguably not far off the mark to say that there is a bias in the Westphalian tradition towards seeing limits to the use of force as a fundamental function of international society. For long stretches of history, warfare has been considered entirely legitimate and not as something that should necessarily be limited; it was not considered a *social* problem, to paraphrase Osiander.

The issue, however, is that if one adopts this functional category, as Buzan does, then one is likely to end up identifying great power management, war, alliances, neutrality and the balance of power as institutions that perform this function.[53] This may be true of the Westphalian international society, but considering these institutions from the vantage point of pre-modern history, they have often served the cause of violence – that is to the extent that it is actually possible to operate with such generic categories as war, alliances and great power compacts during these eras (again see the quote by Halliday above).

Proceeding to the allocation of property rights, it can equally be argued that the idea of property is one of the foundational principles of the Western liberal tradition, especially in the Anglo-Saxon sphere.[54] This is not to say that other historical international societies did not operate

with some idea of property or possessions, most certainly they did. The point, however, is that this was seldom formulated as an inalienable individual right, as in the Western tradition. An individual's right to possess something was not separated from broader societal and political concerns. Instead of privileging the idea of property, a more suitable functional category would probably be production or exchange, or maybe just the simple term 'trade'. More on this below. However, let me again stress that this not an attack on the general idea of property in history, it is only a call to caution against conflating a modern understanding of the concept with those found in the past. I would imagine that Buzan would broadly agree with this point. Yet, he does not clearly specify what he means by property.

Finally, the sanctity of agreements, which Buzan sees as being mainly about international law and its antecedents[55], also has a distinctly Westphalian ring to it. Some historical international societies have undoubtedly engaged in explicit rule-making. Yet, the role of international law in Westphalian international society is pervasive. As Keene has points out, the very idea of international society was invented by legal scholars in the sixteenth and seventeenth centuries to give legitimacy to the force of the law of nations (jus gentium) with reference to a society of nations (societas gentium).[56] Also, one only has to consider that up until WWII *the* object of analysis in the study of international relations in especially the US academy was international law.[57] That said, it is not clear to me why explicit rule-making should be considered a functional category at all. If it was not for the strong Westphalian focus on international law, a more logical move would be to group it in a category with practices and norms, i.e. as a mechanism for regulating behaviour; a property of primary institutions, not a functional category. Here practices are thought of as behaviour justified with simple reference to custom, and norms with reference to implicit or explicit moral imperatives. One could also conceptualise international law as a pattern of legitimacy and hence a primary institution in the constitutive functional category. This is in line with Onuma's perspective in the article 'When was the Law of International Society Born?', in which he argues that it is a unique normative system that originated at a specific point in Western history.[58]

To sum up, while I would not claim that Bull's and Buzan's three categories – limits to the use of force, allocation of property rights and sanctity of agreements - are wrong as such, I will hold that they need to be reconfigured somewhat if they are to be applicable to all of recorded history

(of course realising that the two authors may only have been interested in conceptualising modern international society!). To proceed with this reconfiguration, I will now discuss how Buzan's second functional regulative category - authoritative communication - lines up with Donnelly's framework.

Buzan credits Donnelly with being the first to have started down the functional path in thinking about the institutions of international society.[59] His six functional categories are: 1) communicating and interacting (diplomacy); 2) regulating the use of force (just war rules, limits to who can legitimately perpetrate violence); 3) regulating ownership and exchange (property rights and trade); 4) making rules (international law); 5) aggregating interests and power (alliances, feudal obligations, international organisations etc.); and 6) regulating conflicts (war, treaty making, arbitration)(Donnelly 2006, 11-2).[60]

Donnelly's 'making rules' category seems to be problematic for the same reasons that were covered above: the prominence of international law is something that is intimately tied to Westphalian international society. Instead one could view explicit rule-making as a potential property of individual primary institutions (as a mechanism for regulating behaviour) or as a specific legitimacy principle, defining the rightful members of international society.

'Regulating conflicts' is a more promising functional category. Conflicts always arise between members of a social system, and it is probably not wrong to see institutions such as war, the balance of power, great power management, alliances, adjudication, arbitration etc. as mainly belonging to this category. However, I do not see why the 'regulation of the use of force' warrants a separate category. One thing is to regulate the use of force in combat (jus in bello). In this instance it should probably be seen as a property of the institution of war. Another thing is to regulate what goals organised violence can legitimately be used to pursue (jus ad bellum). Yet, this question seems to be tied more to issues of membership and legitimate conduct. For example, in pre-1815 Europe it was considered legitimate to engage in wars of conquest, and in the ancient world, Rome had no qualms about exterminating barbarians as well as seemingly 'civilised' polities such as Carthage. However, in the modern era war has been largely de-legitimised and can only be rightfully employed against polities that are considered to be less than full members of international society, such as revolutionary states, aggressors and so-called rogue states. The issue of use of violent force thus appears to be bound up in various ways with the question of membership and

legitimate conduct. What should be emphasised, though, is that regulation of conflict should not be taken to imply that conflict settlement is normatively desirable or even a priority - only that different international societies appear to establish different means of settling disputes. Aggressive warfare may be one of them.

The ‘regulating ownership and exchange’ category seems fine as such. However, I would again take care not to conflate modern understandings of property and market economics with exchange relationships found in the past. Particularly, I would stress that the emphasis on *individual* property rights is something which is peculiar to Westphalian international society, as discussed previously. As for trade or exchange, throughout history this has performed a plethora of functions, some having to do with subsistence consumption, some having to do with the accumulation of wealth and yet others having to do with various symbolic, political, military and broadly social purposes.[61] However, in the modern era exchange relationships did seem to take on a specific configuration. As Wallerstein remarks with reference to the period 8-10.000 BC to circa 1.500 AD:

> There were in this period multiple instances of coexisting historical systems…None of them was “capitalist” in that none of them was based on the structural pressure for the ceaseless accumulation of capital.[62]

This only came about post-1.500 AD. In a similar fashion, Dalton, following Polanyi, argues that the fact

> That every society must have substantive economic organization to provide material means of existence does not mean that each must have the special set of market exchange institutions for the analysis of which formal economic theory was uniquely designed. Indeed, there is increasing evidence that the market integrated economy is historically and anthropologically rare.[63]

This is not to say that Donnelly, nor Buzan, is unaware of these points, but it is to caution others against an uncritical application of modern and historically contingent concepts. I will therefore opt

for the historically most neutral word I can think of in this connection and call the functional category 'trade'.

The 'communicating and interacting' category is probably one of the most basic functional categories which can be identified. Nearly all English School scholars see diplomacy, in one form or another, as being a central feature of an international society. This does not mean that institutionalised communication is necessarily prior to other forms of functional interaction. Buzan and Little have demonstrated how relay trade has historically often been the first form of interaction among otherwise isolated polities.[64] Moreover, Bull has argued that the institution of diplomacy can perform various functions.[65] One example is negotiation, which belongs in the conflict regulation category (or the international organisation category, see below), and a second one, the function of serving as a symbol of the existence of international society, has to do with membership and legitimacy (the constitutive category). Nevertheless, the main function of diplomacy seems to be communication. Yet it is probably wise not to conflate diplomacy with this functional category. To use the contemporary term 'diplomacy' for various forms of institutionalised communication in the past can possibly distort our conception of these practices. Consequently, the best approach seems to be to hold on to the more neutral term 'communicating and interacting' or simply 'authoritative communication'.

Finally, there is the 'aggregating interests and power' category. On one hand, I find this category a bit problematic, and on the other, I do see a need for it. The first point relates to the fact that all of the functional categories above can to some extent be viewed as aggregations of interests, i.e. polities cooperate/engage to regulate different aspects of their interactions. One can even argue that war is an example of this in that it is an institutionalised expression of certain standards for the use of organised violence explicitly or tacitly agreed upon by the polities making up an international society. That said, and realising that the basis for talking about an international society in the first place is to imagine a set of differentiated polities, there seems to be a need to conceptually recognise the various forms political cooperation between them can take. Here I am talking about international organisation. Not international organisation in the sense of secondary institutions, as defined in a previous section (physical international organisations or regimes), but international organisational forms, as for example, Wight's religious sites and festivals and

conferences and congresses[66], and in more recent times, multilateralism. Alliances, on the other hand, seem to fit more comfortably within the conflict regulation category, close as it (the institution) is to war and the balance of power.

The reconfigured set of regulative categories and corresponding primary institutions are displayed in table 5 (please note that the list of primary institutions is merely suggestive!).

| Regulative Functional Categories | Primary Institutions |
|---|---|
| Regulating conflicts | War |
| | Great power management |
| | Alliances |
| Trade | Relay trade |
| | Tribute systems |
| | Free trade |
| Authoritative communication | Messengers |
| | Diplomats |
| | Embassies |
| International organisation | Religious sites and festivals |
| | Conferences and congresses |
| | Multilateralism |

**Table 3 – The regulative functional categories and suggestive primary institutions**

I will again not claim that this discussion of possible ways of functionally differentiating between primary institutions has been exhaustive. Far from it. However, I hope I have imparted a little bit of extra clarity to the debate, and raised some issues that should be considered if one wants use this scheme for producing comparative historical-sociological studies of international societies of the past, as well as appropriately relate these to the modern era.

## Conclusion

In this article I have attempted to critically engage with the conceptual debate instigated by Buzan, and I would like to follow his lead in saying that this is indeed an opening rather than a closing. The definitions and categories arrived at here should by no means be seen as final.

My point of departure was to take sociological theorising about second-order/international societies one step further by elaborating five functional categories to divide up this social whole. It should again be stressed that these are abstract analytical lenses. They do not have ontological status, only second-order societies and primary institutions have. To use an analogy from biology,

primary institutions are the actual ‘creatures’ out there in the real world, while the functional categories are the system for dividing them into various ‘species’. I believe that the categories proposed here – 1) legitimacy and membership; 2) regulating conflicts; 3) trade; 4) authoritative communication; and 5) international organisation - represent a substantial improvement compared to the functional categories elaborated by Buzan and Donnelly since their frameworks were hampered by elements of Western-centrism and the restricting idea of a society of *states.*

We now have a preliminary conceptual ‘net’ to go fishing with in the past. This could throw up fascinating questions concerning institutional differentiation in various historical international societies and between them. However, the point should be reinforced that this is indeed a *preliminary* conceptual net. For the five functional categories to obtain any definitive theoretical standing, they would have to be subject to systematic empirical tests. One such ‘stress’ test could be to apply them to systems of polities that are radically different from the modern Western international society, for example, ancient tribal systems in Africa, nomadic ‘empires’ in Central Asia and the pre-modern Polynesian civilisation.

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As Tim Dunne discussed in a recent essay on the new agenda of the English School, there currently seems to be a spilt between ‘hedgehogs’ and ‘foxes’, to use Isaiah Berlin’s terminology. Between those scholars who pursue holistic accounts of the social world and those who are more inclined to analytic disaggregation. To be more precise, a bifurcation between a neo-English School theory that is multilayered and explicit about its methodology and ontology, and a neoclassical approach concerned with the history of the ideas which constituted European international society and with the normative standing of these ideas.[67] Dunne’s point is that there is much to be gained from a dialogue between the analytic and normative wings of the English School, and I do not necessarily dispute this claim. However, here I would like to reinforce a second dialogue, which could be considered even more worthwhile: that between the neo-English School (the sociological perspective explored in this article) and constructivism. There have already been plenty of writings on the similarities between these two scholarly communities and what they can learn from each other.[68] Yet, to me it seems that it is only with the arrival of the sociological perspective that this dialogue can really take off. There is now a shared epistemology,

based on a commitment to being explicit about methodology and ontology. This could clear the way for a more sophisticated account of international relations.

Constructivists have by and large shunned grand theory, with the notable exceptions of Alexander Wendt and Reus-Smit.[69] They have been concerned with the basic building-blocs of the social world in the form of norms, identities and institutions, and have explored the constitution, evolution and transformation of these through a great number of very rewarding case studies. To simplify, you could term this the bottom-up approach. The English School sociological perspective, on the other hand, takes the social whole (international society) as its point of departure. It then proceeds to break it down into its constituent parts, but only to put it back together again. What could be termed a top-down approach. This is where I think an interesting point of contact exists: between the macro-theoretical ambitions of the English School sociological perspective and the analytical sophistication of constructivism. Primary institutions and the functional framework proposed here could very well serve as the point of departure for such an engagement and perhaps pave the way for a new institutionalism in IR.

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[1] Michael Mandelbaum, 'Review of The Anarchical Society: A Study of Order in World Politics', *Political Science Quarterly*, 92(3), 1977, p.575.
[2] Barry Buzan, *From International to World Society? English School Theory and the Social Structure of Globalisation* (Cambridge: Cambridge University Press, 2004).
[3] Buzan, *From International to World Society?,* p.268.
[4] Buzan, *From International to World Society?,* p.26.
[5] Robert O. Keohane, 'International Institutions: Two Approaches', *International Studies Quarterly*, 32(4), 1988, pp.379-396.
[6] Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan, 1977), pp.71-3.
[7] A standard structural functionalist explanation goes something like this: 'We can know the elementary goals of a system or a society, and since we know that social institutions help sustain these, we can say that they are functionally explained by these structural goals'. The real tautology comes in when it is held that the study of institutions can reveal the structural functional logic, and the study of the structural functional logic can reveal the core content of institutions.
[8] Alexander George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, MA and London: MIT Press, 2005), pp.238-9.
[9] Please note that neither my functional theory nor structural functionalism in sociology are directly related to functional theories of international organisation and that they will consequently not be discussed in this article. See for example Ernst B. Hass, *Beyond the Nation-State: Functionalism and International Organization* (Stanford: Stanford University Press, 1964).

[10] What we mean by 'institutions' in IR have been the subject of much debate. John Duffield, 'What Are International Institutions?', *International Studies Review,* 9 (1), 2007, pp.1-22 has recently attempted to come up with a unified definition capable of encompassing all of these meanings. This is not what I am doing here. I am merely trying to look at the subject of institutions from an English School/sociological perspective.
[11] Buzan, *From International to World Society?,* p.181.
[12] Buzan, *From International to World Society?,* p.166.
[13] Buzan, *From International to World Society?,* p.174.
[14] Kal J. Holsti, 'The Institutions of International Politics: Continuity, Change, and Transformation' (paper presented at the annual ISA conference in New Orleans 2002).
[15] John G. Ruggie, *Constructing the World Polity* (London: Routledge, 1998), p.22.
[16] Christian Reus-Smit, 'The Constitutional Structure of International Society and the Nature of fundamental Institutions', *International Organization,* 51(4), 1997, pp. 555-66.
[17] Buzan, *From International to World Society?,* p.176.
[18] Buzan, *From International to World Society?,* p.180.
[19] Buzan, *From International to World Society?,* p.180.
[20] Buzan, *From International to World Society?,* p.182.
[21] Buzan, *From International to World Society?,* p.182.
[22] Buzan, *From International to World Society?,* pp.188-9.
[23] Buzan, *From International to World Society?,* p.189.
[24] Nicholas Onuf, 'Institutions, Intensions and International Relations', *Review of International Studies,* 28(2), 2002, p.223.
[25] George and Bennett, *Case Studies and Theory Development in the Social Sciences*, pp.235-9.
[26] Michael Mann, *The Sources of Social Power, volume 1: A history of power from the beginning to A.D. 1760* (Cambridge: Cambridge University Press, 1986).
[27] Jack Donnelly, 'The Constitutional Structure of International Societies' (unpublished paper, University of Denver, 2006).
[28] Ian Clark, *Legitimacy in International Society* (Oxford: Oxford University Press, 2005), p.23 and *International Legitimacy and World Society* (Oxford: Oxford University Press, 2007), p.18.
[29] Fred Halliday, 'The Middle East and Conceptions of "International Society"', in Barry Buzan and Ana Gonzalez-Pelaez (eds.) *International Society and the Middle East: English School Theory at the Regional Level* (Basingstoke: Palgrave Macmillan, 2009), p.19.
[30] Buzan, *From International to World Society?,* p.188.
[31] Clark, *Legitimacy in International Society*, p.21.
[32] Clark, *Legitimacy in International Society*, p.24.
[33] E.g. Martin Wight (edited by Hedley Bull), *Systems of States* (London: Leicester University Press, 1977), ch.6.; Gerrit W. Gong, *The Standard of 'Civilization' in International Society* (Oxford: Clarendon Press, 1984); James Mayall, *Nationalism and International Society* (Cambridge: Cambridge University Press, 1990); Mlada Bukovansky, *Legitimacy and Power Politics: The American and French Revolutions in International Political Culture* (Princeton: Princeton University Press, 2002).
[34] Buzan, *From International to World Society?,* p.180.
[35] The peace of Westphalia and the concept of sovereignty have become increasingly contested topics over the last two decades or so. Clark (*Legitimacy in International Society*, ch.3) provides an excellent overview of this debate, while arguing for the importance of the principle of mutual recognition as the true novelty of the peace treaties and downplaying the establishment of the principle of dynastic, territorial exclusive jurisdiction. However, whether the latter principle can be traced to this exact moment in history or not, is besides the point. Few scholars would dispute the fact that it did become a consensus principle sometime during the 17th and 18th centuries.
[36] Wight, *Systems of States*, pp.153-4.
[37] Quoted in Wight, *Systems of States*, p.161 and Mayall, *Nationalism and International Society*, p.41.
[38] Margot Light, *The Soviet Theory of International Relations* ( Brighton: Wheatsheaf, 1988), pp.145-55; Robert A. Jones, *The Soviet Concept of 'Limited Sovereignty' from Lenin to Gorbachev* (London: Macmillan, 1990), pp.5-7.
[39] Gong, *The Standard of 'Civilization' in International Society.*
[40] Yannis A. Stivachtis, 'Civilization and International Society: The Case of European Union Expansion', *Contemporary Politics,* 14(1), 2008, pp.71-89.
[41] R.B.J. Walker, *Inside/outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993); Hendrik Spruyt, *The Sovereign State and Its Competitors: An Analysis of Systems Change* (Princeton: Princeton University Press, 1994); ); Richard W. Mansbach and Yale H. Ferguson, *Polities: Authority, Identities, and Change* (Columbia: University of South Carolina Press, 1996); Yale H. Ferguson, 'States or Polities in Global Politics?', in B.A. Roberson (ed.) *International Society and the Development of International Relations Theory* (Washington and London: Pinter, 1998), pp.184-209; Andreas Osiander, *Before the State: Systemic Political Change in the West from the Greeks to the French*

*Revolution* (Oxford: Oxford University Press, 2007); Phil Cerny, *Rethinking World Politics: A Theory of Transnational Neopluralism* (New York: Oxford University Press, 2010), ch.3.
[42] Buzan, *From International to World Society?,* p.92.
[43] Osiander, *Before the State.*
[44] Osiander, *Before the State*, p.5.
[45] Osiander, *Before the State*, p.29.
[46] See also Mansbach and Ferguson, *Polities*.
[47] Buzan, *From International to World Society?,* p.91.
[48] Here I may actually be closer to the orthodox English School understanding than Buzan is. For example, Cornelia Navari argues that the 'English School considers the state in terms of a constitutional form whose laws, customs and practices condition social action. It is not the "only actor" and indeed not "an actor" properly speaking at all: the English School recognizes many actors. It merely insists that the fact of stateness qualifies their actions, just as the fact of an empire would or a tribe would…In method, the English School primarily treats the state as a setting or structure, whereas traditional Realists tend to treat it as an actor', Cornelia Navari (ed,), *Theorising International Society: English School Methods* (Basingstoke: Palgrave Macmillan, 2009), pp.8-9.
[49] Buzan, *From International to World Society?,* p.99.
[50] Bull, *The Anarchical Society*, p.4.
[51] Daniel H. Deudney, *Bounding Power. Republican Security Theory from the Polis to the Global Village* (Princeton and Oxford: Princeton University Press, 2007), pp.37-8.
[52] Osiander, *Before the State*, p.42.
[53] Buzan, *From International to World Society?,* p.189.
[54] See Douglas C. North and Robert Paul Thomas, *The Rise of the Western World: A New Economic History* (Cambridge: Cambridge University Press, 1973) for the historical development of individual property rights in the West and C.B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke*, New York: Oxford University Press, 1964) on the political theory of possessive individualism from Hobbes to Locke.
[55] Buzan, *From International to World Society?,* p.189.
[56] Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002), p.13.
[57] See also Martin Wight, 'Why is there no international theory?', *International Relations,* 2, 1960, p.36 for the role of international law in developing international theory and Brian C. Schmidt, *The Political Discourse of Anarchy: A Disciplinary History of International* Relations (Albany: SUNY Press, 1998), pp.46-7 for its role in developing the discipline in the US in particular.
[58] Yasuaki Onuma, 'When was the Law of International Society Born? An Inquiry of the History of International Law from an Intercivilizational Perspective', *Journal of the History of International Law*, 2, 2000, pp.1-66.
[59] Buzan, *From International to World Society?,* p.187.
[60] Jack Donnelly, 'The Constitutional Structure of International Societies', unpublished paper, 2006, University of Denver, pp.11-2. Note that these differ somewhat from the ones ascribed to Donnelly by Buzan in *From International to World Society?* The reason being that I am using a revised version of Donnelly's original paper from 2002.
[61] See e.g. Karl Polanyi, 'Aristotle Discovers the Economy', in Karl Polanyi, Conrad M. Arensberg and Harry W. Pearson (eds.) *Trade and Market in the Early Empires: Economies in History and Theory* (Clencoe, Illinois: The Free Press, 1957), especially pp.74-5, and John G. Ruggie, 'International Regimes, Transactions, and Change: Embedded Liberalism in the Postwar Economic Order', *International Organization*, 36(2), 1982, pp.379-415 for trade practices in relation to different international authority structures.
[62] Immanuel Wallerstein, 'World System versus World-Systems: A critique', in Andre Gunder Frank and Barry K. Gills (eds.) *The World System: Five hundred or five thousand?* (London and New York: Routledge, 1993), p.295.
[63] George Dalton, 'Economic Theory and Primitive Society', *American Anthropologist*, 63(1), 1961, p.8.
[64] Barry Buzan and Richard Little, *International Systems in World History: Remaking the Study of International Relations* (Oxford: Oxford University Press, 2000).
[65] Bull, *The Anarchical Society*, pp.163-6.
[66] Wight, *Systems of States*, pp.29-33, 47-9.
[67] Tim Dunne, 'The New Agenda', in Alex J. Bellamy (ed.) *International Society and Its Critics* (Oxford: Oxford University Press, 2005), pp.70, 77-8.
[68] E.g. Tim Dunne, 'The Social Construction of International Society', *European Journal of International Relations*, 1(3), 1995, pp.367-389; Ole Wæver, 'Does the English School's *Via Media* equal the Contemporary Constructivist Middle Ground?' (paper presented at the annual BISA conference in Manchester 1999); Christian Reus-Smit, 'Imagining Society: Constructivism and the English School', *British*

*Journal of Politics and International Relations*, 4(3), 2002, pp.487-509; Christian Reus-Smit, 'Constructivism and the English School', in Cornelia Navari (ed.) *Theorising Interntional Society: English School Methods* (Basingstoke: Palgrave-Macmillan, 2009), pp.58-77.

[69] Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999); Reus-Smit, *The Moral Purpose of the State.*