

# Critical Dialogue

**Where the Evidence Leads: A Realistic Strategy for Peace and Human Security.** By Robert C. Johansen. New York: Oxford University Press, 2021. 440p. \$99.00 cloth, \$34.95 paper. doi:10.1017/S1537592723000579

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Robert C. Johansen is notable for his long and productive career in the fields of global governance, peace studies, and human rights, and as a successful institution builder at the Kroc Institute at the University of Notre Dame. *Where the Evidence Leads* is especially significant for its distinctive method of integrating normative and empirical theory bearing on questions of peace and human security.

His approach unfolds in a running dialogue between two sharply contrasting notions of “realism.” The first, which he calls “political realism,” is a set of Hobbesian ideas that are held by the most grim, zero-sum, realist scholars of international politics, and in Johansen’s account, by the foreign policy elites of powerful states, including the United States. The second is his own approach, which he calls “empirical realism.” This approach mounts an empirical critique of the results of actually existing foreign policy behavior, which Johansen argues are disastrous compared to the achievable results that would hypothetically follow from the adoption of policies that recognize the declining utility of war, the counterproductive consequences of narrowly conceived nationalism, and the potential benefits of an expanded role for cosmopolitan international law.

“Five factors differentiate empirical realism from political realism and the prevailing practices of the US policy-making community,” he says (p. 54). Whereas political realism reifies the state and the anarchical international system, empirical realism sees them as human creations that can evolve into a cooperative international society. Johansen says “state conduct is influenced by the international system of relative anarchy, lacking a central authority over member states, but it is not totally determined by it” (p. 55). According to his empirical realist approach, the internal conditions of states as well as their ideas, customs, law, institutions, ethics, culture, and religion affect state behavior. He stresses the “importance of looking at the good of the whole rather than the good of the parts,

particularly of ‘my’ part.” Eliding the “is” and the “ought,” empirical realism proposes that “perspectives should move from primarily nation-state centric to increasingly global-centric” (p. 56).

He asks, “is empirical realism simply too idealistic?” (p. 71). “Is human nature too ‘self-interested?’” (p. 72). His answer to both questions is an unequivocal no: empirical realism is based on a factual critique of the current global disorder and a historically grounded view of the potential to replace it with a system that works better. In several example-filled chapters, he chronicles the march of folly whereby political realist policy makers are “misaligning military power and security” (p. 74), needlessly exacerbating poverty, despoiling the global environment, and failing to follow the salutary requirements of international law (pp. 75–223). These outcomes have been caused by a “structural breakdown” of systems of international cooperation, he says, producing a tragedy of the commons and failures of reciprocity (p. 121). In his view, a realistic opportunity for fundamental change was missed at the end of the Cold War, because state elites are political realists (p. 139). But the worthy, partially effective, past efforts to build transnational community and institutions for global cooperation show that creating a more functional global system is not a pipe dream (pp. 145–46). This fact-guided counterfactual reasoning constitutes the empirical part of empirical realism. However, even people who are generally sympathetic to this point of view may find that Johansen has left unspecified many crucial details that would be required to make his vision operational.

Johansen rests his argument on Alexander Wendt’s claim that the militarization of international politics is rooted not in the structural fact of anarchy per se, but in a Hobbesian culture of anarchy. Johansen says that this shows that Hobbesian fears reside in our minds and our habits, and so can be changed (p. 55). Wendt’s view, however, is that culturally engrained patterns can be just as hard to change as material constraints (Wendt, *Social Theory of International Politics*, 1999, p. 137).

Johansen also argues that cultural evolution producing “non-zero-sum” change requires ever larger units of political organization: specifically, “a new global democratic leviathan is needed” (p. 147). But how could this be made possible in the counterfactual world of empirical realism?

One stumbling block is the nationalism of sovereign states. Johansen acknowledges that actually existing democratic states are based on national self-determination, and elections for national governments would still be part of his new global order under the principle of “subsidiarity” (pp. 214–17). He says that their nationalism can promote cooperation by fostering in-group solidarity, though it also hinders cooperation through “us-versus-them” thinking, so it is necessary to “cosmopolitanize” nationalism (pp. 34–35, 66–69). He favors transnational social movements to play such a role (p. 329).

Even more problematic is how a cosmopolitan global leviathan could be democratic. Johansen envisions an ambitious project that would “build democratic global governance to enable formation and enforcement of laws essential for human security.” For this, Johansen has in mind the step-by-step evolution of a “web-like, more highly institutionalized balance-of-power system made up of legal, political, economic, and environmental balances, tempered by prudential checks on the most powerful actors in the system,” supported by “a broad transnational coalition” of “human rights organizations and other civil society groups, religious communities, farsighted corporations, visionary political parties, municipal governments, progressive national governments, United Nations agencies, and other international organizations” (p. 347). This system seems notionally “democratic” in only the same sense as the present “liberal international order,” not in the literal sense of one person, one vote. Moreover, this democratic leviathan would begin as a coalition of the willing, with authoritarian “foot-draggers” sometimes left out.

How likely is it that this rather ramshackle order wouldn’t turn out to be just as dysfunctional as past international liberal orders? Johansen says domestic politics within states affect their foreign behavior, but wouldn’t “domestic politics” likewise complicate policy making inside the “global democratic leviathan”? How exactly would this system solve the collective-action dilemmas and distributional conflicts that have stymied action against global climate change so far? Why would the armed humanitarian interventions that Johansen foresees in the transformed order not lead to forever wars, replicating the very follies that he criticizes (pp. 178–79)?

Methodologically, Johansen’s book provides an occasion to revisit one of the most important but difficult problems in social science: how to integrate empirical and normative issues in a research design. He offers a distinctive approach to this methodological problem; others tackle it differently.

One tried-and-true way is to rely on normative theory to stipulate goals (say, democracy is good), then develop and test an empirical theory to guide choice of means (say, how can democracy be caused in given circumstances). Sometimes the normative objective in this approach can be

reduced to a presumedly uncontroversial goal, with all the real work going into the empirical, causal analysis. Normative political theorists tend to reverse this division of labor, expending most of their conceptual work on establishing that, say, democracy is indeed a normative good, while engaging in light empirics used as suggestive illustrations or stating empirical scope conditions for the normative argument.

In another approach, some social constructivists treat norms as social facts to be observed, measured, and explained in a research program that seeks to establish the causes or consequences of norms, such as the norm of reciprocity or the nuclear taboo. Yet another way of integrating empirical and normative theory is known as moral realism, which may, for example, posit that practices that pragmatically solve social cooperation dilemmas take on a normative character as defining how good group members ought to behave.

Johansen’s “empirical realism” adds critical counterfactuals to this set of methodological approaches for integrating facts and norms. His counterfactual is designed to show that if actors had adopted empirically better-suited ideas, norms, or cultural practices, they could have realistically achieved outcomes that would have been better for almost everyone by most reasonable criteria. I take this to be a kind of functional theory of norms (p. 152).


Setting aside the confounding issue of possible hindsight bias, this evaluative process seems like a reasonable part of almost any attempt to learn from experience in situations where empirical conditions and normative assumptions come into play. One danger, however, is that the counterfactual may be constructed with reference to a list of ideal-type attributes, such as assuming without specifying a detailed mechanism that all the rights enumerated in the Universal Declaration of Human Rights have somehow become operational. In this way, the real gets critiqued against a standard set by the ideal. In other words, if Rwanda had been Denmark, it would not have had a genocide, and both Hutu and Tutsi would have been better off.

One of the key roles for normative idealism in international affairs and human rights has been its role as an aspirational direction-finding compass for pragmatic political strategy. The Universal Declaration of Human Rights, for example, was originally understood as a statement of aspirational goals, not as a list of binding commitments. Over time, many of these provisions have been more precisely defined and codified in treaties that many courts and national bureaucracies consider to have binding legal force. Although the UDHR often remains honored in the breach even after further codification, it establishes criteria for distinguishing a directionless, Machiavellian, purely transactional form of realism from a reform-minded, tactically astute, empirically grounded realism. Johansen’s

book is valuable in that aspirational role and in pointing toward a research agenda on workable tactics to achieve those aspirations.

**Response to Jack Snyder's Review of *Where the Evidence Leads: A Realistic Strategy for Peace and Human Security***

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— Robert C. Johansen 

To reduce misunderstandings, *empirical realism* can be clarified by contrasting it with *political realism*, which has spawned the familiar beliefs that have long guided national security policy in the United States and the other great powers.

Because *political realists*, regardless of nationality, reify the state and the existing state system, they do not acknowledge the need to change the interstate system, even though it has failed to save our environment and vulnerable people from major catastrophes; to eliminate the horrific danger of nuclear war; to protect countries from military aggression and large-scale destruction (e.g., Ukraine in 2022); to stop the horizontal and vertical proliferation of weapons threatening mass destruction; to shield people from genocidal killings in Rwanda and elsewhere; and to help hundreds of millions of people overcome chronic poverty and denial of their human rights.

In contrast, being sensitive to more facts, *empirical realists* weigh seriously both the interstate system's failures and its unrealized potential. To the extent that it is working, that part can be retained; at the same time, a large part can be changed gradually and safely to reduce international anarchy, a change that human and national survival now require.

Extensive peacebuilding evidence, not merely counterfactual speculation, drawn from a synthesis of peace research and security studies and reinforced by evolutionary history, shows that a *global grand strategy for human security*, with US national security folded into it, is likely to produce more security for the United States than a *national security grand strategy* pursued as an end in itself. More security benefits are likely to result from maximizing the "causes" or correlates of peace, favored by empirical realists, than from maximizing US military power, which US political realists unrelentingly pursue.

Empiricism shows that peace thrives with these six correlates: *all* states' security fears are addressed; people can meet basic human needs; nations honor reciprocal rights and duties; they implement equity; their lives become more predictable when the international system can be stabilized by the rule of law; and they participate in major decisions that affect their lives through representation in democratic global governing processes. This

approach harmonizes national security with human security.

Empirical realists do *not* believe, as Snyder suggests, that one nation's fears of another's intentions can be easily overcome. On the contrary, one pillar of peacebuilding strategy is to deal directly with *all* nations' security fears, not merely with one's own. It is political realists who seldom care about adversaries' fears because they prioritize maximizing their own military power, knowing that it will produce insecurities in their adversaries. This security dilemma arose when US political realists favored expanding NATO eastward after the collapse of the Soviet Union, aroused Russian nationalism, unintentionally helped Putin rise to power, and stimulated Russian nationalists' willingness to attack Ukraine. At that time, in contrast, empirically guided realists warned against doing what the United States subsequently did, and predicted the tragedy that has occurred.

Empirical realists also do *not* gloss over the difference between "is" and "ought." Their empirical analysis shows that sometimes humans have moved away from certain cases of "is" (e.g., feudal fiefdoms, monarchies, and slavery) toward something that was known previously only as an "ought" (inclusive nation-states, democratic rule of law, and human rights). In addition, empirical realists favor establishing a standing cosmopolitan police enforcement capability and representative global deliberative institutions implementing one person, one vote—perhaps a less "ramshackle order" than exists today.

Empirical realism crafts a cosmopolitan framework to render narrow nationalism less dangerous and to remodel the militarized balance-of-power system into a more complex global governance system that empowers transnational political, legal, economic, environmental, religious, and other influences to help move all states' conduct reliably toward serving the common good.

**Human Rights for Pragmatists: Social Power in Modern Times.** By Jack Snyder. Princeton: Princeton University Press, 2022.

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In *Human Rights for Pragmatists*, Jack Snyder develops a "pragmatic theory" for advancing human rights (p. 17). He differentiates his approach from the strategy of mainstream human rights organizations and activists whom he criticizes for overemphasizing universal moral and legal norms and moving too quickly to insist that human rights are obligatory (pp. 3, 6–7, 12–17, 126). He finds that their strategy frequently backfires and increases opposition to human rights. Contested rights are unlikely to prevail until they serve the interests of the powerful. He recommends

trying to create favorable political conditions and supportive institutions in rights-violating societies before pressing to make human rights legally binding (pp. x, 6).

To substantiate his case, Snyder synthesizes a large, multidisciplinary body of research, much of it examining the movement of traditional societies toward becoming modern rights-respecting societies. His first chapter title captures his “guiding hypothesis”: “Power Leads, Rights Follow” (pp. 1–31, 81–93, 103–4, 108). If a rights-promoting strategy is to succeed, it must recognize that “in sequencing the shift to a rights-based society, politics and power must lead, rights follow” (pp. 17, 3). He cautions activists: “Jumping the gun increases the likelihood of triggering and institutionalizing backlash that leaves the rights project more distant from its goal.” A primary question for “pragmatic proponents of human rights” is “when to begin treating rights as if they are obligatory for the whole society rather than just aspirational” (p. 6).

This formulation suggests a conceptual difference compared to many human rights scholars and organizations. They are likely to ask: Are not people’s basic human rights, such as to be spared from genocide or arbitrary death, *always* binding on everybody, even though some political leaders refuse to recognize them? Does a pragmatist ever *need* to say, much less have the *entitlement* to say, that a fundamental human right is merely “aspirational,” rather than “obligatory”?

Snyder’s “guiding hypothesis” interlinks with four additional hypotheses that together provide his main arguments: Rights are likely to be respected “(1) when the prevailing mode of social organization is no longer based on repression and favoritism but has evolved toward social relations among individuals based on impersonal rules of equal treatment; (2) when rights serve the interest of a dominant coalition, and when they are stabilized by (3) implementing institutions and (4) a locally persuasive ideology” (pp. 3–4).

“The most basic anchor for a pragmatic theory of human rights,” Snyder believes, “is the insight that sustaining successful modernity has so far been impossible without them” (pp. 8, 33–34, 38). China’s future economic success or lack of it, as well as that of several modern quasi-democracies that are now becoming more authoritarian, will test this debatable “anchor,” as Snyder acknowledges. In the meantime, a strategy to promote human rights by “decrying the Chinese regime’s oppression of rights activists and violations of legal rights is an empty, performative exercise” (p. 120).

Snyder argues that strategies of “naming and shaming” to promote rights are “likely to produce anger, resistance, backlash, and the glorification of deviance from hegemonic outsiders’ norms” (pp. 190–97). Snyder also explains that “free speech absolutism” has led to the collapse of journalistic standards, the “dissemination of

false information,” and the “polarization of political attitudes” (pp. 144–45). Media freedom should never be absolute because “a weakly institutionalized media market will be hijacked ... by elite propaganda, hate speech, self-serving narratives of identity groups and parochial interest groups, demagogic populism, and ‘bread and circus’ media distractions ...” (p. 149).

In the United States and many other liberal societies, “democracy’s fixable problem is that unregulated forms of liberalism—libertarian economics and free-speech absolutism—have thrown away the pragmatic steering mechanisms that were designed to keep rights-based societies on a constructive path” (pp. x, 2). As a result, “the captains of liberalism” have created “conditions that fostered economic inequality and mismanagement, disruptive cultural change, and a deficit of governmental accountability.” The world is “precariously poised between the forces of liberalism and illiberalism.” (pp. 239–40).

Snyder criticizes Human Rights Watch for being “slow in moving away from prioritizing civil and political rights over economic and social rights.” This attitude has made it difficult to mobilize “mass social movements around mainstream human rights themes in the developing world” (p. 66). Human rights organizations’ “accustomed style of work ... is far too narrow to be the central engine of progressive change, even in its own arena of human rights,” because “rights progress depends on far broader trends of socioeconomic context” (p. 143). He encourages liberalism to “extricate itself” from being associated with neoliberalism’s “free-market-fundamentalism,” and instead to emphasize “social welfare and economic justice as central to its mission” (p. 66).

Although Snyder reports that “peace is the single strongest correlate of human rights compliance” (p. 240), this does not lead him toward a significant human rights role for international law or institutions. Evidence “tends to cast doubt on the claims that international trials deter future atrocities, contribute to consolidating the rule of law or democracy, or pave the way for peace” (pp. 94–100). Snyder does not mention the human rights significance of the Nuremberg trials following World War II, which, although flawed as victors’ justice, established the historic precedent for holding top government officials personally accountable for violating international laws prohibiting war crimes, crimes against humanity, and crimes against the peace.

He also does not critique the great powers’ failure to do more to buttress the international enforcement of human rights, nor their power-maximizing grand strategies for national security, justified by political realism, that diminish human rights. Snyder does note that external efforts “to promote democracy and rights in illiberal states may ... be worthwhile,” *if* they “operate through the principle of the open door—liberal democracy as a club that states ... can ... join when they are ready and willing to take on its rules”



(pp. 47, 240). He contrasts this strategy, illustrated by the European Union, with unsuccessful “high-pressure sales” by human rights activists (p. 45).

Snyder’s overall analysis confirms that rights activists should pay careful attention to the consequences of their advocacy and use those to shape evolving strategies. A pragmatist persuades from within the community, not by shaming but by drawing on a local culture’s “vernacular concepts of decency and justice” (p. 202). The “most effective role for outsiders is to change the incentives and opportunities in the broad environment in which abuses occur” (pp. 20–21), such as eliminating import tariffs on fair-trade products or importing goods only from suppliers that comply with certified labor standards.

Scholars, government officials, activists, and citizens—all can benefit from Snyder’s monumental synthesis of social science research bearing on the promotion of human rights. He develops numerous compelling suggestions for making human rights strategies more effective. However, many human rights experts will question some interpretations, emphases, and selections of topics; a few concerns are mentioned above. In addition, none of the following issues are satisfactorily addressed in Snyder’s analysis, although they could be fruitful parts of scholars’ future agendas:

1. If the sequencing part of Snyder’s main argument—“power leads, rights follow”—is used to *delay* making human rights claims (rather than simply to contextualize them), that part seems unconvincing. The particular power and politics that will lead to rights are often animated by advocacy insisting that basic rights are obligatory. Empirically, human rights claims may *precede* and inform politics, not simply *follow* it.

Further research should identify the conditions in which principled advocacy can be effective against backlash, because backlash is likely to arise in both modern and traditional societies. Although Snyder does not refer to his work, Paul Gordon Lauren addresses backlash issues in a highly acclaimed history, *The Evolution of International Human Rights* ([1998] 2011). He shows that rights advocates throughout history “invariably found themselves ridiculed as naïve idealists or impractical dreamers, reviled and persecuted as traitors to their own exclusive group or nation, or even tortured and killed . . . .” Even though they did not wait until favorable political conditions were established before making rights claims, they did “transform the world” (Lauren [1998] 2011, pp. 1–3).

Moreover, if rights are massively endangered, as they are when genocide, nuclear war, or environmental destruction threaten, a thoughtful pragmatist might justify immediate, universal rights claims, even if they produce some backlash, because failure to make rights claims immediately could mean people’s rights would

be lost forever to irretrievable disaster. Snyder does not address the three preceding threats as human rights issues.

In cases involving less deadly threats to rights, Snyder’s recommendations for waiting and dampening one’s rights claims in order to reduce backfiring may seem more compelling. Still, for many people, the sequencing-delay argument does not seem necessary for making the case, which he does well, that rights strategies should be sensitive to the contexts in which debates over rights occur.

2. Many scholars and activists believe that fundamental human rights should be treated as inalienable entitlements of every human being. These are never reducible to culturally dependent political or legislative opportunities, a conceptual move that Snyder’s analysis implies. Can pragmatists agree that some rights are inalienable, and not to be derogated?
3. To what extent will Snyder’s pragmatic “anchor” hold true, that modern societies cannot sustain themselves as economic leaders without honoring human rights? If true, what particular rights will need to be reinstated among those that now are disappearing in quasi-democracies such as Hungary, Turkey, Poland, and even France and the United States? Do pragmatists have any other, possibly more reliable, “anchor” for rights?
4. Thomas Pogge (*Politics as Usual*, 2010) and many other experts believe that the world’s biggest human rights violation over the past three decades has been the perpetuation by liberal, wealthy countries of an international system that produces chronic global poverty. If power leads and rights follow, why have the United States and other liberal societies not done more to advance economic human rights?
5. What are the pragmatic human rights consequences of the major carbon-emitting countries refusing to address environmental destruction effectively?
6. To what extent should a pragmatic theory for human rights emphasize (1) establishing more effective international enforcement of international human rights laws on states (the primary violators of rights) and (2) obeying existing laws that aim to constrain states’ use of military force (the primary threat to the “strongest correlate” of rights)?

Snyder concludes that, when converting people to support human rights, persuasion “works by social proof more than by logic or ethical precepts. That’s why human rights needs to be pragmatic: to persuade by showing that rights work” (p. 246). True, the utility of rights *is* an influential argument. However, when human rights do *not* work and fail to provide pragmatic material benefits—as often happens, for example, with rights for the infirm or a minority—such rights do not simply vanish. Rights continue, sustained by people’s *ethical* beliefs that

fundamental rights are inalienable. To be empirically accurate, pragmatists need to assess the power in moral principles as well as in material political power, because ethical principles help to generate the political will needed to entrench human rights into law and to make law effective once enacted.

### Response to Robert C. Johansen's Review of *Human Rights for Pragmatists: Social Power in Modern Times*

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— Jack Snyder 

I am grateful to Professor Johansen for his thorough and accurate account of my argument, which is no mean feat in light of its numerous moving parts and sprawling thematic coverage. His critique focuses mainly on whether the stridency of human rights advocacy should be scaled down to an aspirational status when conditions for compliance are not yet ripe. Since he calls his own theory empirical, it is appropriate to treat this as an empirical question.

He quotes the eminent historian Paul Gordon Lauren on those rights advocates who were “ridiculed” and “reviled” for their uncompromising idealism, yet “transformed the world.” But Abraham Lincoln saw another side to this story. The 1844 US Presidential election pitted an advocate of westward expansion of slavery, Democrat James Polk, against the waffling Whig Henry Clay, who sought neither abolition nor expansion. Clay was not pure enough for some Abolitionists, whose Liberty Party candidate won 3% of New York state’s popular vote. As a direct result, Polk edged out Clay in New York by 1%, garnering all the state’s electoral votes, which provided Polk’s overall margin of victory. In office, Polk launched a war on Mexico, acquiring proslavery territories and paving the way for the struggle that led to the US Civil War. As Lincoln’s postmortem noted, “by the fruit the tree is to be known” (Snyder, pp. 131–32).

We still live in a world where uncompromising rights advocacy and shaming can come at a high cost. Jamie

Gruffydd-Jones’s *Hostile Forces* (2022) shows that the Chinese government sometimes amplifies Human Rights Watch’s criticisms that Chinese citizens would otherwise not be aware of in order to provoke a popular nationalist backlash. But he also notes that foreign criticism on some rights issues such as spousal violence and environmental degradation spurs no popular backlash because people often agree with these charges. Calculating when and whether to temper shaming hinges on an empirical question.

Even those political scientists who have been the most committed to hard-hitting human rights advocacy have come to the conclusion that effective tactics sometimes depend on feasibility. Beth Simmons shows that signing rights treaties advances the cause in countries that have somewhat independent courts and latitude for civil society activism, but otherwise not (Snyder, pp. 15, 250). The authors of *The Power of Human Rights* (1999) acknowledged in the follow-up *Persistent Power of Human Rights* (2013) that high-pressure tactics do not work very well when the target state is too strong or too weak, when abuses are decentralized, and when the illiberal population agrees with the state’s abusive policies (Snyder, pp. 15, 251). Lifelong human rights advocate Priscilla Hayner’s detailed case studies of civil war found that there really is a tradeoff between peace and justice, and she called for tempering the zeal for punishment (Snyder, pp. 102–4). Even Ruth Bader Ginsburg worried that the US public was not ready for *Roe v. Wade* and anticipated a politically polarizing backlash (Snyder, p. 26). Ought implies can.

“International enforcement” of human rights compliance comes with risks. NATO’s bombing of Belgrade to rein in Serbia’s repression of its Albanian minority triggered the expulsion of hundreds of thousands of Kosovo residents (Snyder, pp. 46–47). The humanitarian intervention in Libya under the doctrine of Responsibility to Protect was an enforcement operation that few are eager to repeat. A prime task of any empirical theory of human rights promotion is to understand and weigh such consequences.