

Critical Dialogue

Westphalia from Below: Humanitarian Intervention and the Myth of 1648. By Thomas Peak. Oxford: Oxford University Press, 2021. 240p. \$65.00 cloth.
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Historians studying international politics and international relations scholars studying the past are finding increasing points of intersection. At these disciplinary crossroads sit the exploration of new sources, new interpretations of key historical narratives, and reassessments of the significance of the international past for contemporary politics. The IR scholar Thomas Peak's new account of the Treaty of Westphalia is an important addition to this trend. He examines historical revisionism of what he terms "the myth of 1648" and then adds his own reading of the events of a half-millennium ago and why they still matter. At stake, he argues, is the contemporary fate of humanitarian intervention.

The myth of 1648, as Peak relays it, concerns the peace that brought to an end the devastating and highly deadly Thirty Years' War on the European continent. In the mid-seventeenth century, European political actors gathered in the region known as Westphalia to negotiate an agreement that was duly signed in the cities of Münster and Osnabrück. In the modern era, the "Peace of Westphalia" became shorthand for the history of the origins of a shared European conception of state sovereignty and the modern state-based international order. Peak takes as evidence of the myth's pervasiveness its use by twentieth-century elites, ranging from the famous (or infamous, depending on one's interpretation) US secretary of state Henry Kissinger to Australian statesman Gareth Evans, and even the pop star Katy Perry. In these examples, Evans is a vocal exponent of the "Responsibility to Protect" principle, arguing that it is the idea of state sovereignty enshrined at Westphalia in 1648 as a dominant concept of political organization that often confounds the imperative of international humanitarian intervention. Peak's problem with someone like Evans's legitimization of humanitarian intervention is that, even if unintentionally, it places too much emphasis on the historical status of national sovereignty invested in the Westphalian moment. Evans's view, he suggests, is particularly problematic when there is now

extensive historical evidence that sovereignty was a limited, historically specific idea tied to the culture of monarchical dynasties and early modern imperial structures. This is the launching point of Peak's parsing of the myth of Westphalia and his interest in replacing it with a new history written—in the parlance of social historians—"from below." In Peak's words, "The broad colour of seventeenth century social mentalities determined the direction and the character of the Westphalian peace and remains the lens through which the meaning should be gauged.... Humanitarian intervention, far from being a radical and dangerous innovation, in fact coheres with the purpose or deep meaning of an 'original' European state sovereignty idea" (p. 122).

Peak's choice not to focus on the politics of peacemaking or the few political peacemakers means that we do not spend much time in the conventional space of historical analysis of Westphalia. (Although his most evocative piece of writing sets the treaty-making scene: "In a pair of muddy little towns in the Westphalian countryside, several centuries ago, order was slowly whittled from the all-engulfing maelstrom of an unprecedented war" [p. 157]). The focus of *Westphalia from Below* is elsewhere. First it introduces the uninitiated reader to the new historical work that is revising our understanding of both what was actually achieved in the Peace of Westphalia and how it resonated afterward. Building on this foundation, Peak examines the broader context of ideas about the war articulated by thinkers and artists through the long period of fighting with an analysis of textual and visual sources from the time. Peak concludes that the savagery unleashed by the Thirty Years' War led to "the existential crisis, manifesting itself in dislocation, dehumanization, diminished dignity" (p. 11). The fifth chapter on "imagining order" brings his novel approach to political ideas to bear on this history; Peak shifts the focus from the apparatus and telos of the state to the history of feeling, experience, and mentalities. He brings to bear his own version of the social history of political ideas ("from below"), offering a close reading of published texts and visual representations to get at what he calls the period's "mentalité." These texts and images, he claims, prove what he regards as the more compelling point: a half-millennium ago, the horrors of the Thirty Years' War provoked a new humane way of thinking about dignity,

which should be considered the real historical legitimation of humanitarian intervention.

As the subtitle tells us, Peak's overriding interest is the problem of humanitarian intervention and why it has proven such a politically contested idea. Indeed, Peak begins his study with a long dystopian account of the brutality of contemporary episodes of genocide in Africa, where "humanity" has been at stake and humanitarian intervention has failed. If it is the present we are concerned about, then why should we bother with seventeenth-century Westphalia? For Peak, the dystopia that shifts the world happened in the early seventeenth century, giving birth to new ways of thinking and seeing. Understanding 1648 is about understanding how human dignity informed the wider ordering projects of the 1640s.

There is much to admire here in Peak's devotion to the significance of Westphalia for our own political moment and for IR scholarship. Then there is his investment in the history of mentalities, drawing on unusual visual and textual evidence. Indeed, I read *Westphalia from Below* as a modern historian with some knowledge of the revisionism taking place around the ideas emplaced in 1648 but having almost no expertise in the early modern era. I missed reading more about the political moment of 1648—although there are the well-wrought textual evocations that hint at historical possibilities for even further rewriting.

What is still missing from this new history of Westphalia? At the least, there is the still contentious question: When did humans learn to start to care for other humans elsewhere—within and outside territorial sovereign borders—if they could not directly know but could only imagine the lives of these others? Some modern historians have argued that humanitarian feeling emerged in the early nineteenth century. This is Lynn Hunt's view—that the invention of the novel enabled European men and women to imagine the suffering elsewhere of humans unlike themselves, particularly slaves. What are the implications of Peak's historical rereading of humanitarianism that traces it back to the seventeenth century? The nineteenth-century origin story does not, of course, discount the possibility of an alternative seventeenth-century account. Instead, taken together with Peak's investigation, it suggests the need for more historical attention not only to the historical specificity of humanitarian thinking and sentiments in the past but also to just how different from earlier periods contemporary expressions of humanitarian politics and emotions might be. Modern historians are also increasingly questioning the benign presumptions implied in international intervention on humanitarian grounds by investigating the ways in which, in the nineteenth and twentieth centuries, cases of transnational humanitarian intervention entangled imperial and fiscal adventurism or, at the least, evoked partisan and religious rationales. What might Peak say to this body of scholarship?

For Peak, 1648 is not the origin story we thought it was, but there is no ambiguity in the fact that the existence of the *myth* of 1648 has affected and affects political action. Yet he discusses no other factors that might be as (or more) important—even though we know, for example, that US president Bill Clinton's inclination not to intervene on humanitarian grounds in the Yugoslav wars was more influenced by representations of Yugoslavs as "Balkan," and thus naturally inclined to violence, than by the obstacle of state sovereignty. Indeed, historical work has shown the extent to which the legitimacy of state sovereignty in the modern era has often been weighted with stereotypical representations of difference, including race and gender difference. How does Peak's account relate to these other factors driving humanitarian intervention or its absence?

Ultimately, Peak's history of the early modern era is a provocation to reflect more urgently on what is at stake in the so-called end of international order so often represented as our present reality. That includes reflecting on the ways in which a long history of human dignity might be a more enduring characteristic of international order than the principle of state sovereignty that we now know to be a relatively recent invention.

Response to Glenda Sluga's Review of *Westphalia from Below: Humanitarian Intervention and the Myth of 1648*

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— Thomas Peak

I would like to thank the editors of *Perspective on Politics* for organizing this Critical Dialogue. Glenda Sluga's characteristically generous and thoughtful review of *Westphalia from Below* raises many good points, only some of which I can address in the available space.

First, Sluga highlights a central (negative) purpose of the book; dismantling the mythical interpretation of Westphalian sovereignty that has presented an inaccurate and highly problematic understanding of the normative foundations of the international order. That this is a present-focused problem, as much as a narrowly historical one, is a case made with specific reference not only to the problematic idea(s) of international intervention on the grounds of humanitarianism but also mass atrocity prevention and, more broadly, human rights promotion. Gareth Evans, a tireless champion for human rights both in his political praxis and academic writings, and largely because of the importance and clarity of his work, bears the brunt of some of my stronger critiques. Evans, along with other prominent norm entrepreneurs, including then-UN secretary general Kofi Annan, sought to reimagine sovereignty at the turn of the twenty-first century away from an "absolute" conception allegedly enshrined in seventeenth-

century Europe, which for several hundred years had privileged normatively unaccountable sovereigns. Evans refers to this traditional form of sovereignty as a “license to kill.” This was the launching point of the Responsibility to Protect concept that, as Sluga well knows, goes far beyond military intervention and reflects a broader global political commitment toward, in Evans’s famous formulation, “ending mass atrocities once and for all.” As a starting point for discussions on how to improve and somehow regularize responses to mass atrocity, this mythical version of the foundational meaning of sovereignty was profoundly unhelpful. The authentic meaning of Westphalian sovereignty—as I tried to show in *Westphalia from Below*—held out the possibility of a much more *positive* approach.

This brings us neatly to the second (positive) point. As Sluga identifies, the “Westphalian moment” embeds the creation of Euro-world order in international accountability, a nascent concept of community, and a necessarily universal sense of dignity. In particular, it was mediated through a lay neo-Stoicism that became a kind of widespread communal property. The values and mores of this Westphalian epoch, so far as they survived the physical and cultural destruction of so much of Europe (and of so many Europeans), articulated a broad validation of the fundamental intrinsic worth of the human spirit as an individual, but much more importantly as a *social* being. As the safe moorings toward which the peacemakers were guided, this feeling undergirds the specific legal and political innovations concocted in Münster and Osnabrück. Sluga rightly hints that this insight potentially calls for a wider rewriting of the historical accounts of the diplomatic and political history of peacemaking and order-building processes of the 1640s. Suffice it to say here that, although not inimical to it, such a rewriting was not the purpose of *Westphalia from Below*.

Third, a concern shadowing both Glenda Sluga’s book and mine is how resources from alternative, historical ways of seeing, thinking, and doing “politics” can bear on our contemporary predicament of transition (or “decline”). In thinking about humanitarian intervention as an historically constituted practice, I hope what my work shows is that it can be compatible—both morally and politically—with the kind of emerging order that diffuses authority and (therefore) responsibility more broadly. Sluga rightly points to the tainted legacies of much European humanitarianism of the nineteenth and twentieth centuries. From the perspective of truly global international relations, just as new problems and complications will arise, we can see possible forms of international intervention that are rooted more firmly in the region or locale.

I would like to thank Professor Sluga once more for her insightful and positive comments and to reiterate how valuable I found *The Invention of International Order*.

The Invention of International Order: Remaking Europe after Napoleon. By Glenda Sluga. Princeton, NJ: Princeton University Press, 2021. 392p. \$35.00 cloth.
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International order, as we have known it over recent decades, is in deep trouble. In a world characterized by “the global expansion of authoritarian rule” (Freedom House 2022), including the spread of xenophobic and racist populism in the order’s core and the open commission of atrocity crimes by two of the order’s Great Power Permanent-5, the established norms and institutions that constitute the much-debated liberal international order are under threat as never before. Rapid, almost incomprehensible technological advances, geo-economic shifts resulting in (and from) concurrent processes of globalization and deglobalization, and profound ecological crisis rapidly seem to be bringing in a bewildered age. How to make sense of it? In the midst of this “unmoored, uncertain transition” (p. 282), many scholars have drawn on historical patterns of ordering to better anticipate what might emerge on the other side. Yet Glenda Sluga’s achievement, in this rich and ambitious study of one of the order’s multiple births during the peacemaking process that followed the Napoleonic Wars, is to draw our attention to the fluidity, contingency, and ever-shifting horizons of experience and expectation that condition what (and how) we imagine politics between states to promise or even to be.

When discussing a book, it often helps to get the very obvious out of the way, and so, to anticipate your anticipation, Glenda Sluga has written an excellent book—and one that is not just excellent but also important. By opening the forgotten (or intentionally erased) vistas of this particular point in the construction of the international, Sluga shows how the character, extent, and reach of international politics were (re-)created within the imaginative prism of exclusion (whether of colonized peoples, victims of war, and exploitive capitalist practices; women; non-Europeans; and the “lower social orders” in general) and inclusion (of new or revived actors and forces: national, economic, social, scientific, and even philosophical). Yet, while drawing our attention to the fluidity and the constantly evolving process of contestation and renegotiation that attends to the construction of (any) international order, Sluga—using one of the great strengths of history—reminds us also that this process embeds *decisions*. For this reason, her account of emerging order does not leave the reader flailing in a hopelessly unnavigable sea of abstract forces.

In Sluga’s hands, the story of the emergence of the international order is woven in between the personal narratives of individuals whose activity reflects the breadth

of the possible politics being defined and melded into a revised order. Following the “ideological earthquake” of the French Revolution (p. 3), the Napoleonic Wars disrupted European politics in fundamental ways. Creating new geopolitical realities that could not simply be undone, contemporaries self-consciously understood themselves to be seizing the opportunity to make a wholly new politics. This was an endeavor shot through with philosophical idealism (p. 98). This combination was evidenced most clearly in the nascent multilateralism established in the Treaty of Chaumont in 1814, which committed the allies to continue cooperating after the war ended, inspired by the goal of establishing perpetual peace. Powerful men such as Castlereagh, Alexander I, and, above all, Metternich believed themselves to be “masters of the world,” shaping events in their own image.

Sluga takes great care to reintroduce the alternative forms and forums of politics that were sidelined in the ensuing constructions of modernity and of politics that emphasized professionalization, bureaucracy, and “masculinity.” In particular, the salon culture provided such a potent force that Germaine de Staël, who mastered its form, came to be known to contemporaries as the third great power in Europe along with England and Russia (p. 27); she was one of Bonaparte’s great antagonists. As politics between states eventually came to be ordered in such a way as to exclude women and to privilege a civilizational and racist fiction of European superiority, the structure of which continues to shape international politics today, Sluga’s book reclaims the possible futures foreclosed in the peacemaking that happened between 1814 and 1815.

After all, the international order is an idea constituted by practices that are continually contested, negotiated, and reimaged. In contrast with a tendency to conceive of an order as a coherent and relatively stable meta-institution accounting for the transnational distribution of political authority, Sluga’s history instead encourages a reading of it as interconnected and interwoven practices. By training the eye on this interpretive precondition of ordering processes, Sluga highlights the way in which the international order is a product of thinking about the possibilities of politics between states, of who gets to do politics, and—critically— of how the past and future are imagined. Indeed, the focus of her study, the intense period of postwar peacebuilding at the close of the Napoleonic Wars, sits at the fulcrum of what historian Reinhart Koselleck describes as *Sattelzeit* in *The Practice of Conceptual History: Timing History, Spacing Concepts* (2002). Sluga describes “a bridging century... between the ancient and the modern worlds that began around 1750 and lasted a hundred years... (and represented) a new capacity to imagine the future perched on an aspirational horizon of advancing and receding time” (p. 8). In many ways reminiscent of the peculiar historical condition of the early

twenty-first century, Sluga’s history of nineteenth-century order building is timely.

As the Napoleonic Wars ground to a halt, according to Sluga, “Europe became the site of shared moral and political (liberal) values and institutions pushing humanity further along the path to social and political progress, liberty and political equality” (p. 79). But this liberal, cosmopolitan moment did not preclude establishing civilizational hierarchies (p. 81), and much less could its nascent multilateralism give rise to the Enlightened perpetual peace those foolish, powerful men felt within their grasp. The paradoxes of violence, exclusion, and exploitation that lived alongside the high-minded ideals of progress, law, and rights plague the contemporary international order as much as they did the post-Napoleonic. This is one of the ways in which Glenda Sluga’s account of how the order was conceived, the ambiguities and the movement, and “the unsettledness, unpredictability, and unevenness of the past” (p. 282) speaks to the present idea of a liberal international order in crisis. Most of all, it reminds us that the scope of the politics between states, of who it includes and who it excludes (consciously or otherwise), is ever up for negotiation. As a “multiplex order” threatens us with its precarities (see Amitav Acharya, “After Liberal Hegemony: The Advent of a Multiplex World Order,” *Ethics & International Affairs*, 31[3]: 2017), this important history of emergent ordering processes shows that how we define the spaces where politics is done and allocate access to participation in shaping a vision of what politics means is crucial.

With these challenges in mind, Sluga’s work provokes several questions. In these debates over the future of the international order, IR scholars are as inclined to look backward as forward. Although some have hypothesized the reemergence of Cold War bipolarity, with China facing off against the United States in a generalized macro-security competition, others foresee the return of a balance-of-power, multipolar order akin to the nineteenth-century European states system. The particular contribution that historical accounts can make to these debates, especially broad and deep histories such as the one produced by Sluga, is to color in the caricatures, to fill out the shorthand images of the past that IR scholarship so often leans on in reaching for such analogies.

Because as Sluga has underlined, order building—especially when it occurs at significant critical junctures such as peace conferences that conclude major wars—is not a lineal process. It inevitably involves redefining the boundaries, limits, and terms of what “politics” becomes international. We find the same basic question being asked whenever we encounter these seminal moments of order building in European and global history, whether in Osnabrück and Münster, Vienna, Berlin, Paris, or San

Francisco: What aspects of politics are to be subject to common rules, and what issues are taken to reflect the common concerns of international society?

One possible explanation for the contemporary crisis in the international order is that it has outlived the previous institutional consensus on these questions. Current arrangements have been overwhelmed by the number of challenges that can no longer be contained by domestic politics but that are not yet fully embraced by the “international.” The legitimacy gap brought about by this conflict, then, demands a fundamental reordering. If we are indeed facing a reckoning of this kind, what does Sluga’s history tell us about *how* the process of exclusion happens? How do narrow interests reassert themselves, time and time again? Acknowledging this (in the context of San Francisco and Paris as much as Vienna), when confronted with moments of possibility, what strategies—political, rhetorical, and institutional—can be used to evade the pitfalls of a narrower politics that we so often fall into? Sluga shows perfectly well that it is not enough simply to have participation—voices around a table. Perhaps we need to reconceptualize the very terms of the debate or to interrogate the path dependencies on which our existing concepts lead us. What do we really mean by “universal” or by sovereignty, peace or self-determination? None of this is to charge Sluga with the indomitable task of prescribing new methods of order building; it is rather the historians’ privilege to ask questions. But the richness of her study and the mournfully teasing “what could have been” leave the reader inevitably thinking about how political and economic interests can be brought in line with wider conceptions of politics and notions of peace.

Response to Thomas Peak’s Review of *The Invention of International Order: Remaking Europe after Napoleon*

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— Glenda Sluga

Do historians and IR scholars see the world, in the present or the past, differently? Sometimes. The books that Thomas Peak and I have written are evidence that as an IR scholar and historian, respectively, we are both interested in what he terms the “cosmopolitan moment.” We have both chosen moments of historical transformation, the reinvention of orders, or even order building—his study of Westphalia and my own of the Congress of Vienna—which we see as relevant to now. Together, Peak and I traverse nearly a half-millennium, which we leap

across two centuries at a time: the seventeenth-century Treaty of Westphalia, the nineteenth-century Congress of Vienna, and our twenty-first-century “now.” Historians call this view of the past the *longue durée*.

Even though Peak and I are situated in different disciplines, I venture that we have a lot in common in how we think about history and why it matters. Both of us are engaged in reflecting on and probing the past as ways of anchoring our understanding of the present, how we got here, and how we understand our contemporary political landscape and its dilemmas. I expect we both see the present—including the existing “international order” as we know it—as only one version of the future, as it was imagined and shaped over time. Both of us assume, too, that there is more to know about that order, especially if we do not trace its origins through relatively recent genealogies: post-9/11, or post-Cold War, or even post-World War II. We both understand the constitution of subjectivities and of gender and the connection between the cultural and the political as simultaneously constitutive of international orders, their limitations, and potential. We use a similar “toolbox,” investigating this history “from below,” trying to capture and understand the range of experiences, ambitions, and expectations that are the sum of engagement with the potential of past “cosmopolitan moments” that marked out the path of the future that became our past. We give agency to a broader range of actors who are evidence of engagement with the politics between states, even in the process of imagining of states that is part of this *longue durée* history. As an historian I take from IR this interest in the *international*, in orders and ordering that are only now beginning to be part of the language historians use. I bring from my discipline, too, an entrenched sense of the valence of actors otherwise considered invisible or irrelevant, not least women but also economic actors, and that seeing them adds to our understanding of power and influence.

I teach history graduates who worry that, when history addresses the present too directly, it somehow politicizes the past. Working with IR scholars underscores the more salient point: not only that we cannot help but see the past through the lenses we have but also that the present can indeed be usefully placed in the context of the past, of decisions made and foregone. Ultimately, historians and IR scholars have a long history of borrowing from and translating each other. In that context, I am extremely grateful to Thomas Peak, writing from the frontiers of a Europe in conflict and in perpetual reinvention, for his careful and sympathetic reading of my book that, like his own, is about a time of making peace and the long history of learning and unlearning the lessons of war.