

Norm Implementation: the Achilles' Heel of Constructivist Theory?

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This article offers a review of the IR academic literature on international norms, exploring their functions and life cycle, as well as revealing that while the stages leading to their national adoption have been thoroughly studied, the implementation phase has mostly been neglected by scholars. It also considers the power international norms have to bring about change in different spheres and why states adopt them. The national implementation of international norms and the reasons why some norms reach compliance while others do not have been to a large extent overlooked. The reasons for this are multifold: while some scholars assume mature, or salient, norms automatically reach compliance or rely on the explanatory power of value conflicts, others point to the influence of groups of innovative experts or international pressure in ensuring norm implementation. Those describing the local adaptation of international norms offer the most convincing descriptions of how states attempt to implement international norms they have adopted. A gap persists, however, in the literature, with scholars focusing on the domestic reasons that norms may not be successfully implemented and neglecting the international ones. This article points out a gap in the influential constructivist literature on norms, emphasizing that if international norms adopted by national governments do not reach compliance, then the study of adoption and diffusion mechanisms loses its relevance.

Keywords: Constructivism, norm diffusion, implementation gap, compliance, value conflict, institutionalization, socialization.

Norms are omnipresent in everyday life, with the media frequently reporting only on cases when norms are violated. Donald Trump has been described as a “norm-busting president”¹ having overthrown the conventions, which traditionally govern those occupying the highest office. Norms are essential in shap-

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ing human behavior and social units of different levels from the family, to businesses, national governments and intergovernmental institutions are regulated by specific norms, which are at the heart of human initiation and socialization. Studying the conditions, which facilitate successful norm implementation and the factors that may hinder it, is key to comprehending how international norms find their way into national communities and gain acceptance. The literature on norms has thoroughly explored what norms are, how they emerge and spread, and their capacity to bring about change. For international norms to matter, even to IR scholars who focus on international rather than domestic processes, they need to be not only institutionalized or adopted by national governments, but they also have to reach compliance. In this article the term “implementation” refers to the process by which a state attempts to make a norm reach “compliance”, which is the successful end-state of a norm’s evolution. Norms that do not reach compliance domestically have undergone an entire life cycle pointlessly. While some scholars have underlined the existence of an implementation gap and looked for reasons why some norms fail to reach compliance, no framework explanation has been provided. The goal of this article is to reveal the existence of an implementation gap, opening the way to new studies on the factors impacting compliance. After defining norms and revealing how they went from being a marginal to a highly influential topic in IR literature, this article studies the implementation gap and the consequences of institutionalized norms not reaching compliance, opening the door to further research on the subject.

Norms in IR theory

The end of the Cold War brought about some major changes in IR theory, among which the re-discovery of the importance of international norms. The early stages of the life of international norms have an impact on their implementation, so we shall not only define norms and present different theoretical perspectives on their nature but also consider their functions, offering some background information on why they became one of the most debated topics in IR.

Norms are one of the central topics in constructivist literature and norms have been defined in several ways. While “legal norms are formal; they are promulgated and enforced by the centralized authority of the state” (Mc Adams 2015: 2), norms in international relations differ in that they may not be formalized and are rarely enforced by an authority. The concept of norm is surrounded by some confusion, with some International Relations scholars (Batalov 2016) pointing out that norms still refer both to “the rules of the game” (North 1991: 37) but also their perception as actors capable of interaction with others and of evolving (Young 1989). Batalov (2016) includes norms in his typology of institutions (institutions-norms, institution-organizations, institutions-integration groups, institutions-clubs, institutions-practices (regimes) and institutions-dialogues), thus restricting the understanding of the roles of norms.

Constructivist scholars have also sought to reflect norms' evolving and intersubjective characteristics, defining them as "collective expectations for the proper behavior of actors whose identity is given" (Katzenstein 1996: 5). Norms have been broken down into several categories: regulative norms, which "order and constrain behavior" (Katzenstein et al. 1999: 251), constitutive norms, which "create new actors or interests" (Katzenstein et al. 1999: 251), and prescriptive norms, which reflect "oughtness" (Katzenstein et al. 1999: 251) or what should be done.

In order to understand the nature and influence of norms, it is necessary to trace back their emergence in the scholarly literature. Norms played a role in International Relations from the very beginning (Angell 1909) as international institutions and attempts at cooperation have always been at the heart of IR. Carr's (Carr 1929) analysis of the international system reveals that interests cannot perfectly coincide in a world composed of competing nation-states and yet that the state is the main structure to ensure internal peace which has been created to this date. While criticizing idealists, he says most realists do not lack ideals and are still exploring paths for international cooperation. The heart of his argument – that international interaction will fail if it is based on rigid rules and that flexibility is more efficient as it takes into account demand for change – seems to open the way for the contemporary study of norms, which emerged a lot later in scholarly literature. After WW2 the proponents of the Realist school set norms aside as, under conditions of anarchy, coercion was the only means to ensure implementation. Realist studies of the different remedies for anarchy and the perspectives for the establishment of an international government (Morgenthau 1948), reflected skepticism towards the possibility of creating a central authority to control society and maintain a common understanding of justice, but at the same time paved the way to alternative reflections on how to maintain peace. During the late 1970s and 1980s scholars of the English School rehabilitated interest groups, norms and values as full-fledged elements of the international system (Bull 1977; Wight 1978). Norms guiding international behavior (non-intervention) and economic principles (free trade) were identified and described by scholars. The attention paid to norms came as a welcome means of explaining changes taking place on the international arena (integration, cooperation, peaceful transitions), which could not be explained with traditional realist principles.

The research on norms became a separate field of study in the 1990s, as a result of two trends: the study of regimes in the 1980s and the growing scholarly interest in international actors around the same time. For each school of thought, the role played by norms and considerations regarding their very nature varied: while neoliberals saw norms as a means for collective action, to reduce transaction costs and facilitate interaction (Keohane 1984), for realists norms were simply the result of the interests of the most powerful states (Mearsheimer 1994). Constructivist scholars offered a completely different perspective on norms. Early constructivists such as Alexander Wendt (Wendt 1987), Friedrich Kratochwil (Kratochwil 1989), and Nicholas Onuf pointed out that norms can be "constitutive" (Onuf 1989: 51) creating roles and identities and

studied empirical evidence of the impact norms have in international relations. In this perspective, norms cease to be simply the fruit of a compromise between actors and take on a new dimension, contributing to the creation of a new identity (Wendt 1999).

In the 1990s, a new generation of constructivists made it the object of their research to show how social structures impact social governance (Finnemore 1996). Martha Finnemore showed that norms reflect an acceptable behavior in a community, and that because they are shared, they are not subjective but “intersubjective” (Finnemore, Sikkink 1998: 911). The author noted that even when norms are not respected, they retain their validity and most of the time the infringer will go to quite some length to justify the violation of a norm. Other norms are so obvious that it takes a specialist to actually identify them as norms (Finnemore 1996). Organization theorists in their study of the basis for decision-making differentiated the “logic of appropriateness”, that they defined as rule-driven behavior and the need to comply with social norms, from the “logic of consequences” oriented towards rational cost-benefit calculations and demonstrated that in democratic political orders the first may under some circumstances prevail over the second as a logic of action (March, Olsen 2004: 3). Hopf suggested IR theory should go beyond normative and instrumental rationality, to explore what he coined as the “logic of habit”, which he believed to impact more than the two others decision-making processes (Hopf 2010: 553).

The debate between realism and constructivist flourished with the later pointing out the transformative power of norms and the former insisting that force remained the main structuring element in international relations. Some scholars attempted to overcome this divide by describing the impact of persuasion on norm diffusion and by showing that both mechanisms described by rationalists (pragmatic calculations) and by constructivists (socialisation) played a role in norm adoption (Checkel 2001).

The advantages and challenges of the use of norms against force in the international system were depicted within the Russian school of international relations by Davydov (Davydov 2002), who analyzed the parallel processes of political globalization on the one hand and an increase of national self-identification on the other. While a model of regulation by norms cannot entirely replace, especially in the short to medium term, the model of regulation by force, which has dominated the system for thousands of years, it presents a number of advantages which explain its recent successes: first norms represent the will of all versus force which is used by a dominant state or coalition to impose their will on others. Second, norms are longer-lasting and stable, as cycles of power mean there are constant changes regarding which state is dominant. Third, the outcomes of using norms are more predictable than those of using force. Fourth, norms are more democratic and force condones violence. Fifth, force is irreversible because it leads to destruction, whereas norms if they turn out to be counterproductive can always be removed. While studies embracing the idea of a norm cycle leading to progressive consolidation of a norm may not admit the possibility of intentionally setting aside a norm; the chances are that in reality a counterproductive norm will not be able to consolidate to the extent it cannot be removed. Those promoting

the use of norms have however come across a number of significant difficulties, starting with the fact that states have different levels of development and sometimes even conflicting normative bases. The experience of the use of norms in the international system is also very short, and there are less available instruments compared to when a state decides to use force. Last of all, norms are not legally binding, and they tend to gain legitimacy after they have been applied and tested, which makes it difficult to implement new norms. It can also be difficult for states to accept that small states, which lack military and economic clout, but also sometimes legitimacy, can have the same weight in decision-making as large powers (Davydov 2002).

The Russian school of international relations further contributes to the debate on the power of norms with a study on the conflicting perspective of world order, with Bogaturov (Bogaturov 2008) noting that: the institutionalist view that multilateralism is flourishing is challenged by the structural view that the world is dominated by a hegemon, which has been seeking consensus and stability and making international relations appear multilateral. New regulation instruments were developed in the era of globalization including humanitarian intervention, preventive intervention and retributive intervention (Bogaturov 2008), some of which are used to make the use of force appear as legitimate rather than the short-term privilege of a hegemon. This perspective reveals that the power of norms may be dependent on the willingness of the hegemon to support them.

Studies on norm adoption and implementation have also focused on determining the effectiveness of norms, putting a basic question to the fore: do norms really have a capacity to bring about change? The most straightforward way to assess the effectiveness of a norm would be to determine whether it has solved the problems, which brought about its creation (Young 1999). Some authors look at the changes of behavior of participants following the introduction of a norm, others assess the situation compared to what it was before the norm was created, yet others compare it to the situation which “would have been”, had the norm not been created. All these assessments can reach different conclusions, regarding norm effectiveness. While qualitative case studies made by political scientists are more likely to point out the effectiveness of a specific norm or regime, quantitative research led by economists may show more ambivalent results and analysts compiling data from a large number of qualitative cases tend to bridge the gap between one and the other (Young 2011).

When analyzing successful and failed norms and regimes, authors have identified some of the factors leading to positive results. Unexpectedly, the design of a norm appeared as a more important determinant than the level of complexity of the problem being dealt noted Young (Young 2011), adding that while efforts of friendly states to protect tunas in the Atlantic were unsuccessful, rivaling states were able to make a successful regime for Antarctica during the Cold War. The “problem of fit” looks at the mismatch between regime, norms, rules on one side and the issues needing to be solved on the other (Galaz et al. 2008: 147). Norms created with the capacity to evolve and take on new issues, appeared as the most resilient (Young 2011). Also, while norms are

often reduced to their regulative functions, and to the rules they produce; successful ones play many other roles, including procedural activities and diffusion of knowledge (Breitmeier et al. 2006). Success is also highly dependent on the context and scope of a problem, as well as its creators' capacity to break down a general problem into specific addressable issues (Ostrom 2007). Making agreements legally binding does not ensure higher levels of compliance as was automatically assumed previously (Breitmeier et al. 2006). The perception of a regime has a key impact on how successful it will be, and while power play is important both in setting the agenda and in striking a deal, feelings of fairness and legitimacy influence the parties' willingness and motivation to ensure the implementation of norms and comply not just with the letter but also with the spirit of an agreement (Franck 1990).

Another issue is how different norms interact with each other. Norms and regimes may clash if they pursue opposite goals and may end up undermining each other. Schoenbaum (Schoenbaum 1998) underlined the institutional interplay between trade and environmental regimes, by exploring the tuna/dolphin GATT cases by which the protection of dolphins led the USA to ban the import of tuna fished with purse-seine methods, which resulted in the harming of a large number of dolphins. Stokke distinguished between intra-regime linkages, which refer to the different sources of law to be taken into account when establishing a regime, and regime interplay which refers to a situation when "the contents, operation or consequences of one institution (the recipient regime) are significantly affected by another (the tributary regime)" (Stokke 2001: 2). While it is assumed that institutional interplay causes problems in international regimes, some data shows that it can be beneficial (Oberthur 2009) and serves to enhance both regimes by increasing awareness about other more neglected aspects of a regime.

The literature on reconciling norms reveals that giving one norm priority over another works less well than developing cooperation between them and resorting to a *la carte* decisions, which can lead to positive synergies (Faude, Gehring 2010; Young 2011). The literature also offers some worthy contributions for our article regarding how stringent the requirements set by a norm should be in order to reach maximum efficiency. The question of depth versus participation or the "law of the least ambitious program" (Underdal 2002: 34) described the temptation to set less ambitious goals in order for more countries to participate in an agreement. Thought has also gone into whether it is effective to get a maximum number of participants to join and then deepen the content of the norm progressively. This line of evolution has been contested by Barrett (Barrett 2005), who identifies no necessary trends of deepening commitments with time.

The scholarly literature tells us that norms are consequential and that their evolution is affected by multiple forces. Norms define proper behavior on the international stage that all actors are measured up against. The diversity of areas governed by norms and the way norms interact between themselves reveals the existence of a complex web through which different norms sustain, replace or undermine each other. While the early literature focused on proving the power of norms and showing that norms structure relations among actors; more recent scholarship analyses how contestation

affects norm life evolution and concentrates on the sources of norm entrepreneurship. Experts have also started to pay attention to norm implementation, a phase which when it is unsuccessful invalidates all others.

The Implementation Gap

This section reviews how scholars address the issue of norm implementation and reveals the gap in explaining why some norms reach compliance, while others do not. After establishing the difference between implementation and compliance in an attempt to clarify the terminology, we review the three different categories of explanations about why norms are or fail to be implemented, pointing out their limitations and the gap in the literature that ensues.

While most theoretical studies either stop at the implementation stage or use the terms implementation and compliance interchangeably, Betts and Orchard (Betts, Orchard 2014) mark the distinction between implementation as a “process which furthers the adoption of a new norm” and compliance, an “act whereby the state follows an existing norm” (Betts, Orchard 2014: 6). Compliance is further down the realization line than implementation and compliance appears as a repetitive action while implementation should be a one-time though may be a durable task.

The scholarly literature offers several perspectives on norm implementation which are analyzed beneath: The constructivist school originally brushed aside to some extent the problem of national norm implementation by stating that mature norms are expected to automatically reach compliance. While the expert study of norms in the constructivist school focuses on the stages up to institutionalization, some assumptions have been made regarding what takes place afterwards. In the study of the life-cycle of a norm, it is assumed that there are three phases: first a norm emerges (norm entrepreneurs convinced that something needs to be changed decide to advocate a cause, frame it and use the political platforms available to promote it), when enough states decide to institutionalize the new norm it reaches “tipping point” (Finnemore, Sikkink 1998: 892). The norm can enter phase 2, the cascade stage during which it becomes widely accepted and states adopt it as a result of international pressure or a desire to conform. The last stage is internalization during which states and individuals start to take the norms for granted (Finnemore, Sikkink 1998). The implications of the last phase are that in some cases norms “become internalized by actors and achieve a “taken for granted quality”, which makes conformance with a norm almost automatic” (Finnemore, Sikkink 1998: 895). While this statement is heavy with consequences for national implementation and compliance, the authors move straight on to describing how these internalized norms are ignored and in some cases we forget they even started off as norms. While the authors leave generally aside in their work the implementation phase, they do mention the specific case of “internalization” and let the readers wonder what happens in cases when norms are not internalized. Constructivist literature has traditionally looked at how norms influence the behavior of states and how

their institutionalization has an impact on the international system (Betts & Orchard: 2014). Many constructivists have focused their attention specifically on “institutionalization”, a process by which a norm becomes widely accepted at the international level, becomes international law and is ratified and signed by states (Finnemore, Sikkink 1998). After institutionalization has taken place, a norm is considered by the authors to be widely accepted and it becomes the state’s role to make sure implementation of the norm takes place. There is an implicit understanding that after institutionalization has taken place, the “task of IR scholarship is complete” (Betts, Orchard 2014: 1). The assumption that norms are adopted by governments of states which are ready to implement them and do so ignores a whole selection of cases when norms are adopted by governments for reputational or efficiency reasons and the population and business are not ready for implementation.

Cortell and Davis underline the fact that the legitimacy or salience of an international norm is the key factor to explain why some norms get implemented and others not. By studying the existence of an “implementation gap” in some cases, they recognize that governments under some circumstances adopt norms, which are not mature (Cortell, Davis 2000: 65-66). They attribute the difficulties to reach compliance to domestic-level processes. Other scholars join Cortell and Davis in pinning down compliance problems to national specificities; noting that some international norms will reach compliance more easily in some countries than in others for societal, structural or political reasons. In a study of norms dynamics, Young shows that conforming to norms goes beyond conventional equilibrium analysis and shares his insight on the evolution of norms. He notes that norms are “self-enforcing at a group level” and everyone wants to conform if they expect others to conform. This implies that if there is no expectation to conform, little will be done to respect a new norm. Young’s second insight is that norms rarely evolve in a top-down pattern and grow to be accepted progressively, through a “process of experimentation”. Following this logic, norms which are adopted by the government in societies, which are not sensitive to the given problem cannot expect good implementation results in the short-term as experimentation is a long-term process. This assumption is highly problematic for policymakers looking for the right tools to efficiently implement new legislation. Young’s last statement that the validity of norms depends on the social and historical context explains why some norms fail to achieve compliance but offers a deterministic view about the outcomes of norm implementation in cases where the “context” is not favorable to the new norm. Young’s study underlines the relativity of norms rather than their universalism and reveals that implementation is a “hit and miss process” which depends on how an issue is perceived by a group (Young 2014: 5). While informative, this point of view neglects the possibility of overcoming these structural difficulties and offers little advice as to how to help countries reach compliance.

Scholars also underline the legal challenges to implementing new norms in states with existing legal systems. While the early cases of constructivist study focus on norms, which are considered “good” because universally morally uncontestable (hu-

man rights) and need to triumph over local norms which are considered unacceptable; on a local level it is the legitimate legal order which prevails (Acharya 2004). This “moral” perspective links the success of an international norm or the likelihood of compliance to how an issue is locally framed. If an international norm is viewed as morally superior to a local law, then its chances of successful implementation are higher. Success depends not on the objective content of a norm so much as on how the norm is locally reconstructed during the implementation phase (Acharya 2004). The outcome of the “localisation” process depends on how domestic politics and international institutions interact, and how successful the different phases of “prelocalization (resistance and testing norms), local initiative (entrepreneurship and registration), adaptation (grafting and simplification), dissemination and ‘universalization’” are (Alekseeva 2015: 14).

Some international norms require more adapting than others. International norms sometimes precisely qualify a given situation and close the door to all other solutions to a problem, as was revealed by a study of international peacekeeping (Austesserre 2009). The international norm when confronted with the local agenda can lead to counterproductive results. This viewpoint that an international norm to be successfully implemented needs to appear to the national population as morally superior offers an explanation about how some norms reach compliance, but neglects the majority of norms which have no moral implications and offers no solution to those cases where the population is not sensitive to the morality of a specific norm.

Another important contribution to the literature is that norm implementation is not a linear process. Norms are “works in progress” and the tendency in IR literature to view them as static entities, which need to be institutionalized and implemented once and for all is fallacious (Krook, True 2012: 104). Abandoning the perspective that norms follow a linear progression route, or a cycle, Risse, Ropp and Sikkink offered as early as 1999 a complete overview of the mechanisms impacting normative change, considering the power of “strategic bargaining”, “moral consciousness raising” and “habitualization” (Risse et al. 1999: 11) in achieving national compliance to international human rights norms. Norms have also been shown to undergo contestation processes, to regress and progress over time (Wiener 2018). It is more important for a state to understand a norm and adapt it to the local context, to adhere to the spirit of the norm, than to just apply it as a one-time shot. This is particularly relevant when trying to understand why a state has failed to reach compliance with a norm, all the while having applied it to the letter in bureaucratic terms. Compliance in itself however does not show how efficient an institutionalized norm is at changing practices, as in some countries, the new norm may just be formalizing a situation which already existed (O’Neil et al. 2004). Also it is difficult to assess how efficiently a norm has been complied with, as it requires in-depth research regarding the changes taking place at micro-level and rarely is relevant statistical data available. This partly explains why IR specialists, who are used to working at the international or state levels, rarely follow the life cycle of a norm to the stage of assessment of its level of compliance.

When considering why there is often a deviation in the implementation of international norms, some experts identified that a conflict of values may be the principal culprit. Norms are built upon certain understandings of values and beliefs. While Sabatier and Jenkin-Smith's (Sabatier, Jenkin-Smith 1993) analysis of Belief Systems underlined that lasting coalitions are often based on Policy Core Beliefs rather than Deep Core Beliefs, an extreme contradiction in Deep Core Beliefs unquestionably stands in the way of developing Policy Core Beliefs and entering in a common coalition. While the implementation of an international norm nationally may not require being formally part of an Advocacy Coalition Framework (aimed in Sabatier's theory at national-level decision-making), the key to successful implementation may be to participate in an informal international coalition.

Value conflicts are difficult to study in abstract terms and experts have concentrated their efforts on reviewing relations between different countries. To illustrate the point, we have selected studies focused on the value conflict between Russia and the West, as the whole global scope of value conflicts cannot be dealt with in this article. The case of the value conflict has interested many experts, each qualifying in specific ways the nature of the relationship. Guy Mettan (Metan 2016) explains the cultural and historical roots of a conflict in his book "Russia and the West: a thousand-year war" in which he searches for the roots of prejudices and stereotypes about Russia in the West, which appeared in the time of Charlemagne and have survived to this day according to him. An analysis of large scale surveys in Russia and the EU led some authors to conclude that despite the many shared historical traditions, there is a value-gap between Western Europe and Russia that it is widening, and that as a consequence EU policy, as it assumes that Russia will embrace EU values in the medium term, is misguided (Light et al. 2005). Others underline the impact of the 1990s on Russia's self esteem and Western Europe's responsibility in having rejected its giant neighbor and made it feel inferior, which led to the current distrust and its ambition to be part of a "greater Europe" as well as the role played by some individual states like Poland in preventing any thaw of the relationship (White, Feklyunina 2014). Another line of research concentrates on the political agenda of the West, showing how biased the idea of an "identity gap" is, as it often serves to emphasize the idea that the EU is a "normative actor" and that Russia is a "non-normative actor", and reveals that the West's policies towards Eastern Europe are instrumental rather than normative-driven as declared (Casier 2013: 1). A study devoted to the value gap in security issues, based on a sociological methodology, reveals that NATO – Russia diplomacy is characterized at the same time by pacification and power struggles, with the survival of many bones of contention that both sides are ready to fight for, linked to the fact that both NATO and Russia perceive their means or objectives as superior to the other (Pouliot 2010). On the other side of the spectrum, critical views have emerged that civilizations are imagined and that countries undergoing an identity crisis and changing loyalties tend to associate themselves with several civilizations at the same time (Tsygankov 2007). Evaluating relations through the prism of a value gap, and through historical references is counterproductive, noted Monaghan

(Monaghan 2015), offering a stark criticism of the new cold war discourse which leaves international relations stuck in the 20th century.

The implementation gap has been analyzed to its fullest in the field of Human Rights, with a number of scholars studying why formal commitments by states have not led to changes in practice (Risse et al. 2013). Non-compliance has been associated with states making a cost-opportunity analysis of norm transgression and deciding that the benefits outweigh the costs (Hafner-Burton 2013). Risse, Ropp & Sikkink introduce the notion of scope, noting that states if they do not have a monopoly over violence may not be capable of reaching compliance and that stable democracies may not be receptive to outside pressure (Risse et al. 2013). In order to ensure compliance with human rights commitments, experts recommend using “stewards”, groups of states which are self-interested in promoting human rights and have them focus on reversing the situation in a limited number of countries rather than aim to universalism (Hafner-Burton, 2013). Other scholars focus on the power of denunciation, reviving the power of “naming and shaming” techniques in order to reach compliance (Friman 2015). These recommendations may not always apply beyond the sphere of Human Rights as some norms may not have per se a moral value, which is the basis of all denunciation techniques. Betts and Orchard’s view (Betts, Orchard 2014) that the meaning of norms is defined during their implementation as their formulation is often imprecise at the international level yields more explicative variables. It hints at the fact that norms have to undergo a national adaptation process, the success of which depends on many variables. Implementation success may also depend on how transparent a government is, as reputational concerns have been shown to generate better compliance results in an analysis of arms regulation (Erickson 2015).

Relevant considerations regarding innovation and the ability to implement new norms have also been made by scholars studying military bureaucracies. While peacetime military institutions are averse to change; efforts to gain control, to see one’s faction prosper and be promoted to admiral or general paves the way for innovations which are the best way to be perceived as successful in times of peace (Rosen 1991). The underlying idea is that even in highly bureaucratized and inflexible organizations, political communities contain small groups of ambitious people who have the desire to be promoted and the need to think up and carry out innovative ideas. This perspective that effective change can be carried out more effectively by a small group of motivated and ambitious people than by an entire organization offers some lessons for norm implementation. Is the involvement of a motivated group of individuals a sufficient reason to explain why a norm is effectively implemented while another is neglected? No, as while identifying these groups of motivated people can be informative; this is not an explanation in itself. The question remains why such a group came to form, under what influence and who are its constituents. While in the military, the struggle for power and enclosed nature of the organization offer sufficient answers, in the case of norms in a broader context it is necessary to identify what interactions were necessary for a group of motivated people to form.

The national implementation phase of international norms is dealt with in different ways by various factions of the constructivist school of International Relations. While some assume that mature norms automatically reach compliance after their adoption by national governments, others show that institutionalization in no way guarantees its successful implementation. The implementation gap has been put down to a variety of factors including the national context, the existence of value conflicts, the constant evolution of norms which go through contestation processes, the legal framework and hierarchy of norms of any given country, the perceived morality of the new norms, the lack of governmental transparency etc. These considerations reveal the general acceptance among scholars of the idea that international norms adopted by national governments may fail to reach compliance. Yet the constructivist literature offers no general framework to explain why some international norms reach compliance and others do not. All explanations limit themselves to specific fields, local specificities and conflicts, or scholars place the problem out of their field of research. Studies outside of the field of International Relations and more specifically research on innovation in bureaucracies make a relevant point regarding the role of motivated groups of individuals in making change happen. However, when considering norms, additional questions arise regarding how this group came to be and the source of its motivation. While many explanations are offered by scholars, a gap in the literature remains, and leads to the question: what is the point of studying the birth, transfer, institutionalization of norms, if they end up not being applied? What is the use of intentionally creating norms to change practices if we have no means to ensure or to maximize the potential of their realization?

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Внедрение норм: ахиллесова пята конструктивизма?

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В статье предлагается обзор научной литературы, освещающей проблематику роли и места международных норм в мировой политике, исследуются их функции и «жизненный цикл». Показывается, что, в то время как этапы и механизмы, ведущие к принятию норм на уровне отдельных государств, довольно неплохо изучены и представлены в специализированной литературе, особенности фазы их непосредственного внедрения в значительной степени игнорируются учёными до сего дня. В статье также оценивается влияние, которым обладают международные нормы с точки зрения стимулирования изменений в различных сферах социальной жизни, а также мотивы, по которым государства заимствуют те или иные международные нормы. Подчёркивается, что вариативность исходов имплементации международных по происхождению норм в национальных рамках, а также причины, по которым часть норм достигают фазы почти полного соблюдения, в то время как другие переносятся в правовую систему исключительно формально, практически не объяснены в имеющемся корпусе исследований на эту тему. Тому есть несколько причин: в то время как одни учёные предполагают, что зрелые нормы автоматически достигают фазы безусловного соблюдения или полагаются в своих объяснениях на силу ценностных мотиваций и подпитываемых ими латентных поведенческих конфликтов, другие указывают на влияние групп экспертов-инноваторов или международное давление в обеспечении выполнения норм. Те же, кто описывает процессы и результаты адаптации международных норм к местным условиям, предлагают, на взгляд автора, наиболее убедительную реконструкцию того, каким образом государства пытаются внедрять и обеспечивать соблюдение международных норм, под которыми они в своё время подписались. Вместе с тем в литературе остается существенный пробел: учёные по преимуществу сосредоточиваются на внутренних причинах, препятствующих успешной имплементации норм, и практически полностью игнорируют обстоятельство международного плана. Автор статьи подсвечивает эту лауну во влиятельной конструктивистской литературе по проблематике норм и указывает, что если международные нормы, принятые национальными правительствами, не достигают фазы полного соблюдения и у научного сообщества отсутствует внятное, верифицируемое объяснение тому, почему это происходит, то изучение механизмов первичного принятия и последующей диффузии норм теряет свою актуальность и практическую значимость.

Ключевые слова: Конструктивизм, распространение норм, разрыв в реализации, комплаенс, ценностный конфликт, институционализация, социализация.

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