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Review Essay

On Faith in the Moral Force of International Law. Martin Wight and Hugo de Groot: *Four Seminal Thinkers in International Theory. Machiavelli, Grotius, Kant, and Mazzini*, Martin Wight*

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Introduction

The British academician Martin Wight (1913–1972) is well known to scholars of international relations and international law for his influential take on Grotius as the archetypical thinker of the rational tradition of international thought. This view of Grotius is part of Wight's broader international theory, which discerns three traditions of international political thought and conduct: Machiavellianism (also called realism), Kantianism (or revolutionism), and Grotianism (or rationalism).

* *Four Seminal Thinkers in International Theory. Machiavelli, Grotius, Kant, and Mazzini*, Martin Wight (G. Wight & B. Porter, eds.). – Oxford: Oxford University Press 2005. – XI, 166 pages. – ISBN 0-19-927367-7.

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The present essay arose out of my reading of Wight's posthumously published lectures which aimed to see whether these would be suitable for teaching a course on the history and theory of international law. The essay then grew into a – modest – intervention in the current debate on Grotius and the Grotian tradition. Wight's reading of Grotius yields a definition of the 'Grotian heritage'; significantly different from Tuck's interpretation, which has poignant relevance today in the light of unanswered questions on the relationship between morality and international law and on the responsibility of international lawyers.

Methodology

Martin Wight developed his thoughts on the history of ideas regarding international relations and international law, or what he called "international theory", while lecturing at the London School of Economics (LSE) during the 1950s. Martin Wight's wife, Gabriele Wight, and Brian Porter, one of Wight's students at LSE at the time, reworked the lecture notes into a most readable book, a landmark in the literature on (the history of) international relations, entitled *International Theory: The Three Traditions*,[1] published posthumously in 1991. Hedley Bull, Wight's younger colleague at LSE who built on and further developed Wight's tripartition in his own books,[2] was involved in the editing of this and other unpublished manuscripts (among which *Systems of States* in 1977). With *International Theory: The Three Traditions*, fortunately, the editors made Wight's ideas on the international society accessible in almost its original form and wording to a wider public beyond the original audience. The impact of these lectures on the students present at the time should account for the influence of Wight's work that was published only in part during his lifetime. It is largely thanks to the lectures and the idea of the 'three traditions' they formulated that Wight is considered one of the founding fathers of what has become known as the 'English School of International Relations.'[3] Other prominent figures of

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1) Martin Wight (G. Wight & B. Porter, eds.), *International Theory: The Three Traditions*, (Leicester: Leicester University Press 1991). Hereinafter: *International Theory*.

2) *See*, e.g., H. Bull, *The Anarchical Society: A Study of Order in World Politics* (London: MacMillan Press 1977).

3) The term 'English School' was only coined by Roy Jones nine years after Martin Wight's death in 1981. Martin Wight (G. Wight & B. Porter, eds.), *Four Seminal Thinkers*

this school are for example Hedley Bull, Herbert Butterfield, and C.A.W. Manning. Martin Wight counts among the most influential scholars in his field: Bull explained how Wight developed his ideas out of dissatisfaction with the crude division into realism and idealism in the study of international relations. Bull emphasises the profound originality of Wight's account and vaguely suggests that a passage in Otto von Gierke's work may have prompted Wight to the idea of the three traditions.[4]

Many scholars today still work with or within the theoretical framework Wight developed: Bull, Buzan, Hurrell, Keene, Kingsbury, Linklater, Little, Roberts and Watson, to mention just a few. Bibliographies on the 'English School' are available on the internet (eg. <www.polis.leeds.ac.uk/research.php>). Despite the scholarly popularity of this framework, or perhaps because of its critical use by so many scholars, no established definition of the approach exists. Roughly, it may be characterised as coming from the study of history and philosophy – as opposed to natural and social sciences – and by the arguably general acceptance that "The most fundamental question you can ask in international theory is, 'What is international society?'"[5]

With *Four Seminal Thinkers in International Theory*, Gabriele Wight and Brian Porter again edited and published a collection of Martin Wight's lectures. Thanks to the excellent introduction to the four lectures, written by David Yost, *Four Seminal Thinkers in International Theory* need not be read only as a complement to the book *International Theory: The Three Traditions.* One can easily read it as a work standing on its own. The accessibility of Wight's ideas is further enhanced by two graphical additions. Philosophical genealogies, included among the appendices, map Wight's classification of writers within the three traditions.

The '*Four Seminal Thinkers*' lectures were given in 1959–1960 at LSE, just before Wight took up his positions as Professor of History and Dean of European Studies at the University of Sussex. His lectures have been reworked in this volume into clear and enjoyable texts on the political

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in International Theory. Machiavelli, Grotius, Kant, and Mazzini (Oxford University Press 2005), xvii. Hereinafter: *Four Seminal Thinkers*.

4) H. Bull, Martin Wight and the theory of international relations, in *International Theory*, p. x – xix. *See also* the suggestion of Michael Howard in his Forward to *Four Seminal Thinkers*, p. vi.

5) M. Wight, 'An Anatomy of International Thought', in *Four Seminal Thinkers*, p. 144.

thinking of Machiavelli, Grotius, Kant, and Mazzini. The inclusion of Mazzini is not to say that Wight's typology of traditions of thought on the identity of the international society is changed from a "conceptual triad"[6] into a foursome. Rather, the inclusion of Mazzini aims to enhance our understanding of Wight's conception of revolutionism: for him Mazzini, the 19th century Italian philosopher and politician, was "an archetypical thinker of revolutionary nationalism."[7] A remarkable choice of words on Wight's part, since he professed to consider Mazzini a democrat, albeit one with passionate, revolutionary nationalist ideas like Nehru and Nasser. Wight calls him "arguably, the last great Western thinker before Marx and President Wilson."[8] The editors of *Four Seminal Thinkers in International Theory* confirm the impression one has when reading Wight's lecture on Mazzini. They "justify" the inclusion of Mazzini in this volume by pointing at Martin Wight's affinity with Mazzini: "Martin was clearly fascinated by a man who was not only, like himself, a moralist of a religious temperament (one of very few Western post-Enlightenment revolutionaries who were), but also, again like himself, a radical traditionalist steeped in the long heritage of European history and culture."[9] Coming from the pen of the editors who knew Wight and his work so well, this is not only an interesting explanation. On a general note, it confirms the identity of the author of these lectures. I return below to this moral layer in Wight's work.

As Bull explained in his introduction to *International Theory: The Three Traditions,* Wight was not after " '*A* Theory of International Relations' that would put an end to disagreement and uncertainty, [he] saw as the outcome of his studies simply an account of the debate among contending theories

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6) B. Buzan & R. Little, 'Why International Relations has Failed as an Intellectual Project and What to do About it', vol. 30 (1) *Millennium Journal of International Studies*, (2001), p. 37.

7) *Four Seminal Thinkers*, p. 91.

8) *Four Seminal Thinkers*, p. 115. The seeming tension between these two statements may be resolved by Wight's analysis of Mazzini's thought and place in time: "… the Roman Republic of 1849 was less the overture of the Risorgimento than the last flicker of the Roman city-state … [Mazzini] was an apostle … of insurrection, of republicanism, of the nation, … a political saint … Immersed though he was in his own age, he did not fully understand it; and if he has lasting value of interest, it is not because he was an interpreter of his times, or because he wretched and pummelled history into new channels, but because he drew his spiritual strength from timeless sources."

9) *Four Seminal Thinkers*, p. xi.

and doctrines, of which no resolution could be expected."[10] In Wight's account, three groups of thinkers dominate the debate on the international society and by their ongoing conversation structure the discourse. Such a group of thinkers is not limited to time or place, each of these three traditions run through several centuries. The thinkers in each of these traditions are grouped together by their answer to Wight's daunting research question: "What is the nature of international society?"

The Machiavellians – among whom Wight includes realists like Hobbes, Hegel and Morgenthau – would posit that no such society exists, that international politics amount to "anarchy" and that relations among states "are ultimately regulated by warfare."[11] Without an international society, an institution like the United Nations is a phoney; according to a Machiavellian, the UN functions merely as a locus for power politics, nothing more.

In the second tradition – the Grotians – Wight groups philosophers and statesmen who maintained the Western values of "constitutional government" and classical international lawyers (for example, Suarez, Grotius and Brierly) and who recognised natural law obligations as part of the international system.[12] Grotian thinkers do accept the existence of an international society. Rather than merely waging war, states cooperate on common interests, in particular trade issues. This "international intercourse" is regulated by norms, rules and institutions such as diplomacy, international law and intergovernmental organisations. In other words, international rules put moral and legal restraints on the execution of state power in international life. While international morality is not an issue to the Machiavellians – for whom interest, princely or state, is the prime explanatory factor for international politics – it does play a role in the Grotian paradigm. I will return to this below.

The third pattern of thought that Wight identified, the Kantian tradition, is based on the idea that international politics is *really* "about relations among the human beings of which states [are] composed." For

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10) H. Bull, 'Martin Wight and the theory of international relations', in *International Theory*, p. xi. Emphasis added.

11) *International Theory*, p. 7.

12) M. Wight, 'Western Values in International Relations', in Butterfield & Wight (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen & Unwin 1966), p. 90–91. Hereinafter: Western Values in International Relations.

the Kantians, international morality consists of "the revolutionary imperatives that required all men to work for human brotherhood." The world is perceived as potentially "a moral and cultural whole," a community of mankind. Revolutionists tend to have an optimistic and perfectionist assumption about human nature. This assumption grounds the perceived universal moral unity, which "imposes certain moral and psychological and possibly even legal (according to some theories of law) obligations." Wight underlines the fact that his typology is "an attempt to pin down and define the *central* principles and *characteristic* doctrines of each of the three traditions." This is not to deny that these three traditions of thought "blend" and coexist *interdependently*, just like the three conditions of international politics with which the classifications are bound up: anarchy, intercourse and moral unity.[13]

One may wonder why the editors decided to publish a series of lectures that to some extent gets out of well-trodden territory. However, in *Four Seminal Thinkers in International Theory*, Wight approaches international theory through a more biographical lens. Wight aims to portray each of the eponyms of the three traditions (plus Mazzini) as a "concrete, historical person in all his richness and possible inconsistency",[14] rather than as a symbol he needed to structure his account of the international political debate. *International Theory: The Three Traditions* was organised very differently: "This course of lectures is in the first place an experiment in classification, in typology, and in the second an exploration of continuity and recurrence, a study in the uniformity of political thought; and its leading premises is that political ideas do not change much, and the range of ideas is limited."[15] While *International Theory: The Three Traditions* naturally constitutes the overarching intellectual framework of the four lectures on Machiavelli, Grotius, Kant, and Mazzini, the lectures in *Four Seminal Thinkers in International Theory* may also come to correct the falsification that results from classification and typology: "It seems true that, when a proper name becomes used adjectivally of a school or way of thought, it falsifies the man possessing the name."[16] At the same time, the essence of

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13) *International Theory*, pp. 7, 27, and 258 (emphasis M.W.).

14) *Four Seminal Thinkers*, p. 3.

15) *International Theory*, p. 5.

16) *Four Seminal Thinkers*, p. 3.

Wight's understanding of the history of ideas remains the conviction that, throughout the ages: "International politics is the realm of recurrence and repetition",[17] and "political ideas do not change much."[18]

To bring out Wight's position on the study of the history of thought optimally, it may be compared and contrasted briefly with the Cambridge School methodology. Since Wight wrote the lines quoted directly above, the Cambridge School of historical interpretation has been introduced to the study of international relations,[19] and international law.[20] Cambridge School frontrunner Quentin Skinner, a leading scholar on Hobbes and early modern intellectual history in general, has scrutinized such convictions on interpretation of historic texts and advocated a very different method. Rather than studying the history of international theory as 'continuity and recurrence', the Cambridge School approaches the history of thought as discontinuity and denies the existence of 'perennial questions' in political philosophy: "the history of thought should be viewed not as a series of attempts to answer a canonical set of questions, but as a *sequence of episodes* in which the questions as well as the answers have frequently changed."[21] According to Skinner, it is "not the essential sameness, but rather the essential variety of viable moral assumptions and political commitments" that the study of historic texts in social, ethical, political or for that matter legal thought reveals.

Closely related to the different perspectives on *how* the history of thought should be studied, is their difference of opinion on *what* we may learn from it. For Skinner, the study of history may at most provide 'lessons of self-knowledge.' We cannot learn *directly* from historic texts since the questions these texts attempt to answer are not our questions – neither timeless

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17) M. Wight, 'Why is There No International Theory?', in Butterfield & Wight (eds.), *Diplomatic Investigations. Essays in the Theory of International Politics* (London: Allen & Unwin 1966), p. 26.

18) *International Theory*, p. 5.

19) *See*, e.g., D. Bell, 'The Cambridge School and World Politics: Critical Theory, History and Conceptual Change' (2001). *The Global Site* (<www.theglobalsite.ac.uk/ press/103bell. pdf>).

20) *See* e.g., J.E. Nijman, *The Concept of International Legal Personality: An Inquiry into the History and Theory of International Law* (Den Haag: Asser Press 2004).

21) Q. Skinner, 'A Reply to my critics', in James Tully (ed.), *Meaning & Context. Quentin Skinner and his Critics* (Princeton: Princeton University Press, 1998), p. 234.

questions nor timeless answers exist – "we must learn to do our own thinking for ourselves." Yet, *indirectly* we may learn from the past:

> To demand from the history of thought a solution to our own immediate problems is thus to commit not merely a methodological fallacy, but something like a moral error. But to learn from the past – and we cannot otherwise learn at all – the distinction between what is necessary and what is the product merely of our own contingent [social and political] arrangements, is to learn the key to self-awareness itself.[22]

Skinner and Wight clearly hold different conceptions of the philosophical value of the history of ideas, yet both envision some sort of liberation. For Skinner, history of thought may liberate us from the constraints that society puts on our imagination. From Wight's words it appears as if he found some sort of consolation in the essential 'sameness' of the arguments throughout time. The recurrence of thought patterns, the repetition of ideas and questions – in short, the study of the past – puts things in perspective, and as such provides spiritual liberation.

> It is a liberation of the spirit to acquire perspective, to recognize that every generation is confronted by problems of the utmost subjective urgency, but that an objective grading is probably impossible; to learn that the moral predicaments and the same ideas have been explored before. One need read very little in political theory to become aware of recurrences and repetitions.[23]

The lectures on the *Four Seminal Thinkers in International Theory* should be read against the background of these methodological and philosophical conceptions, and within the context of Wight's typology of international theory.

Grotius and the Grotian Tradition

Let us now focus on Wight's portrayal of Grotius and exploration of his thought, which at the same time helps to illustrate the approach Wight

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22) Q. Skinner, 'Meaning and Understanding in the history of ideas', in James Tully (ed.), *Meaning & Context. Quentin Skinner and his Critics* (Princeton: Princeton University Press, 1998), p. 66–67.

23) *International Theory*, p. 6.

takes in all four lectures. Subsequently, it will become clear how Wight's own ideas may be positioned within the Grotian tradition.

"One of the main difficulties in studying Grotius is his ambiguity … One consequence of this ambiguity is that Grotius can be posthumously all things to all men; he is interpretable in various ways."[24] Wight is certainly right about that. It is one factor to account for the controversy around the Grotian heritage. In the struggle for the *real* Grotian tradition, we find positions as oppositional as those of Tuck and Van Vollenhoven.

The early 20th century Leiden professor Cornelis van Vollenhoven presented Hugo de Groot as an apostle of peace. In his view, Grotius and Grotianism stand for a tradition of idealism and progress and even anti-militarism – such largely derived from Grotius' proposition that aggressive war is an international crime. In his characteristic style, Van Vollenhoven wrote about Grotius:

> When, in the course of human events, it becomes necessary for one people, for one continent, or for all mankind to break with the past and to have the world's face changed; when in such days the voice of the human race calls loudly for a great statesman, a great prophet, a great reformer to arise; and when upon this call this man does arise, – we bow our heads in silence.[25]

Van Vollenhoven read Grotius' international theory as a theory of *duties,* a theory which developed a system of natural duties, which is binding upon each political community and individual, whether sovereign or citizen. Compliance with these natural duties is not a matter of noble piety or Christian faith; it is a matter of self-interest that can be valued in terms of money and prosperity. At the centre of Grotius' theory of the law of nations is the *duty* to refrain from committing an international wrongful act (even if that act were to strengthen one's power). In case a wrongful act occurs, other states must follow the *universal* right to punish such wrongs, which constitute violations of natural duties. Grotius became the "prophet of charity."[26]

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24) *Four Seminal Thinkers*, p. 31–32.

25) C. van Vollenhoven, *Verspreide Geschriften* Deel 1 (Haarlem: Tjeenk Willink en 's Gravenhage: Martinus Nijhoff, 1934), p. 380.

26) C. van Vollenhoven, *De drie treden van het volkenrecht*, ('s Gravenhage: Martinus Nijhof, 1923), p. 8–15.

Contrary to Van Vollenhoven's reading, Richard Tuck understands Grotius international theory as a theory of *rights*. According to Tuck,

> The essence of Grotius new theory can be described as the claim that we have rights to those things – and only those things – in which we have a personal interest: once again his origins as a humanist are vital to an understanding of his views, for he took the old humanist account of the pursuit of self-interest by individuals or cities, and made it the foundation of an account of rights.[27]

This element accounts for Tuck's contrasting view on Grotius: "Grotius endorsed for a State the most far-reaching set of rights to make war which were available in the contemporary repertoire. In particular, he accepted a strong version of an international right to punish, and to appropriate territory which was not being used properly by indigenous peoples." In brief, Tuck pictures Grotius as an apologist of Dutch commercial expansion into the Indies and of their "offensive war, in order to open up trade routes and make a lot of money."[28] In Tuck's view, Grotius must be understood as a modern natural rights theorist, whose ideas are closer to Hobbes' political theory then most like to admit. Rather than to contrast Grotius' theory of human nature to Hobbes' conception of man's 'unsociable' nature, Tuck emphasises that actually both Hobbes and Grotius minimize man's natural sociability: all creatures, including man, act above all upon the principle of self-preservation and self-defence. Like men, states too are concerned with self-preservation and have a natural right to self-defence. Thus, in Tuck's interpretation, Grotius ascribed only a minimal role for morality in international relations.

Where is Martin Wight situated in this debate? He portrays Hugo de Groot neither as a prophet nor as a tough, corporate legal advisor. In *Four Seminal Thinkers in International Theory* Grotius is sketched as an advocate of toleration, an unsuccessful politician, a theologian inclined to irenicism, and "an intellectual in politics [who] could not handle men." "He was competent, but disillusioned," according to Wight, and indeed "the acknowledged father of International Law." In contrast to Van Vollenhoven's reading of Grotius, Wight held – and convincingly so – that Grotius "repudiated the

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27) R. Tuck, *The Rights of War and Peace: political thought and international order from Grotius to Kant* (Oxford: OUP, 2001), p. 88. Hereinafter: *The Rights of War and Peace*.

28) *The Rights of War and Peace*, p. 108 and 80.

idea of world government", in the same way as he repudiated the idea of world anarchy.[29]

In Wight's opinion, Grotius' ambiguity is a sign of strength rather than a sign of weakness. It is not to be explained by the at times alienating method of humanist scholarship, but rather by the nature of the topic Grotius is writing on. International politics itself is such a complex business that serious writing about it – and doing justice to the moral complexity it involves, like Grotius does – requires the "richness and complexity" found in his work. Actually, in the following appreciating words for Grotius sensibility to the "morally multidimensional character of our experience", and to the "moral maze" that international political decision-making involves, Wight explains his own position:

> To simplify crudely: if you are apt to think the moral problems of international politics are simple, you are a natural, instinctive Kantian; if you think they are non-existent, bogus, or delusory, you are a natural Machiavellian; and if you are apt to think them infinitely complex, bewildering, and perplexing, you are probably a natural Grotian.[30]

One can sense Wight's own discomfort with a denial or simplification of morality in international politics. In Wight's view and to his preference, Grotius' "middle way" of rationalism reconciles realism and idealism, power politics and pacifism – in other words the poles of the political spectrum. In a pivotal article of Wight's oeuvre, entitled 'Western Values in International Relations', he explained this *via media* quality of rationalism:

> This pattern of ideas usually appears as the *juste milieu* between definable extremes, whether it is Grotius saying; 'A remedy must be found for those that believe in war nothing is lawful, and for those for whom all things are lawful in war' … , or the policy of collective security between the World Wars as a middle way between pacifists and disarmers on the one side and the imperialists turned appeasers on the other. The golden mean can be an overcautious and ignoble principle as a guide to action, but it may also be an index to the accumulated experience of a civilization which has valued disciplined scepticism and canonized prudence as a political virtue. The disposition to think of true policy as a difficult path between seductive but simplified alternatives is a likely, though not of course an infallible, sign of the tradition we are concerned with.[31]

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29) *Four Seminal Thinkers*, p. 30–31 and 35.

30) *Ibid.*, p. 32–33.

31) Western Values in International Relations, p. 91.

Grotianism is an attitude to international politics that practises disciplined scepticism and canonized prudence as a political virtue – this is the tradition in which Wight himself feels at home. Rationalism as the 'golden mean' in international theory allows for *speculation* about the nature of international society and about how to achieve a more desirable one.

> If political theory is the tradition of speculation about the state, then international theory may be supposed to be a tradition of speculation about the society of states, or the family of nations, or the international community. And speculation of this kind was formerly comprehended under International Law.[32]

Wight deplored the "intellectual and moral poverty" of international theory in his famous article, entitled 'Why is there no international theory?' (1960). International theory should dare to speculate, to raise normative questions about international society, like back in the early modern days. At the heart of the Grotian tradition, international law plays a constructive role in international relations. Today, this is still a core issue to the English School: law is not excluded from international theory. On the contrary, the interaction between international law and politics is central to English School perspectives. Moreover, it leaves significant space for the idea that ultimately a purely voluntarist theory of international law has insufficient explanatory power of the latter's role in international relations.

Martin Wight took ethical and religious questions very seriously. In an excellent article, Scott Thomas situates Martin Wight among a loose group of thinkers who formed the Christian social tradition that "contributed to the intellectual revival of Christianity during the 1950s." [33] This is surely not to say that Wight was an optimist or that he believed in moral or social progress. On the contrary, he rejected the doctrine of progress as unhistorical, simple and Kantian.[34] The acknowledgement of religion as a serious part of

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32) M. Wight, 'Why is There No International Theory?', in Butterfield & Wight (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen & Unwin 1966), p. 17–18.

33) For a study of the role of religion in Martin Wight's international theory, *see* S.M. Thomas, 'Faith, History, and Martin Wight: the role of religion in the historical sociology of the English school of International Relations', 77 (4) *International Affairs* (2001), pp. 905–929, at 907.

34) *Four Seminal Thinkers*, p. 76–80.

intellectual life is tangible in every piece of scholarship Wight wrote. He was a scholar with great theological knowledge, who went through a period of Christian pacifist convictions in the 1930s before he came to the *via media*, as Scott Thomas shows. His Christian perception of human nature – the recognition of man's inclination to sin next to his ability to love – made Wight sympathetic to political realism and reserved with regard to moral idealism in international relations, in the same way as the influential public theologian Reinhold Niebuhr.[35] However, in the lecture on Machiavelli, which explains the novelty of Machiavellian thought as a break-away from the "transcendentalism" of scholasticism and the adoption of the historical method to find the laws of politics, Wight rejects the realist perspective that state power is an end in itself, rather than a means to an end. Here he brings Grotius into the debate in order to reinstate morality as a standard for political action, rather than allowing politics to be the source of morality and law. For both Grotius and Wight this is possible because of human *social* nature. Politics is not simply men preying upon men and states preying upon states. Besides human sin there is another, moral force working within and through human beings that transcends the mere pursuit of their own interests. Wight quotes from *De Jure Belli ac Pacis*: "[Some argue that friendship originates in need alone, but] we are drawn to friendship spontaneously, and by our own nature."[36] This seems to touch the core of Wight's reasons to adopt a rationalist approach. In the rationalist account, politics is not merely about the struggle of power but also about the "approximation of justice."[37]

David Yost puts it aptly in his introduction to *Four Seminal Thinkers in International Theory*: "Realist and Revolutionists share, Wight noted, a tendency to locate ultimate meaning within politics and history instead of religion and moral convictions."[38] In Wight's view, meaning cannot come from politics; permanent moral obligations should be the criterion of (politi-

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35) *See*, on Reinhold Niebuhr and Realism, J.E. Nijman, *The Concept of International Legal Personality: An inquiry into the History and Theory of International Law* (Den Haag: Asser Press 2004), p. 262 *et seq*.

36) *Four Seminal Thinkers*, p. 9.

37) *International Theory*, p. 248.

38) *Four Seminal Thinkers*, p. xxviii.

cal) action and it is this idea which he considered to be present in Grotius' natural law based theory of international relations and international law.

In Wight's reading of Grotius, the essential fact is that not all law is voluntary law, and that the natural law of nations and nature constitutes a permanent order of legal duties for both individuals and states. It allows morality to enter the system:

> Grotius' famous definition is that: "The law of nature is a dictate of right reason, which points out that an act, according as it is or is not in conformity with rational nature, has in it a quality of moral baseness or moral necessity; and that, in consequence, such an act is either forbidden or enjoined by the author of nature, God." The law of nature indicates that an act has moral qualities. The roof of natural law is open to the sky of morality, just as the whole of the front of a building is open to the law of nations.[39]

This is why Grotius is the eponym of the *via media* between realism and revolutionism:

> Between lies the moral sense we are considering. It can reach the point of uttering a moral prohibition in politics. But it assumes that moral standards can be upheld without the heavens falling. And it assumes that fabric of social and political life will be maintained, without accepting the doctrine that to preserve it any measures are permissible. For it assumes that the upholding of moral standards will in itself tend to strengthen the fabric of political life.[40]

The middle way has cultivated political morality as an alternative to *raison d'État* politics and to personal morality, "it upholds the validity of the ethical in the realm of politics. It follows that the whole conception of policy is broadened and capable of being suffused with moral value."[41] The middle way thus produces an alternative type of policy. This '*alternative* policy' conforms to the virtue of prudence: it is produced by the confrontation of political expediency with the moral sense of the politician as well as of those who are effected by his policy. Within international politics, this is what separates us from international anarchy.

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39) *Four Seminal Thinkers*, p. 42.

40) Western Values in International Relations, p. 130–131.

41) *Ibid.*, p. 128.

Ultimately, this type of rationalist or Grotian perspective on international society grounds in man's moral sense and consciousness. Going back to the different perspectives on Grotius, we may conclude that Martin Wight interprets Grotius' conception of human nature very differently from someone like Richard Tuck. According to Martin Wight, Grotius, contrary to realists like Machiavelli and Hobbes, held a rather thick notion of society and human sociability.[42] In Tuck's understanding, Grotius' version of human society excluded considerations of distributive justice, while in Wight's view, a principle of distributive justice was part of Grotius' natural law system. In Tuck's view, Grotius considered man to be social yet in a very limited way: "it extended only as far as was necessary to justify the private right of punishment."[43] Wight, however, appreciated the role Grotius attributed to human conscience as man's judge of his own actions. Thanks to the inclusion of this judge in the Grotian conception of human nature, individual moral responsibility is possible and morality can be brought into the realm of (international) politics. This is not merely the thin morality of punishment in case one's natural rights are violated, as in Tuck's argument, nor a rampant version of morality that overrules all political decision-making with the power of a "dramatic moral veto" leaving no room for practical considerations, political morality is in Wight's version, the moral sense of the middle way, i.e. the notion "of a permissible accommodation between moral necessity and practical demands."[44] The moral quality of decisions springs from the individual human conscience, only man can bring morality and meaning to politics: "For Grotius the moral quality in politics depends on the individual." Man is both good and evil, no reason to be overly optimistic or pessimistic, a Grotian would sigh. The middle way goes through the individual conscience:

> The Grotian mode of thought with its premise of the individual's sociability and responsibility to the judgement of society tends in the upshot to make the individual conscience the engine, the animating impulse of politics. In Grotius himself individualism is explicit: international law today is a law creating rights and duties

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42) *See*, for Tuck on Grotius' thin notion of human sociability, *The Rights of War and Peace*., p. 89.

43) *The Rights of War and Peace*., at 88. *See*, for Tuck on Grotius' thin notion of human sociability, *ibid.,* p. 89.

44) Western Values in International Relations, p. 128.

> for states, not individuals, and Grotius does not make a system of international law in this sense. His rules bind peoples indeed, but more particularly their rulers. The law of war binds the individual conscience … more generally, any emphasis on the moral content of politics will be an emphasis on the individual decision in politics. Law (roughly) is in the sphere of society, morals in that of the individual, and the Grotian tends to moralize law, to assert that law is morally binding. If the motives of love, charity, shame, reverence, or honour are to temper the political conflict, then it must be in so far as these direct the individual conscience, because the masses (the Grotian will say) do not feel these impulses.

In Wight's classification the Grotian tradition in international theory is born from those scholars who uphold this view on human nature and natural law. This means, with regard to international law, the Grotian, or Rationalist tradition "wants international law to develop along the lines of municipal law. It aims at the codification of decisive rules of international law and its administration by effective courts." International law has as its sources positive law as well as natural law (i.e., ultimately in man's rational and social nature) or in more current, 'English School' language: "the law behind the law. … there are fundamental or natural norms, even though the way in which they are conceived, and the nature of the appeal to them, may change."[45] But neither is international law derived merely from power, or simply concerned with results in terms of power; it includes legal and moral obligations that spring from the demands of justice. The faith in international law as a legal and moral force in international politics, which affects the actions of states and, in particular, the mind and actions of politicians, Wight and Grotius share.

As Wight himself admitted, due to his ambiguity, Grotius can be posthumously all things to all men. One cannot help to think that in the same way as "Lauterpacht draws [Grotius] in the image of Lauterpacht,"[46] Wight draws him in the image of Wight. This is especially so when one is familiar with the well-researched and compelling argument Richard Tuck builds in *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant*. But then, it makes sense to say that the three perspectives mentioned here – in their intellectual fight for dominance – reflect Grotius' own internal strife.

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45) *International Theory*, p. 234.

46) *Four Seminal Thinkers*, p. 32.

In any case, Wight's admiration for Hugo Grotius did not prevent him from seeing that Grotius' effect on actual European politics had been limited. With regard to the alleged "humanizing influence" exerted on international law by Grotius' 1625 book, Wight approvingly quoted Lauterpacht's conclusion: "the general picture of international relations in the two centuries which followed the publication of *De Jure Belli ac Pacis* was not one pointing to any direct influence, in the sphere of practice, of the essential features of the Grotian teaching."[47] More than twenty years earlier Van Vollenhoven had come to a similar conclusion.

Conclusion: The Grotian Tradition Today

Wight in his reading of Grotius' theory carved out his own *via media*, the course of which can be said to lie between Tuck's and Van Vollenhoven's position, leaning perhaps slightly towards the latter. As Martin Wight's statement on Grotius' argument in *De Jure Belli ac Pacis* confirms: "If there is an international society at all, then its members have duties, and the duties are enforceable."[48] This also sums up Wight's own perspective on world society and the role of international law within it. It would be a mistake, however, to identify this interpretation with Van Vollenhoven's completely. Wight attributed more realism to Grotius than Van Vollenhoven did with his image of Grotius as a dove. On the other hand, Martin Wight surely would not have agreed with Tuck's analysis, or with Röling's for that matter, who in the same vein characterised Grotius' teachings on war as "dangerous".[49]

Wight's middle way is neither overly optimistic nor overly pessimistic about human nature, chances for peace, and the rule of law in international relations. After all, much depends on individual choices, on the recognition of a responsibility towards society, also beyond national borders, and on giving natural law principles relevance within international relations. In my view, this is what makes Grotius' ideas and the Grotian tradition so relevant today: its appeal to the relevance of moral principles as a counterforce to

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47) M. Wight, 'Why is There No International Theory?', in Herbert Butterfield and Martin Wight (Eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen & Unwin 1966), p. 30.

48) Western Values in International Relations, p. 105.

49) B.V.A. Röling, 'Are Grotius' Ideas Obsolete?', in Bull, Kingsbury & Roberts, *Hugo Grotius and International Relations* (Oxford: Clarendon Press, 1990), p. 297.

raison d'État type of reasoning, its call for responsible decisions at every level of society and the way these decisions depend on man's moral quality. From governments to companies, from politicians to consumers individual moral decisions are imperatively required. Politicians, international jurists, individual citizens – all play a key role at this time of great discrepancy between the law 'as it is' and the law 'as it ought to be' in order to be able to solve our global problems. To close that gap, responsible choices need to be made.

Recalling Grotius' and subsequently Wight's thought on law and morality may prevent complete cynicism and stimulate the development of international law.

> Lawyers have a special responsibility in such circumstances. They are the experts who … can use this natural law as an inspiration and as a guiding principle to achieve a change in positive international law – a gradual change, a peaceful change – with the aim, not to create paradise on earth, but to make our world more liveable, with a diminished fear of mankind's destruction …. It is the task of governments to reach for these aims. But the lawyers are indispensable for the opening of feasible roads, and for the introduction of methods and steps that may lead to a law suited to serve the needs of the time.[50]

Today, only a few years after the words of US President G.W. Bush on 11 September 2001 – "I don't care what the international lawyers say, we are going to kick some ass"[51] – Röling's words on the contemporary relevance of Grotius' ideas seem hard to read and quote. And yet, his is an appropriate quotation to conclude this short essay. Wight would certainly have approved of Röling's constructive appeal. The hope there is, comes from the principle of individual moral responsibility and its Platonian presupposition, in Wight's words: "the *just man is prior to the just state*. Justice in the individual is self-discipline, 'an internal order of the soul', the harmony of elements in the soul."[52]

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50) B.V.A. Röling, 'Are Grotius' Ideas Obsolete?', in Bull, Kingsbury & Roberts, *Hugo Grotius and International Relations* (Oxford: Clarendon Press, 1990), p. 298.

51) Richard A. Clarke, *Against All Enemies: Inside America's War on Terror*, (New York: Free Press, 2004) p. 24.

52) *Four Seminal Thinkers*, p. 55.