Race, Empire, and the Liberal International Order

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The liberal international order (LIO) is at a crossroads. The language of crisis is often evoked when discussing the current moment in International Relations (IR) scholarship.[1] The complex set of international laws, rules, norms, and institutions that have shaped global governance since the end of World War II is now subject to an unprecedented set of challenges and reconfigurations. A belligerent and aggressive Russia, a more assertive China deploying both its hard and soft power, the Trump administration expanding its military attacks, straining the transatlantic partnership, and vowing to dismantle the International Criminal Court, all raise important questions about what the future may hold for this world order. Yet these debates miss a fundamental aspect about the foundations and predicates of the LIO.

Against Humanity

The RefLex fellowship provided me with time, space, resources, and intellectual community to revise my book manuscript titled *Against Humanity: Race, Empire, and the Liberal International Order*. Framed as a critique, it argues that the aftermath of World War II provided a set of institutional and normative frameworks that deployed liberal internationalism through the denial of humanity and a layered racial hierarchy upon which liberal imperial peace and international law were premised. Drawing insights from critical IR, postcolonial theory, and Third World Approaches to International Law (TWAIL), I develop these arguments via three main regimes of global governance which are all foundational to the postwar global order: human rights; (nuclear) security; and the crime of aggression in international law. My study focuses primarily on the drafting and adoption of the Universal Declaration of Human Rights (UDHR), the United Nations (UN) Trusteeship Council's governance of nuclear security, and the Tokyo War Crimes Tribunal's adjudication of the crime of aggression.

I show how these foundational sites of the postwar order tell a broader story of racialised hierarchies of humanity. For instance, the adoption of the UDHR in Paris in 1948 was concomitant to the French campaign of "pacification" of Madagascar, which was the most brutal of French colonial wars at the time. The administration of the Marshall Islands by the United States under the supervision of the UN Trusteeship Council from 1947 until the 1980s was also a site of legislation of – and contestation to – nuclear imperialism in the Pacific, as colonial powers sought to provide a legal framework for a continued bombing of the Marshall Islands in pursuit of American nuclear supremacy. Finally, I trace a genealogy of the prosecution of crimes against peace at the Tokyo Tribunal convened between 1946 and 1948 and the enduring question of the crime of aggression that is still a sticking point in contemporary international law.

The book offers tools for approaching the study of international politics in a different light. It proposes different vantage points from which to bring together key moments of the postwar international order that had been otherwise kept discrete. The book uses a *contrapuntal analysis* framework, to read critically and from different perspectives, how texts, events, and places interacted in the postwar era. It brings to the fore the silences and erasures of crimes against and negation of humanity in the construction of the LIO. It offers also a new account of the history of the present

[1] See for instance, John Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order* (Princeton University Press, 2011), DOI: 10.2307/j.ctt7rjt2; John Mearsheimer, *Bound to Fail: The Rise and Fall of the Liberal International Order*, International Security, 43 (2019), p. 7-50, DOI:10.1162/isec_a_00342; Jeffrey Anderson, John Ikenberry, and Thomas Risse, eds. *The End of the West? Crisis and Change in the Atlantic Order* (Cornell University Press, 2008) DOI: 10.7591/9781501701924; Amitav Acharya, *The Once and Future of World Order* (Basic Books, 2025).

by narrating a different genealogy of key moments, events, and places at the founding of the LIO.

Liberal Imperial Peace and Denial of Humanity

The forging of the post-World War II order is widely held as having ushered in a rules-based governance of global politics, which is said to be a culmination of a couple of centuries of liberalism built upon enlightenment, humanism, and the rule of law.[2] Yet, humanity, as defined and proclaimed in the LIO, was not all-encompassing or universal. The humanity that was rooted in Enlightenment was primarily delimited along racial and imperial lines. Operating against the backdrop of colonialism, this humanity was at its core a denial of humanity. The LIO's constitutive "other" is the racialised colonial subject,[3] which has been deemed uncivilised and barbarian.[4]

The order thus delineates the lesser or unhuman who are unworthy of protection within the framework of *human* rights, or by the laws of war, or from crimes against *humanity*.

The book shows that imperialism is constitutive of the LIO, which continues to operate through civilisational and racial logics of uplift, developmentalism, modernisation, and security. I propose the concept of *liberal imperial peace*, which I contend, better captures the system upon which liberal internationalism is projected.[5] Liberal imperialism is thus the imprimatur of the LIO.

Empirically, the book reinscribes liberal imperial violence, and especially pacification, nuclear testing, and the crime of aggression in the liberal international project. Pacification aims to restore and impose liberal imperial peace. I use a contrapuntal reading of the pacification of Madagascar amidst the codification of the UDHR in 1948. In the postwar era as well, UN trusteeship governance, built upon the concept of standard of civilisation, provided a venue through which US nuclear tests blasted the humanity of the Marshallese. I argue that the Pacific Islanders were deemed disposable and dispensable through the two racial logics of arithmetic and geography. In the wake of the horrors of World War II, the codification of crimes against peace at the Nuremberg and Tokyo tribunals shows the mechanisms through which another core concept of the LIO reposed not on outlawing war but on criminalising a specific threat to the liberal imperial peace. Crimes against (liberal imperial) peace became later redefined as the crime of aggression.

The contrapuntal analysis framework – developed by Edward Said[6]– allows to read critically and from different vantage points, how texts, events, and places interact. It highlights the sites of contention and construction of regimes of global governance, the

[2] John Ikenberry, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order* (Yale University Press, 2020) DOI: 10.2307/j.ctv15pjxns; John Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order* (Princeton University Press, 2011), DOI: 10.2307/j.ctt7rjt2.

[3] Jeanne Morefield, *Covenants without Swords: Idealist Liberalism and the Spirit of Empire* (Princeton University Press, 2005), DOI: 10.2307/j.ctt7t59j; Jeanne Morefield, *Empires without Imperialism: Anglo-American Decline and the Politics of Deflection* (Oxford University Press, 2014), DOI: 10.1093/acprof:oso/9780199387328.001.0001.

[4] Frédéric Mégret, *From "Savages" to "Unlawful Combatants": A Postcolonial Look at International Humanitarian Law's "Other"*, in: Anne Orford (ed.): *International Law and Its Others* (Cambridge University Press, 2006), DOI: 10.1017/CBO9780511494284.011.

[5] This concept of *liberal imperial peace* builds upon but extends that of "imperial peace" developed in: Tarek Barkawi and Mark Laffey, *The Imperial Peace: Democracy, Force and Globalization: Democracy, Force and Globalization*, European Journal of International Relations, 5 (1999), p. 403-434, DOI: 10.1177/1354066199005004001.

[6] Edward W. Said, *Culture and Imperialism* (Vintage Books, 1993).

boundaries around and hierarchies of humanity, but also how Global South actors deployed counter-discourses and alternatives to Western hegemony.[7] Challenging the imbrication of the IR discipline with the racial and imperial logics of the LIO calls for a different methodological approach. This method – a critique – is openly and admittedly less anxious about the need to demarcate the observer from the observed. [8] It acknowledges instead the researcher's positionality as a social being from a specific socio-political background or inclination, with a singular intellectual and academic trajectory.[9] This approach is also more attuned to historical approaches and genealogical contestation.

The critique that the book offers is ,however, not simply an evaluation of the LIO as a concept. The aim is also to understand its foundations, peeling the layers of their formation, and excavating and contesting the meanings and predicates of liberal internationalism. Doing so, I also engage the contemporaneous possibilities and alternatives to the prevailing accounts of the adoption of UDHR, of the global governance of nuclear testing, and of the concept of aggression in the aftermath of World War II. This approach turns the hegemonic and familiar into questions. It displaces meanings and allows us to reconsider the process by which hegemonic systems of truth materialised and delegitimised other ways of knowing.[10] Ultimately, this critique is an exercise in problematising, interrogating, disrupting, unsettling, and denaturalising prevailing accounts of liberal internationalism. It is to (re)examine the subject of inquiry – the LIO – and expose its racial and imperial underpinnings.

As such, the book is a form of IR scholarship that "think[s] *globally* and *politically*."[11] It fuses together the ethical, epistemological, intellectual, and political. It reconstructs historical time not as linear, but rather multidimensional, multidirectional, and multi-sited. The overlapping temporalities and conceptual frames unsettle and disrupt conventional and stabilised narratives of the origins and deployment of the LIO.

The Liberal Imperial Logics of the Crime of Aggression

Aligned with the thematic areas and orientations of the RefLex community, the book shows that in the postwar order, the denial of humanity operated at the Tokyo Tribunal through exceptionalising Japan's conduct regarding the crime of aggression, despite the broader colonial and imperial context in the Asia Pacific region. I provide an in-depth analysis of the monumental dissenting opinion by the Indian Judge Radhabinod Pal, which sought to acquit all the Japanese defendants of all the charges. Judge Pal's dissent shows that imperialism still governed the world order and the system in which the victors of World War II sought to address the question of violence and breaches of international law. Pal's critique dents the triumphant progress towards the development of a normative framework for international relations at the foundations of the LIO. Recasting the 1928 Kellogg-Briand Pact as a pact for imperial peace, I show that Pal's work (at the Tokyo Tribunal and later at the UN International Law Commission) highlights the fissures within the liberal internationalist narratives, pointing out colonialism and imperialism as cornerstones of that world order.

More recently, wars of aggression have become once again a focal point in international affairs, while legal cases are pending before the International Criminal Court, the International Court of Justice, and the Council of Europe's newly created Special Tribunal for the Crime of Aggression against Ukraine. I also show how Gaza and Ukraine speak to international law and international relations in ways that are reminiscent of the legal debates that animated the immediate post-

[7] Sylvia Winter, *Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation-An Argument*. The New Centennial Review, 3 (2013), p. 257-337, DOI: 10.1353/ncr.2004.0015; Adom Getachew, *Worldmaking after Empire: The Rise and Fall of Self-Determination*(Princeton University Press, 2019), DOI: 10.2307/j.ctv3znwvg.

[8] Patrick Thaddeus Jackson in *The Conduct of Inquiry in International Relations: Philosophy of Science and Its Implications for the Study of the World of Politics* (Routledge, 2nd ed., 2016), DOI: 10.4324/9781315731360 refers to this as "mind-world monism." Unlike naturalism which is premised on the existence of patterns and regularities in nature that are observable, testable through falsification, and distinguishable from value, an interpretivist methodology takes knowledge as intersubjective. See Jonathan Moses and Torbjøn Knutsen, *Ways of Knowing: Competing Methodologies in Social and Political Research* (Palgrave, 2007).

World War II period. And here is perhaps why Judge Pal's dissenting judgment, more than six decades later, can still help us make sense of our current moment.

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[9] As Robert Cox contends, "Theory is always for someone and for some purpose." Robert W. Cox, *Social Forces, States and World Orders: Beyond International Relations Theory*, Millennium: Journal of International Studies, 10 (1981), p. 126-155, DOI: 10.1177/03058298810100020501.

[10] Nivi Manchanda, *Imagining Afghanistan: The History and Politics of Imperial Knowledge* (Cambridge University Press, 2020), p. 10, DOI: 10.1080/00220388.2022.2051834.

[11] Shampa Biswas, *Empire and Global Public Intellectuals: Reading Edward Said as an International Relations Theorist*, Millennium: Journal of International Studies, 36 (2007): p. 117-133, DOI: 10.1177/03058298070360010801.