Flavia Lucenti
Cecilia Ducci
Carmen Wunderlich
Jeffrey S. Lantis   *Editors*

Contestation in Prism

The Evolution of Norms and Norm Clusters in Contemporary Global Politics

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Editors

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Editors
Flavia Lucenti
Department of Political Science
LUISS Guido Carli University
Rome, Italy

Cecilia Ducci
Department of Political and Social Sciences
University of Bologna
Bologna, Italy

Carmen Wunderlich
Department of Political Science
University of Freiburg
Freiburg, Germany

Jeffrey S. Lantis
The College of Wooster
Wooster, OH, USA

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Acknowledgements

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About the Editors and Contributors

About the Editors

Flavia Lucenti, Ph.D., is Postdoctoral Research Fellow and Adjunct Professor at LUISS Guido Carli University, Department of Political Science. Her research interests include IR theory, China, Russia, technology, and norms. Previously, she worked as Research Assistant at the University of Oxford and as Postdoctoral Research Fellow and Adjunct Professor at the University of Bologna. She holds a Ph.D. in Political Studies and International Relations from the University of Roma Tre. She was a visiting Ph.D. candidate at the Hong Kong University, the Moscow State Institute of International Relations, and the European University Institute.

Cecilia Ducci, Ph.D. is Postdoctoral Research Fellow at the University of Bologna, Department of Political and Social Sciences. She earned a Ph.D. in Political Science and International Relations from the University of Bologna. She was a visiting Ph.D. candidate at Leiden University, Department of Political Science, and at the Peace Research Institute Frankfurt (HSFK). Her research interests include IR theory, norms, norm contestation, mass atrocities, and International Law.

Carmen Wunderlich is Interim Professor at the University of Freiburg, Germany, substituting the Chair of International Relations. Since 2018, she is *Akademische Rätin auf Zeit* (eq. to non-tenured Assistant Professor/Lecturer) at the University of Duisburg-Essen (currently on leave). She is also Principal Investigator of the research consortium "VeSPoTec – Nuclear Verification in a Complex and Unpredictable World," funded by the German Ministry of Science and Education, and an affiliate researcher at the Peace Research Center Prague. Her research focuses on global norm dynamics and practices of contestation with a specific focus on issues related to the control of weapons of mass destruction and nuclear disarmament. Wunderlich has published numerous articles and books on these subjects. Previously, she was a postdoctoral researcher at the Peace Research Institute Frankfurt and a visiting researcher at the WZB Berlin Social Science Center and the Vienna Center for Disarmament and Nonproliferation. She earned a Ph.D. from the University of Frankfurt.

Jeffrey S. Lantis is Professor of Political Science at the College of Wooster. His teaching and research interests include international security, constructivist norm theory, foreign policy analysis, and emerging technologies and international norms. Lantis has published numerous books and articles on these subjects in leading academic journals. He is co-editor of the journal *International Studies Perspectives* and past coordinator of the Innovative Pedagogy Initiative for the International Studies Association. He has previously served as Fulbright Senior Scholar in Australia and Visiting Scholar at Carleton University and the German Council on Foreign Relations. He earned a Ph.D. from the Ohio State University.

Contributors

Diego Badell Facultat de Ciències Polítiques i Sociologia, Autonomous University of Barcelona, Bellaterra, Cerdanyola del Vallés, Spain

Cecilia Ducci Department of Political and Social Sciences, University of Bologna, Bologna, Italy

Jonas Fritzler University of Amsterdam, Amsterdam, The Netherlands

Lukas Grundsfeld Freie Universität Berlin, Berlin, Germany

Hendrik Huelss Center for War Studies, Department of Political Science and Public Management, University of Southern Denmark, Odense, Denmark

Lucrecia García Iommi Fairfield University, Fairfield, CT, USA

Andrea Knapp University of Bologna, Bologna, Italy

Jeffrey S. Lantis The College of Wooster, Wooster, OH, USA

Pak K. Lee Conflict Analysis Research Centre (CARC) and Global Europe Centre, School of Politics and International Relations, University of Kent, Canterbury, UK

Flavia Lucenti Department of Political Science, LUISS Guido Carli University, Rome, Italy

Diana Panke Freie Universität Berlin, Berlin, Germany

Simone Tholens John Cabot University, Rome, Italy
European University Institute, Florence, Italy

Pawel Tverskoi Freie Universität Berlin, Berlin, Germany

Carmen Wunderlich Department of Political Science, University of Freiburg, Freiburg, Germany

Chapter 1
Contestation in Prism: An Introduction

Carmen Wunderlich, Flavia Lucenti, Jeffrey S. Lantis, and Cecilia Ducci

Introduction

The global political order is today under threat from many different actors and conditions, including serious international conflicts, intensified geopolitical tensions, mass atrocities and gross human rights violations, internal political divisions and an upsurge of populist sentiments, persistent inequalities, and new challenges from technological advances. These challenges and the evolution of international responses to them suggest that we may be witnessing realignments of guiding principles and norms that have shaped International Relations (IR) for decades. Institutions, norms, and principles that were once considered cornerstones of IR appear to be falling apart. For example, the so-called Liberal International Order (LIO) is being challenged both by external actors and actions and from within by erstwhile supporters, and contestation of underlying norms has taken various forms over the years (Adler-Nissen & Zarakol, 2021; Kornprobst & Paul, 2021; Lake & Wiener, 2025). Some norms have been debated and refashioned within

C. Wunderlich (✉)
Department of Political Science, University of Freiburg, Freiburg, Germany
e-mail: carmen.wunderlich@politik.uni-freiburg.de

F. Lucenti
Department of Political Science, LUISS Guido Carli University, Rome, Italy
e-mail: flucenti@luiss.it

J. S. Lantis
The College of Wooster, Wooster, OH, USA
e-mail: jlantis@wooster.edu

C. Ducci
Department of Political and Social Sciences, University of Bologna, Bologna, Italy
e-mail: cecilia.ducci2@unibo.it

international organisations; others have been questioned or challenged directly through various types of contestation.

Contemporary IR theory has made significant progress in identifying and analysing norm contestation over the past two decades as a 'third move' in constructivist norm theory as a distinctive subfield (Orchard & Wiener, 2024, p. 8; Wiener, 2008, 2014). Today, there is greater attention to 'norms as processes' (Krook & True, 2012, p. 105) and a recognition that diverse actors can challenge norms in different ways and circumstances and '*in principle* at any time' during their development (Orchard & Wiener, 2024, p. 9). Scholars further recognise that contestation dynamics may work differently depending on the structural contexts, i.e., the level of institutionalisation and legalisation of a contested norm or to what extent norms are embedded in broader structures (for an overview, compare Deitelhoff and Zimmermann, 2019, p. 10).

This study embraces a multifaceted prismatic treatment of norm contestation as a process that has a wide spectrum of impact on norms and radiates in multiple directions—and chapters expand ideas about contestation processes, mechanisms, and implications that were undertaken with the third move in norm theory development. We can also situate the contributions of our chapter authors within Orchard and Wiener's (2024, pp. 15–18) interpretation-contestation framework: they describe different types of contestation including proactive contestation—typically present during norm construction or in the process of norm emergence, with actors seeking to improve extant norms; interpretive contestation—seen in contested compliance and critically revealing 'hidden norms'; and reactive contestation—which can occur with norm violations and normatively induced challenges of extant norms (Orchard & Wiener, 2024, p. 17). Chapters in this book predominantly explore variations of the interpretive and reactive forms of contestation, though they attend more directly to potential connections between contestatory dynamics and norm clusters and other structures. The chapters of this volume therefore directly speak to and build on recent norms research literature (e.g. Orchard & Wiener, 2024; Zimmermann et al., 2023), but further contribute to it by expanding on the relations between contestation dynamics and norm clusters. In this respect, the prismatic approach of this volume allows us to gain in-depth insights into not only different types of contestation dynamics and their effects on norms, but also in relation to other norms, by focusing on norm clusters.

Three distinctive contributions of this volume include, first, an examination of study of a wider array of types of contestation by addressing a gap in the literature regarding actual pathways or channels by which contestation can influence norms and how norm clusters might mitigate the effects of international challenges (Lantis & Wunderlich, 2018, 2022). Hence, we combine research on different types of contestation with studies on norm clusters to gain additional insights into the complexities of norm contestation dynamics. In this respect, past research on different forms and types of contestation—such as 'applicatory *vs*. validity' contestation (Deitelhoff & Zimmermann, 2020), 'reactive *vs*. proactive' contestation (Wiener, 2014, 2018), and 'discursive *vs*. behavioural' contestation (Stimmer & Wisken, 2019)—helps to

inspire our work by both enriching and complexifying arguments about the impact of contestation on norms.

Second, this study draws norm clusters (Lantis & Wunderlich, 2018; Winston, 2018) into the broader conversation about contestation. Chapters speak to the debate between the robustness of—single—norms and the resiliency of the normative structures surrounding norms in the face of contestation. This acknowledges a definition of norm robustness that captures the strength of a norm based on its dual feature of validity and facticity (Deitelhoff & Zimmermann, 2019), but also adds a dimension by expanding on the concept of 'resiliency' in relation to norm clusters. In line with Lantis and Wunderlich, we consider robustness to be a more static notion compared to resiliency (2018, p. 571), which instead refers to the idea that 'norms embedded in [...] clusters may be more resilient towards challenges and thus prone to survive contestation without significant damage to their validity' (Lantis & Wunderlich, 2018, p. 576). Chapters in the volume explore the effects of different types of contestation in different structural contexts, and the conclusion draws together the evidence in a structured, focused comparison of the results of this investigation and survey of the status of IR research on norms contestation, which is especially important and timely also given the current proliferation of academic works on contestation and their implications for norm life cycles, robustness, evolution, challenges, consolidation, or even decay (Arcudi, 2019; Deitelhoff & Zimmermann, 2020; Fehl & Rosert, 2020; Lantis, 2017; Lantis & Wunderlich, 2018, 2022; Orchard & Wiener, 2024; Percy, 2019; Percy & Sandholtz, 2022; Welsh, 2019; Wiener, 2014, 2018; Wunderlich, 2020).

Third, the editors and chapter authors for this volume offer contributions to norm theory from diverse perspectives and backgrounds. Established authors survey the existing literature on norm contestation, norm robustness, and norm cluster resiliency, as well as offer innovations in theory and the study of discrete policy subsystems. Other authors in this volume include early career researchers who bring diverse perspectives based on gender, identity, institution, and nationality to study contestation in prism. Together, these works yield an exciting mix of perspectives that can further promote dialogues across the field and outline new research programmes and avenues.

Norm Contestation in IR: Disentangling a Complex Concept

Constructivist research on norms is flourishing. Over the years, the field has seen a consolidation of support for norms as part of the canon of IR theory and further diversification of the research programme into sub-strands. The trajectory of norm research has traditionally been approached using a generational alignment, distinguishing the progression of studies through various 'waves' or 'generations' of scholarship (Cortell & Davis, 2000; Lantis, 2017; Widmaier & Park, 2012; Wunderlich, 2013). Early norm studies propagated an understanding of norms as shared standards of appropriate behaviour (Katzenstein, 1996, p. 5) and mainly

focused their analyses on linear processes of norm development and diffusion (e.g. Finnemore & Sikkink, 1998; Katzenstein, 1996; Klotz, 1995). The ensuing models were based on the notion that norms, once internalised by a critical mass of states, become taken-for-granted. To Finnemore and Sikkink (1998, p. 904), once norms become 'internalised', they are simply 'not controversial'. Early work centred around the basic assumption that norms as ideational forces promote order and stability in the international system. This approach was quite formative in that it implied the absence of contestation and broad acceptance.

Since that time, however, scholars have advanced a series of theoretical moves that helped promote more critical analysis of contestation dynamics—and prompted the development of norms research as a distinctive IR subfield (Orchard & Wiener, 2024). More and more scholars have come to embrace the 'principle of contestedness' (Wiener, 2008, p. 47–50) in the past two decades, according to which norms are in constant 'latent' state of contestation, even after formal acceptance (Wiener, 2017, p. 4). Analytically, the concept of contestation is an ontological innovation that is used to critically examine the development, scope, strength, and resiliency of normative architectures. Contestation theory embraces processes of strategic, actor-driven social construction and deconstruction as well as challenges to the supposedly linear modelling of norm life cycles (Wiener, 2014). Critical constructivists challenge traditional understandings of norms as relatively stable and structuring devices. Wiener (2007) originally highlighted the problematic 'ontologisation' of norms and drew attention to their dual quality, while Krook and True (2012, p. 104) challenged conceptions of 'norms as "things"'. These and related works have advanced a more dynamic, processual understanding of norms.

Norm contestation theory has been greatly advanced by the work of Antje Wiener (e.g. 2007, 2008, 2009), who describes contestation as a 'range of social practices, which discursively express disapproval of norms' (Wiener, 2014, p. 1).[1] Contestation in the realm of norms concerns the normative core of international orders and refers to non-violent action taken to emphasise the constructive and intellectual nature of norm contestation (Wiener, 2014, p. 1). Central to this is an emphasis on the 'dual quality' of norms (Wiener, 2007, p. 49) as being simultaneously stable for a certain period of time and yet inherently contested, as they acquire specific meaning through interpretation and enactment in social contexts. Norms are and remain changeable 'works-in-progress' (Krook & True, 2012, p. 104), which gain significance in and through discursive practices—even after prior formal acceptance (Sandholtz, 2007, 2019; Sandholtz & Stiles, 2009; Van Kersbergen & Verbeek, 2007; Wiener, 2004, 2008). In a critical move, Wiener frames norms as both stable and flexible by acknowledging that contestation can occur at different stages of the

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[1] In IR theory, the concept of contestation is used far beyond the field of norms studies, in particular in relation to challenges and critiques of the LIO, its early proponents and the institutional structures and processes on which it is based (see, e.g., Alcaro, 2018; Bettiza et al., 2023; Börzel & Zürn, 2021; Dian & Dugar, 2022). It also leads to the development of concepts such as 'deep contestation' (Checkel, 2023; Lake & Wiener, 2025), which seek to capture substantive disagreement with values, institutions, principles, and also norms.

norm life cycle, including norm constitution, negotiation, and implementation (Wiener, 2014, 2018). This interpretation dispenses with the idea of a cascading socialisation process of agents to norms, which has been criticised for upholding a liberal international normative order in support of US-led Western hegemony (García Iommi, 2020). According to this view, the meaning of norms is always subject to contestation and might even differ for agents belonging to the same normative community (Wiener, 2008; Wiener & Puetter, 2009). In sum, theories of norm contestation have evolved considerably over the past two decades, with scholars distinguishing different modes and types of contestation, both for descriptive and analytical purposes.

Types of Contestation

Consistent with the contemporary literature, we conceptualise contestation as 'a social practice of objecting to or critically engaging with norms' (Wiener, 2018, p. 2) that may be directed towards a norm's overall validity, its application in certain contexts, or its specific meaning (Wolff & Zimmermann, 2016, p. 518). This interpretation derives from the evolving conceptualisation of what constitutes norm contestation, which has evolved considerably from Wiener's (2004) seminal definition, which limited contestation to conflicts over the meaning of a norm.

Over time, scholars in the field have further differentiated modes and types of norm contestation, contributing to the advancement of knowledge and awareness of contestation dynamics. For example, later Wiener distinguishes 'reactive' forms of contestation, i.e., mere resistance or objection to norms, from more 'proactive' forms of contestation that are undertaken to critically engage with the global norms that are being challenged and in which the contesting agents have the capacity to do so (Wiener, 2018, p. 35). Proactive contestation refers either to influence on the formal procedure of norm negotiations on the global level, to habitual validation through 'social validation' within a specific social environment, or to cultural validation through 'expression of individual expectation mediated by individually held background experience' (Wiener, 2018, p. 43).

In an effort to trace the implications of norm contestation on norm robustness, Deitelhoff and Zimmermann (2020) identify two types of contestation discourses, namely 'applicatory' and 'justificatory'—or validity—contestation.[2] The two concepts play an important role in the saga of norm development and expand beyond the initial conceptualisation of norm contestation. Applicatory contestation opens up debates about whether a norm is applicable in a certain situation, what specific actions that norm requires its adherents to take and, if more than one norm is

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[2] In a preliminary working paper Deitelhoff and Zimmermann (2013) used the definitions of 'applicatory' and 'justificatory' contestation. The authors then changed to the definition of 'validity contestation' rather than justificatory to indicate the form of contestation that is aimed at the general legitimacy of the core normative claim of a norm (Deitelhoff & Zimmermann, 2020).

applicable, which one should take precedence in the specific context under discussion (Deitelhoff & Zimmermann, 2020, p. 57). On the other hand, validity contestation touches on the general validity or legitimacy of a norm, i.e., whether its claims can be considered justified *at all* (Deitelhoff & Zimmermann, 2020, p. 59). Accordingly, validity contestation represents an objection and a challenge to the core of a norm, while applicatory contestation is a more limited type of contestation discourse that depends on the circumstances under discussion.

Validity contestation is believed to lead to greater undermining of the legitimacy of a contested norm, whereas applicatory contestation is viewed as even having a potentially positive impact on the norm, as it may subsequently lead to wider acceptance among recipient actors (Deitelhoff & Zimmermann, 2020, p. 58). Unless it becomes permanent, therefore, applicatory contestation may refine the parameters under which the norm applies and, consequently, contribute to its strengthening. Validity contestation, instead, invalidates the legitimacy of the norm itself. In this regard, Brunnée and Toope (2019, p. 74) draw out the difference between applicatory and validity contestation arguing that 'whereas validity contestation is rare in law, applicatory contestation is inevitable'. In other words, they consider applicatory contestation as inherent in the evolving 'meaning-in-use' of the norm (Wiener, 2009), especially when this is a legal one. It follows that, through applicatory contestation, a norm's scope of application is refined 'through processes of interpretation and justification' (Brunnée & Toope, 2019, p. 74). Conversely, if validity is contested, the norm may lose its efficacy.

Scholars have also begun to explore the emergence of more overt, i.e., direct, forms of contestation from more subtle ones, building on Wiener's (2014, p. 2) suggestion that contestation '[…] may be performed either *explicitly* (by contention, objection, questioning or deliberation) or *implicitly* (through neglect, negation, or disregard)' (emphasis added). In this vein, Drubel and Mende (2023) distinguish between 'open' and 'hidden' types of contestation, indicating by this last term the covert, implicit or disguised discursive contestation, while Schmidt and Sikkink (2019, p. 106) coined the term 'covert validity contestation' to refer to actions concealing deeper norm contestation. Similarly, Sandholtz (2019, p. 140) points out that applicatory contestation may conceal an 'indirect validity contestation' and that, once applicatory contestation becomes permanent, it establishes a wider range of 'exceptions' to the application of a norm, which can eventually 'reduce the scope of the broader norm'. Trenta (2021, p. 5) pushes these ideas further, introducing 'covert—or masked—applicatory contestation' aimed at a radical reshaping of a norm's meaning as the 'fourth dynamic of contestation'. More recently, Orchard and Wiener add the notion of 'interpretive contestation', which they subsume as a form of inadvertent contestation in which agents 'have *unknowingly* adopted different interpretations of what a given norm means' (emphasis in original) but 'believes that their understanding of the norm is the same as others' (Orchard & Wiener, 2024, pp. 15–16). Our volume recognises these different approaches but seeks to connect contestation with other multifaceted but well-defined related phenomena, including norm linkages and resiliency.

Along with types, the current literature also elaborates on the modes through which contestation can take place. While, in line with Wiener's initial indications, contestation takes place primarily through deliberation and discourse, non-discursive forms such as behavioural contestation have increasingly been taken into account. According to Stimmer and Wisken (2019, p. 521), this occurs 'when the actions of relevant actors imply the existence of conflicting understandings of the meaning and/or (relative) importance of a norm'. Importantly, as the authors note, behavioural contestation 'frequently occurs below the radar' (Stimmer & Wisken, 2019, p. 521) as actors do not directly and explicitly challenge the meaning or validity of the norm *expressis verbis*, i.e., on a discursive level. Behavioural contestation, hence, shows a lack of compliance, ineffective implementation, inaction or acts of sabotage (Stimmer & Wisken, 2019, p. 516), which represent a risk for the survival of the norm.

Agents of Contestation

For descriptive purposes, it also makes sense to elaborate on the different agents of contestation and arenas or levels of contestation, which are interlinked but distinct concepts. Particularly with regard to the wider usage of contestation in IR, scholars differentiate between contestation 'from within' and 'from outside' the LIO (Adler-Nissen & Zarakol, 2021; see also Bettiza & Lewis, 2020; Börzel & Zürn, 2021; Mukherjee, 2024; Newman & Zala, 2018). In norms research, this move is mirrored by scholars either focusing on instances of 'endogenous' contestation that comes from within a community of norm followers (Ducci & Lucenti, 2022; Schmidt & Sikkink, 2019; Trenta, 2021; Wiener, 2004) as opposed to contestation between different normative communities (Bode, 2019; Stefan, 2016), e.g., notions of norm localisation and subsidiarity (Acharya, 2011, 2014) or appropriation (Großklaus, 2015). While some scholarly literature concentrates on challenges to the LIO and normative agency by non-Western countries (e.g. Flonk, 2021; Glasius et al., 2020; Kolmašová & Reboredo, 2023; Wunderlich, 2020), it is equally important to acknowledge contestation practices and criticism towards the LIO's normative foundations from 'within' (Ducci & Lucenti, 2022, p. 283), even if it is often a more masked form of contestation (Schmidt & Sikkink, 2019).

Contestation may span different levels or arenas—local, national, regional, transnational, international—and involve a variety of actors, including not only states but also political leaders, international organisations, such as the European Union (EU) and other regional actors, as well as non-state actors. Agents can act for or against a norm through contestation, which, as we admit also in this book, does not necessarily negatively affect the norm but can also strengthen it or merely adapt it to the changing international environment.

In addition to examining the various agents of contestation, one could also assess the intentionality of contestation, which is inevitably related to the entrepreneurship of the agents. McKeown (2009, p. 11, emphasis in original) speaks of 'norm

revisionists', who are defined as 'members of the state who actively seek to re-shape understandings of their country's relationship to the norm through changes in policy, practice, and/or discourse'. Their intent is to *challenge* the norm and, if their discourse resonates, their contestation may even lead to norm regress (McKeown, 2009, p. 11). When they have a chance to participate in norm negotiation processes, these actors may proactively, rather than reactively, engage with norms. In distinguishing between reformist and revolutionary norm entrepreneurs, Wunderlich (2020, p. 266) discusses their intentions relative to norm contestation. Reformist entrepreneurs, she argues, contest norms to reform and adapt the existing normative order. Conversely, revolutionary entrepreneurs intend to subvert the overarching, established order and its rules (Wunderlich, 2020, pp. 268–269). Similarly, Bettiza and Lewis (2020) understand contestation as either a 'counter-power' force that aims to undermine prevailing normative structures or as a 'corrective force' geared towards their reform. As such, they emphasise the power-laden nature of norm contestation as it forms 'part of the enduring battles for power and influence in world politics that, rather than occurring at the level of material capabilities, take place through the ideational realm' (Bettiza & Lewis, 2020, p. 560). While these authors point to the need to consider the overarching intention of the agents of contestation, Jose (2018, p. 7), instead, contends that actors may contest a norm not only with the specific intention of rejecting and challenging the interpretation of a norm, but also unintentionally 'by articulating their particular meanings of the norm's obligations'. Distinguishing between different types of agents and their respective intentions is therefore useful to better understand the trajectory of contestation dynamics, as well as gain a more comprehensive picture of the actors involved in such processes.

Theorising the Effects of Contestation on Norms

As noted above, contemporary norm contestation scholarship takes a more nuanced view of the effects of contestation, recognising them as contingent on a wide range of factors that help to determine its nature and impact. Our work is informed by these perspectives and challenges some studies that argue that contestation is necessarily detrimental or automatically produces a '*reverse cascade*' (e.g. McKeown, 2009, p. 11, emphasis in original) or even 'norm death' (e.g. Panke & Petersohn, 2016). Kutz (2014, p. 425), for example, explores how contestation can lead to the decay, or even death of those norms that 'once seemed well internalised and institutionalised'. Panke and Petersohn also examine conditions under which norms might die. They argue that whether a norm survives or not also depends on the strength of the contestant: 'if the norm challenger is strong, the norm may be replaced, significantly weakened or even completely abolished' (Panke & Petersohn, 2016, p. 4). In this respect, if the norm that is being contested is precise and thus cannot be adjusted on the basis of the contestation arguments advanced, the norm dies (Panke & Petersohn, 2016, p. 6). These authors thus offer a generally pessimistic view of the effects of contestation on norm robustness.

In contrast to these models, which suggest the regression, decay or death of norms in the face of contestation, other scholars have provided more nuanced visions and have advanced two general ways of thinking about how norms often survive challenges: norm robustness and norm cluster resiliency. Each is summarised briefly in the sections that follow.

Norm Robustness

Researchers often link the idea of contestation on norms to study the robustness or strength of an individual norm (e.g. Deitelhoff & Zimmermann, 2020; Hirsch & Dixon, 2021). Contemporary work in this area has also pushed beyond unidimensional understandings of norm strength as compliance and instead recognises the concept as much more complex. For example, Price (2006, pp. 254–255) claims that robustness encompasses not only the behavioural compliance with a norm but also its discursive acceptance. He focuses not only on states' compliance, but also on *opinio juris* and, therefore, the extent to which states believe that an action constitutes a legal obligation. Similarly, Brunnée and Toope (2019, pp. 75–76) stress the importance of 'reciprocity', meaning that norms are not merely imposed but must be socially accepted. This leads Deitelhoff and Zimmerman to the realisation—and here we follow them—that robustness encompasses validity and facticity. Hence, 'norm robustness is said to be "high" when its claims are widely accepted by norm addressees (validity) and generally guide the actions of the addressees (facticity)' (Deitelhoff & Zimmermann, 2019, p. 3). Accordingly, it combines both discursive acceptance of and behavioural compliance with a norm. Finally, Deitelhoff and Zimmermann (2019, p. 3, 2020, pp. 53–54) also specify that to analyse a norm's robustness, we should look into concordance, third-party reactions to norm violations, compliance, and implementation.

Deitelhoff and Zimmermann (2019, 2020) advance a detailed exploration of whether contestation has a positive or a negative effect on norm robustness in their recent work. They contend that above all the type of contestation, i.e., validity or applicatory contestation—rather than the relative power of contesting agents—significantly influences whether contestation has a negative or a positive impact on a norm's robustness. As indicated above, they argue that applicatory contestation can help refine norms' meanings and implementation, eventually fostering a consensus that lends legitimacy and robustness to a challenged norm (Deitelhoff & Zimmermann, 2020, p. 57). Even when applicatory contestation is used strategically, i.e., as a way to render a norm ineffective, it can still contribute to refining a norm's meaning and application because 'actors, by engaging in applicatory contestation, support a norm's general legitimacy and do not reject the idea that they are bound by a specific norm' (Deitelhoff & Zimmermann, 2020, p. 58). Similarly, in studying the US' contestation of the anti-torture norm under the Bush administration, Birdsall (2016, p. 192) states that the applicatory contestation over the anti-torture norm under the Bush administration actually 'reaffirmed the *absolute*