THE ISLAMIC STATE AND WORLD DISORDER

How the Jihadist Organization is challenging the International Society

Joan Prats i Amorós
NIA: 158532

Tutor del treball:
Josep Ibáñez Muñoz

Universitat Pompeu Fabra
Barcelona

~ 2 ~

DECLARACIÓ D'AUTORIA I ORIGINALITAT

Jo, *Joan Prats i Amorós*, certifico que el present treball no ha estat presentat per a l'avaluació de cap altra assignatura, ja sigui en part o en la seva totalitat. Certifico també que el seu contingut és original i que en sóc l'únic/a autor/a, no incloent cap material anteriorment publicat o escrit per altres persones llevat d'aquells casos indicats al llarg del text.

Joan Prats i Amorós
A Barcelona, el 4 de juny del 2016

Abstract: the Islamic State can be regarded as a unique jihadist actor, as it aims to disrupt world order and destroy the international society of States by taking the form of one of its members. This paper examines how the inter-State society has responded to this threat. To do so it considers both the formal, legal rules of the international society as well as its informal, sociological ones. It will be argued that the legal justification usually used against the Islamic State is not intrinsically legal but grounded on intersubjective perceptions of legitimacy. This is because the identity of the Islamic State collides head-on with the collective identity of the international society and its model for world order, based on Westphalian principles. Hence, taking an approach that combines the English School and the constructivist postulates, it is concluded that the international society needs to destroy the Islamic State not only as a reality but also as an idea. Finally, three scenarios for the future of the Islamic State are proposed.

Key words: Islamic State, international society, order, Westphalia, international law, statehood, recognition, legitimacy, Constructivism, English School, collective identity, institutions, rules.

Table of contents

Introduction. Order and disorder in world politics

Henry Kissinger affirms in *World Order* that each civilisation has developed its own ideal of how international relations must be conceived (2014: 2), and almost always, hierarchized. Extremely different entities like the ancient Rome, the Chinese Empire and the Arab caliphate of the early Islam believed to be the only source of order and legitimate power. Today the world is formally organized under another particular conception of order, often said to have emerged from the Treaty of Westphalia of 1648, which put an end to decades of devastating wars in Europe. Westphalia[1] took as the basis of its system the modern State. Its game rules were simple: each one of those units was "given" the attribute of sovereignty and the obligation to respect that of the others. The system was conceived taking into account the deep political and religious differences between European States (Kissinger, 2014: 3), and proposed as solution a system void of substantive normativity: the Westphalian States "agreed to disagree" in religious matters and in how to politically organise a State, but accepted to be subjected to a set of procedures to regulate their interactions.

This element of neutrality makes the Westphalian system an appropriate model of order to stabilize the relations between political entities on a global scale. It respects the domestic specificities while paves the way for the development of peaceful relations and exchanges, frequently of an economic and cultural nature. This helps to create interdependence among the participants of the order, a factor that Montesquieu already considered key to prevent war[2] and promote stability. Today, the world is both Westphalian and interdependent. And, in many aspects, it seems more ordered than ever before: almost all the political entities ruling over a territory are included in the main international organization, the United Nations, and none does directly challenge the international law, their main *system of coordination* (De Cara, 2015: 2). Economic exports accounted for more than 30% of the world's GDP in 2013[3], while tariffs for imported products are nowadays on its lowest historic levels[4]. At the same time, the West, the catalyser of the Westphalian value-void world order, has also expanded its own political ideals about democracy and freedom throughout the globe. In many aspects, the Kantian dream –shared by all liberals- of perpetual peace through democratisation and exchanges seems on its way (Doyle, 1986: 1163).

Nevertheless, filling the procedural Westphalian system with substantive content has come with a price in terms of order, as it has also fostered fragmentation trends (Rosenau, 2006: 15)[5]. Fragmentation, or the *absence of order*, is produced by very

---

[1] The term "Westphalia" is used as a generic concept standing for the system of relationships that gradually emerged between European nations since the end of the Middle Ages, and not the 1648 treaty itself. The importance of the peace settlement in forming that order has been overrated, as scholars such as Andreas Osiander (2001) have pointed out.

[2] Montesquieu developed the "doux-commerce thesis", advanced in *The Spirit of Laws* (1748): *l'effet naturel du commerce est de porter à la paix* (Book XX, Chapter 2).

[3] *World Trade Report 2013: factors shaping the future of world trade*. Available at: https://www.wto.org/english/res_e/publications_e/wtr13_e.htm

[4] Weymuller, Charles-Henri. 2016. Introduction, in *International Macroeconomics, Finance and Trade*. BECO1480A. Institut d'Études Politiques de Paris, unpublished

[5] The result of the clash between integration and fragmentation is what James S. Rosenau has called "fragmegration" (2006: 2).

different types of actors, which go from States (Mead's *revisionist powers*[6]) to political parties such as the French *Front National* and multinational corporations (see for instance Reich, 1990[7]). However, there is a very specific transnational actor that targets both dimensions of world order -the Westphalian system and the integration process: the jihadists. Jihadist organizations aim to a world organized under Muslim law or Shari'a, grounded on the Salafist variant of Islam (Schröter, 2015: 1). Thus, on the dimension of ideas, they can be regarded as one of the most radical disruptive actors of world order. However, in practice, their transnational nature has impeded them from causing structural damage to the Westphalian system and the integration trends.

In 2014 a new jihadist organization emerged: the Islamic State. Its innovation was to avoid taking the traditional transnational character by seizing considerable territories in Iraq and Syria and controlling a population of several million people. Thus, they were able to collect taxes and make their own business to wage the holy war (Al-Tamimi, 2015), while at the same time acting as a terrorist group that attacks civilians. Its mixture of characteristics makes the Islamic State seem to be moving between two worlds: that of States and that of transnational actors. This enhances its capacities and makes its role in fostering fragmentation singular and far more threatening to world order than the rest of jihadist organizations. Hence, the Islamic State represents a unique opportunity to study the current tensions and contradictions between world order and fragmentation. To do so, the Islamic State will be regarded as a candidate to join the international society of States, understood in the terms of Hedley Bull:

> *a group of States, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions* (2002: 13).

Of course, the Islamic State is not willing to join this kind of society, and its member States have no intention to grant access to the Islamic State. However, all the States in the world, including the *revisionist powers*, can be said to form part of the international society. Therefore, this social framework is the best to study how States react to the emergence of an actor as disruptive and particular as the Islamic State.

Political societies are regulated by two different sets of rules: one that is codified in law and one that is not. When the norms of the first are breached, there is a formal sanction. On the contrary, the second set is rather sociological and its norms are informal. Infringing them entails no formal punishment but may lead to the isolation of the offender from the rest, resulting in what Émile Durkheim called "anomie"[8]. It could be argued that the international society also contains those two sets of rules, and therefore both are to be taken into account for the purposes of this investigation. The first one will be studied through international law, whereas the second one through the theories trying to explain international relations between States from a sociological point of view. Thus, the question addressed here is:

---

[6] Walter Russell Mead considers "revisionist powers" those States that are not comfortable with the current distribution of influence in world politics. They include Russia, Iran and China (Mead, 2014: 69).

[7] In *Who is Us?,* former United States Secretary of Labour Robert B. Reich discussed the problem that posed the national identity of multinational companies for the domestic policy of a country. Available at: https://hbr.org/1990/01/who-is-us [Accessed 25 May 2016]

[8] Anomie**,** applied to societies or individuals, refers to a condition of instability resulting from a breakdown of standards and values or from a lack of purpose or ideals (from *Encyclopaedia Britannica*).

On what legal and social grounds does the international society consider unacceptable the existence of the Islamic State?

The hypothesis proposed is that the nature of the Islamic State cannot be reconciled with the legal and sociological conditions of the international society. Hence, the effort to be undertaken is to specify what are those elements that conflict with the international society, and what role do they have in its reaction to the Islamic State.

To test this hypothesis, this paper is structured as follows: the first part will address the basic features of contemporary jihadism and the Islamic State. This is necessary to understand the nature of the organization and its vision regarding world order and the international society of States. The second part will focus on the first of the two regulatory dimensions of the international society, the legal one. Thus, it will study how international law deals with the emergence of the Islamic State as an entity that claims to be a State. This will be done through the key legal concepts applicable: statehood and recognition. The third part will move to the social and informal norms of the international society, as the legal rules are not able to explain alone the complexity of any social phenomenon. In particular, it will consider the contributions of the English School, the classical constructivist approach of Alexander Wendt and the transnationalist theories. This exam will be followed by the conclusions, which will address the initial hypothesis and propose three future scenarios for the current situation of the Islamic State.

Part I. Jihadism and the Islamic State: an overview

The Islamic State needs to be understood in the context that made its appearance possible. In the broader sense, this is contemporary jihadist trends, while the direct origins of the Islamic State can be found in the unstable situation of Iraq following the fall of Saddam Hussein's regime in 2003.

Contemporary jihadism

Jihadism is a movement that aims to impose, by violent means when necessary, a totalitarian variant of Islam called Salafism (Schröter, 2015: 1). Therefore, it can be best understood as both an intellectual doctrine and a method. Its origins have deep roots in Islam's history, as Salafists are *the followers of the "pious forefathers" or initial Islam, characterized by an extreme strictness* (Kepel, 2001: 604). Those ancestors, including the Prophet Muhammad, are regarded by the Salafists *as role models in all matters, including issues of modern life in the 21st century* (Schröter, 2015: 1). The basic idea of Salafism already existed in the 13th century, and it was a reaction to the decline of power of the Muslim caliphates. Theologians such as Ibn Tamiyya blamed Muslims for losing or weakening the true faith (Schröter, 2015: 2). To put an end to the deterioration of Islam, they insisted on the strict observance of simple behavioural instructions and created a simple ethic code that oppose crudely the concepts of good and evil, Muslims versus non-Muslims (Schröter, 2015: 3).

In a political sphere, Salafists advocated for the *restoration of the golden age of Islam*, (Kabunda, 1994: 50). Their ideal is the return of the original *Ummah* or "community of believers", which was politically united under the first years of the

Rashidun Caliphate after Muhammad's death. According to Salafism, as well as initial Islam thinking, the world can be divided between *Dar al-Islam*, or the Muslim world, and *Dar al-Harb*, or the realm of war. The mission of Muslims is to expand and incorporate the *Dar al-Harb* regions inhabited by the infidels (Kissinger, 2014: 102; Kabunda, 1994: 48).

Here it is where Jihad (or Holy Struggle) appears. According to Gilles Kepel, Jihad refers to the effort to which every Muslim is obliged in order to spread Islam *through all necessary means* (2001: 605). Despite frequent simplifications, this effort can be referred to a society or the entire world, but also to oneself, constituting an inner struggle (Kepel, 2001: 605). As the Muslim site al-Islam.org points, *Allah made Jihad obligatory, in all its forms, whether it is the Jihad of society or self* [9]. Of course, not all Muslims justify all the possible means –i.e., violence- through which Jihad can be fought. It is in this point where "jihadists" appear as a distinctive group: jihadists *attempt to accomplish their goals by means of violence* (Schröter, 2015: 2), while no all Salafist accept those methods. Finally, it is also important to take into account that the Salafists and therefore jihadists are Sunni, as they take as reference the four Rashidun Caliphs (632-661 A.D.), while the first three ones are considered illegitimate by the Shiites[10].

History and *modus operandi* of the Islamic State

The Islamic State can be said to have ultimately appeared as a reaction to the national States. One of the most important elements to understand its rise is the Islamist theory of the Egyptian Sayyid Qutb. Under the dictatorship of General Nasser, Qutb stablished that the entire world, including the Muslim countries, was to be considered in the state of *jahiliyya,* this is, living in the barbaric condition previous to the arrival of Islam (Kepel, 2001: 39). Thus, Qutb de-legitimized the government of Arab nationalistic rules such as Egypt's Nasser or Iraq's Saddam Hussein.

Thus, the invasion of Iraq by the United States (US) and the consequent overthrowing of Saddam opened a new period full of possibilities for Iraqi Salafi Islamists. The Jordanian militant Abu Musab al-Zarqawi quickly formed al-Qaeda in Iraq (AQI). Its goal was to target US occupation forces and their local collaborators (mainly Shiite), in an attempt to foster a sectarian civil war between Sunnis and the majoritarian Shiites, which had acquired control of the government thanks to the democratic elections organised by the US (Laub and Masters, 2016). After the killing of Zarqawi in 2006, its successors rebranded the organization as the Islamic State of Iraq, and later, the Islamic State of Iraq and Levant (ISIL). This last change in the name reflected the growing interest of the group for Syria, which was immersed since 2011 in a bloody civil war. ISIL used extensively Syrian territory as a safe-haven under the leadership of its new leader Abu Bakr al-Baghdadi.

Today, al-Baghdadi's organization has shown that there are several ways to carry out an armed Jihad. This became obvious on 29 June 2014, when the leader of ISIL proclaimed the "Caliphate" from the Great Mosque of Mosul and renamed the organization as "Islamic State". This event marked a milestone in the history of

---

[9] Al-Islam.org. *Jihad (Holy Struggle) is an Obligatory Duty* [online] Available at: http://www.al-islam.org/a-muslim-in-society-al-balagh/jihad-holy-struggle-obligatory-duty [Accessed 25 May 2016]

[10] Shiites believe that Muhammad's proper successor as Caliph was his son-in-law and cousin Ali, who was only appointed as last source once the three first Caliphs had already died.

jihadism, as implied a Copernican revolution on how to wage war against the infidels. Al-Baghdadi's "Caliphate" evokes the territorial political entity established during the first years of Islam, which ruled over the territories that Muhammed and its successors conquered (Danforth, 2014). For a jihadist, Caliphate is a "magic word", as evokes the previously described golden age of Islam to which they seek to return.

Jihadist groups have been characterised during the 20th and 21st centuries by their irregular, and more particularly asymmetrical, warfare. Their fighting is irregular because is population-centred (see figure 1): a struggle among state and non-state actors for legitimacy and influence over the populations whose control is at stake (US Department of Defence, 2007: 54). On the contrary, regular or conventional warfare is characterized by targeting the enemy's armed forces in the battlefield. In addition, it is asymmetrical because the disproportion of military means between them and the States that they are claiming to battle is enormous (Buffaloe, 2006: 17). Under these conditions, terrorism came as the natural tactic for jihadist groups. Amongst them, Al-Qaeda became the paradigm of efficacy and exploitation of asymmetrical warfare. Its way of fighting can be considered as ultra-advanced. As Rod Thornton interestingly argued, in the 11/9 attacks, jihadists *struck with box cutters […] with an outlay of perhaps $500,000, causing $18 billion worth of direct damage* (2007: 1).

Astonishingly, a decade after, Al-Qaeda's heir as top jihadist organization abandoned –at least partially- this innovative warfare to return to something closer to the regular fighting methods. The Islamic State's approach to war in Syria and Iraq matches accurately the definition put forward by the US Department of Defence: it uses a territory with a population to raise taxes and other resources in order to conduct full-scale military operations against regular armed forces of States (mainly Syrian and Iraqi). It is also true that this has come together with guerrilla-type asymmetric warfare: the Islamic State has broken the rules of regular fighting, aiming to civilians, breaching *jus in bello* and overall, rendering their opponents' military capacities inadequate to combat them. However, the point is still relevant: even if sometimes the Islamic State acts like a "traditional" terrorist group, its nature is substantially different because it holds a territory and a population. As Audrey Kurth Cronin stresses, the Islamic State may use terrorist tactics, but *it is not really a terrorist organization* (2015: 88).
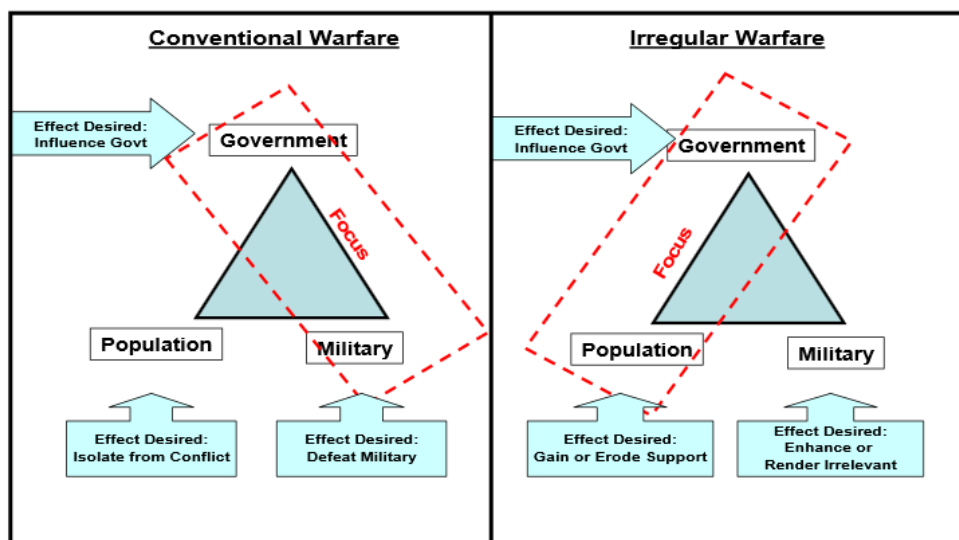

FIGURE 1. The core difference between conventional and irregular warfare. Source: US Department of Defence, 2007

In fact, worryingly enough for its enemies, the Islamic State has proved to be more consistent with its claims of being a caliphate than anyone first expected. How has managed to do it? In early 2014, ISIL leaders realized that the group had overextended, feeling the need for a change of strategy. According to Al-Tamimi (2015: 4), the group withdrew from several Syrian provinces in order to focus on only a few, including Raqqa. The organisation aimed to become the only armed group present in them. Implicitly, ISIL was exercising the monopoly on violence, to use Max Weber's famous terms. And from a politiological point of view, this constitutes the basis for any territorial authority with power over populations. ISIL, much stronger than before, also launched its expansion in Iraq, particularly in Fallujah (al-Anbar province), a Sunni-dominated city that posed to the US Army many insurgency problems during the occupation that started in 2003. In the newly occupied cities and villages, ISIL –the Islamic State since June 2014- extended its control over population, especially through the application of the Salafist extremely severe Shari'a law. This would include lashes for the consumption of alcohol and crucifixion for major robberies (al-Tamimi, 2015: 4). But severe punishments are only a small part of a much more complex institutional-legal system. Due to the vacuum appeared in the public administration, the Islamic State started to develop public services through "Islamic Services Committees". Following March and Revkin, it also *articulated elaborate rules for property and land* (2015). In fact, legal and administrative documents boomed, from phone subscriptions to regulations on fishing (Al-Tamimi, 2015: 6). In many provinces, the organization opened offices to which residents can address complaints, even against the Islamic State's fighters (March and Revkin, 2015). It also continued to collect taxes previously payed to the Syrian and Iraqi authorities, and simultaneously developed a "public oil company", which could make around 1.5 million dollars per day (Solomon et al, 2015). The will of the Islamic State to "go territorial" can ultimately be found in the fact that it rejected pledges of allegiance made by cells and small factions without real capabilities of controlling land (India and Gaza) (Al-Tamimi, 2015: 7). Indeed, real territorial power is a prerequisite to be considered part of the Caliphate: this is why the factions in north-eastern Nigeria (Boko Haram) and Libya were on the contrary accepted as "provinces" of the Caliphate (Al-Tamimi, 2015: 7).

The double, paradoxical nature of the Islamic State

From the history of the Islamic State it can be concluded that the group has taken the form of a territorial political entity, aiming to hold the monopoly of violence and developing on it the public administration typical of any conventional State. However, as a jihadist organisation with a political and religious agenda, it is close to Al-Qaeda and similar groups. Thus, the Islamic State can be said to combine two different natures, each one grounded to a different kind of legitimacy. On one hand, that of States, whose legitimacy ultimately derives from a government controlling a defined territory and the population who lives within its limits. On the other hand, that of transnational jihadist groups, which propose a political order organized under the principles of political Islam. Thus, the Islamic State is paradoxical: it attacks the current world order (both defined in Westphalian and globalization terms) but at the same time adopts the form of the basic unit –the State- of the system it aims to destroy. March and Revkin captured very well the essence of the Islamic State: *ISIS ideas have filled a hole both in governance in Iraq and Syria and in the global Salafi-juhadist political imagination* (2015). The following sections will focus on how the international society regards this unique and in many aspects, unfamiliar, entity.

Part II. International law and the Islamic State

Al-Baghdadi's claim that the entity he rules is a Caliphate, and thus a State, is extremely bold from an international law point of view: statehood would *de jure* place the Islamic State on an equal footing with the US or any other major power. In general, it seems that the authors that have studied the Islamic State's statehood agree on saying that it is not a State (see for instance Shany, Cohen and Mimran, 2014; Hakimi, 2014; Allen-Mestrallet, 2015). However, they also present different arguments: Allen-Mestrallet stresses that there is no clear, homogeneous population tied to the Islamic State (2015: 178). Shany, Cohen and Mimram point that the main reason for denying its statehood is an *unwillingness of States to recognize the Islamic State as a State under international law* (2014).

The aim of this part is to try to understand the difficulties that the Islamic State poses for international law in matters of statehood and State recognition. As it will be argued, a number of the problems that arise are not exclusive to the Islamic State, but rather show the tensions and contradictions between international law and practice, and are partly due to the changes that the international relations are experiencing as described in the first part. This section is divided on its turn in three subparts. The first one is devoted to the current international legal framework on statehood and State recognition, while the second one is its application to the Islamic State. Finally, the third subpart will make some concluding remarks.

Statehood and recognition: a problematic relationship

There was a time, the jurist James Crawford explains, when recognition of States was self-evident, as it did not exist as separate from statehood (2006: 12). Any supreme power ruling over a delimited territory was a State, and other States "naturally" addressed to it accordingly. It was in the nineteenth century when the positivist jurists stressed that if a new State was created, its very existence would necessarily entail legal consequences for the rest of States in terms of rights and duties (2006: 12). Hence, new States needed the "permission" of the already existing ones to become part of the international society of States. Even if this sea change was *largely doctrinal* (Crawford, 2006: 13) it paved the way for an important present-day debate: what does it mean under international law that a State recognizes another State?

There are two main answers to the question. The positivists would agree with the constitutive theory, which says that *it is the act of recognition by other States that creates a new State and endows it with legal personality* (Shaw, 2014: 322). Its alternative is the declaratory theory: *recognition is merely an acceptance by States of an already existent situation* (Shaw, 2014: 322). If the declaratory theory is correct, the act of recognition would be to some extent irrelevant from an international law perspective, because then even the non-recognizing States would *de facto* treat the non-recognized as a State. However, international law is more a *system of coordination* (De Cara, 2015: 2) between Sates than a complete legal structure with executive capacities to enforce its decisions, and neither theory is unanimously applied. In fact, *actual practice leads to a middle ground position between these two perceptions* (Shaw, 2014: 323). Thus, even the Arab States that do not recognize Israel would not contend that it is *totally devoid of powers and obligations under international law* (Shaw, 2014: 323); but at the same time recognition has major impacts for new States, such as facilitating access to the UN.

Some jurists, such as Jean Dupuy and Hersch Lauterpacht (De Cara, 2015: 107) have tried to put an end to the confusion on State recognition. The theory of the latter, the *legal duty to recognition* once the recognized entity meets a set of conditions for statehood (Lauterpacht, 2013: 26) is especially well-known. However, this approach faces an immediate problem, namely that there is no such agreed set of conditions. In fact, there have been several attempts to establish one. The first and most important initiative is the Montevideo Convention, a treaty signed in 1933 by a group of 20 American States[11]. Even if its scope and law-making forces are limited (Grant, 1998: 434), it is still today extensively quoted. In its first article, the conditions that a State must comply to be considered a *person of international law* are: a permanent population (1), a defined territory (2), government (3) and capacity to enter into relations with other states (4).

Crawford added in 1979 independence as a fifth condition, namely the ability to operate without having to respond to any other State, and set it as *the central criterion for Statehood* (2006: 62)[12]. Together, those five conditions form the core of what Crawford calls the *effectiveness criteria*. Nonetheless, some authors have proposed to expand the list again. This is the case of one of the articles addressing the issue of the Islamic State: Shany, Cohen and Mimran included *legitimacy*. From their analysis it derives that they consider as illegitimate those entities lacking recognition: *"illegitimate entities" cannot function as States in the international community by, for example, joining the United Nations* (2014). In fact, international law recognizes at least two situations in which legitimacy may be more important than the effectiveness criteria. The first one is the legitimacy that arises from self-determination (Crawford, 2006: 110)[13], granted to those entities able to pass the "salt-water test" (UNGA Res 1541 XV)[14]. Amongst other conditions, the test requires that a territory must be geographically separated and culturally distinct from the country administering it. The second case for legitimacy refers to entities failing the salt-water test, which are *prima facie faced with the principle of territorial integrity of their parent States* (Vidmar, 2013: 63), codified in article 2.4 of the UN Charter. The International Court of Justice (ICJ) concluded in the Kosovo Advisory Opinion (2010) that unilateral declarations of independence may not be illegal if they do not involve *unlawful use of force or other egregious violations of norms of general international law, in particular those of a peremptory character (jus cogens)*[15]. This view is consistent with the doctrine of remedial secession, according to which forming a new State *may be the last resort for ending [the] oppression* of a community (Vidmar, 2013: 26)[16]. All in all, the condition is not breaching international law, especially through the use of force.

---

[11] Convention on Rights and Duties of States (adopted 26 December 1933, entered into force 26 December 1934) OAS, Law and Treaty Series, no. 37.

[12] Crawford also takes into account some more conditions, including permanence, willingness and ability to observe International law, a certain degree of civilization, recognition and legal order. However, he considers them "other criteria", which are only *sometimes suggested* (2006: 89).

[13] Article 1.2 of the UN Charter establishes as a principle of the UN *to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples.*

[14] *Principles which should guide members in determining whether or not an obligation exists to transmit the information called for under Article 73e of the Charter*, UNGA Res 1541 (XV) (15 December 1960)

[15] *Accordance with international law of the unilateral declaration of independence in respect of Kosovo* (Advisory Opinion) 2010. ICJ Reports, para. 81.

[16] In the Kosovo Advisory Opinion, the ICJ refused to assess the situation of Kosovo in terms of remedial secession because it was out of the scope of the question posed by the UNGA. ICJ Reports, para. 83.

However, Shany, Cohen and Mimran move beyond these two "legitimacy exceptions" and establish legitimacy as a general criterion for statehood. Their vision is best resumed by Jure Vidmar, who argues that in recent times there has been an entanglement of democratisation with state creation (2013: 64). In Vidmar's view, *it is the acceptance of the declaration of independence* that creates a State (Akande, 2013). Therefore, States do not necessarily emerge from the effectiveness criteria, nor the saltwater test or the non-use-of-force. Their very existence is on other States' hands. Vidmar's assertion has been criticized by saying that legal criteria (the five effectiveness conditions plus the two "legitimacy exceptions") still matter (Akande, 2013). However, one thing is clear: the introduction of a general legitimacy condition for statehood implies opening international law to politics, as legitimacy is at the end a subjective notion, and can become more political than legal. Inevitably, legitimacy puts the emphasis of statehood on recognition, which in turn is a *highly political* process (Shaw, 2014: 323) because international law does not regulate it: it is a unilateral act of a State. In this scenario, international law would be, at best, of secondary importance.

Nonetheless, denying or granting statehood through recognition has some limits. The most important one is that (non-)recognition must be collective; it needs to come from the *international community* (Shaw, 2014: 336)[17]. If an entity faces a collective non-recognition, its statehood is threatened in legal and factual terms (see for instance the case of Rhodesia[18]). Even Oxford's Professor Dapo Akande, in his critique of Vidmar's postulate, admits that collective recognition and non-recognition *lead to the creation of Statehood* or to the denial of it (2013). On the contrary, when (non-)recognition is only partial the balance seems to tilt towards full recognition. Kosovo is one of such cases. The number of States recognizing it (111 UN member States on 17 April 2016) has grown at a steady peace between 2008 and 2013[19] (however stagnating after this period). Another interesting limit to collective (non-)recognition was established in the ICJ Advisory Opinion on Namibia (1971), where it was said that un-recognition could not be extended to the acts *the effects of which can be ignored only to the detriment of the inhabitants of the territory*[20], such as registration of births and marriages. However, this limit refers more to the populations than to the statehood of the entity itself.

International law and the case of the Islamic State

A number of authors have stressed that the Islamic States accomplishes or is close to the five effectiveness criteria (Shany, Cohen and Mimran, 2014; Coleman, 2014; Allen-Mestrallet, 2015). This article will only directly address the two most disputed and questionable ones, namely a permanent population and the capacity to enter into relations with other States, while the other criteria will be tested through them.

Allen-Mestrallet points that the condition of a permanent population is not met for now, as there is not a homogeneous population tied to the Islamic State (2015: 178). However, this is debatable. As argued in the first part, the Islamic State has developed a complex institutional-legal system grounded on a *long-standing theory of statecraft and*

---

[17] Shaw admits that membership of the UN constitutes powerful evidence of statehood (2014: 337).

[18] Rhodesia declared its independence in 1965 and *in the years of its existence* [until 1979] *did not receive official recognition from any State at all* (Shaw, 2014: 339). The State disappeared soon after.

[19] Kosovo Thanks You. 2015. *Who Recognized Kosovo as an Independent State?* [online] Available at: http://www.kosovothanksyou.com/ [Accessed 17 April 2016]

[20] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276* (Advisory Opinion of 21 June 1971) para. 125

legal authority (March and Revkin, 2015[21]). It seems conscious about the need of homogenising its populations and can be said to be immersed in a process to totally control a defined territory and its inhabitants. In addition, the Islamic State has the means to do it. Hence, fulfilling the condition of permanent population once the government and territory criteria are accomplished is, *ceteris paribus*, a matter of time.

The second disputed effectiveness criterion is the Islamic State's capacity to enter in relations with other States. By relations it is meant *the full range of international relations* a State is capable of establishing (Crawford, 2006: 61), and not only those that companies, ONGs and even individuals may have with States (see for instance the Soering case[22]). Therefore, pointing the "military relations" of the Islamic State with for instance the US may not be enough: Al-Qaeda was clearly a non-State actor and still the US declared war on the group. However, it has been noted that the capacity to enter into relations with other States is more a *consequence of* than a *condition for* statehood (Grant, 1998: 434). Thus, it is difficult to apply this criterion as an effectiveness condition, as it has more to do with recognition than to statehood itself.

Once the Islamic State has been found considerably consistent with the effectiveness criteria, it is necessary to turn to the two "legitimacy exceptions": self-determination and breaches of international law. The Islamic State cannot claim self-determination, because it clearly fails to pass the salt-water test: its parent States, Syria and Iraq, cannot be regarded as "colonial powers". In addition, the group used force to "proclaim its independence" in Mosul on June 29, 2014. Therefore, according to the case on Kosovo's declaration of independence, mentioned before, the same act of proclaiming the independence of the Islamic State was illegal. Other factors, especially the violation of *jus cogens* (or peremptory) norms such as torture and genocide[23] can also be taken into account. Thus, even remedial secession (in case it had any legal value) could not be claimed.

Therefore, it seems that the Islamic State accomplishes the five effectiveness criteria but fails to fulfil the legitimacy conditions for statehood. Which one of the two sets should prevail? It is in these conflictual situations where recognition tilts the balance[24]: as the international society "boycotts" it, the Islamic State is not a State. However, following Vidmar's argument it is also possible to ask what would have happened if, instead of a collective non-recognition, the Islamic State had achieved the support of the international society. Then it would have been declared a State, regardless of the effectiveness criteria and the legitimacy conditions. If this is true, it would confirm that international law is only of secondary importance on the crucial legal issue of statehood.

There is some evidence to say that Vidmar's theory is close to reality. Jackson and Rosberg emphasized that many African countries have ceased to be States

---

[21] March and Revkin argued in Foreign Affairs that the Islamic State *aims to establish scrupulous legality for itself, from its very "constitutional" foundations to its narrowest public policies* (2015).

[22] European Court of Human Rights case of Soering v. the United Kingdom, Judgment (1989)

[23] US Secretary of State John Kerry stated that the Islamic State *is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims*. March 17, 2016. Available at: http://www.state.gov/secretary/remarks/2016/03/254782.htm [Accessed 16 April 2016]

[24] *It is here in particular* [in cases of conflicting and controversial claims] *that recognition and, equally important, other State practice relating to or implying a judgment as to the status of the entity in question are important* (Crawford, 2006: 718).

according to the basic criteria of government, territory and population (1982: 1) [25]. If they have kept their capacity to enter into relations with other States is because third States and multilateral institutions have continued to treat them as such. In a similar way, Bosnia-Herzegovina was granted recognition even if it failed to meet the effectiveness criteria for statehood (Akande, 2013). On the contrary, Somaliland is not considered a State even if it fulfils the effectiveness conditions, proclaimed its independency without the use of force and can even be argued to be democratically governed[26].

However, there is a last, more direct, and above all, legal reason for which the Islamic State cannot be considered a State under international law. Its starting point is that the case of Islamic State differs from all the other unrecognized entities in the world because it is founded on the concept of the *Ummah*[27], as explained in the first part. The *Ummah*, when considered as a political community, entails the separation of the world into *Dar al-Islam*, or the Muslim world, and *Dar al-Harb*, or the realm of war, inhabited by the infidels. Muslims are granted legitimacy to conquer and subdue the infidel world. All these principles contradict, as Henry Kissinger explains (2014: 102), the international legal and political world order. Indeed, inter-State relations are nowadays based on a system that has been called here Westphalian: entities having an internal sovereignty and the external duty to respect others' sovereignty. Hence, States should be too aware of the Islamic State's disruptive nature from an international law point of view to even consider granting recognition to it. How to allow the entrance to the international society of States of a member who has no respect for its core rules and principles, starting by the UN Charter? What is then striking is that none of the scholars reviewed in this paper, with the exception of Coleman (2014)[28], consider the fact that the Islamic State's claim on statehood is diametrically opposed to the foundations of international law. Instead, authors such as Shany, Cohen and Mimran put forward non-recognition to justify the non-statehood of the Islamic State. This is problematic since it introduces subjective notions into law, while there are more relevant legal arguments.

The limits of the legal analysis

The case of the Islamic State shows the fragility of international law in addressing statehood, which in turn is crucial since it gives access to States' exclusive rights and duties. Here it has been argued that the Islamic State is not a State primarily because its nature (based on the political *Ummah*) is contrary to the essential legal rules of the international society of States, starting with the principle of sovereign equality of States found in article 2.1 of the UN Charter. As for the other statehood conditions, despite arguably fulfilling the effectiveness criteria, the Islamic States fails to comply with the "legitimacy exceptions", as it is not a colonial territory and in its formation it has clearly broken some crucial international law rules, especially the use of force.

---

[25] The authors write under a political scientist point of view. Hence they consider that a State is characterised only by a population, a government and a territory. See for instance Dahl, Robert A. 2015. *On Democracy*. 2nd edition. New Heaven: Yale University Press

[26] See for instance Eubank, Nick. 2011. In Somaliland, less money has brought more democracy. *The Guardian*, 26 August [online] Available at: http://www.theguardian.com/global-development/poverty-matters/2011/aug/26/somaliland-less-money-more-democracy [Accessed 16 April 2016]

[27] *Ummah* refers to the "community of the believers", materialized under the political form of the Caliphate. The caliphate that the Islamic States claims to have formed evokes the political entity that conquered half of the known world in the early stages of Islam.

[28] Coleman admits this exclusive nature of the Islamic State (2014: 5). However, he does not answer what is its impact when assessing the statehood.

However it has also been said, following Vidmar's theory of recognition, that all these conditions would have been irrelevant if the Islamic State had been granted a collective recognition. It is true that there is no evidence to sustain such hypothesis, and that the Islamic State's illegitimate character would make it in any case extremely unlikely. But the case of the recognition of some African States and its opposite, the non-recognition of Somaliland, seem to show that recognition is indeed used as a general condition for statehood, and not in *particular, conflicting* cases (Crawford, 2006: 718). Hence, Vidmar's argument about politically-driven recognition as a first-rate criterion for statehood gains force.

On more general terms, it can be argued that international law faces severe difficulties when it comes to statehood and recognition. While prominent scholars, such as Crawford and Shaw, agree that the declarative theory of recognition is more appropriate than the constitutive theory, State practice tends to question their opinions. It seems that collective (non-)recognitions are sufficient and necessary to grant or deny statehood. This is problematic because it contradicts the most widely accepted legal doctrine (the declaratory theory) and creates dysfunctions: it gives rise to "legal" States failing to act as States (Jackson and Rosberg's African countries) and unrecognized but "working" States (Somaliland and the Islamic State). Thomas Grant may be right in asserting that the notion of statehood *is, at least in part, historically contingent* (1998: 456), however the problem arises from the fact that current conditions are more political than legal, as they are based on a concept, legitimacy, which is highly subjective.

To put an end to this mismatch, a possible solution would be a treaty setting the criteria for statehood. Following Lauterpacht's idea, States could engage themselves to recognize the statehood of entities fulfilling the agreed conditions. Those could be in turn more or less complex to meet and to interpret, but in any case the legal basis for recognition would be more solid. And if recognition procedures are clear, its conflict with statehood could end. Needless to say, States would be probably unwilling to sign such treaty, as recognition is a very attractive foreign policy lever. Needless to say, here international law suffers from its main weakness: the lack of a clear executive branch.

All in all, from this legal part it can be concluded that international law cannot explain by itself much of States' practice when it comes to recognition because it uses the concept of legitimacy as strictly legal when it is not. Undoubtedly, legitimacy can have a clear legal sense: consider the two "legitimacy exceptions" for granting statehood. However, it seems to have been used in the Islamic State case as a cover for a subjective perception of who is legitimate and who is not. Using legitimacy in this subjective way but in the contrary direction, Bosnia was granted recognition even if it was clear that *it did not have a government in effective control of its territory* (Akande, 2013). Thus, if tomorrow there is a sudden change in the governments' opinions and everyone agrees that the Islamic State is legitimate and Bosnia is not, then the Islamic State should be granted recognition and Bosnia deprived from it..

Part III. The international society and the Islamic State

International law is clearly insufficient to explain the reaction of States to the Islamic State. The legal rules for recognition collide with the perceptions of legitimacy

of the members of the international society of States. Therefore, it seems necessary to study those subjective elements to find the ultimate reasons for which the Islamic State cannot be granted statehood. The ideal framework in which to study States perceptions is a society. As said in the introduction, all societies develop informal rules of behaviour separately from the formal, legal ones. For instance, in the international society there is no legal rule establishing that the public authorities of a country must apologize to another State for a past offense, such as a devastating war or colonialism. And still, it is frequent to do so. For instance, Germany apologized to Poland –a much weaker State- in 1994 for the suffering caused during World War II[29]. Germany's act could be regarded as an observance of one of those informal social rules. Understanding their dynamics is key to explain the attitudes of the international society towards the Islamic State.

Thus, the first subpart of the section will expose the main theories of international relations that consider the relationships between States from a sociological point of view. They are the English School, the classical constructivist approach of Alexander Wendt and the transnationalist theories. All of them can be applied to the Islamic State and explain different parts of its current situation in front of the international society. This will be done in the second subpart, followed by a short concluding section.

Sociological approaches to international politics

Many international relations scholars have considered the relations between States as characterized by anarchy, namely a state in which there is no higher authority. Anarchy is seen by some of them, the so-called realists, as an inherent characteristic of international politics, either caused by human nature, as Morgenthau defended (1955 [1977]: 84), or by the international system's structure, as Kenneth Waltz proposed (1979 [2010]). Realists defend that States are well aware of this nature and act rationally, this is, as if their existence only depended ultimately on their own actions. Thus, *wars occur because there is nothing to prevent them* (Waltz, 1959: 232). In this scenario, relations between States could only be studied through the notion of an international system: a set of interactions between units -which may be of cooperative or conflictive nature- and which establish some type of order (García, 2012: 9).

However, other authors go further and argue that States form not only a system but also a society. A society makes possible the emergence of rules and institutions shared by States (Bull, 2002: 13), while in a system this would be impossible. This is not to say that international politics are not characterised by anarchy, which is obvious that exists as there is no world government. On the contrary, as the English scholar Hedley Bull stressed in his work *The Anarchical Society*, what is proposed is that even in the absence of any higher authority the States retain some of the characteristics that define a society (2002: 44). In fact, Bull conceives the international society of States as only one of the forces or elements present in international politics, and states that it permanently competes with the other ones, namely *the state of war or and of*

---

[29] Murphy, Dean. 1994. Germany Asks for Poland's Forgiveness : Europe: Apology issued on the 50th anniversary of the Warsaw Uprising. *Los Angeles Times* [online], August 2. Available at: http://articles.latimes.com/1994-08-02/news/mn-22740_1_warsaw-uprising-poland [Accessed 26 May 2016]

transnational solidarity or conflict (2002: 49). It is not difficult to imagine that today the international society is particularly strong when compared to the other elements[30].

Systems and societies both establish order among its members. Order is necessary to *sustain the elementary or primary goals of social life* (Bull, 2002: 51), starting by States' survival in the case of the international stage. However, the type of order that an international system and an international society establish differs. In the international system, order can only be ultimately based on *self-help* (Waltz, 1979 [2010]: 105), which implies the use of force. On the contrary, Bull affirms that in a society order is maintained through three elements: a sense of common interests (1), rules that establish how to behave accordingly to them (2), and institutions that make those rules effective (3) (2002: 51).

As seen in the introduction, in Westphalia it was made clear that States have some common interests, being the first one their own survival. This primordial goal can be derived in a number of secondary common interests: the prevention of wars, the promotion of economic prosperity and even the environmental issues (Bull, 2002: 63; Buzan, 2004: 186). Thus, the first element of social order between States is accomplished. The second one, the rules, takes the two forms mentioned in the introduction: the legal norms, namely international law, and the informal ones, which include moral precepts and established practice (Bull, 2002: 64). The third element necessary for order -institutions able to enforce the rules- is present in the international society under several forms. Bull defends that, as there is no supreme authority in international politics, States themselves *are the principal institutions of the society of States* (2002: 68). Buzan establishes a distinction between primary and secondary institutions. The first set could be equalled to Bull's as it is up to States to adopt, enforce and change the rules most deeply *rooted in values held commonly by the members of interstate societies* (2004: 181). On its turn, secondary institutions take the form of regimes and formal international organizations (Buzan, 2004: 172). Thus, secondary institutions can be considered a "step further" and constitute evidence of the vitality of the international society.

In the international society, as in any other, legal rules are especially relevant to maintain it, as they are the clearest norms of conduct. Even if today some authors still consider that international norms are *law improperly so-called* (Austin, 1869: 187)[31], this legal corpus has crystalized in the form of many secondary institutions, such as the United Nations Conferences (and subsequent agreements) and regimes like the International Court of Justice (Buzan, 2004: 187). As Bull points it, the primordial function of international law has been *to identify, as the supreme normative principle of the political organisation of mankind, the idea of a society of sovereign states* (2002: 134). This is particularly true in periods in which conflict prevails over cooperation, such as the case of the Cold War (Bull, 2002: 154)[32]. In fact, international law and the international society are intimately interdependent. If it is considered that there are no international centralized legislators and executors, the fact that such an extensive body

---

[30] This means that current international politics are closer to what is considered an international society, regulated by rules and institutions, than to a system, where interactions depend on each State's power.

[31] The positivist writer John Austin considered that International law was law "improperly so-called" because there was no sovereign authority over States and therefore no sanction assured.

[32] During the Cold War, *the adherence of both communist and non-communist states […] to some common terms of international law […] helped to maintain, in a period of inevitably contracting consensus, some elements of a common framework* (Bull, 2002: 154).

of legal rules for the relations between States has flourished can only be attributed to the existence of an international society. If, on the contrary, there was no sense among States of being members of a peer group, how could international law had been developed? Therefore, the existence of an international society presupposes that of international law and vice versa: the construction of the international society has occurred hand in hand with the emergence of international law. Now is time to look at how this process has been possible. To do so, the constructivist approaches are of great help.

Constructivism is not only a theory of international relations, but an *ontology of social life* (Wendt, 1999: 193) that puts the emphasis on the dimension of ideas: it stresses that in societies, ideas have an autonomous existence and can become *causes of social phenomena* (Ibáñez, 2015: 193). Instead of focusing on material conditions as the main explanation for States' interests and therefore actions, as the realists do (1999: 140), Wendt assesses that it is the study of ideas what must be privileged, and especially how those ideas are shaped and transformed. For the constructivists, this process is carried out *intersubjectively* (Wendt, 1992: 401; Ibáñez, 2015: 203). Ideas, including *beliefs, collective meanings, knowledge and values*, appear through interactions between agents, and crystalize in shared structures (Ibáñez, 2015: 196). In short, ideas are collectively originated (Wendt, 1994) and have consequences in States' behaviour. This is why Wendt stated his well-known *anarchy is what States make of it* (1992): if the international system is anarchical, it is because states have defined it this way, and acted accordingly with this idea. The constructivists can thus explain to the English scholars how the international society has emerged: it is the product of interactions between States, together with the accumulation and transformation of ideas in the international structures. Amidst these ideas, the most important ones are identities, as they constitute *the basis of interests* (Wendt, 1992: 398). Identities define who "we" are, both at the national level and the international one: common identities of States allow the exclusion of "the others" from the international society they form. Hence, a constructivist explanation for the previous example of a powerful State apologizing to a weaker one for colonial crimes may be explained by the fear of the offenders to *lose face* (Ramel, 2016: 96), to put its shared identity at risk.

However, a crucial question for the Islamic State remains unanswered: how can an actor become part of the process of construction of the international society? Both Bull and Wendt take the State as the basic member of the international society. Wendt affirms that a State exists *before* the international society. This *pre-social* or *essential State* (1999: 201) has five attributes: an institutional-legal order (1), a monopoly on the legitimate use of organised violence (2), an organization with sovereignty (3), a society (4) and a territory (5) (1999: 202). Hence, it is clear that a State needs to fulfil these criteria in order to take part in the international society. But are they sufficient? That is, do all essential States participate in the sharing and shaping of international ideas? Wendt seems to affirm that, in order to be part of the international society, a State must in addition have its sovereignty recognized by the others (1999: 208), even if sovereignty itself is *intrinsic to States* (1999: 209). Therefore, only the entities recognized as States by the rest can take part in the international society: mutual recognition is crucial. An unrecognized essential State is also deprived of the consequent socialization with the others and can no longer take part in the intersubjective construction of international identities. Hence, a State can be put aside because its identity conflicts with what the international society considers proper or legitimate for a State.

So far, the international society has been considered as formed only by States. However, in the current globalized world States do not seem alone in the formation of identities. According to Rosenau, there are two different sets of actors in the international stage: the traditional State-centric world, organized and institutionalized (2006: 41); and the *multi-centric world* (2006: 42), composed of *sovereignty-free actors* such as multinational corporations, transnational NGOs and ethnic minorities. The clash between the two derives in Rosenau's *model of turbulence* (2006: 55), in which an autonomous multi-centric world has emerged as a competitor of the long established State-centric world. This can be applied not only to the material dimensions but also to the processes of formation of ideas described by the constructivists. Following Badie and Smouts, there are some transnational actors that try to obtain the allegiance of individuals (1992: 48) as legitimate political authorities. They are what Badie defines as *entrepreneurs identitaires* (Badie, 2009). This is problematic for the international society of States, based on the Westphalian principles, because they question the basic collective idea of the State as the basis of world order. However, most times, identity entrepreneurs do not suppose an immediate threat to the collective identities of the international society simply because they are too far from fulfilling the five characteristics that Wendt attributes to a State. Thus, identity entrepreneurs' capacities to challenge the State-centric world are small compared to the firmly established inter-State ideational structures. However, what happens when a non-State entity takes the form of a State? This is precisely the case of the Islamic State, studied below.

Identities and legitimacy: a social analysis of the Islamic State

To analyse the Islamic State from a social point of view it is possible to start by answering the question whether it accomplishes the five criteria for essential States put forward by Wendt. As seen, this "essential statehood" can be regarded as the pre-requisite to be considered a member of the international society. As the five conditions are very close to the five effectiveness criteria for statehood reviewed in the second part, it is clear that the Islamic State fulfils considerably well all of them[33]. The only conflicting point is that the Islamic State has not been granted recognition by any other State: it lacks the external dimension of sovereignty. Thus, the Islamic State could be regarded as an "illegitimate essential State". However, to be more accurate, its leaders have not sought recognition in any moment. This is the key difference between the Islamic State and all the other essential States that are also excluded or partially marginalised from the international society, from Somaliland to Kosovo.

Indeed, all the candidates to be members of the international society try to be regarded as "legitimate", this is, they try to make clear to the rest of States that they not only fulfil the legal criteria for statehood, but also that they will accept all the components of the international order. As seen in Bull's theory, this order is sustained thanks to three elements: common interests, a set of rules and institutions. Thus, candidate entities will argue that they share the common interests of the international society, that they are willing to respect its rules and that they are looking forward to take

---

[33] Wendt's five conditions were an institutional-legal order (1), a monopoly on the legitimate use of organised violence (2), an organization with sovereignty (3), a society (4) and a territory (5). "Society" is similar to the "permanent population" condition seen in part II. On its turn, sovereignty is close to independence combined with the capacity to enter into relations with other states (see Crawford, 2006: 62-70). The institutional-legal order and the monopoly on the legitimate use of organised violence can be equalled to the government criterion. For a deeper analysis of the last two elements, see March and Revkin, 2015.

part in the institutions that enforce them. On the contrary, the Islamic State considers that those elements of order are illegitimate, as the only source of political legitimacy is the Islamic concept of *Ummah* and the expansion of the *Dar al-Islam*.

Hence, it is not only that the international society repudiates the Islamic State, but also that the Islamic State rejects it. The Islamic State can be considered one of the identity entrepreneurs that are challenging the State-centric order. In fact, Badie and Smouts put the *Ummah* as the main example of challenge to the traditional allegiance of individuals to States (1992: 48). However, at the moment they published their work, there had not been any concrete attempt to found a caliphate, the initial cell of the *Ummah*. Now, as Cronin states, the Islamic State *seeks to challenge the current international order, and, unlike the greatly diminished core al Qaeda organization, it is coming closer to actually achieving this goal* (2015: 97-98).

From this it derives that the Islamic State has no respect for the international norms and institutions. From its perspective, the international organizations and regimes –Buzan's secondary institutions- are a product of the Western, Christian world, whose leaders are *crusaders*[34] who try to impose their values and political regimes to the Muslims. In addition, the Islamic State also disregards the rules of the international society that these institutions try to implement. The clearest example is its systematic violation of international law. As said, international law is the corpus of norms most intimately tied to the international society, because it is the clearest expression of the sharing of interests (Bull, 2002: 134). When the Islamic State disregards the legal norms of the international society, it does so to target the source of legitimacy from which they come from. For instance, the norm that bans the use of force in a proclamation of independence, which has been studied in the legal part as one of the conflicting points of the Islamic State with international legality, is violated by the organization as a rejection to its ultimate significate. This is, as a key element of the current international order. The same happens with other rules, such as moral values. Here the example could be the treatment that women receive under the government of the Islamic State. A report of the watchdog *Human Rights Watch* from April 2016[35] revealed that both non-Muslim women -such as Christians and Yazidis- and the Muslim ones are obliged to follow an extremely severe code of conduct (the non-Muslim are in addition used as sexual slaves). In the two cases, the Islamic State is making clear to the international society that its norms cannot be applied to them, because they are illegitimate.

Hence, the Islamic State rejects both the institutions and the norms of order established by the international society. What happens with the "common interests", which are the *starting point* of order (Bull, 2002: 64)? Surprisingly, the Islamic State can be argued to have at least a common interest with the members of the international society: its own survival. This goal is common to any organization, and it has been studied from a multiplicity of perspectives, from States (Morgenthau, Bull or Wendt study it on their respective works in international relations) to political parties (see for instance Michels, 1969; or Downs, 1957). However, the survival of the Islamic State and the survival of the international society are mutually exclusive, as both are

---

[34] See for instance *Dabiq* (the Islamic State's magazine) issue 8, where the term "crusader" is used dozens of times. Even Skyes and Picot, the fathers of the well-known territorial agreement, are accused of being crusaders (page 4) [online] Available at: https://azelin.files.wordpress.com/2015/03/the-islamic-state-e2809cdc481biq-magazine-8e280b3.pdf [Accessed 30 May 2016].

[35] Human Rights Watch. 2016. *Iraq: Women Suffer Under ISIS* [online] Available at: https://www.hrw.org/news/2016/04/05/iraq-women-suffer-under-isis [Accessed 30 May 2016]

grounded on opposed views of the legitimacy of world order. Thus, the only institution in which both can pursue the common interest of survival is war. War is usually considered by the English School as a primary institution: *war is the institution for the final settlement of differences* (Wight, 1979: 112). Nevertheless, as Buzan argues, today its legitimate use has become more and more problematic as the international society develops secondary institutions and gains strength (2004: 196).

All in all, the fact that the Islamic State and the international society share the institution of war is ineludible[36]. The Westphalian system was in fact the result of decades of wars and misery in Europe. Those wars were ultimately produced by ideological, religious and political disagreements; ultimately, on different views of world order[37]. As then, the war between the international society and the Islamic State is a product of different visions on how order must be grounded and implemented. Therefore, it would be possible to imagine that the present war could also produce a new world order, as the Thirty Years War is said to have produced in Europe, or result at least in the accommodation of the Islamic State in today's Westphalian order.

Two objections can be made easily made to this argument. First, the Islamic State, following the same reasoning used here, will never negotiate with the international society because its legitimacy derives from trying to destroy it; and second, the Islamic State does not have the means to sustain and eventually win a war against the international society. While the second one is very difficult to refute, the first objection could be rejected if it is considered the theory of political organizations put forward by authors such as Michels (1969) and Downs (1957). In their analyses of the organization and goals of political parties, both authors concluded that, once they set up and consolidate internal structures, parties tend to pursue their political-ideological goals only when their own survival as an organisation is assured. Thus, an instrumental goal (the party structures) becomes the ultimate objective. Applied to the Islamic State, it could also happen that the organization will eventually try to assure its own survival while putting aside its ideological goals. As the Islamic State structure is currently based on the form of a State, as has been argued throughout this paper, the Islamic State would seek to survive as a State[38]. This is, it will try to preserve its "essential State" attributes. If this happens, it would be tacitly rejecting its ultimate goal of achieving the political realization of the *Ummah* and could be gradually included in the world order. In fact, it would not be the first case of a disruptive actor to be finally settled in the international society. As Stephen Walt argues, the Islamic State *is just the latest in a*

---

[36]However, it must also be considered that the Islamic State has no respect for the "institutionalized" inter-State war, namely the legal regulations that have been approved by States to mitigate the damages caused by war. Those include the four Geneva Conventions of 1949, which try to protect persons from effects of armed conflicts, and the Hague conferences of 1899 and 1907, which include the rules governing the use of force between States. However, the group has developed its own war rules, which claims to be based on the Islamic laws of armed conflict (March and Revkin, 2015).

[37] It is worth to be remembered that the Catholic countries were tied to the Pope and many Catholic monarchs keep a vision of a united Europe, while the Protestants sought precisely its independence from the Vatican.

[38] See for instance the argument for this possibility proposed by Rosa Brooks. She considers that many States that are now members of the international society have been at their origins entities trying to disrupt the international order. Brooks, Rosa. 2015. Making a State by Iron and Blood. *Foreign Policy* [online], 18th August. Available at: http://foreignpolicy.com/2015/08/19/making-a-state-by-iron-and-blood-isis-iraq-syria/ [Accessed 29 May 2016]

long line of state-building revolutionaries, strikingly similar in many ways to the regimes that emerged during the French, Russian, Chinese, Cuban, Cambodian, and Iranian revolutions (2015: 1).

Despite the apparent credibility of this argument, in all the cases proposed by Walt there was no State formation at the expense of another States, as it is happening with the Islamic State and Syria and Iraq. As State sovereignty is the cornerstone of the Westphalian procedural system, it seems clear that the international society will not tolerate the existence of the Islamic State even in the case it accepted the foundations of the current world order: the Islamic State has attacked the most fundamental idea of the international society, the States' sovereignty, and thus is frontally colliding with the identity of the international society. Its members, whose existence depend on the order that the international society guarantees, will put all the necessary means to close the fissure opened, which is of an identity nature. And this entails the complete destruction of the Islamic State, not only as a material reality but also as an idea: ideas play a crucial role in international politics, and once they have appeared, they only need someone else to put them into practice. This is crucial to understand the determination of the international society to put an end to the Islamic State, but can also serve as a warning for the probable emergence of future entities based on the disruptive idea first introduced by the Islamic State.

Filling the legal gap through a social analysis

The Islamic State has taken the form of an essential State, but unlike the candidates to become part of the inter-State society, it does not seek the recognition of States, which is the condition for accessing it. On the contrary, the Islamic State considers that the international society is an illegitimate form of order, and tries to destroy its institutions and rules. For its part, the international society has arrived at the same conclusion with regard to the Islamic State. Therefore, the conflict between the Islamic State and the international society may be seen as a war between two models of legitimacy. One has been established commonly, through the intersubjective process of (trans-) formation of ideas advanced by Wendt, and the other one is defended unilaterally. It is extremely unlikely that the Islamic State survives to the clash, because it has put into question not only the legitimacy of order in general terms, but has also breached its most basic procedural rule: the respect for States' sovereignty. Thus, following a constructivist reasoning, it is strongly colliding with the collective identity of the international society of States. All in all, the method for challenging the international society that the Islamic State has introduced in the jihadist imagination (this is, taking the form of a State), will probably continue to suppose a danger for world order, at least from the dimension of ideas.

However, under a theoretical point of view, the fact that the Islamic State and the international society share a common institution, war, caused by their conflicting survival goals, is interesting because it could leave a door open for an arrangement between different views of world order, as happened in Westphalia. If this case ever arrives, it would mean that the Islamic State is able to take part in the process of collective shaping of ideas of the new international society that will start to emerge at that moment.

Interestingly, it can also be said that despite the conclusions of the legal part, international law is a crucial component of the international society. It can be even regarded as its first and deepest expression. However, it is not the only corpus of norms

regulating the international society and it may happen that States try to ground on legal terms international norms that are not legal, but of an informal-ideational nature. This seems to be the problem in some juridical argumentations against the statehood of the Islamic State, such as that of Shany, Cohen and Mimran (2014), reviewed in the previous part.

Final conclusions and future scenarios

Once the Islamic State has been studied through the legal and social perspectives, it is the moment to combine the fruits of the two approaches and draw the general conclusions of this investigation. The most important one is the confirmation of the hypothesis presented in the introduction. Now it is possible to affirm to have found the elements, both legal and sociological, which make the Islamic State irreconcilable with the international society. The basis for reaffirming the hypothesis has been the assertion of the paradoxical double nature of the Islamic State, presented at the end of the first part. On one hand, as a jihadist actor it aims to destroy the international society of States; on the other hand, its uniqueness resides in the fact that, in order to do so, has taken the form of the members of this society.

This observation has been developed in the second part, the legal analysis, to say that the disruptive character of the Islamic State could be used as a legal argument to prevent it from accessing to legal statehood. In particular, it has been argued that the organization –the Caliphate- is based on sources of legitimacy that are not compatible with the principles of international law. Those are the political *Ummah* and the just fight between *Dar al-Islam*, or the Muslim world, and *Dar al-Harb*, the land of the unbelievers. These ideas inherently collide with the basic principle of the equal sovereignty of States (article 2.1 of the UN Charter), as well as with other *fundamental rights of States* (Shaw, 2014: 153). In addition, there are other legal reasons to not recognise the statehood of the Islamic State, namely that it fails to comply with the legally-defined "legitimacy exceptions": it is not a colonial territory, and thus cannot pass the salt-water test; and in its formation it has broken the crucial international law rule of the non-use of force.

However, it seems that the Islamic State has been formally deprived of statehood mainly using political criteria. As Jure Vidmar asserted, this has been possible because of an *entanglement of democratisation with state creation* (2013: 26): if the international society accepts a declaration of independence, the candidate entity is considered a State under international law even if it fails to fulfil the traditional effectiveness criteria. Instead of grounding the denial of statehood through a legal argumentation, the international society has merely carried out a politically-driven collective unrecognition. Shany, Cohen and Mimram clearly show it when they point to an *unwillingness of States to recognize* (2014) as main reason to not grant statehood.

Some evidence of the validity of Vidmar's theory has also been found in Africa (Jackson and Rosberg, 1982) and Bosnia (Akande, 2013). This would mean that the international society uses an intersubjective, informal, notion of legitimacy as the ultimate criterion for granting or denying statehood. Legitimacy can indeed be codified into law, as seen through the "legitimacy exceptions" for statehood. However, the sense that "legitimacy" often takes in State recognition processes –including the case of the Islamic State- has little to do with legality and a lot with the subjective political factors

tied to recognition (Shaw, 2014: 323). This State practice puts into question the views of prominent jurists such as Shaw and Crawford, who defend that recognition by other States is mostly declarative, not constitutive, of statehood.

Even if the intrinsically legal analysis proved to be only of secondary importance to understand the reaction of the international society to the Islamic State, it cannot be said that international law is irrelevant. On the contrary, in the third part it has been found that legal norms are its first and one of its most crucial components. As argued, if the Islamic State is so fiercely breaching international legality, it is also to send a message to the international society: it does not recognize international law as legitimate. The problem in the Islamic State's statehood case only comes when jurists try to make law out of international norms that do not have a legal nature.

All in all, even if difficult to ground on international law terms, the international society has made clear that it does not regard the Islamic State as a legitimate State. In the third and last part it has been argued that the contradictions of the Islamic State with the international society go much further than legal aspects, and result in a general rejection to the current world order, including its rules –legal and non-legal- and institutions (Bull's second and third elements of order). Hence, as the international society and the Islamic State hold incompatible visions of world order, they try to destroy each other. This is because the Islamic State does not share or intend to share the common identity of the international society, which ultimately is what defines the interests of its members (Wendt, 1992: 398). On the contrary, the same existence of the Islamic State can be said to be a rejection of the collective identity of the international society. In fact, the Islamic State could even be a reaction to it. Odd Arne Westad wrote that, paradoxically, the confrontation between the two superpowers during the Cold War contributed to shape the radicalisation against both of them in the so-called Third World. Now, the radicalised identities have become *critically important* to understand their perceptions (2005: 396). Many of the Third-World actors define themselves in terms of opposition to the idea of order shared by the international society of States, then organized around the two Cold War superpowers[39]. Hence, the Islamic State could be the ultimate radical response to this world order.

However, if the Islamic State is relevant in today's world politics, it is not only by the revolutionary character put forward by Westad, which shares with many other Jihadist groups. It is also because it is the first time in many years –perhaps the first time ever[40]- that an entity possessing an alternative vision of world order has the power to erode so deeply, both in theory and practice, the model of order of the current international society, still rooted in the Westphalian system of national States. The Islamic State is founded on a completely different source of political legitimacy and can be considered as a consolidated *identity entrepreneur* (Badie, 2009), with the effective capacity to put into question the monopoly of Westphalian States as the only legitimate authorities in world politics. Thus, in the domain of material elements, the Islamic State is close to be a State because it considerably fulfils all its effective attributes, as seen through the analysis of the five legal effectiveness criteria for statehood and Wendt's five attributes of States. However, on the domain of ideas, it is extremely far from

---

[39] Following Bull, despite its enmity both the United States and the Soviet Union stuck to the foundations of the international society (2002: 154).
[40] It will depend on which moment is taken as the starting point of the international society. Bull refers to the *world international society* as a phenomenon of the 20th century (2002: 36).

becoming a State because its identity frontally collides with the idea of legitimate State that the member States of the international society have.

As Kissinger recognizes in the conclusions of his *World Order*, the current model of order is being questioned and fragmented. Rebuilding it is *the ultimate challenge to statesmanship in our time* (2014: 371). In case of failure, Kissinger argues, different spheres of influences with particular structures and forms of governance will emerge, each one based on different rules and ultimately, on different sources of legitimacy. In this scenario, it would be possible to see the radical Islamic model of order battling against the Westphalian one. All in all, this vision is not far from what Huntington predicted in his famous *Clash of Civilizations*[41].

However, how probable is this? Three future scenarios can easily come to mind. The first one is the most probable: as said in the third part, the Islamic State has threatened the international society too deeply to let it exist. Therefore, its members will strive until it is completely destroyed as an entity with State-like characteristics. They will do so through the only international institution that both visions of order have in common: war. When the Islamic State losses its territory, the material menace to order will have been eradicated, because it will no longer have the form of an illegitimate member of the international society grown at the expense of other members. It will become another Al-Qaeda: an actor that rejects the world order and that is capable of causing moments of panic, yet powerless to threaten the foundations of the international society. However, in this scenario it is key to take into account that, even if the Islamic State is swept away from the Earth, its foundational idea will probably persist. As March and Revkin pointed, thanks to the Islamic State *victory in the jihadist imagination will look more and more like the declaration of liberated* wilayat [provinces of the caliphate] *until those patches are woven into a single mantle covering the entire* Ummah (2015). As the constructivists emphasize, ideas have material consequences, and once the Islamic State disappears, its idea will probably remain and someone else would apply it again sooner or later. Hence, the Islamic State has already created a fissure in the international society, one that may be very difficult to close.

The second scenario would entail the survival of the Islamic State after an agreement with the members of the international society. This case entails the de-radicalisation of the Islamic State. Its leaders would adopt (relatively) more moderate Islamist postulates, close to the Egyptian Muslim Brotherhood or the Saudi Wahhabists; and they would start developing common interests with the international society, ultimately leading to the sharing of its rules and institutions. This would result in the incorporation of the Islamic State to the international society and its processes of collective shaping of ideas –and thus, identities. This possibility is very unlikely because even in the case the Islamic State adopts the rules and institutions of the international society, it has emerged at the expense of others members' sovereignty, thus breaching the most basic Westphalian procedural rule for international order. If the members of the international society accepted the Islamic State's existence, they would be acting against their own shared identity, built over their equal and inviolable sovereignty. Thus, it is to be expected that they will try, in any case, to put an end to the existence of the Islamic State.

---

[41] According to Huntington, after the Cold War *the fundamental source of conflict* [...] *will not be primarily ideological or primarily economic. The great divisions among humankind and the dominating source of conflict will be cultural* (1993: 22).

The third possibility would entail a military victory of the Islamic State against the international society. This is the most extremely unlikely case for obvious military reasons. However, in the theoretical scenario in which this happens, it would mean that the international society will have to co-exist with an intrinsically different model of order, not based on the procedural Westphalian rules, international law and the increasing interdependence patterns, but on completely different foundational ideas. This is the case in which Huntington's *Clash of Civilisations* would materialize. Then, the international society as a world-wide phenomenon would cease to exist because there would be no global consensus on what is the identity of the legitimate political authority. The inter-State society would be substituted by an international system based only on interactions of conflict and cooperation, constituting a terrible setback for current cooperation and management of world affairs. Ultimately, this disruption would necessarily bring another model of order to substitute the previous, Westphalian one. With it, the foundations of a new type of international society, based on different rules and institutions, would appear.

Bibliography

Accordance with international law of the unilateral declaration of independence in respect of Kosovo (Advisory Opinion) ICJ 2010 Available at: http://www.icj-cij.org/docket/files/141/15987.pdf [Accessed 29 April 2016]

Akande, Dapo.2013. The Importance of Legal Criteria for Statehood: A Response to Jure Vidmar. *Talk! - Blog of the European Journal of International Law* [online]. Available at: http://www.ejiltalk.org/the-importance-of-legal-criteria-for-statehood-a-response-to-jure-vidmar/ [Accessed 16 April 2016]

Allen-Mestrallet, Gretchen. 2015. International Law and State Territory. *Introduction to Public International Law*. ADRO1305A. Institut d'Études Politiques de Paris, unpublished

Al-Tamimi, Aymenn. 2015. The Evolution in Islamic State Administration: The Documentary Evidence. *Perspectives on Terrorism*, vol. 9, Issue 4. Pages 117-129

Austin, John. 1869. *Lectures on Jurisprudence or The Philosophy of Positive Law*. London: Spottiswoode and Co. [online] Available at: http://www.archive.org/stream/lecturesonjuris03campgoog#page/n5/mode/2up [Accessed 26 May 2016]

Badie, Bertrand and Smouts, Marie-Claude. 1992. *Le Retournement du Monde. Sociologie de la Scène Internationale*. Paris: Presses de la Fondation Nationale des Sciences Politiques & Dalloz.

Badie, Bertrand. 2009. Bertrand Badie : "le discours identitaire est expression d'incertitude". *Le Monde* [online], December 23. Available at: http://www.lemonde.fr/international/article/2009/12/23/bertrand-badie-le-discours-identitaire-est-expression-d-incertitude_1284227_3210.html [Accessed 27 May 2016]

Buffaloe, David. 2006. Defining Asymmetric Warfare. *The Land Warfare Papers*, no. 58, September

Bull, Hedley. 2002. *The Anarchical Society: a Study of Order in World Politics*. Third Edition. New York: Palgrave

Buzan, Barry. 2004. *From international to world society? English School theory and the social structure of globalisation*. Cambridge: Cambridge University Press

Coleman, Andrew. 2014. The Islamic State and International Law: An Ideological Rollercoster? *Social Science Research Network* [online] Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2516605 [Accessed 15 April 2016]

Crawford, James. 2006. *Creation of States in International Law*. 2nd edition. Oxford University Press

Danforth, Nick. 2014. The Myth of the Caliphate. *Foreign Affairs*, November 19th [online] Available at: https://www.foreignaffairs.com/articles/middle-east/2014-11-19/myth-caliphate [Accessed 20 April 2016]

De Cara, Jean-Yves. 2015. International Relations Between States. *Introduction to Public International Law*. ADRO1305A. Institut d'Études Politiques de Paris, unpublished

Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper Collins

Doyle, Michael W. 1986. Liberalism and World Politics. *American Political Science Review*, vol. 80, no. 4. Pages 1151-1169

García, Caterina. 2012. *La Societat Internacional*. Introducció a les Relacions Internacionals. 21288. Universitat Pompeu Fabra, unpublished

Grant, Thomas D. 1998. *Defining Statehood: The Montevideo Convention and its Discontents.* Ph. D. Cambridge University, Faculty of Law. Supervised by James R. Crawford

Hakimi, Monica. 2015. Defensive Force Against Non-State Actors: the State of Play, in *International Law Studies*, no. 91. Pages 1-31

Huntington, Samuel P. 1993. The Clash of Civilizations? *Foreign Affairs*, vol. 72, no. 3. Pages 22-49

Ibáñez, Josep. 2015. Socialconstructivismo: Ideas, Valores y Normas en la Política Mundial, in Arenal, Celestino del; Sanahuja, José Antonio, ed. 2015. *Teorías de las Relacions Internacionales*. Madrid: Tecnos. Chapter VI

Island of Palmas Case (Netherlands v USA) (Arbitration Tribunal) (1928) Reports of International Arbitral Awards (RIAA), Volume II Pages 829-871.
Jackson, Robert H. and Rosberg, Carl G. 1982. Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood. *World Politics*, vol. 35, no. 1. Pages 1-24

Kabunda Badi, Mbuyi. 1994. El Fundamentalismo Islámico como Ideología Política, in Corral Salvador, Carlos (editor). 1994. *Los Fundamentalismos Religiosos, Hoy, en las Relaciones Internacionales.* Madrid: Universidad Pontificia Comillas. Pages 41-63

Kepel, Giles. 2001. *La Yihad. Expansión y Declive del Islamismo*. Barcelona: Ediciones Península

Kissinger, Henry. 2014. *World Order*. New York: Penguin Press

Laub, Zachary and Masters, Jonathan. 2016. CFR Backgrounders: the Islamic State. *Council on Foreign Relations* [online] [Accessed 25 May 2016]

Lauterpacht, Hersch. 2013. *Recognition in International Law*. Edition with new introduction. Cambridge University Press

Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (Advisory Opinion) ICJ 1971 Available at: http://www.icj-cij.org/docket/files/53/5595.pdf [Accessed 29 April 2015]

March, Andrew F; Revkin, Mara. 2015. Caliphate of Law. ISIS' Ground Rules. *Foreign Affairs* [online] Available at https://www.foreignaffairs.com/articles/syria/2015-04-15/caliphate-law [Accessed 30 May 2016]

Mead, Walter Russel. 2014. The Return of Geopolitics: the Revenge of the Revisionist Powers. *Foreign Affairs*, May/June Issue. Pages 69-79

Michels, Robert. 1969. *Los Partidos Políticos. Un Estudio Sociológico de las Tendencias Oligárquicas de la Democracia Moderna*. Buenos Aires: Amorrortu editores

Montevideo Convention on the Rights and Duties of States (Signed at Montevideo, 26 December 1933. Entered into force, 26 December 1934) [online] Accessible at: http://www.oas.org/juridico/english/sigs/a-40.html [Accessed 15 April 2016]

Morgenthau, Hans. 1955. Une théorie réaliste de la politique internationale, extrait de *Politics Among Nations. The Struggle for Power and Peace*, (2nd edition), in Braillard, P. 1977. *Théorie des relations internationales*. Paris: Presses Universitaires de France

Osiander, Andreas. 2001. Sovereignty, International Relations, and the Westphalian Myth. *International Organization*, vol. 55, no. 2. Pages 251-287

Ramel, Frédéric. 2016. La Fin des Théories?. *Théories des Relations Internationales*. AAFF1680. Institut d'Études Politiques de Paris, unpublished

Rosenau, James N. 1990. *Turbulence in World Politics: A Theory of Change and Continuity*. Princeton University Press

Rosenau, James N. 2006. *The Study of World Politics*. *Volume II: globalization and governance*. London: Routledge

Schröter, Susanne. 2015. Salafism and Jihadism: an introduction. *Frankfurter Forschungszentrum Globaler Islam* [online] Available at: http://www.ffgi.net/en/files/dossier/dossier-intro-schroeter_en.pdf [Accessed 25 May 2016]

Shany, Y., Cohen, A. and Mimran, T. 2014. ISIL: Is the Islamic State Really a State? *The Israel Democracy Institute,* [online] Available at: http://en.idi.org.il/analysis/articles/ISIL-is-the-islamic-state-really-a-state/ [Accessed 29 March 2015]

Shaw, Malcolm N. 2014. *International Law*. 7th edition. Cambridge University Press

Solomon, Erika; Chazan, Guy and Jones, Sam. 2015. ISIL Inc.: how oil fuels the Jihadi terrorists. *Financial Times*, October 14 [online] Available at: https://next.ft.com/content/b8234932-719b-11e5-ad6d-f4ed76f0900a#axzz3sVBmc5US [Accessed 14 April 2016]

Thornton, Rod. 2007. *Asymmetric Warfare*. London: Polity Press
US Department of Defense, 2007. *Irregular warfare: countering irregular threats. Joint Operating Concept.* [online] Available at: http://www.dtic.mil/doctrine/concepts/joint_concepts/joc_iw_v2.pdf [Accessed 14 April 2016]

Vidmar, Jure. 2013. *Democratic Statehood in International Law*. Oxford: Hart Publishing

Walt, Stephen. 2015. ISIS as Revolutionary State. New Twist on an Old Story. *Foreign Affairs* [online] Available at: https://www.foreignaffairs.com/articles/middle-east/isis-revolutionary-state [Accessed 29 May 2016]

Waltz, Kenneth. 1959. *Man, the State and War. A Theoretical Analysis*. New York: Columbia University Press

Waltz, Kenneth. 2010. *Theory of International Politics*. Long Grove: Waveland Press

Wendt, Alexander. 1992. Anarchy is what States Make of it: The Social Construction of Power Politics. *International Organization*, vol. 46, no. 2. Pages 391-425

Wendt, Alexander. 1994. Collective Identity Formation and the International State. *The American Political Science Review*, vol. 88, no. 2. Pages 384-396

Wendt, Alexander. 1999. *Social Theory of International Politics*. Cambridge: Cambridge University Press

Westad, Odd Arne. 2005. *The Global Cold War*. Cambridge University Press

Wight, Martin. 1979. *Power Politics*. New York: Penguin Books