Treaties and Contemporary International[1] Order in Theory and Practice

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Introduction

In August 2016, Japanese Prime Minister Shinzo Abe put forward the “Free and Open Indo-Pacific (FOIP)” strategy at the sixth meeting of the Tokyo International Conference on African Development (TICAD VI) held in Nairobi, Kenya. This was the first time that a Japan-led TICAD meeting was convened in Africa, while all the previous five meetings had been held either in Tokyo or Yokohama in Japan every five years since 1993. It was decided that TICAD meetings after the TICAD VII in 2019 would be held every three years in Japan and Africa alternately.[2] This shows the increasing importance the Japanese government has attached to the FOIP strategy, together with other foreign and security policies such as high-level meetings and joint military exercises—in particular the annual Malabar joint military exercises in the Bay of Bengal—within the framework of the Quadrilateral Security Dialogue (QUAD) with the United States, Australia, and India.

After Donald J. Trump became the 45th President of the United States in January 2017, he withdrew from various treaties and international agreements, including the Trans-Pacific Partnership (TPP), which was agreed among twelve countries in the Asia-Pacific region. Indeed, it was virtually Trump’s first action after taking office to leave the negotiations on the TPP and threaten to abrogate other agreements on free trade, including the North American Free Trade Agreement (NAFTA) with Canada and Mexico.[3] In contrast, Trump expressed his support for the FOIP strategy, at least partly—or perhaps mainly—to counter China’s Belt and Road Initiative (BRI, or formerly “One Belt, One Road”) and Chinese increasing presence in the South China Sea. While it is debatable if the FOIP strategy has been pursued *mainly* for containing the BRI and China’s rapid maritime expansion in particular and the rise of China in general, one of the most serious flaws of this geostrategic conception would be the fact that the overall domestic and foreign policies of the Abe and Trump administrations themselves were far from “free and open.” In Japan, Yoshihide Suga, the Chief Cabinet Secretary under the Abe administration, became the new prime minister in September 2020 after his predecessor resigned due to illness. However, Suga expressed his intention to largely inherit Abe’s foreign and security policies, continuing to attach great importance to the FOIP strategy.

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[1] This article is an updated and expanded version of my comment paper on Professor David Armitage’s lecture titled “Treaties in Danger? Contemporary Crises of International Order in Historical Perspective,” which was delivered at the University of Tokyo on January 7, 2020. This article reflects the situation until the end of November 2020.

[2] “TICAD VI no Afurika kaisai [TICAD VI meeting in Africa],” Ministry of Foreign Affairs of Japan, April 13, 2016, accessed November 8, 2020, https://www.mofa.go.jp/mofaj/af/af1/page22_002576.html.

[3] Barry Eichengreen, “Versailles: The Economic Legacy,” *International Affairs* 95, no. 1 (January 2019): 19.

Gulliver with troubles *and* unbound?

Trump’s withdrawal—or his threat to withdraw—from many treaties and international agreements was facilitated by his rigid insistence on sovereignty. While Joseph S. Nye, Jr criticized Trump’s inclination toward “Hobbesian realism, a zero-sum perspective and a narrowly defined national interest,”[4] it is also noticeable that Trump’s notion of sovereignty was narrowly defined as well. However, sovereignty is nothing more than a historical and social construct that is far from being static and, therefore, could be defined more broadly in both theory and practice. In theory, Robert O. Keohane, for instance, argued that sovereignty is “an institution created for international society; like other institutions, it undergoes change in response to environmental conditions.”[5] In practice, sovereignty has been treated in a broad sense more often than it might be considered or claimed by politicians and intellectuals on both the right and left.

Brexiteers emphasized sovereignty and independence in their campaign against Britain’s continued membership of the European Union (EU). This was well illustrated by “the winning slogan” for the 2016 referendum—“Let’s take back control”—credited to Dominic Cummings, who first made his name as “a formidable campaigner” against Britain’s joining the euro and thereafter became the most senior adviser to Prime Minister Boris Johnson, though he and Lee Cain, Johnson’s director of communications, resigned in November 2020 amid a power struggle at Downing Street.[6] In addition to their emphasis on sovereignty and independence, this kind of bitter infighting is typical of—though of course not monopolized by—populist movements, parties, and governments, from the Poujadist movement in France in the mid-twentieth century to the Trump and Johnson administrations in the early twenty-first century.

By contrast, a memorandum produced more than half a century ago by the Economic Steering (Europe) Committee composed of British senior officials and chaired by Sir Frank Lee (one of the two Joint Permanent Secretaries of the Treasury who was in charge of financial and economic policy)[7] took a much more relative and flexible view of sovereignty and independence. Only two and a half years after the establishment of the European Economic Community (EEC) in January 1958 by "the Six" (France, West Germany, Italy, the Netherlands, Belgium, and Luxembourg), it was argued by British senior officials that the EEC might well emerge as a power compatible in size and influence to the United States and the Soviet Union. Moreover, the pull of "this new power bloc would be bound to dilute our influence with the rest of the world," including the Commonwealth and the United States. Then, it was concluded that the "independence which we have sought to preserve by remaining aloof from European integration would be of doubtful value, since our diminished status would suggest only a minor role for us in international affairs."[8]

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[4] Joseph S. Nye, Jr, “The Rise and Fall of American Hegemony from Wilson to Trump,” *International Affairs* 95, no. 1 (January 2019): 68, 71, 75.

[5] Robert O. Keohane, *Power and Governance in a Partially Globalized World* (London: Routledge, 2002), 11.

[6] *BBC News at Six,* aired November 13, 2020, on BBC 1.

Nevertheless, even though the British Conservative government under the premiership of Harold Macmillan (1957–63) eventually made its first application to join the EEC in August 1961, there were still "doubters, and in the end opponents, whose hesitations were based on more traditional and perhaps higher motives." As Macmillan recalled in his memoirs, it was "after all, asking a great deal of the Conservative Party, so long and so intimately linked with the ideal of Empire, to accept the changed situation, which might require a new concept by which Britain might serve Commonwealth and world interests more efficiently if she were linked with Europe than if she remained isolated, doomed to a diminishing power in a world in which her relative wealth and strength were bound to shrink." He added that the preferential trade arrangements were an important aspect of Commonwealth relations and had been "a traditional part of Conservative policy for more than half a century."[9]

In general, strong insistence on sovereignty could typically be observed in lesser powers such as countries in the Third World—or the Global South—and junior partners of the United States, including Japan, South Korea, Italy, and Germany. In the post-World War II world, even Britain became a junior partner of the United States, especially after the Suez débâcle of 1956. In the case of American junior partners, one could observe sporadic, or even frequent, popular protests against American military bases as well as certain contemporary and limited versions of "extraterritoriality" under which American soldiers are only partially subject to the host countries' domestic jurisdiction. However, in any case, these arrangements have been mostly, if not entirely, stipulated by formal treaties and international agreements (in the case of Japan, for example, by the Japan-US Security Treaty and the Japan-US Status of Forces Agreement).

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[7] The Economic Steering (Europe) Committee consisted of senior officials of the Treasury, the Foreign Office, the Commonwealth Relations Office, the Colonial Office, the Board of Trade, the Ministry of Agriculture, Fisheries, and Food, and the Bank of England. Its terms of reference were to "keep under review and to advise Ministers on the economic policies of the United Kingdom towards Western Europe." Composition and Terms of Reference, March 17, 1960, The National Archives, Kew [hereafter NA], CAB134/1852, ES (E) (60) 1.

[8] The Six and the Seven: Long Term Arrangements, May 25, 1960, NA, CAB134/1820, EQ (60) 27.

[9] Harold Macmillan, *At the End of the Day 1961–1963* (London: Macmillan, 1973), 5–7.

Trump's narrow definition of national interest was also related to his attitude toward hegemony and its burdens. He repeatedly criticized that most European member countries of the North Atlantic Treaty Organization (NATO)—most noticeably Germany, which is Europe's largest economic power—did not meet the target of spending more than 2% of their GDP on defense. On the opening day of the NATO summit held in Brussels in July 2018, he even raised the figure to 4%. Trump's demand came during a meeting at which NATO leaders discussed the very question of burden-sharing.10) Trump was extremely sensitive to America's burdens and free-riding of its allies, though every political leader is more or less sensitive to both domestic and international cost-benefit analyses. Nevertheless, again, Nye argued that if the United States "remains the strongest power, there is a case for the largest country providing leadership in organizing the production of global collective goods. That role, however, requires a broad definition of national interest rather than a narrow focus on free-riding." He added that the United States currently spent about 3.5% of its GDP on defense and foreign affairs, which was less than half of the proportion of its GDP at the peak of the Cold War years. Nye tellingly emphasized that, therefore, "[a]lliances are not that expensive" for the United States.11)

According to its most effective author, G. John Ikenberry, liberal internationalism "has been embedded in the postwar American hegemonic order."12) Indeed, one of the most important aspects of American hegemony is the fact that the United States has been "the greatest supporter and beneficiary of the so-called 'liberal international order' of the past seventy years" (p. 3).13) Both being the greatest *supporter* and *beneficiary* of a certain international order is an essential nature of hegemony, as Britain at the height of Pax Britannica in the nineteenth century provided global collective goods of free trade and freedom of the seas,14) from which it could expect to take the lion's share. According to realist understanding of—and critiques against—international regimes and institutions, they simply reflect or intend to reinforce and perpetuate the structural distribution of power in the international system.

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10) Ewen MacAskill and Pippa Crerar, "Donald Trump Tells Nato Allies to Spend 4% of GDP on Defence," *The Guardian*, July 11, 2018, accessed January 4, 2020, https://www.theguardian.com/world/2018/jul/11/donald-trump-tells-nato-allies-to-spend-4-of-gdp-on-defence.

11) Nye, "The Rise and Fall of American Hegemony," 75, 77.

12) G. John Ikenberry, "The End of Liberal International Order?," *International Affairs* 94, no. 1 (January 2018): 21.

13) In this article, quotations from the original paper given by Professor Armitage for his lecture are indicated by their page numbers with parentheses.

14) However, there were certain differences and even frictions within Anglo-American hegemony, in particular at the time of hegemonic transition in the early twentieth century. For instance, when the second of Woodrow Wilson's Fourteen Points called for "[a]bsolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants," the British government could not agree because it would prevent them from using naval blockade as a weapon against their enemies at war. Margaret MacMillan, *Peacemakers: The Paris Conference of 1919 and Its Attempt to End War* (London: John Murray, 2001), 27.

The United States played a predominant role in establishing post-war international regimes and institutions—including many treaties that underpinned them—and made them first and foremost advantageous to its own interests as well as open to other (mainly Western but also some neutral) countries' participation and benefits. Odd Arne Westad argued that "while the protection and expansion of the global capitalist system had been a core US objective in the Cold War, its pursuit of this aim had been hegemonic, not particularistic."15) Although the Soviet Union became one of the founding member states and indeed one of the five permanent members of the Security Council of the United Nations after World War II (as opposed to the interwar years during which the USSR was not allowed to join the League of Nations until 1934), it was decisively outnumbered by Western powers particularly before the substantial expansion of UN membership as a result of global decolonization from the 1960s onward. This was the reason why Iosif Stalin insisted that all constituent republics of the USSR become full members of the United Nations, though only two of them—Ukraine and Belarus—were admitted. In addition, Stalin strongly demanded that great powers have rights of veto in the Security Council, and a compromise was finally reached at the Yalta Conference to allow permanent members to block proposed sanctions or the use of force, whereas discussions could not be prevented if a sufficient number of countries at the Security Council wanted to do so.16) However, Trump seems to have considered that some, if not most, of these international regimes, institutions, and treaties no longer serve American national interest and only put heavy burdens on his country's limited resources.

As E. H. Carr put it in *The Twenty Years' Crisis* published with the preface dated on September 30, 1939, only a few weeks after the Twenty Years' Crisis finally led to the outbreak of the Second World War in Europe17): "In spite of the universal recognition by all countries that treaties are in principle legally binding, pre-War international law was reluctant to treat as absolute the binding character of treaty obligations. Account had to be taken of the fact that, while states interested in the maintenance of the *status quo* vigorously asserted the

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15) Odd Arne Westad, *The Cold War: A World History* (London: Allen Lane, 2017), 397.

16) Mark Mazower, *Governing the World: The History of an Idea, 1815 to the Present* (London: Penguin Press, 2012), 207–8.

17) When World War II broke out in Europe, it was not entirely a world war yet, because the Pacific War did not begin until the Pearl Harbor attack in December 1941. Therefore, Shigetaka Suzuki, a Japanese scholar of occidental history, called the war as "the Second European Great War" in his book published with the preface dated in October 1941, whereas he does not seem to have seriously taken into consideration the fact that Japan was already in the midst of the Fifteen-Year War after the Manchurian Incident in September 1931 and the outbreak of the Second Sino-Japanese War in July 1937. Suzuki argued that the British Empire was "a superstate and Anglo-Saxon world order" and that the United States (which he thought joined the Anglo-Saxon world order as "the Second European Great War" intensified) and Russia belonged to the so-called "haves" without overseas colonies because "the processes of their nation-building themselves were colonial," while pointing out that the Nazis' philosophy of race was intended to establish a new principle of order and culture based on their belief in the most primordial "blood and soil." Shigetaka Suzuki, *Rekishiteki kokka no rinen* [*Ideas of Historical States*] (Tokyo: Kobundo Shobo, 1941), 15, 19, 28–29, 44, 58, 162, 164.

unconditional validity of treaties in international law, a state whose interests were adversely affected by a treaty commonly repudiated it as soon as it could do so with impunity."[18] Indeed, while Carr mostly defended Britain's appeasement policy toward Nazi Germany in the 1930s, the outbreak of World War II at the end of the decade exposed "the bankruptcy of Carr's line on appeasement."[19] Furthermore, after he became a leader-writer on foreign affairs (1940–41), and then an assistant editor (1941–46) of *The Times*, Carr criticized the doctrine of the German *Herrenvolk* (master race) and maintained that all that "Nazism can offer as the moral foundation of a European order is submission to the authority of the German superman."[20]

In *The Twenty Years*' *Crisis*, in addition to his typical dichotomy between the "haves" and the "have-nots," Carr explicated his empiricism by pointing out that international law rested on custom, there was "at the present time no such thing as international legislation or an international legislature," and customary international law as such was "limited in scope and sometimes uncertain in content."[21] Carr's attachment to the English tradition of empiricism seems to have been well demonstrated by the fact that two epigraphs with the heading ("To the makers of the coming peace") put before the preface of *The Twenty Years' Crisis* were both taken from Francis Bacon's writings of the early seventeenth century:

> Philosophers make imaginary laws for imaginary commonwealths, and their discourses are as the stars which give little light because they are so high.
>
> *On the Advancement of Learning* (1605)

> The roads to human power and to human knowledge lie close together and are nearly the same; nevertheless, on account of the pernicious and inveterate habit of dwelling on abstractions, it is safer to begin and raise the sciences from those foundations which have relation to practice, and let the active part be as the seal which prints and determines the contemplative counterpart.
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> *Novum Organum* (1620)

Eventually, the Vienna Convention on the Law of Treaties was signed in 1969 to codify customary law of treaties to put it on a more solid basis. However, it also included articles in Part V to make it possible for signatories to invalidate, terminate, and suspend the operation of treaties in more standardized ways.[22]

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18) Edward Hallett Carr, *The Twenty Years' Crisis 1919–1939: An Introduction to the Study of International Relations* (London: Macmillan, 1939), 232–33.

19) Jonathan Haslam, *The Vices of Integrity: E. H. Carr, 1892–1982* (London: Verso, 1999), 81.

20) E. H. Carr, "The New Europe," *The Times*, July 1, 1940, 5.

21) Carr, *The Twenty Years' Crisis*, 267–68.

22) "Vienna Convention on the Law of Treaties 1969," Office of Legal Affairs, United Nations, accessed January 6, 2020, https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf.

Many countries left international organizations and treaties not only in the years before the First World War but also in the years that followed. Germany's repudiation of the military clauses of the Treaty of Versailles in 1935 and the Locarno Treaty in the following year caused substantial damage to the international order in interwar Europe. The withdrawal of Japan, Germany, and Italy in the 1930s was a serious, if not fatal, blow to the League of Nations. In the late twentieth and early twenty-first centuries, the United States withdrew from many international organizations and treaties, such as the International Labor Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the Anti-Ballistic Missile (ABM) Treaty in 1977, 1984, and 2002, respectively, well before Trump assumed office in 2017.[23)] In addition, the United States did not join many other international organizations and treaties from the beginning at all because the US Senate failed or abandoned to ratify treaties concerned, such as the Treaty of Versailles to establish the League of Nations, the Strategic Arms Limitations Treaty II (SALT II), and the United Nations Convention on the Law of the Sea (UNCLOS), which were signed—or in the case of the UNCLOS, opened for signature—in 1919, 1979, and 1982, respectively. In fact, in many cases, "Trump is not so much an aberration among US presidents as an exaggeration of their worst features" (p. 20).

Stanley Hoffmann wrote two books on American foreign policy, both of which used Lemuel Gulliver of Jonathan Swift's *Gulliver's Travels* (1726) as a metaphor for the United States. As Hoffmann argued in the books, the United States, or Gulliver, could have serious "troubles" in some cases but tends to be "unbound" or "untied" in others. Hoffmann argued in *Gulliver's Troubles*, which was based on his lectures entitled "Restraints on American Policy" delivered at the Council on Foreign Relations in New York in April-May 1965 and published at the height of domestic and international tensions of the Vietnam War in 1968, that the bipolar world dominated by the United States and the Soviet Union might gradually give way to "the emergent multipolar system," and that it would become increasingly difficult for the Americans to manage the world order effectively.[24)] In short, Hoffmann in *Gulliver's Troubles* argued against "the illusion of omnipotence" of the United States,[25)] while Raymond Aron, whom

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[23)] Britain also withdrew from the UNESCO in 1985.

[24)] Stanley Hoffmann, *Gulliver's Troubles, or the Setting of American Foreign Policy* (New York: McGraw-Hill, 1968), xiii, 43–46.

[25)] Ibid., xv.

Hoffmann regarded as his “intellectual mentor,”[26] described the United States as an “Imperial Republic.”[27]

In the spring of 1969, John Rawls dealt with the topic of “Nations and War” as the theme for his regular lecture-course on “Moral Problems” at Harvard University. This series of lectures was delivered in the midst of violent campus protests against the Vietnam War, the justice of which Rawls vehemently denied. Rawls insisted that the aim of the series was to treat “the moral basis of the law of nations” as a philosophical matter rather than a commentary on current affairs. His expressed objective was to work toward a full social contract theory of the law of nations, as opposed to a natural-law theory of the law of nations exemplified by Thomas Aquinas as well as Thomas Hobbes, by presenting John Locke as “a sort of half-way house” between them. David Armitage went on to argue that this was in line with the principles of *A Theory of Justice*, which Rawls would soon publish in 1971, and eventually led to the publication of *The Law of Peoples* (1999), in which he extensively applied his political theory elaborated as “justice as fairness” to international society.[28]

In contrast, Richard M. Nixon, who became president of the United States in January 1969, seems to have paid much less attention to the “moral basis” of his administration’s conduct in the Vietnam War. It is pointed out that Nixon and National Security Adviser Henry A. Kissinger were primarily driven by “a desire to guard against losses of American prestige” in Southeast Asia and the Middle East and, during Nixon’s presidency (1969–74), “only anxieties about international and domestic credibility kept the United States fighting for 'peace with honor'" in Vietnam.[29] In any case, unlike his immediate predecessors, Nixon thought of the United States as one among many countries in the international system and did not "trust the American people, and especially its youth, to be willing to pay the price that Superpower status implied in the time ahead."[30] Therefore, as the number of US troops in Vietnam significantly decreased from the spring of 1969, Nixon strengthened his demand for burden-sharing by the allies of the United States.

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[26] Stanley Hoffmann, *The State of War: Essays on the Theory and Practice of International Politics* (New York: Praeger, 1965), x. Hoffmann also wrote that McGeorge Bundy “first guided me in the labyrinth of American foreign policy.” Ibid., x. Bundy was one of the “two men who served as my intellectual guides,” the other being Rupert Emerson, when Hoffmann spent one academic year in the Department of Government at Harvard University as a visiting graduate student from the Institut d’études politiques de Paris (Sciences Po Paris) in 1951–52. Hoffmann became an instructor in 1955, received tenure in 1959, and remained until his retirement in 2013 at Harvard, while Bundy, who was “one of the young stars of the Department” when Hoffmann was at Harvard as a visiting graduate student, moved to Washington to serve as the National Security Adviser under John F. Kennedy and Lyndon B. Johnson in 1961–66 and adamantly insisted that the United States’ involvement in the Vietnam War be expanded. In contrast, Hoffmann recalled that, unlike many of his colleagues at Harvard such as Henry A. Kissinger and Zbigniew Brzezinski, the latter of whom Hoffmann described as “the most competitive” among his fellow graduate students, “I have never been tempted by ‘Washington.’ I have neither the temper of, nor the desire to be, a bureaucrat or policy adviser. I value my independence above anything else; working for others, shaping my ideas so that they can be conveniently used by statesmen or so that they can float in a muddy mainstream, simply never appealed to me.” Stanley Hoffmann, “A Retrospective on World Politics,” in *Ideas & Ideals: Essays on Politics in Honor of Stanley Hoffmann*, ed. Linda B. Miller and Michael Joseph Smith (Boulder, CO: Westview Press, 1993), 5, 9.

[27] Raymond Aron, *République impériale: les États-Unis dans le monde, 1945–1972* (Paris: Calmann-Lévy, 1973).

[28] David Armitage, *Foundations of Modern International Thought* (Cambridge: Cambridge University Press, 2013), 59–74, 86–87. See also, John Rawls, *Justice as Fairness: A Restatement*, ed. Erin Kelly (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2001).

In the emergence of multipolarity in the mid-1960s, Hoffmann envisaged a "coherent and secure European Europe" from the Atlantic Ocean to the eastern border of Poland, rather than a "European Europe" *à la* de Gaulle stretching from the Atlantic to the Urals, because it was hard to imagine seriously a division of the Soviet Union into its European and other parts, and the entry of "a superpower like Russia into a European entity would obviously unbalance the whole scheme." He then suggested that a "European Europe" relatively freed from dominant influences of the two superpowers would be managed under the leadership of the "middle nuclear powers," France and the United Kingdom, which had practiced "the solitary rebellion and increasingly ineffective conformism respectively."[31]

In 2004, Hoffmann published *Gulliver Unbound*, based on his conversations (which took place at the end of June 2003) with Frédéric Bozo, a French contemporary historian and one of Hoffmann's former students coming from France to Harvard. In *Gulliver Unbound*, he argued that 9/11, the war on terror, and the Iraq War led the United States down the path of imperialism, becoming a victorious, arrogant, and unilateral power. While European Integration had achieved substantial progress through deepening and enlargement, Hoffmann was also critical of the EU, which was seriously divided and could not play an effective role during the severe international tensions in the run-up to the Iraq War from late 2002 to early 2003. As Hoffmann put it, the EU played "no important role in this story. Neither [Jacques] Chirac nor [Tony] Blair have ever invoked Europe; they have talked about the U.N. and Europe was in such a state of division that it would not have been very clever to underline it. Either one leans on the United States, or else one leans on a certain idea of the U.N., but at that moment there was no Europe."[32] It is true that the EU was faced with difficult multiple crises in the 2010s, such as the so-called Eurozone crisis, the influx of millions of refugees from the Middle East and Africa, and the British referendum, which eventually led to Brexit in January 2020. However, the EU also faced serious difficulties prior to these more recent crises, such as the division over the Iraq War in 2002–2003 and the failure to ratify the Treaty establishing a Constitution for Europe as a result of the referenda in the two founding member states of the European Coal and Steel Community (ECSC) established in 1952—France and the Netherlands—in May and June 2005, which led to the abandonment of a Constitution for Europe.

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[29] Mark Atwood Lawrence, "Containing Globalism: The United States and the Developing World in the 1970s," in *The Shock of the Global: The 1970s in Perspective*, ed. Niall Ferguson, Charles S. Maier, Erez Manela, and Daniel J. Sargent (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2010), 208.

[30] Westad, *The Cold War,* 398.

[31] Hoffmann, *Gulliver's Troubles*, 490–91, 497, 537.

[32] Stanley Hoffmann with Frédéric Bozo, *Gulliver Unbound: America's Imperial Temptation and the War in Iraq* (Lanham, MD: Rowman & Littlefield, 2004), vii–viii, 64.

The United States under Trump seems to have been a Gulliver who had trouble with the relative decline and struggled to be "unbound" by separating itself from the entanglement in international organizations and treaties. In this attempt, the American Gulliver "does not wish to be tied down: in the eyes of its present government, it has nothing to lose but its diplomatic chains" (p. 3). However, regardless of the desires and perceptions of the Trump administration, while some burden-sharing by its allies would more or less alleviate the burden on the United States, it is necessary for American leaders to define its national interest and sovereignty more broadly, particularly in the face of power transition and what seems to be its own hegemonic decline. For instance, the Trump administration threatened to leave the Open Skies Treaty (OST), which was signed in 1992 by NATO members and ex-Warsaw Pact powers to mutually open their airspaces "from Vancouver to Vladivostok" for aerial surveillance. Indeed, it has allowed "multilateral surveillance of Russian military operations" (p. 3). Trump's threat would at least have satisfied his sense of national sovereignty of the United States but might cause serious damage to its national security by weakening one of the major confidence building measures (CBMs) built over the former iron curtain after the end of the Cold War. Eventually, on May 21, 2020, Secretary of State Mike Pompeo announced that the United States would submit a notice of its decision to withdraw from the OST on the following day. According to Trump's hawkish Secretary of State and ex-Director of the Central Intelligence Agency (CIA), "[e]ffective six months from tomorrow, the United States will no longer be a party to the Treaty," though it might "reconsider our withdrawal should Russia return to full compliance with the Treaty."33)

Bolshevik "New Diplomacy"

In his book, *Diplomacy*, which was published in 1939, Harold Nicolson began his third chapter titled "The Transition from the Old Diplomacy to the New" with such sentences as "[a]ll really good people speak of the 'Old Diplomacy,'—as also of her disreputable friend 'Secret Diplomacy,'—in a tone of moral censure. The implication is that, somewhere about the year 1918, diplomacy saw a great white light, was converted, found salvation, and thereafter

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33) "On the Treaty on Open Skies," Press Statement, Michael R. Pompeo, Secretary of State, May 21, 2020, accessed May 23, 2020, https://www.state.gov/on-the-treaty-on-open-skies/.

and thenceforward became an entirely different woman."[34] Nicolson was as misogynistic as Charles de Gaulle who gave his verdict on July 2, 1963 about the Franco-German Élysée Treaty signed on January 22, 1963 (only eight days after de Gaulle made it clear at a press conference held at the Élysée Palace that Britain's first bid for its membership of the EEC could not be accepted) as "[t]reaties are like young girls or roses: they last as long as they last" (quoted in p. 18), after he was strongly irritated by the insertion of the so-called "Atlantic preamble" to the treaty when the German Bundestag ratified it on May 15, 1963.[35] Indeed, Nicolson maintained a certain amount of attachment to the "Old Diplomacy" and "professional diplomacy under the former system" conducted by the "professional diplomatist,"[36] somewhat similar to de Gaulle who pursued France's *grandeu*r and independence in the age of American hegemony.[37] According to Hoffmann who described de Gaulle as a "political artist," French *grandeur* was "a central Gaullist concept" and meant "the opposite of resignation to a passive role in the world."[38] However, it turned out that, despite de Gaulle's opposition to a bipolarity dominated by the two superpowers and France's abrupt withdrawal from NATO's integrated military command under his presidency, the practical results of his policies were "few and far between."[39]

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[34] Harold Nicolson, *Diplomacy* (London: Thornton Butterworth, 1939), 56–57.

[35] Wolfram Kaiser, "Challenge to the Community: The Creation, Crisis and Consolidation of the European Free Trade Association, 1958–72," *Journal of European Integration History* 3, no. 1 (1997): 32.

[36] Nicolson, *Diplomacy*, 78–79. Nicolson went on to write that the worst kind of diplomatists "are missionaries, fanatics and lawyers; the best kind are the reasonable and humane sceptics. Thus, it is not religion which has been the main formative influence in diplomatic theory; it is common sense." Ibid., 50. There were certain similarities to George F. Kennan's criticism against "something that I might call the legalistic-moralistic approach to international problems," which he detected in American foreign policy in the first half of the twentieth century. George F. Kennan, *American Diplomacy 1900–1950* (Chicago: The University of Chicago Press, 1951), 95. After World War II, Carr's *The Twenty Years' Crisis* was hailed as "something of a bible for those who saw the crucial importance of the factor of power in international relations" in the United States, especially among young realists such as Robert W. Tucker, Robert Osgood, and Kenneth Waltz. Haslam, *The Vices of Integrity*, 141. Stanley Hoffmann spent one academic year in 1951–52 at Harvard where he had Osgood as well as Brzezinski and Samuel Huntington as his fellow graduate students (Kissinger was also among them, but "he wasn't around that year") and recalled that idealism, legalism and moralism "were out," and "power was definitively in," under the strong influence—or "all the rage"—of Hans Morgenthau's ideas. Hoffmann as a *realist*, however, criticized "the flaws and limitations of Morgenthau's Realism (with its fuzzy concepts and its unsatisfactory treatment of the normative aspects of international life)." Hoffmann, "A Retrospective on World Politics," 5, 8.

[37] Maurice Vaïsse, *La grandeur: Politique étrangère du général de Gaulle 1958–1969* (Paris: Fayard, 1998), 34–52.

[38] Stanley Hoffmann, *Decline or Renewal? France since the 1930s* (New York: The Viking Press, 1974), 191.

[39] Westad, *The Cold War*, 382–83.

Whether Nicolson liked it or not, the “Secret Diplomacy” and secret treaties faced strong pressure from Wilsonian openness as stipulated in the very first of his Fourteen Points: “Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.” Indeed, Wilson’s concern about secret treaties was widely shared in 1918–19 and it led to a norm of treaty publication, which was inserted into the Covenant of the League of Nations that was signed in June 1919 and then came into force in January 1920. It demanded that treaties only take effect when they were registered with the League of Nations and subsequently published, “as an institutional answer to the problem of political duplicity Kant had brought into the open” (pp. 17–18).

Despite his attachment to the “Old Diplomacy” conducted by the “professional diplomatist,” Nicolson pointed out two “essential steps” that were taken to ensure democratic control of foreign policy. First, he referred to a provision of treaty registration and publication, which was inserted as Article 18 in the Covenant of the League of Nations. Second, the former theory and practice of treaty ratification were definitely altered in democratic countries, whereas ratification was “little more than a conventional formula” before 1918 and if the negotiator faithfully executed the instructions given by the government, “the treaty which he signed was ratified as a matter of course” in European powers (in the United States, it had been exceptionally stipulated even before 1918 by Section 2 of Article II of the Constitution that the power of ratification was vested in the president “by and with the advice” of a two-thirds majority of the Senate, which had not infrequently refused to ratify treaties or had insisted on adding their own ideas). After the First World War and the refusal to ratify the Treaty of Versailles by the US Senate, as Nicolson put it, “[t]o-day the ratification of any treaty concluded by a democratic government is actually, and not merely technically, subject to the approval of a majority of the Houses of Parliament.”[40)]

Of course, as it has often been pointed out, the Wilsonian origins of the “New Diplomacy” should be relativized by other initiatives. For example, how could we consider the relative importance of the roles played by the Bolsheviks? After the October Revolution in 1917, they disclosed and repealed the secret treaties negotiated and signed between tsarist Russia and other Allied powers during the Great War. This included the notoriously well-known Sykes-Picot Agreement, which was secretly reached among the Triple Entente in 1916 for the partition of the Ottoman Empire (because this secret deal was originally agreed among *three* Allied powers—Britain, France, and Russia—it is also called the Sykes-Picot-Sazonov Agreement). Immediately after the Russian Revolution, the Bolsheviks revealed in *Izvestiya* on November 24, 1917, and withdrew from the secret agreement, which led to the Anglo-French *bilateral* partition of the former Ottoman Arab provinces into mandated territories under the

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[40)] Nicolson, *Diplomacy*, 84–89.

newly established League of Nations.[41)]

In China, the former German leased territories at the Shandong peninsula were occupied by the Japanese during the First World War. It was, then, secretly endorsed by Britain, France, and Italy that Japan would secure these territories after the war in exchange for the latter's military support for the Allied war effort far away from the Far East. The Chinese government was not aware of the secret agreements reached during the Great War, and when its claims for restitution were not fulfilled at the Paris Peace Conference, the Chinese delegation led by Lu Zhengxiang and Wellington Koo refused to sign the final document of the Treaty of Versailles. Chinese desires were sacrificed in order that Japan would accept the Covenant of the League of Nations even without the racial equality clause that it had strongly demanded to be included and in order to preserve the so-called sanctity of the secret agreements between Japan and the other Allied powers. This also led to the "May Fourth movement," in which some 3,000 demonstrators converged on Tiananmen Square, who were determined to express their rage against the Japanese, their own government, and Woodrow Wilson himself. In contrast, the appeal of Bolshevism in China was strengthened by the offer of Bolshevik leaders to repeal all the concessions that had been wrested from the Chinese at the time of the tsarist empire. It is true that the Chinese also had put much faith in the Americans to make good on Wilson's Fourteen Points. In 1921, however, the Chinese Communist Party (CCP) was founded in Shanghai and Chen Duxiu, who had once even referred to Wilson as "the number one good man in the world," became one of the founders of the CCP as well as one of the Chinese politicians, intellectuals, and activists who were bitterly disappointed by the conduct of the American president in Paris.[42)] The Bolsheviks were, at least in this case, rather fortunately, excluded from the Paris Peace Conference by the victorious powers of World War I.

Indeed, the Bolsheviks' anti-imperialism was closely intertwined with their desire to extend Communism to other parts of the world and therefore, in a sense, highly imperialistic. In March 1919, the Third International, or the Comintern, was founded under the leadership of Vladimir Lenin as "the new arm of Soviet empire" and provided "inspiration, advice and facilities" for anti-imperial activists.[43)] While the Comintern's primary intention was to work

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[41)] There were many other secret agreements reached among Allied powers during World War I. For instance, Italy left the Triple Alliance with Germany and Austria-Hungary and joined the war on the side of the Allies on May 23, 1915 by securing a secret deal with Britain and France that would satisfy Italian irredentism. However, negotiations at the Paris Peace Conference once stalled in April 1919 after the Italian delegation abruptly departed because they felt that their territorial demands were not being fulfilled. Daniel Hedinger, "The Imperial Nexus: The Second World War and the Axis in Global Perspective," *Journal of Global History* 12, no. 2 (July 2017): 195.

[42)] Rosemary Foot, "Remembering the Past to Secure the Present: Versailles Legacies in a Resurgent China," *International Affairs* 95, no. 1 (January 2019): 146, 150–52.

[43)] Jane Burbank and Frederick Cooper, "Empires after 1919: Old, New, Transformed," *International Affairs* 95, no. 1 (January 2019): 88.

for revolution in developed nations of Western Europe and North America, left-wing methods of labor mobilization, popular protest, and underground activism were also widely adopted by African anticolonial movements from the 1920s onward. In his speech at the International Congress against Imperialism held at Brussels in February 1927, J. T. Gumede, the president of the African National Congress (ANC), stressed the relevance of Marxist analysis to Africa's experience of colonialism and capitalism,44) though he was eventually ousted from the leadership by a conservative faction within the organization in 1930 and the ANC entered "a nonmilitant accommodationist phase" that lasted until the end of the 1930s.45) In Latin America, small Communist parties had emerged in fifteen countries by the end of the 1920s. In some countries, such as Brazil, Chile, Mexico, and Guatemala, they had far greater influence than their relatively small numbers. In particular, Luís Carlos Prestes, the head of the Brazilian Communist Party, became one of the central figures of the Comintern.46)

In Southeast Asia, André Malraux, a French novelist and art historian who later served for ten years as Minister of Cultural Affairs under de Gaulle's presidency, described Comintern activities in French Indochina in the early 1920s. The British Foreign Office produced a document titled "Outline of Communist Strategy in South-East Asia" in August 1949, about one year after the Malayan Emergency was declared in June 1948 in the face of the insurrection by the Malayan Communist Party (MCP) largely composed of the Chinese population in the Federation of Malaya, which had just been established under British colonial rule. According to this Foreign Office document, during the interwar period, "a few picked Communist leaders" from the various colonial territories in Southeast Asia "had received Communist indoctrination either in China or in the Soviet Union itself, and a small concealed network of cells seems to have existed."47)

With regard to its internal ethnic policy, Mark Mazower described the Soviet Union (and, in fact, Russia) led by the Communist Party as "Europe's last imperial power" and pointed out that Communism turned out to be "the last, and perhaps the highest, stage of imperialism." 48) Mazower's critical and, indeed, highly ironical remarks could also be applied to the Soviet

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44) Jeffrey James Byrne, "Africa's Cold War," in *The Cold War in the Third World*, ed. Robert J. McMahon (Oxford: Oxford University Press, 2013), 108–9, 121.

45) George M. Fredrickson, The *Comparative Imagination: On the History of Racism, Nationalism, and Social Movements* (Berkeley: University of California Press, 1997), 141.

46) Westad, *The Cold War*, 343.

47) Outline of Communist Strategy in South-East Asia, August 15, 1949, NA, FO1110/189, PR2887.

48) Mark Mazower, *Dark Continent: Europe's Twentieth Century* (London: Allen Lane, 1998), 51. Mazower's irony is all the more telling, because Lenin in his *Imperialism: The Highest Stage of Capitalism* (1917) famously "paid particular attention to the historical necessity of imperialism, which he sarcastically celebrated as 'the highest stage of capitalism'—that is, the stage just before its collapse. Capitalism would ultimately fall before a proletarian revolution that ushered in the age of Communism." David C. Engerman, "Ideology and the Origins of the Cold War, 1917–1962," in *The Cambridge History of the Cold War, Volume I: Origins*, ed. Melvyn P. Leffler and Odd Arne Westad (Cambridge: Cambridge University Press, 2010), 22–23.

bloc or "its extended empire"[49] that was built in Eastern Europe after World War II. However, despite all these imperialistic and expansionist aspects, the Bolshevik "New Diplomacy" might still be considered as a significant, though not necessarily predominant, element which facilitated the transition from "old" and "secret" diplomacy and treaties to "new" and "open" ones. When Wilson enumerated his Fourteen Points in his address to a joint session of Congress on January 8, 1918, he invoked the "common interest of mankind" to demand mutual guarantees of political independence and territorial integrity for all states and expansion of free trade. As David C. Engerman put it: "These guarantees—and the Fourteen Points in general—aimed to find a middle ground between Right (nationalism/imperialism) and Left (Bolshevism) by promoting a liberal internationalism."[50]

Conclusion

What we lack today seems not only a Woodrow Wilson in the United States[51] but also what the Americans perceive to be ideological threats with such magnitude as the Bolsheviks after the October Revolution, Nazi Germany and its Axis allies from the 1930s to the first half of the 1940s, and the Soviet Union during the Cold War. As Mark Mazower maintained in his monograph dealing with the history of twentieth-century Europe as a "dark continent":

> The liberal Woodrow Wilson offered a world "safe for democracy"; Lenin a communal society emancipated from want and free of the exploitative hierarchies of the past. Hitler envisaged a warrior race, purged of alien elements, fulfilling its imperial destiny through the purity of its blood and the unity of its purpose. Each of these three rival ideologies—liberal democracy, communism and fascism—saw itself destined to remake society, the [European] continent and the world in a New Order for mankind. …. With the collapse of the Soviet empire in 1989, not only the Cold War but the whole era of ideological rivalries which began in 1917 came to an end.[52]

Then, how could the international community in general and the United State in particular maintain liberal internationalism or liberal international order in the absence—or, probably more precisely, shortage—of mutually confrontational but strengthening interactions with these kinds of deadly ideological foes?

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[49] Adam Roberts, "An 'Incredibly Swift Transition': Reflections on the End of the Cold War," in *The Cambridge History of the Cold War, Volume III: Endings*, ed. Melvyn P. Leffler and Odd Arne Westad (Cambridge: Cambridge University Press, 2010), 516.

[50] Engerman, "Ideology and the Origins of the Cold War," 25.

[51] In his article published in January 2019, Nye lamented that "[f]or now, Wilsonianism is dormant and the future of the post-1945 American order is uncertain." Nye, "The Rise and Fall of American Hegemony," 71.

[52] Mazower, *Dark Continent*, x–xi.

As a result of the US presidential election held on November 3, 2020, Donald Trump's presidency ended in four years, rather than—as his supporters strongly hoped and chanted "four more years," but others in the United States and many in the rest of the world (especially European countries) were seriously concerned—eight years up until 2025. The newly elected president Joe Biden is expected to put more emphasis on multilateral cooperation regarding urgent issues such as the COVID-19 pandemic, human rights abuses, humanitarian disasters, climate change, and ecological crisis across the world. According to Nick Bryant, BBC's correspondent reporting from Biden's hometown in Delaware after he made his first speech as president-elect there, Biden, on the first day of his presidency, would tell the United Nations that "America is rejoining the Paris Climate Change Agreement." It would be "a highly symbolic and substantive indication that the United States will be under new management."53) Indeed, the Trump administration formally withdrew from the Paris Accord on November 4, 2020, which was the next day of the presidential election.

Overall, will Joe Biden, partly because he attaches greater importance to such liberal agendas and multilateral frameworks both domestically and internationally, and partly in response to the rise of China and the "China model" which Foreign Minister Wang Yi stated "can provide a new path for all developing countries to modernization,"54) significantly reverse the tide against liberal international order? Otherwise, should we consider that the economic, social, and political structures that led to the election of Trump in 2016 and Britain's withdrawal from the EU in 2020 are still so deep-rooted that both populist orientations in the West and increasingly authoritarian and illiberal regimes in China, Russia, and other countries would be further strengthened side by side in—whether Trump and his strong supporters like it or not—a globalized world?

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53) *BBC Weekend News* (Evening News), aired November 8, 2020, on BBC 1.

54) Foot, "Remembering the Past to Secure the Present," 157.