Introduction: rethinking the foundations of modern international thought

Foundations of Modern International Thought is the third in a loose trilogy of works in international intellectual history.[1] When the first, *The Ideological Origins of the British Empire*, was published in 2000, the field had neither a local habitation nor a name. It had no common agenda, no coherent body of scholarship and no self-identifying practitioners; it therefore occupied no territory on the broader map of contemporary historiography.[2] The very term 'international intellectual history' had hardly ever been used in print, let alone deployed to define a field of academic study.[3] By the time the second instalment, *The Declaration of Independence: A Global History*, appeared in 2007, international intellectual history had already begun to emerge as a self-conscious area of inquiry pursued by intellectual historians with international interests and by international historians with inclinations towards intellectual and cultural history.[4] In the half-decade since then, it has become an identifiable field, with an expanding canon of works, a burgeoning set of questions and a fertile agenda for research. I hope this volume might stand as a partial record of its recent development as well as an inspiration for international intellectual historians in the future.

The chapters collected here represent the fruits of over a decade's work on the intellectual history of conceptions of international relations and international law, mostly in the period before those two modes of inter-action and negotiation had acquired their current names, disciplinary

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[1] The others are Armitage (2000); Armitage (2007a).

[2] It did not appear in such classic surveys of the state of intellectual history as Darnton (1980); Kelley (1987); Brett (2002); or Grafton (2006).

[3] For an outlying early usage, see Wellek (1955), p. 118, on Francesco De Sanctis's sudden shift to 'international intellectual history' in the eighteenth-century portion of his *Storia della letteratura italiana* (1870–1).

[4] For early assessments of the field's prospects, see Bell (2002a); Armitage (2004); Rothschild (2006).

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boundaries and contemporary canons of authorities and ancestors. The selection of subjects is inevitably arbitrary but it was not random. They mostly sprang from invitations to extend my earlier work on the intellectual history of the anglophone Atlantic world into broader contexts and to cover novel themes. But they did so in light of an ongoing effort to reassess historically some of the myths – in the sense of meaningful narratives, not necessarily delusive falsehoods – that had informed international studies in disciplines outside history. This effort directed my attention, as an intellectual historian, to the thought of Thomas Hobbes, John Locke, Edmund Burke and Jeremy Bentham. It also turned my thoughts, as an international historian, to the salience of states and empires, oceanic histories and global connections, over the *longue durée* as settings for the arguments anatomised in other chapters. And it determined my interest, as an Atlantic historian, in the Americas as the matrix for processes of state-making that would recur across the modern world until our own time. The resulting studies are therefore disparate but 'receive an underlying unity from the philosophy of the writer' as well as from the common themes of the chapters that, taken together, I hope will justify republication and reward reading as a single collection.[5]

The very variety of themes and subjects reflects the exploratory nature of international intellectual history itself. At the end of the twentieth century, research on the international dimensions of intellectual history was mostly fragmentary and remained marginal to the broader historical discipline. The history of *political* thought was certainly ascendant – in some quarters even predominant – among intellectual historians on both sides of the Atlantic and increasingly around the world. Yet the history of *international* thought was pursued, if at all, mostly by self-critical students of international relations and international law who had little contact or interchange with those who identified themselves primarily as intellectual historians.

The situation recalled that diagnosed in 1959 by Martin Wight, co-founder of the so-called 'English School' of International Relations, when he asked, in a much-discussed paper, 'Why Is There No International Theory?'. Wight lamented the lack of any 'tradition of speculation about the society of states, or the family of nations, or the international community' that could parallel, in depth or in analytical illumination, 'the body of writings about the state' collectively known as political theory. He concluded

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[5] Trevor-Roper (1957), p. v, the classic apologia for collected essays, cited Elliott (2007), p. xiv.

a survey of this fragmentary tradition with a notorious assessment: 'international theory is marked, not only by paucity, but also by moral and intellectual poverty'.[6] Nearly fifty years later, intellectual historians could have echoed Wight's original question to ask, 'Why is there no history of international thought?'. That field also lacked a continuous tradition of inquiry or an agreed subject for research. Poverty, whether moral or intellectual, may not have been the problem, but paucity certainly was.

Only three years before Wight delivered his godfather's curse on international theory, the Cambridge historian Peter Laslett had offered an equally notorious judgment in 1956: 'For the moment, anyway, political philosophy is dead.'[7] This premature epitaph turned out to be a salutary provocation, as became eminently clear in the years that followed, marked at one end by Isaiah Berlin's Oxford inaugural lecture, 'Two Concepts of Liberty' (1958), and at the other by the publication of John Rawls's *A Theory of Justice* (1971), which heralded an unparalleled efflorescence of normative political theory which continues to this day. Likewise, the same period witnessed the beginnings of a persistently fertile vein of inquiry into the history of political thought, running from J. G. A. Pocock's *The Ancient Constitution and the Feudal Law* (1957) to Quentin Skinner's *The Foundations of Modern Political Thought* (1978), by way of Laslett's own path-breaking edition of John Locke's *Two Treatises of Government* (1960).

The contextualist historians of political thought – among them, Laslett himself, Pocock, Skinner and John Dunn – understandably concentrated their attention on the history of the theory of the state in its domestic or municipal capacities. This fact reflected the central concerns of political theory itself during the period in which they wrote and helped to facilitate an ongoing dialogue between historians and political theorists. However, their focus on the internal capacities of the state apparently encouraged neglect of the external relations of states, as the revival of the history of political thought was not accompanied by a parallel resurgence of interest in the history of international thought. In this vein, Skinner concluded *The Foundations of Modern Political Thought* with the claim that '[b]y the beginning of the seventeenth century, the concept of the State – its nature, its powers, its right to command obedience – had come to be regarded as the most important object of analysis in European political thought'.

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[6] Wight (1966). Here, as throughout the book, I use 'International Relations' to denote the academic discipline that studies the phenomena called 'international relations'.
[7] Laslett (1956), p. vii.

Fundamental to this concept was the state's independence from 'any external or superior power'.[8] Apart from a brief but suggestive account of neo-Scholastic conceptions of the law of nations, Skinner's work included no treatment of the state in its nature, its powers or its rights as an international actor: that is, of what I have called in this volume the foundations of modern *international* thought.[9]

The absence of any extended treatment of those foundations was typical for the time at which Skinner's *Foundations* appeared. In the same year that book was published, W. B. Gallie commented that 'thoughts . . . about the roles and causes of war and the possibilities of peace between the peoples of the world' had formed 'an enterprise which the ablest minds of previous ages had, with very few exceptions, either ignored or by-passed'. Gallie argued that the foundations of modern international thought were laid much later, during the eighteenth century, 'in the writings of Montesquieu, Voltaire, Rousseau, and Vattel among others'.[10] Taken together, these two accounts implied that the foundations of modern political thought were distinct from those of modern international thought and that each possessed a distinct chronology, genealogy and canon of fundamental thinkers. Two decades of scholarship did little to dispel that impression, as historians of political thought mostly ignored the international dimensions of their subject while students of International Relations remained largely uninterested in historicising the theories invoked in their field.

Yet the ground had already begun to shift by the mid-1990s. Historians of political thought could not remain entirely unaffected by the increasingly obvious turn towards international and global concerns taking place by that time within political theory itself. In the United States, at least, that movement had begun under the shadow of the Vietnam War which fell across both Rawls's *Theory of Justice* and the treatment of international justice in Michael Walzer's *Just and Unjust Wars* (1977).[11] In his discussion of civil disobedience, Rawls turned to the law of nations for guidance on the 'political principles' that 'govern public policies toward other nations', including the 'fundamental equal rights' of peoples organised into independent states; self-determination and its corollary, the duty of non-intervention; the right of self-defence; the necessity to

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[8] Skinner (1978), II, pp. 349, 351.   [9] Skinner (1978), II, pp. 151–4.
[10] Gallie (1978), p. 1. Gallie immediately preceded Skinner in the Cambridge Chair of Political Science.
[11] Rawls (1999b), pp. 319–43; Walzer (2006).

keep treaties (*pacta sunt servanda*); and restrictions on the conduct of war (the *jus in bello*): in fact, a standard list of the basic principles of modern positive international law which Rawls took from a reigning text in the field, J. L. Brierly's *Law of Nations*.[12] By contrast, Walzer's *Just and Unjust Wars* sprang in part from an apprehension that international law could no longer 'provide a fully plausible or coherent account of our moral arguments', not least because 'legal positivism . . . has become in the age of the United Nations increasingly uninteresting'.[13]

The distinction between 'moral arguments' and 'legal positivism' was the legacy of a gulf that had opened up between law understood positively – that is, as the acts of sovereign agents, whether in their capacities as legislators or as the executors of international agreements, conventions and customs – and law understood normatively.[14] That abyss had widened over the centuries in historical discussions of reason of state and with the decline of natural jurisprudence, as Rawls and Walzer – both historically minded theorists, for all their normative ambitions – were certainly aware. The basic dilemmas they had exposed – for example, the gulf separating 'positive' law and 'moral arguments'; the difficulties of applying interpersonal norms on an international scale; the collision between the statist principles enshrined in the Charter of the United Nations and the universalist assumptions of human rights; and the mismatch between the claims of local and global justice – encouraged a theoretical ferment around questions of international ethics that continues unabated to this day.[15] It was only a matter of time before historians of political thought would follow the new paths blazed by contemporary political theorists.[16]

Other straws in the wind were pointing in new directions, both international and global, for intellectual historians, among them a so-called 'post-positivist' orientation among contemporary theorists of International Relations, particularly (but not exclusively) outside the United States.[17] This manifested itself in various ways: in a return to grand historical theorising about international relations;[18] in the rise of 'constructivism', or the study of the mutual self-constitution of international actors through

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[12] Rawls (1999b), p. 332, citing Brierly (1963), and noting, 'This work contains all that we need here.'
[13] Walzer (2006), p. xxvi.
[14] For a powerful early deconstruction of these oppositions, see Koskenniemi (2005), originally published in 1989.
[15] From Beitz (1999) to Bell (2010) and beyond.
[16] The first major work in this vein was Tuck (1999), based on his Carlyle Lectures delivered in Oxford at the start of the first Gulf War in 1991 (ibid., 'Preface').
[17] Smith, Booth and Zalewski (1996).   [18] For example, Bobbitt (2002).

rules, norms and representations;[19] in the historical study of International Relations as a discipline, whether as a means of explaining present discontents or as a source of renewal for an allegedly faltering intellectual project;[20] and in a heightened interest in the language of international politics as International Relations undertook its own version of the linguistic turn that had swept other parts of the humanities and interpretive social sciences.[21]

These distinct but often mutually supportive movements were accompanied by a similar turn towards language and history among international lawyers,[22] at the moment when a self-consciously 'new international history' attentive to culture and ideas as much as power and interest emerged from a more traditional diplomatic history centred on the archives and activities of states and their formal agents. That history was more transnational than national, more focused on connections across nations than the collisions between states and more attentive to actors and institutions that worked below and above, or ran in parallel with, the states that had been the traditional subjects of international history.[23] Taken together, these developments in political theory, international relations, international law and international history opened novel possibilities for common conversations between practitioners in all these fields.

It was no coincidence that this dizzying sequence of turns – linguistic, historiographical, transnational and cultural, to name only the most prominent[24] – occurred at just the moment when talk of globalisation began to dominate both popular and professional consciousness. The apprehension, whether well-grounded or not, that borders were dissolving, that the state was withering away and that untrammelled flows of people, capital and goods were now sluicing around the globe inevitably excited interest in the origins and development of these processes. Was global interconnectedness a relatively recent feature of world history, a product perhaps of the 1970s with only shallow roots in previous periods?[25] Was there a pre-history – or were there multiple and discontinuous pre-histories – of globalisation, stretching back to the 1870s, the 1770s, the 1570s or possibly even earlier?[26]

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[19] Kratochwil (1989); N. G. Onuf (1989); Wendt (1999); Zehfuss (2002); Lebow (2008).
[20] Dunne (1998); Schmidt (1998); Vigezzi (2005); Guilhot (2011).   [21] Bell (2002a); Bell (2002b).
[22] For example, Marks (2000); Koskenniemi (2002); Anghie (2005).
[23] Manela, 'International Society as a Historical Subject' (unpublished). My thanks to Prof. Manela for the chance to read this important essay in advance of publication.
[24] Surkis, Wilder, Cook, Ghosh, Thomas and Perl-Rosenthal (2012).
[25] For critical examinations of that moment, see Ferguson, Maier, Manela and Sargent (2010); Borstelmann (2012).
[26] O'Rourke and Williamson (1999); Rothschild (2001); Flynn and Giráldez (1995); Gruzinski (2004).

When did awareness of the shrinkage of space converge with knowledge of linkage across time: that is, when, and indeed where, did conceptions of world history first emerge?[27] And how should contemporary historians approach the challenge of writing global histories for a self-consciously global age?[28]

The various efforts to answer these pressing questions contributed to the two main bodies of research that now comprise international intellectual history. These are what might be called the intellectual history of the international and an internationalised intellectual history. The first is the field now also sometimes known as the history of international thought or, when more narrowly focused, the history of international political theory. One leading practitioner has recently defined its subject-matter as 'how thinkers of previous generations conceived of the nature and significance of political boundaries, and the relations between discrete communities'.[29] I would go still further, to define international thought as theoretical reflection on that peculiar political arena populated variously by individuals, peoples, nations and states and, in the early modern period, by other corporate bodies such as churches and trading companies. Such reflection treats the nature of the interactions between these actors and the norms that regulate – or should regulate – them. Its central concern in the modern period may therefore be the relations between states, but for longer swathes of history it also treated a multiplicity of non-state relations, as it still does in an era when the individual is now firmly established as a subject of international law and when international institutions and transnational organisations thickly populate the world.

The second corpus of work, of intellectual history on an international scale, has extended intellectual history's ambit to trace the circulation, transmission and reception of texts, ideas and thinkers within and beyond state boundaries, across oceans and among far-flung communities of actors and readers. The two approaches are clearly not identical but they have substantially overlapped and fruitfully converged in their interests. The creation of mutual understandings of international, transnational and global connection and competition often depended upon the intercultural translation of texts of religion, diplomacy and law, just as transnational structures of commerce and international relations facilitated or hindered the movement of books and other vectors of ideas.

[27] Subrahmanyam (2005) offers one compelling answer; Tang (2008), another.
[28] Geyer and Bright (1995); Grew (2006); Lang (2006); Neem (2011); Sachsenmaier (2011).
[29] Bell (2007b), in Bell (2007c), p. 1.

At one end of the spectrum, therefore, international intellectual history encompasses the doctrinal history of international law; at the other, it draws upon the irreducible materiality of the history of the book. To paraphrase Kant, in the international realm (as elsewhere), intellectual history without material history will be empty, while material history uninformed by intellectual history will be blind.[30] Accordingly, the chapters that follow all engage, to a greater or lesser degree of explicitness, with the histories of the circulation and reception of international thought across both time and space. Both forms of movement necessarily involve conscious acts of appropriation and dissemination. Without the availability of long-range textual traditions or the later creation of professional canons; without the need of new disciplines, like International Relations, to forge sustaining genealogies; and without the desire of new states and international organisations to justify themselves in the eyes of the world, no body of international thought – however malleable and shifting – could ever have been created. These processes entailed both 'upward' and 'downward' hermeneutics, as the practices of diplomats and parliamentarians, colonists and rebels, shaped normative theories and official genres.[31] At the same time, debates in council-chambers and committee-rooms and the studies of scholars and philosophers attempted to formalise conceptions being thrashed out elsewhere on battlegrounds, in maritime arenas and along imperial frontiers around the world. The formation of modern international thought was in itself a transnational, indeed global enterprise. Demonstrating this will be a major task for the next phase of research in international intellectual history.[32]

Foundations of Modern International Thought concentrates on the period roughly defined by the public careers of Thomas Hobbes and Jeremy Bentham (*c.* 1629–1832). It is on foundations laid in these centuries, I believe and the following chapters attempt to illustrate, that modern international thought rested. In contrast to Quentin Skinner, whose classic study of *The Foundations of Modern Political Thought* inspired the title of this collection, I make no implicit claim exhaustively or comprehensively to excavate all the basic elements which went into the making of modern international thought. My aim is more modest, as I have tried to indicate by calling this volume *Foundations* – rather than

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[30] Compare the debate between Robert Darnton and Quentin Skinner: Darnton (2005); Skinner (2005).
[31] I am indebted to Bayly (2012), p. 28, for these formulations.
[32] See, for example, Lorca (in press).

The Foundations – of Modern International Thought. The various essays are symptomatic rather than systematic in their effort to trace the emergence and early development of key elements of international thinking as it appeared between the late eighteenth century and the late twentieth century. Some of those elements remain in the early twenty-first century but the book focuses on a dialogue between the history of early modernity and the history of a 'modern' world that is increasingly receding from us, and is seen through an ever thicker scrim of post-modern scepticism about modernity itself.

On the face of it, my decision to locate modern international thought's foundations within early modernity is unexceptionable because a series of prior aetiological narratives, mostly within the disciplines of international law and International Relations, had also found them there. For example, the origins of modern diplomacy have often been located in the late fifteenth or sixteenth centuries.[33] The sixteenth century may also have witnessed the beginnings of modern international relations, even if the theory to account for the practices of sovereignty, warfare, diplomacy and treaty-making lagged by fifty or a hundred years and only emerged in recognisably modern form by the mid seventeenth century.[34] This chronology followed a slightly different trajectory from that informing the history of international law, the origins of which could variously be traced back to the 'School of Salamanca' in sixteenth-century Spain,[35] to the later sixteenth-century Italian jurist Alberico Gentili or to the work of his Dutch successor, Hugo Grotius, the early seventeenth-century 'father of the law of nations'.[36] The year 1625, which saw the publication of Grotius's *De Jure Belli ac Pacis,* was the start of one narrative of the history of international law, but another story, more closely tied to the mythography of International Relations, posited the primacy of 1648 and the Peace of Westphalia as the beginning of 'traditional' international law (1648–1900) or of the international legal order in 'the French age' (1648–1815).[37] Each of these narratives about early modernity appeared first, and somewhat belatedly, in the succeeding age of modernity. They were therefore not stories actors told about themselves or their achievements but foundation myths retailed by later communities of historians and

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[33] Mattingly (1955); Anderson (1993); Bély (2007).   [34] Holzgrefe (1989).

[35] Scott (1928); Anghie (1996); Koskenniemi (2010a).

[36] Holland (1874); Kingsbury and Straumann (2010); Pagden (2010); Bourquin (1948); Grewe (1984); Bull, Kingsbury and Roberts (1990).

[37] Kennedy (1986), pp. 1–5, 95–8; Grewe (1988), Pt. III, 'Droit public de l'Europe: Die Völkerrechtsordnung des Französischen Zeitalters 1648–1815'.

diplomats, international lawyers and proto-political scientists, seeking his-
torical validation for their ideological projects and infant professions.[38]

   At the root of these later just-so stories was the fundamental assump-
tion that there were two distinct realms called variously the internal
and the external, the domestic and the foreign or (in a more legalistic
idiom) the municipal and the international. That dichotomy remains
perhaps the least investigated of all the fundamental divisions in our
political lives. This remains so even though it intersected historically and
theoretically with such basic oppositions as private and public, female
and male, civilian and combatant, as feminist legal and political schol-
arship has repeatedly demonstrated.[39] Just when the two spheres, domes-
tic and international, separated and what propelled them apart has
caused confusion when it has not been shrouded in amnesia. The most
common explanation among International Relations theorists hinged
on 'the collapse of universalistic accounts of political, religious and
metaphysical hierarchies' in the early modern period, which generated
'political community within and international anarchy without'.[40]
But perhaps this was too broad-brush an explanation; a single inventor
was needed and he could be found in mid-seventeenth-century England:
'Things would definitely change with Hobbes: "outsides" were
"invented," policy became "foreign".'[41] Or maybe the separation
emerged a century later in Britain, as Jeremy Bentham thought: 'The
term *municipal* . . . was taken by an English author of the first eminence
[Sir William Blackstone], to signify internal law in general, in contra-
distinction to international law, and the imaginary law of nature.'[42]
On the contrary, asserted Carl Schmitt, it took another century and a
half for the distinction to mature: 'After 1910, it became customary to
distinguish *internal* and *external*.'[43] Such accounts were not necessarily
incompatible: they could all be held to mark discontinuous stages in
the development of an unfolding but punctuated story. Taken together,
they do suggest a need for further research on this most basic foundation-
stone of modern international thought.

   We now inhabit a self-consciously *post*-modern world in which 'the
distinction between domestic and foreign affairs begins to break down'
and where a British Prime Minister and his Foreign Secretary could each

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[38] Compare Koskenniemi (2010b).
[39] Charlesworth (1992); Charlesworth (1997); Charlesworth and Chinkin (2000); Simons (2003);
   Elshtain (2008); Kinsella (2011).
[40] Walker (1993), pp. 16, 33.   [41] Cavallar (2002), p. 173.
[42] Bentham (1996), p. 297 n. z.   [43] Schmitt (2003), p. 210.