Book review

Teresa Degenhardt, *War as Protection and Punishment: Armed International Intervention at the 'End of History'*, Routledge: Abingdon, Oxon and New York, NY, 2024; 192 pp. ISBN: 978-0-415-85876-2, £39.99 (pbk), £135.00 (hbk), £35.99 (ebk)

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Teresa Degenhardt's *War as Protection and Punishment* offers a crucial lens for understanding and critiquing how penal discourses animate the justification and operation of contemporary warfare. Examining three post-Cold War military interventions—in Kosovo, Iraq, and Libya—Degenhardt demonstrates that war, especially when waged to rescue victims of mass atrocities, embodies an unquestioned desire to punish and control the behaviour of perceived criminal groups within the international sphere. These insights remain strikingly relevant today, as political leaders and media outlets continue to justify military action—for example, Israel's campaign in Gaza or Russia's aggression against Ukraine—not only through the language of international law (e.g., self-defence) but also through the language of retribution. These punitive discourses, often invoking the necessity of collective punishment, reveal not only the violent intentions of those who articulate them but also how the emotional drive to punish wrongdoings is enacted through military intervention.

The book is divided into two parts: the first examines the penal 'discourses' articulated by political figures to justify the wars in Kosovo, Iraq, and Libya, while the second analyses the penal 'practices' deployed during these interventions. Chapter 1, the Introduction, sets out the thesis that Western militarism intended to export liberal peace not only aimed at protecting 'humanity' but also—and for the very same reason—at 'controlling and sanctioning the criminal behaviour of certain regimes' (p. 4). Degenhardt situates this argument within the criminological literature on war and the international relations literature on crime. By bringing these two bodies of scholarship together and enriching them with innovative critical insights, the chapter shows how military and penal governance intertwined and reinforced each other at both domestic and international levels. This interplay served to halt and punish those perceived as threatening liberal ways of life, with US and UK penal culture integrated into military interventions abroad, and military power and rhetoric employed domestically in the so-called 'war on crime'.

Part I comprises Chapter 2, which examines the discourses used to justify Western powers' military interventions in the three case studies. By analysing statements made by political figures—such as the US President and the UK Prime Minister—during each war, Degenhardt demonstrates how functions and ideals associated with criminal justice were rhetorically deployed to support armed action. These interventions were framed as serving both compassionate and punitive purposes: saving civilians from their own governments, which were depicted as criminal regimes deserving punishment. These discourses not only obscured the illegality of the interventions in Kosovo and Iraq but also embedded punitive logics within the international legal framework, particularly through the endorsement of the new doctrine of the Responsibility to Protect (R2P) in the Libyan intervention. Furthermore, they helped consolidate and extend the (penal) power of certain states beyond their borders.

Part II consists of Chapters 3-5, each focusing on the practices observed in one of the three case studies. These chapters demonstrate how diverse forms and justifications of punishment manifested in various ways during and after each military intervention. Chapter 3 examines the *logics of prevention and general deterrence* that underpinned the NATO-led armed action in Kosovo, as well as NATO's and the UN's post-conflict state-building efforts. The NATO bombing campaign aimed to convey censure of Milošević's human rights violations and prevent future humanitarian catastrophes. In the post-conflict phase, the so-called 'international community' sought to prevent a resurgence of violence primarily by attempting to establish a liberal police force and criminal justice apparatus in Kosovo. Degenhardt reveals how the implementation of these order-making processes exposed the complex and chaotic realities on the ground. Local actors subverted the newly established penal institutions for their own ends, while the international actors ultimately compromised their own liberal principles.

Chapter 4 explores the operation of *incapacitative and retributive logics* during the US-led military intervention in Iraq. Echoing elements of Israel's offensive in Gaza, this pre-emptive action was driven by a strong desire to punish and avenge the 9/11 terrorist attacks. Through an analysis of soldiers' narratives, Degenhardt demonstrates how punitive sentiments—such as fear, hate, and disgust—emerged early in the war and were evident in the collective punishment inflicted on the inhabitants of Fallujah, a city believed to harbour many 'terrorists', and in the torture of detainees at Abu Ghraib. This punitive atmosphere not only legitimised military abuses but also intertwined with the use of gender and race to construct the enemy as fundamentally 'other'—one who needed to be neutralised and deserved indiscriminate violence.

Chapter 5 highlights how the military intervention in Libya reflected the *logic of expressive punishment*. The desire to condemn the Libyan regime for its human rights violations was reinforced by the concurrent actions of the International Criminal Court—through the issuance of arrest warrants—and the use of force under the UN-sanctioned R2P. Degenhardt shows that the military attack was followed by the implementation of 'devolved surveillance' (p. 141), which sought to moralise society by referencing international standards and human rights norms. Unlike in Kosovo, where international actors were directly involved, in Libya they adopted a more indirect approach, 'nudging' and encouraging local actors to receive training on human rights compliance. The outcome, however, was not the inculcation of liberal values, but the instrumental use of local institutions to secure and manage borders in the interests of Europe.

Chapter 6 concludes the book by revisiting its main themes and arguments, reflecting on their relevance in the contemporary world, particularly in the context of Russia's aggression against Ukraine. In a new global landscape, where the 'United States is no longer the only superpower at the international level' (p. 170) and military interventions are no longer primarily aimed at affirming liberal rule, penal discourses and practices continue to shape the justification and conduct of wars—albeit in evolving and novel forms.

War as Protection and Punishment offers a powerful critique of the nexus between war and punishment. Thoroughly researched, it masterfully combines theoretical inquiry with empirical insights from case studies. The book is engaging and informative even as Degenhardt's critique spares no one: not humanitarian intervention, the liberal state, international institutions, or human rights. While I found the book highly persuasive, there are two aspects where Degenhardt's analysis could have gone further. First, I sometimes felt Degenhardt was writing in the past tense—not just stylistically but substantively. The case studies feel more distant in time than they are. While we now inhabit a different global landscape, Degenhardt could have done more to trace how contemporary arrangements emerged from the past she examines. If Degenhardt offers a genealogy of armed international intervention at the 'end of history', she stops short of providing a 'history of the present' (Foucault, 1991). There are hints in this direction, such as references to the war in Ukraine in the conclusion or the role of Libya's borders in maintaining racialised exclusions from the Western world. However, Degenhardt could have more explicitly demonstrated how the interventions in Kosovo, Iraq, and Libya continue to shape today's understandings of war and punishment.

Second, Degenhardt contributes to the literature on human rights as drivers of penality (Engle, 2015; Pinto, 2020), by adding another key element: war. Human rights justify war in much the same way as they justify penal mechanisms to redress abuses. However, parts of Degenhardt's account would have benefitted from additional nuance. While it is true that human rights discourse has been used to legitimise punitive wars, this process varies depending on whether it is articulated by human rights activists or state officials. Degenhardt tends to treat these two uses as essentially the same, yet there is a significant distinction between Antonio Cassese's (1999) framing of the Kosovo intervention as 'illegal but legitimate' and G.W. Bush's use of humanitarian rhetoric to justify the Iraq War. Human rights activists typically employ a moral-legal register, wielding human rights as both a 'sword' to justify intervention and a 'shield' to impose ethical and legal limits on military action. In contrast, state officials strategically use human rights language to pursue expansionist aims and reinforce the state's social-moral order, using war to solidify a friend-enemy dichotomy. Greater emphasis on the complexity surrounding the invocation of human rights would have strengthened Degenhardt's argument.

Overall, *War as Protection and Punishment* is a pivotal contribution to criminology, war studies, international relations, and human rights. It provides a crucial account of the evolving relationship between war and punishment in the 21st century, serving as a timely reminder of the need for critical scrutiny of the discourses and practices that underpin contemporary military interventions. The book has potential to

inspire fresh perspectives on the interconnectedness of military and penal violence. While scholars often study these phenomena separately, and activists organise against them independently, Degenhardt demonstrates that the suffering of war and the pain of punishment are far from distinct, and their emotional and affective drivers are strikingly similar. Her implied message is powerful: 'Pacifists and abolitionists, you are part of the same struggle'.

References

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