International Studies Review (2007) 9, 96–98

Some Wars Are More Unequal Than Others

Review by Matthew Evangelista
Department of Government, Cornell University

La guerra ineguale: Pace e violenza nel tramonto della società internazionale (Unequal War: Peace and Violence in the Decline of International Society). By Alessandro Colombo. Bologna: Il Mulino, 2006. 330 pp., €23.00 (ISBN:88-15-11074-7).

Efforts to limit war are probably as old as the institution of war itself. Ethical approaches to limiting war, such as Just War Theory, have made their contribution. But perhaps more important, according to Alessandro Colombo in *La guerra ineguale*, was the state's monopolization of the legitimate use of violence. For Colombo, a leading Italian scholar of international relations and professor at the University of Milan, the most effective limitations on warfare come, as he puts it, when the forms of war are consistent with the principles of international society. Colombo draws on a deep knowledge of European history and on such theorists as Clausewitz, Grotius, Carl Schmitt, Raymond Aron (1966), and members of the "English School" like Martin Wight (1977, 1978, 1992) and Hedley Bull (1977) to make his case. The main limitations on warfare, he argues, focus on the actors who engage in it and the limits that are placed on the time, space, and means of conducting it. For Colombo, the international society that most effectively imposed such limits was the "classic" European system that lasted from the Peace of Westphalia "at least to the French Revolution, and, with difficulties increasingly growing, up to the catastrophe of the First World War" (p. 204). This is the *jus publicum europaeum* of which Schmitt wrote in his 1950 study of law and geopolitics, which has only recently become available in English translation as *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum* (Schmitt 2003). An Italian translation of Schmitt's book was published decades ago, and it has been quite influential in the study of international relations throughout Europe.

The "fundamental principles" for organizing international society that Colombo has in mind and that, for him, have "an almost perfect correspondence" with the methods of warfare of the time, include the following: (1) that "pluralism" in the state system be considered preferable to "an empire or a universal monarchy"; (2) that the members of the international society be states and not individuals; (3) that war among these states be considered fully legitimate, as long as it respects the limits and form of *jus publicum europaeum*, which analogized war to a duel; and (4) that war waged by any actor other than a state be considered illegitimate, no matter what the justification (pp. 204–205). Historically, the challenges to this system came from several directions, and one can recognize their implications today. First, an emerging consensus that democracies are the only legitimate form of state has replaced the pluralism of the earlier era. Relatedly, individual rights have come to the fore, and individuals have achieved a status in international law that only states previously enjoyed (for example, access to international courts, given that individuals can submit complaints to the European Court of Human Rights or be indicted by the International Criminal Court). Third, one country, the United States, has come to dominate the system to such an extent that power-based and social-normative factors that posed limits on war in the past (what Colombo calls the

Published by Blackwell Publishing, 350 Main Street, Malden, MA 02148, USA, and 9600 Garsington Road, Oxford OX4 2DQ, UK.

Clausewitzian and Grotian "brakes," respectively) no longer function. Fourth, the principle of the *jus publicum europaeum* that all states have legitimate recourse to war has been replaced by the criminalization of war for the losers (a practice that already had precedents after both World Wars), with the concomitant principle that leaders of non-democratic belligerents—even if they did not start the war—should be put on trial. (Colombo reminds us to add Manuel Noriega to the more recent examples of Slobodan Milošević and Saddam Hussein.) Finally, after the attacks of September 11 and the US declaration of a "war on terror" of indefinite duration, both the spatial and temporal limitations on war have disappeared.

Developments in military technology have exacerbated the situation and removed yet another limitation that sought to protect non-combatants from harm. The rise of air power (an important element of Schmitt's analysis) and its use as part of a strategy of "total war" during World War II rendered any such limitations meaningless. Colombo follows Schmitt in pointing out that the European powers had waged "total war" before the World Wars, ignoring the norm of non-combatant immunity. But they only did so outside their "civilized" world. Against the colonial peoples they dominated, they burned their villages, forced people into concentration camps to keep them from supporting rebel groups, and carried out mass reprisals and outright exterminations—as the British did in Kenya, and the Germans did in Southwest Africa.

Colombo introduces and concludes his discussion of the *jus publicum europaeum* with a consideration of terrorism. His approach marks a departure from most recent treatments in that he takes as his starting point the use of terror as a technique of state armies in warfare—with extensive reference to the analyses of Clausewitz, Giulio Douhet, and Thomas Schelling. He links the terrorism of totalitarian states and total war to the terrorism of nonstate actors. Just as opponents of colonialism engaged in terrorism in order to expel the Europeans from their territories, enemies of the United States, Colombo argues, naturally resort to terrorism when faced with such preponderant power. For Colombo, the current preeminent status of the United States in military force means that many of the past institutional bases for the limitation of war (a balance of power, for example) no longer obtain. All the wars since the end of the Cold War, he argues, have been "unequal wars," conducted by countries (mainly the United States and its allies) who know they will win and who do not fear that the war will be fought on their own territory—a major change from the "classical" period of the European international system. For one side of an unequal war (he mentions Iraq, Yugoslavia, and the Palestinians), "war remains what it has always been, a daily experience of fear, vulnerability and death. For the other, on the contrary, war can assume the appearance of peace . . . even when, as in the case of the Israeli–Palestinian conflict, those who enjoy peace live just a few kilometers from those who cannot escape the war" (p. 292). Just like the colonial wars conducted by European powers outside their own "society," these unequal wars, Colombo argues, do not respect any limits (particularly, distinctions between combatants and non-combatants). The enemies of the United States and its allies, particularly Islamist terrorists, therefore seek to bring the war back to the territory of these countries, and, in seeking mass civilian casualties (and weapons of mass destruction), they do not observe any limits to their violence either.

Colombo's analysis is no left-wing critique of US policy. Noam Chomsky, for example, does not merit a place in his extensive bibliography. His most eyebrow raising comments about terror and terrorism are usually paraphrases of Schelling (1966) or Clausewitz (1993). With Schelling (1966), for example, he shares the view that the atomic bombings of Hiroshima and Nagasaki "can be considered the most perfect terrorist acts in history" (p. 27). His comments on the irrelevance of the laws of war for "unequal wars" are particularly piquant. He alludes to the requirements that the Geneva Conventions impose on guerrilla fighters if they want to claim

prisoner-of-war status in the event of their capture, suggesting that they are rather one-sided. "What does it mean to wear visible insignia or carry arms openly for cruise missiles that strike from a distance of thousands of kilometers" (p. 297)?

La guerra ineguale is a rich and erudite work that contains a great many interesting arguments. It merits translation into English and a wide audience. Colombo wrote the book, however, before the outbreak of war between Israel and the Hezbollah forces in Lebanon in July 2006. Despite Israel's initial expectations, that war seemed rather less unequal than Colombo might have predicted, particularly given Israel's own vulnerability to attack. Nevertheless, it conforms well to Colombo's expectations that both sides would fail to impose limits on the killing of non-combatants—with one side deliberately targeting Israeli civilians and the other destroying the basic infrastructure of civilian life in Lebanon and creating a refugee crisis of enormous proportions. Colombo unfortunately seems right about the prediction implied in his book's subtitle (*tramonto* means both "decline" and "sunset"). The sun is setting fast on our hopes for a peaceful international society.

References

ARON, RAYMOND. (1966) *Peace and War: A Theory of International Relations*. Garden City: Doubleday.

BULL, HEDLEY. (1977) *The Anarchical Society: A Study of Order in World Politics*. New York: Columbia University Press.

CLAUSEWITZ, CARL VON. (1993) *On War*. New York: Knopf.

SCHELLING, THOMAS. (1966) *Arms and Influence*. New Haven: Yale University Press.

SCHMITT, CARL. (2003) *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*. New York: Telos Press.

WIGHT, MARTIN. (1977) *Systems of States*. Leicester: Leicester University Press.

WIGHT, MARTIN. (1978) *Power Politics*. New York: Holmes and Meier.

WIGHT, MARTIN. (1992) *International Theory: The Three Traditions*. New York: Holmes and Meier.