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Which Rules? Why There is No Single 'Rules-Based International System'

Malcolm Chalmers



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Acknowledgements

Through much of 2018, I became increasingly uneasy about the narrative – common both inside and outside government – that took for granted that there is one single ‘rules-based international system’, that assumed that we all knew what it was, and that asserted that this concept provided a reliable benchmark for the brave new ‘Global Britain’ to which government ministers now aspire. Multiple conversations and discussions followed, convincing me that it would be worth exploring the issue in greater depth. Some of the most incisive comments on previous drafts came from Sir Simon Gass and Sir John Sawers, together with several serving and recently retired senior officials who wished to remain anonymous. I also owe a debt of gratitude to Professor Michael Clarke and Professor Patrick Porter, who have both written with much wisdom on this topic, for their generosity in sharing their thoughts as peer reviewers, and to my colleagues Karin von Hippel, Jonathan Eyal and Raffaello Pantucci for their wise guidance. I would like to thank them all.

Not least, I owe a debt of gratitude to our marvellous RUSI Publications staff, including Emma De Angelis, Edward Mortimer and Stephen Reimer for the skill and thoroughness of their editing, and Zenab Hotelwala for her design skills. The paper’s argument has been considerably tightened and improved as a result.

Early drafts of the paper included extensive sections that focused on the implications of its conceptual model for future UK foreign policy. It became increasingly clear, however, that inclusion of such an analysis risked diluting its key points about the nature of the current international order. Instead, I plan to publish a further paper on UK foreign policy later in 2019. This will have the additional advantage of coming out at a time when, hopefully, Brexit has moved on to a new phase.

Executive Summary

SINCE THE 2015 Strategic Defence and Security Review, there has been increased talk about the ‘rules-based international system’ (RBIS) in the UK’s foreign policy narrative. The concept has grown in popularity as the focus of national strategy has shifted towards Russia and China, after more than a decade of expeditionary state-building operations.

This paper argues that there is no single RBIS. Rather, the post-1945 international settlement led to the creation of three distinct RBISs – a Universal Security System (USS), a Universal Economic System (UES) and a more exclusive Western System – alongside a set of Major Power Relations. The rules of each of the three rules-based systems all reflect power-based bargains between their members and have been stronger as a result. Yet there have been tensions between the three systems, for example in relation to the security vulnerabilities created by globalisation.

Rules, per se, do not necessarily have a positive value. Rather, their worth depends on the extent to which they serve the interests and values of the states which sustain them. So although the relative peace the world has enjoyed since the end of the Second World War has been reinforced by international norms and treaties, the shorthand assumption that there is a single, universally acknowledged order, or that the world is now divided between those who obey the rules (ourselves) and those who do not (the others) has always been an over-simplification. For the UK and other Western states, the challenge should not be whether they are in favour of ‘the rules-based system’. Rather, it lies in identifying how rules-based systems can be used to help pursue national interests and values, including whether these need to be developed or replaced as circumstances change.

The central principles of the USS include the right of self-determination for former colonies and the prohibition of aggression between states (including no change of borders without consent), as embodied in the UN Charter. From their common origins in the wake of the Second World War, however, there has been tension between this system and the Western System, a set of much more ambitious (but exclusive) new institutions and norms that involved an unprecedented level of mutual commitments, shared sovereignty and joint decision-making, under US leadership, in the pursuit of common values and interests. Post-Cold War attempts to make the Western rules-based system the dominant element in the global system have – at least for now – failed. It therefore continues to live in uneasy coexistence with the USS, episodically pursuing human security over state security, and claiming that the US and its allies have the authority to decide how to pursue the former, rather than the UN Security Council where both Russia and China have a veto.

There is also growing strain in the international rules relating to economic governance – the UES – that have underpinned the trade liberalisation of the post-war, and especially post-Cold War, system. Support for economic globalisation is being eroded by growing inequality

and nationalism within Western states, and it is also under threat from the re-emergence of competition with major non-Western powers, and with Russia and China in particular. China is increasingly viewed as exploiting its access to the international economy to pursue national security advantage and accelerate its growth as an economic and military superpower. In response, the US's defence and security strategy is increasingly focused on competition with China; and the economic relationship with China – along with the role of the UES – is seen increasingly through a security lens.

Introduction

SINCE 2015, BRITISH political leaders have frequently emphasised the importance of their commitment to a ‘rules-based international system’ (RBIS) or ‘rules-based international order’.¹ These references appear to have become even more common in the wake of the 2016 referendum to leave the EU and the election of Donald Trump to the US Presidency on an avowedly nationalist platform. Even as its foreign policy ties to both Europe and the US come under unprecedented strain, the UK’s leaders have increased their rhetorical commitment to the RBIS as the guiding light of their foreign policy.²

But what is the RBIS? Official documents and speeches rarely define what is meant by this term, as if it is widely recognised. This paper tries to provide a more developed answer. It argues that the success of the post-1945 order (which is defined here to mean the totality of international arrangements) has rested on its ability to combine four distinct pillars, but that some of the most serious challenges to international security and stability arise from tensions between these pillars. The future of the international order, and the UK’s ability to pursue its interests and values through it, will depend on successfully managing change in this complex structure.

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1. For example, the UK government’s 2015 Strategic Defence and Security Review refers 27 times to the ‘rules-based international order’. In contrast, there are only two references to the ‘rules-based international system’, and none to the ‘rules-based international order’, in the 2010 National Security Strategy, produced under the Conservative–Liberal Democrat Coalition government of 2010 to 2015. See HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953 (London: The Stationery Office, 2010); HM Government, *National Security Strategy and Strategic Defence and Security Review 2015*, Cm 9161 (London: The Stationery Office, 2015).
 2. For example, the 2018 National Security Capability Review makes 14 references to the ‘international rules-based order’, ‘rules-based system’, ‘rules-based international order’, ‘rules-based international system’, ‘international rules-based system’ or ‘multilateral rules-based system’. HM Government, ‘National Security Capability Review’, March 2018. More recently, Foreign Secretary Jeremy Hunt’s January 2019 speech on ‘Britain’s role in a post-Brexit world’ argues that ‘what is wonkishly called the rules-based international system is under greater strain than for many decades’, and then cites as evidence the following eclectic list: Russia’s annexation of 10,000 square miles of Ukraine, the use of chemical weapons (in the UK, Kuala Lumpur Airport and Syria), Iran’s ‘destabilising activities’ in the Middle East, the ethnic cleansing of the Rohingya by the Burmese Army, the retreat of democracy worldwide according to Freedom House, and the fact that by 2030 the world’s largest economy, ‘for the first time in our lifetimes ... won’t be a democracy’. See Jeremy Hunt, ‘Britain’s Role in a Post-Brexit World’, speech delivered at the International Institute for Strategic Studies, Singapore, 2 January 2019, <<https://www.gov.uk/government/speeches/foreign-secretary-hunt-britains-role-in-a-post-brexit-world>>, accessed 21 March 2019.

The Four-Pillared International Order

Since 1945, rules and agreements have played an important role in managing relations between states, reducing the chances of conflict and providing additional predictability. They have helped to promote cooperation in areas where states have common interests. They have contributed to the remarkable improvements in security and prosperity which most of the world (including the UK) has enjoyed during this period.

Compared with the imperial order which it replaced, the new international order that emerged from the Second World War has been much friendlier to smaller and less powerful states, both in Europe and elsewhere.³ Since 1945, the number of independent states has quadrupled – from 48 to

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3. Important elements of today's international rules-based systems can be traced to the second half of the 19th century. Drawing on the initial structures created by the Concert of Europe to manage relations between the major powers after the Napoleonic Wars, this period saw, for example, the establishment of international regimes to regulate access to the Black Sea and the prevention of conflict between the European imperial powers in Africa. New international organisations were created to regulate the international use of new technologies, for example through the creation of the International Telegraphic Union (1865), the Universal Postal Union (1874) and the International Copyright Union (1886). This period also saw the first attempts to codify agreement on the conduct of war in international treaties, notably at The Hague Conventions of 1899 and 1907. The foundation of the League of Nations in 1920 marked a further development in efforts to establish a rules-based international order, but was weakened from its inception by the non-participation of three of the most important powers of the time (the US, which never joined; the Soviet Union, which was only a member from 1934 to 1939; and Germany, which was only a member from 1926 to 1933), which contributed to its failure to respond adequately to the crises in the Rhineland, Spain, Czechoslovakia, Abyssinia and Manchuria that paved the way for the Second World War. For selected important texts on the evolution of modern international organisations to the present day, see Jacques F Fomerand, 'Evolution of International Organization as Institutional Forms and Historical Processes Since 1945: "Quis Custodiet Ipsos custodiet?"', *Oxford Research Encyclopedia of International Studies* (March 2010); Henry Kissinger, *World Order* (London: Penguin, 2014); Mark Mazower, *Governing the World: The History of an Idea* (New York, NY: Penguin Press, 2012); Kyle Lascourettes, *The Concert of Europe and Great-Power Governance Today: What Can the Order of 19th-Century Europe Teach Policymakers About International Order in the 21st Century?* (Santa Monica, CA: RAND Corporation, 2017); Jennifer Mitzen, *Power in Concert: The Nineteenth-Century Origins of Global Governance* (Chicago, IL: University of Chicago Press, 2013); Margaret P Karns and Karen A Mingst, *International Organizations: The Politics and Processes of Global Governance* (Boulder, CO: Lynne Rienner, 2004); Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Palgrave Macmillan, 1977); John S Duffield, 'Explaining the Long Peace in Europe: The Contributions of Regional Security Regimes', *Review of International Studies* (Vol. 20, No. 4, October 1994), pp. 369–88; Andrew Moravcsik, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht* (Ithaca, NY: Cornell University Press, 1998); Bruce Russett and John Oneal, *Triangulating Peace: Democracy, Interdependence, and International Organizations* (New York, NY: Norton, 2001); Michael Barnett and Martha

193. The link between national military strength and survival has become less important, testament to the enduring impact of the rules-based systems created after 1945. Not a single member of the UN has been forcibly annexed by another during this period. Only two – Zanzibar in 1963 and the German Democratic Republic in 1990 – have voluntarily merged with another. There are only two cases – Israel’s seizure of territory from its Arab neighbours in 1967 and Russia’s annexation of Crimea in 2014 – where UN members have been deprived of part of their territory by forcible transfer to another. This is a remarkable contrast to the pre-1945 or pre-1919 worlds.

Yet today’s international order is not one in which all states are equal. It is a result of a series of bargains reached between the world’s most powerful states, following their victory in the Second World War. Most of all, it reflects the predominant post-war position of the US, in economic, political and military terms, which successive administrations then used to lead the creation of new post-war norms and institutions which suited its own interests and values.⁴ Other major powers – most notably the Soviet Union, the UK and France – also played an important role in shaping the post-1945 order. Today, power relations remain fundamental to the operation of international rules, and there are wide disparities in states’ ability to redesign, ignore or selectively enforce them.

As indicated above, further analysis of the nature of the post-1945 order suggests that it may be better to think of three distinct rules-based systems – a Universal Security System, a Western System and a Universal Economic System – each with different rules and objectives, which in turn are shaped by power-based bargains. Alongside these three systems, a set of major power bargains and relationships exists, where universal rules are largely absent. The relative importance of these four pillars – only three of which are rules-based – altered significantly between the Cold War and the quarter-century that followed. This balance now seems set to change again, possibly in quite radical ways. Throughout the post-1945 period, many of the key issues in global politics were a result of tensions between these four pillars. Rather than there being a simple dichotomy between periods which have been rules-based and those which have been anarchic, therefore, it is more helpful to understand the history of this period in terms of the complex interaction between three rules-based systems, shaped both by power relationships and by a separate system of major power bargaining. This paper will seek to shed light on the dynamics of this interaction.

The fundamental principles of the **Universal Security System (USS)** are self-determination and non-aggression, together with the inadmissibility of force in changing international borders. The USS also encompasses other universal (or near-universal) security-related rules established before and during this period, particularly those related to nuclear weapons and other weapons of mass destruction, the international law of the sea and the conduct of international diplomacy (for example in relation

Finnemore, *Rules for the World: International Organizations in Global Politics* (Ithaca, NY: Cornell University Press, 2004); Mizanie Abate and Alemayehu Tilahun, ‘The Historical Development of International Organizations’, *Abyssinia Law Blog*, 8 April 2012.

4. G John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order After Major Wars* (Princeton, NJ: Princeton University Press, 2001). For a powerful critique of claims that this US-led ‘liberal order’ was fundamentally benign, see Patrick Porter, ‘A World Imagined: Nostalgia and Liberal Order’, *CATO Institute Policy Analysis Number 843*, 5 June 2018.

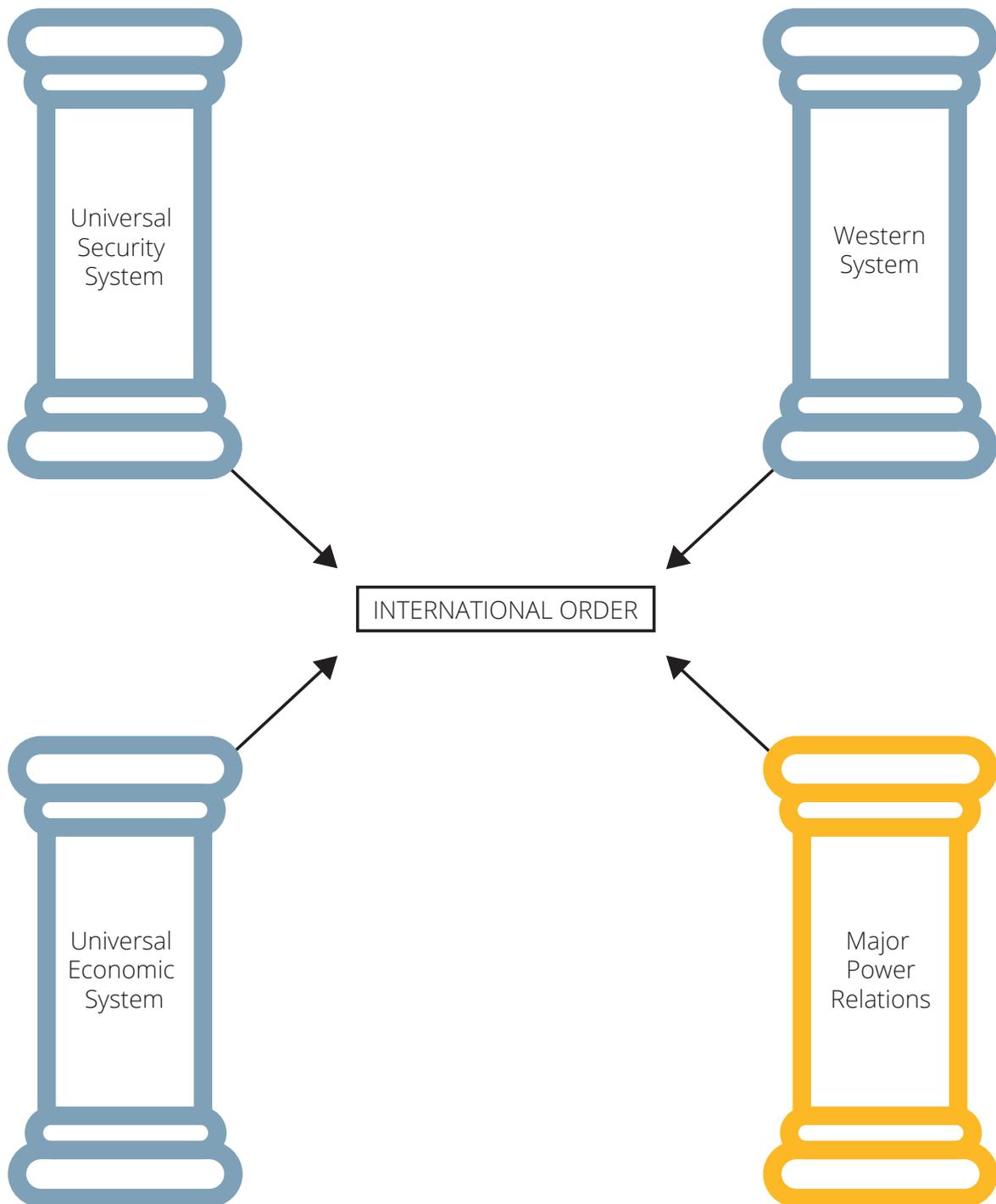
to diplomatic immunity and the protection of embassies). These norms and rules, and associated international agreements and organisations, are intended to apply to all states, irrespective of their domestic political systems. The two central regimes – the UN and the Nuclear Non-Proliferation Treaty (NPT) – both now have almost-universal membership, although the latter significantly excludes India, Israel, North Korea (since it withdrew) and Pakistan.

The **Western System** has more ambitious objectives than either of the two other systems, but has a more exclusive membership. It brings together developed market democracies in North America, Europe and the Asia-Pacific in a set of permanent integrative mechanisms that have no parallel in pre-1945 history. Europe-focused institutions (NATO and the EU), alongside bilateral arrangements between the US and its key allies in the Asia-Pacific (Japan, Australia and New Zealand), have been created and sustained, supporting a community of shared political, economic and security interests. The G7 and the Organisation for Economic Co-operation and Development (OECD) are also important elements of this system, as is the Five Eyes intelligence sharing agreement between the US, the UK, Australia, Canada and New Zealand. Arguably, South Korea might also be considered to be part of this system in important respects, albeit with special characteristics relating to the unresolved conflict with North Korea.

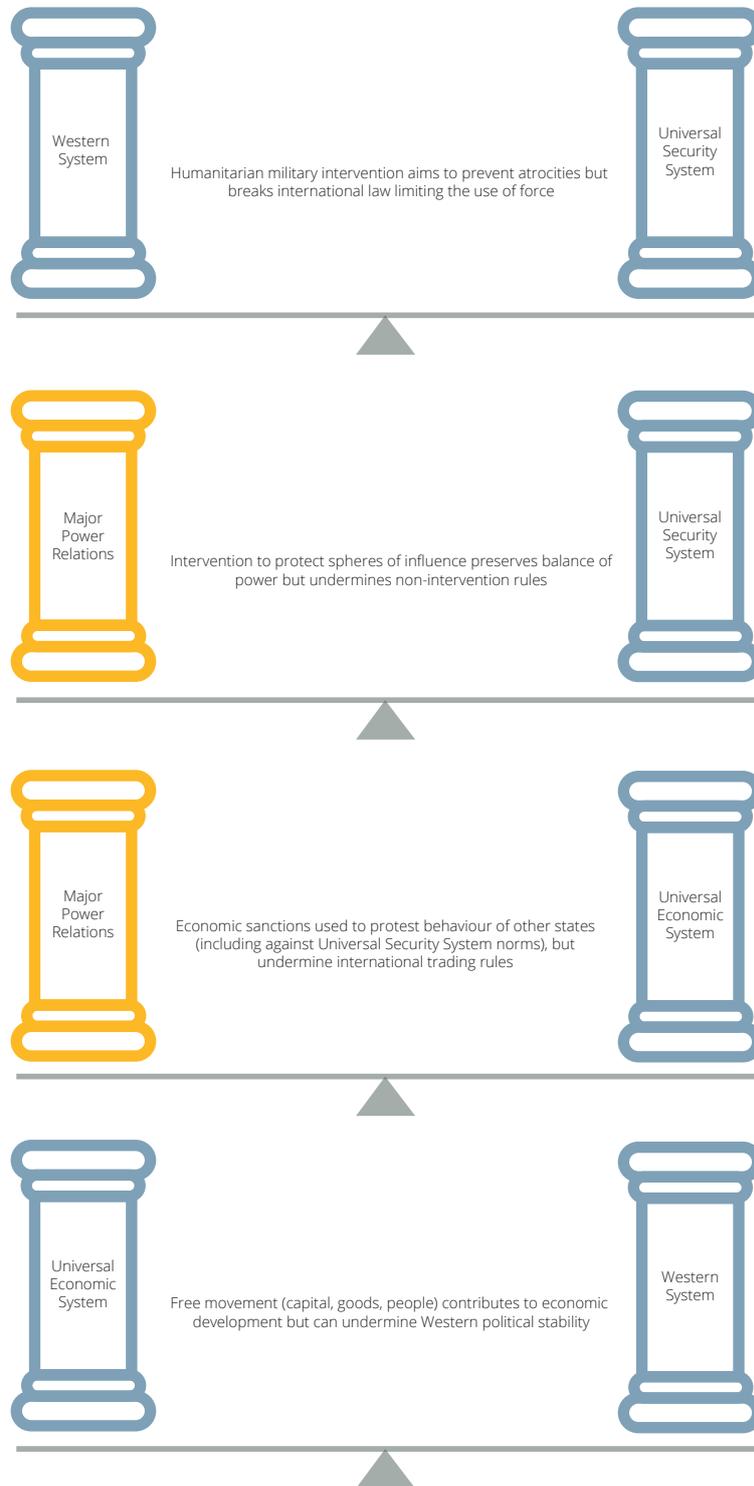
The **Universal Economic System (UES)** refers to the set of agreements and institutions that have provided the political and legal framework for the massive growth in international trade and investment that has taken place since 1945. Its key institutions – the IMF, the World Bank and the World Trade Organization (WTO, formerly the General Agreement on Tariffs and Trade) – have existed alongside many other international agreements, both global and regional, which have developed as part of post-1945 globalisation of the world economy. These include international regimes to combat climate change, regulate the wildlife trade, protect intellectual property and combat infectious disease. Over time, membership in these regimes has become increasingly widespread, and is now almost universal.

These three systems sit alongside **Major Power Relations and Bargains**, which have both shaped these systems and have had an independent existence of their own. The most important recent example of a Major Power Bargain was the bloc structure of the Cold War, dividing Europe into mutually agreed spheres of influence and thereby reducing the risk of war. Major Power Relations include structures of mutual deterrence more generally, in which states make clear to each other that aggression will trigger unacceptable consequences. Unlike rules-based systems, and in common with the Concert of Europe in the 19th century, only major powers have the military and economic capability to take part in such globally significant structures and bargains. Lacking clear rules, they can often be fragile, with competition and cooperation in uneasy co-existence. While their importance declined after 1990, they did not disappear altogether. They are now becoming more important as tension between the major powers grows. Arms control agreements between major powers (such as the Anti-Ballistic Missile, Intermediate-Range Nuclear Forces and New START treaties between the US and Russia) fall into this category, adding a degree of predictability and transparency to bilateral relations, while being hard to sustain when relations worsen.

Figure 1: The Four-Pillared International Order



Source: The author.

Figure 2: The Balance of Systems and Power

Source: The author.

I. The Universal Security System

THE ORIGINS OF the USS lie in the principles of the 1941 Atlantic Charter, agreed between Franklin Roosevelt and Winston Churchill, and later enshrined in the Charter of the United Nations. The most important of these principles were the right of self-determination for former colonies and the prohibition of aggression between states (including no change of borders without consent).⁵ In later years, regimes for the prohibition of nuclear and other weapons of mass destruction were added.⁶

In accordance with these principles, the two decades after the Second World War saw the breakup of the British, French, Belgian, Dutch and Portuguese empires in Asia and Africa, largely completing the process of decolonisation that had begun in Latin America in the early 19th century and continued with the breakup of the Austro-Hungarian and Ottoman Empires after 1918. The process was seldom smooth, and wars of ‘national liberation’ from colonial rule continued into the 1970s.⁷ But the momentum for self-determination was strongly supported by the US, and by strong nationalist movements, leaving European imperial states with little alternative but to accept the logic of the UN Charter. The trend towards self-determination gained a further boost with the end of the Cold War, when the collapse of communism in the Soviet Union and Yugoslavia added 20 new independent states to the international system. In each case, the generally observed rule was that the creation of new post-colonial states would take place on the basis of inherited colonial boundaries. The disintegration of the Soviet Union, Czechoslovakia and Yugoslavia after 1990 largely followed this rule, with new states created on the basis of existing borders between republics and provinces, albeit after prolonged conflict in the cases of Croatia and Bosnia.

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5. Stewart Patrick, *The Best Laid Plans: The Origins of American Multilateralism and the Dawn of the Cold War* (Lanham, MD: Rowman and Littlefield, 2009); Oona A Hathaway and Scott J Shapiro, *The Internationalists: And Their Plan to Outlaw War* (London: Penguin, 2018).
 6. Robert Harris and Jeremy Paxman, *A Higher Form of Killing: The Secret History of Chemical and Biological Warfare* (New York, NY: Random House, 2002); International Law and Policy Institute, ‘Chemical Weapons and Law Enforcement Under International Law’, Background Papers, ILPI Weapons of Mass Destruction Project, December 2016; William Walker, *A Perpetual Menace: Nuclear Weapons and International Order* (Abingdon: Routledge, 2012).
 7. For example, see John Darwin, *After Tamerlane: The Rise and Fall of Global Empires, 1400–2000* (London: Penguin, 2008); Piers Brendon, *The Decline and Fall of the British Empire: 1781–1997* (London: Vintage, 2010); David Fromkin, *A Peace to End All Peace: The Fall of the Ottoman Empire and the Making of the Modern Middle East*, 20th Anniversary Edition (New York, NY: Henry Holt, 2009); John Lynch, *The Spanish American Revolutions: 1808–1826*, 2nd Edition (New York, NY: W W Norton, 1986).

In the new USS, the right to self-determination and the prohibition of border changes by aggression reinforced each other, with considerable (albeit not complete) success. In Latin America, decades of inter-state war came to an end and most remaining border disputes have been managed peacefully.⁸ In Africa, despite the fractured politics of many post-colonial states, the African Union insisted on the inviolability of the inherited borders.⁹ In Europe, the new borders drawn as part of the post-war settlement have proven to be remarkably resilient, certainly in contrast to the experience of centuries of previous history. In Asia, neither Tibet nor Goa had gained widespread international recognition before their annexations (respectively) by China in 1950 and India in 1961. In the Middle East, despite confident predictions of the inevitable end of the 1916 Sykes–Picot settlement, and a series of wars that successively engulfed Lebanon, Iraq and Syria, their international borders seem set to remain exactly where they have been since decolonisation.¹⁰ In three cases – the separation of Bangladesh from Pakistan in 1971, the separation of Eritrea from Ethiopia in 1993 and the separation of South Sudan from Sudan in 2011 – an existing UN member state was divided in two as a result of a protracted armed rebellion, with the new state gaining international recognition shortly thereafter. None of these cases, however, involved annexation by an external power.

In the small number of cases where the border norm has been breached through annexation of territory by one state from another, the international reaction has been strong and sustained, even when major powers sought a rationale for exceptions to be made. For example, Indonesia's illegal annexation of East Timor in 1975, a few months after it had declared independence from Portugal, was widely condemned.¹¹ It was finally reversed in 1999. Argentina's seizure of the Falkland Islands in 1982 was reversed within months by British military action. Iraq's attempted

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8. David R Mares, *Violent Peace: Militarized Interstate Bargaining in Latin America* (New York, NY: Columbia University Press, 2001); Arie M Kacowicz, *Zones of Peace in the Third World: South America and West Africa in Comparative Perspective* (Albany, NY: State University of New York Press, 1998).
 9. Kacowicz, *Zones of Peace in the Third World*; Stuart Elden, 'Contingent Sovereignty, Territorial Integrity and the Sanctity of Borders', *SAIS Review* (Vol. 26, No. 1, Winter–Spring 2006).
 10. Gareth Stansfield, 'The Remaking of Iraq, Syria and the Wider Middle East: The End of the Sykes-Picot State System', RUSI Briefing Paper, July 2013. By indicating that the US may be preparing to recognise Israel's claim to sovereignty over the Golan Heights, which were seized from Syria in 1967, President Donald Trump has called into question the US's commitment to this principle. See Mark Landler and Edward Wong, 'In Golan Heights, Trump Bolsters Israel's Netanyahu but Risks Roiling Middle East', *New York Times*, 21 March 2019. At the time of writing, it seems unlikely that other Western powers will follow suit.
 11. Both the UN Security Council and General Assembly denounced the annexation, and opposition remained a visible element of international debates throughout the subsequent two decades. UN Security Council Resolution 384, 22 December 1975, S/RES/389; UN General Assembly Resolution 3485, 12 December 1975, A/RES/3485; Adam Schwarz, *A Nation in Waiting: Indonesia in the 1990s* (Boulder, CO: Westview Press, 1994); John G Taylor, *Indonesia's Forgotten War: The Hidden History of East Timor* (London: Zed Books, 1991); William Maley, 'The UN and East Timor', *Pacifica Review: Peace, Security & Global Change* (Vol. 12, No. 1, 2000, pp. 63–76).

annexation of Kuwait in 1990 was met with a united international reaction, both because of the challenge it posed to the broader norm and because of the challenge it posed to the border settlement of the Gulf.¹²

Israel's occupation of the Golan Heights, the West Bank and Gaza, seized during the 1967 war with Syria, Jordan and Egypt, is now the most longstanding breach of the no-annexation-by-force norm. It is an exception that proves both the strength and the limitations of that norm. Throughout the five decades since this annexation, international diplomatic efforts have continued to focus on its reversal, and on the negotiation of a two-state solution. In 2016, in a further strengthening of its position, the UN Security Council agreed (by a margin of 14 to 0, with only the US abstaining) to condemn Israel's occupation of Palestinian territories occupied since 1967, including East Jerusalem.¹³ While other factors weighed heavily, the post-war norm against forcible border changes clearly played an important role in maintaining international pressure for a two-state solution.¹⁴ Yet it also illustrated the limitations of the norm, when faced by strong countervailing political and geopolitical pressures.

Most recently, the importance of the non-annexation norm – reaffirmed in the principles of the 1975 Helsinki Final Act – helps to explain why there was such a strong reaction from NATO and European states against Russia's annexation of Crimea in 2014, the first time such an annexation had taken place in Europe since the end of the Second World War.¹⁵ Yet, at the time of writing, it seems improbable that Russia can be persuaded to reverse its action.

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12. Lawrence Freedman and Efraim Karsh, *The Gulf Conflict 1990–1991: Diplomacy and War in the New World Order* (Princeton, NJ: Princeton University Press, 1993).
 13. UN Security Council, 'Israel's Settlements Have no Legal Validity, Constitute Flagrant Violation of International Law, Security Council Reaffirms', Meetings Coverage, SC/12657, 23 December 2016, <<https://www.un.org/press/en/2016/sc12657.doc.htm>>, accessed 21 March 2019.
 14. Other important factors included concern that Israel's intransigence on this issue has contributed to the development of radical Islamist terrorism and a belief that a peaceful resolution of the Palestinian issue could contribute to political stability in key neighbouring states (notably Jordan and Lebanon) that host large numbers of Palestinian refugees.
 15. As Martin D Brown and Angela Romano argue in a commentary on the Final Act, 'by December 1972 all borders had been recognised in legally binding bilateral treaties and mutual recognition ... the Final Act affirmed the inviolability of frontiers, not their immutability; and featured a (West-conceived) specific clause on peaceful change'. Martin D Brown and Angela Romano, 'Forty Years Later, the Signing of the Helsinki Final Act Continues to have an Impact on European Security', European Politics and Policy Blog, LSE, 13 August 2015, <<https://blogs.lse.ac.uk/europpblog/2015/08/13/forty-years-later-the-signing-of-the-final-act-of-the-conference-on-security-and-cooperation-in-europe-continues-to-have-an-impact-on-european-security/>>, accessed 21 March 2019. On the role of the Helsinki Final Act more generally, see Michael Cotey Morgan, *The Final Act: The Helsinki Accords and the Transformation of the Cold War* (Princeton, NJ: Princeton University Press, 2018). Russia also supported the creation of mini-states under its protection in Transnistria (breaking from Moldova), Abkhazia and South Ossetia (breaking from Georgia) after the dissolution of the Soviet Union in 1991. It subsequently used military force to

The UN-led universal security system also mandated that states were strictly limited in the circumstances under which they could use armed force, other than in direct self-defence or in defence of other states at their request. The primary exception to this rule was action taken under the direct authority of the UN Security Council.

Throughout the Cold War period, this norm had a significant impact, leading, for example, to strong disapproval from some states of Indian intervention in East Pakistan in 1971, Vietnam's invasion of Cambodia to overthrow the Khmer Rouge in 1979 and Tanzania's intervention against Idi Amin's government in Uganda in 1978. In all three cases, however, the intervention was strongly supported by at least one of the major powers (the Soviet Union in support of India and Vietnam, the UK and US in support of Tanzania).¹⁶

When the interests of the major powers were more directly engaged, moreover, they have repeatedly shown themselves willing to breach the non-aggression norm. During the Cold War, the Soviet Union repeatedly intervened in Eastern Europe (and then latterly in Afghanistan in 1979) to install or protect client governments. The US, for its part, intervened forcibly in its own spheres of influence in Central America, the Gulf and Southeast Asia to prevent the threat (as it perceived it) of communist expansionism.¹⁷ In most of these cases, the Soviet Union or the US claimed that the legitimacy of its action derived from a request from the local government. Where these governments had themselves been installed by a US- or Soviet-sponsored coup, however, the resulting 'hybrid aggression' (in modern parlance) was not so different, in effect, from the real thing.¹⁸ None of these military actions had authorisation from the UN Security Council.

support the establishment of proto-states in Donetsk and Luhansk in eastern Ukraine in 2014. In contrast to Crimea, it has refrained from direct annexation in these cases.

16. Nicholas J Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2003); Stephen J Morris, *Why Vietnam Invaded Cambodia: Political Culture and the Causes of War* (Stanford, CA: Stanford University Press, 1999); B Z Khasru, *Myths and Facts on the Bangladesh Liberation War: How India, U.S., China, and the U.S.S.R. Shaped the Outcome* (Kolkata: Rupa Publications, 2010). For a detailed account of the UK Foreign Office's programme of covert action in support of the Tanzanian invasion, based on recently released archives, see Elisabeth Stennes Skarr, 'Great Britain's Policy on the Uganda-Tanzania War (1978-9): A Profound Lack of Confidence as a Major Power?', MA thesis, Norwegian University of Science and Technology, Trondheim, May 2015, <<https://brage.bibsys.no/xmlui/bitstream/handle/11250/2358755/Masteroppgave%20Elisabeth%20Stennes%20Skaar.pdf?sequence=1>>, accessed 1 March 2019.
17. Frederick Kempe, *Berlin 1961: Kennedy, Khrushchev, and the Most Dangerous Place on Earth* (London: Penguin Books, 2011); Anne Appelbaum, *Iron Curtain: The Crushing of Eastern Europe: 1944-1956* (London: Penguin, 2013); Raymond Pearson, *The Rise and Fall of the Soviet Empire* (London: Macmillan Press, 2002); Gregory Feifer, *The Great Gamble: The Soviet War in Afghanistan* (New York, NY: HarperCollins, 2010); Stephen Kinzer, *Overthrow: America's Century of Regime Change from Hawaii to Iraq* (New York, NY: Times Books, 2007).
18. For example, the Soviet invasion of Afghanistan in 1979 began with the overthrow of President Hafizullah Amin, who was replaced by fellow communist Babrak Karmal, who came from a rival

The end of the Cold War led to a sharp reduction in these proxy conflicts. But it also saw a marked increase in Western interventions for humanitarian purposes.¹⁹ With Russia's international influence drastically reduced, the US and its allies felt able to adopt a doctrine of humanitarian intervention, which allowed them to intervene militarily against foreign governments when they believed they were guilty of atrocities against their own people. During the 25 years after the end of the Cold War, the UK participated in three 'regime change' military operations without authorisation from the UN Security Council. In the 1999 Kosovo War, NATO's military operation successfully drove Serbia from a significant part of its own territory, then established a new state under its protection. In 2003, the US and the UK led the war to overthrow the regime of President Saddam Hussein in Iraq, replacing it with a joint occupation authority. In 2011, NATO took military action that resulted in the destruction of the regime of Muammar Qadhafi in Libya, far exceeding the UN Security Council's limited 'no fly zone' mandate. Most recently, the US and several of its allies have been involved in a sustained military campaign, by air and on the ground, against Daesh (also known as the Islamic State of Iraq and Syria, ISIS) in eastern Syria without the authorisation of the recognised Syrian government.²⁰ They also conducted bombing raids against Syrian government targets, in response to its use of chemical weapons against its own people.²¹

communist faction.

19. Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Ithaca, NY: Cornell University Press, 2004); International Commission on Intervention and State Security, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001); Adam Roberts, 'NATO's "Humanitarian War" Over Kosovo', *Survival: Global Politics and Strategy* (Vol. 41, No. 3, 1999); Richard A Falk, 'Kosovo, World Order, and the Future of International Law', *American Journal of International Law* (Vol. 93, No. 4, October 1999), pp. 847–57; Nicholas J Wheeler, 'The Humanitarian Responsibilities of Sovereignty: Explaining the Development of a New Norm of Military Intervention for Humanitarian Purposes in International Society', in Jennifer M Welsh (ed.), *Humanitarian Intervention and International Relations* (Oxford: Oxford University Press, 2004), pp. 29–52; Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington, DC: Brookings Institution Press, 2009).
20. The US and allies have argued that Article 51 of the UN Charter gives them the right to take military action on the basis of self-defence against non-state actors (in this case Daesh) which pose a threat to them, given that the Syrian government has been 'unable or unwilling' to prevent such groups from using its territory to launch attacks against the US and its allies. This interpretation of the Charter has not been universally accepted, either by other UN member states or by legal scholars. Julian Borger, 'Latin Americans Fear Precedent Set by Legal Justification for Syria Intervention', *The Guardian*, 2 April 2019. For further discussion, see Daniel Bethlehem, 'Principles Relevant to the Scope of a State's Right of Self-Defence Against an Imminent or Actual Armed Attack by Nonstate Actors', *American Journal of International Law* (Vol. 106, No. 4, October 2012), pp. 769–77, together with subsequent correspondence in the *American Journal of International Law* (Vol. 107, No. 2, April 2013 and Vol. 107, No. 3, July 2013).
21. Gov.uk, 'UK Action to Combat Daesh', <<https://www.gov.uk/government/topical-events/daesh/about>>, accessed 21 March 2019.

The lack of clear international legal authorisation for these many actions does not mean that any of them should not have been undertaken. Alleviating suffering, preventing terrorist attacks and deterring the use of chemical weapons are desirable ends, even if they are not authorised by the UN Security Council. Yet any benefits gained in pursuit of these objectives need to be weighed against the precedents that could be set for other states. The strongest retrospective argument against recent Western interventions in Iraq, Libya and Syria is arguably not their illegality but their clear failure to achieve strategic success.²²

The central role of the UN Security Council in decisions on the legality of armed conflict, moreover, reminds us that the origins of the USS lie in the bargains between the major victor powers in 1945: the radical redrawing of borders; permanent veto-carrying seats on the Security Council; and a division of much of Europe and East Asia into superpower spheres of influence. Rather than being a departure from rules-based order, these decisions provided the geopolitical starting point for the international rules that then followed. It was this unique combination of principle and power – not principle alone – that accounted for the longevity and historically unprecedented success of the post-1945 security system.²³

This precept remained true as new elements of the USS developed in subsequent years. The most important of these, the NPT, played an important role in limiting the proliferation of nuclear weapons, and strengthening the international norm against their possession and use.²⁴ It also strengthened the relative position of the five permanent members of the UN Security Council, forbidding other states parties to the treaty from acquiring their own nuclear weapons, and thereby deepening the security dependence of key non-nuclear allies on US protection. The NPT would never have come into existence without recognising the reality of post-war geopolitics. By curbing proliferation and stabilising the alliance system, however, it has played an important supplementary role in international security.

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22. Thomas E Ricks, *Fiasco: The American Military Adventure in Iraq* (Penguin, 2007); David Loyn, *Butcher and Bolt: Two Hundred Years of Foreign Engagement in Afghanistan* (London: Windmill Books, 2009); Seth G Jones, *In the Graveyard of Empires: America's War in Afghanistan* (New York, NY: W W Norton, 2010); Frank P Harvey, *Explaining the Iraq War: Counterfactual Theory, Logic and Evidence* (Cambridge: Cambridge University Press, 2011); Jack Fairweather, *A War of Choice: The British in Iraq 2003-2009* (London: Vintage, 2012); Jack Fairweather, *The Good War: Why We Couldn't Win the War or the Peace in Afghanistan* (London: Jonathan Cape, 2014); Andrew J Bacevich, *America's War for the Greater Middle East: A Military History* (New York, NY: Random House, 2017); Theo Farrell, *Unwinnable: Britain's War in Afghanistan* (London: Bodley Head, 2017); Frank Ledwidge, *Losing Small Wars: British Military Failure in the 9/11 Wars* (New Haven, CT: Yale University Press, 2017); Ben Rhodes, *The World as It Is* (London: Bodley Head, 2018); Frederic Wehrey, *The Burning Shores: Inside the Battle for the New Libya* (New York, NY: Farrar, Straus and Giroux, 2018).
23. Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton, NJ: Princeton University Press, 2009).
24. Walker, *A Perpetual Menace*, provides one of the most thoughtful accounts of the role of norms in the international nuclear order.

Internationally recognised maritime law – including the UN Convention on the Law of the Sea (UNCLOS) that came into force in 1994 – clearly falls within this category and is nearly universally supported because of its economic and security benefits.²⁵ Continuing Chinese unwillingness to abide by the rulings of the International Court of Arbitration over its disputes with its neighbours in the South China Sea indicates the continuing fragility of this element of the USS.²⁶ But it remains the primary reference point for how most states act in this domain, even for the US (which has not ratified UNCLOS but has pledged to abide by its provisions).²⁷

In contrast, international regimes and norms in relation to human rights (embodied in the Universal Declaration of Human Rights and the International Bill of Human Rights) are routinely flouted in most non-democratic states.²⁸ There are also widespread human rights problems in many states which continue to hold competitive elections but currently fall well short in relation to other features of liberal democracy such as rights of minorities, freedom of expression and independent judiciaries – for example Pakistan, Turkey and Israel.²⁹

Even if authoritarian and semi-democratic states have signed up to commitments in this regard, the very nature of their domestic political settlements often rests on systematic violations of human rights. It is therefore misleading to see international human rights regimes as being on par with the more generally accepted elements of the universal security and economic systems. Instead, international norms designed to regulate how states behave towards their own citizens are best seen as fitting into the international order in two other ways: first, as an essential part of the Western System (see Chapter II); and, second, as an aspirant universal system that has not yet achieved the status of other, more widely accepted, systems, but to which most states still pay at least lip service.

In summary, the USS's norm against border changes and (even more so) annexation has remained a key element of international security for more than half a century, reinforcing the broader stability of post-colonial borders. The norm against military intervention has been weaker, but its frequency has still been relatively limited by historical standards, contributing to a marked reduction in casualties from armed conflicts compared with historical levels.³⁰

25. Yoshifumi Tanaka, *The International Law of the Sea*, 2nd Edition (Cambridge: Cambridge University Press, 2018).

26. Ankit Panda, 'International Court Issues Unanimous Award in Philippines v China Case on South China Sea', *The Diplomat*, 12 July 2016.

27. Roncevert Ganon Almond, 'U.S. Ratification of the Law of the Sea Convention', *The Diplomat*, 24 May 2017.

28. Foreign Office, *Human Rights and Democracy: The 2017 Foreign and Commonwealth Office Report* (London: The Stationery Office, July 2018).

29. Freedom House, 'Freedom in the World 2018', January 2018. Core Western states, moreover, often fall short of international human rights norms in important areas, for example in treatment of ethnic minorities and gender rights.

30. John Mueller, 'The Essential Irrelevance of Nuclear Weapons: Stability in the Postwar World', *International Security* (Vol. 13, No. 2, Fall 1988), pp. 55–79; John Mueller, *Retreat from Doomsday:*

The USS played a key role, raising the reputational costs of launching war. It also meant that, denied the opportunities for annexation and economic exploitation that the previous imperial order had made possible, the major powers discovered – often painfully – that it is hard to make occupation work or pay. The Soviet occupation of Afghanistan, and subsequent US-led 'stabilisation' missions in Afghanistan and Iraq, are testament to this. The risk of conflict escalation between major powers has also been an important factor in limiting the scale and intensity of interventions, most recently in limiting the scale and nature of US military action against the Russian-allied Syrian government. At the time of writing, the US is seeking to build an international coalition against Iran.³¹ Tensions between India and Pakistan are growing in the wake of the February 2019 attacks in Kashmir.³² In both cases, however, leaders know that initiating a large-scale conflict would face limited prospects for full 'victory' and would be likely to incur very high costs. Continued understanding of these prudential realities – not the existence of international rules per se – is the main contributor to war prevention in both cases.

The Obsolescence of Major War (New York, NY: Basic Books, 1989); Steven Pinker, *The Better Angels of Our Nature: The Decline of Violence in History and Its Causes* (London: Penguin, 2012), especially Chapter 5; Joshua S Goldstein, *Winning the War on War: The Decline of Armed Conflict Worldwide* (New York, NY: Plume Books, 2012); Therése Pettersson and Kristine Eck, 'Organized Violence, 1989-2017', *Journal of Peace Research* (Vol. 55, No. 4, 2018), pp. 535–47.

31. David E Sanger and Marc Santora, 'Anti-Iran Message Seeps Into Trump Forum Billed as Focusing on Mideast Security', *New York Times*, 13 February 2019.
32. Vindu Goel, 'India-Pakistan Crisis: Why They Keep Fighting over Kashmir', *New York Times*, 8 March 2019.

II. The Western System

FROM THEIR COMMON origins in the wake of the Second World War, there has been tension between the USSR and the Western System. In parallel with the creation of the UN and associated universal norms, a set of much more ambitious new institutions and norms emerged between the states which came to be known as the Western security community.³³ United by common commitments to liberal democracy and market economics, together with a shared fear of expanded Soviet influence and military power, the West was above all an ideological endeavour, the success of which after 1945 was made possible both by the defeat of Nazism and Japanese militarism and by the shared commitment to the containment of Soviet communism.³⁴ It was, and is, both an international and a domestic project – an attempt, remarkably successful for more than 60 years, to reconcile democracy and capitalism, and to protect both from authoritarianism and totalitarianism.

While the USSR is focused, above all, on protecting the sovereignty of states, the Western System is based on shared democratic norms and shared responsibilities for protecting those norms. Its members have created a ‘security community’, in which war between them has become unthinkable. As a result, they accept a degree of mutual economic interdependence, and political cooperation, which is not possible with other, less like-minded, states. Western states also plan on the assumption that they will be supported by strong allies when they confront external threats. This has played a central role in strengthening their security while keeping the economic burdens of defence at manageable levels.

At the heart of this community – especially in Europe – has been a series of new international organisations based on a high degree of shared sovereignty and rule-making, overseen and enforced by supranational secretariats and courts. The EU and NATO are the most important of these in Europe, along with the Council of Europe and the European Convention on Human

33. The concept of security community was first formulated in Karl W Deutsch, *Political Community in the North Atlantic Area: International Organization in the Light of Historical Experience* (Princeton, NJ: Princeton University Press, 1957), p. 5, to refer to a group of states ‘in which there is real assurance that the members of that community will not fight each other physically, but will settle their disputes in some other way’. Deutsch was referring specifically to Western Europe and to relations between the US and Canada. The concept has subsequently been used in other regional contexts, albeit often in aspirational terms. For example, see Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order*, 3rd Edition (London: Routledge, 2014).

34. John Lewis Gaddis, *We Now Know: Rethinking Cold War History* (Oxford: Oxford University Press, 1997); Odd Arne Westad, ‘The Cold War and America’s Delusion of Victory’, *New York Times*, 28 August 2017.

Rights.³⁵ The extent of sovereignty sharing outside Europe is less profound, with the US especially reluctant to cede any authority to supranational bodies. Even so, the US has been prepared to play a central role in a wide range of permanent Western organisations, including the OECD, the Five Eyes intelligence-sharing regime and the US–Japan and US–South Korea alliances.³⁶

The Western System has never been an alliance of equals. Like the USS, it is deeply rooted in the power relationships created by the Second World War, with the US playing the leading role in its creation, development and protection.³⁷ Both the UK and France, in different ways, also maintained privileged positions within the Western System, particularly in relation to security – as permanent UN Security Council members and nuclear powers, with strong expeditionary capabilities and a willingness to undertake frequent military operations. In contrast, the defeated powers of the Second World War – Germany, Japan and Italy – punch well below their weight in the West's security system, spending less on defence, using their militaries rarely if at all, and largely subordinating their armed forces to US-led command structures.³⁸ Even in the EU, where it is the single most influential state, Germany has remained determined to show that it is the most multilateralist of the large members, concerned at the reaction of its neighbours (and indeed its own people) to more hegemonic behaviour.³⁹ While the UN put its headquarters in New York to help persuade its most powerful state to remain engaged, both NATO and the EU have their main headquarters in one of Europe's smallest states (Belgium), a location that has come to symbolise the subordination of even the most powerful states to a European

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35. Moravcsik, *The Choice for Europe*; Helga Haftendorn, Robert O Keohane and Celeste A Wallander (eds), *Imperfect Unions: Security Institutions Over Time and Space* (Oxford: Oxford University Press, 1999); Clive Archer, *International Organizations* (London: Routledge, 2001); Emanuel Adler and Michael Barnett (eds), *Security Communities* (Cambridge: Cambridge University Press, 2009); Helen Wallace, Mark A Pollack and Alasdair R Young (eds), *Policy-Making in the European Union*, 7th Edition (Oxford: Oxford University Press, 2014).
36. Jeffrey T Richelson and Desmond Ball, *The Ties That Bind: Intelligence Cooperation Between the United Kingdom/United States of America Countries: United Kingdom, the United States of America, Canada, Australia and New Zealand* (New York, NY: HarperCollins, 1986); Michael J Green, *Japan's Reluctant Realism: Foreign Policy Challenges in an Era of Uncertain Power* (London: Palgrave, 2003); Matthias Schmelzer, *The Hegemony of Growth: The OECD and the Making of the Economic Growth Paradigm* (Cambridge: Cambridge University Press, 2017); Uk Heo and Terence Roehrig, *The Evolution of the South Korea–United States Alliance* (Cambridge: Cambridge University Press, 2018).
37. Lawrence S Kaplan, *The United States and NATO: The Formative Years* (Lexington, KY: University Press of Kentucky, 2014); Tony Judt, *Postwar: A History of Europe since 1945* (London: Vintage, 2010); Seth A Johnston, *How NATO Adapts: Strategy and Organization in the Atlantic Alliance Since 1950* (Baltimore, MD: Johns Hopkins University Press, 2017).
38. For discussion of these contrasting experiences within Europe, see Malcolm Chalmers, *Sharing Security: The Political Economy of Burden Sharing* (London: Macmillan, 2000).
39. Simon Bulmer and William E Paterson, *Germany and the European Union: Europe's Reluctant Hegemon?* (London: Red Globe Press, 2018).

rules-based system.⁴⁰ This variable burden-sharing geometry has been remarkably stable since the 1950s, sustained by continuing sharp divergences in national strategic cultures.⁴¹

During the Cold War, the size and shape of the West was also relatively stable. Some advances were made as the countries of Southern Europe democratised,⁴² but Cold War dividing lines limited the extent of enlargement, both in Europe and worldwide. While competition from communism limited the expansion of the West, in both Europe and East Asia, it led the US to offer preferential trade access to many of its allies, contributing to their economic recovery from the Second World War (or, in the case of South Korea, from the Korean War). The ideological challenge from both Soviet and (after 1949) Chinese communism also contributed to pressure for more egalitarian social and economic policies. In both North America and Europe, the post-war period saw sustained rises in living standards for the working and middle classes, together with an increased role for the state in supporting public services. In Japan, South Korea and Taiwan, radical post-war land reform programmes stemmed popular support for communism, helping to ensure broad-based benefit from subsequent economic growth.⁴³ In both Europe and Asia, these policies helped to ensure the triumph of centrist political parties and the marginalisation of both fascism and communism.⁴⁴

The early decades of the Cold War – often described as an economic ‘Golden Age’ – benefited the Western working classes, with real wages rising, public services improving and income

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40. Initially, NATO’s political headquarters was in London, moving to Paris in 1952 to join the military headquarters. When Paris left the integrated military command in 1966, however, it was decided to move both to Belgium. See NATO, ‘Why Belgium’, <https://www.nato.int/cps/en/natohq/declassified_147162.htm?selectedLocale=en>, accessed 21 March 2019.
41. Kerry Longhurst, *Germany and the Use of Force: The Evolution of German Security Policy, 1990-2003* (Manchester: Manchester University Press, 2004); Wilhelm Mirow, *Strategic Culture Matters: A Comparison of German and British Military Interventions since 1990* (Münster: Lit Verlag, 2009).
42. After the end of military rule, Greece applied to join the European Community in 1975, and became a full member in 1981. Spain’s democratic transition between 1975 and 1980 was followed by NATO membership in 1982 and European Community membership in 1986. Portugal was already a NATO member during the post-war period of military rule and joined the European Community in 1986 after the end of the dictatorship in 1975.
43. Robert Wade, *Governing the Market: Economic Theory and the Role of Government in East Asian Industrialization* (Princeton, NJ: Princeton University Press, 2004); Ha-Joon Chang, ‘The East Asia Development Experience’, in Ha-Joon Chang (ed.), *Rethinking Development Economics* (London: Anthem Press, 2003).
44. In both South Korea and Taiwan, most of the post-war period was characterised by authoritarian and military governments. It was only in the 1980s that the full transition to liberal democracy was completed. The transition took place earlier in Japan, but with one party – the Liberal Democratic Party – dominant throughout the Cold War period. In Europe, communist parties sustained significant electoral support throughout the Cold War in Italy and, to a lesser extent, France, but failed to gain national power. The far right was almost completely marginalised as a political force, although dictatorial rule lasted until 1975 in both Portugal and Spain.

inequality remaining at historic lows.⁴⁵ The character of this period in the developing world, however, proved more mixed, involving successive proxy conflicts. The artificial division of Korea and Vietnam led to two of the worst wars of the second half of the 20th century. Driven by anti-communism, the US repeatedly intervened to support military coups against democratic and nationalist governments, most notably in Iran, Indonesia and throughout Latin America. For its part, the Soviet Union's attempts to export its own model encumbered its allies – for example in Vietnam, Mozambique and Cuba – with many of the rigidities of its own society.

When the Cold War ended, the US and its allies saw an opportunity to expand the Western security community through an extension of liberal democracy and market economics. With the collapse of Soviet communism, talk of an international rules-based system increasingly referred to the importance of democratisation as a means of ensuring permanent peace, referring both to post-1945 relations between Western states and emerging 'democratic peace' theory.⁴⁶ As the 'end of history' – and the ideological victory of liberal democracy – was proclaimed, Western states increasingly intervened throughout the world to promote the spread of democracy.⁴⁷ For the next two decades, up to and including the Arab uprisings of 2011, Western strategy was essentially an offensive one: responding to successive crises and opportunities to support the further spread of democratisation and liberal economics. In most cases, it sought to use political influence and economic power, as well as ideological 'soft power', to pursue this strategy. But military power also played an important role.⁴⁸

45. Stephen A Marglin and Juliet B Schor (eds), *The Golden Age of Capitalism: Reinterpreting the Postwar Experience* (Oxford: Oxford University Press, 1992); N F R Crafts, 'The Golden Age of Economic Growth in Western Europe, 1950-1973', *Economic History Review* (Vol. 48, No. 3, August 1995), pp. 429–47.

46. Michael W Doyle, 'Kant, Liberal Legacies, and Foreign Affairs', *Philosophy and Public Affairs* (Vol. 12, No. 3, Summer 1983), pp. 205–35; Nils Petter Gleditsch, 'Democracy and Peace', *Journal of Peace Research* (Vol. 29, No. 4, November 1992), pp. 369–76; John R Oneal and Bruce Russett, 'The Kantian Peace: The Pacific Benefits of Democracy, Interdependence, and International Organizations', *World Politics* (Vol. 52, No. 1, October 1999), pp. 1–37; Bruce Russett, *Grasping the Democratic Peace: Principles for a Post-Cold War World* (Princeton, NJ: Princeton University Press, 1993). For a recent account of why the democratic peace may be part of a wider, albeit still fragile, 'modernisation peace', see Azar Gat, *The Causes of War and the Spread of Peace: But Will War Rebound?* (Oxford: Oxford University Press, 2017).

47. Michael McFaul, 'Democracy Promotion as a World Value', *Washington Quarterly* (Vol. 28, No. 1, Winter 2004–05); Robert Kagan, *The Return of History and the End of Dreams* (New York, NY: Knopf, 2008).

48. Key Western military interventions during this period included those in former Yugoslavia (Croatia, Bosnia, Macedonia and Kosovo), Somalia, Iraq (liberation of Kuwait, Kurdish safe haven, no-fly zones, sanctions, 2003 invasion and occupation), Syria, Afghanistan, Libya, Sierra Leone and various Sahel states.

As the Cold War ended, this democratic offensive saw important gains, most importantly among former Soviet allies in Eastern Europe, but also in Latin America, Africa and Asia. Yet it also had its limits – both in the two most important non-democratic powers and in the developing world.

The end of the Soviet Union was followed by competitive elections in Russia, and Western states hoped that, over time, it and other post-Soviet states would follow the path to democratisation. Instead, the collapse of the Soviet Union was accompanied by a chaotic process of social, political and economic change.⁴⁹ After the interregnum of Boris Yeltsin, Vladimir Putin's consolidation of power after 2000 was accompanied by the dismantling of almost all democratic elements in the post-communist system, even as his popularity increased as export revenues and living standards improved. Yet the system remained – in Putin's perception at least – vulnerable to democratic contagion from externally supported colour revolutions.⁵⁰ Prevention of the enlargement of the Western rules-based system (including NATO and the EU) into Russia's sphere of influence became a central objective of its security policy, culminating in the 2014 Ukraine crisis.⁵¹

In China, the last years of the Cold War saw significant rifts within its communist party on political reform, culminating in the Tiananmen Square massacres in June 1989 and the imposition of Western sanctions. Thereafter, the government regained its nerve, launching a remarkable programme of export-led reform and growth that was to become a living repudiation of the theory that only democracy can produce sustained growth in living standards. Despite initial predictions, rapid economic growth did not produce the political liberalisation that was seen in Taiwan and South Korea, whose close security alliances with the US had provided an important additional incentive for democratisation. Rather, as in Vietnam, China's communist leaders used economic success to consolidate their political authority and quell discontent.

The reassertion of authoritarianism in both Russia and China quashed hopes for a near-universalisation of the Western security community. And, since the Russian annexation of Crimea, the US and its main allies (including the UK) have been reorienting their security policies towards potential military threats from both powers, after two decades of conflict with lesser opponents. Yet the world has not seen a return to Cold War levels of military mobilisation (numbers of active military forces) or military spending (as a share of GDP). Both NATO's European members and China continue to spend, on average, less than 2% of their GDP on defence (1.5% and 1.7% respectively). The US and Russia spend significantly more (3.4% and 4.0% respectively). But all four major power centres spend much less proportionately than

49. Edward D Mansfield and Jack Snyder suggest that the process of democratisation often increases the likelihood of violent conflict. See Edward D Mansfield and Jack Snyder, *Electing to Fight: Why Emerging Democracies Go to War* (Cambridge, MA: MIT Press, 2005).

50. Michael McFaul, *From Cold War to Hot Peace: The Inside Story of Russia and America* (London: Allen Lane, 2018).

51. Lawrence Freedman, 'Ukraine and the Art of Crisis Management', *Survival: Global Politics and Strategy* (Vol. 56, No. 3, 2014), pp. 7–42; Dmitri Trenin, 'The Ukraine Crisis and the Resumption of Great-Power Rivalry', Carnegie Moscow Centre, July 2014; Richard Sakwa, *Frontline Ukraine: Crisis in the Borderlands* (London: I B Tauris, 2014).

they did in the 1980s.⁵² On this key metric, at least, the world is not on a trajectory towards a new Cold War.

Western commitment to democratisation after the Cold War also manifested itself in a growing number of military interventions – first in the Balkans, then in Africa, Afghanistan and Iraq. During the Cold War, fears of escalation had deterred military action that might have led to conflict with the Soviet Union, and the global competition with communism also made the US more tolerant, and often supportive, of authoritarian allies. With the triumph of the Western liberal democracies in the Cold War, however, they became increasingly willing to intervene, albeit selectively, in the internal affairs of other states to protect human rights, remove dictators from power, and reconstruct societies on Western democratic and capitalist norms.

US-led regime-changing interventions in Kosovo, Iraq and Libya were thus all justified – not least in the UK – by reference to humanitarian, 'responsibility to protect', goals. Yet they also undermined central international rules, including the outlawing of the use of force except in direct self-defence or with explicit UN Security Council authority.⁵³ To add to this critique, and despite their considerable human and financial costs, none of these three regime-change wars have so far proved successful in creating stable democracies.⁵⁴ The case for long-term net benefit is probably strongest with regard to Kosovo. But these benefits – preventing the further expulsions of Albanians that seemed likely in the absence of Western action, and starting the

52. All 2018 figures (except China, which is for 2017) and NATO definition of defence expenditure. NATO, 'The Secretary-General's Annual Report', March 2019, p. 125, estimates that the US spent 3.39% of GDP on defence in 2018, and NATO Europe spent 1.51%. For China, International Institute for Strategic Studies, *The Military Balance 2019* (London: Routledge, 2019), p. 256 estimates total 'defence budget and other military related expenditure' to be CNY 1.41 billion in 2017. For Russia, International Institute for Strategic Studies, *The Military Balance 2019*, p. 175 estimates 'total military expenditure' (using the NATO definition) to be RUB 3.935 trillion. By comparison, the International Institute for Strategic Studies estimated that the US spent 6.5% of GDP on defence in 1985, NATO Europe spent 4.0%, the Soviet Union spent 16.1% and China spent 7.9%. IISS, *The Military Balance 2000-2001* (London: Oxford University Press, 2000), pp. 297–99.

53. Tim Judah, *Kosovo: What Everyone Needs to Know* (Oxford: Oxford University Press, 2008); Patrick Porter, *Blunder: Britain's War in Iraq* (Oxford: Oxford University Press, 2018); Christopher S Chivvis, *Toppling Qaddafi: Libya and the Limits of Liberal Intervention* (Cambridge: Cambridge University Press, 2013). The legitimacy of the operations in Afghanistan and Iraq was also weakened by serious breaches of international humanitarian law by US and allied forces. See Rebecca Sanders, *Plausible Legality: Legal Culture and Political Imperative in the Global War on Terror* (Oxford: Oxford University Press, 2018).

54. Malcolm Chalmers, 'The Strategic Scorecard: Six Out of Ten', in Adrian Johnson (ed.), *Wars in Peace: UK Military Operations since 1991* (London: RUSI, 2013), pp. 89–136.

process of building a viable European state – need to be balanced against the blow the invasion inflicted on European security more widely, including on relations with Russia.⁵⁵

In recent years, liberal democracy, and support for liberal political norms, has been in retreat across much of the world. The failure of the Arab uprisings, and their degeneration into repression (Egypt) or civil war (Yemen and Syria) dashed hopes in the Middle East. Elsewhere, Western democracies were helpless to prevent the rise of strong-man leaders in Hungary, the Philippines, Turkey and Brazil, together with the removal of the civilian government in Thailand and the quashing of hopes for Myanmar.

While the Western rules-based system remains one of the key pillars of the international order, therefore, its post-1990 effort to become the dominant element in that order has – at least for now – failed. Rather, it continues to live in uneasy coexistence with the USS, episodically pursuing human security, and latterly an expansive version of self-defence, over state security, and claiming that the US and its allies have the authority to decide how to pursue the former, where necessary without authorisation from the UN Security Council where Russia and China each has a veto.

55. Ted Galen Carpenter, 'How Kosovo Poisoned America's Relationship with Russia', *National Interest*, 19 May 2017.

III. The Universal Economic System

AFTER 1945, THE US, the UK and their allies also led the creation of a third set of structures – the UES. Organised through institutions such as the International Monetary Fund, the World Bank and the General Agreement on Tariffs and Trade (latterly the WTO), this system sought to reduce the economic protectionism that was believed to have contributed to inter-war conflict, replacing it with international rules that allowed states to reap the gains of freer trade and access to international capital and liquidity.⁵⁶ In relation to the new states emerging from the end of the European empires, these new institutions also organised supplies of development finance and technical assistance. Together, they provided the international legal and regulatory framework for what later became known as globalisation.

During the first two post-war decades, the pace of market opening was relatively slow, with capital movements subject to tight restrictions and liberalisation mainly focused on trade in goods. After the end of the fixed exchange rate regime in 1971, however, barriers to the movement of capital were increasingly removed. With China embarking on its economic reform from 1979 onwards, and the new republics emerging from the Soviet Union joining the international financial institutions in the early 1990s, globalisation became truly global, encompassing democracies and non-democracies alike.⁵⁷

The results proved to be transformative but mixed. On the one hand, rapid growth in world trade combined with improved economic management within states fuelled the most successful period for global income growth in human history. While the world's population has grown from 2.6 billion in 1951 to 7.3 billion in 2015,⁵⁸ the proportion living in extreme poverty has fallen from 36% in 1990 to 10% in 2015.⁵⁹ Asian countries, including China, reaped massive benefits, achieving historically unparalleled rates of GDP growth.⁶⁰

56. Eric Helleiner, *States and the Reemergence of Global Finance: From Bretton Woods to the 1990s* (Ithaca, NY: Cornell University Press, 1996); Barry Eichengreen, *Globalizing Capital: A History of the International Monetary System*, 2nd Edition (Princeton, NJ: Princeton University Press, 2008).

57. Eichengreen, *Globalizing Capital*; Dani Rodrik, *The Globalization Paradox: Why Global Markets, States and Democracy Can't Coexist* (Oxford: Oxford University Press, 2012).

58. UN, 'Population', <<http://www.un.org/en/sections/issues-depth/population/>>, accessed 21 March 2019.

59. World Bank, *Poverty and Shared Prosperity 2018: Piecing Together the Poverty Puzzle* (Washington, DC: World Bank, 2018), p. 2.

60. Between 1979 and 2016, China's GDP is estimated to have grown at an average real rate of 9.6% per annum, allowing its GDP to double every eight years. Wayne M Morrison, 'China's Economic Rise: History, Trends, Challenges and Implications for the US', Congressional Research Service, RL33534, February 2018, p. 5.

Supporters of economic globalisation also argued that, by making states more dependent on each other, it made the costs of war between them higher.⁶¹ If the international system guarantees access to essential commodities on the market, moreover, one of the key drivers for past wars – the need to restore security of supply when faced with international sanctions – can be removed.

On the other hand, the very success of the UES, in its own terms, has created new, and growing, strains in the wider post-1945 order. Globalisation of the manufacturing industry has transformed one industry after another, improving quality, lowering prices and increasing productivity as companies respond to the imperatives of global competition. In the process, hundreds of millions of workers in lower income countries have benefited from their new place in global supply chains. Even as Western economies benefited through lower prices and in other ways, however, large parts of their own labour forces did not.⁶² During the four decades since the entry of China into the world economy, for example, average real hourly wages for male American workers have not risen.⁶³ In the UK, real median wages fell by almost 5% in the decade since the 2008 financial crisis.⁶⁴

In both the West and the developing world, elites have been the greatest beneficiaries of economic globalisation. In contrast to the squeezing of income and wealth distribution in the immediate post-war decades, the period since the 1980s has seen a growing concentration of wealth, and gains in income, to the benefit of the richest 0.1% of the population.⁶⁵ Part of this is a result of a long period of major power peace and the absence of political revolution, the

61. Erich Weede, 'The Diffusion of Prosperity and Peace Through Globalisation', *Independent Review: Journal of Political Economy* (Vol. 9, No. 2, Fall 2004); Oneal and Russett, 'The Kantian Peace'; Michael Mousseau, Håvard Hegre and John R O'neal, 'How the Wealth of Nations Conditions the Liberal Peace', *European Journal of International Relations* (Vol. 9, No. 2, 2003), pp. 277–314.

62. Branko Milanovich, *Global Inequality: A New Approach for the Age of Globalization* (Cambridge, MA: Harvard University Press, 2018).

63. Drew Desilver, 'For Most US Workers, Real Wages Have Barely Budged in Decades', Pew Research Centre, 7 August 2018. According to recent calculations based on Congressional Budget Office data, average post-tax income for median households grew by 46% in real terms (or 1.1% per annum) between 1979 and 2015. On the same basis, by contrast, the average post-tax income of the top 1% grew by 242% in real terms. Richard V Reeves, 'Restoring Middle-Class Incomes: Redistribution Won't Do', Brookings Up Front Blog, 20 November 2018. Rather than contradicting the picture of stagnant wage income, however, these figures reflect the rapid growth in spending on healthcare subsidies for US households (especially those with retired and disabled members) together with increased female participation in the workforce.

64. Rui Costa and Stephen Machin, 'Real Wages and Living Standards in the UK', LSE Centre for Economic Performance, June 2017.

65. According to a recent study, 'the share of wealth owned by the top 1% of families has regularly grown since the late 1970s and reached 42% in 2012. Most of this increase is driven by the top 0.1%, whose wealth share grew from 7% in 1978 to 22% in 2012, a level comparable to that of the early 20th century'. Emmanuel Saez and Gabriel Zucman, 'Wealth Inequality in the United States

predictable consequence of which has been the growing accumulation of capital in the hands of a few.⁶⁶ But the process of wealth concentration has been accelerated by the availability of cheap money, the liberalisation of international capital markets and the growth of global companies, the effect of which has been to erode the ability of most states to collect tax from their richest citizens and most successful corporations – evidenced, for example, in the ‘race to the bottom’ in rates of corporation tax and the shift from direct to indirect personal taxation.⁶⁷

The capture of the fruits of economic growth by well-connected elites has been even more pronounced in most developing countries. Tax havens – many of them UK dependencies – are used to launder trillions of dollars of ill-gotten wealth into unrecoverable assets.⁶⁸ Much of the revenue of oil producing states – such as Nigeria, Saudi Arabia, Venezuela and Iraq – ends up being invested elsewhere by ruling elites and families. Those who have benefited most from the collapse of Soviet communism have been newly minted ‘oligarchs’, corruptly obtaining state property and reaping massive benefits from their government connections. Even when dissatisfaction with corruption helps to trigger political change, as in Ukraine in 2014, the design of the international economic system makes it impossible to recover more than a fraction of corruptly obtained assets.⁶⁹

The growing disparity between the rich and the mass of the population, and the perception that this is driven in large measure by corrupt connections to state power, has been an important element in most of the major political revolts of the last decades – from the Colour Revolutions of Yugoslavia, Georgia and Ukraine to the Arab uprising revolts of North Africa and the Levant to the rise of nationalist strong-men in Brazil and the Philippines.⁷⁰ Widening economic and social gaps within Western societies have also played a major role in the rise of nationalist political parties and, in the UK, in the 2016 Brexit vote.⁷¹ Liberal and social democratic parties, sold

since 1913: Evidence from Capitalized Income Tax Data’, *Quarterly Journal of Economics* (Vol. 131, No. 2, May 2016), pp. 520–21.

66. Thomas Piketty, translated by Arthur Goldhammer, *Capital in the Twenty-First Century* (Cambridge, MA: Harvard University Press, 2014); Walter Scheidel, *The Great Leveller: Violence and the History of Inequality from the Stone Age to the Twenty-First Century* (Princeton, NJ: Princeton University Press, 2017).
67. OECD, ‘Tax Reform Trends in OECD Countries’, paper presented at the OECD 50th Anniversary Conference on Challenges in Designing Competitive Tax Systems, Paris, 30 June 2011.
68. One estimate suggests some 8% of all the world’s financial wealth was ‘held in tax havens in 2014: \$7.6 trillion, out of a total of \$95.5 trillion’. Oliver Bullough, *Moneyland: Why Thieves and Crooks Rule the World and How to Take it Back* (London: Profile Books, 2018), p. 46.
69. Bullough, *Moneyland*.
70. Jonathan Mendilow and Ilan Peleg (eds), *Corruption in the Contemporary World: Theory, Practice, and Hotspots* (Lanham, MD: Lexington Books, 2014).
71. Thiemo Fetzer, ‘Did Austerity Cause Brexit?’, *CESifo Working Paper* (No. 7159, 2018) uses correlations between austerity-induced welfare reforms and local-level UK Independence Party (UKIP) voting patterns to suggest that the reduction of transfer payments after 2010 played an important role in increasing support for UKIP and subsequently for Brexit. Also see Italo Colantone

on the benefits of globalisation and focused on social liberalisation, seem unable to develop credible political programmes to reverse these trends.

As a result, a growing number of politicians in key countries are seeking to re-assert national control over globalisation. Nowhere is this more evident than in the US, where President Trump appears determined to implement more protectionist economic policies, including increased tariffs on imports of key manufacturing products, even from the US's traditional Western allies. A 'hard' Brexit, in which the UK reverts to WTO terms, would further reduce trade flows. Both in the US and Europe, moreover, nationalist political movements have gained influence through calls for greater restrictions on immigration, responding to widespread social and economic concerns.⁷² The world is not about to go back to the 1970s in terms of openness to trade and capital flows, far less the 1930s. Technology, in the form of global communications and transport, makes this very difficult, at least for democratic Western societies. The more that protectionism becomes a key part of political programmes in key Western states, however, the more fragile the UES will become.

While support for economic globalisation is being eroded by nationalism from within Western states, it is also under threat from the re-emergence of competition with major non-Western powers, and with China and Russia in particular. Indeed, of all the inter-pillar relationships in the international order, this is now perhaps the most volatile.

On the one hand, China is increasingly viewed as exploiting its access to the international economy to pursue national security advantage – buying up Western companies working on dual-use technology, using its economic clout to coerce weak states to support it on contentious security issues (as in the South China Sea), and exploiting vulnerabilities in global cyber space.⁷³ In the two decades after the Cold War, Western policy towards China focused primarily on the mutual benefits of a deepening economic relationship. China's massive economic stimulus in the aftermath of the 2008 financial crisis helped prevent a much deeper global slump. However, far from being 'tamed' by globalisation, China's communist leadership appears emboldened by its economic success. President Xi Jinping's 2017 speech, setting out his ambitions to make China a major global power by 2045, was seen in the US as a direct challenge to its position as the world's leading power.⁷⁴ In response, US defence and security strategy is increasingly focused on competition with China; and the economic relationship with China is increasingly seen through a security lens.

and Piero Stanig, 'Global Competition and Brexit', *American Political Science Review* (Vol. 112, No. 2, May 2018), pp. 201–18.

72. Roger Eatwell and Matthew Goodwin, *National Populism: The Revolt Against Liberal Democracy* (London: Pelican, 2018). For the UK, see David Goodhart, *The Road to Somewhere: The New Tribes Shaping British Politics* (London: Penguin, 2017).

73. Gideon Rachman, *Easternisation: War and Peace in the Asian Century* (London: Vintage, 2017).

74. Michael J Mazarr, Timothy R Heath and Astrid Stuth Cevallos, *China and the International Order* (Santa Monica, CA: RAND Corporation, 2018).

In addition, throughout the post-Cold War period, the US – and to a lesser extent its Western allies – have frequently turned to the use of economic sanctions as an instrument of security policy. The use of sanctions is widely seen to have been effective in persuading Iran to sign the Joint Comprehensive Plan of Action, and economic sanctions are central to the international effort to persuade North Korea to denuclearise.⁷⁵ In the absence of credible military alternatives, sanctions were also the primary international response to Russia's aggression in Crimea and eastern Ukraine in 2014. The Trump administration is taking this process further, breaking Western consensus by imposing unilateral sanctions against both Russia and Iran, and using national security grounds for imposing steel tariffs, including against close allies.⁷⁶

Thus, having kept international economic and international security policy largely separate since the end of the Cold War, the US is now increasingly shaping the former to serve the latter. Since the end of the Second World War, the sheer destructiveness of major war – exemplified by nuclear weapons – has made major power military conflict highly dangerous, even on a limited scale. As tension between the West, Russia and China has grown, therefore, both China and Russia have sought 'sub-conventional' means to pursue competitive advantage – for example, through subversion, espionage, cyber attacks and information operations.⁷⁷

While Western states do, to some extent, respond in kind, they often have a greater comparative advantage when they use economic instruments – such as sanctions and restrictions on inward investment – which leverage their continuing dominance of the global economy, the relative backwardness of Russian and Chinese economies still dependent on hydro-carbon exports and low-value-added manufacturing exports respectively, and – not least – their possession of the world's main financial centres. The dominant role of the US dollar, a central feature of the global economic system since 1945, is being used as a powerful instrument against allies and non-allies alike, as seen most recently in the decision of the SWIFT payments network to remove Iran from its system of international payments.⁷⁸

Eventually, this is likely to accelerate the development of alternatives to the dollar, with the EU sharing an interest with Russia and China in doing so. A similar trend is evident in emerging debates over how to regulate the new and emerging technologies that are likely to become increasingly central to every aspect of life in the coming decades. US-owned companies still

75. Eric B Lorber and Peter Feaver, 'Understanding the Promise—and Limits—of Sanctions', *Foreign Policy*, 6 May 2016.

76. Gardiner Harris, 'Trump Administration Imposes New Sanctions on Putin Cronies', *New York Times*, 6 April 2018; Julian Borger, 'Trump Administration to Reimpose Sanctions on Iran', *The Guardian*, 2 November 2018; Aaron Gregg and Christian Davenport, 'Trump Says Steel Imports are a Threat to National Security. The Defense Industry Disagrees', *Washington Post*, 5 March 2018.

77. Mark Galeotti, *Russian Political War: Moving Beyond the Hybrid* (London: Routledge, 2019); Charles Parton, China–UK Relations: Where to Draw the Border Between Influence and Interference, *RUSI Occasional Papers* (February 2019).

78. Michael Peel, 'SWIFT to Comply with US Sanctions on Iran in Blow to EU', *Financial Times*, 5 November 2018.

retain a dominant position in many leading-edge technologies – most visibly internet-based social networks – and enjoy the monopolistic advantages that this creates. But the EU is now increasingly able to use its regulatory powers to shape international corporate behaviour, for example in relation to data protection and alleged monopolistic practices.⁷⁹ For its part, China is seeking to be one of the 'rule setters' of the future, both sectorally (in relation to new technologies) and geographically (through its Belt and Road Initiative).⁸⁰ Russia also seeks to remain a rule-setter, establishing the Eurasian Union as an alternative to EU and Chinese regulatory outreach.⁸¹ In these, and in many other areas, the revival of geopolitical competition between the US, China and Russia is making an erosion of aspects of the UES more likely. It is also unclear whether even the main centres of Western economic power can maintain, and develop, common structures given growing trade tensions between the US and its allies. Shared security concerns create incentives for deeper economic cooperation between Western states that do not exist in considering deeper relations with Russia and China. Yet the US's withdrawal from the Trans-Pacific Partnership in 2017, together with the UK's exit from the EU, could be foretastes of a wider erosion of Western cohesion.

79. For example, the European Commission imposed a €4.34 billion fine on Google for antitrust violations relating to its Android operating system. European Commission, 'Antitrust: Commission Fines Google €4.34 Billion for Illegal Practices Regarding Android Mobile Devices to Strengthen Dominance of Google's Search Engine', press release, 18 July 2018, <http://europa.eu/rapid/press-release_IP-18-4581_en.htm>, accessed 21 March 2019. See also Adam Satariano, 'British Panel Calls for Stricter Antitrust Rules on Tech Giants', *New York Times*, 12 March 2019.

80. Bruno Mações, *The Dawn of Eurasia: On the Trail of the New World Order* (London: Penguin, 2019).

81. *Ibid.*

IV. Major Power Relations

DURING THE COLD War, the post-1945 multilateral rules-based systems sat alongside a geopolitical arrangement – based on the balance of power – that had some similarities to the Concert of Europe in the 19th century.⁸² The UN itself was the result of an agreement between the major powers, and its unique structure – including the creation of a veto on international security matters for the five major victor powers – reflected the need to recognise the special status of these powers in international law.⁸³

After an initial period of rising tension, relations between the two superpowers were also stabilised in other ways. Most important was mutual recognition of spheres of influence, within which each superpower was effectively given a free hand to impose its will. In Europe, NATO stood by as the Soviet Union suppressed popular revolts in East Germany in 1953, Hungary in 1956 and Czechoslovakia in 1968. In contrast, the Soviet Union refused to intervene on a similar scale to support its communist allies in the civil war in Greece, which had been designated as part of the British sphere of influence at the 1944 Moscow conference.⁸⁴

The creation of the Iron Curtain, on its own, would not have been enough to preserve the major power peace. The creation of the Western rules-based system also played a key role, enabling the deep pacification of the losing states (most of all, Germany and Japan) and the inclusion of the UK and France within US-led structures, thus avoiding the disintegration of alliances following the Great War.

The international norm against border changes also played a key role in the relative peace of the Cold War period. Despite its despotic character, and after the initial post-war border changes agreed with the US and the UK at Yalta and Potsdam, the Soviet Union became a defender of the territorial status quo in Europe, recognising the legal independence of states and exercising control in ways short of annexation.⁸⁵ Korea and Vietnam proved to be bloody exceptions to this pattern, with failure to achieve international recognition of the existence of two separate states, in each case, leading to attempts – the first a failure, the second a success – by a Soviet-allied communist state to overrun its US-allied compatriot. Many other indirect conflicts – in Central and South America, in Oman, Aden, Iran, Southern Africa and Indonesia – bear testament to the inherent fragility of peace in a world dominated by major power competition.

82. Richard Little, *The Balance of Power in International Relations: Metaphors, Myths and Models* (London: Cambridge University Press, 2007).

83. Thomas G Weiss and Sam Daws (eds), *The Oxford Handbook on the United Nations*, 2nd Edition (Oxford: Oxford University Press, 2018).

84. Odd Arne Westad, *The Cold War: A World History* (London: Penguin, 2017); John Lewis Gaddis, *The Cold War* (London: Penguin, 2011).

85. Judt, *Postwar: A History of Europe since 1945*.

Nuclear deterrence played an important, albeit paradoxical, role during this period. The existence of nuclear weapons – especially after the Soviet Union secured an intercontinental missile capability in the 1960s – proved to be a strong deterrent to great power conflict, demonstrating to leaders that any future world war would likely be even more certain, immediate and destructive in its consequences than any of those in recent European history.⁸⁶ Yet this did not make the use of these weapons impossible. A succession of crises – over Vietnam and China in the 1950s, then in Berlin in 1961 and Cuba in 1962, Israel/Egypt in 1973 and the 1983 Exercise *Able Archer* incident – showed that nuclear use could never be entirely ruled out.⁸⁷ Each of these crises demonstrated that nuclear risk is an inherent result of strategies based on credible threats of the use of these weapons.

Both the US and the Soviet Union agreed that they shared an overwhelming interest in avoiding nuclear war. They also, with some notable early exceptions, agreed on the desirability of preventing proliferation of nuclear weapons to third countries, especially to Germany. Over time, nuclear weapons became a powerful symbol of the special status of the major powers, and these powers in turn developed an interest in preventing others from acquiring them.

From these shared interests, the Cold War saw the creation of a series of regimes – bilateral arms control between the US and the Soviet Union (now Russia), multilateral non-proliferation through the NPT and the new international organisation, the International Atomic Energy Agency, charged with supporting it.⁸⁸ As an almost-universal regime, the NPT is part of the USS, even if – like the UN – it reflects the power politics of its formation.

Bilateral arms control, in contrast, should be seen primarily as a major power bargain, designed to encapsulate temporary convergence in interest, but it is inherently more fragile. Thus, the golden age of bilateral arms control was at the end of the Cold War, when President Mikhail Gorbachev was in the process of dismantling many aspects of the Soviet Union's claim to superpower status and was prepared to accept highly asymmetrical reductions on his side.⁸⁹ As the subsequent collapse of the Anti-Ballistic Missile Treaty in 2002, the Treaty on Conventional Armed Forces in Europe in 2007, the Intermediate-Range Nuclear Forces Treaty in 2019 and – potentially – of the New START Treaty in 2021 show, however, such treaties are hard to sustain when one of the major powers calculates that it is no longer in its interest to abide by it.

Some mistakenly suggested that realpolitik ended with the Cold War, and the triumph of Western liberalism and universal rules-based systems was now inevitable. Yet great power politics never

86. For the contrary argument – that nuclear weapons were essentially irrelevant to the maintenance of great power peace since 1945 – see John Mueller, *Atomic Obsession: Nuclear Alarmism from Hiroshima to Al-Qaeda* (Oxford: Oxford University Press, 2010).

87. For discussion of these incidents, see Nina Tannenwald, *The Nuclear Taboo: The United States and the Non-Use of Nuclear Weapons since 1945* (Cambridge: Cambridge University Press, 2007); T V Paul, *The Tradition of Non-Use of Nuclear Weapons* (Stanford, CA: Stanford University Press, 2009).

88. Walker, *A Perpetual Menace*.

89. One of the best accounts is in Walker, *A Perpetual Menace*.

disappeared, nor did Western rules become dominant. Rather the world transitioned from a bipolar phase to one that was more unipolar in character, with the US using its increased power to assert Western rules and norms – political and economic – at the expense of universal non-intervention principles.

Yet the post-Cold War tide in favour of the US has been receding for some time now, as the main non-Western powers have pushed back. Russia's resistance to Western encroachment into its neighbourhood has grown, even as its economic recovery from the societal catastrophe of the 1990s has allowed its government to rebuild its depleted military capabilities. For its part, the near-quadrupling of real Chinese GDP (at purchasing power parity) between 2000 and 2018 has fuelled its ambition to become an economic, technological and military superpower by 2050.⁹⁰

Eminent US scholars fear that the world may now be entering a perilous period of attempted hegemonic transition, in which China seeks to displace the US as the primary global power and faces fierce resistance.⁹¹ US Vice President Mike Pence's October 2018 speech, among many others, reflected a widespread view that the US now needed to adopt a more confrontational approach. The time for constructive engagement, he argued, was over.⁹²

Kori Schake and Robert Kagan argue that the stark ideological differences between the US and China will make it much harder for the two powers to manage this process peacefully.⁹³ The process whereby the UK gradually surrendered its pre-eminent position to the US – starting in 1823 with what would become known as the Monroe Doctrine which denied European powers a further colonial role in the Americas and culminated in UK dependence on US support in the two World Wars – had its own difficult moments.⁹⁴ In the end, though, their common democratic culture – together with their ability to influence debates within each other – allowed these crises to be overcome without war. The emergence of common threats in the 20th century – from Germany and then the Soviet Union – further consolidated this alliance. None of these features are likely to be replicated between the US and China.

90. Martin Wolf, 'The US Must Avoid a New Cold War with China', *Financial Times*, 30 October 2018; Martin Jacques, *When China Rules the World*, 2nd Edition (London: Penguin, 2012); Henry Kissinger, *On China* (London: Allen Lane, 2012); David Shambaugh, *China's Future* (Hoboken, NJ: John Wiley and Sons, 2016).

91. Graham Allison, *Destined for War: Can America and China Escape Thucydides's Trap?* (New York, NY: Houghton Mifflin Harcourt, 2017); Kori Schake, *Safe Passage: The Transition from British to American Hegemony* (Cambridge, MA: Harvard University Press, 2017).

92. Mike Pence, 'Vice President Mike Pence's Remarks on the Administration's Policy Towards China', speech made at the Hudson Institute, Washington, DC, 4 October 2018, <<https://www.hudson.org/events/1610-vice-president-mike-pence-s-remarks-on-the-administration-s-policy-towards-china102018>>, accessed 21 March 2019.

93. Schake, *Safe Passage*; Robert Kagan, *The Jungle Grows Back: America and Our Imperiled World* (New York, NY: Knopf, 2018).

94. Schake, *Safe Passage*.

Set against dystopian predictions of a Thucydides trap, however, three elements of the international order that did not exist before 1945 may reduce the chances of a large-scale war between the US and China.⁹⁵

First, the strength of the norm against border changes, and the demise of imperialism, may limit the potential for future flashpoints. It has not removed it altogether, and China's continuing territorial disputes with its neighbours – India, Japan, in Southeast Asia and with Taiwan – could each provide for future conflict.⁹⁶ But the existence of international rules and judicial mechanisms, and the lack of indigenous populations whose actions could trigger a wider confrontation – with the important exception of Taiwan – may limit these risks.

Second, their possession of survivable second-strike nuclear arsenals means that neither China nor the US could hope to win an all-out war with the other. Even a military conflict fought for more limited objectives would have to take account of the serious risk of escalation, potentially deepened by the intermingling of nuclear and conventional capabilities (including for command, control and reconnaissance).⁹⁷ This risk appears well understood by militaries on both sides and should engender caution. Yet memory of major war among leaders is fading as 1945 becomes more distant, and new generations of leaders may believe that fear of war can be used to coerce other states into unilateral concessions. There is no room for complacency.

Third, the US's system of strong alliances, both in Northeast Asia and Europe, should increase predictability of behaviour in any future crisis. Historically, the onset of conflict has often been accompanied by dramatic changes of allegiance by major powers (such as the 1939 German–Soviet Non-Aggression Treaty, commonly known as the Molotov–Ribbentrop Pact), changing the correlation of forces in dramatic and unexpected ways. If alliances continue to make this less plausible, the chances of miscalculation are reduced. On the other hand, if US alliances begin to unravel – especially in Asia – the resulting uncertainty could make miscalculation more likely. In Southeast Asia and other contested regions, moreover, several key states do not have formal alliance relationships with either the US or China and are being courted by both. There is a risk that competition for influence between the major powers could interact with political fault lines within these states, with unpredictable consequences for their stability and external allegiances.

Stable relations between major powers – involving both deterrence and mutual reassurance – will be as important for world peace as the existence of multilateral rules-based regimes.

95. Allison, *Destined for War*.

96. M Taylor Fravel, *Strong Borders, Secure Nation: Cooperation and Conflict in China's Territorial Disputes* (Princeton, NJ: Princeton University Press, 2008); Barthélémy Courmont, Frédéric Lasserre and Éric Mottet (eds), *Assessing Maritime Disputes in East Asia: Political and Legal Perspectives* (Abingdon: Routledge, 2017).

97. James M Acton, 'Escalation Through Entanglement: How the Vulnerability of Command-and-Control Systems Raises the Risk of an Inadvertent Nuclear War', *International Security* (Vol. 43, No. 1, Summer 2018).

Western commentators may hope for a world in which international order is based on 'widely-accepted rules and not on the balance of power'.⁹⁸ Yet widely accepted rules take many forms, and generally remain strongly rooted in power relations. Universal rules-based security and economic systems remain vital, as do the unique Western architectures that have done so much to build peace within the Euro-Atlantic area. But agreements between major powers – sometimes informal, sometimes institutionalised – also have a role in a world where states remain the main source of coercive power, and where no single state can impose its will on others.

98. Robin Niblett, 'Rediscovering a Sense of Purpose: The Challenge for Western Think-Tanks', *International Affairs* (Vol. 94, No. 6, November 2018), p. 1426.

Conclusions

THE RELATIVE PEACE that the world has enjoyed since the Second World War, compared with previous eras, has multiple causes, including the spread of democracy, greater economic interdependence, the effects of growing levels of income and education, and the deterrent role of nuclear weapons. But international rules, and the international treaties and organisations in which they are embedded and developed, have also played a key role. As a result of these factors, the world is unlikely to revert to a new Cold War, far less to the major global wars of the early 20th century.

In recent years, however, a rightful acknowledgement of the importance of rules has too easily been inflated into the shorthand assumptions that there is a single, universally acknowledged RBIS, that the world is now divided between those who obey the rules (ourselves) and those who do not (the others), and that all that is now required for international peace and stability is for everyone (now including President Trump) to return to compliance with the System.

This obscures the reality of how today's rules-based systems have developed and are sustained. International rules evolve, and sometimes dissolve, in response to the decisions of their participating states, and particularly those of their most powerful states. The best rules-based systems add predictability to relations between states, reducing transaction costs and serving the mutual interests of their members. But rules, per se, do not have a positive quality. Rather, their worth depends on the extent to which they serve the interests and values of the states which sustain them.

Moreover, rather than there being a single RBIS or order, as UK government statements (such as the 2015 Strategic Defence and Security Review) assume, today's world contains three distinct rules-based systems, created and sustained in parallel, but sometimes in severe and fundamental tension with each other.

At the heart of the first – the **Universal Security System** – is the strong norm against border changes, and in particular against the annexation of territory by one recognised state from another. Rooted in the aftermath of the post-1945 peace settlement and subsequent decolonisation, this norm has been key to the creation of an international environment that is more peaceful, and friendlier to small states, than anything that went before. There have been notable exceptions to the norm, most recently and notably the annexation of Crimea by Russia in 2014. But their number and extent has been remarkably limited, and the international reaction to breaches has, in most cases, been strong and persistent. The future survival of this norm cannot be taken for granted and will continue to require strong support from major states. So far, however, it remains robust.

All, or almost all, of the members of the UN have also agreed universal security rules in relation to military intervention and nuclear proliferation, and have supported them with well-defined international law and institutional responsibilities (the UN Security Council and the NPT process for intervention and proliferation respectively). While both sets of rules have made a difference to international behaviour over the last half-century, however, they have also both been characterised by multiple exceptions.

International law is clear that a state is only entitled to take military action against another in self-defence (of itself or an ally), or when explicitly authorised by a UN Security Council Chapter 7 resolution. During the Cold War, however, both the Soviet Union and US intervened on multiple occasions to protect their spheres of influence. The international nuclear non-proliferation norm has been weakened by its lack of universality, with most of the world's major states permitted to maintain nuclear arsenals through the two-tier nature of the NPT or benefiting from a nuclear security guarantee from the US. Other key states – India, Israel, Pakistan and now North Korea – are not NPT members, and have successfully built nuclear capabilities. Both the intervention and nuclear norms retain some value for international predictability and stability. Faced with specific crises and challenges to these principles, however, states make case-by-case judgements based on a calculation of both interests and norms.

Moreover, these universal security rules have often been in tension with the **Western System** of international norms and institutions, membership of which has been limited to the US and its closest allies. This system has been most developed in Europe, involving a level of sovereignty sharing without precedent or parallel between independent states, expressed above all through the EU. In the military sphere, it has involved a willingness (including by some of the world's biggest economies) to allow the US to take a leading role in their national defence, both through NATO, and through bilateral arrangements in Asia and the Pacific. The resultant denationalisation of defence in two of the world's major centres of economic power, after a half-century of catastrophic conflict, contributed significantly to international peace and prosperity.

Yet, with the end of the Cold War and the assumed triumph of democratic ideas and liberal economics, there was a strong tendency to believe that Western rules had now become universal rules and that, in ideological terms at least, the 'end of history' had arrived. This ideological triumph was reinforced by the material reality that, with the collapse of Soviet power, the US was now the world's only remaining military superpower.

As a consequence, Western states – including the US and the UK – became increasingly convinced that they had an opportunity, indeed a responsibility, to do what they could to persuade other states to adopt their own standards, especially in relation to human rights and democratic institutions. This shift in Western policy – driven most of all by new opportunities – was reflected across the board in a range of economic, political and social interventions, involving development aid and trade policy, diplomatic intervention and conflict resolution, the promotion of soft power and, not least, the activities of Western non-governmental organisations.

But it took its strongest form when norms on how states should treat their own citizens, sometimes characterised as a concern for ‘human security’ rather than ‘state security’, were used to justify military interventions, with or without UN authorisation. In pursuit of this Responsibility to Protect, and without Security Council permission, regime-changing military interventions were successively launched in Kosovo, Iraq and Libya. The pattern continues today with Western military involvement in Syria without the permission of that country’s government, until recently focused on Daesh but now morphing into a mission to deny eastern Syria to Iran. It is also seen in ongoing US debates about the circumstances in which US military intervention in Venezuela might be justified.

International law is not everything. Many would argue that some of these interventions were morally justified as reasonable actions to protect populations under threat, and that a Russian or Chinese veto on the UN Security Council should not be allowed to block such steps. Yet such advocates need to be careful about the precedents created for others that might want to take military actions of their own without UN Security Council authorisation; and they cannot easily present themselves as steadfast supporters of international law. It is also reasonable to expect, when interventions are being contemplated that do not adhere to international legal norms, that they are judged against a particularly high standard of calculation of plausible risks as well as possible benefits. The strongest criticism of successive Western interventions over the last two decades – including the half-hearted attempt to assist moderate supporters of the opposition to Syrian President Bashar Al-Assad, and the punitive strikes in response to his use of chemical weapons – is not that they were illegal under international law (though there is a strong case that some of them were). It is that most of the major interventions of this period were largely unsuccessful in their own terms, creating more problems than they solved in pursuit of objectives that were never realisable.

The complexity of the world’s rules-based systems is also increasingly evident when the **Universal Economic System** is taken into account. The end of the Cold War accelerated the near-universalisation of the UES, the system of international rules – from tariff reduction to regulatory alignment – that created the conditions for rapidly growing trade and international capital flows in the three decades after 1980. This system helped to accelerate the diffusion of the benefits of new technologies, enhancing opportunities and improving productivity across a wide range of economic sectors. The entry of China and other major developing states into the global liberal economic system accelerated their economic development, driving rapid urbanisation and bringing major (albeit uneven) improvements in living standards across Asia and large parts of the post-colonial world. Supporters of economic liberalisation continue to urge states to drive this process further, using new trade deals to remove regulatory barriers to trade in both goods and services, seeking to replicate (at least in part) the deep integration of the EU’s single market on a wider level.

For all its benefits, however, economic globalisation has also played an important role in the progressive erosion of the egalitarian social contracts that had been central to the internal peace of most Western societies after the traumas of the Second World War. Levels of inequality have grown sharply in most states, even as the gap between average incomes in Western and

developing states has fallen. The subsequent rise of nationalist politics has seen the partial displacement of class-based politics, centered on the division of a growing national cake, with competitions increasingly organised around an axis of internationalism (whose core support is more urban and educated, and relaxed about migration) versus nationalism (drawing on small towns and lower-skill workers, and more concerned about migration). This trend has been manifest in almost all Western countries, through support for Brexit or President Trump or for anti-migrant right-wing parties in continental Europe. The intensification of the UES, therefore, may be increasingly at odds with the continuing stability of the Western System.

Last, but not least, the recent intensification of great power competition between the US (together with its allies), Russia and China has exposed the extent to which the three rules-based systems are contingent on, and sit alongside, a continuing process of **conflict and cooperation between the world's major powers**. All three systems were designed by the world's powerful states in order to further their interests. Adherence to the rules of these systems has also relied, to a large extent, on the willingness of these states to abide by them and to use their power (economic and military) to enforce them on others. Direct negotiations between the major powers outside multilateral frameworks – for example through US–Russia nuclear arms treaties, or US–China trade talks – play a key role in the global order, complementing the main rules-based systems when successful, undermining them when not.

The recent intensification of competition between the US, China and Russia is adding to the strains on the UES. The US is increasingly willing to use unilateral financial sanctions to deny access to the world economy to adversary states in order to secure changes in their security policies, most notably in relation to Russia, Iran and North Korea. The US campaign to persuade its allies to deny market access to high-technology Chinese companies also reflects growing nervousness about the security implications of free trade when this could involve the creation of vulnerabilities to future hostile actions.

The UK's 2016 vote to leave the EU, followed shortly thereafter by the election of President Trump, are major challenges to the Western rules-based system. Despite its strong norms and well-developed institutions, the West was constructed, and continues to be maintained, by bargains between powerful independent states – between the US and its key allies, and between the European states. These bargains are now facing a level of strain that surpasses anything seen since the 1950s. President Trump's persistent questioning of NATO's Article 5 commitment to mutual defence has broken a taboo that continues to reverberate among NATO member states who have built their security on the belief that this commitment was without question. The success, or otherwise, of the UK's efforts to 'take back control' after leaving the EU could also have a profound effect on how other European countries respond to nationalist sentiment within their own societies.

New bargains – for example on defence burden-sharing and a 'soft Brexit' – remain more likely in the immediate future than a deepening crisis that threatens the very existence of the Western System. Yet a strong trend towards further renationalisation of defence and security, as well as economics, is now evident. It remains to be seen how far it will go.

For the UK and other Western states, the question should not therefore be whether or not they are in favour of 'the rules-based system'. While rules-based systems play a key role in international life, they continue to evolve and often compete with each other. If rules-based systems are to evolve in ways that can contribute to international peace and prosperity, they will need to be rooted in an understanding of the realities of international power, and in an understanding of what rules can, and cannot, realistically, be expected to achieve.

Postscript

THIS PAPER HAS focused on the role of rules-based systems at a global level. A follow-up paper will seek to apply this framework to the specific challenges facing the UK's foreign policy in the years ahead. On the eve of a likely Brexit, the UK is now at a turning point in its history that is potentially as important as any it has faced since 1945. Calls are growing for the government to be clearer about its 'grand strategy' and about how it sees the UK's role in a post-Brexit world. Yet, so far, little has been forthcoming beyond a commitment to a 'Global Britain' that will continue to be a strong supporter of the 'rules-based international system' (singular).

This turning point takes place, moreover, at a time of considerable potential national vulnerability, both in terms of trading relationships with the UK's European neighbours and in the impact that Brexit could have on the viability of some of the country's most successful, and highly internationalised, advanced technology sectors, many of which are reliant on the EU. The country's security policy – itself highly internationalised through NATO membership and the special relationship with the US – also faces new challenges, with aspirations for a return to past global leadership hard to reconcile with the realities of constrained resources.

The next paper will therefore argue that formulation of the UK's foreign policy needs to start not by asking what role in the world the UK wishes to have, but with a clear articulation of the UK's national interests and values, followed by a hard-headed evaluation of how best to use available foreign policy tools, including cooperation with others through rules-based systems, to protect and promote them. Future UK policy must continue to navigate the tensions between universal security norms (for example, on non-intervention) and Western values, and between economic globalisation, domestic social order and technological vulnerability. At its most fundamental, the driving force for the UK's foreign policy should be to protect and pursue the interests and values of its people.

About the Author

Professor Malcolm Chalmers is Deputy Director-General of RUSI and directs its growing portfolio of research into contemporary defence and security issues. His own work is focused on UK defence, foreign and security policy. His recent publications have included studies on: a 'strategic scorecard' of recent UK military interventions; cross-Whitehall spending allocations for defence, security and development; the UK's Modernising Defence Programme review; prospects for, and implications of, a war in Korea; the UK and the North Atlantic; and implications of Brexit for UK foreign and security policy. He has been an Adviser to Parliament's Joint Committee on the National Security Strategy since 2012, and was a Senior Special Adviser to Foreign Secretaries Jack Straw MP and Margaret Beckett MP.