

9 Cosmopolitanism and Civil War

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Immanuel Kant's "Toward Perpetual Peace" ("Zum ewigen Frieden") (1795) may be the emblematic text of Enlightened cosmopolitanism for the early twenty-first century. Kant's essay has become a touchstone for contemporary cosmopolitan thinkers by virtue of its universalism, its aversion to predatory nationalism, and its orientation toward global justice. Kant argued there that, under the regime of "cosmopolitan right" (*ius cosmopolitanicum*), the goal of perpetual peace might at last be realized even if, as he admitted early in his argument, it was unclear whether perpetual peace was "to hold for human beings in general, or for heads of state in particular, who can never get enough of war, or only for philosophers, who dream that sweet dream."¹ He may have imagined the possibility of peace but, as Anthony Pagden has noted, Kant himself "was no pacifist": his conception of cosmopolitanism was progressive and developmental but it was also fundamentally conflictual.² Its motor was the "unsocial sociability" (*ungesellige Geselligkeit*) that compelled humans to seek peace even as they experienced destructive forms of competition.³ Kant took the title of his essay from an ironic tavern sign depicting a

* For comments on earlier versions of this chapter, I am especially grateful to Stella Gervas, Eva Marlene Hausteiner, Joan-Pau Rubiés, and Neil Safer and to audiences at the Huntington Library, the London School of Economics, the Humboldt-Universität zu Berlin, Notre Dame, and Queen Mary University of London.

¹ Immanuel Kant, "Toward Perpetual Peace" (1795), in *Practical Philosophy*, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 317.

² Anthony Pagden, *The Burdens of Empire: 1539 to the Present* (Cambridge: Cambridge University Press, 2015), 206; more generally, see Jürgen Habermas, "Kant's Idea of Perpetual Peace with the Benefit of Two Hundred Years' Hindsight," in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, ed. James Bohman and Matthias Lutz-Bachmann (Cambridge, MA: Harvard University Press, 1997), 113–153; Pauline Kleingeld, "Kant's Theory of Peace," in *The Cambridge Companion to Kant and Modern Philosophy*, ed. Paul Guyer (Cambridge: Cambridge University Press, 2006), 477–504.

³ Michael Ferguson, "Unsocial Sociability: Perpetual Antagonism in Kant's Political Thought," in *Kant's Political Theory: Interpretations and Applications*, ed. Elisabeth Ellis (University Park: Penn State University Press, 2012), 150–169; Sankar Muthu, "Productive Resistance in Kant's Political Thought: Domination, Counter-Domination, and Global Unsocial Sociability," in *Kant and Colonialism*, ed. Katrin Flikschuh and Lea Ypi (Oxford: Oxford University Press, 2014), 68–98. See also Sankar Muthu's contribution to this volume (Chapter 8).

cemetery: the only truly perpetual peace might be the quiet of the graveyard. The goal of his cosmopolitanism might be tranquility, among persons and between states, but the pathway to peace would still be strewn with corpses.

For Kant, the connection between cosmopolitanism and peace was not essential or natural but contingent and accidental. By contrast, most contemporary cosmopolitan thinkers, even those most consciously indebted to Kant, would have little doubt that cosmopolitanism is a philosophy of peace and even a specifically pacifist philosophy. The values informing current cosmopolitanism are directed toward reducing and preventing conflict between persons as persons, not as the citizens or subjects of bounded nations or states. Tolerance demands respect for the practices and beliefs of others as rational, autonomous agents. Dialogue based on the mutual recognition of common humanity allows the consensual settlement of disputes. A commitment to global justice, giving each individual her due, likewise acknowledges similarity rather than difference with the aim of preventing potential conflict.⁴

The ultimate endpoint of contemporary cosmopolitanism has been defined as bringing about “the substantive utopian ideal of a *polis* or polity constructed on a world scale, rather than on the basis of regional, territorially limited states.” Within that global *polis*, the lower-level attachments that have traditionally animated antagonism – nationalism, tribalism, and other forms of divisive prejudice – would give way to comprehensively cosmopolitan commitments to mutual recognition, equality, inclusion – and peace. By striving for the highest common factor rather than the lowest common denominator, cosmopolitanism will serve as a prophylactic against the narcissism of minor differences. Interpersonal and international disputes could be resolved by rational discussion and determined according to norms of universal justice. Because cosmopolitanism’s imagined community would be tolerant, egalitarian, and universalist, any motivations for contention would evaporate and peace would prevail: “Till the war-drum throbbed no longer, and the battle-flags were furl’d/ In the Parliament of man, the Federation of the world.”⁵

The alleged elective affinity between cosmopolitanism and pacifism has, until recently, prevented scholars from acknowledging that cosmopolitanism might have something to say about war or that war might shed light on the limits and possibilities of cosmopolitanism. The waves of war around the world since 1989 have inspired some theorists to ask what cosmopolitanism might have to offer to mitigate conflict, to question whether it is theoretically

⁴ Jerry W. Sanders, “Cosmopolitanism as a Peace Theory,” in *The Oxford International Encyclopedia of Peace*, 4 vols., ed. Nigel J. Young (Oxford: Oxford University Press, 2010), vol. I, 497–501.

⁵ Jeremy Waldron, “What Is Cosmopolitan?,” *The Journal of Political Philosophy* 8 (2000): 228, 229 (quoting Tennyson’s *Locksley Hall*).

robust enough to face the challenges of unconventional warfare in the twenty-first century and to propose a “contestatory cosmopolitanism” in response to conflict and other divisive challenges from climate change to transnational crime.⁶ The first moves in this direction offer the promise of a political realism with a cosmopolitan intent, much as Kant himself might have envisaged. They might also help to answer the recent call for “a wounded cosmopolitanism that takes up into its own vision – rather than repudiating or claiming to resolve – the most damaging elements of both history and who we are.”⁷

This chapter offers historical sustenance for that effort by focusing on what might seem to be the least likely of all conceptual companions for cosmopolitanism: civil war. Most contemporary cosmopolitans would find any relationship between cosmopolitanism and civil war to be at best paradoxical, at worst nonexistent. After all, what could cosmopolitanism, “the view that *transnational* borders are morally arbitrary ... possibly tell us about conflicts occurring *within* borders” or what are conventionally thought of as “civil” wars or non-international armed conflicts? The only recent political theorist to have broached that question, Cécile Fabre, has argued that “cosmopolitanism does have something interesting to say about civil wars” for two main reasons: first, because it condones the ethics of self-determination even in the extreme case when it must be fought for, and, second, because there is no moral difference between the rights and responsibilities of combatants in civil wars and those in conflicts of an international character. Fabre’s “individualist, egalitarian, and universal” cosmopolitanism, when applied to the ethics of war, does not entail that cosmopolitans should necessarily be pacifists in all

⁶ Gerard Delanty, “Cosmopolitanism and Violence: The Limits of Global Civil Society,” *European Journal of Social Theory* 4 (2001): 41–52; Mary Kaldor, “Cosmopolitanism and Organized Violence,” in *Conceiving Cosmopolitanism: Theory, Context and Practice*, ed. Steven Vertovec and Robin Cohen (Oxford: Oxford University Press, 2002), 268–278; Patrick Hayden, *Cosmopolitan Global Politics* (Ashgate: Aldershot, 2005), 67–94 (“War, Peace, and the Transformation of Security”); Robert Fine, “Cosmopolitanism and Violence: Difficulties of Judgment,” *British Journal of Sociology* 57 (2006): 49–67; Bruce Robbins, *Perpetual War: Cosmopolitanism from the Viewpoint of Violence* (Durham: Duke University Press, 2012); Cécile Fabre, *Cosmopolitan War* (Oxford: Oxford University Press, 2012), 4 (“cosmopolitans for their part would do well to start thinking more deeply than they have done so far about war”); Jonathan Quong, David Rodin, Anna Stilz, Daniel Statman, Victor Tadros, and Cécile Fabre, “Symposium on Cécile Fabre’s *Cosmopolitan War*,” *Law and Philosophy* 33 (2014): 265–425; Paul Gilroy, “Cosmopolitanism and Conviviality in an Age of Perpetual War,” in *Whose Cosmopolitanism? Critical Perspectives, Relationalities and Discontents*, ed. Nina Glick Schiller and Andrew Irving (New York: Berghahn Books, 2015), 232–244; Tom Bailey, ed., “Special Issue: Contestatory Cosmopolitanism,” *Critical Horizons* 17:1 (2016): 1–148; Dina Gusejnova, ed., *Cosmopolitanism in Conflict: Imperial Encounters from the Seven Years’ War to the Cold War* (London: Palgrave Macmillan, 2018).

⁷ Jacqueline Rose, “Wounded Cosmopolitanism,” in *Whose Cosmopolitanism? Critical Perspectives, Relationalities and Discontents*, ed. Nina Glick Schiller and Andrew Irving (New York: Berghahn Books, 2015), 48.

cases.⁸ Hers is a normative conclusion, but there are also historical grounds for believing that cosmopolitanism and civil war are not wholly estranged or conceptually incompatible.

The proximal origins of cosmopolitanism's entanglement with civil war can be found in the European Enlightenment.⁹ Enlightened cosmopolitanism culminated with Kant but it had emerged from an earlier combination of Thomas Hobbes' conception of human nature with Samuel Pufendorf's more optimistic vision of human sociability associated with seventeenth- and eighteenth-century theorists of natural law in commercial society.¹⁰ This amalgam produced the teleologically pacifist cosmopolitanism, suited to an age of competing global empires, that the Swiss jurist Emer de Vattel classically expressed in his *Droit des gens* (1758):

Nations would communicate to each other their products and knowledge; a profound peace would prevail over all over the earth, and enrich it with its invaluable fruits; industry, the sciences, and the arts, would be employed in promoting our happiness, no less than in relieving our wants; violent methods of deciding contests would be no more heard of: all differences would be terminated by moderation, justice, and equity; the world would have the appearance of a large republic [*une grande république*]; men would live every-where like brothers, and each individual be a citizen of the universe.¹¹

For Vattel, as for Kant almost forty years later, this was a dream to be achieved in the future rather than a reality to be enjoyed in the present, precisely because individual self-interest always collided with the common good. The hand of violence was not invisible; its dispensation was not always virtuous.

Many features of Vattel's vision – a transnational community enhanced by worldwide peace; human equality derived from universal reciprocity; an end to war, especially between states; and a reign of enlightened equity – developed and flourished as defining characteristics of cosmopolitanism as both a philosophical and a political stance in the Enlightenment. Their victory was not inevitable: just how they won out over the more contentious strains within cosmopolitan thought is an untold story, but it is one whose origins can be found in eighteenth-century Europe. Vattel himself did not assume that there was a necessary connection between cosmopolitanism and peace: indeed, he

⁸ Fabre, *Cosmopolitan War*, 16, 130–131.

⁹ On enlightened cosmopolitanism before Kant, see especially Thomas J. Schlereth, *The Cosmopolitan Ideal in Enlightenment Thought: Its Form and Function in the Ideas of Franklin, Hume, and Voltaire, 1694–1790* (Notre Dame: Notre Dame University Press, 1977); Sophia Rosenfeld, "Citizens of Nowhere in Particular: Cosmopolitan Writing and Political Engagement in Eighteenth-Century Europe," *National Identities* 4 (2002): 25–43.

¹⁰ Istvan Hont, *Politics in Commercial Society: Jean-Jacques Rousseau and Adam Smith*, ed. Béla Kapossy and Michael Sonenscher (Cambridge, MA: Harvard University Press, 2015).

¹¹ Emer de Vattel, *The Law of Nations* (1758), ed. Béla Kapossy and Richard Whatmore (Indianapolis: Liberty Fund, 2008), 268 (II. 1. 16).

was not only one of the Enlightenment's most influential theorists of commercial cosmopolitanism but also its most innovative and most lastingly influential analyst of civil war, as we shall see.¹² Like many Enlightened thinkers, Vattel had to argue for cosmopolitan pacifism in the face of equally strong statements of conflictual cosmopolitanism with profound classical roots.¹³

Enlightened cosmopolitanism was shadowed historically by internal and external conflict during Europe's "Second Hundred Years' War" (1688–1815). As the great Italian historian of Enlightenment, Franco Venturi, noted more than fifty years ago, the eighteenth century's wars were decisive events for European intellectual history: the War of the Austrian Succession galvanized the first generation of *philosophes* (Diderot, Rousseau, La Mettrie, D'Holbach, and Condillac), just as the Seven Years' War inspired the historiography of Gibbon, Raynal, Robertson, and Hume, the political economy of Turgot and Smith and the jurisprudence of Vattel. Without the intellectual challenges posed by worldwide wars, there might have been no "cosmopolis of the Enlightenment."¹⁴ Enlightenment cosmopolitanism was in this way the product of conflict as well as a means of reflecting upon it. It was not a single body of doctrine but rather a suite of arguments: for example, we might compare the universalism of the Dutch cosmopolitan Anacharsis Cloots during the French Revolution with the republicanism of Kant: Cloots, the self-proclaimed "citizen of the world," imagined a world without states, while Kant, the firmly rooted citizen of Prussia and Königsberg, assumed states would – indeed, must – endure. Both have been taken as exemplary enlightened cosmopolitans, but the foundations of their respective visions could hardly have been more different.¹⁵ The debates among those who identified themselves as cosmopolitans, as much as their conclusions, have endured into the present. In the eighteenth century, as in the twenty-first, pacifist cosmopolitanism had to be actively imagined and promoted against a conflictual cosmopolitanism that implied a world of war, and a world of civil war at that.¹⁶

¹² Walter Rech, *Enemies of Mankind: Vattel's Theory of Collective Security* (Leiden: Brill, 2013), 209–213, 216–220.

¹³ On the classical roots of conflictual cosmopolitanism, see Owen Goldin, "Conflict and Cosmopolitanism in Plato and the Stoics," *Apeiron* 44 (2011): 264–286.

¹⁴ Franco Venturi, "The European Enlightenment" (1960), in *Italy and the Enlightenment: Studies in a Cosmopolitan Century*, ed. S. J. Woolf (London: Longman, 1972), 12, 16–22.

¹⁵ Pauline Kleingeld, *Kant and Cosmopolitanism: The Philosophical Ideal of World Citizenship* (Cambridge: Cambridge University Press, 2012), 40–72 ("Kant and Cloots on Global Peace"); Alexander Bevilacqua, "Conceiving the Republic of Mankind: The Political Thought of Anacharsis Cloots," *History of European Ideas* 38 (2012): 550–569.

¹⁶ On the pacifist strain within enlightened cosmopolitanism, see Schlereth, *The Cosmopolitan Ideal in Enlightenment Thought*, 117–125; Stella Ghervas, "La paix par le droit, ciment de la civilisation en Europe? La perspective du siècle des Lumières," in *Penser l'Europe au XVIIIe*

The enlightened engagement between cosmopolitanism and civil war drew upon classical traditions of thinking about civilization and its most destructive discontents. That longer history is a tale of two cities – or, rather, of two classical conceptions of the city as *polis* or *civitas* and their later fortunes. In its metaphorical, even metaphysical, sense, the Greek and Roman city marked the boundary between human and animal, culture and nature, the ordered and the disorderly elements in the cosmos.¹⁷ Even the most rudimentary etymological knowledge is a reminder that the Greek word *polis* lies at the root of “politics” and that the Latin term *civitas*, the artfully constructed dwelling-place of the citizen or *civis*, is the home of “civility” and the matrix of “civilization.”¹⁸ The city was where humans could flourish and achieve their full humanity in cooperation and peace, under the rule of law and increasingly distant from the perils and incivility of wild nature. It kept the threats of irrationality, savagery, and animality at bay: when they returned, civilization itself was under threat.

Yet for the last 2,000 years, the city has also frequently been the stage for civil war, that struggle between citizens (*cives*) who are also, as the name suggests, city-dwellers.¹⁹ That is one reason why “civil” wars – armed conflicts within the *civitas* – would long be called “intestine” and “unnatural” and why so much of the imagery of civil war, from classical times to the present, has dwelt on its barbarism and bestiality.²⁰ It is also the reason why civility, civilization, and civil war were connected not just etymologically but historically in the European cosmopolitan tradition itself founded on the idea of the world city or cosmopolis.²¹

The tale of two cities is also a story of two oxymorons, of a city that was not a city and a war that was hardly warlike. The terms *cosmopolis* and *bellum civile* were each coined to be internally contradictory and remained conceptually unstable. When Diogenes the Cynic described himself as *cosmopolites*, or a

siècle: Commerce, Civilisation, Empire, ed. Antoine Lilti and Céline Spector (Oxford: Oxford University Press, 2014), 47–70.

¹⁷ Anthony Pagden, *The Fall of Natural Man: The American Indian and the Origins of Comparative Ethnology*, rev. ed. (Cambridge: Cambridge University Press, 1986), 17–24; Annabel Brett, *Changes of State: Nature and the Limits of the City in Early Modern Natural Law* (Princeton: Princeton University Press, 2011).

¹⁸ Anthony Pagden, “The ‘Defence of Civilization’ in Eighteenth-Century Social Theory,” *History of the Human Sciences* 1 (1988): 33–45.

¹⁹ David Harvey, *Rebel Cities: From the Right to the City to the Urban Revolution* (London: Verso, 2012).

²⁰ David Armitage, *Civil Wars: A History in Ideas* (New York: Vintage Books, 2017).

²¹ On cosmopolitanism’s connection to the language of “civilization,” see Anthony Pagden, “Stoicism, Cosmopolitanism, and the Legacy of European Imperialism,” *Constellations* 7 (2000): 3–22; Anthony Pagden, “The Genealogies of European Cosmopolitanism and the Legacy of European Universalism,” in *Frieden und Krieg in der Frühen Neuzeit: Die europäische Staatenordnung und die außereuropäische Welt*, ed. Ronald G. Asch, Wulf Eckart Voß, and Martin Wrede (Munich: Wilhelm Fink Verlag, 2001), 467–483.

citizen of the world, he displayed his contempt for the boundedness and intimacy of the *polis* and denied the attachments of any community upon him. To be a citizen of a polity as indeterminate as the *cosmos* was not to be a citizen in any meaningful sense at all: to claim to be a citizen of the world was in this sense originally “a snub, an insult to all forms of civility, not an expression of universalism.”²² In similar fashion, *bellum civile* subverted the reigning Roman conception of war (*bellum*) as a condition of justified hostility against an external enemy (*hostis*). The opponents in a “civil” war were, by definition, fellow-citizens: according to Roman just war theory, combat among citizens could not be a war because it was neither just nor fought against outsiders.²³ *Bellum civile* was a deliberately paradoxical expression of revulsion against the idea of formal hostilities between members of the same *civitas* and a recognition that such warfare destroyed civility itself.²⁴ It was also an elastic concept whose bounds would expand and ultimately intersect with those of cosmopolitanism itself.

One major lesson of Roman narratives of civil war was that to be civilized, in the sense of city-dwelling, was to be capable of civil war as well as fatally susceptible to it. To inhabit a *civitas* at all was to be in danger and indeed a likelihood of suffering not just tumults and seditions but full-blown civil war, as Rome had repeatedly across its history. Only by falling prey to the disease of civil war was it often possible to discern the boundaries of the commonwealth itself, whether within the *pomerium* that marked the original limits of the city of Rome, across the entire Italian peninsula after Rome’s expansion, or even throughout the whole eastern Mediterranean as the Roman Republic grew to cover territories and peoples soon to be encompassed under the sway of Rome’s emperors. Following this tradition, any reader of Machiavelli’s *Discorsi* knew that the price of empire would be domestic disturbances: as Montesquieu remarked in 1734 in his reflections on the grandeur and decline of the Roman Empire, “Whilst Rome was conquering the world, a hidden war was carrying on within its walls; these fires were like those of volcanos, which break out the instant they are fed by some combustible substance.”²⁵

Cosmopolitanism expanded the imaginable setting for civil war by extending the limits of the city itself as a setting for human interaction. Those limits relaxed

²² Anthony Pagden, *Worlds at War: The 2,500-Year Struggle between East and West* (Oxford: Oxford University Press, 2008), 90–91.

²³ Silvia Clavadetscher-Thürlemann, *Πόλεμος δίκαιος und bellum iustum. Versuch einer Ideengeschichte* (Zurich: Juris Druck, 1985), 178–83; Phillip Wynn, *Augustine On War and Military Service* (Minneapolis: Fortress Press, 2013), 128–131.

²⁴ Paul Jal, “‘Hostis (Publicus)’ dans la littérature latine de la fin de la République,” *Revue des études anciennes* 65 (1963): 53–79; Robert Brown, “The Terms *Bellum Sociale* and *Bellum Civile* in the Late Republic,” in *Studies in Latin Literature and Roman History*, vol. 11, ed. Carl Deroux, (Brussels: Latomus, 2003), 94–120.

²⁵ Charles de Secondat, baron de Montesquieu, *Reflections on the Causes of the Rise and Fall of the Roman Empire* (1734), Eng. trans. (Edinburgh, 1775), 61.

to include the Mediterranean ecumene, the Roman Empire, its successors in the form of varied conceptions of Europe and later on Europe's overseas empires, as well as ultimately to imagine the world as a city and hence the whole globe as the stage for civil conflict. As the boundaries of the Roman *civitas* had expanded along with grants of Roman citizenship, so did the space occupied by *bellum civile* among Rome's ever-growing body of citizens. When the Roman Empire expanded, the ambit of civil war increased to include allies (*socii*) as well as citizens. Although civil wars were battles for control of the city itself, they could not easily be distinguished from "social" wars or foreign wars, because they spilled over to arenas throughout the Roman world and later drew in actors from across the empire. Like some implacable natural force, civil war no longer respected the boundaries of the Roman *civitas* but became something much more destructive because potentially universal in scope. As the second-century Roman historian Florus had noted, "The rage of Caesar and Pompey, like a flood or a fire, overwhelmed the city and Italy, tribes and nations, and finally the empire, so much so that it could not be rightly called either a civil, social or external war, but rather one with elements of all, and yet more than a war."²⁶ Such Roman narratives shaped understandings of history and of civil war throughout the Enlightenment:²⁷ editions of Florus, along with that of the fourth-century epitomist Eutropius (whose Roman history Adam Smith studied as a schoolboy in the 1730s), appeared almost annually across the eighteenth century.²⁸ It was only in the nineteenth century that a script of political history as a sequence of revolutions replaced the Roman repertoire of serial civil wars.²⁹

By that time, two other cosmopolitan conceptions of civil war had emerged. The first was the idea that, because all humans are related, all wars are civil. The other, building on Roman conceptions, was that civil wars could expand across communities larger than nations or states to engulf civilizations, empires, or even the whole of humanity in a global civil war. Both cosmopolitan conceptions of civil war had enlightened instances as well as enduring afterlives of the Enlightenment up to the present.

The classic expression of the idea that, because all "men" are brothers, all wars are civil, appeared in Victor Hugo's *Les Misérables* (1862), where Marius Pontmercy, son of a noble veteran of the battle of Waterloo, reflects

²⁶ Florus, *Epitome* (2.13.4–5), in Florus, *Epitome of Roman History*, trans. Edward Seymour Foster (Cambridge, MA: Harvard University Press, 1929), 267 (translation adapted).

²⁷ Armitage, *Civil Wars*, 93–128.

²⁸ Freyja Cox Jensen, *Reading the Roman Republic in Early Modern England* (Leiden: Brill, 2012), 56–73; Nicholas Phillipson, *Adam Smith: An Enlightened Life* (London: Penguin Books, 2010), 18 and plates 2–3.

²⁹ David Armitage, "Every Great Revolution Is a Civil War," in *Scripting Revolution: A Historical Approach to the Comparative Study of Revolutions*, ed. Keith Michael Baker and Dan Edelstein (Palo Alto: Stanford University Press, 2015), 57–68.

on the meaning of civil war. As Marius heads toward the barricades in Paris to battle against the restored Bourbon monarchy in 1832, he knows that “he was to wage war in his turn and to enter on the field of battle, and that that field of battle which he was about to enter, was the street, and that war which he was about to wage, was civil war!” He shudders at the thought, wondering what his heroic father might have made of his actions, before asking himself what kind of war he was about to join alongside his friends and comrades on the barricades:

Civil war? What does this mean? Is there any foreign war? Is not every war between men, war between brothers? War is modified only by its aim. There is neither foreign war, nor civil war; there is only unjust war and just war . . . War becomes shame, the sword becomes a dagger, only when it assassinates right, progress, reason, civilization, truth. Then, civil war or foreign war, it is iniquitous; its name is crime.³⁰

Pontmercy’s musings reflected Hugo’s own apprehensions about the blurred boundaries between civil war and other kinds of conflict that he had experienced in the 1830s and 1840s and that he would later examine, during the aftermath of the suppression of the Paris Commune, in his novel about the 1793 counter-revolutionary massacre in the Vendée, *Quatrevingt-treize* (1874).³¹ Their applications were contemporary but their origins can be found in the Enlightenment.

“All European wars, said Voltaire, are civil wars. In the twentieth century his formula applies to the whole earth,” argued UNESCO director Jaime Torres Bodet on United Nations Day (24 October) 1949. “In our world,” he went on, “which shrinks progressively as communications become swifter, all wars are civil wars: all battles are battles between fellow-citizens, nay more, between brothers.”³² Torres Bodet’s sympathies were somewhat sounder than his scholarship. Voltaire had indeed famously argued, like Vattel, that Europe was a “kind of great republic divided into several states,” all with “the same principle of public law and politics, unknown in other parts of the world,” but he did not stretch his vision of European cultural unity to imagine its wars as civil wars.³³

³⁰ Victor Hugo, *Les misérables . . . A Novel*, trans. Charles Edward Wilbour, 5 vols. (New York, 1862), vol. IV, 164–165.

³¹ Franck Laurent, “La guerre civile? qu’est-ce à dire? Est-ce qu’il y a une guerre étrangère?,” in *Hugo et la guerre*, ed. Claude Millet (Paris: Maisonneuve & Larose, 2002), 133–156; Michèle Lowrie and Barbara Vinken, “Correcting Rome with Rome: Victor Hugo’s *Quatrevingt-treize*,” in *Roman Error: Classical Reception and the Problem of Rome’s Flaws*, ed. Basil Dufallo (Oxford: Oxford University Press, 2018), 179–190.

³² Jaime Torres Bodet, “Why We Fight,” *UNESCO Courier* 11:10 (1 November 1949): 12.

³³ Voltaire, *Le siècle de Louis XIV* (1756), quoted in Anthony Pagden, “Europe: Conceptualizing a Continent,” in *The Idea of Europe: From Antiquity to the European Union* (Cambridge: Cambridge University Press, 2002), 37; Vattel, *The Law of Nations*, 496 (III. 3. 47).

Torres Bodet was nonetheless correct to locate this cosmopolitan vision of Europe-wide civil war in the age of Enlightenment. However, its most likely source was the French archbishop and political writer, François de Salignac de la Mothe, not Voltaire. In his immensely popular work of advice for a young prince, the *Dialogues des morts* (1712), Fénelon has the character of Socrates offer an eloquent pacifist argument based on the cosmopolitan principle of common humanity:

All Wars are properly Civil Wars [*Toutes les guerres sont civiles*], 'tis still Mankind shedding each other's Blood, and tearing their own Entrails out; the farther a War is extended, the more fatal it is; and therefore the Combats of one People against another, are worse than the Combats of private Families against a Republick. We ought therefore never to engage in a War, unless reduced to a last Extremity, and then only to repel our Foes.³⁴

Fénelon's motivation was pacifist but the implications of his cosmopolitan conception were double-edged: the closer the world approached to the cosmopolitan ideal of universal humanity, the more intimate would international and even global wars become. More acute pain, not more assured peace, might be the unintended outcome of the world's progressive shrinkage. Enlightened thinkers like Fénelon who believed in Europe's cultural unity feared what Grotius had denied more than a century earlier: that all wars between Europeans would become civil wars, because they were fought within the bounds of a mutually recognizing community of fellow citizens. Under Kant's conception of cosmopolitan right, the sphere of affective mutuality became global, as "the (narrower or wider) community of the nations of the earth has now gone so far that a violation of right on *one* place of the earth is felt in *all*."³⁵ As we shall see, enlightened cosmopolitanism in all its varied forms expanded the conceptual boundaries of the communities within which civil wars might be held to take place, from the cosmopolitan community of Europe to the global cosmopolis encompassing all of humankind.

In a century of near-constant warfare among the European powers and in their imperial outposts, the trope of European civil war proliferated as an index of cultural unity as well as a reassurance of civilizational difference from the rest of the world. In this mode, Rousseau, in his *Projet de paix perpétuelle* (1761), judged the wars between the powers of Europe to be "much the more deplorable, as their combinations are intimate . . . their frequent quarrels have almost the cruelty of civil wars."³⁶ Four decades later, Napoleon reportedly

³⁴ François de Salignac de la Mothe Fénelon, *Fables and Dialogues of the Dead. Written in French by the Late Archbishop of Cambrai* (1712), Eng. trans. (London, 1722), 183.

³⁵ Kant, "Toward Perpetual Peace," 330.

³⁶ Jean-Jacques Rousseau, *A Project for Perpetual Peace*, Eng. trans. (London, 1761), 9 ("presque la cruauté des guerres civiles").

told Charles James Fox, during the negotiations for the Treaty of Amiens in 1802, that, “Turkey excepted, Europe is nothing more than a province of the world; when we battle, we engage in nothing more than a civil war.”³⁷ The saying that all European wars were civil wars again became popular in the moment between the twentieth century’s two great wars and was usually attributed to Napoleon, perhaps recalling his bon mot of 1802.³⁸

Europe was not the only transnational community that could be imagined as the stage for civil war in the Enlightenment. Because an empire could then “refer to a single *civitas*, which included both territory in Europe and beyond,” what were later thought of as revolutions – for example, in British and later in Spanish America – were conceived at the time as imperial civil wars.³⁹ In this vein, commentators around the Atlantic world saw the crisis in the British Empire of the 1770s as a “civil” war fought among fellow Britons. Following other Roman precedents, observers such as William Bolan, the agent for Massachusetts Bay, Richard Price and Adam Smith (in the *Wealth of Nations*) had initially thought of it as a “social war” among members of a common confederacy.⁴⁰ Yet after the first shots of the conflict were fired at Lexington and Concord in April 1775, both sides turned to the language of civil war to describe the militarization of the transatlantic dispute. For example, the Dutch-born surveyor and cartographer, Bernard Romans, published a chart of Massachusetts with the title, a “Map of the Seat of Civil War in America” and other writers soon called it a “civil war,” a “civil war with America” and even an “American civil war.”⁴¹ By July 1775, the

³⁷ Louis Antoine Fauvelet de Bourrienne, *Mémoires de M. de Bourrienne, ministre d'état; sur Napoléon, le Directoire, le Consulat, l'Empire et la Restauration*, 10 vols. (Paris, 1829–1830), vol. V, 207: “La Turquie exceptée, l'Europe n'est qu'une province du monde; quand nous battons, nous ne faisons que de la guerre civile.”

³⁸ See, for example, G. K. Chesterton's contribution to Paul Hymans, Paul Fort, and Arnaud Rastoul, eds., *Pax Mundi: Livre d'or de la Paix* (Geneva: Paxunis, 1932); Richard Nicolaus Coudenhove-Kalergi, *Europe Must Unite* (Glarus: Paneuropa, 1939), title-page.

³⁹ Anthony Pagden “Fellow Citizens and Imperial Subjects: Conquest and Sovereignty in Europe's Overseas Empires,” *History and Theory, Theme Issue 44: Theorizing Empire* (2005): 32–33; Wim Klooster, *Revolutions in the Atlantic World: A Comparative History* (New York: New York University Press, 2009), 11–44.

⁴⁰ William Bollan, *The Freedom of Speech and Writing upon Public Affairs, Considered; with an Historical View of the Roman Imperial Laws against Libels* (London, 1766), 158–59; Richard Price, *Observations on the Nature of Civil Liberty* (London, 1776), 91; Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), ed. R. H. Campbell and A. S. Skinner, 2 vols. (Oxford: Oxford University Press, 1976), vol. II, 622 (IV.vii.c).

⁴¹ Bernard Romans, To the Hone. Jno. Hancock Esqre. President of the Continental Congress; This Map of the Seat of Civil War in America is Respectfully Inscribed [*Philadelphia, 1775*]; Newport Mercury, 24 April 1775, quoted in T. H. Breen, *American Insurgents, American Patriots: The Revolution of the People* (New York: Hill and Wang, 2010), 281–282; *Civil War; a Poem. Written in the Year 1775* (n.p., n.d., [1776?]), sig. A2^r; David Hartley, *Substance of a Speech in Parliament, upon the State of the Nation and the Present Civil War with America* (London, 1776), 19; John Roebuck, *An Enquiry, whether the Guilt of the Present Civil War in America, Ought to be Imputed to Great Britain or America* (n.p., n.d. [1776?]).

Continental Congress threatened the British Parliament with armed resistance but still claimed to hope for “reconciliation on reasonable terms . . . thereby to relieve the empire from the calamities of civil war.”⁴² The conflict only ceased to be imaginable as a civil war a year later when, by the Declaration of Independence of July 1776, Congress constituted the former British American colonies as “the United States of America.” Civil war within a transoceanic empire was thereby transformed – at least for the new United States and its potential allies – into an international war between states.⁴³

The eighteenth-century’s Age of Revolutions was an age of civil wars that posed multiple challenges for contemporary cosmopolitanism.⁴⁴ Vattel was the Enlightened cosmopolitan most stimulated by the intellectual problems posed by civil war and he proved to be the most influential in shaping others’ responses to similar questions in the American, French, and Spanish American revolutions. Vattel had adopted Grotius’ definition of war as “that state in which we prosecute our right by force” but nonetheless agreed with Rousseau that the exercise of war was confined to states alone: “Public war . . . which takes place between nations or sovereigns and which is carried on in the name of the public power, and by its order.”⁴⁵ Vattel’s crucial innovation was to argue that rebels against a sovereign or “public power” could legitimately be recognized as belligerents: “When a party is formed in a state, who no longer obey the sovereign, and are possessed of sufficient strength to oppose him – or when, in a republic, the nation is divided into two opposite factions, and both sides take up arms, this is called *civil war*.” This could be distinguished from a rebellion by the fact that the insurgents have justice on their side: if the cause of opposition is just, then the sovereign (or divided authority in a republic) must wage war against the opposition: “Custom appropriates the term of ‘*civil war*’ to every war between the members of one and the same political society.”⁴⁶

Vattel’s cosmopolitan redefinition of civil war under the *jus gentium* opened the way to the application of the laws of war to civil conflicts. He argued that the two sides stand “in precisely the same predicament as two nations, who engage in a contest, and, being unable to come to an agreement, have recourse to arms.” It followed that, if the two independent bodies were equivalent in this manner, the law of nations should regulate their contentions: a “civil” war had

⁴² “A Declaration . . . Setting Forth the Causes and Necessity of Taking Up Arms” (6 July 1775), in *A Decent Respect to the Opinions of Mankind: Congressional State Papers, 1774–1776*, ed. James H. Hutson (Washington, DC: US Government Printing Office, 1976), 97.

⁴³ David Armitage, *The Declaration of Independence: A Global History* (Cambridge, MA: Harvard University Press, 2007), 34–35.

⁴⁴ Armitage, *Civil Wars*, 121–158.

⁴⁵ Vattel, *The Law of Nations*, 105, 469 (I.4. 51; III.1.1–2).

⁴⁶ Vattel, *The Law of Nations*, 644–45 (III.18. 292).

become an international war. Sovereigns should, therefore, treat their rebellious subjects according to the law of war if they have just cause and have raised arms. By this point, the unitary nation or state has already ceased to exist; the conflict became “a public war between two nations” and no longer fell under internal domestic law but instead under the law of nations or *ius gentium*.⁴⁷ Using this logic, the American Continental Congress had turned to Vattel as a major source when drafting their Declaration of Independence in 1776.⁴⁸

Vattel’s vision raised a potentially radical doctrine of intervention by outside powers in the affairs of other sovereign states. For example, Edmund Burke appealed to Vattel’s authority to argue that France after 1789 had fissured into two warring nations, each of which claimed sovereignty: one in the name of the King, the other on behalf of the people. Burke invoked Vattel to show that Britain and its allies could – indeed, should – intervene in revolutionary France on the side of the king and his supporters and used his work explicitly to prove that “in this state of things (that is in the case of a divided kingdom) by the law of nations, Great Britain, like every other Power, is free to take any part she please.”⁴⁹ France was a divided nation in a state of civil war; indeed, it was effectively two nations, and Britain was free to decide which had justice on its side.

Vattel had not wanted his “maxim” to be abused, to “make a handle of it to authorise odious machinations against the internal tranquillity of states,” but hard-headed arguments in such circumstances might easily support any act of intervention, as Burke’s deployment of his reasoning showed.⁵⁰ Reasons of state like this, soothing as they were to established rulers, led Kant in 1795 to include Vattel among his roster of “sorry comforters” (*leidige Tröster*), those modern proponents of natural law who encouraged amoral political action with their expedient ethics, in *Perpetual Peace*.⁵¹ This categorization is perhaps a little disingenuous, because only a decade earlier, in 1784, Kant had praised Vattel’s work as the best book (“Das beste Buch”) on the *ius gentium*, in his Königsberg lectures on natural right;⁵² Kant’s own restrictive account of the possible grounds for external intervention in a civil war, in his fifth preliminary

⁴⁷ Vattel, *The Law of Nations*, 645 (III.18.293).

⁴⁸ Armitage, *The Declaration of Independence*, 38–41.

⁴⁹ Edmund Burke, *Thoughts on French Affairs* (1791), in *Further Reflections on the Revolution in France*, ed. Daniel E. Ritchie (Indianapolis: Liberty Fund, 1992), 207; more generally, see Iain Hampsher-Monk, “Edmund Burke’s Changing Justification for Intervention,” *The Historical Journal* 48 (2005): 65–100.

⁵⁰ Vattel, *The Law of Nations*, 291 (II.4.56); cf. 627 (III.16.253).

⁵¹ Kant, “Toward Perpetual Peace,” 326.

⁵² Immanuel Kant, “Natural Right Course Lecture Notes by Feyerabend” (1784), in *Lectures and Drafts on Political Philosophy*, ed. and trans. Frederick Rauscher and Kenneth R. Westphal (Cambridge: Cambridge University Press, 2016), 177.

article of perpetual peace, could in fact have been taken straight from Vattel's *Droit des gens*:

if a state, through internal discord, were to split into two parts, each putting itself forward as a separate state and laying claim to the whole; in that case a foreign state could not be charged with interfering in the constitution of another state if it gave assistance to one of them (for this is anarchy). But as long as this internal conflict is not yet critical, such interference of foreign powers would be a violation of the right of a people dependent on no other and only struggling with internal illness; thus it would itself be a scandal given and would make the autonomy of all states insecure.⁵³

In the context of the French Revolutionary Wars, such a doctrine could still present a license for perpetual war rather than for perpetual peace. A year after Kant had written, Burke argued in his second *Letter on a Regicide Peace* (1796) that the French proponents of popular sovereignty had turned their "armed doctrine" against the rest of Europe and that for these Jacobins the ensuing conflict "in its spirit, and for its objects, . . . was a *civil war*; and as such they pursued it . . . a war between the partizans of the antient, moral, and political order of Europe against a sect of fanatical and ambitious atheists which means to change them all."⁵⁴ All states were now undoubtedly insecure, Burke believed, as what had begun as a French revolution had mutated, first, into a civil war internal to France and then into a civil war for all the inhabitants of Europe. Burke was no cosmopolitan, of course, but his application of one cosmopolitan's conception of civil war to conflict in Europe foreshadowed later apprehensions, among cosmopolitans and non-cosmopolitans alike, that communities larger than the original classical *civitates* could be theaters of civil war.

Conceptions of global civil war are one unexpected (and unintended) consequence of enlightened cosmopolitanism. That body of thought has usually been assumed to be determinedly pacific, universally integrative, and cumulatively progressive, at least in the asymptotic manner in which Kant viewed the prospects for perpetual peace. The implications of enlightened cosmopolitan conceptions of conflict would not be fully realized until the

⁵³ Kant, "Toward Perpetual Peace," 319–320; Andrew Hurrell, "Revisiting Kant and Intervention," in *Just and Unjust Military Intervention: European Thinkers from Vitoria to Mill*, ed. Stefano Recchia and Jennifer M. Welsh (Cambridge: Cambridge University Press, 2013), 198. As this passage shows, Habermas was not quite correct in assuming that Kant, in "Toward Perpetual Peace," "was thinking of wars conducted between ministers and states, but not yet anything like civil wars": Habermas, "Kant's Perpetual Peace with the Benefit of Two Hundred Years' Hindsight," 115.

⁵⁴ Edmund Burke, "First Letter on a Regicide Peace (20 October 1796) and Burke, Second Letter on a Regicide Peace" (1796), in *The Writings and Speeches of Edmund Burke, IX: The Revolutionary War, 1794–1797. Ireland*, ed. R. B. McDowell (Oxford: Oxford University Press, 1991), 187, 267; David Armitage, *Foundations of Modern International Thought* (Cambridge: Cambridge University Press, 2013), 163–169.

twentieth century, when, as in the eighteenth, the proliferation of warfare across the world spurred philosophical reflection on the ever-extending boundaries of civil conflict. The century's great transnational conflicts, from the First World War to the Cold War and thence to the "Global War on Terror" of the early twenty-first century, were often seen as civil wars cast onto broad continental, and even global, screens. The communities within which civil wars were imagined as taking place became ever wider and more capacious, expanding from "European civil war" to various conceptions of "global civil war" early in our own century.

As the imaginative limits of civil war grew, they coincided with the knowledge that civil wars were themselves becoming more transnational in their form and global in their impact. In this manner, the rueful cosmopolitanism of Fénelon found belated echoes in the words of the Italian anti-fascist writer Gaetano Salvemini who warned his readers in September 1914 that they were now witnessing not a war among nations but a "global civil war" (*una mondiale guerra civile*) of peoples, classes, and parties in which no one could remain neutral.⁵⁵ Five years later, in 1919, John Maynard Keynes recalled the common civilization in which France, Germany, Italy, Austria, Holland, Russia, Romania, and Poland "flourished together . . . rocked together in a war, and . . . may fall together" in the course of "the European Civil War."⁵⁶ Later in the century, intimations of enmity on the eve of the Second World War raised the fear of an "international civil war" between "reds and blacks" that cut across Europe's countries.⁵⁷ After the conflict arrived, this "gigantic civil war on the international scale" presented an opportunity for national liberation, according to the Indian Marxist, M. N. Roy, writing in 1941–1942.⁵⁸

The Cold War further fostered such an expansion of the boundaries of the idea of civil war as that conflict would be called "a global civil war [that] has divided and tormented mankind," as US President John F. Kennedy put it in his second State of the Union address in January 1962.⁵⁹ Two months later, in March 1962, the distinctly anti-cosmopolitan Carl Schmitt had spoken in a

⁵⁵ "Piú che ad una guerra fra nazioni, noi assistiamo ad una mondiale guerra civile": Gaetano Salvemini, "Non abbiamo niente da dire" (4 September 1914), in *Come siamo andati in Libia e altri scritti dal 1900 al 1915*, ed. Augusto Torre (Milan: Feltrinelli, 1963), 366.

⁵⁶ John Maynard Keynes, *The Economic Consequences of the Peace* (1919) (Harmondsworth: Penguin, 1988), 5.

⁵⁷ Carl Joachim Friedrich, *Foreign Policy in the Making: The Search for a New Balance of Power* (New York: W. W. Norton, 1938), 223–253 ("International Civil War").

⁵⁸ M. N. Roy, *War and Revolution: International Civil War* (Madras: Radical Democratic Party, 1942), 46–54, 83–91, 96, 108–109.

⁵⁹ John F. Kennedy, "State of the Union Address" (11 January 1962), in *Public Papers of the Presidents of the United States: John F. Kennedy. Containing the Public Messages, Speeches, and Statements of the President, 1961–1963*, 3 vols. (Washington, DC: US Government Printing Office, 1962–1963), vol. II, 9.

lecture in Spain about “the global civil war of revolutionary class enmity” unleashed by Leninist socialism.⁶⁰ More sympathetic to the heritage of revolutionary universalism were the American Students for a Democratic Society, whose Port Huron Statement in June 1962 had predicted that “the war which seems so close will not be fought between the United States and Russia, not externally between two national entities, but as an international civil war throughout the unrespected and unprotected *civitas* which spans the world.”⁶¹ Hannah Arendt argued in *On Revolution* (1963) the following year that the twentieth century had seen a new phenomenon arising from the interrelatedness of wars and revolutions: “a world war appears like the consequences of a revolution, a kind of civil war raging all over the earth, as even the Second World War was considered by a sizeable portion of public opinion and with considerable justification.”⁶²

“Global civil war” has more recently been used to denote the struggle between transnational terrorists like the partisans of Al Qaeda against established state-actors like the United States and Great Britain. In the hands of some of its proponents, this post-9/11 usage of “global civil war” means the globalization of an internal conflict, especially that within a divided Islam, split between Sunnis and Shiites, that has been projected onto a world scale. As a broader metaphor for terrorism, “global civil war” has also been used to imply an unbridled struggle between opposed parties without any of the constraints placed on conventional forms of warfare, a return to a state of nature in which there are no rules for a war of all against all, and a peculiar species of conflict in which the boundaries between “internal” and “external,” intra-state and inter-state, conflict are utterly blurred.⁶³ In this way, Michael Hardt and Antonio Negri wrote in 2004 that, “our contemporary world is characterized by a generalized, permanent global civil war, by the constant threat of violence that effectively suspends democracy.”⁶⁴ “Faced with the unstoppable progression of what has been called a ‘global civil war,’” observed Giorgio Agamben in 2005, “the state of exception tends increasingly to appear as the dominant

⁶⁰ Carl Schmitt, *Theory of the Partisan* (1962), trans. G. L. Ulmen (New York: Telos Press, 2007), 95.

⁶¹ Students for a Democratic Society, *The Port Huron Statement* (1962) (New York: Students for a Democratic Society, 1964), 27.

⁶² Hannah Arendt, *On Revolution* (1963) (Harmondsworth: Penguin, 1990), 17.

⁶³ Carlo Galli, *Political Spaces and Global War (2001–02)*, trans. Elizabeth Fay (Minneapolis: University of Minnesota Press, 2010), 171–172; Heike Härting, “Global Civil War and Post-colonial Studies,” Institute on Globalization and the Human Condition, McMaster University, Globalization Working Papers, 06/3 (May 2006); Dietrich Jung, “Introduction: Towards Global Civil War?,” in *Shadow Globalization, Ethnic Conflicts and New Wars: A Political Economy of Intra-state War* (London: Routledge, 2003), 1–6.

⁶⁴ Michael Hardt and Antonio Negri, *Multitude: War and Democracy in the Age of Empire* (New York: Penguin Books, 2004), 341.

paradigm of government in contemporary politics,” a paradigm he has elsewhere traced back via Hobbes to Thucydides but whose more immediate genealogy lies in enlightened cosmopolitanism.⁶⁵

Such metaphorical expansions of the ambit of civil war carry with them recognizable features from past ideas of civil war: for example, the idea of a defined community, a struggle for dominance within it and an aberration from any normal course of politics or “civilization.” The idea of “global” civil war carries with it an idea of universal humanity and, like all conceptions of civil war, it helps to illuminate the boundaries of inclusion and commonality at the moment when division and antagonism become apparent. Humanity can affirm its unity by discerning conflict within a single capacious community, that world city or cosmopolis peopled by hostile fellow citizens. This expansion of horizons would not have been conceptually possible without an enlightened cosmopolitanism that was conflicted as well as conflictual; its ambivalence, as much as its optimism, continues to inform our own hopes and fears for universal human community. As Anthony Pagden has argued, “although the central Enlightenment belief in a common humanity, the awareness of some world larger than the community, family, parish, or *patria*, may still be shakily primitive or incomplete, it is also indubitably a great deal more present in all our lives . . . than it was even fifty years ago.”⁶⁶ Pagden’s examples of the persistence of Enlightenment cosmopolitanism are mostly benign: global governance, constitutional patriotism, multiculturalism, and international institutions such as the United Nations or foundational documents like the Universal Declaration of Human Rights. Yet just as the Enlightenment as a whole had its shadows,⁶⁷ so there is a dark side to enlightened cosmopolitanism. Among its legacies is the unsettling conception of cosmopolitanism as a philosophy of conflict as well as compromise, of war as well as peace, and of civil war as well as of civilization and civility.

⁶⁵ Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005), 2–3; Giorgio Agamben, *Stasis: Civil War as a Political Paradigm*, trans. Nicholas Heron (Stanford: Stanford University Press, 2015).

⁶⁶ Anthony Pagden, *The Enlightenment – And Why It Still Matters* (Oxford: Oxford University Press, 2012), 413.

⁶⁷ Peter Hulme and Ludmilla Jordanova, eds., *The Enlightenment and Its Shadows* (London: Routledge, 1990); Genevieve Lloyd, *Enlightenment Shadows* (Oxford: Oxford University Press, 2013).