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Juan Martir  
*Xavier University*

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# Hobbes and Vattel in Crimea: A Natural Law Critique of the Russian Annexation

Juan Martir

**I**n March 2014, the Russian government—upon learning the people of Crimea voted overwhelmingly by a referendum to secede from Ukraine—announced that it would annex the territory. The international community was shocked. United States Secretary of State John Kerry condemned the move as a revival of outmoded power politics: “You don’t just in the 21<sup>st</sup> century behave in 19<sup>th</sup> century fashion by invading another country on a completely trumped-up pretext.”<sup>1</sup> This paper argues that, even by earlier standards in international politics, this move by Russia would be considered illegitimate or imprudent. By looking at the incident through the natural law theories of Thomas Hobbes and Emer de Vattel, the annexation would be considered imprudent: by the former because it threatens domestic harmony and is completely illegitimate, and by the latter because it is a blatant violation of the rights of the Ukrainian polity. In order to properly understand the relationship among polities, it is necessary first to determine how each philosopher qualified and defined a polity. Subsequently, I shall outline possible arguments for why Russia may legitimately annex the Crimea before refuting these claims. The paper shall then conclude with a survey of possible solutions by which the international dilemma may be resolved. The issue of legitimate expansion of a polity’s land is one of the oldest dilemmas in international natural law theory. By examining the tradition of early modern thinkers, it may be readily demonstrated that the recent Russian annexation does not meet the criteria set forth by Hobbes and Vattel.

Modern natural law theory is a branch of philosophy which deals with the relations among polities on the international stage, in regard to commerce, war, alliance, and other concepts germane to the dealings of states with one another. This may be distinguished from earlier traditions of international law in that it tended to rely less on Thomastic and Aristotelian models of earlier ages. The primary sources I draw from in this paper are Thomas Hobbes’ *Leviathan* and

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<sup>1</sup> Davidson, Dana. (2014, March 2) “Kerry rebukes Russia’s ‘incredible act of aggression’ in move into Ukraine.” *CNN Politics*.

Emer de Vattel's *The Law of Nations*. Both works describe the relationships between the individual and the polity, as well as how polities should behave on the international stage.

Thomas Hobbes: The Role of the Polity

There is perhaps no other political philosopher more famous than Thomas Hobbes, but perhaps also not one more misunderstood: Hobbes' thought experiment of the state of nature is meant not to expound upon the natural evil of man (an idea that Hobbes himself did not espouse), but to explain the purpose and role of political society or the state. Hobbes' thoughts regarding the state of nature (a condition which lacks political society) is often quoted: "there is no place for Industry, because the fruit thereof is uncertain . . . and the life of man, solitary, poore, nasty, brutish, and short."<sup>2</sup> The second half of the quote is more memorable, but the first half is more important to Hobbes. Each man has "natural right" or the ability to act in whatever way is conducive to his self-preservation.<sup>3</sup> Although natural right contributes to the dismal state of nature because there is no common judge to whom natural man may appeal, it is ultimately an epistemic dilemma—uncertainty—that creates the brutishness of the natural condition. Man is not evil, but he is distrustful. It is by nature that man lacks common signs by which he may communicate and overcome this wariness.<sup>4</sup> Language itself is antagonistic to mutual trust (a point which is to be contended by Vattel). For Hobbes, no objects necessarily have names—it is by an arbiter's rule that men agree on common definitions.<sup>5</sup> For example, the paper upon which this text is read is only known to everyone as paper because some central authority has declared it to be such.<sup>6</sup> Unlike in Aristotle's theory, there are no "essences" of things. Natural man does not know whether his neighbor is an enemy or ally, and thus he lives in a state of constant contention or war.

The commonwealth is the solution to this problem; the Leviathan, or sovereign, becomes the judge and defines terms, dispels distrust, and ultimately

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<sup>2</sup> Hobbes, *Leviathan*, 89.

<sup>3</sup> Hobbes, *Leviathan*, 91.

<sup>4</sup> While the epistemic dilemma which Hobbes perceives is of the utmost importance to his political theory, as well as an innovation from earlier Aristotelian models of knowledge, it falls beyond the scope of this paper. See *Leviathan*, Chapter IV for more information.

<sup>5</sup> Hobbes, *Leviathan*, 39.

<sup>6</sup> This may be a difficult concept for English-speakers to understand because the United States and the United Kingdom do have central bodies which determine language. The *Académie Française*, a French governmental body which determines the correct French language usage/definitions, is more analogous to Hobbes' idea of arbitrated language.

ensures the stability of the polity so that man may pursue industry. Hobbes expounds upon the rights of a sovereign, most importantly the sovereign's right to arbitrate: "sixtly, it is annexed to the Sovereignty, to be Judge of what Opinions and Doctrines are averse, and what conducing to Peace."<sup>7</sup> The sovereign defines terms—he creates a common language by which the citizens of the commonwealth may communicate. The vocabulary, shared by all those in the polity, becomes the foundation for industry and the means by which natural distrust is surmounted. Man is guided to this condition of civil society by natural laws—precepts "found out by reason" which dictate that man must seek peace.<sup>8</sup> In order for civil society to properly function, however, all constituents must lay down their natural right before the sovereign, who would retain his natural right.<sup>9</sup> This may seem excessive in that the citizens have no claim against the sovereign, while the sovereign may have unlimited power against the citizens. Indeed, *prima facie*, this seems true—but the Hobbesian model does make important exceptions. Citizens still maintain the right to self-preservation, an inalienable right which would limit the role of the Leviathan in international relations.

#### The Hobbesian Polity in International Relations

Hobbes, to a certain extent, maintains that sovereign nations in the international realm continue to exist in a state of nature—but with important qualifications. It then may be said that the Russian annexation of the Crimea is an act of natural right; Russia *may* annex the Crimea merely because Russia is *able* to annex. Although this is true in the Hobbesian scheme, it is still to be considered imprudent and foolhardy. While the Leviathan wields absolute power, it should wield it with a clear purpose in mind: the sustaining of itself and, as corollary, the sustaining of its people. Domestic matters must check international matters even for the sovereign.

The state of nature which exists among individuals is similar to the state of nature which exists among nations in that there is no common judge and nations retain natural right in regard to one another. The different polities in the international realm acknowledge no common ruler; their conduct is still dictated by natural right and resembles still the state of nature: "Persons of Sovereigne authority, because of their Independency, are in continuall jealousies, and in the state of and posture of Gladiators, having their weapons pointing, and their eyes fixed on one another."<sup>10</sup> That disputing parties have no redress other than by

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<sup>7</sup> Hobbes, *Leviathan*, 124.

<sup>8</sup> Hobbes, *Leviathan*, 91.

<sup>9</sup> Hobbes, *Leviathan*, 120. Hobbes favors monarchy, though he does acknowledge that an assembly of men may also be considered sovereign.

<sup>10</sup> Hobbes, *Leviathan*, 90.

force may come under scrutiny in the modern day. Supranational bodies such as the United Nations and International Monetary Fund may serve as examples against this proposition. These bodies, however, cannot be considered a commonwealth by which nations leave the state of nature. These bodies, though instituted by member nations, lack the force characteristic of a Leviathan—the ability to enforce decrees and promulgations: “Covenants, without the Sword,” Hobbes argues, “are but Words, and of no strength to secure a man at all.”<sup>11</sup> These international bodies cannot enforce their own wills in the same manner that domestic governments may enforce their own wills upon their respective populaces. It follows then that polities still have the right to act in whatever manner may best serve their self-preservation.

It must be acknowledged that the state of nature among individuals is not a complete analogue to the international anarchy; unlike the condition among individuals in which the agents are whole, the natural condition of states is such that agents are conglomerations. Individuals in a state of nature have only to worry about external threats—e.g. other humans, natural disasters, food shortages, etc. Polities, on the other hand, must worry not only about external threats (other polities), but also internal dissention. The internal worries which a sovereign faces in its own citizenry is a topic explored by several modern scholars: “as a corporate body, the sovereign must consider the relationship between its external relations and relations with its own citizens.”<sup>12</sup> Hobbes, to a certain extent, acknowledges this dilemma by granting the subjects of the Leviathan the right of disobedience under circumstances in which the Leviathan is no longer able to provide protection: “The Obligation of Subjects to the Sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them.”<sup>13</sup> The sovereign ceases to be a sovereign (thereby losing legitimacy to command subjects) when he no longer is able to protect his subjects. This may be extended to the idea that if a sovereign acts in such a way as to endanger his subjects, it is permissible to dethrone the sovereign.<sup>14</sup> The fate of a Leviathan, then, is tied to that of his subjects; to neglect or abuse them would spell his own demise—this factor would play an important role in the relationships among polities.

Vain expansion and interdependence among polities are two other limits on the Leviathan’s natural right in the international realm. Vain expansion of

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<sup>11</sup> Hobbes, *Leviathan*, 117.

<sup>12</sup> Williams, “Hobbes and International Relations: A Reconsideration,” 232.

<sup>13</sup> Hobbes, *Leviathan*, 153.

<sup>14</sup> For example, if a sovereign started senseless wars with the result that a subject’s existence is then made similar to a state of nature, the subject may defect from the polity.

territorial holdings is a factor that may lead to the dissolution of the commonwealth; Hobbes refers to “the insatiable appetite, or *Bulimia*, of enlarging Dominion” that can lead to a commonwealth’s demise.<sup>15</sup> The polity may expand because of the necessities of self-preservation, but to do so vainly—to expand to such an extent that it exposes the state to foreign invasion or dissent from new subjects in the polity—is to lead to the polity’s own destruction. Caution must be attendant upon expanding borders. Additionally, Hobbes also makes the case that—to some degree—states depend on one another: “because there is no Territory under the Dominion of one Commonwealth . . . that produceth all things needful for the maintenance, and motion of the whole Body . . . [a Territory can] supply these wants at home, by importation of that which may be had abroad.”<sup>16</sup> There should be trade among Leviathans, if only out of the material necessities of human existence. A Hobbesian kind of commerce, however, remains always imperfect because there is no common judge to adjudicate in the case of altercation or controversy. A case may be made to state that Hobbes is proposing a stronger claim—that the Leviathan should actively seek out commercial activities: “to the extent conditions for international trade can be created and sustained by governments, it is for governments to create and sustain them.”<sup>17</sup> Nevertheless, trade must be a consideration that limits a Leviathan’s natural right.

One should recognize, however, that—though the Hobbesian Leviathan is limited in international relations—these limitations are mainly in regards to domestic, not international, concerns. The historical context of Hobbes is the English Civil War. It is therefore not surprising that he places such importance on domestic matters. Nevertheless, Hobbes lacks any idea of a *cosmopolis* or suprapolitical commonwealth among men which would dictate certain norms or define certain relationships (as would be seen in Vattel’s works). The commonwealth exists so that its citizens may exist outside the brutish state of nature—its relationships with other commonwealths, and indeed all of its actions, should be dictated by this purpose. Its obligations, treaties, or other pursuits including trade or conquest must be undertaken insofar as they contribute to the stability and well-being of the domestic situation in the commonwealth. The natural right of the state, which may have no *real* limitation in the sense that a violation would not be punished, must be limited *reasonably* so that the Leviathan may fulfill this purpose.

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<sup>15</sup> Hobbes, *Leviathan*, 230.

<sup>16</sup> Hobbes, *Leviathan*, 171.

<sup>17</sup> Sorell, “Hobbes on Trade Consumption, and International Order,” 252. Modern scholarship has suggested that Hobbes may be considered the first “bourgeois” philosopher in that he facilitated the modern market economy. For more information, see Peter Hayes, “Hobbes’s Bourgeois Moderation,” *Polity* Vol. 31(1): 53-74.

## Hobbes in Crimea

The adverse response by the international community to the Russian annexation has unnecessarily threatened the existence of the Russian polity. The United States, as well as the European Union, have initiated economic sanctions, and credit agencies have downgraded Russian bonds.<sup>18</sup> This backlash against the Russian polity would invariably limit domestic prosperity. International lending is essential to any polity and, although it is of a financial nature, Hobbes would likely consider this resource to be a commodity essential to the proper functioning of state. Even the Russian Finance Minister acknowledged that, because of the flight of capital from the country, economic growth for the year may halt.<sup>19</sup> The economic sanctions, currently nominal, also fall under this same category and may be expanded in the future to cover more Russian companies and people. These economic hindrances would likely be considered *bulimia* under the Hobbesian scheme; the state is expanding to such an extent that it is becoming detrimental to the citizens of the polity.

The solution to this dilemma, according to a Hobbesian model, is complicated and difficult because of the discrepancy that exists between natural right and natural law. Hobbes states that the natural laws are derived from reason, and that the fundamental and first law is: “to seek Peace, and follow it.”<sup>20</sup> The natural laws are essential to form the polity, and—because man realizes a more peaceful and better condition in the polity than in nature—therefore essential to man’s prospering. Natural right, on the other hand, states that man may do anything to preserve himself. The two come into contention in the state of nature, where uncertainty prevents peace. The Leviathan, i.e. the submitting of natural right to a commonwealth, is the solution to the state of nature among individuals, but not polities. The same principles, then, that hinder Russia from expanding also hinder other nations from checking Russian expansion. Ultimately, the Hobbesian would argue that Russia must cease expansion because of the resulting domestic incommodities. It may be speculative, but—given the recent expansion of Russia and the precedent for international annexation without international consent—the Hobbesian may be forced to state that, for the interest of all Leviathans being able to control their respective populaces, it would be beneficial to restrain Russia in some manner. Whether or not this would be done by means of force with war, or economic sanctions, the Hobbesian tradition would seem to remain silent. This Hobbesian model, unless a more in-depth analysis of all other

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<sup>18</sup> MacFarquhar, Neil. (2014, Apr 26) “For Russia, Negatives Seem to Outweigh Positives of an Invasion.” *NYTimes*.

<sup>19</sup> Lakshmanan, Indira. (2014, Apr 30) “Putin's Threat to Retaliate for Sanctions Carries Risks.” *Bloomberg*.

<sup>20</sup> Hobbes, *Leviathan*, 92.

nations is conducted, cannot enumerate the role other countries must play in this situation.<sup>21</sup>

#### Emer de Vattel: The Role of the Polity

Emer de Vattel differs primarily from Hobbes in that he defines the constitution and fundamental laws as the foundation of the polity. Unlike Hobbes, who begins his thesis from a state of nature, Vattel already assumes their ascension from the natural condition.

The purpose of polity in Vattel's model is the perfection of man. Vattel has a much more optimistic outlook on both nature and man; he does not suffer from (or recognize) the natural uncertainty which Hobbes posits:

We see . . . that nature has refused to bestow on men the same strength and natural weapons of defense which she has furnished other animals,—having in lieu of those advantages, endowed mankind with the faculties of speech and reason, or at least a capability of acquiring them by intercourse with their fellow-creates. Speech enables them to communicate with each other to give each other mutual assistance, to perfect their reason and knowledge.<sup>22</sup>

The mutual mistrust which exists in the Hobbesian state of nature does not exist in Vattel's model. Nature has not made man naturally mighty because she has made him naturally sociable. A sign of this sociability is speech by which people may naturally understand one another. Unlike Hobbes who views language as a hindrance to man's ability to organize into groups, Vattel views language as an indication of man's sociable nature. Vattel's conception of society additionally requires mutual assistance: "each individual should do for others everything which their necessities require, and which he can perform without neglecting the duty he owes to himself."<sup>23</sup> Vattel also conceived of a polity itself as an individual because it may contract, deliberate, and make resolutions.<sup>24</sup> An individual has an obligation to others; this is a concept which, with some exceptions, would also be applied to the realm of international relations.

#### Emer de Vattel: The Polity in International Relations

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<sup>21</sup> An analysis of other actors on the international stage (e.g. European Union, the United States, etc.) and their domestic condition is necessary to determine each agent's most prudent options.

<sup>22</sup> Vattel, *The Law of Nations*, 71.

<sup>23</sup> Vattel, *The Law of Nations*, 72.

<sup>24</sup> Vattel, *The Law of Nations*, 67.

In international relations, there exists equality among polities—a notion which stems from Vattel’s intellectualist beliefs regarding free will. The Hobbesian model, with important limitations regarding domestic tranquility, grants to polities natural right. Vattel’s model limits this by stating that, once established, polities are on equal footing because each polity pursues its own concept of self-perfection. This idea finds its roots in an intellectualist tradition which held that the only way to act freely is to act in accordance with nature.<sup>25</sup> Self-perfection, the goal of every polity, can be attained only if nations act freely. Since a polity cannot both act by reason and by compulsion (i.e. by another nation), it follows that a compelled nation cannot be a reasonable nation. Freedom and reason are one; a compelled nation cannot be a free nation.<sup>26</sup> Reason, in these circumstances, must be defined by the polity itself. For example, if one state views slavery as unreasonable (and therefore outlaws it), while another state views the same kind of slavery as reasonable (and therefore does not outlaw it), both states would be acting reasonably. By using this line of argumentation, the best policy regarding international relations is non-interference because to interfere would mean to hinder another nation’s self-perfection.

This idea of non-interference plays an important role in Vattel’s concept of a *cosmopolis*, literally translated: “world city,” but better understood as “global community.” Non-interference is the minimum requirement of a Vatteline polity in the international realm. It is necessary not only that polities refrain from unwarranted aggression, it is also necessary that they help one another in each other’s achieving self-perfection—provided that aiding others does not hinder the aiding polity’s own perfection. Just as individuals congregate into polities for each other’s mutual benefit, so too should such a symbiotic relationship exist among polities. Vattel writes that even the glory, or reputation, of other polities must be a consideration when acting on the international stage: “the duty of a nation extends even to the glory of other nations.”<sup>27</sup> Vattel is, however, sensitive to the harsh realities of political landscapes. A polity may refuse to help another polity, should this run contrary to its own perfection: “and if [the polity refuses] to comply, their determination is to be patiently acquiesced in.”<sup>28</sup> It is up to the polity itself whether aiding another polity is in its own interest. This may be said

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<sup>25</sup> Holland, “The moral person of the state: Emer de Vattel and the foundations of international legal order,” 439. Ultimately, Vattel’s conception of nature is richer and more Aristotelian than that of Hobbes. In Vattel’s view, objects—even states—have their own nature, which may be perfected.

<sup>26</sup> Holland, “The moral person of the state: Emer de Vattel and the foundations of international legal order,” 443.

<sup>27</sup> Vattel, *The Law of Nations*, 267.

<sup>28</sup> Vattel, *The Law of Nations*, 266.

to be an imperfect duty—in that it should be done, but failure to perform should not be punished. Vattel’s spectrum, then, has two extremities. On the one hand, the international realm may become an almost world state (at least in idea) where different polities assist one another in their respective goals. On the other hand, the international realm may devolve into a collection of isolated states—no nation helping any other nation because each nation determines it to be against their own perfection. Vattel, an advocate of commerce, would likely favor the former over the latter.<sup>29</sup> Nevertheless, either circumstance results from the necessary equality of polities, and neither circumstance advocates aggression or expansion.

#### Vattel in Crimea

The equality of all states has another corollary in Vattel’s system; a state may not interfere in the affairs of another state unless asked. Vattel abhors the typical imperialistic argument for expanding the polity to expand civilization: “though a nation be obliged to promote . . . the perfection of others,” he writes, “it is not entitled to forcibly obtrude these good offices on them.”<sup>30</sup> The arguments of spreading culture or religion to “barbarians” or “heathens” is an old justification for the expansion of states. Oftentimes, however, this may be merely a façade to exploit native peoples for material gain. Two polities may engage with one another only if both polities consent. A contemporary example of this would be the cultural exchange program scholarships such as the Fulbright Scholarships or the Marshall Scholarships—in both cases, the two polities engage consensually and to each other’s mutual benefit. This concept is so rigorous that, unless prompted, a polity may not interfere in the affairs of another even in the case of what contemporary society would consider human rights violations. The only reason for just war or military conflict is the violation of rights—and this may be pursued only by the injured party.<sup>31</sup> In regard to Russia, since it has not suffered any sort of injury, nor has Ukraine consented to any interference, the annexation would be illegitimate.

Vattel does acknowledge that polities may justly use force in international politics for the sake of annexation; three possible scenarios in which annexation would be legitimate are: 1) for the sake of cultivation of land; 2) because of laws of necessity; and 3) intervention in civil war. None of these three can be justified in the Crimean annexation.

The most primitive reason for which a polity may legitimately expand is to cultivate more land, thus allowing a more commodious existence for mankind as a

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<sup>29</sup> Vattel’s views on commerce may best be seen in Book II, Chapter II of his work (pp. 273).

<sup>30</sup> Vattel, *The Law of Nations*, 265.

<sup>31</sup> *Ibid.*

whole; today, this would be a ludicrous basis for Russian expansion. Vattel justifies the existence of property as a means by which man may better sustain himself: “when the human race became extremely multiplied, the earth was no longer capable of furnishing spontaneously . . . it therefore became necessary that those tribes should fix themselves somewhere, and appropriate to themselves portions of land, in order that they might . . . apply themselves and render those lands fertile, and thence derive their subsistence.”<sup>32</sup> Polities are able to expand to uncultivated lands so that the land could better be utilized and provide more food for mankind.

This is an argument perhaps unique to the early modern period in which large plots of land (e.g. in the un-European settled lands of the New World) remained near to a state of nature. This argument, in the case of Russia, is no longer relevant. Before Russian annexation, culture and civilization had already existed in the Crimea. The land had been home (and still is) to Ukrainians and other ethnic groups. In a condition of extreme material scarcity, it is permissible that a polity use force to meet this necessity; the polity in need, however, must offer more peaceful measures before resorting to outright force. The earth is designed in such a way to provide sustenance for all its inhabitants. If a nation finds herself in an “absolute want of provisions, she may compel her neighbors, who have more than they want for themselves, to supply her with a share of them at a fair price: she may even take it by force, if they will not sell.”<sup>33</sup> The resources in question may be considered food or even women (citizen reproduction is essential to the sustaining of a nation); the important distinction, however, must be made that *commercial* overtures are necessary before resorting to force. Russia has made no such negotiations. Additionally, the law of necessity pertains only to movable goods, not to immovable goods (property). The law of necessity, then, may be seen as a temporary solution; it is meant only for immediate sustenance and cannot be invoked infinitely. In Vattel’s scheme, the annexation of the Crimea would represent a use of brute force which does not respect the equality among nations.

The most convincing argument which Russia may offer in its annexation is the argument that, since the Ukraine is in a state of civil war, two separate polities emerge and it is justified to interfere at the behest of those asking for help; this, however, fundamentally misunderstands and cheapens Vattel’s concept of state. According to some, the Crimean referendum in March 2014, which resulted in a 97% approval rate for joining Russia, serves as the grounds for Russia’s acquisition of the peninsula.<sup>34</sup> A glib analysis of Vattel’s works may justify this,

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<sup>32</sup> Vattel, *The Law of Nations*, 213.

<sup>33</sup> Vattel, *The Law of Nations*, 320.

<sup>34</sup> Myers, Steven Lee. (2014, 18 Mar) “Putin Reclaims Crimea for Russia and Bitterly Denounces the West.” *NYTimes*.

not as a mere separatist movement of malcontents, but as the creation of a new state which may, because of equality of nations, determine its own means to perfection.<sup>35</sup> However, the reality of the situation places doubt on the legitimacy of the referendum itself, which some observers claim was rigged.<sup>36</sup>

Nevertheless, even if there had been no doubts about the referendum's legitimacy, Vattel would still doubt that this single action would constitute the creation of a polity. A polity may only separate itself into two in dire extremities: "it ought to be attempted only in cases of extremity, when the public misery is raised to such a height that people may say with Tacitus, *miseram pacem vel bello bene mutari* [a miserable peace is exchanged well for war]."<sup>37</sup> This is a circumstance similar to the one Hobbes imagines in that rebellion is permissible only when the polity is no longer able to sustain order. Notably, Ukraine still had troops in the peninsula at the time Russia declared the annexation; there had not been any anarchy. Additionally, the creation of any new state requires a constitution—an important document which determines the manner in which a state may perfect itself. The creation of such an outline would require much time and contemplation; a referendum, organized in such a short time, cannot reasonably be considered a constitution. Since the Crimea cannot be considered its own polity, it is still part of the Ukrainian commonwealth. This expansion is an illegitimate invasion of a neighboring country; this kind of acquisition has no basis in natural law.<sup>38</sup>

Vattel offers two possible solutions to international dilemmas in which there is an unlicensed use of force: complete annihilation of the aggressor or economic sanctions. Vattel writes that nations which would make war without any reason are "enemies to the human race, in the same manner as, in civil society professed assassins and incendiaries," and that "all nations have a right to join in a public confederacy for the purpose of punishing and even exterminating those savage nations."<sup>39</sup> It is unlikely that Vattel would advocate this measure for the situation in the Crimea. Although the expansion of Russia seems to stem from

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<sup>35</sup> "They stand therefore in precisely the predicament as two nations, who engage in a contest, and, being unable to come to an agreement, have recourse to arms." Vattel, *The Law of Nations*, 645.

<sup>36</sup> Cumming-Bruce, Nick. (2014, Apr 15). "U.N. Cites Abuses in Crimea Before Russia Annexation Vote." *NYTimes*.

<sup>37</sup> Vattel, *The Law of Nations*, 108. Latin translation by author of paper. It is also important to note that rebellion is a circumstance in which the people are violently against the prince/polity, not a circumstance in which both willingly dissolve the social contract which binds them.

<sup>38</sup> Vattel had conceived of polities as highly abstract and intellectual structures. As such, any argument from common consanguinity or history would likely seem irrelevant in his system.

<sup>39</sup> Vattel, *The Law of Nations*, 487.

illegitimate reasons, the crime is not so great and so senseless as to warrant the destruction of an entire polity. Instead, Vattel would likely advocate for commercial sanctions: “the balance of power could be stabilized if it operated primarily through a process of commercial preferences and restrictions.”<sup>40</sup> This is perhaps the most peaceful way to resolve conflict. States—established as legitimate—must maintain their legitimacy by keeping in check the polities which violate the *cosmopolis*. This too is the typical way in which modern polities respond to military aggression (and indeed, it is also the option chosen by the United States and European Union in this particular incident)—it is a testament to the debt which contemporary international mores owe to the thinkers of the early modern period.

### Conclusion

The world of international politics is one of immense potential. On the one hand, every day, nations contribute to each other’s perfections—by means of exchange, whether commercial, cultural, or technological. On the other hand, polities continue to exist in uncertainty. There is no common power to adjudicate, with finality, any international disputes. Both of these concepts—a *cosmopolis* of mutual benefit and an international anarchy which resembles a state of nature—were present in the writings of the early modern writers. Both Hobbes and Vattel wrote of peace as the final objective of human existence. Natural law was the means by which man might achieve this end. The two political thinkers, however, approached the means to peace differently.

Hobbes looked at domestic concerns as a limiting factor of the Leviathan on the international stage. Vattel conceived of an international community which itself would limit any transgressions against natural law. The Russian annexation of the Crimea would represent a violation of natural law for both of these thinkers. Although the infamous Iron Curtain between the Communist East and Capitalist West has long fallen, there is a new division in the region: between the western European Union and the Russian economic bloc. Instances such as the Crimean annexation indubitably exacerbate the divide. Proper reflection is required in thinking about contemporary international politics, and indeed, there is a long, centuries-old tradition to consider. With the advent of the modern state, and technological advancements, such reflection is of the utmost importance.

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<sup>40</sup> Nakhimovsky, “Vattel’s theory of international order: Commerce and the balance of power in *Law of Nations*,” 159.

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#### About the Author

Juan Martir (Class of 2015) is majoring in both the Honors Bachelor of Arts Program and philosophy with a minor in computer science. In addition to serving as an editor for the Xavier University Journal of Undergraduate Research, he is also an editor for the university's undergraduate law review and a tutor of classical languages and philosophy for Xavier's Learning Assistance Center. After he graduates, he hopes to pursue a degree in law. In his spare time, he

enjoys reading, running, and looking up etymologies. “Hobbes and Vattel in Crimea: A Natural Law Critique of the Russian Annexation” was sponsored by Dr. Szymokwiak, Associate Professor of Philosophy.