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FROM THE MELIAN DIALOGUE TO A NEW DIS-ORDER: THE RISE OF AUTO-INTERPRETATION

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More than two millennia ago, Thucydides captured the essence of power in international affairs. In the Melian Dialogue, when Athens demanded submission from the neutral island of Melos, its envoys dispensed with moral argument and spoke the language of power: "You know as well as we do that right, as the world goes, is only a question between equals in power — while the strong do what they can, and the weak suffer what they must." Thucydides was not endorsing this logic. He was recording what powerful actors say when law no longer restrains them. The passage is diachronic because it describes a recurrent condition in an anarchic system of interstate relations where power remains the ultimate measure.

The question today is unavoidable. Is the post–World War II system — often described as a "rules-based international order" — still operative, or has the phrase become a misnomer? The issue is not whether rules and institutions exist. They do. The issue is application: who applies the rules, when, and against whom.

When Law Weakens, Old Logics and Methods Re-Emerge

Political thought has long wrestled with the claim that justice bends to power. In Plato's *Republic*, Thrasymachus reduced justice to the interest of the stronger — an argument echoed in the Athenian position at Melos. Writing during the English Civil War (1642–1651), Thomas Hobbes accepted anarchy as the default condition between states and preferred order — even one rooted in fear — to chaos. In Renaissance Italy, Niccolò Machiavelli elevated necessity over virtue in a world lacking common authority.

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These thinkers did not prescribe disorder. They described what surfaces when the rule of law weakens. Their logic resurfaces whenever enforcement falters. What is often presented as realism can degenerate into regression: the normalisation of arbitrariness.

In the twentieth century, classical realism found one of its most disciplined expressions in the work of Hans Morgenthau. He insisted on prudence and limits on power. He rejected moralism detached from reality while recognizing that law, however imperfect, remained a necessary restraint. Power is a fact. Its exercise is a choice. Realpolitik, properly understood, is not a licence for lawlessness. It is a reminder that power without restraint ultimately undermines itself.

These insights were sharpened in legal terms by jurists such as Leo Gross, who warned against "auto-interpretation" — the unilateral determination by a state of the scope of its own obligations. No legal order can endure if its most powerful members act simultaneously as legislator, judge and enforcer. International law depends on limits accepted in common, not interpretations imposed by power.

Lessons of History

History confirms the consequences of abandoned restraint. The great disasters of modern times did not erupt from sudden chaos. They followed the gradual erosion of law, the weakening of the balance of power, and the selective application of rules. The Napoleonic Wars followed the collapse of Europe's power equilibrium. World War I emerged from a system rich in legal form but poor in credibility. World War II marked the abandonment of restraint, with civilisational consequences.

Erosion begins not only in institutions, but in language. The degradation of political vocabulary — the normalisation of hatred, the glorification of ultra-nationalism, the casual dismissal of legal obligation — precedes institutional breakdown. Words shape conduct.

The post-Cold War decades were not free of intervention or controversy. Kosovo, Iraq and Libya generated fierce legal debate and division. But even then, force required justification. Violations were contested as exceptions, not proclaimed as doctrine. That distinction mattered. An order survives occasional breach. It does not survive the normalisation of breach.

The Post-1945 Discipline

The post-1945 system sought to discipline power, not abolish it. The UN Charter subordinated force to law and elevated sovereignty into a protective principle,

particularly for weaker states. It promised not equality of power, but equality of obligation. The rule of law was not rhetorical ornament. It was institutional infrastructure.

As Dag Hammarskjöld astutely observed, the UN was not created to take humanity to heaven, but to prevent it from going to hell. The Charter was precautionary, not utopian. The UN is only as effective as its members — especially the permanent members of the Security Council — permit it to be.

An Order Under Severe Strain

Today, the predictability that underpinned that system is eroding. With Russia's invasion of Ukraine — and earlier Turkey's invasion of Cyprus — territorial conquest has returned to Europe. The use of force is increasingly framed as national interest. Economic interdependence is weaponised. Sanctions, supply chains, technology regimes and financial systems function as instruments of strategic coercion. Institutions are bypassed. The vocabulary of order persists, but practice diverges. What was once exceptional is becoming routine.

We are witnessing a shift from a rule-based order to power-based management. Law does not disappear. Its application becomes politically arbitrary. The problem is not that power shapes the system — it always has — but that power increasingly ceases to recognise limits.

This transition unfolds in an increasingly multipolar landscape. Power is diffusing toward emerging centres such as China, India and Brazil, while established powers recalibrate alliances. Multipolarity need not produce disorder. It becomes destabilising when major actors act as self-judging their own obligations. If each power becomes the auto-interpreter of its commitments, pluralism slides toward permissiveness.

Technological acceleration magnifies the stakes. Competition in artificial intelligence, advanced computing, strategic infrastructure and space capabilities is advancing faster than governance can adjust. Innovation without coordination may yield advantage, but not stability. Without shared norms, technological rivalry deepens insecurity.

Munich Security Conference – Competing Visions

At this year's Munich Security Conference, competing conceptions of order were articulated with clarity. President Macron urged greater European strategic autonomy. Chancellor Merz said that the post-1945 order "no longer exists", yet

reaffirmed the indispensability of the transatlantic bond. Discussions of European nuclear autonomy — once politically unthinkable — revealed hedging in the face of uncertainty. Secretary of State Rubio spoke of a "new Western century," framing cooperation in civilisational terms while calling for renewed alignment. His tone was measured, yet reassurance itself signals adjustment.

Beyond the podium, alliance politics reflected recalibration. Engagements such as Washington's outreach to Hungary — including the signing of a civil nuclear cooperation agreement — underscored that alignment is becoming more transactional. The UK, though outside the EU, remains a nuclear power and a permanent member of the UN Security Council, a reminder that the Atlantic space is redefining cohesion, not dissolving it.

These are not theatrical contrasts. They reflect structural tension: autonomy and interdependence; continuity and recalibration; institutional discipline; and negotiated flexibility.

The Choice Ahead

Power will always matter in the making of rules. The question is whether those rules emerge from collective engagement, or from auto-interpretation. The rule of law serves the long-term interest of the strong and of the international community as a whole. Law reduces risk, stabilises expectations and lowers the cost of coercion. When rules are shaped collectively, they generate shared ownership, which sustains legitimacy and predictability. No system endures on unpredictability alone.

For weaker states in particular, the rule of law — impartially and effectively applied — is not abstraction but strategic protection.

If restraint holds, order adapts. If restraint fails, power may dominate, but at rising cost, declining legitimacy and mounting instability. The choice is not philosophical. It is strategic.