

ny forskning. Mycket som i finländsk historieforskning gått i gamla spår och tryggt sig till en nationell konception kunde öppnas och belysas från nya håll med hjälp av en sådan inspiration som Marjanen så väl lyckas förmedla. Och författaren företräder, som framgått, en horisont som vida övergår det specifikt finländska varför det finns goda skäl att tro att hans forskning skall tas emot med intresse även på annat håll.

Henrik Knif

Kjartan Koch Mikalsen, *Justice among States: Four Essays* (Trondheim: Norwegian University of Science and Technology, 2012). 137 pp.

This stimulating dissertation is divided into four chapters or 'articles'. The first one, 'In Defense of Kant's League of States' (pp. 27–51), claims that Kant's mature position, which rejects the idea of a state of states with coercive powers (or a world republic), is well-founded. Over the last twenty years, many critics such as Otfried Höffe have claimed that the weaker league of states is at odds with Kant's overall legal theory, especially the link between the concept of right and legal coercion. Mikalsen rejects this 'standard criticism'. He is also not convinced by what he calls the 'stage model interpretation', which holds that the league is just a temporary solution, the first step towards a state of states. Mikalsen's key argument is the following: he holds that the so-called domestic analogy should not be misconstrued as a full parallel. The similarities between the state of nature among individuals and the state of nature among states only amount to an analogy. The claim of critics that there is an assurance problem on the international level – even with a league, there is no guarantee that others will respect our rightful possession – is mistaken (cf. p. 46). An inter-

national public authority with judicial powers is sufficient to overcome the indeterminacy problem, which is the problem how to specify abstract principles in particular cases.

The second chapter, 'Carl Schmitt and the Prohibition against Aggressive War' (pp. 53–78), reconstructs Schmitt's defense of sixteenth–nineteenth-century international legal theory's concept of bracketing [*Hegung*] of war, his argument against twentieth-century attempts to outlaw aggressive war, and his critique of liberal individualism, according to Mikalsen the real target of his polemics. In *Der Nomos der Erde* (1950), Carl Schmitt claimed that by the eighteenth century, international legal theory had moved beyond the traditional, medieval focus on just war. The question of the justice of the cause was neglected, and war was seen as a political conflict among sovereign states which did not see each other as criminals but as '*justi hostes*', as potential enemies who (theoretically) shared equal rights. According to Schmitt, Balthasar de Ayala had made a promising start in 1582, using the term '*iustum*' in the sense of 'lawful' or 'legal', pointing out that only the sovereign had the right to wage war. '*Guerre en forme*' or 'regular war' (Vattel), which had to fulfil certain formal criteria such as declaration of war or proper conduct, triumphed over just-war-doctrine. Mikalsen retells Schmitt's story, but he fails to outline its obvious flaws (see pp. 55–63 and below). What Mikalsen finds deficient is something different, namely Schmitt's implicit reliance on anthropological pessimism, which Mikalsen considers a mere profession of faith (pp. 54, 71–72, 74–75).

The third chapter offers 'A Cosmopolitan Defense of State Sovereignty' (pp. 79–101). Mikalsen criticizes a group of contemporary cosmopolitans that he calls 'anti-statist cosmopolitans', for instance Brian Barry, Charles Beitz or Fernando Tesón. They have tended to overemphasize normative individualism, ascribed only derivative significance to state sov-

reignty, and argued for an international system that discriminates against illiberal states. Mikalsen wants to show 'that state sovereignty is not only compatible with, but essential to the recognition of individuals as units of ultimate concern and that respect for the rights of persons therefore requires respect for sovereignty in the international realm' (p. 24; see also pp. 79–80), and argues for the 'complementarity of state sovereignty and individual freedom' (p. 91).

'Habermas and Kant on International Law' (pp. 103–127), the last chapter, is again highly respectful towards Kant. Mikalsen offers a meta-critique of Habermas' critique of Kant's league of states (pp. 107–109, 116–121), and a critique of Habermas' own model of a reformed UN guaranteeing the rights of world citizens and cooperating with supranational regimes such as the EU. According to Mikalsen, Habermas' project faces two problems. One is the asymmetry between powerful and less powerful states that is implied; the other one is the creation of a global police force to combat gross human rights violations (pp. 122, 124).

There are some shortcomings. One can find an anachronistic reference to the 'Westphalian state system' (p. 73). In one passage, Mikalsen offers a sweeping and again anachronistic generalization about 'the Enlightenment' and its alleged 'anthropological optimism' (what about Kant's theory of radical evil?), which supposedly 'reflects disobedience toward God' (p. 74). Andreas Urs Sommer has warned us in *Sinnstiftung durch Geschichte* to stay clear of generalizations of this kind (2006). Mikalsen should have attacked Schmitt's story of formal war, which is unconvincing. Ayala's formal war was a piece of propaganda, polemically directed against the Dutch insurgents, who, in Ayala's account, had turned into criminals outside the legal sphere (and could thus be killed and enslaved at will). Secondly, moderation in warfare prior to World War I was also caused

by factors outside the legal sphere, like military developments and logistics. It cannot be explained by legal developments alone. Most importantly, Stephen Neff has shown that the formal-war doctrine was only one minor dissident theory: 'The just-war tradition, inherited directly from the Middle Ages, continued to be the dominant framework for legal analyses of war throughout the seventeenth and eighteenth centuries' (2005, p. 95). Schmitt's claim that the concept of war characteristic of the *jus publicum Europaeum* was morally neutral is a gross distortion, and perhaps wishful thinking.

Mikalsen has offered a fine, if not perfect, study and a common sense criticism of some forms of contemporary cosmopolitanisms. The reasoning is always clear and straightforward. For instance, he concedes that 'a certain strand of contemporary cosmopolitan thought' is prone to abuse the concept of 'humanity' and to support U. S. exceptionalism. At the same time, he sees that Schmitt's realist critique of forms of imperialism does not imply that his theses about the criminalization of aggressive war since 1919 are sound.

Georg Cavallar

Kristian Nilsson, *Baltic-Finns and Scandinavians: Comparative-Historical Linguistics and the Early History of the Nordic Region*, Ugglan – Minervaserien 16 (Lund: Lunds universitet, 2012). 273 s.

Kristian Nilsson disputerte i finsk-ugrisk språkvitenskap våren 2012 ved Lunds universitet på en avhandling om etnohistoriens historie. Nærmere bestemt undersøker Nilsson 1700- og 1800-tallets forskning på den nordiske regionens folkegrupper, altså teorier om når finnene, esterne, samene og de skandinaviske folkene kom hit og hvor de kom fra. Etnohistorien innebærer også diskusjoner av