Empire and governance:
The question of legitimacy

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Paper prepared for the ECPR-SGIR
Pan-European International Relations Conference
University of Turin
12-15 September 2007

Empire, a notion decidedly jaded in the course of the "short" twentieth century (Hobsbawm 1994) by the experience of serial imperial collapse – from the Habsburg, Romanov and Otoman empires, through the Third Reich, the Japanese empire and the European colonial empires, until the Soviet empire - is again in the air. Particularly after the September 11, 2001 terror attacks, international security thinking experienced a noticeable ascent of the idea that, as a "benevolent empire" (Kagan 1998), the United States now had the calling to unilaterally buttress international order wherever necessary.[1] The benevolent empire approach deserves to be taken seriously (cf., e.g., Balibar 2003; Cox 2004, 590; Nexon & Wright 2004, 2007). The benevolent empire, we argue, is a consciously Hobbesian way of thinking about global governance, whose conception of legitimacy can however be criticized on the basis of Hobbes's thinking. Indeed, the question is whether benevolent empire, as a form of global governance, can be effective and legitimate.

The concept of benevolent empire, as the world knows, is not new: phrases like *Pax Romana*, *Pax Britannica* or "the white man's burden" suggest order and civilization being lavished on savage peoples by mighty providers of those precious public goods (Maier 2006, part I). Great power competition and the racist conviction that it was a moral duty to civilize "helpless and backward" peoples oft weighed down by despotism, turned imperialism into an obligation, "the West's 'moral vocation'" (Hobson & Sharman 2005, 87-89). Even to the United States, benevolent empire isn't new: Jefferson saw the United States as an empire of liberty, the manifest destiny belief envisioned democracy and empire progressing hand in hand (Maier 2006, 1-2). Subsequently, however, things turned around:

> "The idea of benevolent empire came under hard blows in the twentieth century. If the United States appeared exceptional, it was not because the country was a benevolent empire but because it supposedly eschewed empire. Until a few years ago, most historians and commentators who wrote about empire angrily rejected any application of the concept to the United States as somehow un-American. Most still reject it. Empires meant conquest and annexation; supposedly Americans did not do that. Since September 11, 2001, however, if not earlier, the idea of American empire is back" (Maier 2006, 2).

At issue here is the *idea* of American empire, not the question whether or not the United States actually does qualify to be called an empire (see, e.g., Bacevich 2002, Maier 2006). Throughout its history, the United States has occasionally acted in an imperial manner (see,

[1] See, notably: Kaplan 2001; Kagan 2002; Lal 2002; Ferguson 2004a; Lieber 2005; Mandelbaum 2005, 2006.

e.g., Cox 2004; Ferguson 2004a). Yet this legacy still does not turn the United States into a world empire.

Empires are generally perceived to pursue territorial expansion or control. Since the acquisition of vast territories on the North American continent during the 19th century and since the withdrawal from the Philippines, territorial expansion does not seem to offer a key to understanding U.S. foreign policy. Here the United States is in a category by itself:

> "Unlike previous European empires, it has no significant overseas settler populations in any of its formal dependencies and no obvious desire to acquire any. It does not conceive its hegemony beyond its borders as constituting a form of citizenship. It exercises no direct rule anywhere outside these areas; and it has always attempted to extricate itself as swiftly as possible from anything that looks as if it were to develop into even indirect rule" (Pagden 2005, 53).

Some speak of "imperial denial," an "imperialism of anti-imperialism" (Ferguson 2004a, 56), or of an "imperial liberal state" that "does not have territorial control as a goal" (Bishai 2004, 51, 57). Hence tags other than direct control appear more plausible. For instance a somewhat elusive "post-territorial control," based initially on "Fordist" industrial production and nuclear weaponry, subsequently on consumption and high-tech innovation (Maier 2006, chs. 5-6). Also, particularly with regard to Western Europe, a "transnational hierarchization" selecting and binding U.S.-friendly elites into an "imperial coordination" whereby the U.S. "set collective policies" and provided major collective goods: "economic and social stability, and international security" (Maier 2006, 233-4). Ultimately, however, "the term 'empire' is misleading and misses the distinctive aspects of the global political order" (Ikenberry 2004, 630).[2] Questions about the imperial nature of the U.S. or the current international system "obscure more than they reveal" (Nexon and Wright 2007, 266).[3]

At issue, again, is the notion of benevolent empire, not the question which ideal type best accounts for international-political developments. Some might object that the notion of benevolent empire doesn't deserve to be taken seriously. Michael Cox meanwhile warns:

> "… we may not like the new imperialists, their ideas or their policy prescriptions; nonetheless, we still need to engage with what they have had to say: in part because of

[2] Ikenberry adds: "American success both after the Second World War and the Cold War is closely linked to the creation and extension of international institutions, which both limited and legitimated American power."
[3] Nexon and Wright add: "Decades-long geopolitical developments have, in fact, tended to render American relations less, rather than more, imperial in character."

> the influence they have exerted and partly because they have generated one of the more interesting public discussions about American power for several years. *For serious students of international affairs it would in fact be quite irresponsible not to respond*" (2004, 590, italics added).

This is the task we intend to take on here, taking the notion of American empire seriously (cf. Nexon & Wright 2004, 2007). Etienne Balibar (2003) provides yet another good reason to concern oneself with empire theory, pointing out that Robert Kagan, arguably the most prominent exponent of benevolent empire thinking, puts forward an argument that deserves theoretical attention as it is solidly construed, historically as well as philosophically.

The occasion for Kagan's 1998 "Benevolent Empire" article was the international reaction to the so-called Monica Lewinsky affair, beleaguering President Clinton with a peculiarly probing, archetypically puritan investigation of his private life and endangering his presidency. The looming menace of impeachment provoked vivid reactions all over the world, reactions fuelled by the concern that such commotion at the top of the earth's most powerful nation could severely disrupt international politics. These reactions, Kagan concluded, stood in sharp contrast with calls for a multipolar world order: in an underhand way, the world was now recognizing the virtues of American power and its crucial stabilizing role. Yet, Kagan continued:

> "This brief moment of international concern passed, of course, as did *the flash of candor* about the *true* state of world affairs and America's essential role in preserving a semblance of global order" (Kagan 1998, 25, italics added).

Given this "true state," complaints about it or alternative proposals cannot be taken seriously: "For all the bleating about hegemony, no nation really wants genuine multipolarity" (*ibid.*, 31).

Striking about the benevolent empire argument are its self-confident access to "the true state of world affairs" and is its tenacity in the face of adversity. Since Kagan published his "Benevolent Empire" article in 1998, American power has been confronted in Iraq with difficulties demonstrating its limits. But this experience didn't seem to make much of a dent in the benevolent empire creed, as it was professed unaltered by Michael Mandelbaum (2005, 2006). Except with words, Mandelbaum argues, there is no balancing against U.S. power, for the evident reason that "the United States plays a uniquely positive global role" (2006, 52).[4]

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[4] Concerning "rhetorical balancing," see the remarks by Wolforth (1999), couched in a more complex argument about "unipolarity".

The United States acts like a “world government,” providing public goods that governments deliver at the national level. Indeed, the U.S. guarantees security in Europe and Asia, battles terrorism and the proliferation of WMD, and buttresses the international economic order. Anti-American utterances of foreign leaders are not so much inspired by U.S. foreign policy but aimed, rather, at domestic political gain (Mandelbaum 2005, 2006). Moreover, an attractive alternative simply isn’t available:

> “The alternative to the role the United States plays in the world is not better global governance, but less of it – and that would make the world a far more dangerous and less prosperous place” (Mandelbaum 2006, 55; see also Ferguson 2004b).

According to this neoconservative logic, the U.S. has the right to judge about right and wrong in order to maintain international peace: for this purpose the nation may mobilize all its means of power, including military power, and should not let itself be constrained by various kinds of international treaties. These treaties hamper U.S. power and, by the same token, reduce the effectiveness of U.S. action (Lieber 2005). The neo-imperial strategy, primarily Wilsonian in its intent (cf. Ikenberry 2004, 625-627), aims at the spread of “peace, democracy, and free markets” (Mandelbaum 2002). The *Pax Americana* is needed in order to safeguard peace and prosperity in the world. Empires are providers of essential public goods, and as such they deserve to be defended (Lal 2002).

Global governance

The benevolent empire is a mode of thinking about global governance. As an original research programme within IR, the academic literature about global governance originates with James Rosenau (1997). At the end of the Cold War, Rosenau concluded that the world no longer could be adequately interpreted with realist, state-centric theories; international reality had become too complex, chaotic, and incoherent. Rosenau concluded:

> “… there is no single organizing principle on which governance across the Frontier rests, no emergent order around which communities and nations are likely to converge. Viewed on a global scale, governance is the sum of a myriad – literally millions – of control mechanisms driven by different histories, goals, structures, and processes. Perhaps every mechanism shares a history, culture, and structure with a few others, but there are no characteristics or attributes common to all mechanisms. This means that any attempt to trace a hierarchical structure of authority which loosely links disparate sources of governance to each other is bound to fail. In terms of governance, the world is too disaggregated for grand logics that postulate a measure of coherence along the Frontier” (2004, 409).

Indeed it was hard to deny that a multitude of actors and forums were participating in the international political process: states, international organisations, international regimes, multinational companies, NGO's, macro- and micro-regions, cities, social movements, credit agencies, criminal organisations, knowledge communities, ethnic minorities, etc.

Rosenau's approach does nevertheless have its limits. Notably international security issues, one is forced to conclude, remain strikingly absent in this literature (Beeson 2004, 8).[5] International security appears to be caught in an old-fashioned dichotomy between realism and liberalism, with, left and right, a few constructivist annotations.[6] Outside of the Rosenau tradition, hence outside the original global governance paradigm, various pronouncements are made about the possibilities of international supervision over security issues. This issue was at stake in the so-called "neo-neo debate," pitting neo-liberals against neo-realists (Grieco 1998). Realists readily admitted the possibility of international economic cooperation, but emphasized the difficulties of cooperation with regard to international security. Invoking Hobbes, they kept pointing to the dangers and the inevitable consequences of the anarchic structure of the international system. Durable cooperation is impossible. As soon as the common enemy disappears, alliances disintegrate. International organisations do not offer a solution: their influence is minimal, as states are only preoccupied with "relative gains" and as they fear cheating. Consequently the soothing effect of international organisations inevitably falls victim to the relentless power struggle between states (Mearsheimer 1994/95).

Champions of an American empire also invoke Hobbes. They sing the praises of America's role as the keeper of the global order, particularly in the realm of international security, and consider U.S. power, as a critical John Ikenberry (2004, 610) puts it, as the "provider, protector, arbiter, and final word in international order." The question remains, though, whether the analysis made by the 17th-century philosopher, whose prime concern was

[5] Yet there are exceptions like Elke Krahmann (2001, 2005), who applies Rosenau's turbulence scheme to the European and global security architecture and inevitably sees an amalgam of private and public actors at work. Yet her primarily descriptive analysis does not convince. Anna Leander's (2004) research raises the question of the political impact of private military companies. If they help to coordinate the security policies of major states, i.e., if they influence political decision-making, Rosenau's analysis becomes applicable also to international security issues. Yet if they only execute political decisions, their theoretical relevance is far smaller. The military-technical importance of these companies, meanwhile, is evident.

[6] Cf. Wendt 1999 as well as Risse's constructivist interpretation of "democratic peace," 1996. Securitization theory (Buzan, De Wilde & Wæver 1997) is not taken into consideration here, as it does not apply to the subject of this paper. Yet here, also, the question is: who securitizes? Political actors, the state, or society?

domestic politics, can serve as a reliable guide for exploring international politics in the 21st century.[7]

Often global governance is equated with international law, international organisations, and multilateral action, particularly so in Europe (cf. Groom 2006). From this perspective, an imperial strategy as described above cannot qualify as a form of global governance. That is also John Ikenberry's opinion, who contrasts U.S. actions during the Cold War and its immediate aftermath with U.S. behaviour in the Iraq issue: in the former case, he sees the U.S. as a "provider of global governance," in the latter he labels it a "great power pursuing its national interest" partially in a neo-imperialist manner (2004, 624-625).

Yet it is not clear whether the crisis besetting multilateral diplomacy was caused by the unilateral U.S. conduct. Many believe that the multilateral approach is outdated; its focus on sovereignty would be a prime cause of its lack of effectiveness (Newman, Thakur, & Tirman 2006, 2-3). Ironically, however, it is precisely this lack of effectiveness which boosts the need for effective U.S. leadership and, by the same token, of unilateral action. According to Prins (2006), for instance, the U.S. tries to play a prominent and positive role in the struggle against HIV/AIDS, but is often frustrated in this by countries that prefer to act in a more multilateral manner. And since the multilateral lore prohibits touching the holy cow of sovereignty, Prins argues, the pandemic was able spread faster and wider. Granted, Prins's example is anecdotal, and no doubt counter-examples can be summoned, it suffices to think about the importance of tackling global warming multilaterally. Still, it allows one to stress that *output* primarily determines whether an action can qualify as a form of global governance. If the effectiveness of the multilateral approach proves to be poor, one may wonder whether it is a mode of global governance at all. The *way* of taking action is subject to change, but the *need* for action remains constant. John Ruggie recognizes that global governance can take various forms:

> "The power asymmetries between the United States and the rest of the world, especially in the military sphere, will in some measure inevitably produce divergent approaches to global governance" (2005, 335).

Hence benevolent empire can indeed be seen as form of governance.[8] The concept of global governance does not have a stable content: its meaning can change as a consequence of

[7] Skinner (1998) alerts us to the difficulties of applying ideas from another era to the modern world – in effect a translation problem, and challenges his colleagues to always analyse ideas from previous eras within their own social and ideological context.
[8] Which doesn't imply, needless to add, that it also is a desirable or legitimate form of governance.

historical developments, or as the result of manipulation. Definitions of concepts are not fixed, often they are at stake in political struggles. This certainly applies to politically charged concepts like “peace” or “sovereignty”, hence also to “global governance.” If neoconservatives were to win the definition battle, successfully promoting a unilateral notion of governance, the meaning of the term global governance would effectively have changed.

Hobbes’s uses

The intellectual roots of the benevolent empire theory are not unequivocal. The theory seems to have a double background: on one hand classical-American Wilsonianism, on the other hand the Hobbesian tradition. We focus on the Hobbesian character of the theory because it seems to be the dominant element, and also the most controversial. Supporters as well as critics acknowledge Hobbbes’s influence on the benevolent empire doctrine. Robert Kagan (2002) refers to the United States as a “Behemoth with a conscience.” Kagan (2003) also remarked famously that Europe lives in a Kantian dream, while America acts in a Hobbesian reality.[9] Robert Kaplan (2001) similarly preaches the necessity of a new American imperialism. The title of a collection of essays of his, *Warrior Politics: Why Leadership demands a Pagan Ethos*, is telling: Kaplan consciously attempts to create a tradition, an intellectual canon. He invokes authoritative figures like Churchill, Sun-Tzu, Machiavelli, Livy, Thucydides, Malthus, and Kant in order to underpin his conclusion, the benevolent working of the American empire. The last in his list of intellectual ancestors is Hobbes, whom he labels tongue-in-cheek a “great disturber” (2001, chap. 7), but from whom he nevertheless draws the lesson that real freedom is possible only when order reigns. Guzzini, who formulates a constructivist response to neoconservatism, though sceptical, also acknowledges the Hobbesian angle: “On Mars, force is the only source of a necessarily shallow legitimacy. The contract is purely Hobbesian: authority through security” (2006, 131).

Yet how substantial is the neoconservative appropriation of Hobbes as an international-political thinker? A theoretical current invoking Hobbes’s philosophy partakes, consciously or not, in an IR debate that is anything but recent. Two schools, realists and rationalists, claim

[9] Others, by contrast, believe that the Europeans, “by attempting to isolate the European Union as far as possible from all forms of external conflict that are considered to pose no immediate domestic threat – are the true Hobbesians” (Pagden 2005, 56).

Hobbes's intellectual legacy.[10] The interpretation of Hobbes within IR theory rests almost exclusively on chapter XIII in *Leviathan*. There Hobbes describes the state of nature as a war of all against all. To render this philosophical hypothesis plausible, Hobbes makes three comparisons with real world situations: the domestic situation during civil war; the societies of primitive peoples in America; and the mutual relations among sovereign rulers. Concerning the latter, Hobbes notes:

> "… yet in all times kings and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators, having their weapons pointing, and their eyes fixed on one another; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms and continual spies upon their neighbours, which is a posture of war" (1984, 187-188).

Realists, who believe that fundamental changes are extremely unlikely (Mearsheimer 2001, 2), conclude that the fate of states in the international system is analogous to the fate of individuals in the state of nature. In other words, there is a constant threat of war, conflict is inevitable, and cooperation must remain limited - willingly or unwillingly (Viotti & Kauppi 1999, 60-61).

But that raises the question why an international Leviathan isn't advocated by Hobbes and, with him, by the realists (Williams 1996, 225). Installing a sovereign ruler was Hobbes's solution in order to escape from the terror of the state of nature. Why not extend this solution to the international level? The rationalists, also known as the "English school," seize upon this apparent paradox in order to present their own interpretation. States, the rationalists argue, are less vulnerable than individuals (*ibid*., 227). Hobbes also believes that anarchy among states causes less misery than anarchy among individuals:

> "[…] because they uphold hereby the industry of their subjects, there does not follow from it that misery, which accompanies the liberty of particular men" (1984, 188).

The limited vulnerability of states allows them to cooperate durably, to develop norms and institutions in common. Before the extension of the international community beyond Europe, the motivation to do so was traditionally reinforced by the awareness of sharing interests and Christian values (Dunne 2005, 72). The international system remains an anarchy, but this doesn't mean that there are no rules; it is, after all, an anarchical *society* (Bull 1995).

[10] This paragraph relies heavily on Michael Williams's (1996) impressive analysis, "Hobbes and International Relations: A Reconsideration." Williams rejects the two standard interpretations and offers an alternative reading of Hobbes's international theory, based on a broader reading of his philosophy. Williams's approach will be discussed below.

The new imperialists appropriate Hobbes's legacy in their own way – the third mode of appropriation, after realism and rationalism, and defend the actions of the Unites States as those of an international "Leviathan" (Kagan 2004).

The true Leviathan

Yet, what is the Leviathan for Hobbes? What justifies it, what are its tasks and its goal, where are its limits, what is the appropriate code of conduct for its subjects? As is well known, the English civil war (1642-1651) constituted a key source of inspiration for Hobbes, so much so that his *Behemoth* was devoted to its history. *Behemoth* isn't a mere historical account, but rather a didactic exercise in which Hobbes doesn't praise the rebellion but, on the contrary, warns against the dangers of civil war. MacGillivray (1970, 195) describes *Behemoth* as a "detailed study of a rebellion [Hobbes] knew particularly well and resented thoroughly […]." His aversion to the political chaos characteristic of civil war led Hobbes to promote a sovereign power with the purpose of "getting […] out from that miserable condition of Warre […]" (1984, 223). The sovereign's power cannot have juridical bounds, it ought to be absolute (Lloyd 2002, § 8).[11] When a sovereign takes up his position, he commits himself to safeguard the security *and the satisfaction* of his subjects (Skinner 2002, 178). The drawback is that subjects, in Hobbes's theory, are compelled to obey. This obligation to obey is not alienating, as subjects have voluntarily transferred their autonomous decision competence to the Leviathan. Hence the legitimacy of the sovereign ruler's actions is rooted in his subjects' desire that he would rule. The subjects have concurred. Hobbes can thus be read as a consent theorist who started the modern social contract tradition (Riley 1982, chap. 2).

Hobbes worked out his theory of obligation for a sovereignty *by institution*: conscious of the terror caused by civil war or the state of nature, subjects voluntarily decide to appoint a sovereign leader. Disobedience would be absurd, as subjects would ignore their own wishes and be disobedient to themselves. Within Hobbes's historical context, another, harder case was more important: sovereignty *by conquest or acquisition*. Should one give the oath of

[11] At issue, here, are *juridical* bounds; this doesn't mean that there can't be *rational* bounds to the behaviour of a sovereign. If he wants to keep his people happy, it can be rational for him to act prudently and not precipitate himself into costly and unnecessary adventures. On the basis of this idea, Michael Williams (1996) re-interprets Hobbes's meaning for IR theory.

loyalty to a sovereign who gained his power in an illegitimate manner? Can the wielding of power by such a sovereign be legitimate? Hobbes's answer to both questions was positive.

The issue was at stake in the so-called "engagement controversy," a debate taking place from 1649 onward, at the height of the English civil war, with the king assassinated, the monarchy and the House of Lords dissolved, and the republic proclaimed. How should royalists react? Should they continue to resist, or give the obligatory oath of allegiance to the new power holders? Within this context, the search started for a theory apt at advocating the legitimacy of the new government, a theory "capable of performing the revolutionary task of justifying the duty to obey a merely *de facto* and usurping political power" (Skinner 2002, 287). Why would the power of the new ruler be legitimate? According to Riley (1982, 27), who bases himself on Hobbes, legitimacy in this case, also, would depend on the acquiescence of the conquered subjects. But this dodges the key issue: why would subjects acquiesce in rule by an alien power?

In Hobbes's days, three answers to this question were circulating (Skinner 2002, chap. 10). First, it was argued that good Christians don't get involved in public affairs. Second, an argument could be heard, left and right, based on natural law or divine law: if somebody was able to accumulate so much power that he was capable of dominating others, this surely ought to be a consequence of God's will and providence. Hence the divine origin of the ruler's position sufficed to exact obedience. Meanwhile a third argument evolved, grounded on the subjects' self-interest: it was better to obey even an alien ruler, because stable rule fosters security and peace, allowing for a civil society that functions well. The first justification cannot be found in Hobbes's writings,[12] the second and third justifications are debated. Skinner points to a current interpreting Hobbes as being first and foremost a natural law theorist; hence obedience is due because God wanted it that way. Skinner finds this interpretation nonsensical and shows convincingly that Hobbes advocated obedience exclusively on the basis of self-interest. Skinner's reasoning (2002, 282-283) deserves to be quoted at length:

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[12] Although subjects having experienced the state of nature would putatively have no desire to meddle in public affairs; they rather "eagerly seek" (Kratochwil 1994, 480) "commodious living," to use Hobbes's terms. This desire does not diminish the fact, meanwhile, that self-interest can be the only basis for obedience to the sovereign. Hobbes does not advocate suppressing one's desire to get involved in public affairs (which would amount to subscribing to the first argument). Rather, he hypothesizes that subjects will not care to get involved in public life anyway. Hobbes's consciously educative role does obscure the distinction, though.

> "If Hobbes intended to ground political obligation on a prior duty to obey the commands of God, then it follows that every contemporary – every follower, every opponent, every sympathiser – equally missed the point of his theory. Furthermore, they were all mistaken in exactly the same way. Consider first the hobbist followers I have discussed. They all locate the grounds of political obligation in the paramount need for self-protection, and trace this paramount need to man's nasty and brutish nature. Many of them, moreover, specifically cite Hobbes as an authority on both these crucial points. This was also the popularly received impression of Hobbes's intentions amongst his contemporaries."

Hence the subject is obliged to obey the Leviathan. The reason for this is functional: if the subject would not obey, one would not get out of, or fall back into, the state of nature as a war of all against all. The obligation is not so much moral as social: in case of failure, the social logic collapses. In sum, it is a matter of necessity:

> "*obligation* must be understood in a metaphorical sense, as what is logically necessary to the creation and preservation of society but not morally necessary or dutiful" (Riley 1982, 24).

Consequently the obligation is conditional. When a sovereign does not perform his duty and does not attain his goal, the duty to obey lapses. This means that if a sovereign does not succeed in safeguarding the security of his subjects, his legitimacy expires (Lloyd 2002, § 9). The right to life, and the right to defend this life, i.e., self-preservation, is a natural law that applies unconditionally. When life is threatened, one has the right to rebel. Yet the purpose of the sovereign, as Skinner points out, is not only the defence of the security of his subjects, but also the preservation of their satisfaction. For the sovereign this conclusion opens Pandora's box, as it multiplies the cases in which resistance against a sovereign becomes legitimate: not only when life, but also when *honour* is at stake (Lloyd 2002, § 9). Moreover, who determines whether the protection offered by the ruler is adequate? In principle the subjects themselves. But in that case there is of course no limit to number of possible instances of resistance or rebellion (Lloyd 2002, § 9). What are the consequences? First of all, such a position prevents rulers from behaving in an all too tyrannical or predatory manner, as it almost guarantees dissatisfaction. Secondly, this challenge shows that for Hobbes the Leviathan had to be an "educative state" (Hanson 1984, 352). The state had to set up an educational programme teaching the subjects virtuous behaviour and informing them about the benefits of the Leviathan. That way, epistemological unity could be created concerning the greatest threats and the proper solutions.

The true state of nature

Invoking a long intellectual tradition or a prominent philosopher in a sense endows an argument with the needed authority. But it also raises questions. Even if our respected ancestors were able to fathom an eternal truth, the question remains whether we are equally able to grasp that truth. Besides, the difficulties of translating ideas from another era to the modern world are clear, the danger of reducing a lifelong opus to a slogan is acute. Take for instance Thucydides, whose Melian dialogue is frequently cited in order to describe, and to pound home, the invariably amoral character of great powers. The Athenian delegates at Melos indeed put it unambiguously: they can impose their conditions "while the strong do what they can and the weak suffer what they must" (Thucydides 1945, 301). But what allows us to conclude that Thucydides subscribed to their stance, let alone approved of it? Richard Ned Lebow and Robert Kelly (2001) argue that the Melian episode, together with the struggle over Mytilene, ushered in the end of Athenian power, and that Thucydides considered Athenian behaviour pathological.[13] The interpretation of Hobbes by the realists seems equally untenable. The situation of states within the international system in Hobbes's days, and according to the rationalists also nowadays, is not comparable to the situation of individuals in the state of nature (Williams 1996).[14] Clearly, alternative interpretations of Hobbes's significance for IR are possible that display considerably more nuance than those of the realist school.

Leviathan unbound

How is the neo-imperialist appropriation of Hobbes to be assessed? How consequential is the neo-imperialist approach? The benevolent empire clearly has supplanted the "clash of civilizations" as the dominant paradigm in U.S. policy circles. Patrick Jackson (2007, 30-35) explains this speedy breakthrough by the similarities the theory shows with earlier doctrines, more specifically with the Wilsonian tradition. Playing on a familiar theme and grafting alternatives on what is existing constitutes a key to gaining an audience, thus Jackson. Still, this does not explain the success, nor the fact that the Hobbesian dimension of the story was swallowed along the Wilsonian one, which is quite portentous. The argument for benevolent

[13] Ultimately the bell tolled with the fatal expedition to Sicily, the sign of a serious form of hubris.

[14] It is even argued that the realist interpretation of the state of nature diverges from that of Hobbes, for whom the state of nature knew natural law norms aimed at peaceful coexistence (Yurdusev 2006, 317-319).

empire became really popular only after the terrorist attacks of September 11, 2001 (Cox 2004, 588-589), a day seen as the catalyst for a "new" U.S. foreign policy (e.g., Coolsaet 2002, 59).[15] Now the world could effectively be presented as an endless concatenation of threats, first and foremost from terrorists, but also from WMD, dictators, and failed states. The analogy with the conflict-ridden Hobbesian state of nature suddenly became plausible. The solution, an international Leviathan, seemed to impose itself.

The threat was diffuse, a global Leviathan was needed, and it ought to be alert:

> "But there *is* today a 'present danger.' It has no name. It is not to be found in any single strategic adversary. It does not fit neatly under the heading of 'international terrorism' or 'rogue states' or 'ethnic hatred.' In fact, the ubiquitous post-Cold War question—where is the threat?—is misconceived. Rather, the present danger is that the United States, the world's dominant power on whom the maintenance of international peace and the support of liberal democratic principles depends, will shrink its responsibilities and—in a fit of absentmindedness, or parsimony, or indifference—allow the international order that it created and sustains to collapse. Our present danger is one of declining military strength, flagging will and confusion about our role in the world" (Kagan & Kristol 2000, 4).

This interpretation is not without merit. Hanson (1984, 334) remarks that, within Hobbes's logic, "if conditions were to become sufficiently grim, a global Leviathan might reasonably be expected to result." Like Hobbes, the benevolent imperialists believe that the Leviathan should not be hampered by any juridical limits if it is to be efficient. The U.S. should not be bound by international law. This doesn't mean that international law would vanish, it merely would take on another form and content. Some speak in this context about the rise of a "hegemonic international law" (Vagts 2001), in contrast with inter-sovereign international law. A dominant power always had great influence on the formulation of international law. But usually this influence was tempered by the logic of the balance of power, which isn't just a political phenomenon, but always had a juridical aspect rooted in the equality of states and in the norms of sovereignty and non-intervention. Hegemonic law, by contrast, is grounded on the recognition of inequality, on an exceptional position for the hegemonic power, and on the right to intervene.[16] For Hobbes, law and morality were possible only after the establishment

[15] Others, by contrast, deem that since 9/11 "nothing much changed" in international politics, except for a soaring of the U.S. defence budget which "helped finance […] the invasions of Afghanistan and Iraq" (Dobson 2006, 25). For the continuities in U.S. policies, notably from the G.H. Bush, through the Clinton, up to the G.W. Bush administration, see also Bacevich 2002.

[16] Reus-Smit (2004, 36) notes that the G.W. Bush administration doesn't primarily reject international law, but rather subjects its validity to conditions. Norms change, but don't disappear completely.

of a hierarchical authority: "Where there is no common power, there is no law; where no law, no injustice" (1984, 188).

Still, it is a well known objection that U.S. actions cannot be legitimate if they do not comply with the requirements of international law, and that after the invasion of Iraq U.S. legitimacy needs to be restored by "a return to lawful conduct" (Tucker & Hendrickson 2004).[17] Kagan (2005) retorts that security, not legality, determines the legitimacy of the United States' role, referring to the U.S. position during the Cold War and the protection it afforded against the Soviet threat – a protection that allowed Europeans to develop their Kantian disposition (Kagan 2003). This is a clearly Hobbesian answer, as Hobbes also judged that sovereigns who illegally grabbed power could be legitimate and thus deserve the support of their subjects. Indeed, the U.S. role in the world is analogous to that of a sovereign by conquest, rather than a sovereign by institution.[18] Legitimacy is conferred by the provision of security, not by acquiescence or legality.

Some see divine providence at work:

> "By a fluke or a miracle, depending on your point of view, because of the confusion of a few disoriented voters in Palm Beach, Fla., this has been the decade of neoconservatism. Bismarck once said that God looks after fools, drunkards, children and the United States of America. Given the 2000 presidential election, it is clear that he works in very mysterious ways" (Krauthammer 2005, 2).

This reminds one of the idea circulating in Hobbes's days that divine will bestowed legitimacy on a ruler. Divine will conveniently removes all doubts about the legitimacy of U.S. actions. Another variant of such a natural law approach can be found in the idea that the U.S. are championing universally valid values and combating obvious evil in the world. Such advocates of American empire thus invoke a double justification, security and natural law.

But generally the benevolent empire approach does honour Hobbes's intellectual legacy. Whether this approach is in a stronger position than the other claimants, realism and rationalism, depends on whether its pessimistic assessment of the manifold threats to peace is shared by a sufficient number of observers and policy makers.

[17] For a broader analysis of the link between legality and legitimacy, see Scott & Ambler 2007.
[18] As would be the case with the "bottom-up" commission of a world government, predicted by Wendt 2003.

Hobbes's validity

One may have "correctly" appropriated oneself a part of Hobbes's legacy, yet this still doesn't mean that Hobbes's ideas, or his interpretation of the concept of legitimacy, remain compelling in the 21st century. When Hobbes decides that it is wise to subject oneself to a ruler who was originally illegitimate, he speaks from the perspective not of this new ruler, but of the subject. Hobbes was a royalist. His side suffered defeat when the king was deposed and the republic proclaimed. Nevertheless, as one of the vanquished, Hobbes advocated accepting the authority of the new ruler because a new sovereign could provide security and stability. By contrast, when Kagan explains the importance of the United States as stabilizing power in international politics, he speaks as a consultant of the sovereign (Guerlain 2006). Kagan's position is structurally different from that of Hobbes in his days. Nevertheless, Kagan's role does fit within the Hobbesian approach, as Hobbes defended the importance of the educative state. Hobbes is a conventionalist, which means that he considers language, truth, and God to be conventions. These ideas do not reflect an external truth, yet exist as long as they are shared. They are created by people, hence they can be altered by people. For peace to be durable, the Leviathan needs to educate its subjects so that they would come to share the same truth concerning the threatening world and the role of the sovereign in taming it (Williams 1996; Jackson 2004, 287). Kagan can be seen as such an educator or teacher, as "a publicist working for the manufacture of consent among dominant groups" (Guerlain 2006, 452). That way, Kagan and his peers do fulfil an essential function within the Hobbesian state. But considering the playing field, international politics, Kagan is partly addressing the wrong public. He may help to strengthen the legitimacy of U.S. policy within the U.S., but seems to forget that the relevant "subjects" for his project are foreign governments or peoples.

Aside from educational efforts,[19] the objective provision of security determines the legitimacy of the U.S. role. Yet the civil war in Iraq does not contribute to the perception that the U.S. knows how to effectively guarantee security in the world. This throws knew light on Kagan's notorious pronouncement that, "For all the bleating about hegemony, no nation really wants genuine multipolarity" (1998, 31). Kagan places the blame and the explanation for the limited appreciation of the U.S. role in world politics with foreign disingenuousness or foreign

[19] Guzzini (2006, 127-132) describes them as the "performative" or "reflexive" aspects of American power.

ignorance. Hobbes would discern another cause: U.S. failure to protect or convince the "subjects".

Constructing legitimacy

While the features of empire are not central to, and hence have been skirted in, this discussion of benevolent empire, there is nevertheless one imperial characteristic that deserves consideration here as it throws light on the legitimacy question, namely the existence of "heterogeneous contracts." Empires normally comprise a core and several peripheries, peripheries that have little contact with one another. This means that the core can conclude with each periphery a distinct agreement (regarding the level of taxation, the kind of protection, etc.); each relationship of the core with a periphery is structured differently (Nexon & Wright 2004, 2007). To the extent in which the legitimacy of a relationship – and of the core in the eyes of the periphery – depends on the durable acceptance of this contract, the conditions for legitimacy differ. Like power (Guzzini 2006; Reus-Smit 2004), legitimacy is "relationally specific." Whether or not the United States is an empire, it remains a fact that it has different relations with Europe, Latin America, China, Iraq, or Afghanistan (Nexon & Wright 2007). When Kagan (2004, 2005) argues that providing security, not its legality, legitimates U.S. international action, this may apply to some relationships, but not, by any means, to all. (The reverse argument applies just as well to those who contend that U.S. action can be legitimate only when it complies with international law: an unconditional defence of the relevance of international law seems as incongruous as a total rejection of it. Circumstances do matter.) When Hobbes grounds the legitimacy of the Leviathan on self-interest with regard to security, he is contrasting the Leviathan with the state of nature. When one emerges from an asocial state of nature, it may be right that security indeed does warrant legitimacy. Within this context, U.S. intervention in a "failed state" could be legitimate. But Kagan primarily has difficulties with European recalcitrance, he tries to convince the Europeans of their error. Meanwhile the Atlantic relationship is embedded in a historically grown web of norms, rules and institutions. True, these are not static, yet they do constitute a *social* reality, a reality with which U.S. action within this context will have to concur if it is to remain legitimate. If the U.S. does not want to change its behaviour, it still will have to "sell"

its behaviour differently to the different target groups, i.e., to practice "multivocal signalling" (Nexon & Wright 2007).[20]

The argument developed here is not so complex as to call for a concluding recapitulation. Since this essay probably falls under the category of constructivist or relativist analyses, we may consider for a moment the potential policy relevance of such analyses. The dominant perception is that constructivists cannot give policy advice because they call truth and reality into question and drown any subject matter in irony. Independently of the question what the social role of a social scientist should be (must a political scientist, for instance, at all cost be ready to proffer policy advice?), it may be noted that this does not conform with the self-perception of one of the leading constructivists in IR. In the preface to his *Constructing the World Polity*, John Ruggie noted that, as he was finishing work on the volume, he was invited by Kofi Anan, the new UN Secretary-General, to join his executive staff:

> "I would have no operational responsibilities, he promised, but provide strategic advice and help articulate his message regarding the major institutional challenges confronting the organization. I accepted as soon as I caught my breath, taking a leave of absence from Columbia University. The transition went surprisingly smoothly because it quickly *became apparent that creative leadership in international organization is social constructivism in action*" (1998, xii, italics added).

In addition, one of the fundamental insights of constructivism is that language at least partially shapes the world. Language doesn't just describe reality, it helps to create it. To the extent that politics aims at shaping the world in a more desirable manner, which means that politics tries to mould the world, this must be done through the manipulation of language. Hence studying politics also means studying the use of language. Practicing politics requires the effective manipulation of language, concepts, truth, and reality. Examples abound: the reassessment of the "Eastern bloc" by Willy Brandt and Egon Bahr in their *Ostpolitik*; China's labelling of Taiwan as a "renegade province"; or the label "rogue state" wielded by the Clinton and G.W. Bush administrations.

Constructivists use this insight in order to criticize dominant interpretations, highlighting their contingency. But in the meantime policy makers and their advisors put this insight into practice: they are quiet constructivists. Thomas Hobbes knew this all too well. Robert Kagan, also, seems to have understood the lesson. In sum, constructivism does indeed have policy relevance.

[20] As policy advice is not our vocation, we will leave it at this.

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