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POLICY POINT-COUNTERPOINT: IS WESTPHALIA HISTORY?

Moderator: LAURA CRUZ

Does a discussion of the Treaty of Westphalia, promulgated in 1648, rightfully fall under the parvenu of a social science journal? The question arises because of the rather uneasy relationship between historians and social scientists. If one were to search the various history departments across the United States, for example, some are organized under colleges of social science and others under humanities. This ambiguity stems from the belief that there are fundamental assumptions in the modern practice of history that are largely incompatible with the tenets of social science but historians are certainly not adverse to borrowing liberally from their theories and practices, and vice versa.¹ Nearly despite themselves, however, historians have much to offer current debates about the future of the modern state system and its alleged origins in the Treaty of Westphalia.

The Treaty of Westphalia is used by social scientists as the foundation of several theoretical schools. Both realist and neo-liberal theories of international relations use the Westphalian state system as one of their most fundamental assumptions (though, of course, with different intentions).² Theorists of nationalism also consider the settlement of some significance. By linking religious identity to state identity, they argue, Westphalia was part of a long-term process that led to the ideology of nationalism in the nineteenth century and the primary identification of most ordinary Europeans with their nation-states.³ The term has been used so often that most introductory political science texts treat its use as axiomatic.⁴ The historical origins and context of the term, on the other hand, are generally not deemed of sufficient import to convey.

Historians view Westphalia quite differently. The Treaty of Westphalia itself was not the only agreement concluded at the peace negotiations held in the town of Muenster in 1648. In addition, the Treaty of Muenster, recognizing the independence of the United Provinces of the Netherlands and ceding territory to France, and the Treaty of Osnabrück, granting Sweden its spoils of victory, also came out of what is more properly called the Settlement of Westphalia. Many of the precepts ascribed to Westphalia, such as state sovereignty and enforcement and regulation of international law, come from these two treaties rather than the Treaty of Westphalia itself.⁵ The treaty ended the Thirty Years' War, which had physically devastated much of the Holy Roman Empire, and marked the twilight of the power of the Holy Roman Emperor and the rise of powers such as France, the Netherlands, and, briefly, Sweden in the latter part of the seventeenth century.⁶ By the eighteenth century, however, these powers were eclipsed by the rise of England and the increasing economic importance of the Atlantic seaboard over continental markets. As an indicator of the balance of power in Europe, the consequences of the treaty were, for the most part, short-

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lived. The religious outcome of the treaty was based on the same principle of *cuius region, cuius religio* (whose region, his religion) established at the Peace of Augsburg in 1555, though it granted formal recognition of the Calvinist faith which the Augsburg treaty had denied. In short, when placed in its historical context, the Settlement of Westphalia was neither innovative nor especially enduring. For most historians, it appears as a footnote in an entire century that is largely glossed over as a period of disorganization and crisis sandwiched between two centuries of greater interest and significance.⁷

Political scientists and international relations specialists, however, have referred to the Settlement of Westphalia as “the majestic portal which leads from the old world into the new,” in other words, a watershed in Western history.⁸ The treaties, they argue, contain the genesis of the modern political order through which the West would come to triumph over the rest of the world and represented a sharp and clearly evident break from medieval practices. Few historians would give credence to this conception. Delineating the divide between the medieval and modern worlds is a contentious issue that revolves around disagreement over the conceptually ambiguous term “modernity,” but most scholars concede that modernity is multi-faceted and the break between the two worlds was the result of numerous processes that occurred over a period of decades, if not centuries.⁹ The current consensus seems to focus on the more-or-less simultaneous impact of Renaissance humanism, the voyages of discovery, and the Protestant Reformation as indicators of profound change, all of which occurred or were in process well before 1648.¹⁰

This conceptual difference can be attributed to changes in the historical profession. In the nineteenth and early twentieth centuries, the first few generations of professional historians tended to give preeminence to political and legal history in their explanations of long-term trends, which would be consistent with using Westphalia as a turning point. Since World War I, however, historians turned first to social and economic history and now cultural beliefs as their primary explanatory lens. The emphasis has turned from precept to practice and from law to understanding. Because Westphalia resulted in few, if any, changes in the lives of ordinary Europeans, historians are no longer inclined to give primacy to any particular treaty, but rather to the long-term forces and antecedents that shaped it.¹¹ The changes in legal practice represented by Westphalia, for example, are now known to have deep medieval roots. Italians of the late middle ages were well acquainted with the practices of balance of power politics outlined in the treaty. Sovereignty was a concept that could be traced back to the ninth century and the age of Charlemagne. The idea of a universal European empire, the death of which is often attributed to Westphalia, died as a realistic possibility with the retirement of Spain's King Charles V in 1555. As Andrew MacRae suggests, political scientists, with few exceptions, have not reconciled their conceptual tools with evolving historical practice.¹²

The argument presented above is largely semantic, however, as it calls into question whether or not the modern state system can be properly attributed to the particular settlement at Westphalia, not whether or not the origins of the modern state system can be traced back to the early modern period. If calling the system of sovereign states “Westphalian” is simply a “reference point or convention,”¹³ then the issue is not what the system is called but its consequences. Stephen Krasner, who has written extensively on the history of Westphalia, claims that even if one accepts that many of the foundations of modern state systems were laid down at Westphalia (which he denies), those principles were often contravened and the triumph was by no means assured even into the early twentieth century.¹⁴ Competing ideas of sovereignty and violations and exception to the principles of sovereignty abound in history as they do in the present day.¹⁵

Krasner is a political scientist but his approach is compatible with historical practice. Historians are far more inclined than most social scientists to privilege the particular over the general and tend to be skeptical about advancing universal laws or principles.¹⁶ Similarly, George Santayana's famous precept, "those who cannot remember the past are condemned to repeat it" is no longer subscribed to in historical theory.¹⁷ History is not studied to teach us about the present, but rather to better understand the past, an idea that is at odds with basic social science methodology. To argue for continuity between states and state systems of the past and modern arrangements is to belie the unique historical contexts in which those systems operated and to take the outcomes of historical processes as assured even when they were not.

Despite their skepticism and their sensitivity for historical specificity, modern historians will (albeit cautiously) recognize long-term trends. Westphalia was, in many respects, a culmination of prior processes, but it did represent an aggrandizement of the scope of political actors and systems. By including a multiplicity of states in its agreements, outlining the responsibility of states *vis-a-vis* each other, and affirming the state as the locus of nascent forms of collective identity (in this case, religious), Westphalia was innovative and prescient. As Jason Farr argues, Westphalia represented the recognition of a system that applied to all European states who could only afford to ignore it at their peril.

Prescient should not, however, be confused with presentist. In eighteenth and nineteenth century diplomatic negotiations, Westphalia is not referenced as a benchmark in practice. Only with the promulgation of the charter for the League of Nations was Westphalia trumpeted as a shining historical model, when its inclusive example served to counteract the elitist tendencies exhibited by the Congress of Vienna and the subsequent Concert of Europe.¹⁸ Liberals touted the "Westphalian" ideology of toleration and saw Westphalia as the forerunner of the type of beliefs that were enshrined in documents such as Woodrow Wilson's Fourteen Points.¹⁹ Both are examples of 'Whig history' which looks at modern history on a grand scale as the gradual unfolding of progress, education, and freedom.²⁰ Progress and freedom, however, are words whose meanings change in historical context.²¹ The conception of religious and other freedoms as inherently good would have been alien to the peacemakers at Westphalia.²² Understood in terms of the mindset of the day, the religious settlement of 1648 was essentially practical and served as a recognition of political and military limitations, not moral commitments.

In the end, however, what is really at stake if the historical reality of the state system outlined at Westphalia does not exactly match up to the conceptual baggage often consigned to it by modern theorists? Westphalia seems to be evoked most often when the state system it purports to represent is at its most triumphant, as with the founding of the United Nations, or at its most threatened, as many believe that it is today. Multinational corporations and globalism in general appear to be on the brink of superceding the state as the basis of international affairs and social scientists are diligently endeavoring to make sense of the transition. As popular titles such as *Jihad vs. McWorld* and *The Lexus and the Olive Tree* suggest, the tendency is to portray this transition as strictly dichotomous, i.e., there can be a Westphalian state system based on the primacy of the nation-state or there can be a global system, but the two can not co-exist.²³ As this essay has argued, modern historians believe that history is much messier and far more complex than general theories and concepts are capable of allowing. The historical record is testament to the endurance of the state and its chameleon-like ability to adapt to changing circumstances. The state and the competitive state system, whether born at Westphalia or not, have proven to be remarkably resilient

despite numerous crises and potential threats over the past three hundred plus years.²⁴ Modern national identity (now variously characterized as “ambivalent,” “Janus-faced,” or personal), too, has expanded to fit the diverse culture of the twenty-first century.²⁵ The more we understand and appreciate the intricate historical processes that led to their development, the better we can understand their potential endurance and adaptability.

ENDNOTES

¹For fundamental assumptions of modern historical practice, see Alun Munslow, *The New History* (Harlow: Pearson-Longman, 2004). For the borrowing of theories from social science, see Peter Burke, *History and Social Theory* (Ithaca, NY: Cornell University Press, 1993). There are some who dare to cross the divide between history and social science, often rather inconveniently called historical sociologists. Two prominent practitioners are Charles Tilly and John Hall.

²Stephen D. Krasner, “Compromising Westphalia,” *International Security* 20:3 (Winter 1995-96):121.

³For an overview, see Laura Cruz, *The Nation in History: A Theoretical Overview* (New York: Pearson-Longman, forthcoming 2006). For the ties between confessionalization (religious identification) and national identity, see R. Po-Chia Hsai, *Social Discipline and the Reformation, 1550-1750* (New York: Routledge, 1992). For a theory of nationalism that takes religious politics as the first stage, see Michael Mann, *The Sources of Social Power*, v. 2, *The Rise of Classes and Nation-States, 1760-1914* (Cambridge: Cambridge University Press, 1993).

⁴See, for example, Walter A. McDougall, “Religion in Diplomatic History,” *Orbis* 6:3 (Spring 1998):3.

⁵Leo Gross, “The Peace of Westphalia, 1648-1948,” *American Journal of International Law* 42:1 (January 1948):28.

⁶See Richard Dunn, *The Age of Religious Wars 1559-1715*, 2nd ed. (New York: W.W. Norton & Company, 1979). See also, Geoffrey Parker, *The Thirty Years' War*, 2nd ed. (New York: Routledge, 1997).

⁷For literature on the age of crisis, see Christopher Hill, Geoffrey Parker, and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century*, 2nd ed. (New York: Routledge, 1997); Theodore K. Rabb, *The Struggle for Stability in Early Modern Europe* (New York: Oxford University Press, 1975).

⁸Gross, “The Peace of Westphalia, 1648-1948,” 28.

⁹David Landes, *The Unbound Prometheus: Technological Change and Industrial Development in Western Europe from 1750 to the Present*, 2nd ed. (Cambridge: Cambridge University Press, 2003).

¹⁰See, for example, Eugene F. Rice and Anthony Grafton, *The Foundations of Early Modern Europe, 1460-1559* (New York: W.W. Norton & Company, 1994).

¹¹Stephen D. Krasner, “Westphalia and All That,” in *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, eds. Judith Goldstein and Robert Keohane (Ithaca, NY: Cornell University Press, 1993), 235-64.

¹²For a good attempt at reconciliation, see Daniel Philpott, “The Religious Roots of Modern International Relations,” *World Politics* 52:2 (January 2000):206-45.

¹³Krasner, “Compromising Westphalia,” 115.

¹⁴*Ibid.*, 155-51; Krasner, “Westphalia and All That,” 235-64; Stephen D. Krasner,

"Sovereignty and Intervention," in *Beyond Westphalia? State Sovereignty and International Intervention*, eds. Gene M. Lyons and Michael Mastanduno (Baltimore: Johns Hopkins University Press, 1995), 228-49; Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999). Andreas Osiander also disputes the importance of Westphalia in "Sovereignty, International Relations, and the Westphalian Myth," *International Organization* 55 (Spring 2001):251-88.

¹⁵David Lake, "The New Sovereignty in International Relations," *International Studies Review* 5 (Fall 2003):303-23. Lake surveys recent writings and re-conceptualizations of the meanings of sovereignty.

¹⁶See Marshall Sahlins, *Islands of History* (Chicago: Chicago University Press, 1985).

¹⁷George Santayana, *Life of Reason: Reason in Common Sense* (New York: Scribner's, 1903), 284.

¹⁸Gross, "The Peace of Westphalia, 1648-1948," 20.

¹⁹*Ibid.*, 22.

²⁰Herbert Butterfield, *The Whig Interpretation of History* (Hammondsworth: Penguin, 1973).

²¹R.G. Collingwood, *The Idea of History* (Oxford: Clarendon Press, 1994). The use of language and ideas and context is the hallmark of the Cambridge School of intellectual history, including the works of historians Quentin Skinner and J.C.A. Pocock.

²²Modern historical practice recognizes the futility of true objectivity and instead emphasizes the role of the historian in the creation of the historical narrative, as suggested here. For a discussion of this change, see Hayden White, *The Content of the Form: Narrative Discourse and Historical Representation* (Baltimore: Johns Hopkins University Press, 1987). For an overview of the objectivity debate in American academics, see Peter Novick, *That Noble Dream: The 'Objectivity Question' and the American Historical Profession* (Cambridge: Cambridge University Press, 1988).

²³For confirmation of this view, see Lyons and Mastanduno, eds., *Beyond Westphalia*. For some controversial qualification, see Samuel Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster, 1998). For a defense of globalization, see Joseph Stiglitz, *Globalization and Its Discontents* (New York: W.W. Norton & Company, 2003).

²⁴David McCrone, *The Sociology of Nationalism: Tomorrow's Ancestors* (New York: Routledge, 1998), 169. See also Charles W. Kegley and Gregory A. Raymond, *Exorcising the Ghost of Westphalia: Building World Order in the New Millennium* (Upper Saddle River, NJ: Prentice Hall, 2001).

²⁵Homi Bhabha, "Narrating the Nation, in *Nation and Narration*, ed. Homi Bhabha (London: Routledge, 1990), 1; Tom Narin, "The Modern Janus," *New Left Review* 94 (November-December 1994):3. See also Tom Narin, *Faces of Nationalism: Janus Revisited* (London: Verso Press, 1997).