


BOOK SYMPOSIUM

Bewitching the world: remarks on ‘Inter-disciplinarity, the epistemological ideal of incontrovertible foundations, and the problem of praxis’

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Abstract

Kratochwil’s magnificent *The Status of Law in World Society’s* first meditation, a philosophical discursus masquerading as a meditation about meditation, addresses how International Law and International Relations deal so differently with their common concerns. Kratochwil treats these concerns with his usual cogency. Yet, critical links are missing. How do we get from speaking as a normative practice to the status of law in today’s world? How does language (even more than law) go from an ‘agency-related notion’ to ‘a pervasive force penetrating all social relations’? The bewitchment of the world through language is ontology’s greatest mystery, worthy of endless meditation.

Keywords: Bewitchment; epistemology; language; meditation; methodology; ontology; pragmatism

Friedrich Kratochwil has arranged the contents of his magnificent book, *The Status of Law in World Society*, in a series of nine meditations. He makes quite a bit of this rather unusual way of proceeding in contemporary scholarship, which the editors of this Symposium have affirmed by assigning each contributor a single meditation. Kratochwil wants us to think of his meditations as an expository form reminiscent of Michel de Montaigne’s *Essais* and Blaise Pascal’s *Pensées*, but more than this. He gives credit to Pierre Bourdieu’s *Pascalian Meditations* for advocating ‘a fundamental change in conceptualization’ liberating us from René Descartes’ *Meditationes*.¹ Thus, for Kratochwil, ‘meditation’ (his scare marks) is both a ‘genre for reflection’ and a ‘largely forgotten mode of reasoning about practical problems’.²

For Montaigne and Pascal, the genre is one of brief, stand-alone thoughts more or less randomly arranged. A mere series of reflections cannot do the job that Bourdieu and Kratochwil have in mind. Yet, any attempt to set forth a philosophical system in the manner of Descartes’ *Meditationes* could only end up reproducing a (counter-)Cartesian straitjacket. *Status of Law’s* meditations ‘talk’ back and

¹Kratochwil 2014, 39.

²Ibid., 39, 49.

forth to each other. Kratochwil seems to be engaged in an extended conversation with himself in the first instance, with a number of other people who also have had important things to say, but least of all with his readers.³

I mean not to throw stones; I merely suggest that *The Status of Law's* leaky, linked meditations constantly challenge the reader to jump back and forth in the text to appreciate fully the way Kratochwil develops his large claims about the status of law and lawyers in today's world. Meditation is supposed to make people less anxious. A meditative Kratochwil can only make them more anxious. He has no interest in soothing restless minds, reassuring us that law will save us from ourselves, or finding secure foundations upon which to build our lives, our worlds.

This is not to say that Kratochwil is indifferent to the 'the epistemological ideal of incontrovertible foundations'. The title of Meditation 1 makes epistemology the second of three concerns. First comes 'interdisciplinarity' and last 'the problem of praxis'.⁴ A reader might think this is an exceedingly odd pot of substantially unrelated concerns – if perhaps warranted by the expository form or genre that Kratochwil has adopted. He rejects 'the view from nowhere' as an epistemological conceit; there is no 'beginning from scratch'.⁵ On the contrary: 'We always start in the middle of things'.⁶ As a practical matter, he must start somewhere – a point of departure that no one would mistake for a point of origin.

Interdisciplinarity is a convenient place to start for several reasons: Kratochwil is a political scientist by training and not a lawyer, but he is one of the very few theoretically inclined scholars in the field of International Relations to have given the subject of International Law sustained attention. He is attuned to the fraught relations among scholars in the fields of International Relations and International Law. If disciplines are insular by definition, then interdisciplinarity is no solution. People in different disciplines talk past each other; when they get together, 'heated debates' give way to 'mutual boredom'.⁷

I suspect that the discussion of common ground in International Relations and International Law bores Kratochwil (or am I the one who is bored?) and that he pursues it only to bring epistemology to the table. On his account, interdisciplinary undertakings usually start by dealing with differences in method and then 'moving the issues to "neutral" territory, that is, to logic, taxonomy, and epistemology'.⁸ Although he brings up the issue of epistemological foundations, he does not serve it up for sustained consideration. He merely observes that 'the myopia created by the separate disciplines can actually work in tandem instead of correcting each other' and illustrates the point with reference to 'the standard epistemology of positivism'.⁹

Here, Kratochwil uses the term *epistemology* rather broadly, as many scholars do, to include *methodology*. He knows better. In the last decade, he has dealt extensively with epistemology in contemporary philosophy and social theory. When he does return to epistemology in Meditation 1, briefly and indirectly, he signals his

³Some of them acknowledged in *ibid.*, 40–41.

⁴*Ibid.*, 26.

⁵*Ibid.*, 42, 63.

⁶*Ibid.*, 41.

⁷*Ibid.*, 32.

⁸*Ibid.*, 32.

⁹*Ibid.*

concern with the expression ‘ontological order’.¹⁰ This cue is less mysterious than it might seem.

Kratochwil is not concerned with ontology in contemporary philosophy and social theory but in the Greek sense of an ordered cosmos and the early modern fixation with lawful nature, both serving as ‘ultimate foundation’.¹¹ David Hume and Immanuel Kant demolished ontology – meaning, of course, the old naturalist ontology as ultimate foundation.¹² Descartes has already worked out its replacement. ‘After all, it was Descartes who offered epistemology as a new foundation, [but only] after skepticism had undermined a belief in an ontological order’.¹³ In other words, ontology and epistemology are coded terms for two epochs in the history of Western thought. Separating them is a transformation in ways of thinking that took a good deal more than a century to work itself out (Descartes’ *Meditationes* dates from 1641, Kant’s *Critique of Pure Reason* from 1781).

Meditation 1 says almost nothing about the reign of epistemology. The large reason for this is, I think, Kratochwil’s frame of reference. Here it is law; elsewhere in his recent study it tends to be science. He could have attended to the shift from naturalism to positivism in legal theory – from nature’s design to human artifice – but I suspect he chose not to go there for an assessment of foundational claims because legal thinkers have been loath to do so themselves.

As for science, its development over the last two centuries has never concerned Kratochwil very much. He has, however, shown a marked interest in the way science in practice has gradually challenged the Cartesian quest for ‘secure knowledge’; this quest ‘accounts for the emphasis on method in the social sciences’.¹⁴ The positivist insistence on the unity of the sciences implies the same emphasis in all of science, though it may be less conspicuous to outsiders mesmerized by the prestige of theory in the natural sciences. For Kratochwil, this outsized popular interest in theory stands in for ontology, rather at odds with the working scientist’s daily preoccupation with matters of method.

Although Kratochwil does not mention John Dewey’s 1929 lectures on *The Quest for Certainty* (1984) in Meditation 1, they are very much on his mind. The Cartesian quest is indeed the quest for certainty, ‘the search for the immutable’, that Dewey challenged so effectively. Let me quote Kratochwil’s essay, ‘Making Sense of “International Practices”’:

Of course for a while it seemed that ‘nature,’ speaking directly to us through ‘science,’ could provide the ultimate foundation. But with the disenchantment of nature, the big questions of philosophy could no longer be answered in the traditional fashion; rather, one had to ‘get over them,’ as Dewey suggested.¹⁵

Tonally, this is Kratochwil at his acerbic best in writing about the impossible quest: just get over it.

¹⁰Ibid., 38.

¹¹Ibid., 5.

¹²Kratochwil 2011, 56; also Kratochwil 2014, 26.

¹³Kratochwil 2014, 38.

¹⁴Ibid., 26, 49.

¹⁵Kratochwil 2011, 44.

In this same essay, he goes on to quote Dewey at length. I reproduce the very end of this quotation because the point is central to the way Kratochwil proceeds in Meditation 1:

The theory of knowing is modeled after what was supposed to take place in the act of vision. The object refracts light to the eye and is seen; ... A spectator theory of knowledge is the inevitable outcome.¹⁶

A spectator theory of knowledge starts where Descartes does, with the knowing *ego*, and then directs attention to the senses, through which *I* have access to a mind-independent world 'out there'. The preeminent sense is, of course, visual. One sees things, positivities, first and then makes inferences about the relations of things. Privileging things over relations makes positivism a realist ontology. Residually naturalist, it became increasingly materialist over the course of the 19th century. Such an ontology pushes us to look at those things ever more clearly and measure their properties ever more exactly, so as to make us ever more confident in generalizing about inferred relations. The quest for certainty puts a premium on exactitude; ontology slides into methodology. Science is the application of the scientific method to the things of the world. Theories are refuted, vindicated, or most often revised, and the payoff is success in mastering 'nature'.

Methods-oriented science also revealed a deficiency in positivism as a realist ontology. Many of the things that scientists would like to observe directly cannot be observed in principle, no matter how sophisticated our visual aids. Things have names, but naming forces or relations does not make them things. Scientific realists claim to redeem positivism as a realist ontology by giving the name 'unobservables' to what cannot be discerned. Thus named, we can be sure that they exist out there in the world. The naming game is, of course, a silly language game, and Kratochwil uses 'a broom in the corner' to dispatch it.¹⁷ More importantly, Kratochwil eviscerates the claim that the success of science vindicates not just our theories but the realism to which most working scientists are unthinkingly adherents.¹⁸

Scientific realists in the field of International Relations have made great point of leaving the critique of epistemology to postpositivist scholars and getting back to ontology.¹⁹ In responding to the charge of 'ontological forgetfulness', Kratochwil remarks, quite properly, that the 'questionable fundamental distinction' between ontology and epistemology is less important to him than 'an awareness of the interaction effects between both'.²⁰ Although this is surely the case, it is an inadequate response to the charge. In my opinion, Meditation 1 suffers from an indifference to ontology. This failing comes to the fore when Kratochwil turns to 'the problem of praxis' – the last of the three topics structuring this Meditation.

¹⁶Dewey 1984, 19, cited in Kratochwil 2011, 44.

¹⁷Kratochwil 2007a, 72; Kratochwil 2014, 38.

¹⁸Kratochwil 2007a, 70.

¹⁹For example, Wendt 1999, chap. 2; Wight 2006, chap. 1.

²⁰Kratochwil 2007a, 72.

Kratochwil's discussion of Dewey signals his sense that pragmatism is the best way to get a grip on the problem of praxis. He had already turned to 'pragmatism as a good bet' in his celebrated Tartu Lecture.²¹ At Tartu, he made no mention of Charles Peirce, William James, and Dewey – the big three American pragmatists who began their campaign against settled notions of truth in the 1870s – but used the term *pragmatism* in a broad sense: 'it does not begin with "things" or with "reason" or thought, but with "acting" (*prattein*), thereby preventing some false starts'.²² The big three come later, but the conclusion does not change.²³ Pragmatism insists on 'the "performative" aspects of action'.²⁴ When Kratochwil finally turns his attention to the problem of praxis in Meditation 1, the very first sentence asks: 'What are the important characteristics of action?'²⁵ Anyone who has followed Kratochwil's research for the last decade would know where this question is coming from. Pragmatism ushers in a new age, a third epoch, in which the spectator's world gives way to a pragmatist ontology of action, of situated doing.

Now we see the rationale for starting 'in the middle of things'. We may indeed prevent some 'false starts'. More importantly, action is ongoing – ontologically speaking, there is no plan of nature, point of origin, view from nowhere, grand theory resting on indubitable truth. Nor are there grounds for 'implausible general doubt' or 'endless deconstruction'.²⁶ We know what action is, not because we see it, but because we engage in it. There is always a *somewhere*, and it is foundational. It makes human agency, choice in the face of others' choices, and agents' goals the place to start, albeit in time, in the flow, in the middle. It takes self, selves, and world as given – given to me and by me, given to Kratochwil and you the reader as an observer-agent, given to us all by the circumstances making us all what we are.

This is the ontology of choice for social constructivists. In no way is it beholden to some vacuous methodological quarrel over what can be seen. I do not doubt that Kratochwil knows this. In Meditation 1 at least, he chooses not to say so, I believe because he reserves the term *ontology* for an age long past.

There is, in my opinion, a danger in being less than forthright about foundations. As I pointed out earlier, 19th century positivist science slid into a preoccupation with methods (although Ludwig Wittgenstein's *Tractatus* and logical positivism complicate the story by reviving realist ontology for a few decades in the 20th century). The challenge that Peirce, James, and Dewey put to science asks how we can know (epistemology) what the world is really like (ontology). Yet, the *what* in that question slides into another question: what is *truth*?

That Peirce, James, and Dewey effectively crushed the so-called correspondence theory of truth is a great achievement in discrediting the Cartesian quest. Less obviously, it authorizes the slipping and sliding from ontology to methodology. The practical issue of weighing evidence matters heavily in science-in-action, law-in-action, strategic interaction. Kratochwil has commented incisively on this

²¹Kratochwil 2007b, section title, 11; also Kratochwil 2009.

²²Kratochwil 2007b, 11.

²³Kratochwil 2011, 43–48.

²⁴Ibid., 47.

²⁵Kratochwil 2014, 41.

²⁶Ibid., 40, 42.

and related methodological issues.²⁷ In doing so, it would seem that, in his way of thinking, ontology, epistemology, and methodology are coded terms for successive epochs in the history of Western thought. Kratochwil has never been a casual historicist in his research, much less is he the Foucauldian that I have become. If there is indeed a coded sequence in these terms, the code is not his, at least not deliberately – however much I think the encoded message is central to understanding the experience of modernity.

Nor is the code implicit in Kratochwil's conception of action in the flow, in the moment. His ontology links action to the immediacy of choice under constraints. That these constraints are ever changing in the face of contingent events and others' choices ('double contingency') makes choice a practical matter commending 'prudence' in the absence of certainty.²⁸ We see here a subtle segue from action to practice. Prudence limits the range of plausible choices, favors routines, fosters rule-following. If Hume lurks largely unseen in these meditations, we feel his presence, even when Kratochwil steps away from Humean conventionalism.²⁹ Missing is some sense that there is more to praxis than 'practical reason' or "'practical" knowledge'.³⁰ People engage in activities; they are embedded in society; we encounter them in the middle of their active lives.

Symptomatically, Kratochwil devotes several pages to rational choice theory, in effect condemning it for well-known methodological deficiencies. These deficiencies stem from making action dependent on choice and choice dependent on what an individual thinks. It almost seems that anyone who starts with action, not activity, is constrained, in practice, to think about practice in methodological terms. When Kratochwil concludes that 'the really interesting problems lie far beyond the confines of theories of action relying on instrumental rationality', we (or at least I) want to scream: What *are* those really interesting problems? What *kinds* of activities beg for attention?³¹

To be fair, Kratochwil is careful to locate those problems in language: speaking is acting; speaking together is an activity. He claims to 'draw freely on ordinary language philosophy, as well as on the writings on American pragmatists such as Pierce [*sic*] and Dewey'.³² Here, at this very point, he parts company with the American pragmatists. In drawing attention to truth, they took for granted the function of language as representation, thereby sliding right past ontology on the way from epistemological critique to questions of method.

In my words, language is an acquisition of *mine*, thanks to my cognitive powers. Without language, I cannot think *about* the world. There is no intentionality in the absence of language, and *this* makes language the foremost constitutive feature of the world that we all think about, act upon. Acting together, chiefly through language, is an ongoing *activity*, perhaps too grandly called world-making. Reverting to Kratochwil's words, there are no 'interaction effects' in the absence of language.

²⁷Kratochwil 2007b.

²⁸Kratochwil 2014, 42–43.

²⁹*Ibid.* 40.

³⁰*Ibid.*, 40, 43.

³¹*Ibid.*, 48.

³²*Ibid.*, 40.

In turning to language to save pragmatism from methodological preoccupations, Kratochwil tells us he is also ‘deeply influenced by Wittgenstein’s later work’.³³ Nevertheless, he tends to see Wittgenstein’s fascination with *Verhexung der Sprache* – bewitchment by means of language – in methodological terms.³⁴ Correctly: Wittgenstein offers yet another illustration of the slide from ontology to methodology. *Philosophical Investigations* is a dogged effort to derail positivist methodology through expository fragmentation and dispersion. Methodically directed against positivist methods, it is *practically* useless in thinking about the social constitution of the world. Kratochwil will surely disagree with this assessment. More to the point, nowhere in Kratochwil’s meditations does he develop the performative aspect of acting by speaking – of ‘language that goes far beyond that of signalling’.³⁵

Let me summarize. Meditation 1 is a philosophical discursus masquerading as a meditation about meditation. It is also an invitation to meditate on ‘the status of law in international society’, as reflected in two disciplines irrevocably separated by the way they deal with their common concerns. Throughout the book, Kratochwil meditates on these concerns with his usual cogency. Yet, critical links are missing. What happens when we speak? How do we get from speaking as an activity, a normative practice, to ‘the role and rule of law’ in today’s world?³⁶

Although Kratochwil does discuss, if briefly, ‘what norms do’, he does not tell us what it is about speaking, if anything, that makes norms normative.³⁷ As a related matter, he does not say how language (even more than law) goes from an ‘agency-related notion’ to ‘a pervasive force penetrating all social relations’.³⁸ He mentions ‘deontic force’ and ‘normative force’ in passing, and the performative force of language not at all.³⁹ To do so would keep ontology on the table. What do we mean when we speak of *force* in such a way? The bewitchment of the world through language (*Verhexung der Welt*) is not just an interesting problem.⁴⁰ It is ontology’s greatest mystery, worthy of Kratochwil’s exceptional powers and further meditation.

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³³Ibid., 41.

³⁴Wittgenstein 1958, sect. 109; Kratochwil 2014, 11.

³⁵Kratochwil 2014, 48.

³⁶The book’s subtitle.

³⁷Ibid., 47.

³⁸Ibid., 26.

³⁹Ibid., 35.

⁴⁰Ibid., 49.

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