

## CURING THE MADNESS OF THE INTERGOVERNMENTAL WORLD

Philip Allott

I'm grateful to the Warden of New College for having invited me to give this lecture – and we are all grateful to Alec Roche for having so generously caused these lectures.

I'm glad to be speaking in Oxford and at New College.  
Four of my brothers attended this University – two at New College.  
Another brother and I were caused to go to another place, presumably on the vaguely Hegelian ground that Cambridge is not-Oxford, and vice versa.

*The Self* finds its selfhood in recognising the selfhood of *the Other* – as one might say, if one were a German idealist philosopher.

On the relative merits of the two places, I will say nothing – except to recall what Samuel Johnson, of Pembroke College in this University, said to King George III when the king visited Oxford and asked whether Oxford or Cambridge had the better libraries.

Dr Johnson said: 'I hope, whether we have more books or not than they have at Cambridge, we shall make as good use of them as they do.'  
(J. Boswell, *The Life of Johnson*, entry for Feb. 1767; *World's Classics* (unabridged ed.), 381.)

I'm sure we all share that hope.

Humanity is suffering from an acute form of psychopathology. Humanity's psychopathology has deep roots – in *history* and in *philosophy* – in what we have done and in what we have thought.

We can't *undo* what we have *done* in the past – but we can always *re-interpret* it – we can *re-understand* what we have made of ourselves.

We can't *un-think* what we have *thought* in the past – but we can always *re-think* – we can *re-imagine* what we are, and what we should be.

And that's really what I want to talk about this evening – re-imagining humanity's idea of itself, re-imagining the human world.

Throughout our history as a thinking species, we have constructed mental models of the *three worlds* we inhabit – the human world, the natural world, the supernatural world. For this purpose we've used three wonderful *integrating capacities* of the human brain – philosophy, science and religion – they are our three forms of *universalising thought*.

I don't have time to argue the point here – I will simply assert that an effective treatment for humanity's psychopathology will *not* be found in *global theocracy* or in *scientific absolutism*.

That leaves *philosophy*. Philosophy is thinking about thinking, to borrow Hegel's formula.

(G.W.F. Hegel, *History of Philosophy* (1805-6), II.)

Philosophy is the mind thinking about the mind. Philosophy is the mind thinking about the worlds the mind has made. Philosophy is the royal road (the *via regia*) to human self-healing.

A *heavy responsibility* rests on the shoulders of those of us who think for a living – those of us whose function, in the social division of labour, is to keep thinking – at every level of thought, from the most practical to the most abstract and universal.

Humanity urgently needs a New Enlightenment, a universal human *metanoia* – a general re-forming of the human mind.

You'll be glad to hear that this evening I have time to speak about only one aspect of that new thinking – the social aspect.

A striking feature of our *social world* is that it has been lived at *two levels* – conventionally referred to as the national and the international levels.

The strange thing is that the two social levels have developed differently. They have had interlocking but distinct histories – as a matter of fact and as a matter of thought.

For five thousand years, some of the most creative and active minds have applied themselves relentlessly to the problems of human social co-existence at the level of *particular societies*.

And, for thousands of years, great struggles of social reform and revolution have been devoted to the practical and theoretical aspects of the organisation of *particular societies* – who is to control whom?. Lenin said that was the ultimate constitutional question: who whom? Human beings have struggled with that question for all of human history.

Lenin knew enough of Karl Marx's *idealism* to know that *Who* controls *Whom* through the power of the *mind*, as much as through the power contained in *social structures and systems*.

At the international level – the level of all-humanity – the social co-existence of the whole human species – the picture has been very different.

For some reason, the most creative and active thinking about social co-existence has stopped at national frontiers, as if there were no way of making sense of the outside world, the international world.

I always find it difficult to make people *see* the amazing peculiarity – the *madness* - of the international world.

There now follows yet another effort to cleanse the doors of people's perceptions.

Could we imagine an enlightening model of human supranational co-existence in its present form?

I'm going to offer three enlightening models of the existing international system.

Number one. In films about organised-crime, there's always that scene where there is a gathering in a dark room somewhere – usually the back room of a restaurant - men in double-breasted suits – old men with grizzled grey hair – young men with shiny black hair.

'How come I lose three good men in Joisy?' [Translate that as: 'Oh dear, somebody's murdered three of our men in the American State of New Jersey.']

'But, Mugsy, the operation in Atlantic City. Got to look out for it, ain't we?'

'Well, duh, Louis! - *qui s'excuse s'accuse.*' (A French Connection, perhaps?)

'But, Mugsy, are you'se suggesting...?'

'I ain't suggesting nutting, Louis. I don't do no suggesting.'

He produces a machine-gun from under the table.

That's the Contralto image of the international system.

The Contralto meeting always reminds me of the UN Security Council.

Men in suits glide noiselessly into the Security Council chamber.

'The 10,000<sup>th</sup> meeting of the Security Council is called to order. The only item on the Provisional Agenda is the Question of Recent Events in Bandaria.'

'Mr President!'

'The representative of Utopia has the floor.'

'Mr President, my government objects strongly to the use of the word "question" to refer to the genocide of 200,000 ethnic Utopians in Bandaria.'

'Is the representative of Utopia suggesting an amendment to the title of the agenda item, substituting the word "situation" for the word "question"?''

*'M. le président?'*

'I give the floor to the representative of France.'

'Mr President, my government sees more than a semantic difference between the words "question" and "situation".'

'We propose the establishment of a Bandarian Emergency Investigation Group (UNBINGE) – to occupy thirty-five people full-time for three months, staying in luxury hotels at the expense of the international taxpayer.'

A very rare happy moment occurs occasionally in the grim life of the UN, when someone creates something known technically as a *pronounceable acronym* – UNCTAD, UNSCOM, UNIFIL and so on.

In UN circles, pronounceable acronyms are called PACK's. You'll hear people say admiringly – 'there's X, he's a four-PACK man.'

'Mr President!'

'I give the floor to the representative of the United States of America.'

'Mr President, you and other members of the Council will know that a contact group has been working on the text of a Chapter VII resolution which we hope to present to the Council later this evening. I just want to draw attention to operative paragraph 15 of that draft resolution – which reads -

*"Calls upon* the United States of America, and anyone else who feels inclined to join in, to take all necessary measures to sort out the awful mess in Bandaria."

'I should make it clear, Mr President, that the United States Government presently has no plans to do anything – necessary or otherwise – in relation to the question of Bandaria.'

'This meeting of the Security Council is adjourned.'

So that's the *Contralto* image of the international system. Respect among thieves.

The Security Council is the New York Speakeasy.

Number two enlightening scene. The second image of the international system is morning-break in the school playground.

'Hey, you! Yes, you. Gimme your trainers.'

'Shan't.'

Clunk.

'That's not fair.'

'Says who?'

'Hey, you!'

'What?'

'Gimme your cell-phone.'

'Shan't.'

Clunk.

‘That’s not fair.’

‘Says who?’

That is the *Realist* image of the international system.

It’s sometimes known technically as the *Other* Golden Rule of Morality.

Do unto others *unilaterally* what you would *not* have them do unilaterally unto you, but do it *quickly*.

Pre-emptive immorality.

(3) The third image of the international system is the day-room of what used to be called a lunatic asylum.

‘Morning, Mr President Flotsam.’

‘Don’t call me Flotsam.’

‘Sorry. Bonjour Napoleon!’

‘Heil Hotler! How you doing? Oh, it’s snowing outside. Guess you and I won’t be doing much invading today.’

‘Tell you what. Let’s waste some non-renewable natural resources here instead. I’ll press the button on the coffee-machine and *not* put a cup under it.’

‘You’re right, Addie. And right is might, Addie. Dispossession is the tenth point of the most natural of all natural laws.’

‘The self finds its selfhood in recognising its own selfishness in the selfishness of the Other.’

‘Love you, Addie.’

‘Love you, Nappy.’

They embrace *distantly*.

That’s the *madhouse* view of the international system. Otherwise known as *diplomacy*.

I can’t resist recalling what Harold Nicolson said about the qualities of a good British ‘diplomatist’ - in his delightful little book called *Diplomacy*, published in 1939 – note the date –

[The good British ‘diplomatist’ is] tolerant and fair; he acquires a fine balance between imagination and reason, between idealism and realism; he is reliable and scrupulously precise; he possesses dignity without self-importance, demeanour without mannerisms, poise without stolidity; he can display resolution as well as flexibility, and can combine gentleness with courage; he never boasts; he knows that impatience is as dangerous as ill-temper and that intellectual brilliance is not a diplomatic quality [ *a dig at the French?* ]; he knows above all that it is his duty to interpret the policy of his government with loyalty and common sense and that the foundation of good diplomacy is the same as the foundation of good business – namely credit, confidence, consideration and compromise.

We don’t know whether to laugh or cry.

A famous definition of diplomacy was given by Ernest Satow in his *Guide to Diplomatic Practice*, published in 1917 – note the date -

‘Diplomacy is the application of intelligence and tact to the conduct of relations between the governments of independent States.’

An alternative definition of diplomacy might be –

‘Diplomacy is the application of tact and intelligence in ways which may lead to the mass murder of millions of people, the devastation of whole countries, and to social injustice of every kind locally, regionally, and globally.’

But you will say there are obvious flaws in all three of my models of the current international system.

In the organised crime situation, there’s always the FBI. In the playground, there are always the teachers. In the lunatic asylum, there are always the doctors.

You will say that, in the international system, there are none of these things.

The international mobsters make the rules for themselves. The international bullies fight among themselves. The international lunatics talk to themselves (diplomacy).

But someone may say – ‘but there *is* someone above them all – the international lawyer’.

And you’d be right.

We international lawyers *do* advise the *international mob*. We say -

‘Before you use the machine-gun, say “You looking at me?” Then it’s called *anticipatory self-defence*.’

And, of course, we tell them about *ius in bello*. That doesn’t mean: “don’t shoot people in the belly”. *Ius in bello* means, “do try to murder people as humanely as possible”.

And we international lawyers *do* advise the *international bullies*. We say –

‘It’s no use saying “says who?” *after* you’ve grabbed the cell-phone.

*Before* you grab it, say – “your possession of that cell-phone is subject to conflicting claims.” Then grabbing the cell-phone can be regarded as *self-help as a last resort*.

Or else it could be regarded as - “grabbing which is necessary as the only way to safeguard one’s essential interest in the disputed cell-phone” –  
- to quote *verbatim* from Article 25(1)(a) of the International Law Commission’s amusing Draft Articles on State Responsibility.

And also, according to the ILC’s witty Draft Articles on State Responsibility, we must tell the bullyer that grabbing the cell-phone will be regarded as a lawful *counter-measure* only if the bullyee fails to carry out his obligation to hand over the cell-phone *when notified that the bullyer intends to grab it*.

All that is taken *verbatim* from Articles 49(1) and 52(1)(b) of some Draft Articles on State Responsibility proposed by the International Law Commission.

When I describe the ILC’s Draft Articles as ‘charming’, of course I mean that they are an abomination of desolation.

The International Law Commission consists of lawyers appointed by governments.  
In-house counsel to the Mob of all Mobs.

Governments gave the ILC the task of *inventing* law, law that governments can then use or ignore, as they see fit. The International Law Commission is the Geneva Speakeasy.

And we international lawyers *do* gladly advise the *international lunatics*. We say –

‘In a sense you are, of course, Napoleon. Everyone who thinks he’s Napoleon has a perfect right to be treated as such.’

That’s what we international lawyers call *recognition, sovereign equality, territorial integrity, political independence, and domestic jurisdiction*.

I don’t know why we need *five* fancy names for the same thing.

All it means is – I’ll pretend that you’re sane if you’ll pretend that I’m sane. I’ll look the other way when you do stuff, so long as you look the other way when I do stuff.

Diplomacy and war are social processes of the pre-social international system.  
Games the governing classes play.

It seems impossible to make people *acknowledge* the true nature of *war*.

It’s surely beyond belief that there is still something called the Law of War.

Think about those three words for a moment.

Three sinister syllables which seem to naturalise and rationalise and justify a terrible evil.

And listen to this for a moment. It’s from an essay by Tolstoy, writing in 1894 –

‘And drowning the despair in their hearts with singing, debauchery, and vodka, torn away from peaceful labour, from their wives, their mothers and their children, hundreds of thousands of simple, good-natured men, with weapons of murder in their hands, will trudge off where they are sent. They will march; will be frozen, will be hungry, will be sick, dying of disease; until at last they reach the place where they will be murdered by thousands, and will themselves, not knowing why, murder by thousands men whom they have never seen, who have done them no wrong, and can have done them no wrong.’  
(L.N. Tolstoy, *Christianity and Patriotism*, 1894.)

Or consider this – written by Erasmus in 1515 –

‘Whatever evils war brings, must be put to the account of those who find reasons for war.’ ‘What is war, indeed, but murder shared by many, and brigandage, all the more immoral for being wider spread? But this view is jeered at, and called scholastic ravings, by the thick-headed lords of our day.’  
(*Adages*, 1515 edition.)

Erasmus goes on to discuss a threatened war against what he calls ‘the Turks’, a war, he says, for which there are three alleged purposes - to convert the Turks forcibly to Christianity and/or to defend Christian civilization against the threat of the use of force by the Turks and/or to get hold of their wealth.

I wonder where have we heard those three arguments before – and even rather recently – if one substitutes the words ‘Western ideas’ for the word ‘Christianity’?

So how on earth did we get into this situation of international criminality, atavism, and lunacy?

The answer to that question is rather long and complicated.

The ancient Greeks – the amazing ancient Greeks – gave us many things, but they gave us two things in particular – a way of analysing the *human condition*; and a mental activity which we call *philosophy*.

(1) Their way of analysing the human condition can be found in Homer and the three tragedians – Aeschylus, Sophocles and Euripides. Their analysis located three factors or vectors in the human condition – the One, the Many and the All.

Even in Homer, but especially in the tragedians, we come across individual human beings – not allegorical figures - intensely human human beings.

And we see each of these unique individuals as a One in relation to the Many of society and in relation to the All that transcends society.

Think of Helen in the Iliad and the Odyssey – divided in her loyalties between Greece and Troy, between her two husbands – with her destiny seemingly determined by powers that transcend all human power –



or Antigone in Sophocles who analyses her own situation quite explicitly as her relationship with society and with what transcends society – the One at the mercy of the Many and the All.

All of these very human individuals were living their lives in relation to particular social forms, but also in relation to the *transcendental* – the All – either in the form of personalised gods – or else some transcendental order – Fate (*Moirai*) – one’s own destiny, or the destiny of the universe.

Such was the quintessential Greek model of human existence.

(2) The second great thing that we owe to the Greeks – *philosophy* – is a remarkable invention. One of its parents was *mathematics* – the obsession of Pythagoras and his followers with a particular universalising capacity of the human mind.

*Generalisation* and *abstraction* and *definition* are the essence of philosophy, as they are of mathematics. Any particular *triangular* thing is an instance of a generalised and abstracted thing contained in the definition of a *triangle*.

What the obsessively abstracting Greek mind noticed was that there is a way of thinking that is *not mythology or religion or mathematics* but which is nevertheless a way of thinking abstractly, in universal terms, about everything – including about everything human.

This method – philosophy – could be applied to the extraordinary diversity of societies known to the Greeks – the ancient hieratic monarchy of Egypt, the intensely multinational empire of Persia, the extreme particularity of the Greek city-states.

And the Greeks saw that such societies might be regarded as particular cases of various general species, one of which could be given the species-name of *polis* – a human society whose public affairs are organised in a particular way – with its own particular *politeia* or constitution.

Each political society has its own *substance*, its own *ontogeny*, its own identity, its own *self*. But each political society participates in a universal *essence*, the *phylogeny*, the species-characteristics, of such societies in general.

Every political society is unique. All political societies are the same.

Plato and Aristotle devoted much thought to *social metaphysics*, integrating into a single system of thought the self-ordering of the human individual, the self-ordering of society, and the self-ordering of the universe – the All.

Plato sometimes called the All ‘God’. Aristotle usually referred to the All as ‘Nature’.

Intrinsic to their metaphysics was an *ethical view of society*. For both Plato and Aristotle, ethics and politics are two sides of the same metaphysical coin.

In Aristotle’s words – society is a natural phenomenon ‘originating in the bare needs of life, and continuing for the sake of a good life’. (*Politics*, I.2.8.)

And the idea of the good life implies an *idea of virtue* that is not merely socially determined, but is universal, or at least transcendental in relation to any particular society.

To quote Aristotle again –

‘Hence it is evident that the same life is best for each individual, and for states, and for mankind collectively.’ (*Politics*, VII.3.10.)

This way of thinking gave us great power over our social existence. We have a way not only of *understanding* social phenomena but also a way of *judging* social phenomena.

In other words, this *philosophical* way of thinking gave us a *permanent revolutionary capacity*.

And so, from ancient Greece up to the present day – up to the present moment – we have constantly imagined and re-imagined *the physics and the metaphysics of human societies*.

And, of course, I’m suggesting that the time has come to re-imagine the physics and the metaphysics, above all, of *international society*, the society of all-humanity, the society of all societies.

So, the question is – what happened to the Greek analysis of the human condition, the philosophical integration of the One, the Many and the All?

If we can answer that question, we can say *why* the international world *is* as it is now – and we can say *what* the international world *could become* in the future.

Ancient Judaism had established a rigorous integration of the individual, the social (Israel), and the transcendental (God).

Early Christianity modified the Judaic integration, placing a central focus on the transforming presence of the All in the life of each One, in each human individual – *the rule of love* rather than *the rule of law* - leaving to Caesar the things that are Caesar’s.

Presumably early Christianity relied on the assumption that the *inward presence of the All* in the human individual would also transform the activity of the Many in society.

If only ...

Islam returned to the integration of the One (the believer), the Many (the *umma* – the faithful collectively) and the One and All of God. For Islam, the individual human being and human society and God are morally inseparable.

The Christian Church, in the meantime, had established itself as a sort of post-Roman imperial *mega-polis* – multinational, trans-national and supranational – a new powerful integration of the One, the Many and the All.

A world-historical function of the Roman Church would turn out to be as the cradle of a particular civilisation, a civilisation that would ultimately repudiate the Church’s authority and re-imagine itself in other ways.

Thomas Aquinas, in the 13<sup>th</sup> century, undertook a hazardous intellectual enterprise. He was himself a product of the 12<sup>th</sup> century Renaissance – like our two Universities. The works of the philosophers of Greece and Rome were available again.

Aquinas became, as it were, a new voice of Aristotle.

But, by elevating *reason* to a status close to that of *faith*, Aquinas – and his formidable ilk - sowed the possibility of the amazing development of the *natural sciences*, but also the possible development of a wholly non-religious view of the human condition.

And that is, of course, what happened.

Aquinas himself picked up the *golden thread* of what I've called the Platonic/Aristotelian *ethical view of the state* – the idea that society makes possible the *good life* for the individual citizen by using *law* to determine the *common good* of society seen as a reflection of the transcendental paradigm of *justice*.

In Aristotle's words - 'We call that legal and just which makes for and preserves the well-being of the community through common political action'. (*Ethics*, V.1.)

In Cicero's words – the state (*civitas*) is 'an assemblage of people in large numbers associated in an agreement with respect to justice and a partnership for the common good.' (*De re publica*, I.25.)

For Aquinas – law is 'a rational ordering of things which concern the common good.' (*Summa theologica*, Prim. Sec., Q. 90, Art.4.)

And Aquinas himself refers to a famous and splendid passage from Augustine of Hippo, writing at the beginning of the 5<sup>th</sup> century –

'Remove justice, and what are kingdoms but gangs of criminals on a large scale? What are criminal gangs but petty kingdoms? A gang is a group of men under the command of a leader, bound by a compact of association, in which the plunder is divided according to an agreed convention.

'If this villainy wins so many recruits from the ranks of the demoralized that it acquires territory, establishes a base, captures cities and subdues peoples, it then openly arrogates to itself the title of kingdom, which is conferred on it in the eyes of the world, not by the renouncing of aggression but by the attainment of impunity.

And Augustine continues –

'For it was a witty and truthful rejoinder which was given by a captured pirate to Alexander the Great. The king asked the fellow, "What is your idea, in infesting the sea?" And the pirate answered, with uninhibited insolence - "The same as yours, in infesting the earth! But because I do it with a tiny craft, I'm called a pirate; because you have a mighty navy, you are called an emperor".'  
(*City of God*, tr., H. Bettenson, IV.4.)

And Aquinas went one step further – a step which would also play a part in the subsequent history of the theory of the international system.

He took up an idea from the post-Aristotelian Stoics – the idea of *natural law*.

The idea of *natural law* is the idea of a law discoverable by *reason* which is above all human law, and which is human reason's understanding of the moral order of the universe – the order of the All seen as Nature.

Natural law was an attempt to establish a rational transcendental dimension within the philosophy of human society – a set of values by which *human law* could be *judged*, and to which human law could aspire as an ideal.

Natural law was obviously a rather *vulnerable* hypothesis.

It was obviously rather vulnerable to the very different ideas and values of the criminals, bullies and lunatics – the self-aggrandising pirates – who were becoming the governing classes in the self-constituting of the new European polities.

But the natural law hypothesis was vulnerable also to intellectuals like Marsilio of Padua, who looked at the social reality that the criminals, bullies and lunatics were making, and found that, as a philosopher, one could not be as sanguine about social theory as the Greeks and their intellectual heirs had been.

Marsilio himself purported to be a disciple of Aristotle. And he has sometimes been treated as a prophet of liberal democracy. Both views are very wrong.

Marsilio is important for our story. He was the first legal positivist - the prophet of the organic state, the self-sufficient and self-justifying state, having no need in its theory for any form of transcendentalism, whether of reason or of faith.

For Marsilio, law is essentially the coercive force in society. He defined law as 'a rule backed by sanctions' – *regula praeceptiva et transgressorum coactiva* (*Defensor Pacis*, II.viii.5).

Pre-echo of Bentham and John Austin. Pre-echo of Ihering and Max Weber.

Marsilio was a sort of Franciscan Carl Schmidt of the 14<sup>th</sup> century – a Carl Schmidt of the *First Reich*, one might say – fierce justifier of secular power, fierce enemy of the arrogant claims of the Papacy, fierce defender of the German Emperor.

In other words, he was as much of an *intellectual nuisance* as such near-contemporaries as William Ockham and John Wycliffe.

(In parenthesis – Oxford must have been a lively place 700 years ago – with Duns Scotus and Roger Bacon and William Ockham and John Wycliffe as fleeting or permanent presences – all of them plotting a revolution in the mind.

I am presenting Marsilio as the symbolic and prophetic representative of what we may call the *totalitarian tendency* — the idea that the Many of society become One in the *state* which internalises the All and recognises no need for values beyond its own socialised values.

The subsequent story of the development of social philosophy at the national level is very familiar.

As we know, it would come to contain another strand — the *democratic tendency* — and the democratic tendency was a *negation* of the totalitarian tendency — as the totalitarian tendency is a *negation* of the ethical view of the state.

Marsilio's *Defender of the Peace* was published in 1324. However, by 1324, great changes in the *real* and *legal* constitutions of many European countries had already begun to make Marsilian ideas inappropriate, at least in those countries.

Those revolutionary developments are — the decline of feudalism, and the rise of urbanism, capitalism, mercantilism, and parliamentarism — above all, the rise of an urban middle class and a rural gentry.

Aristotle had already suggested that 'the city which is composed of middle-class citizens is necessarily best governed...and those states are likely to be well administered, in which the middle class is large, and larger if possible than both the other classes...'

The middle class have a personal interest in wealth-creation, and that requires an efficient system of law and government. The middle class are natural individualists who nevertheless have a strong interest in a well-organised society.

So — in the city-states of Italy and Germany, in England, and in Holland — the totalitarian tendency would meet a new tendency — republicanism, the *democratic tendency* — a *new story* that the middle classes — and the rural gentry in British America — were glad to hear.

Hobbes and Locke, with great ingenuity, devised a republican theory of society which combined *individualism* and *collectivism* — a subtle new balance between the One and the Many and the All — in which the All is represented not by God but by Nature.

In particular, an idea of the *naturally social nature* of the *human being* — in the Hobbesian form: natural *self-interest* collectivised as *common interest* under the *sovereignty* of the law; in the Lockean form: natural *sociability* causing each citizen to recognise the rights and interests of all other citizens under the *protection* of the law.

So for both of them — Hobbes and Locke — and hence for what we call the theory of liberal democracy, society is only justifiable in relation to its intrinsic purpose, its transcendental purpose.

In the Lockean version, the natural transcendental purpose of society even sets limits on governmental power — an idea which would generate a sub-set of ideas that came to be called 'natural rights', 'fundamental rights', 'human rights'.

We are all familiar with the benign, Aristotelian sayings of John Locke –

‘The end of government is the good of mankind.’ (*Two Treatises on Government* II, §229).

Government ‘is for the good of the governed’. (I, §92).

Laws can only be made ‘for the Public Good’ (II, §3).

Those who make the laws ‘are themselves subject to the laws’ (II, §143).

One version of post-Reformation Protestantism seemed destined to re-introduce a *theocratic* strain into social philosophy – re-asserting the moral inseparability of the One, the Many and the All – the individual, society, and God.

(Martin Luther said that all of Aristotle’s books should be burned.)

In England, this *theocratic tendency* was excluded as a possible theory of our society in the context of what is known as the Civil War, in the first half of the 17<sup>th</sup> century.

A form of the *theocratic tendency* crossed the Atlantic with the Puritans and led to mini-theocracies in several of the British settlements in America – with consequences that are detectable in the American mind and American society to this day.

So, in the middle of all this re-thinking of the metaphysics of national society, what was happening at the international level?

Two big things had happened –

- (1) a so-called New World had been ‘discovered’ in America; and
- (2) Europe found itself to be teeming with hundreds of extremely diverse polities, in a state of more or less continuous change and competition and conflict.

The social philosopher faced an intellectual challenge far exceeding that which had faced the philosophers of ancient Greece – what theory could possibly rationalise the co-existence of such a mass of diverse and unstable social phenomena?

The great Spanish progenitors of modern international law – Vitoria and Suárez tried a five-track method – Christian theology, natural law, moral rationality, human experience, and social philosophy.

*Moral rationality* is another of Aristotle’s inventions – *practical reason* – the idea that the well-developed human mind can find moral principles within itself by the use of the mind’s reasoning capacity.

For Vitoria – writing in 1528 – the rules of the law of nations could be derived from natural law and from a ‘consensus of the greater part of the whole world, especially in behalf of the common good of all’. (*Concerning Civil Power* (1528), §21; tr., G.L. Williams.)

Suárez, writing in 1612, said –

‘The rational basis of the law of nations consists in the fact that the human race, into howsoever many different peoples and kingdoms it may be divided, always preserves a certain unity, not only as a species, but also a moral and political unity (as it were)... ‘Therefore, although a given state, commonwealth or kingdom may constitute a perfect community in itself, consisting of its own members, each one of these societies is also, in a certain sense, and viewed in relation to the human race, a member of that universal society.’ (*On Laws and God the Lawgiver* (1612), II.19.9; tr., G.L. Williams.)

Suárez was here picking up another idea of the post-Aristotelian Stoic philosophers – the idea of humanity as a natural unity – including a natural unity of moral consciousness – with *humanity* as a universal ethical category (humaneness) as well as a metaphysical category.

Grotius, writing in 1625, spoke from a reality with which he was only too personally familiar – a Europe seemingly endlessly at war – including terrible wars of religion among so-called Christians.

Christian theology was now itself a source of dissension and conflict, and was evidently no longer available as a moderating force.

So Grotius tried to combine two others of the Spanish philosophical methods – he tried to uncover principles of *moral rationality* present in the deep structure of *human experience* of international relations, our experience of ‘war and peace’.

Grotius’s method was an *unpromising method* – for two obvious reasons.

Unfortunately, recorded human history is full to overflowing with accounts of the *very bad behaviour* of the criminals, bullies and lunatics who have used and abused the co-existence of actual human societies through all of recorded human history.

And, secondly, the criminals, bullies and lunatics of Grotius’ own time were probably beyond the redeeming force of intellectualism, however intelligent and worldly-wise.

Indeed, there was a very obvious and very serious *danger* that Grotius’ moral rationalising of that behaviour might *encourage* the current governing classes to suppose – and to claim – that *moral rationality* is on their side – which is, of course, precisely what happened.

Grotius, marketed as the lion-tamer of the international criminals, bullies and lunatics, became a *paradoxical hero* of the European governing classes. He said what they wanted to hear.

But then some very dramatic events occurred – events that would make the international system which survives to this day – dramatic events in the *real* self-constituting of our societies – and dramatic events in their *ideal* self-constituting – events in social practice and in social theory.

Social philosophy was facing yet another New World – the new world of the Industrial Revolution and the French Revolution and the emerging ‘nation-state’.

And, yet again, the necessary *social theories* were ready and waiting – society’s new *real* self-constituting found, yet again, new heroes of its *ideal* self-constituting – namely: Rousseau, Adam Smith and Vattel.

They each imagined a sort of *natural law of society* – not natural law in the Aristotelian, Stoic sense – but natural law in the Newtonian sense – a *physics* of the *metaphysics* of society.

It all happened in a period of less than twenty years – Vattel 1758; Rousseau 1765; Adam Smith 1776.

Rousseau’s General Will, Adam Smith’s Invisible Hand, and Vattel’s ‘nation or state’ are masterpieces of philosophical model-making.  
(Kenneth Craik, *The Nature of Explanation*, 1943; Peter Winch, *The Idea of a Social Science and its Relation to Philosophy*, 1958.)

They share the characteristic that they suggest that society has a *systematic* existence that is *organic*, a totalising mechanism which is virtually that of a living thing – and, above all, it is a *natural* process – the All of Nature determines the relationship of the One and the Many – politically, economically and internationally.

The General Will and the Invisible Hand are, of course, metaphors, fictions – but wonderfully powerful theoretical models of social philosophy - models which cause individuals and whole societies to behave in conformity with them.

Vattel’s ‘nation or state’ is another metaphor, another fiction – a powerful theoretical model which has caused governments to behave in conformity with it.

To quote Vattel –

‘...when men have agreed to act in common, and have given up their rights and submitted their will to the whole body as far as concerns the common good, it devolves henceforth upon that body, the State, and upon its rulers, to fulfil the duties of humanity towards outsiders in all matters in which individuals are no longer at liberty to act, and it peculiarly rests with the State to fulfil these duties towards other States.’

‘Since men are by nature equal, and their individual rights and obligations the same, as coming equally from Nature, Nations, which are composed of men and may be regarded as so many free persons living together in a state of nature, are by nature equal and hold from nature the same obligations and rights...’

‘Since Nations are free, independent, and equal, and since each has the right to decide in its conscience what it must do to fulfil its duties, the effect of this is to produce, before the world at least, a perfect equality of rights among Nations in the conduct of their affairs and in the pursuit of their policies. The intrinsic justice of their conduct is another matter which it is not for others to pass upon finally..’

(*The Law of Nations, or the Principles of Natural Law, applied to the Conduct and Affairs of Nations and Sovereigns* (1758), Intro.; tr., C.G. Fenwick.)

Vattel ingeniously uses very traditional and very fashionable ideas – the idea of ‘Nature’ was very fashionable in the 18<sup>th</sup> century. Vattel integrates all these ideas in a dramatically



new and ironical way – nature, the state of nature, nation, state, sovereign, freedom, equality, rights and duties, will, interest, common good, duties of humanity...

The Vattelian worldview is of a collection of *autarkic autocracies* – an unsociety of self-contained, self-governing, self-justifying, self-seeking societies – of the grossest possible real-world inequality – but re-imagined, for legal purposes, as *equal sovereign persons*.

And the hesitation implied in Vattel's *disjunctive* category – *nation or state* – was full of enormous real-world potentiality, a potentiality that would be actualised in terrible events in the 20<sup>th</sup> century. The 19<sup>th</sup> century would see the inexorable rise of the *conjunction* of the nation and the state – the *nation* as a natural and imperious social subjectivity and the *state* as the ultimate natural embodiment of the nation.

Vattel became another *paradoxical hero* of the governing classes of so-called *great powers*. He told them what they wanted to hear. To tell powerful people that their status and their power are imaginary categories, but categories that are natural and inevitable is to tell them something that they are glad to hear.

We have lived in the Vattelian fantasy-world for 250 years. It has come to seem inevitable.

But *now*, of course – in this very interesting 21<sup>st</sup> century – the *new millennium* – we find ourselves in yet another New World – the world of *globalisation*.

I would define *globalisation* as the *socialising* of all-humanity in the absence of an *appropriate theory of international society*.

With globalisation, the old game is over - the internal has exploded into the external; the external has flooded into the internal – national and international are inseparable – revolution *from within* gives way to revolution *from above*.

Diplomacy gives way to *collective government*. Tribes of national and international civil servants huddle inside their pronounceable and unpronounceable acronyms like orphans in a storm. National government becomes residual in relation to international social phenomena. War gives way to the *management of world public order*.

Social phenomena – above all, economic and cultural and anti-social phenomena (including organised crime) – flow promiscuously and uncontrollably across national frontiers – dominated by *non-state actors*. The most urgent and difficult problems of social co-existence are now global problems, requiring global thinking, global decisions, and global action.

The criminals, bullies and lunatics at last have the whole world as their oyster – the whole world is their playground, their turf, their asylum - but are they pleased about it? – no, they are at a loss – disorientated – adrift - unable to control phenomena which far exceed the explanatory and justificatory capacity of all existing social philosophy – national and international.

Humanity's new *real* self-constituting has made obvious what was long there to be seen.

The Vattelian *ideal* and *legal* constitutions are obsolete. Not *Zeitgeist* but *Zeitgespenster*. Ghosts of time past. The *Geist* of a former *Zeit*. Like diplomacy and war. The inhuman comedy is finished. The *ancien régime* is philosophically *kaputt*.

And, to tell the truth, so are our existing theories of *democracy* and *capitalism* – they also are the *Geist* of a former *Zeit*.

The *ancien* intellectual *régime* – both national and international – is philosophically *kaputt*.

If *madness* is defined as supposing that you live in a reality that is not the reality in which you actually live, then the human world is *mad*.

So what are we to do – to bring about the necessary *revolution in the mind* – to meet the challenge, yet again, of re-imagining society – including a new *idea* of *international society*, as the real, ideal and legal self-constituting of the whole of humanity?

I have offered an answer in *Eunomia. New Order for a New World* – and, perhaps more accessibly, elsewhere. (For an analysis, see, ‘The Eunomian World Order’ (2014).)

*Humanity is the new Many and the new One.*

Nietzsche, in *The Birth of Tragedy*, suggested the characteristically peculiar-but-interesting idea that Plato, in the Dialogues, created a new art-form, the *novel*. (*The Birth of Tragedy* (1870-71), §XIV; tr., F. Golffing.)

I am now following distantly in that track – with a novel comprising three novellas with extensive self-explaining appendices – in an effort to get through to people who may not normally relax with a nice book of philosophy.

A novel is, or can be, *imagination* in the service of *reason*. I’m going to quote Albert Camus – a novel as ‘a philosophy put into the form of images’ (*une philosophie mise en images*) – in a review of Sartre’s *La Nausée* in the *Alger républicain* in 1938.

The title of the novel is *Invisible Power* – invisible power is softer than soft power, but more powerful.

*Invisible Power 1. A Philosophical Adventure Story* (2004) is about the *One* – in which our hero discovers himself.

*Invisible Power 2. A Metaphysical Adventure Story* (2008) is about the *All* – in which our hero discovers the universe.

*Invisible Power 3. A Political Adventure Story* is, and has been for some time, forthcoming – in which our hero and his co-conspirators finally change the human world (the *Many and the One*).

So – a conclusion for all of this.

Humanity is in an awful mental mess.

Self-harming is a capacity of the human mind.

But so are self-knowing, self-healing, self-redeeming, self-surpassing, and self-perfecting.

They also are capacities of the human mind.

The possible is possible. And so is the impossible.

