

Review – The Justification of War and International Order

Written by Ananya Sharma

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ANANYA SHARMA, NOV 17 2023

The Justification of War and International Order: From Past to Present
Edited by Lothar Brock and Hendrik Simon
Oxford University Press, 2021

Sovereign states have historically employed violence as an instrument of state policy to achieve political objectives. The realm of International Relations has been marked by repetition and recurrence premised on the realist assumptions that war is inevitable either due to human nature (classical realism) or anarchy (neo-realists) which have predominated the discourse on understanding use of force by states (Morgenthau 1948; Mearsheimer 2001; Levy 1998). The myriad forms of force used in the international realm: wars of aggression, pre-emptive and preventive wars, colonial wars, the war on terror, humanitarian interventions have all sought justification (Der Derian 2000; Walzer 2006, Asad 2010; Nye 2020). How does one account for justification of war within international order and its impact on geopolitical configurations?

The Justification of War and International Order is a pursuit in tracing the genealogy of the dialectical relationship between war and multi-normativity (p.3) through exploring variations in the justification of war. Brock and Simon use multi-normativity as a heuristic device to engage with questions regarding legitimacy which have been the cardinal subject of concern during use of force by states. The edited volume is a prodigious attempt to examine the co-constitutive nature of international order and rationale expended for war capturing the zeitgeist of every epoch hinging on various normative anchors. It comprises of twenty-eight chapters and seven thematic sections that aim to bridge the gap between the theoretical explanations and the historical and political state practices seeking justification of war. It is a comprehensively curated source for tracing the evolution of war across a wide spatial-temporal context from the early modern era to the present with an eclectic array of trans-disciplinary scholarly contributions spanning a wide range of perspectives from just war imperatives, international history, legal and institutional frameworks to post-colonial ontologies. The contributions in the book illuminate the ethical liminality at play during justification of war while addressing the inter-textuality between international order and moral imperatives. The appeal of the justification is undergirded by empirical case studies and theoretical exegesis.

In an attempt to move beyond the realist justifications of war grounded in 'might is right' which attribute ethics as a function of politics, the book traces the relevance of norms in providing grounds of reasoning from wars in antiquity to contemporary conflicts. As opposed to mainstream realist accounts, norms are not merely ceremonial but constraining, regulating, socializing and enabling state behaviour. The common theme across various sections of the volume is scrutinizing the binary division of world politics into the realms of power/material capabilities and norms. The contributors to the volume advocate analyzing the inter-relationship between power and norms and look beyond the material capabilities and power politics to take into consideration the role of norms in shaping state behaviour. Norms create and sustain logics of state action, including the justification of violence. They define inter-subjective understandings and expectations about the 'appropriateness' in state practice and influence political decision making. Norms are more than just cheap talk as conceived by realpolitik explanations as they embody reputational costs both at the domestic and international level. Norms aren't thus merely epiphenomenal but shape discourses around justification of war that grants states legitimacy in their actions. Even though frequently contested, norms

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remain crucial for preservation of international order. International order is defined as the manifestation of the distribution of power and authority (which includes moral and legal authority) within a particular spatial-temporal context. It is often aligned with hegemonic norms and power interests. The scholarly contributions offer deep insights into the interplay between war throughout the annals of history and the various justifications which often mirror the prevailing values and norms of the international order.

The editors organise the chapters around seven topical thematic sections: theoretical considerations on war and order(s); the early modern war discourse; the nineteenth century discourse on war; the evolution of the discourse on war from the League of Nations to the UN, the democratic wars of the post-cold war period and the decline of liberal peace, non-western perspectives on justification of war and contemporary contestations and tensions in liberal international order. The contributions extend both an exploratory and explanatory voyage into the myriad ways in which the rationale for war has been framed, challenged, adapted and evolved within international order. Each section traces the evolution and tensions in justification of use of force and its implications for international order. The authors in each section conceptualise the role of normative constraints in shaping discourses on responsibility and legitimisation of violence. Benno Teschke's contribution in the second section dealing with the early modern war discourse stands out by underscoring the relevance of norms, particularly the salience of Treaty of Utrecht in the pre-modern period of European History to justify political decision making regarding the use of force, thus challenging the assumption that norms were irrelevant in the early modern wars (p.112). Even within the European imperial system, wars were justified through normative interventions including maintenance of public order reinforcing the entanglements between international law, imperialism and war. Part IV deals with the universalization of the international legal discourse by tracing its development from the League of Nations to the United Nations. Beate Jahn's contribution looks at intervention and its complicated relationship with sovereignty and hegemonic liberal international order tracing the justification of war from the fifteenth century to 1945. Her analysis points towards the anchors for justification of war that can be attributed to state having monopoly over use of violence along with the doctrine of just war (p.357). Both Arnulf Becker Lorca and Siddharth Mallavarapu's chapter examining the relationship between war and empire critique the dominant Euro-centric understanding of international order with the former using Spanish and Portuguese conquests of Latin America as case studies and the latter through the Third World Approaches to International Law (TWAIL). Similarly, B.S. Chimni's contribution underscores the relevance of post-colonial scholarship by looking at the dual role of international law both as a colonial force yet reflective of the emancipatory aspirations of the global south.

Two sections V and VII are particularly significant in explicating the justifications dealing with the current international order as constructed through the UN charter. The UN Charter prohibits the use of force as outlined in Article 2(4) notwithstanding the question of legitimacy of use of force remains highly contested in the 21st century. The UN Charter legalized the norms permitting the use of force in circumstances of self-defense and collective defense as one of the most important rationale justifying use of force in cases of humanitarian intervention evoking the (R2P) doctrine. The need for humanitarian intervention is justified through civilizational tropes, political neutrality, spread of human rights and democracy hedging the violence associative with these processes. The endorsement for these actions is often sought to preserve states' perception in the international order. Anna Geis and Wolfgang Wagner in their chapter point out how the end of Cold war brought to center 'democratic wars' with liberal justifications for use of violence including spread of democracy, protection of human rights and maintenance of rule of law. The Global War on Terror further fundamentally altered the nature of war and its ramifications for international order with liberal cosmopolitan justifications of use of force and the reinvention of self-defense. Thus, the act of violence is taken for granted, the appearance is what matters. The unpacking of tropes of justification of modern war also puncture the myth of virtuous liberal conscience and western warfare as inherently more ethical. Michael Stohl's contribution analyzes 9/11 as the benchmark date for construction of omniscient threats with the rise of 'everywhere' war and militarization of the planet in the context of counterterrorism. Axel Heck and Gabi Schlag provide a fascinating bottom up account of cultural justifications of war in the context of US intervention in Afghanistan through films, documentaries and popular culture influencing the moral discourse. Sohail H. Hashmi builds on the Muslim articulations of Jihad and cultural justification of war in the context of liberal international order. The crisis in the liberal order with the decline of multilateralism and rise of revanchist movements across the globe is disconcerting for the relationship between international law and justification of war since the surreptitiously coded legal language of justification is being challenged by self-interested powerful actors. In the rise of the post-American world order, it is

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imperative to engage with the Russian and Chinese understanding of use of force and its implications for the international order.

The Justification of War and International Order provides a polyphonic analysis of the historical, socio-political and ethical considerations brought into play for rationalisation of war in the international realm. It underscores the constitutive nature of international order, inflections through use of force – past and present and their manifestations across political, economic, cultural and intellectual domains. The epistemic robustness of the volume lies in its interdisciplinary approach amalgamating diverse perspectives approaching justification of war as a theoretical endeavour as well as political practice. One of the biggest strengths of this edited volume is its resilience in consistently challenging the procrustean understanding of use of force in IR and opening a world of investigatory possibilities by virtue of probing into connections between norms, force and international order within global politics. By combining theoretical lineages with historical case studies, it captures the intellectual diversity and dynamism of world politics and furthers an accessible overview of the diverse research themes at the heart of the field. With the rise of artificial intelligence, cyber warfare, asymmetric war with nonstate actors particularly terrorist organizations seeking prominence and technological advancements, the means of carrying out war are rapidly changing leading to newer justifications for war being sought. The rise of populist regimes across the globe also presents a formidable challenge to the normative structures predicating the current justifications of war. Lastly, social media has played a significant role in framing narratives surrounding wars and interventions and shaping public opinion and it would have been useful to engage with the justifications provided by these platforms, the spread of misinformation and spread of fake news all feeding into war mongering and justification. The volume though analytically rich would benefit from an explicit engagement with these emerging challenges along with feminist discourses to illuminate the heteronormative dimensions of justification of war.

To conclude, this book is an indispensable contribution to the growing scholarship on international relations and a vital resource for students, academics and researchers from a range of disciplines, particularly international relations, political science, sociology, international law and security studies.

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