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‘Freedom’ through repression: epistemic closure in agricultural trade negotiations

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Abstract. A central concern of critical theory is that of how the forces of Modern reason cause certain logics to become reified in the name of rational progress. Two such logics – the ongoing spread of liberal capitalism, and territorial particularism – are simultaneously embodied within social institutions such as the World Trade Organization (WTO) that regulate the global economy, a phenomenon that occurs on the premise of maximising global welfare. Building upon a critical reading of Jürgen Habermas’ theory of communicative action, this article undertakes an empirical immanent critique of the extent to which such logics repress the possibility of normative imperatives being considered within agricultural trade negotiations. Specifically, it argues that the dialectic of functionalist and communicative rationality, operating as a theoretical heuristic, reveals that the DDA is susceptible to an ethical indictment that arises from its inability to countenance the alternatives to the dual logics of neo-liberalism and state-interest that could otherwise emerge from a free and rational discussion. The nature of the WTO as a site of social action is revealed to be that of a closed epistemic community in which important normative claims are repressed, and as such, one in which the underlying rational bases for communication are fundamentally distorted.

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Introduction

A core premise of the era of late capitalism is that the creation and sustenance of a liberal market-based economic order by an increasingly universal ‘society of states’ is indispensable for securing global welfare and prosperity. It is now fifteen years since the World Trade Organization (WTO) entered the narrative of this evolving global economic order, and nine years since the Doha Development Agenda (DDA) was given the complex task of developing and overseeing principles according to which agricultural trade relations ought to conform. Whilst constituting only a small portion of global trade in goods,¹ agricultural trade is a critically important sector of global trade for countries throughout developing

* I would like to thank Martin Weber, Richard Devetak and Samid Suliman for their intellectual stimulation and encouragement, as well as the three anonymous reviewers for their helpful comments.

¹ Kym Anderson and Will Martin, ‘Agricultural Tariff and Subsidy Cuts in the Doha Round’, in Crump and Maswood (eds), *Developing Countries and Global Trade Negotiations* (London: Routledge, 2007), pp. 63–4.

regions of Africa, Latin America and Asia in their efforts to enhance the welfare of poor, rural, agricultural producers.² However, the breakdown of negotiations on agriculture is the primary reason that the DDA has stalled; strategic politics, intended to both thwart other participants' proposals, and coerce them into accepting one's own, have eliminated the possibility of reaching agreement through dialogue and consensus. The future prospects of concluding the round are seemingly remote.

The negotiations embody opposing logics that give cause for critical reflection. First, they combine the priorities of agricultural trade liberalisation and development at the centre of a new global trade agreement. The causal relationship between these two objectives is one of the most fiercely contested debates within international political economy. How is it though that alternatives are unable to be raised, considered and debated? Second, despite the universalising embodiment of liberal notions of inevitable forces of economic progress within the WTO, the territorial particularism of social actors serves to preclude the realisation of the neo-liberal project as a global welfare-enhancer and thus assumed developmental tool. Yet, if within the institutional structure of the WTO, the bounds of moral obligation ostensibly coincide with national borders, why then is the DDA a 'development round'?

This empirical problematic in turn raises a theoretical problematic. This is the specific question of how it is possible to explicate how these logics have developed, and what effects they have in the everyday social world. In this article I address both, being concerned with an exploration of Jürgen Habermas' critical theory and its limits, and an empirical examination of the negotiations on agricultural trade liberalisation within the DDA. In doing so I make two arguments: the first, theoretical, argument is that whilst it is necessary to ground analysis of the WTO in a social theory that is both comprehensive in scope and intersubjective in nature, Habermas' dialectic of functionalist and communicative rationality operates as a theoretical heuristic for critical analysis, insofar as rather than revealing the pathological development of social processes itself, it illuminates the oppressive and negative effects of this development. If used in such a manner, Habermas' theoretical architecture enables a substantive yet anti-foundationalist critique of actual social practices. The second, empirical, argument is that the analysis of the agricultural trade regime and the WTO more generally through the lens of this heuristic reveals that the DDA is susceptible to an ethical indictment that arises from its inability to countenance the alternatives to the dual logics of neo-liberalism and state-interest that could emerge from a free and rational discussion. The nature of the WTO as a site of social action is revealed to be that of a closed epistemic community in which normative claims are repressed, and as such, the underlying rational bases for communication are fundamentally distorted.

These two arguments unfold over four sections. First, I suggest that the importance of Habermas' theory of communicative action lies in its enabling the development of the dialectic of functionalist and communicative rationality as a theoretical heuristic for empirical analysis. The next two sections, in undertaking sociological and normative analysis of the negotiations on agriculture at the DDA,

² African Union, 'New Partnership for Africa's Development' (2001), available at: {<http://www.dfa.gov.za/au.nepad/nepad.pdf>}, p. 32.

each contribute implicitly to the theoretical argument whilst simultaneously developing the empirical argument outlined earlier in the introduction. The sociological analysis of the agricultural trade regime charts the macro-social characteristics and trends of the WTO through the twin methodologies of systems and lifeworld analysis. In relation to the theoretical argument, this achieves two things. Firstly, it provides an insight into the limitations of Habermas' critical theory in attempting to chart different forms of rationality as underpinning social action. Secondly it provides an essential heuristic for the normative analysis that follows.

The normative analysis thus integrates the conclusions of the sociological analysis into a discussion of the way in which certain contradictions and paradoxes – emerging from the speech acts of social agents concerned with agricultural trade liberalisation within the DDA – constitute violations of an ethics founded on the presuppositions of communication and processes of argumentation. Finally, in the fourth section I reflect upon both praxis and theory in assessing the implications of the dialectic of functionalist and communicative rationality.

Universal pragmatics and the study of global politics

Universal pragmatics consists centrally of the notion that anyone acting communicatively must, in producing any utterance, raise universal validity-claims and suppose that they can be vindicated.³ Being the reconstructive analysis of the preconditions of communicative rationality and thus communicative action, universal pragmatics is approached as a comprehensive social theory that can hope to explain the generation and subsequent alteration of society; social life is seen, at root, as being explainable in terms of the ability of actors to communicate through the medium of 'speech acts'.

Building upon Wittgenstein's study of 'language games', Habermas thus begins to examine the intersubjective structure of language. He argues that there is a 'double structure' of ordinary language, which is to say that in using language the competent speaker must at once relate to another social subject, and to the matters about which they are communicating.⁴ Speech acts have both 'illocutionary' force and 'propositional' content – in effect, one either does things with words, or one makes statements about the world. Habermas' contention is that this distinction between *mentioning* propositional content (focusing on the intersubjective or performative aspects of the utterance), and *asserting* the propositional content (focusing on its truth) is necessarily present in all utterances.⁵ The success of a speech act therefore centres upon participants *understanding* and *accepting* each other's intentions.⁶

Habermas' intention in focusing upon the underpinnings of speech and language is to ultimately develop a model of discourse within which language is

³ Jürgen Habermas, *Communication and the Evolution of Society* (Boston: Beacon Press, 1979).

⁴ Jürgen Habermas, 'Some Distinctions in Universal Pragmatics', *Theory and Society*, 1 (1976), pp. 156–7.

⁵ Jürgen Habermas, *On the Pragmatics of Social Interaction: Preliminary Studies in the Theory of Communicative Action* (Cambridge: Polity, 2001), pp. 82–3.

⁶ Andrew Edgar, *The Philosophy of Habermas* (Chesham: Acumen, 2005), p. 147.

utilised by competent communicators in order to generate meaningful social action. Habermas thus introduces four universal validity-claims that are entailed in any utterance. The first claim is that of truth: cognitive propositional content. The second is that of rightness: non-cognitive illocutionary content. The third is that of intelligibility, whilst the final claim is that of sincerity.⁷ From these four validity-claims Habermas develops a model of discourse within which claims to truth and rightness can be assessed and therefore rejected or redeemed, and can thus come to be ascribed to a proposition through discourse. Habermas is concerned to present the communicative competence to achieve this not as a given, but rather as a phenomenon with an explicable process of development, summing it up as the development of a capacity of 'differentiation between the lifeworld and the world',⁸ or an ability to question the otherwise secure assumptions of the lifeworld and to treat one's own assessments as contingent. As such it renders universal pragmatics a critical resource by which to recognise illegitimate forms of social organisation. Habermas argues for a consensus theory of discourse, whereby a proposition is true (or right) only if 'everyone else who could enter into discourse with me' would freely accept it as such.⁹

Clearly it is necessary to examine how Habermas' social theory operates in the practice of empirical critique as well as in theory. Maeve Cooke asks whether the notion of communicative rationality provides standards that would enable us to criticise the development of modern societies as pathological,¹⁰ arguing that it can do so only indirectly. It is not clear that communicative rationality can be used in order to reveal the *development* of pathologies themselves as they arise from functional integration; it is perhaps only able to demonstrate the pathological nature of developmental tendencies through their *effects* within the lifeworld. Cooke's contention is, essentially, that cognitive-instrumental rationality cannot be equated with functionalist rationality. As such, strategic action, insofar as it instrumentalises other social actors, cannot be taken as clear evidence of functionalist rationality.¹¹ However, as universal pragmatics is presented as discourse-constitutive, rather than merely discourse-regulative,¹² Habermas seems to suggest that the concept can do both. Accordingly, there are two main ways in which the concept of communicative rationality can function as a yardstick for assessing and criticising the pathologies of modernity. First, it provides a model for the free interplay of the three dimensions of reason which he believes have been differentiated historically, being cognitive-instrumental, moral-practical and aesthetic-expressive rationality.¹³ Second, it rests on certain idealisations implicit in

⁷ Habermas, *Communication and the Evolution of Society*, p. 68.

⁸ Jürgen Habermas, *Moral Consciousness and Communicative Action* (Cambridge, Mass: MIT Press, 1990), p. 138.

⁹ Habermas, *On the Pragmatics of Social Interaction: Preliminary Studies in the Theory of Communicative Action*, p. 89.

¹⁰ Maeve Cooke, *Language and Reason: A Study of Habermas's Pragmatics* (Cambridge, Mass: MIT Press, 1994), p. 143.

¹¹ Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 143.

¹² William Rehg, *Insight and Solidarity: A Study in the Discourse Ethics of Jürgen Habermas* (Berkeley: University of California Press, 1994), p. 212.

¹³ Jürgen Habermas, 'Die Krise Des Wohlfahrtsstaates Und Die Erschöpfung Utopischer Energien', *Die Neue Unübersichtlichkeit* (Frankfurt am Main: Suhrkamp Verlag, 1985), p. 158., cited in Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 144.

our everyday practices, which permit us to criticise actual communicative practices (and perhaps also actual beliefs and normative judgements) for their failure to live up to those idealisations.¹⁴

The introduction of Habermas' critical theory into the empirical International Relations (IR) research agenda has emphasised the second of these 'critical potentials' in order to provide a normative basis in analyses of patterns of communication and discourse for the critique of communicative practices of social actors. As Nicole Deitelhoff and Harald Müller observe, political theorists welcomed the attempt to introduce normative theory and ethics to the study of international cooperation but once again highlighted the necessity of integrating the *social theory* of Habermas more thoroughly.¹⁵ When they undertake empirical analysis of arms treaty negotiations, they realise that it is a mistake to confuse discourse ethics with an empirical proposition and to thus attempt to transfer a transcendental theoretical construct back into the hard facts of real world diplomacy.¹⁶ This result is inevitable in the absence of an explication of the manner by which discourse ethics establishes a socio-theoretic grounding in the historical development and empirical context of the negotiations under examination. This signifies the point at which Thomas Risse's analysis¹⁷ breaks down as a demonstration of empirically applying Habermas' discourse ethical framework; the true intersubjective nature of the theory of communicative action manifests itself not simply as instances of communication, but as the basis upon which the possibility of society's existence itself is founded. The focus upon the rationality of argumentation and the existence of a common lifeworld marginalises the notion that even aspects of societal reproduction that rely upon the non-communicative logics of social systems, presuppose communicative action as a counterfactual source of meaning. Whilst more sophisticated and comprehensive, Andrew Linklater's most directly Habermasian analysis of IR focuses too little on this social theoretic implication of Habermas' dialectic of system and lifeworld. Linklater supports Habermas' defence of the unfinished project of modernity, although he is concerned, principally, with the normative, sociological and praxeological basis of a 'universal speech community [...] tolerating difference [and] and enlarging human diversity'.¹⁸ Linklater emphasises processes of social learning,¹⁹ in the process under-theorising certain structural logics of the international *system*, particularly the dominating logics of a global capitalist economy.²⁰ As a result, the force of the dialectic present within Habermas' thought is under-utilised as a source of empirically relevant critique.

Martin Weber argues that at the social-theoretic core of the Frankfurt School's project lies both a theory of individual social action and a theory of macro-social

¹⁴ Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 144.

¹⁵ N. Deitelhoff and H. Müller, 'Theoretical Paradise – Empirically Lost? Arguing with Habermas', *Review of International Studies*, 31 (2005), p. 169; H. Müller, 'Vom Dissensrisiko Zur Ordnung Der Internationalen Staatenwelt', *Zeitschrift für Internationale Beziehungen*, 3 (1996).

¹⁶ Deitelhoff and Müller, 'Theoretical Paradise – Empirically Lost? Arguing with Habermas', p. 179.

¹⁷ Thomas Risse, "'Let's Argue": Communicative Action in World Politics', *International Organization*, 54 (2000).

¹⁸ Andrew Linklater, 'The Changing Contours of Critical International Relations Theory', in Wyn Jones (ed.), *Critical Theory and World Politics* (Boulder: Lynne Rienner 2001).

¹⁹ Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 13.

²⁰ Mathias Albert, 'Observing World Politics: Luhmann's Systems Theory of Society and International Relations', *Millennium: Journal of International Studies*, 28 (1999), p. 243.

coordination, and crucially, a theory of how social evolution occurs through a corresponding lifeworld-systems dialectic. It is thus possible to see the lifeworld, being the generative source of individual action, as that which systems-integration, (or the necessity of developing social structures), cannot subsume, and systems-integration as a welcome development to the extent that it reduces the burden of the reproduction of society that otherwise lies incumbent upon the lifeworld.²¹ This raises the important theoretical point that a phenomenological account of social action within a global context ought to strive towards analytical purchase beyond superficial manifestations of communicative action, a task that is alluded to, but not adequately undertaken in analyses such as those of Müller, Deitelhoff, Risse and Linklater. The deeper theoretical aspects of social theory provide scope for attempting to explicate not only *what* communicative or strategic action might look like, but *how* it arises as a result of social development.

In this context, immanent critique²² thus seeks to generate a standard for critique out of the theoretical reconstruction of the implicit 'structural'²³ conditions underpinning different human relations.²⁴ As a method of research, this standard for critique is utilised by the critical theorist in order to look beyond the 'facts' of social interaction, and instead locate normative lacunae inherent within discourses that exist and are revealed through contrast to social reality, and thus represent the social 'space' for heterodoxy to emerge and concretise. In short, the critical theorist is concerned with the disjuncture between what an actor is saying, and the counterfactual preconditions of their saying it.²⁵ More importantly, the critical theorist is concerned with how this disjuncture, in causing the disappointment of the mutually constitutive normative expectations of actors, provides scope for the emergence of distorted communication and resulting action creating real oppression and suffering within the social world. This concern leads to an assessment of how the institutional setting of global politics may be enhanced so as to lessen this disjuncture.²⁶

In order to reveal these contradictions and disjunctures, this article first explores the dialectic of functionalist and communicative rationality as it influences the institutionalised structures of the WTO and the DDA. This constitutes a theoretical heuristic for an analysis of speech acts of state representatives in the

²¹ Martin Weber, 'The Critical Social Theory of the Frankfurt School, and the "Social Turn" in IR', *Review of International Studies*, 31 (2005), p. 203.

²² Immanent critique is a method which seeks, 'by revealing the contradictions of claim and context, to transform legitimations into emancipatory weapons'. Robert Antonio, 'Immanent Critique as the Core of Critical Theory: Its Origins and Development in Hegel, Marx and Contemporary Thought', *British Journal of Sociology*, 32:3 (1982), pp. 330–45, 338. See also Trent Schroyer, *The Critique of Domination* (Boston: Beacon Press, 1973), pp. 30–1.

²³ 'Structural' insofar as such conditions, being those that underlie communication, form the principles presupposing its social relevance and thus the possibility of socialisation.

²⁴ Alan How, *Critical Theory* (New York: Palgrave MacMillan, 2003), p. 54.

²⁵ As such a 'hermeneutics of suspicion' becomes a basic methodological principle for the critical analysis of texts. See Ruthellen Josselson, 'The Hermeneutics of Faith and the Hermeneutics of Suspicion', *Narrative Inquiry*, 14:1 (2004), pp. 1–28; Paul Ricoeur, *The Conflict of Interpretations: Essays in Hermeneutics* (Evanston: Northwestern University Press, 1974).

²⁶ Thomas Diez and Jill Steans, 'A Useful Dialogue? Habermas and International Relations', *Review of International Studies*, 31:1 (2005), pp. 127–40, 128. However, it is important to also note the possibility of forms of instrumental action further than being required in order to manifest this emancipatory intent as political praxis. See Nicholas Rengger, 'Negative Dialectic? The Two Modes of Critical Theory in World Politics', in Richard Wynn Jones (ed.), *Critical Theory and World Politics* (Boulder, Colorado: Lynne Rienner, 2001).

two institutionalised fora that are primarily responsible for conducting agricultural trade negotiations in the DDA.²⁷ Such speech acts are used to illustrate aspects of the universal pragmatics of social action as it occurs according to the system/lifeworld (or functionalist/communicative) dialectic manifest in WTO trade relations.

Social coordination through the global trade regime

In this section I locate the WTO within a process of social evolution, and in doing so, make the case for comprehending the WTO's activities regarding agricultural trade liberalisation through the DDA as a product of the interaction between an economic system that sustains itself upon a totalising discourse of exchange relations, and a lifeworld that is declining in its ability to provide resources for alternative possibilities and courses of action to emerge.

Together, system and lifeworld contribute resources for macro-social coordination according to a corresponding tension between functionalist and communicative rationality. Both forms of rationality underlie intersubjective social action – communicative rationality in the latent presuppositions of communicative action; functionalist rationality in the latent imperatives of functional integration. The manner by which these forms of rationality undergird processes of social evolution is linked to Habermas' development of universal pragmatics as the presuppositions of competent communication. It is Habermas' contention that the same presuppositions of an *individual's* competent communication have informed the macro-development of *society*.²⁸

Thus, Habermas seeks to reconstruct historical materialism as a theory of social (that is, communicative) evolution, rather than the evolution of the tension between the forces of production (science and technology) and relations of production (social classes formed by the way the ownership of the means of production is distributed). For Marx, the dynamic of all social development was to be found in this conflicting relationship, however such a restriction renders Marxist historical materialism incapable of explaining the development of our intersubjective capacities.²⁹ Since social evolution has been construed as a process of social learning, Habermas suggests that a model for a reconstructed historical materialism already exists in studies of the learning capacities of individual human beings. Ontogenesis (the development of the individual) becomes the model for phylogenesis (the development of the species). In this sense the problem-solving capacity of the society will therefore be directly related to the problem-solving capacities of its

²⁷ The WTO document database provided the full minutes of the formal meetings of each committee, as well as the full text of the majority of addresses made by individual representatives at each meeting. Speech acts were selected for inclusion (although all documents within the empirical research parameters were read) within the analysis on the basis of their embodiment of the tension between the systemic imperatives of functionalist rationality, and the possibilities for understanding afforded by communicative action. In keeping with its post-positivist epistemological standpoint, this empirical analysis makes no claim to verifiable truth, but merely posits the empirical evidence of the dialectic within agricultural trade negotiations and highlights its ethically troublesome implications.

²⁸ Jürgen Habermas, *The Theory of Communicative Action, Vol. 2: Lifeworld and System: A Critique of Functionalist Reason* (Cambridge: Polity, 1987), pp. 153–5.

²⁹ How, *Critical Theory*, pp. 134–5.

individual members.³⁰ The stages of the cognitive development of the ego identified by Jean Piaget and the development of moral competence identified by Kohlberg³¹ – forming the basis of the universal pragmatics of communication – whilst not mechanically mapping onto social progress, are traceable through the social evolution of the human species. This theoretical framework for analysing social evolution can be used therefore to trace the development of society through to late capitalism from the perspective of both the lifeworld and the system.

Lifeworld and social integration

The lifeworld as it exists between any two or more social actors consists, at its most fundamental, of an actor's comprehension of objective presuppositions, social understanding and personal competence that enables that actor to make sense of another's social actions, and thus create and maintain social relationships. It is altered through modifications in the intersubjective understandings of social agents as to the particular cultural presuppositions and understandings that constitute their lifeworlds. This captures the point that the lifeworld as a whole is not some form of macro-subject directing social agents, but rather is an interactive achievement of those agents, and importantly, constitutes the possibilities for knowledge generation afforded by the counterfactual presupposition of unconstrained discourse within communicative acts and transmitted from epistemological to sociological via the structural components of the lifeworld. Three such structural components of the lifeworld can be identified. Culture is the store of knowledge from which those engaged in communicative action draw interpretations susceptible of consensus as they come to an understanding about something in the world.³² It is linked to the objective world (and thus validity-claims to truth). Society is the legitimate order from which those engaged in communicative action gather solidarity, based on belonging to groups, as they enter into interpersonal relationships with one another.³³ It is linked to the intersubjective world (and thus normative claims). Personality is the acquired competences that render a subject capable of speech and action and hence able to participate in processes of mutual understanding in a given context and to maintain his own identity in the shifting contexts of interaction. It is linked to the subjective world (and thus claims to sincerity). Habermas focuses on these aspects of the lifeworld because they establish that we live in a linguistically mediated world in which the lifeworld makes possible the derivation of meaning from speech acts. Human beings must acquire the competence to distinguish the three worlds. The structural components of the lifeworld are therefore the resources necessary to make and sustain that distinction,³⁴ and the reproduction of the lifeworld may therefore be understood in terms of the interrelationship between the three structural components.³⁵

³⁰ Edgar, *The Philosophy of Habermas*, p. 120.

³¹ Habermas, *Communication and the Evolution of Society*, p. 77.

³² Jürgen Habermas, *The Philosophical Discourses of Modernity: Twelve Lectures* (Cambridge: Polity Press, 1987), p. 343.

³³ Habermas, *The Philosophical Discourses of Modernity: Twelve Lectures*, p. 343.

³⁴ Habermas, *The Theory of Communicative Action, Vol. 2: Lifeworld and System: A Critique of Functionalist Reason*, p. 140.

³⁵ Edgar, *The Philosophy of Habermas*, p. 172.

Analysing the WTO from the perspective of these structural components of the lifeworld reveals that the structures of communication that constitute the WTO as a social institution are rooted in the understandings that ordinary humans have of objective (though necessarily contingent) knowledge, the norms that govern interpersonal interaction, and their own development as practitioners of competent communication. The cultural resources out of which consensus regarding the principles underpinning the WTO can emerge is constituted within a historical understanding and interpretation of the evolution of the global political economy. This may be understood as emerging from the interpretations that participants in policymaking processes hold of the history of the international trading system and the global political economy in general; including the development of contemporary economic principles, the demise of Keynesian economics, the failure of the Bretton Woods financial system as symptomatic of the evolution of the relationship between state, society and economy,³⁶ and the ongoing evolution of the global trading system during the period of neo-liberal globalisation.³⁷ Culture as it relates to trade liberalisation is thus historical knowledge, but more importantly, the interpretation – uniquely familiar to each social actor – of how economic and social forces have played out and their effects upon both individuals and society. Linked to validity-claims to truth, it provides resources for actors to assess whether trade liberalisation achieves the goals set for it, such as economic development, the satisfaction of political interests or economic integration.

The question of how society is understood by participants in processes of international policymaking requires an assessment of the levels of solidarity that exist between them, the norms and rules of behaviour that reflect such solidarity, and the history of ideas concerning community and the social bond that generated such norms. The individual's identity within global society remains closely tied to the Westphalian nation-state. As a result questions of how global society ought to be structured come to be conceived by reference to the particularist affinities of the nation-state, and as such the state remains the principal creator and regulator of institutions within global society, notwithstanding the growing importance of non-state organisations.³⁸ Nonetheless, conceptions of international society are normatively fluid; the increasing role and significance of developing countries in the post-colonial era, the growth of global social movements that transgress national boundaries and what are recognised as potentials for cosmopolitan ethical principles to underpin the structure of global society.³⁹ Finally, personality symbolises the agency that individuals within the global political economy acquire through the circular processes of the reproduction of the identity of wider society

³⁶ John G. Ruggie, 'International Regimes, Transactions and Change: Embedded Liberalism in the Postwar Economic Order', *International Organization*, 36 (1982).

³⁷ John G. Ruggie, 'At Home Abroad, Abroad at Home: International Liberalisation and Domestic Stability in the New World Economy', *Millennium: Journal of International Studies*, 24 (1994).

³⁸ Andrew Linklater, 'Towards a Critical Historical Sociology of Transnational Harm', in Hobden and Hobson (eds), *Historical Sociology of International Relations* (Cambridge: Cambridge University Press, 2002), p. 165.

³⁹ See Yale H. Ferguson and Richard W. Mansbach, *Remapping Global Politics: History's Revenge and Future Shock* (Cambridge: Cambridge University Press, 2004); Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Cambridge: Polity Press, 1998).

and the socialisation of the individual's identity within that wider society. This agency is reflected in the ability of policymakers to achieve a harmony between the policies that they advocate through speech-acts (thereby creating their identity) and the identity of global society.

The reproduction of the global political economy as global society can thus be seen as an evolving constellation of these three lifeworld components. The development of the personal identity of social actors motivates their attitudes towards the normative structures of society, and allows them to interpret, discuss and constitute an objective world. A successful society not only entails legitimate ordering of interpersonal relationships, but also provides the individual with an identity linked to membership of an identifiably integrated group, and makes culture possible by being the locus of mutual understanding through dialogue. Finally, culture both transmits rational knowledge, and provides the source for the legitimation of social institutions. The defining characteristic of the process of lifeworld reproduction is that of the prevalence of communicative action, these three lifeworld domains being incapable of reproduction through strategic action exclusively.⁴⁰

This account is still incomplete for it neglects the social evolutionary dimension that arises through the inherent potential of lifeworlds to become increasingly rational. Habermas examines a hypothetical society, totally integrated and held together by sacred ritual such that the cultural beliefs, social practices and personalities of all social agents are rendered completely uniform. Social agents are unable to raise or challenge validity-claims. Social evolution as the rationalisation of the lifeworld is thus the gradual emergence out of this imaginary condition of total solidarity – a 'linguistification of the sacred'.⁴¹ Interpretations and practices are increasingly detached from existing normative and historical contexts and justificatory procedures increasingly rely on open and critical argumentation.⁴² Rational critique replaces dogmatism and conservatism. If an imaginary world of total social integration is the beginning of this journey, then a wholly rationalised lifeworld is its 'vanishing point'.⁴³

From this perspective, the rise of liberalism is seen as the development of individual freedoms and the ability of individuals to use these freedoms to challenge societal norms.⁴⁴ In turn, the WTO is a political body that is charged with protecting these liberal freedoms.⁴⁵ Intersubjective understanding as to the role of sovereignty, borders and administrative control in developing and managing trade relations is manifest in the legal norms underpinning the WTO as a social institution. It is a forum for the expression of views, in which economic history is distilled into policy objectives that are formed according to the development of

⁴⁰ Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 133.

⁴¹ Habermas, *The Theory of Communicative Action, Vol. 2: Lifeworld and System: A Critique of Functionalist Reason*, p. 77ff.

⁴² Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 134.

⁴³ Habermas, *The Theory of Communicative Action, Vol. 2: Lifeworld and System: A Critique of Functionalist Reason*, p. 146.

⁴⁴ Jürgen Habermas, 'Citizenship and National Identity: Some Reflections on the Future of Europe', *Praxis International*, 12 (1992), p. 10.

⁴⁵ Miguel F. Lengyel and Diana Tussie, 'Developing Countries', *Making Global Trade a Tool for Development* (Geneva: World Bank, 2002).

competence on the part of state representatives to articulate and justify them.⁴⁶ As such, the increasing participation and independence of developing countries within the WTO, leading to a greater willingness to demand justifications for the structure of global society are representative of a process of rationalisation emerging from the development of state-based form of 'communicative competence'. Throughout the history of the pre-WTO General Agreement on Tariffs and Trade (GATT), developing countries played a limited role in trade negotiations, whereas the ongoing argumentation and deliberation of the DDA represents the increasing ability of actors to utilise the resources of the lifeworld to raise, debate and redeem validity-claims.

Systems and functional integration

The lifeworld of the actors participating in trade negotiations clearly does not enjoy such a monopoly of influence upon the social action that occurs within the WTO. Habermas argues that in its utopianism, the lifeworld is overly concerned with how *intersubjective* relationships constitute global society, whereas it is also necessary to examine how *instrumental* relationships provide the material resources for these intersubjective relationships to form. Given that an account of social development provided solely through the theory of speech and the development of communicative rationality is deficient, switching to the methodology of systems-theoretical analysis⁴⁷ and the development of functionalist rationality shows that the critical theorist can arrive at two possible interpretations of the process of the evolutionary reproduction of society. In contrast to the perspective of the lifeworld, which stresses the oppressive homogeneity of the early lifeworld being disrupted by meaningful social action, a systems perspective stresses the manner by which the transparency of the early lifeworld is clouded through the complexification of society. The development of systems in order to manage this complexity gives rise to a society dependent for its cohesiveness upon forms of coordination that defy meaningful interpretation, to the extent that they develop beyond the scope of the lifeworld, and thus are immune from challenge through the raising and defending of validity-claims. This is a pure system, reminiscent of Adorno's vision of total administration, or a society where the lifeworld has atrophied (as Luhmann's theory suggests is the truth of contemporary existence).⁴⁸ The complexification occurs along two dimensions or axes: vertical stratification, which works through power relations, and horizontal stratification that works through exchange relations being established between the strata. From this Habermas extrapolates two steering media within the process of system integration: power and money.⁴⁹

⁴⁶ Lengyel and Tussie, 'Developing Countries', p. 491.

⁴⁷ At this stage it is not an ontological difference, but rather a difference in what Habermas calls their 'depth of field'. Jürgen Habermas, 'A Reply', in Honneth and Joas (eds), *Communicative Action: Essays on Jürgen Habermas's the Theory of Communicative Action* (Cambridge: Polity, 1993), p. 253.

⁴⁸ Habermas, *The Philosophical Discourses of Modernity: Twelve Lectures*, p. 353; Edgar, *The Philosophy of Habermas*, p. 176.

⁴⁹ Edgar, *The Philosophy of Habermas*, p. 179.

Contemporary social systems are constituted through a difference between system and environment,⁵⁰ and are concerned foremost with autopoiesis, being the self-referential reproduction of themselves.⁵¹ The complexity of the environment surrounding a system means that this is predicated on its ability to bring 'its own complexity into an appropriate relationship with its environment'.⁵² The example of the simple market illustrates the manner by which the complexity of a trading system's environment (the gamut of possible communications that would impact upon the distribution of goods, services and ideas) is reduced within the system itself so as to enable the possibility of large-scale social coordination. The purchaser needs only present an abstract 'quality' in order to enter into a social relation that provides resources for the material production of society.⁵³ The intersubjective element of this relationship arises through the recognition by the participants that there is a basic distinction that gives meaning to certain action. In the economic/trading system, this distinction exists between a certain monetary value being sufficient or insufficient; in the legal system it is whether action is legal or illegal; in the administrative system the distinction is between public/regulation/intervention or private/non-regulation/non-intervention.

The current analysis of functional integration is concerned with three systems; the global economic system, the global politico-legal system and the domestic political system. The global trading system, according to this theoretical ontology, amounts in its simplest form to a logic according to which certain goods, services and ideas are transferred for money. Since the establishment of the first trading relations, the complexity and difficulty of attempting to provide for the material production required to sustain society has been simplified by the functional differentiation of society at a global level.⁵⁴ The basic economic concepts of absolute and comparative advantage are both rooted in the logic of differentiating between societal roles that serve to simplify the process of physically reproducing society. This process of functional differentiation would lead, hypothetically, to a *laissez-faire* pattern of trade relations.⁵⁵ The question of whether trade liberalisation is capable of elevation to a teleological goal of social action is reduced within the trading system to a propositional question of whether more capital – whether it be monetary or material – is produced, in order to reduce the complexity of the system, and allow it to reproduce itself as a functionally differentiated sphere of action in contradistinction to its more complex environment.

However, the global politico-legal system, being territorially rather than functionally differentiated, remains capable of observing its environment not just according to monetary relations but also in relation to conceptions of inside/

⁵⁰ Mathias Albert, 'On the Modern Systems Theory of Society and IR: Contacts and Disjunctures between Different Kinds of Theorizing', in M. Albert and L. Hilkermeier (eds), *Observing International Relations: Niklas Luhmann and World Politics* (London: Routledge, 2004).

⁵¹ This notion of self-maintaining social systems stems from Weber's original observation that social institutions can 'take on a life of their own'. David Held, *Models of Democracy* (Cambridge: Polity, 2006), p. 157.

⁵² Niklas Luhmann, 'Modern Systems Theory and the Theory of Society', in V. Meja, D. Misgeld and N. Stehr (eds), *Modern German Sociology* (New York: Columbia University Press, 1987), p. 176.

⁵³ Edgar, *The Philosophy of Habermas*, p. 176.

⁵⁴ See Kevin O'Rourke (ed.), *The International Trading System, Globalization, and History* (London: Edward Elgar, 2005).

⁵⁵ Ruggie, 'International Regimes, Transactions and Change: Embedded Liberalism in the Postwar Economic Order', p. 399.

outside and self/other.⁵⁶ States provide a different form of differentiation in the global political system, one that is based on territoriality rather than functionality. As an institution of global governance in which the state is legally institutionalised, the WTO can thus be interpreted as forming part of both the global politico-legal system, but also the domestic political system. An important point regarding this characterisation is that the WTO amounts, in systems theoretic terms, to an extension of the domestic political system. It is a member-constituted, and member-driven organisation. As systems apart from the economic system, both the WTO and the wider global administrative system are thus not functionally differentiated, as the economic system is, but rather, are territorially differentiated.

The differences in political constitution between domestic and global society render it possible for processes of functional, rather than territorial differentiation to occur. This has led to the subservience of the domestic political system to the economic system, and thus the goals of the state being defined in accordance with reified monetary exchange relations. Whilst both power and money are non-symbolic steering media within the political and economic sub-systems respectively, power becomes to be defined *in terms of* money; that is to say, that power is derived from money, an insight reflected in the phenomenon of governmental entry as a participant in the economic system.⁵⁷ This is a critical point; it allows Habermas to trace the transition to capitalism as the coupling of political power to the economy, so that the ruling class convinces itself that it no longer rules, but rather acts in accordance with economic imperatives. Social integration is therefore no longer achieved through an overt system of norms and values, but, ironically, through systems integration grounded in the economy.⁵⁸

This confluence of domestic political, and global economic imperatives, has led to the state and its legal manifestation within the WTO being caught between two opposing trajectories of systems development; the universal arising out of the economic system, and the particular arising from the political. Nevertheless, in both its roles – as global proselytiser of liberal principles, and as economic power player – the state is preoccupied overarchingly with monetary gain, as its strategic interests become aligned with the interests of the economic system in procuring continued economic growth, and monetary gain becomes the objective that coincides most neatly with the reproduction of the domestic politico-legal system.⁵⁹ The relationship between trading system and the political system is described by Habermas thus: the development of the nation-state

secured the boundary conditions under which the capitalist economic system could develop worldwide. That is, the nation-state provided the infrastructure for an administration

⁵⁶ Niklas Luhmann, 'Operational Closure and Structural Coupling: The Differentiation of the Legal System', *Cardozo Law Review*, 13 (1992). In the context of empirical research in IR, see Mathias Albert, 'Governance and Democracy in European Systems: On Systems Theory and European Integration', *Review of International Studies*, 28 (2002), p. 197.

⁵⁷ See Susan Strange, *The Retreat of the State: The Diffusion of Power in the World Economy* (Cambridge: Cambridge University Press, 1996), p. 3; Ferguson and Mansbach, *Remapping Global Politics: History's Revenge and Future Shock*, p. 23.

⁵⁸ Jürgen Habermas, *Legitimation Crisis* (London: Heinemann, 1976), pp. 22–24.

⁵⁹ As Hont observes, territorial states have evolved historically to become 'international commercial agents in their own right'. Istvan Hont, *Jealousy of Trade: International Competition and the Nation-State in Historical Perspective* (Cambridge, Mass: Belknap Press of Harvard University Press, 2005), p. 186.

disciplined by the rule of law, and it guaranteed a realm of individual and collective action free of state interference.⁶⁰

This observation emphasises the role of the legal system as complicit within processes of functional integration. The legal system, through the development of liberal mythology,⁶¹ becomes implicated in the colonisation of the lifeworld, precisely insofar as law comes to be constructed as a systems-medium transmitting functionalist rationality in order to guide social action,⁶² rather than – as Habermas argues it has the potential to constitute – a normative lifeworld institution organised through communicative action. As a set of constitutive norms, law increasingly shapes the lifeworld to the imperatives of the economic and administrative systems.⁶³ Thus from the perspective of systems analysis the guaranteeing of liberal rights is grasped as the institutionalisation of a market-steered economy⁶⁴ rationalised through the medium of law – in this case an institutionalised *lex mercatoria*.

The foregoing discussion has theorised the development of social evolution as anchored in a process of fulfilling the requirements for the reproduction of the global economic, political and legal sub-systems of society. Each system is steered by monetary relations, and communication within each is thus rendered meaningful by its conformity with the expansion of liberal principles of monetary exchange. The result is an inversion of ends and means; instead of a means to achieving communicative understanding, strategic action becomes an end in itself, reflecting the predominance of functionalist rationality needed to reproduce these systems. As such the aspiration to universal justice that could be fulfilled through the progressive reproduction of the lifeworld through rational discourse is checked and ultimately subordinated entirely by the demands of the global trading system and its interest in its self-replication as a model for the organisation of global society.

The colonisation of the lifeworld

In liberal capitalist society, the process of functional integration leads to the system not merely uncoupling itself from the lifeworld, but returning to colonise the lifeworld.⁶⁵ According to this argument, the lifeworld's colonisation is discernible in the reduction of participants' 'horizons of meaning' in trade negotiations to gains measured by reference to the value of monetary relations, resulting in an economic constitutionalisation based upon 'the rule of trade and commerce [protecting] profits above the right to life of humans and other species'.⁶⁶ It is not

⁶⁰ Habermas, 'Citizenship and National Identity: Some Reflections on the Future of Europe', p. 2.

⁶¹ A. C. Cutler, 'Global Capitalism and Liberal Myths: Dispute Settlement in Private International Trade Relations', *Millennium: Journal of International Studies*, 24 (1995); Mark Rupert, *Producing Hegemony: The Politics of Mass Production and American Global Power* (Cambridge: Cambridge University Press, 1995).

⁶² Jürgen Haacke, 'The Frankfurt School and International Relations: On the Centrality of Recognition', *Review of International Studies*, 31 (2005), pp. 183–4.

⁶³ Habermas, *The Theory of Communicative Action, Vol. 2: Lifeworld and System: A Critique of Functionalist Reason*, pp. 365–7.

⁶⁴ Habermas, 'Citizenship and National Identity: Some Reflections on the Future of Europe', p. 10.

⁶⁵ Habermas, 'A Reply', p. 250f.

⁶⁶ Vandana Shiva, in Aga Khan (ed.), *Policing the Global Economy* (London: Cameron May, 1998), p. 106.

the existence of the market as such that leads to the colonisation of the lifeworld, but rather the extension of the principles of market exchange to all aspects of social life. The increasing 'disembeddedness' of the liberal economy from society⁶⁷ is a reflection of an inversion of the relationship between the economic system and the lifeworld. Whereas during the era of 'embedded liberalism',⁶⁸ the global economic system remained somewhat constrained by the normative resources of the lifeworld,⁶⁹ through the growth of neo-liberalism since the early 1970s, it is precisely the principle of exchange that becomes the core social institution. The efficacy of money as a steering medium entails that it does not act merely within the sub-system of the economy, but rather develops to regulate the relationships that exist between the subsystem and its environment (including the polity and the legal system), and thereby becomes the steering medium of other, non-economic subsystems.

The foregoing exposition of the relationship between system and lifeworld in the global political economy provides the social theoretic basis for examining actual social action. The next section therefore seeks to identify the normative *effects* of the dialectic of functionalist and communicative rationality within negotiations on agricultural trade in the DDA.

Strategic action and agricultural trade negotiations

In this section I explore the normative repercussions upon agricultural trade negotiations of the colonisation of the lifeworld by the system; a phenomenon entailing the creation of a closed epistemic community in which the bases for knowledge-generation are pre-determined by the requirements of systems-maintenance. The nature of this community is witnessed in the actions of states within the institutional structure of the WTO which – in raising specific validity-claims that focus only on propositional (validity-claims to truth), rather than illocutionary (normative claims) content, and thereby reproducing the closed epistemic community – represent a distortion of the underlying rational bases for communication, and as such violate the principles of discourse that all competent forms of communication counter-factually presuppose.

Discourse ethics

The normative potential of universal pragmatics comes to the fore in Habermas' elucidation of discourse ethics. Habermas suggests that whilst imbalances of power taint communication, the 'fiction' of the discourse ethical ideal situation is posed as a counter-factual inherent within the exercise of communicative competence of

⁶⁷ Ruggie, 'At Home Abroad, Abroad at Home: International Liberalisation and Domestic Stability in the New World Economy'.

⁶⁸ Ruggie, 'International Regimes, Transactions and Change: Embedded Liberalism in the Postwar Economic Order'.

⁶⁹ See Andrew Linklater, *Men and Citizens in the Theory of International Relations* (London: MacMillan Press, 1990).

social actors.⁷⁰ Whereas in their use as a grounding for the exposition of societal evolution, validity claims were analysed in terms of how different forms of rationality determined the nature of a response, the issue now is that of evaluating these same responses as coinciding or deviating from the counterfactual that universal pragmatics itself presupposes.

Discourse ethics refers to an explicit set of 'rules of discourse' which provide a basis for a political concern with justice itself:

1. Every subject with the competence to speak and act is allowed to take part in a discourse.
2. (a) Everyone is allowed to question any assertion whatever.
(b) Everyone is allowed to introduce any assertion whatever into the discourse.
(c) Everyone is allowed to express his [sic] attitudes, desires and needs.
3. No speaker may be prevented, by internal or external coercion, from exercising his [sic] rights as laid down in (1) and (2).⁷¹

Discourse ethics works by establishing a subtle relationship between the everyday lifeworld and the abstraction of practical discourse. It recognises that social actors have the capacity and the right to challenge not the cultural values of the lifeworld as a totality, but problematic individual norms, in order to avoid the potential oppression of a wholly reified lifeworld.⁷² The possibility of thus challenging norms is, for Habermas, the moment of justice, grounded in communicative competence, and thus in the conditions of the possibility of society (and thus the lifeworld) *per se* (as opposed to the concrete values that are constitutive of particular social and individual identities). In this sense discourse ethics is a minimal ethics. It cannot provide any substantial moral insight that does not have its origins in a discursively constituted lifeworld.⁷³

There are two principal forms of deviation from the discourse ethical ideal. One is characterised by a conscious effort on the part of one agent to influence the discourse in their favour. Habermas sums such efforts up neatly as one party making use of privileged access to weapons, wealth or standing, in order to *wring* agreement from another party.⁷⁴ Such action, further including rhetorical action, is not communicative but rather strategic action, whereby one party is treated as an object to be manipulated, rather than as subjects with whom one communicates. The other form of deviation is that of systematically distorted communication, distinguished by its foundation, not in an overt intention to achieve a given result, but by its grounding in the self-deception of one or more of the participants. Here

⁷⁰ Jürgen Habermas, 'A Reply to My Critics', in Thompson and Held (eds), *Habermas: Critical Debates* (London: MacMillan, 1982), p. 272.

⁷¹ Habermas, *Moral Consciousness and Communicative Action*, p. 89; Edgar, *The Philosophy of Habermas*, p. 158.

⁷² Edgar, *The Philosophy of Habermas*, p. 163.

⁷³ Habermas, *Moral Consciousness and Communicative Action*, p. 63. It is in this important respect that a Habermasian discourse ethics sustains its critical purchase, as a normative perspective concerned with procedures, not substantive results. As Claus Offe states, its goal is 'not the positive determination of the "good", but the negative elimination of particularistic tendencies, preoccupation with strategic interests, and cognitive narrow-mindedness from practical discourse'. See Claus Offe, *Modernity and the State: East and West* (Cambridge: Polity Press, 1996), p. 35.

⁷⁴ Habermas, 'On Systematically Distorted Communication', *Inquiry*, 13 (1970), p. 206; Habermas, 'A Reply to My Critics'.

Habermas comes closest to Adorno's blanket suspicion⁷⁵ about the impossibility of communication in contemporary society, for the covert nature of systematically distorted communication means that it may not strike the participants as problematic.⁷⁶ It can be analysed from both the perspective of communicative and functional rationality.⁷⁷ In terms of universal pragmatics, it constitutes an inability to raise validity-claims to intelligibility and truth, thereby disrupting communicative competence. From the perspective of systems theory, it arises when the maintenance of functioning social systems demands the suppression of potential conflict that would result from a challenge to power imbalances within the system.

This then is a microcosm of society. The imbalances of power and wealth that lie at the core of contemporary society could not be rationally justified through genuine discourse, which is thus repressed either through overt influence, or by systematically distorted communication. The repression of the possibility of discursively articulating its own legitimacy, and the 'intersubjective acceptance'⁷⁸ of this repression by disadvantaged groups, is crucial to the stability of late capitalism. It is to this process of repression in agricultural trade negotiations that the next sections turn to.

The redemption of validity-claims in the DDA

In this section I examine two fora for communication within the DDA – the Committee on Agriculture and the Sub-Committee on Cotton – that involve the raising of validity-claims concerning the relationship between liberalisation and development. I present the DDA as a development round committed to reforming agricultural trade for the benefit of developing countries, so as to secure support from these developing countries and its wider legitimacy. However the discrepancies between the utterances that constitute this perception and those that occur within the institutionalised discourse of trade negotiations, violate the ethical presuppositions of those utterances, as they arise out of a repression of communicative action that is traceable to the systemic imperatives explored earlier.

The course of negotiations in the Committee on Agriculture under the mandate of the Doha Declaration illustrates the effects of the atrophy of the lifeworld. I discuss the results of an examination of the minutes of negotiation sessions within the Committee on Agriculture during the period from when they commenced under the mandate of the Doha Declaration until formal meetings ended immediately prior to the Hong Kong Ministerial Conference in December 2005.

This analysis reveals that the negotiations on agriculture display a level of systematic distortion of the communicative possibilities of a meeting of representatives from countries around the world. Whilst this is necessary for the system of

⁷⁵ For Habermas' views concerning Adorno's performative contradiction, see Jürgen Habermas, 'The Entwinement of Myth and Enlightenment: Re-Reading Dialectic of Enlightenment', *New German Critique*, 26 (1982).

⁷⁶ Edgar, *The Philosophy of Habermas*, pp. 155–6.

⁷⁷ Habermas, *On the Pragmatics of Social Interaction: Preliminary Studies in the Theory of Communicative Action*, pp. 159–64.

⁷⁸ Axel Honneth, *Critique of Power: Reflective Stages in a Critical Social Theory* (Cambridge, Mass: MIT Press, 1991).

political negotiations on economic issues to continue, it also means that the notion of the DDA being a development round must conform to a model of trade liberalisation amongst self-interested territorial states.

Agriculture is the most central issue for the DDA. Following the Doha Ministerial Conference in November 2001, the Committee on Agriculture convened a Special Session in order to fulfil the mandate given to the Trade Negotiations Committee by the Doha Declaration,⁷⁹ in which development was central.⁸⁰ The negotiations on agriculture are characterised by several groupings of countries that loosely represent differing views as to the formation of agricultural trade relations. Broadly categorised, the US (US) and European Communities (EC) are the primary 'defensive' participants, against whom the G-20 – led by Brazil, China and India – and the Cairns Group of agricultural-exporting countries seek to secure reductions in the three pillars of export subsidies, domestic support structures, and gains in market access⁸¹ whilst Least-Developed Countries (LDCs) seek a substantive role through which they can avoid simply being receivers of pre-ordained tradeoffs between the major trading powers. The first major deadline of 31 March 2003 for agreement on modalities was missed,⁸² and the Cancún Ministerial Conference failed to perform the 'mid-term review' function envisaged at the Doha Ministerial, rather constituting a forum for confrontation and stalemate in relation to the agricultural issues.⁸³

In July 2004, after intensive consultations and negotiations, the Integrated Framework was agreed upon that managed to restore a semblance of stability and progress to the negotiations, but which did little to further the substantive aspects of reaching agreement on any of the three pillars of negotiations. By the Hong Kong Ministerial, modalities had still yet to be agreed upon, however gruelling negotiations kept the Round alive, and the deadline was extended until 30 April 2006, fully 3 years longer than originally contemplated at Doha. After this deadline was missed, in July 2006 another conference was planned in Geneva with a similar goal as to that in July 2004, which was to produce a largely political agreement on a framework for renewed negotiations. This failed, with agricultural subsidies again presenting an insurmountable impasse, and the Round was officially suspended for

⁷⁹ World Trade Organization, 'Doha Ministerial Declaration', WTO Document WT/MIN(01)/DEC/1 (2001).

⁸⁰ Alex V. Deardorff and Robert M. Stern, 'Enhancing the Benefits for Developing Countries in the Doha Development Agenda Negotiations', *Research Seminar in International Economics: Discussion Paper No. 498* (2003), p. 1; Dijk and Faber, 'The Doha Development Agenda: Ambitions and Achievement', in R. Dijk and K. N. Faber (eds), *Developing Countries and the Doha Development Agenda of the WTO* (Oxon: Routledge, 2006), p. 1.

⁸¹ South Centre, 'State of Play in Agriculture Negotiations: Country Groupings' Positions', *Export Competition Pillar*, South Centre Document SC/AN/TCP/AG/1-3 (2006); South Centre, 'State of Play in Agriculture Negotiations: Country Groupings' Positions', *Domestic Support Pillar*, South Centre Document SC/AN/TCP/AG/1-2 (2006); South Centre, 'State of Play in Agriculture Negotiations: Country Groupings' Positions', *Market Access Pillar*, South Centre Document SC/AN/TCP/AG/1-1 (2006).

⁸² World Trade Organization, 'WTO Agriculture Negotiations: Backgrounder' (Geneva: World Trade Organization, 2004), available at: {http://www.wto.org/english/tratop_e/agric_e/agnegs_bkgnd_e.pdf}, pp. 11–2.

⁸³ Grainger Jones and Primo Braga, 'The Multilateral Trading System: Mid-Flight Turbulence or Systems Failure?', in R. Newfarmer (ed.), *Trade, Doha and Development: A Window into the Issues* (Washington: The World Bank, 2006), pp. 28–9.

six months. Whilst negotiations recommenced in 2007, as of early 2009 there still remained limited evidence of the possibility of substantial movement towards agreement occurring in the near future.

This series of events is characterised by patterns of strategic action.⁸⁴ From the perspective of achieving a level of understanding that can reproduce the lifeworld as it relates to development through trade, the utterances of participants are essentially meaningless, for this lifeworld has been reduced to a set of understandings about the role of the WTO that serve only to reproduce a political system devoted to reaching trade liberalisation agreements. As developing countries called for either ambitious reductions across all three pillars, or for renegotiated and bolstered provisions on Special and Differential Treatment, developed countries focused on strategic means by which reciprocity could be achieved and agreement reached, regardless of whether this took into account the concerns of developing countries.⁸⁵ For example, the US consistently downplayed the trade-development link during negotiations, instead stressing the need for all Members to assess their own trade-distorting measures and the maximum extent of possible reform so as to increase possibilities for compromise and eventual agreement.⁸⁶

The normative implications of every utterance made within the negotiation sessions of the Committee on Agriculture are relevant to the assumption that trade liberalisation is the best possible means by which developing countries may be enabled to achieve economic development through trade. The challenge to the universalising tendencies of trade liberalisation raised by the fact that all forty-nine LDCs are net food-importing countries whose food security may thus be adversely affected by the increases in global commodity prices⁸⁷ gains no traction, as its only meaningful implication for the negotiations is that whilst multilateral, and therefore universal, liberalisation is necessary for the creation of agreement,⁸⁸ such concerns may have to be addressed through other, non-trade related means.⁸⁹ Rather, it is only the validity-claim of truth (that is, economic efficiency) – that any given proposal on agricultural trade liberalisation will or will not contribute to an eventual agreement – that is discussed, and acted upon strategically. Statements made by developing countries are only able to be interpreted as factual statements of a lack of progress due to the strategic intentions of developed countries.

⁸⁴ See comments made by the Representative for Australia on 31 March 2003, the original deadline for agreement on modalities in agricultural negotiations. World Trade Organization, 'Summary Report on the Eighteenth Meeting of the Committee on Agriculture Special Session Held on 31 March 2003', *Note by the Secretariat*, WTO Document TN/AG/R/8 (2003), p. 2.

⁸⁵ See statements by the representatives of Indonesia, Brazil, the EC and the US in World Trade Organization, 'Summary Report on the Nineteenth Meeting of the Committee on Agriculture Special Session', *Note by the Secretariat*, WTO Document TN/AG/R/9 (2003), pp. 1–7.

⁸⁶ World Trade Organization, 'Summary Report on the Fourteenth Meeting of the Committee on Agriculture Special Session Held on 27 September 2002', *Note by the Secretariat*, WTO Document TN/AG/R/4 (2002), p. 2; World Trade Organization, 'Summary Report on the Sixteenth Meeting of the Committee on Agriculture Special Session Held on 24 January 2003', *Note by the Secretariat*, WTO Document TN/AG/R/6 (2003), pp. 2–3.

⁸⁷ *Ibid.*, 'Summary Report on the Fifteenth Meeting of the Committee on Agriculture Special Session Held on 22 November 2002', *Note by the Secretariat*, WTO Document TN/AG/R/5 (2002), p. 4.

⁸⁸ *Ibid.*, 'Summary Report on the Seventeenth Meeting of the Committee on Agriculture Special Session Held on 28 February 2003', *Note by the Secretariat*, WTO Document TN/AG/R/7 (2003), pp. 2–3.

⁸⁹ For example, World Trade Organization, 'Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries' (1994).

It is therefore apparent that strategic action within the agricultural negotiations can be explicated as a product of the functionalist rationality underpinning the economic system. Whilst argumentation and debate occurs, all utterances are concerned with the 'end' of maximising monetary values; forging a consensus that will maximise global trade flows and monetary activity. Whether or not this will improve the welfare of poor people in poor countries is a question incapable of being raised and discussed, and in this manner the opportunities for free and rational dialogue are repressed. Technical analysis is limited to the econometric models dedicated to calculating the increases in global trade flows that will result from successfully liberalising agricultural trade.⁹⁰ The reasons that are given appeal only to the common aspects of the social institutions created for the purposes of systems integration (legal texts, previous negotiating outcomes), or by reference to steering media (increase in monetary value) that have no normative content.

I now turn to the general nature of the validity-claims that have been made during the course of trade-related negotiations on the African Cotton Initiative, and contend that the normative aspects of these claims – whether or not 'domestic political considerations' are a legitimate reason for defying efforts at trade liberalisation – are unable to be raised, discussed, and resolved in a free and rational manner. Rather, it is only claims that truth – that liberalisation would in actual fact be beneficial to those developing countries co-sponsoring the African Cotton Initiative – which are capable of redemption.

Cotton plays an essential role in the economic development of West and Central African Countries.⁹¹ In May 2003 a joint proposal was made by Benin, Burkina Faso, Chad and Mali entitled *Poverty Reduction: Sectoral Initiative in Favour of Cotton* (Cotton Initiative) which called for two actions to be agreed by the members of the WTO. The first was the establishment at the Cancún Ministerial Conference of a mechanism for phasing out support for cotton production with a view to its total elimination, setting a date for the complete phase-out of cotton production support measures. The second was the establishment of transitional support measures for LDCs in the form of financial compensation during the period of phase-out to offset the income lost as a result of those subsidies.⁹²

In the proposal, the signatory countries made clear their view that the initiative was a clear manifestation of the objectives of the DDA – including the establishment of a fair trading system which took into account the needs and interests of the poorest developing countries – in the specific context of the cotton industry.⁹³ In this vein, prior to the Cancún Ministerial, the co-sponsors of the Cotton Initiative circulated a *Draft Decision Concerning Specific Measures in Favour of Cotton with a View to Poverty Alleviation* that reflected the terms of the original proposal, and related those terms back to the substance of both the Marrakesh Agreement establishing the WTO in 1994, and the Doha Declaration

⁹⁰ See World Trade Organization, 'Summary Report on the Twelfth Meeting of the Committee on Agriculture Special Session Held on 20 June 2002', *Note by the Secretariat*, WTO Document TN/AG/R/2 (2002), pp. 5–6.

⁹¹ OECD, *Cotton in West Africa: The Economic and Social Stakes* (Paris: OECD, 2006).

⁹² World Trade Organization, 'Poverty Reduction: Sectoral Initiative in Favour of Cotton', WTO Document TN/AG/GEN/4 (2003), p. 4.

⁹³ *Ibid.*, 'Poverty Reduction: Sectoral Initiative in Favour of Cotton', p. 1.

itself. During the Cancún Ministerial Conference, the co-sponsors of the Cotton Initiative pointed out that the wording of the revised Draft Ministerial Text far from reflected the proposed modalities submitted to the Ministerial Conference for adoption in the Draft Decision submitted in August.⁹⁴ Several weeks later, a communication was received from the co-sponsors in which it was stated that the proposed formulation in the revised Draft Ministerial Text '[did] not offer any basis for finding appropriate solutions to the problems facing the West and Central African LDCs affected by the subsidies granted to the production and export of cotton'.⁹⁵

The failure of the Cancún Ministerial to resolve the issue of cotton subsidies was a symptom of the inability of major groups of developing countries (the G20, led by Brazil, India and China), and developed countries (primarily the EC and the US) to reach any form of compromise on general issues of agricultural trade reform.⁹⁶ Notwithstanding this, the negotiations on cotton over the next three years demonstrate a consistent trend: that the claims made by developing countries to the normative validity of their proposal are answered solely by reference to the question of the benefits that will accrue from trade liberalisation. The immediate separation of 'trade aspects' and 'development aspects' within the Cotton Initiative⁹⁷ was inherently counter-intuitive in the context of a round of trade negotiations committed to promoting development through trade, but makes sense with reference to the logic of simplifying negotiations through their reduction to factual questions of 'help or hindrance' in the context of wider agricultural negotiations.

Following the Cancún Ministerial, the WTO General Council reached the July 2004 Framework Agreement (the Framework Agreement) for continued negotiations under the Doha Work Programme. In recognising 'the importance of cotton for a certain number of countries and its vital importance for developing countries, especially LDCs'⁹⁸ the General Council established the Sub-Committee on Cotton (Cotton Sub-Committee) in order to implement the decision of the Framework Agreement. At its first meeting, Chairman Tim Groser of New Zealand stated that the basic task of the Sub-Committee was to conduct work on all trade-distorting policies affecting the sector in all three pillars of market access, domestic support and export competition, as specified in the Doha Text and the Framework Agreement. This had to be within the general framework of the negotiations on agriculture.⁹⁹ The co-sponsors of the Cotton Initiative consistently highlighted the impact that ongoing cotton subsidies was having on the livelihood and future prospects of cotton farmers, their families and those reliant upon the industry.¹⁰⁰

⁹⁴ Ibid., 'Poverty Reduction: Sectoral Initiative on Cotton', *Wording of Paragraph 27 of the Revised Draft Cancún Ministerial Text*, WTO Document WT/GC/W/516 (2003), p. 1.

⁹⁵ Ibid., 'Poverty Reduction: Sectoral Initiative on Cotton'.

⁹⁶ Bernard M. Hoekman, 'The WTO after Cancún', *Intereconomics*, 38 (2003).

⁹⁷ World Trade Organization, 'WTO African Regional Workshop on Cotton: Cotonou, Republic of Benin', *Note by the Secretariat*, WTO Document WT/L/587 (2004), p. 3.

⁹⁸ Ibid., 'Doha Work Programme: Decision Adopted by the General Council on 1 August 2004', WTO Document WT/L/579 (2004), p. A1.

⁹⁹ Ibid., 'Summary Report on the Meeting of the Sub-Committee on Cotton Held on 16 and 28 February 2005', *Note by the Secretariat*, WTO Document TN/AG/SCC/R/1 (2005), p. 2.

¹⁰⁰ Ibid., 'Ougadougou Declaration on the Cotton Situation since the Adoption of the July 2004 Package', *Communication from Burkina Faso*, WTO Document TN/AG/SCC/GEN/1 (2005), p. 1; World Trade Organization, 'Summary Report on the Fifth Meeting of the Sub-Committee on

In response to these pleas, two trends emerged in the trade-related aspects of the negotiations. Firstly, the position taken by the US was that trade reform had little to do with the future welfare of cotton producers in West and Central Africa. At the fourth meeting of the Sub-Committee in June 2005, the US representative stated that it was the belief of the US that minimal price impacts on cotton result from domestic support, and that instead, the sources of the problems in African cotton-producing countries are largely comprised of increasing global competition, serious internal developmental challenges, and flagging demand for cotton products.¹⁰¹ The second trend has been the steadfast insistence on the part of the US that any result in relation to the Cotton Initiative can only arise through the resolution of the issues afflicting the wider negotiations on agriculture. As of 2004 the US was committed to achieving ‘substantial cuts in trade-distorting support for agricultural products, including cotton’,¹⁰² this was however to be achieved through the negotiation of a comprehensive agreement on all farm products, not as a stand-alone sectoral-specific agreement.¹⁰³

The development of this discourse within the Sub-Committee reflects the predominance of strategic action oriented purely towards the redemption of validity-claims to truth as economic efficiency, and the repression of opportunities to raise claims to normative legitimacy. Only once this occurs, is it possible for US negotiators to make sense of the Cotton Initiative in the wider context of agricultural negotiations, for it can then be located within the realm of strategic action that the US employs in order to fulfill the demands of the economic system – the continued predominance of monetary exchange relations as a means of social coordination. Thus, it can be seen that if the goal of the US, as informed by the economic system, is to increase trade flows globally, then intransigence in relation to the Cotton Initiative is explicable by pointing to its strategic role for the US as leverage for extracting trade concessions in other areas of trade negotiations. The question of whether or not it is normatively acceptable for the US to do so at the expense of African cotton producers is one that is not raised in the course of negotiations, because to do so would be to test the implications of a ‘symbolic’

Cotton Held on 18 July 2005’, *Note by the Secretariat*, WTO Document TN/AG/SCC/R/5 (2005), pp. 10–11; World Trade Organization, ‘Summary Report on the Second Meeting of the Sub-Committee on Cotton Held on the 21 April 2005’, *Note by the Secretariat*, WTO Document TN/AG/SCC/R/2 (2005), p. 16.

¹⁰¹ *Ibid.*, ‘Summary Report on the Fourth Meeting of the Sub-Committee on Cotton Held on 22 June 2005’, *Note by the Secretariat*, WTO Document TN/AG/SCC/R/4 (2005), p. 13. A sample of the many economic analyses to the contrary include Daniel A. Sumner, ‘Reducing Cotton Subsidies: The Dda Cotton Initiative’, in K. Anderson and W. Martin (eds) *Agricultural Trade Reform and the Doha Development Agenda* (Geneva: World Bank Publications, 2006); John Baffes, ‘Cotton and Developing Countries: Implications for Development’, in R. Newfarmer (ed.), *Trade, Doha and Development: A Window into the Issues* (Washington DC: World Bank, 2006); K. Anderson and E. Valenzuela, ‘The World Trade Organisation’s Doha Cotton Initiative: A Tale of Two Issues’, *The World Economy*, 30 (2007).

¹⁰² Charles E. Hanrahan, ‘CRS Report for Congress: The African Cotton Initiative and WTO Agriculture Negotiations’ (Washington: The Library of Congress, 2004), available at: {<http://www.nationalaglawcenter.org/assets/crs/RS21712.pdf>}.

¹⁰³ World Trade Organization, ‘Summary Report on the Meeting of the Sub-Committee on Cotton Held on 16 and 28 February 2005’, p. 19. World Trade Organization, ‘Summary Report on the Ninth Meeting of the Sub-Committee on Cotton Held on 31 January 2006’, *Note by the Secretariat*, WTO Document TN/AG/SCC/R/9 (2006), p. 12.

lifeworld of agricultural trade negotiators in a way that requires communicative action, the resources for which can no longer be sourced from either the economic, political or legal systems.

Seen in this light, the course of negotiations within the Cotton Sub-Committee signifies an overt recourse to strategic action in order to resolve disagreements, in a way that contradicts the status of negotiators as communicatively competent individuals. The key observation to arise from this analysis is that the exercise of functional rationality is *presented* as rational progress, and *accepted* as such by those who receive the 'benefit' of the system as defined in terms of global exchange relations. This now forms an epistemically closed community, in which the imaginary potential of the lifeworld, conceived as the epistemic possibilities created by communicative interaction between social agents, is rendered inert in the face of systems-maintenance. It is therefore possible to level an anti-foundationalist, yet nonetheless profoundly ethical, indictment of the political praxis of the negotiations on agriculture within the DDA. The negotiations on agricultural trade in general and cotton as a specific issue are founded on the presupposition that trade reform through the DDA constitutes a means of alleviating poverty and promoting economic development in poor countries. However, the manner by which the possible issues of contention that arise from it are resolved, and thus the means of its 'validation', contradict the ethical standards that universal pragmatics has shown to be implicit in the development of that original presupposition.

Implications of the dialectic: theory and praxis

Praxis: challenging discourse through dialogue

Despite the existence and seeming entrenchment of severe ethical contradictions within agricultural trade negotiations, the possibilities of achieving a greater degree of ethical legitimacy within agricultural trade negotiations have not necessarily been entirely exhausted. In essence, structure can never *totally* overwhelm human agency, for the innate intersubjectivity of social action, even in reified structural conditions such as within the WTO, means that the potential for understanding remains ever present. Otherwise, not even the *possibility* of meaningful speech would exist.

For Habermas the potentialities for rebalancing the relationship between the integrative capabilities of the lifeworld and those of the system are to be located in the public sphere of society.¹⁰⁴ From the perspective of social evolution it represents the realisation of the anthropologically deep-seated potential that lies in social interaction and communication.¹⁰⁵ The important point of praxeological analysis in this sense is that emancipation is likely not to arise from a process of self-reflection, enlightenment and social revolution as contemplated by a monological philosophy of consciousness.¹⁰⁶ Rather it is to emerge from an intersubjective process of actual communicative practices *within* modern social institutions,

¹⁰⁴ Jürgen Habermas, 'The Public Sphere', *New German Critique*, 3 (1974).

¹⁰⁵ Edgar, *The Philosophy of Habermas*, p. 125.

¹⁰⁶ See Jürgen Habermas, *Toward a Rational Society: Student Protest, Science and Politics* (London: Heinemann, 1971), pp. 82–122.

gradually enabling participants to challenge and overturn reified social norms, and thus give rise to an impetus for establishing normative institutions more reflective of the ethical possibilities of free and rational dialogue. The essence of this process for Habermas is that

fallible reason constitutes an important feature of the discursive struggle to reach consensus; for it shows how rational consensus formation is achieved through the force of the better argument. As such, there is no telos or final purpose to guide and regulate human conduct; only the progressive and open-ended formation of law, rules, and cultural norms whose legitimacy is rooted in rational deliberation.¹⁰⁷

The existence of 'moral reserves'¹⁰⁸ for greater levels of communicative action within negotiations can be discerned in the capacity of negotiation participants to resist the suppression of their communicative tendencies that the pursuit of systems-mandated factual consensus demands.¹⁰⁹ The source of this resistance to the overwhelming of the lifeworld by the system remains in the public sphere, in the recognition that greater participation and communication needs to occur between both civil society, formal structures of domestic politics and the increasingly transnationalised bureaucracy concerned with international trade relations.¹¹⁰ This reflects Habermas' belief that future rational progress of modern society may arise, not from a civil society drawing upon foundationalist assumptions, but from social movements that are committed to challenging established norms without asserting the predominance of any particular 'vision' of the lifeworld to replace them. Habermas argues that a series of interconnected global crises, including the problem of managing an international economic system while states continue to justify their actions by particularistic criteria, may ensure that the notion of membership of the species will make further inroads into the sense of loyalty to the sovereign state.¹¹¹ This systems crisis represents an opportunity for social action on the possibilities for reconfiguring the development of discourse so that it arises not from the internal logics of systems reproduction but from the greater normative resources at the disposal of communicatively competent individuals. In the face of this possibility, greater rational debate and argumentation may guide the evolution of this discourse towards increasingly ethical procedures¹¹² for determining the reconstitution of agricultural trade relations, in which participants are free to challenge the underlying assumptions of both the neo-liberal mode of economic development and the territorial particularisms that limit conceptions of welfare to strictly defined moral boundaries.

¹⁰⁷ Steven C. Roach, 'Communicative Action Theory: Hermeneutics and Recognition', in Roach (ed.), *Critical Theory and International Relations* (New York: Routledge, 2008), p. 197.

¹⁰⁸ Andrew Linklater, 'Dialogic Politics and the Civilising Process', *Review of International Studies*, 31 (2005).

¹⁰⁹ See Amrita Narlikar and Rorden Wilkinson, 'Collapse at the WTO: A Cancún Post-Mortem', *Third World Quarterly*, 25 (2004); Robert Wolfe, 'Crossing the River by Feeling the Stones: Where the WTO Is Going after Seattle, Doha and Cancún', *Review of International Political Economy*, 11 (2004), p. 586.

¹¹⁰ Steve Charnovitz, 'WTO Cosmopolitanism', *New York University Journal of International Law and Politics*, 34 (2002).

¹¹¹ Andrew Linklater, *Beyond Realism and Marxism: Critical Theory and International Relations* (London: MacMillan Press, 1990), p. 26. See also Barry Jones, 'Globalization and Change in the International Political Economy', *International Affairs*, 75 (1999), p. 358.

¹¹² See Kenneth Baynes, 'Deliberative Politics, the Public Sphere, and Global Democracy', in Wyn Jones (ed.), *Critical Theory and World Politics* (Boulder, Colorado: Lynne Rienner, 2001).

Theory: re-considering functionalist and communicative rationality

Habermas' dialectic of systems and lifeworld is a powerful heuristic for critically analysing the progress of trade negotiations. Yet it is not clear that in the analysis of the dynamics of the global political economy, it can achieve a level of insight that reveals ontological truths regarding the history of social forces in the global political economy. Whilst strategic action can be recognised by its reliance upon instrumental rationality, processes relying upon functionalist rationality convert the strategic *ends* of instrumental action into a *means* for functional reproduction. This renders problematic the task of distinguishing between instrumental and functionalist rationality simply on the basis that instrumental action is necessary for social reproduction,¹¹³ for this may only signify the presence of cognitive-instrumental, rather than functionalist rationality.

I suggested earlier that it is fundamentally important for an adequately critical analysis to simultaneously constitute critical *social* theory. However, the empirical analysis demonstrated that it is not necessarily as important for such analysis to definitively identify the boundaries, elements and internal processes of systems as if they were physically present. Seen in this light, the lifeworld is thus defined as indeed simply 'that which systems imperatives cannot subsume'.¹¹⁴ The acceptance of the possibility of functional integration and the dynamics of systems makes possible a critical analysis of the state of the lifeworld.¹¹⁵ Therein lies the critical potential of the dialectic of functionalist and communicative rationality as a theoretical heuristic for normative critique of real social action.

Conclusion

In this article I have attempted to explore the possibilities afforded by casting a critical eye toward the way in which certain social forces have developed along rational, though unreasonable trajectories. Theoretically, I have argued that the dialectic of functionalist and communicative rationality that lies at the core of Habermas' critical social theory provides a significant degree of critical purchase for the analysis of contradictory action within social institutions such as the WTO; however it cannot comprehensively achieve all of the goals that Habermas sets for it in such analysis. The critical potential of universal pragmatics and the theory of communicative action can yet nonetheless be effectively utilised as a heuristic framework in undertaking a critique of patterns of communication and discourse within institutions such as the WTO. Empirically, I have argued that there is a significant disjuncture between the strategic action undertaken by participants in agricultural trade negotiations, and the counter-factually ethical presuppositions of that action. Furthermore, this disjuncture is explicable by reference to the

¹¹³ Cooke, *Language and Reason: A Study of Habermas's Pragmatics*, p. 146.

¹¹⁴ Weber, 'The Critical Social Theory of the Frankfurt School, and the "Social Turn" in IR', p. 203.

¹¹⁵ Michael King and Chris Thornhill, "Will the Real Niklas Luhmann Stand up, Please". A Reply to John Mingers', *The Sociological Review*, 51 (2003); Michael King, 'What's the Use of Luhmann's Theory?' in M. King and C. Thornhill (eds), *Luhmann on Law and Politics: Critical Appraisals and Applications* (Oxford: Hart, 2006), pp. 37–53.

predominance of functionalist rationality within the WTO. Finally, a praxeological perspective provides scope for recognising that the resources for effective communicative action have not yet been exhausted, and as such, the exercise of rationality may still yet take reasonable form.

Those reliant upon agriculture for their livelihood in the developing world face seemingly insurmountable challenges in contributing to the discursive possibility of the future of global trade regulation. The tools of the critical theorist are limited, and the task remote in many ways from the daily reality of those disadvantaged by the systems of exclusion inherent within the modern political economy. It is nonetheless both possible and important to recognise that if its governing norms are to attain justification, then it can only be that which is achieved through unconstrained discourse.