

1 *Toward a Historical Ontology of War*

Introduction

This is a book about the meaning of war in international thought from the early seventeenth to the late nineteenth century. Such a topic lends itself to many approaches, with many possible results. One rather conventional way to approach this topic would be to investigate how the concept of war has been used by different authors in different historical contexts and for what kinds of ideological and political purposes. From such an inquiry we would hopefully be able to make inferences about the changing functions of the concept of war across time and space and from these perhaps distill more general insights about the meaning of war in international thought.

My approach is different, however. Instead of inquiring into how the concept of war has been used by different authors across multiple historical contexts, this book inquires into how the underlying and unspoken assumptions about the nature of war have shaped our understanding of the modern political world and the role of war within it. As such, this book is not so much a conceptual history of war as it is an analysis of the historical ontology of war – of the world that war made. Although conceptual history and historical ontology reflect a similar ambition to better understand the present in terms of the past, they raise different questions and focus on different objects of inquiry. Whereas a conceptual history of war would remain content to describe how different authors have used the concept of war in different contexts to accomplish different things, a historical ontology of war cuts deeper than that by focusing on what different conceptions of war have *presupposed* in order to be used by interlocutors in a meaningful and coherent way, as well as on what the usages of this concept in turn have done to the range of phenomena it purports to

describe and render meaningful.¹ This book tries to uncover these presuppositions, how they have shaped the meaning of war in international thought, as well as how those meanings in turn have shaped the way we understand the nature of war.

But is the concept of war really amenable to historical inquiry at all? Judging from the ways in which war is understood in the social sciences today, the answer seems to be no. To many philosophers and political scientists, war itself is a timeless and immutable category, albeit one with a great variety of instantiations. As Coker has recently argued, “we tend to believe that, unlike the character of war which is indefinable because it is always changing, the nature of war can be defined because it does not ... war has a nature which is eternal but which at the same time takes a finite form.” From this it would follow that “the nature of war is not transformed through history, its nature is made manifest in time, but time does not substantially affect the eternal; the character of war is the actualization of its nature.”² Since the quest for the essence of war has been going on at least since Clausewitz, the denial of its historicity is quite common among modern scholars of military thought and strategy. For example, as Gat has stated, “[W]hile the forms of war may change with time, its spirit, or essence, remains unchanged.”³ As we shall notice later in this chapter, among those who have studied the causes of war, their practices of definition point in a similar direction. Even though the precise definition of this concept has been and still is much contested – such as the nature of the belligerents and the number of causalities required for any given outburst of violence to qualify as war proper – there is a general agreement to the effect that at least *some* definition is necessary for all further

¹ For this contrast, compare Ian Hacking, *Historical Ontology* (Cambridge, MA: Harvard University Press, 2002), 1–26; Reinhart Koselleck, *Futures Past: On the Semantics of Historical Time* (Cambridge, MA: MIT Press, 1985); Reinhart Koselleck, *The Practice of Conceptual History: Timing History, Spacing Concepts* (Redwood City, CA: Stanford University Press, 2002).

² Christopher Coker, *Barbarous Philosophers: Reflections on the Nature of War from Heraclitus to Heisenberg* (New York: Columbia University Press, 2010), 12–13.

³ Azar Gat, *Military Thought in the Nineteenth Century* (Oxford: Oxford University Press, 1992), 67. For the quest for the essence of war, see Beatrice Heuser, *The Evolution of Strategy: Thinking War from Antiquity to the Present* (Cambridge: Cambridge University Press, 2010), 100ff.

theoretical and empirical inquiry into the phenomenon of war and its causes.

On this view, studying the historical ontology of war would be a rather pointless exercise because such an inquiry would only lead us back to and affirm those meanings that were at its starting point. We can certainly write histories of war and warfare, but only by virtue of the fact that the concept of war is unchanging enough to allow such histories to be written in the first place and distinguished from histories of other things in the second. This points to an important fact that I will elaborate on in the Chapter 2. One reason why war seems to lack a history of its own is the fact that it has been allowed to structure historical narratives of the emergence and consolidation of the modern state and the international system; war seems to lack a history of its own simply because it has long been a condition of possible history, especially when it comes to telling stories of how individual states once emerged out of a dark past of civil or international strife.

Yet I suspect that there is another and more important reason why the historicity of war has been downplayed or denied by so much modern scholarship. To say that the meaning of war is historically contingent could be taken to imply that war is a social construct, and to say that war is a social construct could by some be taken to imply that the human suffering it brings is somehow less real. Yet I think these objections rest on a misunderstanding of the upshot of conceptual history in general and perhaps that of historical ontology in particular. A historical inquiry into the ontological presuppositions of war does not imply that human experiences of war are unreal: rather, it is a matter of showing how these experiences became real in the first place and how some of these presuppositions still condition experiences and expectations of war in the present day. It is a matter of bringing war back within the scope of human volition and responsibility.⁴

Although many other political concepts have been subjected to detailed historical analysis during the past decades, war has not yet received much systematic treatment by historians of political thought,

⁴ For suggestions in this direction, see Jan-Werner Müller, “On Conceptual History,” in Darrin M. McMahon and Samuel Moyn (eds.), *Rethinking Modern European Intellectual History* (Oxford: Oxford University Press, 2014), 74–93.

and the few exceptions in this regard still leave much to be desired in terms of their empirical scope. While an otherwise impressive article in *Geschichtliche Grundbegriffe* deals with the history of this concept within a German-speaking context only, a recent book by Armitage focuses exclusively on the concept of civil war and how civil wars have shaped historical and political experience from Roman to modern times.⁵ By contrast, this book takes the notion of international war as the starting point of inquiry and then traces its genealogy backward in time across a series of historical contexts and intellectual fields over roughly three centuries. By focusing on international rather than civil war, this book aims to explain how the modern concept of international war came into being, how war came to be understood as a contest between two or more identifiable actors of which sovereign states became the paradigmatic case, and how recent and profound challenges to this conception of international war have contributed to changes in the ways in which wars are waged in the contemporary world.

Yet the fact that the concept of international war has not received any systematic treatment by historians of political thought does not mean that there is no scholarship of potential value to such inquiry, once we come to terms with some of its presentist tendencies. For example, and as noted earlier, while historians of military thought have contributed immensely to the historical understanding of war, many of them have assumed that war has some kind of timeless meaning or essence and have thereby failed to note the many changes that the concept of war in fact has undergone in the wider context of political and legal thought.⁶ And although recent efforts to align the traditional concerns of military history with those of the cultural turn in the human sciences have produced fresh and valuable insights into the specific contexts in which ways of thinking about war have evolved, it has not made any direct contribution to a conceptual history of war, let alone to its

⁵ Wilhelm Janssen, "Krieg," in *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, vol. III (Stuttgart: Klett-Cotta, 1982): 567–615; David Armitage, *Civil Wars: A History in Ideas* (New York: Knopf, 2017).

⁶ See, for example, Azar Gat, *A History of Military Thought: From the Enlightenment to the Cold War* (Oxford: Oxford University Press, 2001); Azar Gat, *War in Human Civilization* (Oxford: Oxford University Press, 2006); Heuser, *Evolution of Strategy*, passim.

historical ontology.⁷ Furthermore, although the changing legal and moral justifications of war have attracted much attention from historians of political thought, even otherwise historically sensitive accounts of the rights of war and peace seem to assume that the meaning of war has remained relatively stable over time and across different contexts, perhaps in order to facilitate comparison between different authors from different traditions.⁸ Finally, while recent efforts have been made by sociologists to study the role of war in social thought from the early modern period onward, their account is primarily geared toward understanding its role in modern social theory rather than with the meanings and functions attributed to war within international thought.⁹

In this book, I try to amend this situation by inquiring into the changes that the understanding of war has undergone from the early seventeenth to the late nineteenth century. This focus is motivated by my conviction that this period marks a series of important changes in the understanding of war, changes that have profoundly influenced our view of the modern state and the role of war in the modern international system. Yet the story I will tell is slightly at odds with two views widespread among historians of international law. According to the first of these, the history of international war is a history of how warfare among European states gradually became subjected to legal restraints from the early modern period onward. As Schmitt famously argued, the decisive step from medieval to modern international law lies in the separation of questions of just cause grounded in moral arguments from the idea of the legal equality of belligerents.¹⁰ This paved the way for the subsequent creation of a legal framework that effectively limited the use of force among European states. In a similar vein, Neff has described how the meaning of war changed from the Middle Ages to the early modern period. Although consistently used to refer to conflict

⁷ Jeremy Black, *War and the Cultural Turn* (Cambridge: Polity Press, 2012), esp. 1–43.

⁸ See, for example, Richard Tuck, *Rights of War and Peace: Political Thought and International Order from Grotius to Kant* (Oxford: Oxford University Press, 1999).

⁹ Hans Joas and Wolfgang Knöbl, *War in Social Thought: Hobbes to the Present* (Princeton, NJ: Princeton University Press, 2013).

¹⁰ Carl Schmitt, *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum* (New York: Telos Press, 2006), 110.

between distinct political communities rather than between domestic authorities and their internal opponents, war has mainly been conceived as an instrument of justice in the Western legal tradition. In his account, war as means of law enforcement was eventually replaced by an understanding of war as a contest between sovereign equals, which was then opened to regulation through a gradual codification of the principles of balance of power in international law from the seventeenth century onward.¹¹

Second, it has been maintained that these restraints on war were made possible by a European expansion and the appropriation of land on other continents. Beyond the lines of demarcation that separated the European system from the rest of the world, no such legal restraints were considered valid or applicable. As Schmitt argued, beyond these lines was a zone “in which, for want of any legal limits to war, only the law of the stronger applied . . . this freedom meant that the line set aside an area where force could be used freely and ruthlessly . . . everything that occurred beyond the line remained outside the legal, moral and political values recognized on this side of the line.”¹² As he went on to explain, “the designation of a zone of ruthless conflict was a logical consequence of the fact that there was neither a recognized principle nor a common arbitrational authority to govern the division and allocation of lands.” But, simultaneously, “a rationalization, humanization, and legalization – a bracketing – of war was achieved against this background of global lines.”¹³ Hence the increased regulation of warfare between European states during the early modern period was premised on the unleashing of unprecedented violence against non-European peoples and a much less restrictive use of force between imperial powers competing for territory on foreign shores. Somewhat curiously, similar views are today common among post-colonial theorists of international law, who argue that the outward projection of violence was justified with reference to ideologies that

¹¹ Stephen C. Neff, *War and the Law of Nations: A General History* (Cambridge: Cambridge University Press, 2005); Stephen C. Neff, *Justice among Nations* (Cambridge, MA: Harvard University Press, 2014), 148–78.

¹² Carl Schmitt, *The Nomos of The Earth*, 93–4. For an interesting commentary, see Martti Koskeniemi, “International Law as Political Theology: How to Read *Nomos der Erde?*,” *Constellations* 11 (2004): 492–511.

¹³ Schmitt, *The Nomos of the Earth*, 100.

assumed non-European peoples to be stuck in an uncivilized and stateless condition, therefore being fair game for conquest and colonization by European powers.¹⁴ Although the rise and spread of such ideologies have received considerable attention by historians during the past decades, this has not led to any sustained attempt to study the functions of war and violence in creating and upholding the distinction between civilized and uncivilized peoples that lies at the heart of these ideologies.¹⁵

In this book, I shall contest the above-mentioned views on both historical and philosophical grounds. First, as I will maintain, there was never any clean break between war as punishment of evildoers or law enforcement, on the one hand, and war as an armed contest between moral and legal equals, on the other. In fact, the idea that war was a way of punishing wrongdoers and enforcing the law remained important precisely in order to produce the kind of legal equality between states that since then has become a foundational assumption of modern international law. The integrity and cohesion of the nascent international system in Europe required its internal enemies to be punished or even eliminated, and this, in turn, motivated recourse to forms of violence that were ruled out in the intercourse between sovereigns. Yet, simultaneously, the notion of war as law enforcement presupposes that there already is an

¹⁴ See, for example, Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2007); Brett Bowden, "The Colonial Origins of International Law: European Expansion and the Classical Standard of Civilization," *Journal of the History of International Law* 7, no. 1 (2005): 1–23; Edward Keene, *Beyond the Anarchical Society, Grotius, Colonialism, and Order in World Politics* (Cambridge: Cambridge University Press, 2002); Anne Orford, *International Law and Its Others* (Cambridge: Cambridge University Press, 2006).

¹⁵ See, for example, Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain and France c. 1500–c. 1850* (New Haven: Yale University Press, 1995); Uday Singh Mehta, *Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought* (Chicago: University of Chicago Press, 1999); David Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2002); Jennifer Pitts, *A Turn to Empire: The Rise of Imperial Liberalism in Britain and France* (Princeton, NJ: Princeton University Press, 2005); Duncan Bell (ed.), *Victorian Visions of Global Order: Empire and International Relations in Nineteenth-Century Political Thought* (Cambridge: Cambridge University Press, 2007). For an excellent overview, see Duncan S. A. Bell, "Empire and International Relations in Victorian Political Thought," *The History Journal* 49 (2006): 281–98.

established jurisdiction within which law enforcement is possible and thus that there has been a successful claim to a political authority of a corresponding scope. As I intend to show, for much of the early modern period, irregular warfare was the preferred means of carving such jurisdictions out and backing such authority claims up.

Second, although wars waged against non-European peoples were often justified on grounds different from those waged among European states – such as ideas of a Christian empire – they were not legitimized with reference to ideologies premised on the superiority of the Europeans, or at least not initially. Rather, it seems to have been the other way around. The dissemination of ideas of natural hostility and enmity coincided in time with the proliferation of cultural prejudices inside Europe, which were often convenient pretexts for waging war among European states. Assumptions of natural hostility and enmity had been first introduced in order to legitimize secular political authority in Europe and only later were projected onto non-European peoples, and then only after many of them had been conquered and subjected to colonial rule. The main source of the many prejudices at play in this process of political exorcism was rather the dark past of barbarism that had been invented to legitimize the transition from a stateless past to what in the minds of Protestant elites now was in the process of becoming secular states. It was not until the late nineteenth century that these undesirable traits were projected outward to justify the indiscriminate use of force against non-European peoples, a process greatly facilitated by the uptake of doctrines of evolution and natural selection across different intellectual fields. Yet all the preceding raises the more basic question of how such assumptions of natural hostility found their way into the foundations of early modern political thought in the first place. As we shall see, answering this question compels us to revisit views of war that have long been marginalized or even forgotten by students of international thought.

My main reason for undertaking this inquiry into the historical ontology of war is the intellectual confusion that surrounds this concept in the present day. Much of this confusion is the result of recent debates about the changing role of war in a globalized world. The first of these debates started almost immediately after the end

of the Cold War, when some authors optimistically predicted the declining relevance of international war as an instrument of state policy and started to focus on those low-intensity conflicts in the Third World that appeared to bring many already fragile states to the brink of collapse.¹⁶ As Hassner remarked, although still possible, international war “has already lost its justification, or its meaning, and it may become less and less frequent and less and less central for political life.”¹⁷ Since the study of international relations had long been preoccupied with international war and its many causes, the declining incidence of international wars brought a shift in focus to the proliferation of domestic conflicts that soon followed.¹⁸ Since then, it has become common to study violent conflicts without presupposing the existence of a specific kind of actor or any definite level of hostilities between them because both of these requirements are deemed contingent on the context at hand rather than on stipulative definitions.¹⁹ Consequently, many scholars agreed that the modern concept of war has lost much of its analytical purchase in a world in which sovereign states no longer are the main belligerents and in which the distinction between international and domestic conflicts has ceased to make much empirical sense. And what had ceased to make empirical sense had already ceased to make legal sense. As Greenwood had pointed out, “it is doubtful . . . whether it is still meaningful to talk of war [as] a legal concept or institution at all. If no direct legal consequences flow from the creation of a state of war, the state of war

¹⁶ John Mueller, *Retreat from Doomsday: The Obsolescence of Major War* (New York: Basic Books, 1990); Martin Van Creveld, *Transformation of War* (New York: Free Press, 1991).

¹⁷ Pierre Hassner, “Beyond the Three Traditions: The Philosophy of War and Peace in Historical Perspective,” *International Affairs* 70, no. 4 (1994): 737–56, at 754.

¹⁸ See, among others, Kalevi J. Holsti, *The State, War, and the State of War* (Cambridge: Cambridge University Press, 1996); James D. Fearon, and David D. Laitin, “Ethnicity, Insurgency, and Civil War,” *American Political Science Review* 97, no. 1 (2003): 75–90.

¹⁹ See, among others, Mary Kaldor, *New and Old Wars: Organized Violence in a Global Era* (Oxford: Polity, 1999); Christopher Coker, *The Future of War: The Re-enchantment of War in the Twenty-First Century* (Oxford: Blackwell, 2004); Mikkel Vedby Rasmussen, *Risk Society at War* (Cambridge: Cambridge University Press, 2006). For a critique of the newness of “new” forms of war, see Stathis Kalyvas, “New and Old Civil Wars,” *World Politics* 54, no. 1 (2001): 99–118.

has become an empty shell which international law has already discarded in all but name.”²⁰ Responding to this predicament, students of armed conflict faced a hard choice between stretching the meaning of the modern concept of war to fit new circumstances or to abandon this concept altogether in favor of concepts that carry fewer commitments as to the identity of the belligerents and the level of hostilities required for any outburst of violence to qualify as war proper. Yet, as a result of the blurring of the distinction between international and civil wars, the once seemingly solid distinction between peace and war also began to crumble. From having referred to two states of affairs incapable of coexisting within the same portion of time and space, war and peace now occupy extreme points of a continuum with many shades of gray in between.²¹

Hence those distinctions that made the concept of war analytically useful have been blurred, if not altogether dissolved, by contemporary efforts to come to terms with changing practices of warfare, making analysts opt for concepts such as “violent conflict” in the hope of avoiding the ambiguities and theoretical difficulties that ensue when the meaning of war is stretched too far. But quite regardless of our choice of terminology, the same underlying problem will reappear in new guises because understanding violent conflict presupposes some prior account of the belligerents and their identity. Since even the most minimalistic definition of war or violent conflict presupposes that it takes at least two to tango, this requires that the belligerents are identifiable if not to the analyst, so at least to each other. And such identification of belligerents presupposes that they are distinct and bounded and that there is some determinate locus of political authority that can account for their inner cohesion and capacity to act. But if such a locus cannot be pinpointed with sufficient precision, then the actors involved cannot be properly identified either. And if actors cannot be properly identified, it is hard to make sense of any outburst of violence between them in conventional terms because there is no one there to

²⁰ Christopher Greenwood, “The Concept of War in Modern International Law,” *International and Comparative Law Quarterly* 36, no. 2 (1987): 283–306, at 305.

²¹ For a sophisticated statement of this view, see Jairus Victor Grove, “Becoming War: Ecology, Ethics, and the Globalization of Violence,” Ph.D. dissertation, Johns Hopkins University, Baltimore, 2011.