

Great Power Competition

A Monograph

by

Lt Col Derrick L. McClain
US Air Force



School of Advanced Military Studies
US Army Command and General Staff College
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Monograph Approval Page

Name of Candidate: Lt Col Derrick L. McClain

Monograph Title: Great Power Competition

Approved by:

_____, Monograph Director
G. Stephen Lauer, PhD

_____, AMSP Director
Charles C. Readinger, LtCol

_____, Director, School of Advanced Military Studies
Kirk C. Dorr, COL

Accepted this 23rd day of May 2019 by:

_____, Director, Graduate Degree Programs
Robert F. Baumann, PhD

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Abstract

Great Power Competition, by Lt Col Derrick L. McClain, USAF, 65 pages.

The United States' 2017 *National Security Strategy* and 2018 *National Defense Strategy* claim a return to great power rivalry. Within the rhetoric of a return to great power competition, it is axiomatic that an international order exists, and it is contested. This monograph examines the historical pattern of the creation of post-war settlements, and their subsequent dissolution through great power rivalry. Specifically, it examines the settlement created following the Second World War through the lens, as criteria, of theorist John Ikenberry. This monograph proposes that both Russia and China contest the post-Second World War settlement and presents evidence in defense of that hypothesis. The victors of Second World War set the principles, institutional ordering mechanisms, and norms that define the existing international order, which this monograph adapts as criteria to examine the behavior of Russia and China. Using Ikenberry's illustration of the creation of the post-war settlement, the monograph illuminates how the actions of Russia and China, as case studies, contest the three criteria of that settlement. With a breakdown in the post-war settlement, history points to a future of great power war. Russia and China benefit from the order but perceive that it limits their influence. Consequently, it is an order they look to revise, setting conditions for a power rivalry that may include war to resolve their challenge to the settlement. The implications for the US military are significant.

Table of Contents

Acknowledgements	v
Acronyms	vi
Section 1: Introduction	1
Section 2: Evolution of Political Order	9
Section 3: The Post War Settlement	12
Principles and Values	13
Institutional Ordering Mechanisms	17
Norms and Rules	18
After Yalta	20
Section 4: Russia	24
Values and Principles of Political Order	26
Eurasian Integration: Institutional Alternative	30
New Norms: Claiming Crimea	31
Section 5: China	34
Values and Principles of Political Order	36
Institutional Alternatives: Shadowing the West	40
Contested Norms: Claiming Sovereignty, Reclaiming Reefs.....	45
Section 6: Conclusion.....	49
Bibliography	52
Primary Sources.....	52
Secondary Sources.....	53
Other Sources	58

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Acronyms

AIIB	Asian Infrastructure and Investment Bank
AI	Artificial Intelligence
BRI	Belt and Road Initiative
BRICS NDB	Brazil, Russia, India, China, and South Africa New Development Bank
EEU	Eurasian Economic Union
EEZ	Economic Exclusion Zone
EU	European Union
IMF	International Monetary Fund
ITO	International Trade Organization
NATO	North Atlantic Treaty Organization
RT	Russian Television
SCS	South China Sea
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea

Section 1: Introduction

All the liberties we have today came from resistance to tyranny, either domestic or foreign; and most of them were won by blood and iron. Liberty came through the efforts of those men and women who were willing to die for it. We are their heirs and must be vigilant to guard our heritage.

— Cordell Hull, *Memoirs*, 1941

The United States’ guiding strategic documents address the dissolution of the post-war settlement. The *2018 National Defense Strategy (NDS)* describes a strategic environment of “increased global disorder, characterized by a decline in the long-standing rules-based international order.”¹ The Joint staff’s 2016 study, *Joint Operating Environment (JOE) 2035*, suggests that the United States faces two primary challenges in an era of great power competition, contested norms and persistent disorder. The contest will “feature adversaries that credibly challenge the rules and agreements that define the international order.”² Furthermore, *JOE 2035* submits that “the future world order will see a number of states with the political will, economic capacity, and military capabilities to compel change at the expense of others.”³ As *JOE 2035*, the *2018 NDS*, and *2017 National Security Strategy (NSS)* imply, the legitimacy of the current international order is at stake as strategic competitors rise in power and credibility.

The United States’ 2017 *NSS* acknowledges a return to great power competition.⁴ Russian and Chinese interests often overlap those of the United States, creating the context for competition. A fundamental US interest is the international order established following the

¹ James Mattis, *National Defense Strategy* (Washington DC: Office of the Secretary of the Department of Defense, 2018), 11, accessed December 4, 2018, <https://dod.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf>.

² US Department of Defense, Joint Staff, *Joint Operating Environment 2035: The Joint Force in a Contested and Disordered World* (Washington, DC: Government Printing Office, July 2016), ii, accessed December 24, 2018, https://www.jcs.mil/Portals/36/Documents/Doctrine/concepts/joe_2035_july16.pdf.

³ Ibid.

⁴ Donald Trump, *National Security Strategy (NSS)* (Washington DC: The White House, 2017), 27, accessed December 4, 2018, <https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf>.

Second World War.⁵ From George Kennan’s famous article in a 1947 issue of *Foreign Affairs*, through President Harry S. Truman’s NSC-68, to the 2017 NSS, the international order has been of paramount concern to US political and military leaders.⁶ This monograph addresses whether Russian and Chinese actions are setting conditions to break the political order created following the Second World War.⁷ The implications of a “world in disarray,” are significant for the US military.⁸

This monograph examines the evidence and nature of inter-state strategic competition through the lens, as criteria, of international relations theorist John Ikenberry. Ikenberry argues that the current political order is threefold.⁹ The first criterion is the principles and values of the order, which form a thread that if broken, might “unravel the whole.”¹⁰ The second criterion is the institutional nature of the international order. The institutions created following the Second World War serve as ordering mechanisms to harmonize state relations. The third criterion is the sacrosanct norm of territorial sovereignty, first recognized at the Treaty of Westphalia.¹¹ The research focus here is on how Chinese and Russian behavior in relation to the three criteria may threaten the post-war order.

In the form of two case studies, this monograph uses the criteria noted above as a lens through which to examine whether Russia and China’s actions demonstrate an effort to fragment

⁵ Trump, *NSS*, 38-39.

⁶ Kennan published his article, “Sources of Soviet Conflict,” under the pseudonym “X.” Henry Kissinger, *World Order* (New York: Penguin Press, 2014), 285-287; Trump, *NSS*, 4.

⁷ Throughout this monograph, “post-war settlement” refers to the settlement created following the Second World War. References to previous war settlements will be specified.

⁸ A *World in Disarray* is the title of Council on Foreign Relations chairperson Richard Haass’s 2017 book on the future of the international order.

⁹ G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars* (Princeton, NJ: Princeton University Press, 2001), 37-41.

¹⁰ Michael J. Mazzar et al., *Understanding the Current International Order* (Santa Monica, CA: RAND Corporation, 2016), 16, accessed December 24, 2018, https://www.rand.org/pubs/research_reports/RR1598.html.

¹¹ Ikenberry, *After Victory*, 37.

the post-war settlement. The first case study examines Russia's view of the order through its own principles and values, Russia's institutional agreements within Eurasia, and the annexation of Crimea. The second case study examines the disconnect between Chinese values and the values of the current international order; surveys China's efforts to replace existing economic institutions; and, analyzes China's island building and disputed territorial claims in the South China Sea (SCS).¹²

There are three components to the literature reviewed for this monograph. First, the literature of international relations theorists highlights prevailing views on state rivalry and political order. Second, the monograph uses primary and secondary sources to discuss the creation of the post-Second World War settlement. Third, it blends secondary sources, studies, reports, and political speeches to form the evidence of the two case studies.

Much of the literature discussing world order focused on historic patterns of the rise and fall of great powers. Several sources discussed the current international "disorder," but did not explain how the order came about, or how it is contested today. This monograph describes the order created during and following the Second World War to place the current great power rivalry in context. The research is timely. As Robert Gilpin, Paul Kennedy, John Ikenberry, and Richard Haass have theorized, when a political order is "overturned, contested, or in disarray, order has broken down."¹³ A major realignment through war historically follows.¹⁴ A rhythm appears in time from Westphalia to the present.¹⁵

¹² Bonnie Glaser, "Conflict in the South China Sea," Council on Foreign Relations, April 2015, accessed August 10, 2018, https://cfrd8-files.cfr.org/sites/default/files/pdf/2015/04/CPM_Update_South_China_Sea_.pdf; Evan S. Medeiros, *China's International Behavior: Activism, Opportunism, and Diversification* (Santa Monica, CA: RAND Corporation, 2009), 209, accessed August 10, 2018, <http://www.jstor.org/stable/10.7249/mg850af.16>.

¹³ Ikenberry, *After Victory*, 22.

¹⁴ Ikenberry, *After Victory*, 23; Robert Gilpin, *War and Change in World Politics* (New York: Cambridge University Press, 1981), 33; Richard Haass, *A World in Disarray: American Foreign Policy and the Crisis of the Old Order* (New York: Penguin Press, 2017), 6.

¹⁵ Recently, a Harvard study examined cases in which a status quo power faced the revisionist aims of a rising power. In eleven out of fifteen historical instances studied, major war followed. Kissinger,

In 1983, Gilpin, a scholar of international political economy at Princeton, drew upon sociology, history, and economics to study hegemonic power transitions in his influential, *War and Change in World Politics*. Gilpin argued that states pursue three main objectives. The pursuit of these objectives leads to great power rivalries, which destabilize the international system. First, states pursue territory. Second, states seek to increase their influence over the behavior of other states. This can take the form of coercion, alliances, or spheres of influence. Third, states pursue control over the distribution of labor, or the international economy. In Gilpin's view, as rising powers assess a decrease in the power and prestige of the dominant states backing the institutions of an order, they demand changes in the order to reflect a new balance. Stability rests upon a well-defined "hierarchy of prestige," which exists when perceptions of a leading state's power and its willingness to use that power, especially in war, are clear.¹⁶ When prestige among states is unclear, war serves as the final arbiter to settle questions over governance of the international order.¹⁷

Yale historian Paul Kennedy's book, *The Rise and Fall of the Great Powers*, tied transitions in the international order to changes in the economic and military power of states from 1500 to the modern day.¹⁸ Kennedy suggested that the United States was neither immune to the pattern of the historical decline of great powers, nor destined for war. He theorized that if the United States tried to sustain the numerous commitments made during a period of unprecedented power following the Second World War, it might quicken its decline.¹⁹

World Order, 228. Graham T. Allison, Jr., "Obama and Xi Must Think Broadly to Avoid a Classic Trap," *New York Times*, June 6, 2013, accessed February 18, 2019, <https://www.nytimes.com/2013/06/07/opinion/obama-and-xi-must-think-broadly-to-avoid-a-classic-trap.html>.

¹⁶ Gilpin, *War and Change in World Politics*, 23, 74, 30.

¹⁷ Ibid., 32.

¹⁸ Paul Kennedy, *The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500 to 2000* (New York: Vintage Books, 1987).

¹⁹ Ibid., Epilogue, 529-535.

Writing a decade after the Soviet Union collapsed, Ikenberry theorized that the commitments taken on in the creation of the post-war settlement, while numerous, placed US power within a legitimate institutional setting.²⁰ The binding nature of the settlement's institutions made it less likely for the United States to decline, not more.²¹ The settlement bound nations to US interests through the voice opportunities they received in its decision-making, and the economic benefits the order created. Because the settlement created institutions to influence the behavior of states without resort to arms, it is in the US interest to support them.²²

Both Henry Kissinger, and Council on Foreign Relations President Richard Haass, have recently written books on world order. Kissinger claims an international order is sustainable only when all nations perceive its rules and norms as legitimate. He argues that the current great power competition is a product of differing values and historical experiences. Thus, the post-war settlement is less legitimate than Ikenberry's thesis may infer. An order reflecting the true balance of world power, and accounting for diverse values is required.²³ Haass adds that the current order is in disarray. Russia and China are neither committed to enforcing the rules of the international order, nor do they perceive those rules as legitimate. Moreover, Haass argues for increased US leadership in the world to "renovate" the international order and condemns any US foreign policy approach that might "tear it down."²⁴

The primary sources consulted in researching the creation of the post-war settlement include basic documents in US foreign policy from 1941 to 1949.²⁵ The research reviewed the speeches of Presidents Franklin D. Roosevelt and Harry S. Truman, and those made by Secretary

²⁰ Ikenberry, *After Victory*, 57, 273.

²¹ Ikenberry argues that the costs associated with changing the institutions of order exceed the benefit to a rising power. Ikenberry, *After Victory*, 31-34.

²² *Ibid.*, 20, 41, 62, Conclusion.

²³ Kissinger, *World Order*, 8-9, 366-370.

²⁴ Haass, *A World in Disarray*, 308.

²⁵ Department of State, *A Decade of American Foreign Policy: Basic Documents 1941-1949* (Washington DC: US Government Printing Office, 1985).

of State George C. Marshall. Secondary sources reviewed included multiple viewpoints on the creation of the order. The most thorough discussion of the post-war settlement's creation was *The Semblance of Peace: The Political Settlement after the Second World War*.²⁶ Stewart Patrick's work, *The Best Laid Plans*, offered insight into the values that Kissinger argued were the "driving forces behind the building of a new international order."²⁷

RAND Corporation reports on Russian and Chinese views of the order were a valuable starting point for the case studies.²⁸ Primary sources consulted include the speeches of Russian Federation President Vladimir Putin, and the General Secretary of the Chinese Communist Party, Xi Jinping. Secondary sources on the revisionist aspirations of Russia, and the threat China's rise may pose to the settlement abound. However, both *On China* and *Diplomacy* by Kissinger helped to place present great power aspirations in historical context.²⁹ Congressional Research Service reports, and journal articles ranging from international law to social and political science were reviewed. *Foreign Affairs* magazine captured the sentiments of US scholars writing about great power rivalry. Articles from various news sources in other countries helped place the opinions of US scholars in the context of other cultures. While examining the literature available on international order, it became clear that the concept is ambiguous, and perceptions of legitimacy matter. Thus, defining some key terms will help guide the reader through the monograph.

²⁶ John W. Wheeler-Bennett and Anthony Nichols, *The Semblance of Peace: The Political Settlement after the Second World War* (New York: Norton and Co., 1974).

²⁷ Stewart Patrick, *The Best Laid Plans: The Origins of American Multilateralism and the Dawn of the Cold War* (New York: Rowman and Littlefield Publishers, 2009), Kindle; Kissinger, *World Order*, 277.

²⁸ Mazzar et al., *Understanding the Current International Order*; Andrew Radin and Clint Reach, *Russian Views of the International Order* (Santa Monica, CA: RAND Corporation, 2017), accessed November 23, 2018, https://www.rand.org/pubs/research_reports/RR1826.html; Michael J. Mazzar, Timothy Heath, and Astrid Cevallos, *China and the International Order* (Santa Monica, CA: RAND Corporation, 2018), accessed November 23, 2018, https://www.rand.org/pubs/research_reports/RR2423.html.

²⁹ Henry Kissinger, *On China* (New York: Penguin Group, 2012); Henry Kissinger, *Diplomacy* (New York: Simon and Schuster, 1994).

This monograph uses the following definitions of order, norms, values, power, legitimacy, the state, and institutional ordering mechanisms. International order is the body of “rules, norms, and institutions that govern relations among the key players in the international environment.”³⁰ Order reflects “the degree to which those states with substantial powers accept” established institutions as legitimate forums to “set or change rules for future interactions.”³¹ Adopting Robert Gilpin’s definition, power is empirical, and refers to “the military, economic, and technological capabilities of states.”³² While power is relative, legitimacy is a normative concept denoting just authority.³³ When a powerful state interacts with the order, it lends the order legitimacy.³⁴ As consent to an order’s legitimacy erodes, the importance of power rises.³⁵

Norms and values also require definition. A norm is a standard of behavior considered “typical or expected.”³⁶ For instance, producing and using chemical weapons violates a widely accepted norm for international behavior.³⁷ Those things which an individual, or an entire society, believes to be intrinsically worthwhile, represent values.³⁸ Constructivist theorists of international relations argue that the values and norms of a society motivate the decisions of state leaders as much as state interests. Conversely, realism explains the international order as a competition among states to balance threats and expand power.³⁹

³⁰ Mazzar et al., *Understanding the Current International Order*, 7.

³¹ Haass, *A World in Disarray*, 22.

³² Gilpin, *War and Change in World Politics*, 12.

³³ Joseph S. Nye, *Understanding Global Conflict and Cooperation: An Introduction to Theory and History*, 9th ed. (Upper Saddle River, NJ: Pearson, 2013), 47.

³⁴ Haass, *A World in Disarray*, 21.

³⁵ Kissinger, *World Order*, 67.

³⁶ Cambridge Dictionary, s.v. “norm,” accessed February 27, 2019, <https://dictionary.cambridge.org>.

³⁷ Haass, *A World in Disarray*, 136.

³⁸ Merriam-Webster Dictionary, s.v. “value,” accessed March 3, 2019, <https://www.merriam-webster.com>.

³⁹ Ikenberry, *After Victory*, 15, 10; Nye, *Understanding Global Conflict and Cooperation*, 69-71, 62-64.

The sovereign state is the basic unit of political order. States have two characteristics. A state has territory, “an identifiable portion of the earth’s surface,” and sovereignty.⁴⁰ Sovereignty signifies the “absolute right to govern” the territory of a state.⁴¹ Legitimacy exists when there is consensus among states on the proper forums for solving contests over disparate claims.⁴² Those forums constitute the mechanisms of international order.

Ordering mechanisms are the “international economic institutions, and bilateral and regional security organizations” of an order.⁴³ The structure of interactions among states, over time, yields the creation of institutional ordering mechanisms (e.g. alliances, treaties, international laws, and norms) to guide present and future conduct.⁴⁴ Institutions, whether in the guise of “regional, global, economic, multilateral, or bi-lateral” agreements, create rules and norms through consensus among states on acceptable or normally expected behavior in the international system.⁴⁵

This monograph proceeds in six sections. This section, the introduction, explained the methodology and criteria utilized for the case studies, then offered a literature review; and, finally, explained key terms. The second section illuminates the historical pattern of the creation and destruction of war settlements since 1648. It illustrates the evolution of order from those based upon state interest alone, to those reliant on institutional mechanisms. The third section reviews the post-Second World War order’s creation in the context of the monograph’s criteria. The fourth section examines the behavior of Russia against the criteria to illuminate whether its actions threaten the post-war order. The fifth section examines China’s behavior through the same

⁴⁰ Nye, *Understanding Global Conflict and Cooperation*, 38.

⁴¹ Ibid.

⁴² Haass, *A World in Disarray*, 21.

⁴³ Mazzar et al., *Understanding the Current International Order*, iii, preface.

⁴⁴ Ibid., 9-11.

⁴⁵ Ikenberry, *After Victory*, 9.

lens. In the conclusion, the monograph discusses the implications of the evidence for US military readiness.

Section 2: Evolution of Political Order

This section illuminates the historical rhythm of the creation and destruction of post-war settlements from 1648 to 1919. The orders have built upon one another. The section demonstrates which elements of international order are most sacrosanct, like the sovereign territorial norm, and which elements promote an order's legitimacy, like the establishment of institutions to facilitate the peaceful resolution of disputes. It illustrates how the values and principles underpinning an order reflect the domestic politics of the victor nations. When the mechanisms to resolve disputes through discourse lost legitimacy or proved unable to constrain nations seeking the old order's revision, the means of military power continued the dialogue, leading to a new settlement. The Thirty Years War, Napoleonic Wars, the First World War, and the Second World War are instances of major wars which led to a new settlement.

The end of Europe's Thirty Years War from 1618 to 1648 first codified the state sovereignty norm in the Peace of Westphalia. The state became the legitimate building block of the international system.⁴⁶ All states were equal in authority, or their right to govern their own territory, but not power.⁴⁷ This discrepancy led to the limited wars of the 17th and 18th centuries.⁴⁸ The 1713 *Treaty of Utrecht* summarized the two basic rules of political order. Monarchs were the legitimate authority, and none should be too powerful. Between 1648 and 1789, monarchs, exercising their authority through the state, kept equilibrium in the international

⁴⁶ Kissinger, *World Order*, 20-29.

⁴⁷ Nye, *Understanding Global Conflict and Cooperation*, 47.

⁴⁸ States lacked an authority higher than themselves to appeal to for security, giving rise to Thomas Hobbes theory of the social contract and the theory of realism's view of the world as a system of anarchy. Kissinger, *World Order*, 30-31.

system through a series of limited wars.⁴⁹ Eighty years after *Utrecht*, France's interpretation of the Enlightenment's principles sparked a revolution.⁵⁰

Limited wars gave way to what Carl von Clausewitz referred to as "absolute wars" under Napoleon Bonaparte.⁵¹ The French Revolution from 1789 to 1799, and the Napoleonic Wars of 1799 to 1815, contested both the legitimacy of the monarch's authority and state sovereignty. Sovereignty, French philosophers' claimed, rested within the abstract notion of popular will, embodied through spokesmen.⁵² Napoleon harnessed the popular will towards the aim of uniting the European continent under his authority.⁵³ In Russia, Austria, and Prussia, monarchs noted the ability of "popular will" to contest the legitimacy of their authority, and the European balance of power.⁵⁴ Britain's naval and economic power, combined with Russia's vast geography and manpower, proved decisive in the coalition to defeat Napoleon.⁵⁵ With the consequent Congress of Vienna in 1815, states remained sovereign, and an institutionalized order emerged.⁵⁶

The Vienna settlement introduced legitimate institutional ordering mechanisms to maintain peace. Led by Britain, the victors of the war, Russia, Austria, Prussia, and the newly formed German Confederation, consented to the norms, rules, and institutions of the Vienna settlement.⁵⁷ The Concert of Europe institutionalized periodic meetings of the diplomatic heads of

⁴⁹ Nye, *Understanding Global Conflict and Cooperation*, 80, 33.

⁵⁰ Kissinger, *World Order*, 37-40.

⁵¹ Kissinger, *World Order*, 43; Carl von Clausewitz, *On War*, ed. and trans. Michael E. Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1989), 489.

⁵² *Ibid.*, 42-44.

⁵³ Kissinger, *World Order*, 42; Michael Rapport, *The Napoleonic Wars: A Very Short Introduction* (Oxford: Oxford University Press, 2013), loc. 1797.

⁵⁴ Kissinger, *World Order*, 42-43.

⁵⁵ Kennedy, *The Rise and Fall of the Great Powers*, 95.

⁵⁶ Rapport, *The Napoleonic Wars*, loc. 1797; Ikenberry, *After Victory*, 80.

⁵⁷ For a detailed account of the Vienna settlement, and more on the "diffuse promulgation of norms and rules of law," see Ikenberry, "The Settlement of 1815," in *After Victory*.

these “great powers” to resolve disputes through dialogue.⁵⁸ Where dialogue might fail, the victors formed the Quadruple Alliance, a defensive alliance to check French resurgence and maintain political order.⁵⁹ Where ideology arising within states might threaten the monarch’s legitimacy, the Holy Alliance existed to tie Prussia, Austria, and Russia together through common Christian principles.⁶⁰ A century after the Vienna settlement’s establishment, the institutions it formed were unable to check the rapid ascent of German power, and the ambitions associated with its increased power.⁶¹ The German state, a combination of the German Confederation and Prussia, felt that the old order was “fixed to the advantage of the established powers,” leaving it without the territory and influence it desired.⁶² Its central position in Europe posed a threat to all the great powers simultaneously, setting conditions for a spark to ignite the world in war.⁶³

During the First World War, the United States brought both its troops and ideals to the European continent in hopes of influencing the terms of the settlement to follow. Surveying the social landscapes of Europe and Russia near the war’s end, President Woodrow Wilson assumed a “worldwide democratic revolution” was imminent.⁶⁴ Thus, in 1919 at Versailles, Wilson imagined a League of Nations, “a world-wide organization of democracies,” to manage disputes.⁶⁵ Wilson hoped to tie the idealistic League of Nations directly to the punitive reality of the Treaty of Versailles.⁶⁶ However, Wilson’s vision for peace exceeded what the US Senate, fearing a threat to US independence and sovereignty despite its dominant power position, was

⁵⁸ The “Great Powers” of the Quadruple Alliance included Britain, Russia, Austria, Prussia and later France. Kissinger, *World Order*, 60; Ikenberry, *After Victory*, 103-107.

⁵⁹ Ikenberry, *After Victory*, 95-96.

⁶⁰ Ikenberry, *After Victory*, 101; Kissinger, *World Order*, 58.

⁶¹ Kennedy, *The Rise and Fall of the Great Powers*, 209.

⁶² *Ibid.*, 213.

⁶³ *Ibid.*, 212.

⁶⁴ Ikenberry, *After Victory*, 118-127.

⁶⁵ *Ibid.*, 117.

⁶⁶ *Ibid.*, 262-263.

willing to ratify.⁶⁷ Disillusioned with the outcome, the United States focused on internal development following the war.⁶⁸ Thus, the Treaty of Versailles condemned European democracies to “constant vigilance against” German aggression on the one hand and revolutionary Russia on the other.⁶⁹

In 1919, without any nation willing and able to enforce the terms of the Versailles settlement, the League of Nations lacked legitimacy as an ordering mechanism.⁷⁰ After Germany reoccupied the Rhineland in the 1930s, Hitler began dismantling Austria, then “Czechoslovakia, and finally Poland.”⁷¹ Europe braced for a second war, but “recoiled from the implications of acting on their foresight.”⁷² The war that followed was the most destructive in history, and its settlement, according to Ikenberry, the most extensive in history.⁷³

Section 3: The Post War Settlement

This section addresses the international order set up following Second World War. Ikenberry, writing in 2001, suggested that the post-war settlement evolved during the prosecution of the war, formed the essential backdrop to the Cold War, and remained relevant into the twenty-first century.⁷⁴ The victors of the Second World War constructed an institutional political order to balance power and avoid future war. This political order had three characteristics. The first characteristic was the order’s principles. The values it enshrined and upheld reflected the United States’ own democratic values and principles. A second characteristic was the creation of

⁶⁷ Ikenberry, *After Victory*, 161.

⁶⁸ Kissinger, *World Order*, 83.

⁶⁹ Ibid.

⁷⁰ Ibid., 85.

⁷¹ Ibid.

⁷² Ibid., 86.

⁷³ Ikenberry, *After Victory*, 163, 210.

⁷⁴ Ibid., 163.

multilateral institutions, which served to resolve disputes.⁷⁵ Third, it had rules and norms to check power. The most basic is that states remained sovereign and territorial boundaries sacrosanct. In three sections, the values and principles, institutions, and norms that formed the pillars of the post-war settlement are discussed below. A fourth section discusses the post-war settlement's development and hardening against Communism in the Cold War.

Principles and Values

Planning for a post-war order began before the United States entered the Second World War. In January of 1940, Assistant Secretary of State, Cordell Hull created a committee to study the post-war peace to define the “principles that should underlie a desirable world order.”⁷⁶ A year later, Roosevelt delivered his Four Freedoms Address to Congress. The speech reflected the values and principles of US citizens in 1941 who, if they were to reject their pre-war isolationism, would do so to protect their vision of the good life.⁷⁷ Roosevelt explained that the Axis powers, Germany, Italy, and Japan, sought to create a new world order of “the oldest and the worst tyranny,” an order without liberty, religion, or hope.⁷⁸ Roosevelt continued, “In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.”⁷⁹ Those freedoms were the freedom of speech, religious freedom, freedom from want, and freedom from fear. Through the Four Freedoms, Roosevelt sought to create a new deal for the world, one in which no nation would be “in a position to commit an act of physical aggression against any neighbor, anywhere in the world.”⁸⁰

⁷⁵ Institutions bound the interests of states together through agreements balancing economic openness with mechanisms to regulate markets Ikenberry, *After Victory*, 44, 175.

⁷⁶ Patrick, *The Best Laid Plans*, loc. 1029.

⁷⁷ Henry Luce, “The American Century,” *Diplomatic History* 23, no 2 (April 1999): 170.

⁷⁸ Franklin D. Roosevelt, *The Public Papers and Addresses of Franklin D. Roosevelt*, vol. 9 (New York: Random House, 1938), 639.

⁷⁹ *Ibid.*, 676.

⁸⁰ Roosevelt, *The Public Papers*, 676; Patrick, *The Best Laid Plans*, loc. 1134, 2524.

The Atlantic Charter's principles mirrored the Four Freedoms and established a common political vision for a post-war order among Britain and the United States. In 1941, when Roosevelt first met with England's Prime Minister, Sir Winston Churchill in Newfoundland, he bound the two nations together through the Atlantic Charter, which reflected the values of US liberal democracy.⁸¹ The Atlantic Charter codified common principles upon which to base "hopes for a better future," thereby laying the "political and moral foundations for a just, peaceful, and prosperous world."⁸² The principles were respect for territorial sovereignty, access to equal trade among all nations to further the economic health within states, freedom from fear and want, and the freedom of all nations to navigate the world's oceans without interference.⁸³ Additionally, the Atlantic Charter called for states to abandon the use of force, and establish a permanent body to provide for general security, illustrating Roosevelt's vision for a post-war world in which the great power's both managed and upheld democratic values.⁸⁴

The Atlantic Charter reflected US values in three ways.⁸⁵ First, it captured the Declaration of Independence's emphasis on self-determination.⁸⁶ Second, it reflected America's belief in economic openness, in which the free hand of the market created prosperity.⁸⁷ Third, it forecast a system of collective security to protect the rights of all nations, where real power might

⁸¹ Patrick, *The Best Laid Plans*, loc. 1047.

⁸² Department of State, *A Decade of American Foreign Policy: Basic Documents 1941-1949*, rev. ed. (Washington DC: Government Printing Office, 1985), Part I: Wartime Documents Looking Toward Peace, 2; Stewart Patrick, *The Best Laid Plans: The Origins of American Multilateralism and the Dawn of the Cold War*, loc.-1048.

⁸³ Department of State, *A Decade of American Foreign Policy*, Part I, 3.

⁸⁴ Ibid.

⁸⁵ For a more in-depth analysis of this view of the order, see Stewart Patrick's excellent book, *The Best Laid Plans*; also see, Kissinger, *World Order*, 277, whose emphasis on this point is worth quoting, "American idealism and exceptionalism were the driving forces behind the building of a new international order."

⁸⁶ Patrick, *The Best Laid Plans*, loc. 1042-1049, 2787.

⁸⁷ Patrick, *The Best Laid Plans*, loc. 1055.

check violations of international rules and norms.⁸⁸ The Atlantic Charter enshrined President Roosevelt's post-war aim to gain Britain's commitment to an "open, multilateral economic order."⁸⁹

After Japan attacked Pearl Harbor on December 7, 1941, the United States entered the war.⁹⁰ The Four Freedoms, through the Atlantic Charter, became the Allied war aims.⁹¹ In January 1942, the United States, Soviet Union, United Kingdom, China, and twenty-two other nations signed a Joint Declaration of the "United Nations (UN)" subscribing to the common principles of the Atlantic Charter.⁹² The UN declaration in 1942 reflected the wartime comity among the Allies.

As the war progressed, the Allies furthered their commitment to common principles and values through the peace conferences. At the Moscow Conference in October 1943, US, British, Chinese, and Soviet delegates vowed to create an international organization "based on the principle of sovereign equality," to maintain world "peace and security."⁹³ In December 1943, the Allies met again in Tehran, declaring their resolve to "eliminate tyranny and slavery, oppression and intolerance," and welcomed all states to enter a "world family of Democratic Nations."⁹⁴ As the Allies planned Operation Overlord to end the war in Europe, it seemed certain that their wartime comity might produce an enduring peace.⁹⁵

However, in February 1945, in the Crimean resort town of Yalta, practical differences among the Allies post-war aims surfaced. Roosevelt imagined a "single international order," with

⁸⁸ Ibid., loc. 1060.

⁸⁹ Ikenberry, *After Victory*, 173.

⁹⁰ Patrick, *The Best Laid Plans*, loc. 1085.

⁹¹ Ibid., loc. 1073.

⁹² Department of State, *A Decade of American Foreign Policy*, Part I, 2-3.

⁹³ Ibid., 13.

⁹⁴ Ibid., 21.

⁹⁵ Ibid.

the goal of common security met through the mechanisms of a Security Council. Roosevelt wanted “Four Policemen,” China, Russia, Great Britain and the United States, to check violations of peace. Churchill desired an order reflecting spheres of influence for the great powers. Stalin sought a sphere of influence in Eastern Europe, and initially rejected Roosevelt’s Four Policeman concept.⁹⁶ He disliked the Security Council concept because of constraints on the use of the proposed veto authority. He demanded the veto’s use even if a member were party to a dispute. Roosevelt believed he could personally manage these differences with Stalin after the war.⁹⁷

At Yalta, Roosevelt made concessions in return for Soviet support in the war against Japan. Roosevelt permitted a Soviet sphere of interest in Eastern Europe.⁹⁸ In return, Stalin conceded to the principle that individuals might “choose the form of government under which they live,” and endorsed the upcoming UN conference in San Francisco.⁹⁹ Stalin then agreed to restore “sovereign rights” to nations “forcibly deprived of them by the aggressor nations” during the war.¹⁰⁰ The Allies also resolved the contentious issue of voting procedures within the UN Security Council.¹⁰¹ No single member of the UN Security Council could use its veto to stop discussions on an issue that might arise. Additionally, even if a member were a party to a dispute brought before the Security Council for resolution, enforcement actions necessitated a unanimous vote.¹⁰² The agreements reached at Yalta reflected the realities on the ground in Europe, and the ongoing war.¹⁰³ At Yalta, the Great Powers remained united for a moment in time.

⁹⁶ Williamson Murray and Allan R. Millet, *A War to be Won: Fighting the Second World War* (Cambridge, MA: Harvard University Press, 2001), loc. 7688.

⁹⁷ Kissinger, *World Order*, 273-274.

⁹⁸ John L. Gaddis, *We Now Know: Rethinking Cold War History* (New York: Oxford University Press, 1997), 37; Department of State, *A Decade of American Foreign Policy*, Part I, 25.

⁹⁹ *Ibid.*, 24.

¹⁰⁰ *Ibid.*, 25.

¹⁰¹ *Ibid.*, 24.

¹⁰² Wheeler-Bennett and Nichols, *The Semblance of Peace*, 550.

¹⁰³ Ikenberry, *After Victory*, 167; Wheeler-Bennett and Anthony Nichols, *The Semblance of Peace*, 190.

Institutional Ordering Mechanisms

The institutional binding aspect of the post-war order reduced trade barriers and empowered war-torn societies through economic cooperation. Roosevelt believed that “commerce [was] the lifeblood of society,” and that “senseless economic barriers,” clogged “the arteries” of world trade.¹⁰⁴ In Roosevelt’s Four Freedoms speech he proposed that the United States must send “every ounce and every ton” of war material that it could spare to help fight the “unholy alliance.”¹⁰⁵ The Lend-Lease Act, signed into law March 11, 1941, followed.¹⁰⁶ The Act set the precedent for using US economic power to materially aid the Allies.¹⁰⁷ The Act promoted “the material foundations of the liberty and welfare of all peoples,” with its provisions to reduce trade barriers in return for aid.¹⁰⁸ The Lend-Lease Act sparked international conversations culminating in the Bretton Woods agreements.

In the summer of 1944, the Allied armies moved from the beaches of Normandy into Europe, while economists from forty-four nations met in Bretton Woods, New Hampshire.¹⁰⁹ At the Bretton Woods conference, the economists reached agreements to eliminate trade barriers, and created institutions to facilitate postwar economic cooperation.¹¹⁰ Bretton Woods created both the International Monetary Fund (IMF) and World Bank.¹¹¹ “The IMF’s purpose was to

¹⁰⁴ Franklin D. Roosevelt quoted in George C. Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (New York: Oxford University Press, 2008), 580.

¹⁰⁵ Roosevelt, *The Public Papers*, 639.

¹⁰⁶ Patrick, *The Best Laid Plans*, loc. 985.

¹⁰⁷ Staff of the Senate Committee on Foreign Relations and the Department of State, *A Decade of American Foreign Policy: Basic Documents 1941-49* (Washington DC: Government Printing Office, 1950), 3-4.

¹⁰⁸ Staff of the Senate Committee on Foreign Relations and the Department of State, *A Decade of American Foreign Policy*, 4; Roosevelt, *The Public Papers*, 614.

¹⁰⁹ Ikenberry, *After Victory*, 186; Jussi M. Hanhimaki, *The United Nations: A Very Short Introduction* (New York: Oxford University Press, 2008), 93.

¹¹⁰ Henry Morgenthau, “Bretton Woods and International Cooperation,” *Foreign Affairs* (January 1945): 184, accessed December 8, 2018, DOI: 10.2307/200298866.

¹¹¹ Herring, *From Colony to Superpower*, 580.

regulate the world's financial markets.”¹¹² The World Bank, originally known as the International Bank for Reconstruction and Development, issued loans to promote the reconstruction of underdeveloped countries.¹¹³ The Bretton Woods agreements put “into effect the sort of international economic program . . . necessary for preserving the peace and creating favorable conditions for world prosperity.”¹¹⁴

In 1947, fifty-seven nations met in Havana, Cuba to discuss another multi-lateral measure to promote international economic growth. The outcome of the Havana Convention was a proposal for an International Trade Organization (ITO) to decrease barriers to trade. Although the United States Congress rejected US accession to the ITO, fearing Soviet influence, President Truman used his executive authority to save its functions in a different form, the Global Agreement on Tariffs and Trade. The Global Agreement on Tariffs and Trade lacked the formal authorities intended to exist within the ITO, but it did establish periodic meetings to negotiate multilateral rules for world trade.¹¹⁵ Thus, the West began to see its prosperity and stability “tied to an array of institutions” with mechanisms for resolving disagreements.¹¹⁶

Norms and Rules

On June 26, 1945, the UN delegates assembled in San Francisco. The Republic of China, the United States, Britain, France, and the Soviet Union, re-affirmed the principles and values previously agreed upon, and codified norms for all nations through the UN Charter. The objective

¹¹² Hanhimaki, *The United Nations*, 94.

¹¹³ Ibid.

¹¹⁴ Morgenthau, “Bretton Woods and International Cooperation,” 182.

¹¹⁵ Daniel Yering and Joseph Stanislaw, *The Commanding Heights: The Battle for the World Economy* (New York: Simon and Schuster, 1998), loc. 843-852; In 1995, the World Trade Organization, “inherited the Global Agreement on Tariffs and Trade agreements” with a more formal body to establish rules for international trade and adjudicate disputes to alleged prejudices. John Ikenberry, “The Myth of Post-war Chaos,” *Foreign Affairs* (May/June 1996), accessed January 24, 2019, <https://www.foreignaffairs.com/articles/1996-05-01/myth-post-cold-war-chaos>.

¹¹⁶ Ikenberry, “The Myth of Post-war Chaos.”

of the UN Charter was to spare “succeeding generations” from the pain of war.”¹¹⁷ The Great Powers agreed to “establish conditions under which justice and respect for the obligations of treaties and other sources of international law can be maintained.”¹¹⁸ The objective of the UN Charter was to spare “succeeding generations” from the pain of war.”¹¹⁹ The UN Charter’s first chapter codified the territorial integrity norm. “All members shall refrain in their international relations from the threat of force against the territorial integrity or political independence of any state.”¹²⁰ All nations signed onto the principles and norms of the UN Charter, establishing the norms necessary to maintain “justice and respect for the obligations arising from treaties and other sources of international law.”¹²¹

The UN Security Council’s purpose was to supply a medium for Great Power management to prevent wars from occurring. The UN Charter entrusted five nations with defending the norms and rules of the order. China, the Soviet Union, Britain, France and the United States, as permanent members of the Security Council, had “primary responsibility for the maintenance of international peace and security” through their veto authority over the use of force.¹²² The construct sought to avoid the League of Nation’s errors by vesting real authority over the use of force in the Great Powers.¹²³ Through a series of bases around the world and through joint military partnerships, the Great Powers were to protect the territorial norm of the UN Charter and enforce the international rule of law. Thus, the UN Charter mirrored the world’s actual balance of power in the Security Council, while its General Assembly reflected the norm

¹¹⁷ Department of State, *A Decade of American Foreign Policy*, Part II: Conferences on the Peace Settlement, 95.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid., 96.

¹²¹ Ibid., 95.

¹²² Ibid., 99.

¹²³ Patrick, *The Best Laid Plans*, loc. 1225.

that all states enjoy sovereign equality.¹²⁴ It appeared that Roosevelt's idealism and realism created the mechanisms necessary to achieve "respect for international law, humanitarian objectives, and goodwill."¹²⁵

After Yalta

Roosevelt, through his death, and Churchill, through a popular vote, were unable to prevent Stalin's post war ambitions after Yalta. Two political orders began to emerge. The legitimacy of the UN Security Council rested upon its ability to wield power for the purposes, principles, and values that the UN Charter espoused. World affairs were at odds with Roosevelt's vision. China remained enthralled in a civil war pitting communism against the US backed forces of the Republic of China, led by Chang Kai-shek.¹²⁶ Meanwhile, in Europe, Britain and France were materially exhausted. After Yalta, Stalin's post-war vision surfaced at the Potsdam Conference in July 1945.

At Potsdam, the difference between the world order the US attempted to forge at the UN Conference met with the realities of realpolitik. President Truman secured Soviet aid in the war against Japan, but even with the atomic bomb to strengthen his position, was unable to prevent Stalin's ambitions in Eastern Europe.¹²⁷ When the Second World War ended in August 1945, the Soviet Union occupied territory in Central and Eastern Europe.¹²⁸ Stalin proved unable to tolerate these nations from escaping Soviet influence despite agreeing to the principles and norms of the

¹²⁴ Ibid., loc. 3084, 1225.

¹²⁵ Kissinger, *World Order*, 277.

¹²⁶ Ibid., 281, 77.

¹²⁷ Kissinger, *Diplomacy*, 428, 439.

¹²⁸ The territory Russia occupied it received as a part of its 1941 alliance with Germany, known as the Molotov-Ribbentrop pact. Tim Marshall, *Prisoners of Geography: Ten Maps that tell You Everything You Need to Know About Global Politics* (London: Elliot and Thompson, 2015), 6.

1942 UN declaration and 1945 UN Charter. Thus, the practical result of Potsdam was “the dividing of Europe into two spheres of influence.”¹²⁹

Through the Bretton Woods agreements in 1944, the US had signaled its commitment to multilateralism and the reconstruction of Europe.¹³⁰ After the war, European economies needed a market for their trade exports. Through a series of negotiations in Geneva, the US agreed to accept short-term losses in tariff negotiations to achieve the long-term gains of opening its markets to the world. The process created a world-wide shortage of US dollars. Europe needed credit.¹³¹ Considering both the growing Soviet threat and Britain’s inability to fund Europe’s credit crisis, Secretary of State George Marshall circulated a plan to release US dollars into world economies in 1947.¹³²

On March 12, 1947, President Truman pledged emergency economic aid to Greece and Turkey, preventing the Soviet Union from exploiting these weakened states to gain access to the Bosphorus Straits.¹³³ In June of 1947, Marshall addressed Harvard University and outlined a larger program of aid to the European continent.¹³⁴ In what became known as the Marshall Plan, the European Recovery Program provided economic aid to recovering European nations on a grand scale.¹³⁵ The Marshall Plan was designed to remove “economic conditions that tempted aggression,” provided that the nations of Europe “draw up a common plan,” for the disbursement

¹²⁹ Kissinger, *Diplomacy*, 436.

¹³⁰ Morgenthau, “Bretton Woods and International Cooperation,” 184.

¹³¹ Alfred E. Eckes, Jr., *Opening America’s Market: U.S. Foreign Trade Policy Since 1776* (Chapel Hill, NC: University of North Carolina Press, 1995), 155-166.

¹³² Patrick, *The Best Laid Plans*, loc. 3590;

¹³³ Harry S. Truman Presidential Library and Museum, “The Truman Doctrine,” March 12, 1947, accessed December 8, 2018, https://www.trumanlibrary.org/whistlestop/study_collections/doctrine/large/documents/index.php; Herring, *From Colony to Superpower*, 603.

¹³⁴ George C. Marshall Foundation, “The Marshall Plan Speech,” June 4, 1947, accessed December 8, 2018, <https://www.marshallfoundation.org/marshall/the-marshall-plan/marshall-plan-speech/>.

¹³⁵ Eliot Sorel and Pier Carlo Padoan, eds., *The Marshall Plan: Lessons Learned for the 21st Century* (Paris: OECD, 2008), 15.

of the aid it provided.¹³⁶ Although the US offered economic aid to the Soviet Union, Stalin viewed the Marshall Plan as a strategy to deny it a sphere of influence in Europe.¹³⁷ He prevented states within the Soviet sphere from accepting the economic aid, contributing to the emerging ideological divide with the US.¹³⁸

Stalin's reaction to the Marshall Plan, a staged coup in Czechoslovakia and the Berlin blockade in 1948, backfired. France and Britain accepted the conditions of the Marshall Plan, but wanted reassurance that the re-emergence of West Germany would not lead to war. Thus, France and Britain put forth the plan for a military alliance. The US made its agreement to a military commitment to Europe conditional upon the inclusion of West Germany within the alliance. Seeing the benefit of this double containment, of the Soviets on the one hand, and the containment of Germany within an alliance on the other, France and Britain agreed to US conditions, and the North Atlantic Treaty Organization (NATO) took form.¹³⁹ The Marshall Plan developed Western Europe's war-torn economy, and buttressed fragile democracies against the expansionist aims of the Soviet Union, giving them the opportunity to self-determine their future.¹⁴⁰ The European Economic Community, and European Union (EU) later appeared from the European political cooperation achieved through Marshall Plan, but in 1947, it marked the beginning of the Cold War.¹⁴¹

In the place of worldwide cooperation, George Kennan articulated a strategy of containment in 1947, which infused the post-war project with the ideological purpose of defeating

¹³⁶ Kissinger, *Diplomacy*, 453; Yering and Stanislaw, *The Commanding Heights*, loc. 823.

¹³⁷ Gaddis, *We Now Know*, 41.

¹³⁸ Ibid., 41-42; Patrick, *The Best Laid Plans*, loc. 3621.

¹³⁹ Gaddis, *We Now Know*, 47-51.

¹⁴⁰ Ely Ratner, Elizabeth Rosenberg, and Daniel Kliman, "The China Challenge" (Remarks Prepared for CNAS Annual Conference, June 21, 2018), accessed December 20, 2018, <https://www.cnas.org/publications/commentary/the-china-challenge>.

¹⁴¹ For a full discussion of the Marshall Plan's impact on Europe see Yering and Stanislaw, *The Commanding Heights*.

communism.¹⁴² Rather than achieve a universal world order based upon common norms and the rule of law, the United States engaged itself in a contest of two orders. In 1949, the United States joined its “first peacetime alliance in American history,” committing itself deeply to European security through NATO.¹⁴³ In essence, NATO’s role was to serve in the stead of the UN Security Council, which lacked the comity required to maintain world “peace and stability.”¹⁴⁴ Next, the Truman administration committed to a larger Cold War strategy in the 1950 National Security Council document (NSC-68). Confident in the norms, rules, and principles it fought the Second World War to defend, the US committed to a long-term contest for world order.¹⁴⁵

The immediate consequence of NATO’s formation was that it denied Stalin the ability to intimidate Western Europe. Thus, in 1949, Stalin looked east to Korea, which the US had declared outside its defensive perimeter. Stalin encouraged the North Koreans to attack south of the previously agreed upon “38th Parallel,” separating it from South Korea.¹⁴⁶ The United States responded with military force. With the Korean conflict, the US demonstrated that it would act not only in its interest, but on its principled commitment to defending the international norms and the rule of law.¹⁴⁷ The US began a pattern of defending the post-war settlement.¹⁴⁸ The United States, Western European nations, and Japan, built an enduring post-war order through collective security agreements and economic institutions to protect the principles of democracy throughout

¹⁴² Gaddis, *We Now Know*, 37.

¹⁴³ Kissinger, *Diplomacy*, 457.

¹⁴⁴ *Ibid.*, 460.

¹⁴⁵ *Ibid.*, 462-463.

¹⁴⁶ *Ibid.*, 473-475, 477.

¹⁴⁷ *Ibid.*, 477.

¹⁴⁸ G. Steve Lauer, “American Discontent: Unhappy Military Outcomes of the Post-Second World War Era,” *Strategy Bridge*, May 23, 2017, accessed February 13, 2019, <https://thestrategybridge.org/the-bridge/2017/5/23/american-discontent-unhappy-military-outcomes-of-the-post-second-world-war-era>.

the Cold War.¹⁴⁹ While the Cold War is beyond the scope of this monograph, the UN, NATO, and the Bretton Woods agreements remained durable upon the end of the cold war.

Section 4: Russia

This case study focuses on Russia's challenge to the post-war settlement, continuing in four parts. First, it provides historical context for the end of the Cold War, which created turmoil in Russia. Second, it focuses on how Russia's values and principles have evolved in response to the end of the Cold War, and its need to reconstruct a national identity. Third, it discusses Russia's creation of institutions to create a political sphere of influence drawing nations away from NATO and the EU. Fourth, it examines Russia's violation of the territorial sovereignty norm in its annexation of the Crimean Peninsula.

On December 25th, 1991, Michael Gorbachev resigned from his position as the Soviet Union's leader, ending the Cold War.¹⁵⁰ The collapse of the Soviet Union was the consequence of Gorbachev's decision not to use force to maintain unity as independence movements grew within the Warsaw Pact countries in the late 1980s. The outcome of his decision produced fifteen independent states. In 1991 and 1992, the US, NATO, and UN recognized the newly independent nations, giving them "seats in the UN General Assembly," and guaranteeing their sovereignty.¹⁵¹ Within Russia, market liberalization produced income inequalities as state pensions, health care, and education benefits disappeared. Inflation spiraled as a system of oligarchs assumed the seats of Russian power. Consequently, the Russian people equate democracy with uncertainty, corruption, and loss.¹⁵² Moreover, as independent states formed out of the Soviet Union's

¹⁴⁹ Ikenberry, "Myth of Post-war Chaos."

¹⁵⁰ Marc Champion, "Quicktake: Cool War," Bloomberg, July 8, 2018, accessed December 10, 2018, <https://www.bloomberg.com/quicktake/cool-war-22018>.

¹⁵¹ Frederick W. Kagan, "Russia: The Kremlin's Many Revisions," in *Rise of the Revisionists: Russia, China, and Iran*, ed. Gary Schmitt (Washington, DC: The AEI Press, 2018), 16, 20.

¹⁵² Charles Kupchan, *No One's World: The West, the Rising Rest, and the Coming Global Turn* (New York: Oxford University Press, 2012), 107, 110.

collapse, Russia failed to create a mechanism to integrate ethnic Russians back into the Russian Federation.¹⁵³ At the same time, Russia dealt with the consequences of Gorbachev's "*perestroika* (restructuring)" societal reforms, which created rifts in the Russian psyche as the full extent of Stalin's repressions were revealed.¹⁵⁴

In the years following the Soviet's collapse, NATO expanded. Hungary, Poland, and Czechoslovakia applied for NATO membership at once.¹⁵⁵ In 1997, NATO established the Permanent Joint Council, known since 2002 as the NATO-Russia Council. The Permanent Joint Council offered Russia a voice in NATO decision making, as well as a mechanism for consultation and cooperation, but not the same veto Russia enjoyed in the UN.¹⁵⁶ In 1999, Hungary, the Czech Republic, and Poland joined NATO.

Russian Federation President Boris Yeltsin, facing internal pressure for "only weakly protesting" NATO expansion, ceded the presidency to Vladimir Putin in 2000.¹⁵⁷ Bulgaria, Slovakia, Slovenia, Romania, and the Baltic nations joined NATO in 2004. In the same year, both Georgia's Rose Revolution and Ukraine's Orange Revolution began.¹⁵⁸ Russia, under Putin, began pushing back against the expansion of the liberal international order. Putin's efforts to restore Russia's identity, and regather a sphere of influence among former Soviet states, has led to violations of the sovereignty norm and international treaties.¹⁵⁹

¹⁵³ Kagan, "Russia: The Kremlin's Many Revisions," 18.

¹⁵⁴ "Perestroika (restructuring)" quoted from Christopher Marsh, *Religion and the State in Russia and China: Suppression, Survival, and Revival* (New York: The Continuum International Publishing Group, 2011), loc. 1077; Kagan, "Russia: The Kremlin's Many Revisions," 21-29.

¹⁵⁵ David M. Andrews, *The Atlantic Alliance Under Stress: US-European Relations after Iraq* (Cambridge: Cambridge University Press, 2005), 236.

¹⁵⁶ Ibid., 237; North Atlantic Treaty Organization, NATO-Russia Council, "About-NRC," accessed December 10, 2018, <https://www.nato.int/nrc-website/en/about/index.html>.

¹⁵⁷ Kagan, "Russia: The Kremlin's Many Revisions," 31.

¹⁵⁸ The Baltic nations refer to Estonia, Latvia, and Lithuania. Marshall, *Prisoners of Geography*, 7.

¹⁵⁹ Kagan, "Russia: The Kremlin's Many Revisions," 31.

Values and Principles of Political Order

Under Putin, Russia has rejected the values and principles of the international order. Rather than seek integration in the order, Russia undermines its legitimacy in preference for a multi-polar world order. Russia promotes a view of a common civilization, grounded in the Russian language, Russian Orthodox Church, and a mystical notion of the “Russian world.”¹⁶⁰ Russia is seeking an international order formed upon strong geographic centers held together through the bonds of civilization and culture.¹⁶¹ Putin has defined Russia less as a nation-state, and more as a civilization sharing a common history and culture with conservative values.¹⁶² Putin has cast himself as a protector of these commonalities among former Soviet states, opposed to western encroachment and amoral liberal values, claims which buttress his autocratic rule within the Russian Federation.

Putin is re-writing the history of the Soviet Union’s collapse, disavowing bi-lateral commitments made to former Soviet states in the name of the “rights” of ethnic Russians in the same territories. In Putin’s 2000 “Open Letter to Voters,” he referenced Russia’s feudal origins.¹⁶³ Putin quoted ancient Slavs, writing to the Viking Rurik in 860 AD who claimed, “Our land is rich, only there is no order in it.”¹⁶⁴ Putin left out the phrase, “come to rule as Princes and reign over us.”¹⁶⁵ His nuanced rhetoric marked a coherent effort to create a new Russian identity based upon “more than a millennium” of Russian imperial expansion and a common Eurasian

¹⁶⁰ Marlene Laruelle, “The Russian World: Russia’s Soft Power and Geopolitical Imagination” (Research, Center on Global Interests, Washington DC, May 2015), 12-13, accessed March 2, 2019, http://globalinterests.org/wp-content/uploads/2015/05/FINAL-CGI_Russian-World_Marlene-Laruelle.pdf.

¹⁶¹ Vladimir Putin, “Address to the Federal Assembly,” December 12, 2012, accessed February 13, 2019, <http://en.kremlin.ru/events/president/transcripts/messages/17118>.

¹⁶² Kagan, “Russia: The Kremlin’s Many Revisions,” 25. For further details on Russia’s Orthodox religion see Marsh, *Religion and the State*.

¹⁶³ Kagan, “Russia: The Kremlin’s Many Revisions,” 23-24.

¹⁶⁴ C.T. Evans, “Russian Primary Chronicle (Excerpts),” accessed February 13, 2019, <https://novaonline.nvcc.edu/eli/evans/his101/documents/Chronicle.html>.

¹⁶⁵ Ibid.

culture.¹⁶⁶ The Russian identity he imagined revolved around its origins in the ancient Slavs “who inhabited” lands from “Ukraine to Finland,” integrated themselves with the Kievan Rus (modern Ukraine), and subsequently adopted European culture as heirs to Peter the Great’s conquest of Western Europe.¹⁶⁷ He cast Russia as messianic, pointing to its defense of Europe against first Napoleon, and then Stalin’s defense against Hitler.¹⁶⁸ Above all, Putin insisted, Russians were “members of an ancient nation-state.”¹⁶⁹ With this interpretation came the inherent right to protect ethnic Russians in lands once part of an Empire. Putin reinterpreted the Soviet Union’s demise as a loss of the “unity of Russian lands.”¹⁷⁰

In 2012, Putin found a mentor in Ivan Ilyin, a philosopher exiled to Berlin as the Bolsheviks rose to power in 1917. Writing in 1945, Ilyin discussed how Russia might revise its history after the downfall of the Soviet Union.¹⁷¹ Ilyin claimed that both Bolshevism and Communism were the consequence of western ideas to deceive Russia. Nevertheless, Russia’s innocence would remain until a “redeemer” would come to resurrect the nation and restore its imperial glory.¹⁷² Ilyin’s most notable ideas are that democratic elections within Russia only exist to confirm the nation’s spiritual salvation, in the form of its leader, and that all truth is relative.¹⁷³ Putin has adopted Ilyin’s philosophy to reinterpret Russian history, and heal the psychological rift between Russia’s imperial greatness and the perceived errors of the Soviet Union. In 2005, Putin

¹⁶⁶ Kagan, “Russia: The Kremlin’s Many Revisions,” 24; Further evidence of Putin’s use of historical narrative can be found in his multiple speeches to the Russian Federal Assembly. For instance, “The simple truth (is) that Russia did not begin in 1917, or even in 1991, but rather, that we have a common, continuous history spanning over one thousand years, and we must rely on it to find inner strength and purpose in our national development.” Putin, “Address to the Federal Assembly.”

¹⁶⁷ Kagan, “Russia: The Kremlin’s Many Revisions,” 24.

¹⁶⁸ Kissinger, *World Order*, 59; Kagan, “Russia: The Kremlin’s Many Revisions,” 24-25.

¹⁶⁹ Kagan, “Russia: The Kremlin’s Many Revisions,” 25.

¹⁷⁰ *Ibid.*, 25-26.

¹⁷¹ Timothy Snyder, *The Road to Unfreedom: Russia, Europe, America* (New York: Tim Duggan Books, 2018), 20.

¹⁷² Snyder, *The Road to Unfreedom*, 22-25.

¹⁷³ *Ibid.*, 21, 27.

returned Ilyin's remains to Russia from Switzerland, symbolizing the reconciliation of two eras of Russian history, imperial and Soviet Russia.¹⁷⁴

Putin has also branded Russia as a conservative defender of the Orthodox Church, integrating the state with religion to defend against the encroachment of liberal values in Eurasia. As nations on Russia's periphery moved toward the EU and NATO in the late 2000s, Putin co-opted the Russian Orthodox Church in his effort to equate the values of the liberal west with decadence and in direct opposition to conservative values of ethnic Russians.¹⁷⁵ The Russian Orthodox Church of the Moscow Patriarchate is "the largest nongovernmental organization in Russia," and has played a key role in Russia's effort to unite Eurasia against perceived western liberal decadence.¹⁷⁶ The Church promotes Russian culture, and acts as a source of soft power to bind Russia politically to its immediate neighbors.¹⁷⁷ While Putin used the Church to project Russian values outward, he has used autocratic mechanisms of power within Russia to limit internal Western influence.

Putin's autocratic principles placed him at odds with free speech and human rights norms, which threatened his power. Mass public protests in Moscow preceding Putin's 2012 re-election motivated him to increase control of civil society.¹⁷⁸ He enacted legislative initiatives seeking to limit "political freedoms and minimize foreign influence, especially Western influence, in Russian domestic politics."¹⁷⁹ Russia's decision in 2012 to identify non-governmental

¹⁷⁴ Fiona Hill and Clifford Gaddy, *Mr. Putin: Operative in the Kremlin* (Washington, DC: Brookings Institution Press, 2013), loc. 106-107.

¹⁷⁵ Radin and Reach, *Russian Views of the International Order*, 29-30.

¹⁷⁶ Nikolas K. Gvosdev and Christopher Marsh, *Russian Foreign Policy: Interests, Vectors, and Sectors* (Washington, DC: SAGE Publications, 2014), 47; Laruelle, "The Russian World," 20-23.

¹⁷⁷ Gvosdev and Marsh, *Russian Foreign Policy*, 47.

¹⁷⁸ Dmitry Medvedev, quoted in Joseph E. Biden Jr. and Michael Carpenter, "How to Stand Up to the Kremlin: Defending Democracy Against its Enemies," *Foreign Affairs* (January/February 2018): 44.

¹⁷⁹ Rajan Menon and Eugene Rumer, *Conflict in Ukraine: The Unwinding of the Post-Cold War Order* (Cambridge, MA: The MIT Press, 2015), loc. 909.

organizations (NGOs) as foreign agents is one example.¹⁸⁰ In 2012, Putin also expelled the US Agency for International Development (USAID) from Russia, fearing the promotion of human rights norms.¹⁸¹ In 2014, in the wake of his actions in Crimea, Putin implemented laws to limit “foreign ownership of newspapers and other media outlets to 20 percent.”¹⁸² Also in 2014, the Russian Security Council took measures to “enhance internet security,” looking for ways to disconnect “Russian Internet from the rest of the world.”¹⁸³

Russia contests liberal democratic values in the informational domain. Russia’s state-owned media outlet, Russian Television (RT), intentionally places the values of international order in a negative light.¹⁸⁴ The Russian government funds RT at 400 million dollars a year. According to RT, honest news is news “that does not pretend to be truthful.”¹⁸⁵ Rather than block free press, the Kremlin floods it with false information. Putin undermines the basic value of information to shake the faith in the “sanctity of facts and knowledge.”¹⁸⁶ In a world without objective truth, it is difficult for domestic audiences both foreign, and internal to Russia, to attribute responsibility to Putin for his actions.¹⁸⁷

¹⁸⁰ Snyder, *The Road to Unfreedom*, 56.

¹⁸¹ Natasha Abbakumova and Kathy Lally, “Russia boots out USAID,” *The Washington Post*, September 18, 2012, accessed December 26, 2018, <https://www.washingtonpost.com/world/russia-boots-out-usaid/2012/09/18/>.

¹⁸² Menon and Rumer, *Conflict in Ukraine*, loc. 909.

¹⁸³ Ibid.

¹⁸⁴ This includes equating liberal democracy with behavior that undermines the values of the Russian Orthodox Church. For a full analysis of the role of RT as well as the use of internet outlets to undermine western liberal values see, Snyder, *The Road to Unfreedom*, 98-110.

¹⁸⁵ Snyder, *The Road to Unfreedom*, 161.

¹⁸⁶ Tim Adams, “The Road to Unfreedom by Timothy Snyder Review – Chilling and Unignorable,” *The Guardian*, April 15 2018, accessed December 26, 2018, <https://www.theguardian.com/books/2018/apr/15/the-road-to-unfreedom-russia-europe-america-timothy-snyder-review-tim-adams>.

¹⁸⁷ Snyder, *The Road to Unfreedom*, 24.

Eurasian Integration: Institutional Alternative

Russia has violated the norms and rules of the post-war settlement. Russia is also establishing institutions to contest Western influence in its self-proclaimed “sphere of special interest.”¹⁸⁸ In doing so, “Russia pursues veto power over the economic, diplomatic, and security decisions of its neighbors.”¹⁸⁹ Russia, Kazakhstan, Kyrgyzstan, Belarus, and Armenia founded the Eurasian Economic Union (EEU) in 2015. The EEU is the “first successful post-Soviet initiative” that presents an alternative to the Western liberal order for states in central and eastern Europe.¹⁹⁰ Russia has used the EEU to prevent further integration with the West of states within its desired sphere of influence. Thus, the European Union (EU) views the EEU as a challenge to sovereign choices in its Eastern neighborhood.”¹⁹¹

While the rise of an economic institution with the stated aim of furthering economic integration appears benign, the EEU creates competition along political lines. For example, Russia’s intervention in Crimea makes it difficult for the EU to cooperate or reach an agreement with the EEU. If the EU engaged in trade talks with the EEU, it might create the perception of legitimacy for Russia’s actions in Crimea.¹⁹² Regional political blocs are the result. Through the Bretton Woods agreements, the US intended to end the emergence of regional trade blocs along political lines that contributed to the outbreak of the war.¹⁹³ Russia’s promotion of the EEU contests those goals.

¹⁸⁸ Dmitry Medvedev, quoted in Biden and Carpenter, “How to Stand Up to the Kremlin,” 48-49.

¹⁸⁹ Mattis, *National Defense Strategy*, 1.

¹⁹⁰ International Crisis Group, “The Eurasian Economic Union: Power, Politics, and Trade” (Europe and Central Asia Report, no. 240, International Crisis Group, Brussels, Belgium, 2016), i, accessed December 12, 2018, <https://www.crisisgroup.org/europe-central-asia/central-asia/eurasian-economic-union-power-politics-and-trade#>.

¹⁹¹ Ibid.

¹⁹² International Crisis Group, “The Eurasian Economic Union,” i-ii.

¹⁹³ Yering and Stanislaw, *The Commanding Heights*, loc. 829.

Russia views the EEU “as a mechanism to institutionalize influence over its neighbors and as a building block in a new international order.”¹⁹⁴ Putin clarified his intentions for the EEU in a 2013 speech before the Valdai International Discussion Club. “The 21st century promises to become the century of major changes, the era of the formation of major geopolitical zones, as well as financial and economic . . . and political areas.”¹⁹⁵ He championed the EEU “as a project for maintaining the identity of nations in the historical Eurasian space in a new century.”¹⁹⁶ He is promoting integration of what he refers to as “post-Soviet space” in Eurasia along geopolitical lines. Putin aspires to form a regional economic bloc with a political purpose. As Putin’s use of the phrase “post-Soviet space” suggests, the identities Russia looks to preserve through the EEU, are former and future Soviet identities.¹⁹⁷

New Norms: Claiming Crimea

With the Russian Federation’s inheritance of the former USSR’s veto power in 1991, it took on the agreements of the post-Second World War settlement.¹⁹⁸ For a time, it appeared that Russia might move toward integration with the West and abide by the norms of international order. In 1994, the United States, Great Britain, Russia, and Ukraine signed the Budapest Memorandum. Under the Memorandum, Ukraine would give up the nuclear weapons inherited with the collapse of the Soviet Union in 1991. In return, Russia, the United States, and Great Britain guaranteed Ukraine’s security and territorial integrity. In 1994, the EU extended a cooperation agreement to Ukraine, and NATO included Ukraine in the Partnership for Peace

¹⁹⁴ International Crisis Group, “The Eurasian Economic Union,” i.

¹⁹⁵ Vladimir Putin, “[Putin at] Meeting of Valdai International Discussion Club,” Johnson’s Russia List, September 20, 2013, accessed December 12, 2018, <http://russialist.org/transcript-putin-at-meeting-of-the-valdai-international-discussion-club-partial-transcript/>.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Yehuda Z. Blum, “Russia Takes Over the Soviet Union’s Seat at the United Nations,” *European Journal of International Law* 3, no. 2 (August 1992): 355-357.

agreement.¹⁹⁹ In 1997, Russia and Ukraine signed a *Treaty of Friendship and Cooperation*. In the Treaty, both nations agreed to respect “each other's territorial integrity and acknowledge[d] the inviolability of the borders existing between.”²⁰⁰ Moreover, Russia and Ukraine agreed not to intervene in one another’s internal affairs, and never to resort to use of force, “including economic or other means of pressure.”²⁰¹

In 2004, when Ukraine’s signaled its intent to join the west through its Orange Revolution, Putin began asserting claims to a sphere of influence. Two men were running for the Presidency during Ukraine’s revolution. Putin’s ally, the former governor of Donetsk oblast in eastern Ukraine, Viktor Yanukovich, was one candidate. The pro-Western Viktor Yushchenko was the second.²⁰² The Ukrainian people elected Yushchenko as President. Following the elections, Putin stood before the Russian Federal Assembly and declared the collapse of the Soviet Union the “geopolitical catastrophe of the century.”²⁰³ In Putin’s view, Ukraine, a former Soviet satellite sharing a common language, culture, and history with Russia, belonged within its sphere of influence. Putin offered a choice to eastern European nations considering comity with the West, calling upon them to embark with Russia toward a “common economic, humanitarian, and legal space.”²⁰⁴ Putin explained that he considered, “respect of the rights of Russians abroad” a non-negotiable issue.²⁰⁵ Putin’s remarks to the assembly constituted “a doctrine that claims the

¹⁹⁹ Serhii Plokhy, *The Gates of Europe: A History of Ukraine* (New York: Basic Books, 2015), 326.

²⁰⁰ Ukraine and Russian Federation, *Treaty on Friendship, Cooperation and Partnership between Ukraine and the Russian Federation*, Kiev, May 31, 1997, accessed December 22, 2018, <https://treaties.un.org/doc/Publication/UNTS/No%20Volume/52240/Part/I-52240-08000002803e6fae.pdf>.

²⁰¹ Ibid.

²⁰² Plokhy, *The Gates of Europe*, 333.

²⁰³ Vladimir Putin, “Annual Address to the Federal Assembly of the Russian Federation,” The Kremlin, Moscow, April 25, 2005, accessed November 21, 2018, <http://en.kremlin.ru/events/president/news/20603>.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

right to intervene militarily wherever ethnic Russians live.”²⁰⁶ His rhetoric forecast Russia’s justification for intervention in the internal affairs of Ukraine a decade later.

In 2010, Putin’s ally, Yanukovych, became the new President of Ukraine, after Yushchenko did not seize the opportunity for integration with Europe. In 2013, Ukrainians expected Yanukovych to sign an agreement with the EU to create a free economic zone. However, upon arrival at the EU summit in Vilnius, Yanukovych chose not to sign the agreement. His decision sparked the Maidan Revolution in Ukraine. More than half a million Ukrainians protested, demanding that Yanukovych step down. He used force to quiet the crowds. Under threats of international sanctions in response to his actions, Yanukovych fled Kiev on February 21, 2014.²⁰⁷ The Ukrainian parliament appointed an interim President.

Through the Maidan Revolution, the Ukrainian people illustrated their choice to merge with the West. On February 22, 2014, as the Winter Olympics went ahead in Sochi, Russia, Putin chose to annex Crimea in response.²⁰⁸ Four days later, a group of “armed men in unmarked uniforms took control of the Crimean Parliament.”²⁰⁹ Russian special forces soldiers then engineered the election of a pro-Russian Prime Minister in the Crimean Parliament whom, in the previous election, “obtained only 4 percent of the vote.”²¹⁰ Three weeks later, despite the Human Rights Council’s observation that less than 40 percent of registered voters had taken part in the election, votes “amounting to 123 percent” of those registered were counted in favor of the referendum to unify Crimea with Russia.²¹¹ Although the Ukrainian government did not

²⁰⁶ Champion, “Quicktake: Cool War.”

²⁰⁷ Plokhy, *The Gates of Europe*, 338, 339.

²⁰⁸ BBC News, “Putin Reveals Secret of Ukrainian Takeover Plot,” Ukraine Conflict, March 9, 2015, accessed December 22, 2018, <https://www.bbc.com/news/world-europe-31796226>.

²⁰⁹ Plokhy, *The Gates of Europe*, 340.

²¹⁰ Ibid.

²¹¹ Ibid., 341.

recognize the referendum, it was not in a position to respond militarily.²¹² Russia then vetoed a UN Security Council Resolution declaring the referendum invalid.²¹³

In a March 2014 speech before the Federal Assembly of the Russian Federation, Vladimir Putin asked the Assembly members to pass a law formally annexing Crimea. He hailed Crimea's annexation as a "triumph of historical justice."²¹⁴ In reality he violated Ukrainian sovereignty to prevent it from integrating with the international order of the West, and losing access to the Black Sea Fleet's port in Sevastopol, Crimea.²¹⁵ Russia violated both the norms of the UN Charter, and those codified in the "1975 Helsinki Accords, which asserted the commitment of all European nations to recognize each other's borders and not change them by force."²¹⁶ Moreover, Russia violated the 1994 Budapest Memorandum, and its 1997 treaty with Ukraine.²¹⁷ Russia's decision to annex Crimea "was the first such act in Europe since World War II."²¹⁸

Section 5: China

This case study focuses on China's challenge to the post-war settlement, continuing in four parts. First, it provides historical context for the understanding of modern China. Second, it illustrates how China's strategic narrative suggests a desire for a new order, constructed around principles and values conducive to its political model. Third, it demonstrates that China challenges the institutions created following the Second World War. Fourth, it focuses on how China's actions in the SCS ignore the international norms and treaties of territorial sovereignty.

²¹² Ibid.

²¹³ Menon and Rumer, *Conflict in Ukraine*, loc. 1043.

²¹⁴ Plokhy, *The Gates of Europe*, 347.

²¹⁵ Ibid.

²¹⁶ Menon and Rumer, *Conflict in Ukraine*, loc. 1002.

²¹⁷ Plokhy, *The Gates of Europe*, 354.

²¹⁸ Thomas J. Wright, *All Measures Short of War: The Contest for the Twenty-First Century and the Future of American Power* (London: Yale University Press, 2018), loc. 938.

The Chinese civilization has a 5,000-year historical memory, but China, the nation-state, is young. In the nineteenth century, China's decision to focus on defending its culture and civilization, rather than its territorial integrity, led to a self-proclaimed "century of humiliation," beginning with the Opium Wars (1839 to 1842, 1856 to 1860), and ending with the Second Sino-Japanese War in 1945.²¹⁹ Subsequently, Chairman Mao won the civil war in China over the US backed Chiang Kai-shek in 1949, and created the strong central government apparatus that China lacked.²²⁰ Mao fought to resolve China's internal political problems, reconstruct China's identity as a nation-state rather than a civilization, and secure Chinese territorial claims.

Under Mao, China defined the territorial boundaries of the modern Chinese nation-state through a series of small wars.²²¹ In 1950, China claimed "30 percent of its current landmass" through the military conquest of Tibet and Xinjiang province.²²² In the late 1950s, Mao replaced patient acquiescence to the Soviet Union's leadership of the Communist community with a separate vision of Marxism with Chinese Characteristics.²²³ Mao launched the Great Leap Forward (1959 to 1961) and Great Cultural Revolution (1966 to 1976).²²⁴ Through this period of

²¹⁹ S. C. M Paine, *The Sino-Japanese War of 1894-1895: Perceptions, Power, and Primacy* (New York: Cambridge University Press, 2003), 357, 25.

²²⁰ Kissinger, *World Order*, 221.

²²¹ "National unification is another goal that usually complements the pursuit of power," John Mearsheimer, *The Tragedy of Great Power Politics* (New York: W.W. Norton and Company, 2015), loc. 973.

²²² Peter Navarro, *Crouching Tiger: What China's Militarism Means for the World* (Amherst, NY: Prometheus Books, 2015), 38.

²²³ This break with the Soviets culminated in the Great Cultural Revolution. Deng Xiaoping would also later point to Mao's break with the Soviet's to justify the Chinese Communist Party's adoption of market economics, redefining China's vision of progress in the 1970s not as Communism with Chinese characteristics, but as "socialism with Chinese characteristics." Kissinger, *On China*, 400.

²²⁴ Minxin Pei, "Domestic Changes in China and Implications for American Policy," in *U.S.-China Relations in the Twenty-First Century: Policies, Prospects, Possibilities*, eds. Christopher Marsh and June T. Dreyer (Lanham, MD: The Rowman and Littlefield Publishing Group, 2003), 54; For a detailed discussion of China's internal dynamics and progress in the mid-twentieth century see Han Suyin, *Eldest Son: Zhou Enlai and the Making of Modern China 1889-1976* (London: Random House, 1994); also see, Kissinger, *On China*.

revolution, Mao redefined Chinese history, defined its own version of Communism, and continued to secure territory.

With relations improving with the West in the 1970s and 1980s, China focused on gaining resources to propel the Chinese economy. In the context of the 1971 to 1972 US-Sino rapprochement, China secured the withdrawal of US troops from Taiwan, and inherited the Kuomintang government's seat in the UN Security Council, as well as its veto.²²⁵ In 1974, China used the United States' ill-fated position in Vietnam to claim islands in the northern section of the SCS, the Paracel Islands, from South Vietnam. Having won this maritime contest, China again battled Vietnam in 1988 over the Spratly Islands.²²⁶ In what became known as the Johnson South Reef Massacre, China acquired Kennan Reef, Johnson South Reef, Fiery Cross Reef and four other features in the Spratlys.²²⁷ Then, in 1994, China took Mischief Reef from the Philippines. Rather than repeat Vietnam's experience, the Philippine government yielded.²²⁸ For fifty years, China has used violence and coercion to settle territorial disputes and define its maritime sphere of influence in the resource rich SCS. In the future, China may pursue a similar course.

Values and Principles of Political Order

The logic of institutional liberalism is that the economic binding of the order results in political conformance to democratic values; however, taking a Chinese view on the subject, it is perhaps, "too soon to tell," if this will occur.²²⁹ While China has accepted certain aspects of the current international order, it rejects the liberal values that underpin the whole.²³⁰ China's views

²²⁵ Haass, *A World in Disarray*, 57.

²²⁶ Navarro, *Crouching Tiger*, 40, 41.

²²⁷ Ibid.

²²⁸ Ibid., 42.

²²⁹ Zhou Enlai quoted in Strobe Talbot, "U.S.–China Relations in a Changing World," in *U.S.–China Relations in the Twenty-First Century: Policies, Prospects, Possibilities*, eds. Christopher Marsh and June T. Dreyer (Lanham, MD: The Rowman and Littlefield Publishing Group, 2003), 11.

²³⁰ Mazzar et al., *Understanding the Current International Order*, 16; Mazzar, Heath, and Cevallos, *China and the International Order*, 29.

on the “foundations of political legitimacy,” namely, freedom of the press, human rights, and the role of the state with respect to religion are opposed to principles and values of the post-war order.²³¹

China’s view of the state’s role in society is much different than that of the United States. China does not accept the idea that the state constitutes a social contract designed to increase the freedom and prosperity of its people.²³² The Tiananmen Square Massacre in 1989 illustrates the point.²³³ China views its people as a harmonious whole, designed to increase the power of the state.²³⁴ Consequently, an approach Chairman Mao adopted as early as 1955, presenting China as the defender of the developing world, has some merit among authoritarian regimes today looking for an “alternative form of international order based upon different, non-Western concepts.”²³⁵ Because legitimacy “is relational, it is conferred, not intrinsic,” China seeks the consent of its values as a way for developing nations to join industrialized nations within the international

²³¹ Quote in Kupchan, *No One’s World*, 7; Alister Miskimmon and Ben O’Loughlin, “Understanding the International Order and Power Transition: A Strategic Narrative Approach,” in *Forging the World: Strategic Narratives and International Relations*, eds. Alister Miskimmon, Ben O’Loughlin and Laura Roselle (Ann Arbor, MI: University of Michigan Press, 2017); Stewart Patrick, “World Order: What Exactly are the Rules?” *The Washington Quarterly* 39, no. 1 (Spring, 2016): 21, accessed December 21, 2018, DOI: 10.1080/0163660X.2016.1170477.

²³² Robert A. Goldwin, “John Locke,” in *A History of Political Philosophy*, eds. Leo Strauss and Joseph Cropsey, 3rd ed. (Chicago, IL: The University of Chicago Press, 1987); Yuen Yuen Ang, “Autocracy with Chinese Characteristics: Beijing’s Behind the Scenes Reforms,” *Foreign Affairs* (May/June 2018): 46.

²³³ Mearsheimer, *The Tragedy of Great Power Politics*, loc. 6476.

²³⁴ James F. Paradise, “China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing’s Soft Power,” *Asian Survey* 49, no. 4 (2009), 648, accessed February 5, 2019, doi:10.1525/as.2009.49.4.647.

²³⁵ Miskimmon and O’Loughlin, “Understanding the International Order and Power Transition,” 301; June T. Dreyer, “Encroaching on the Middle Kingdom? China’s View of its Place in the World,” in *U.S.–China Relations in the Twenty-First Century: Policies, Prospects, Possibilities*, eds. Christopher Marsh and June T. Dreyer (Lanham, MD: The Rowman and Littlefield Publishing Group, 2003), 85.

order.²³⁶ Where those values do not align, China buys influence, using its economic power to “legitimize oppression.”²³⁷

Where the rules and norms of existing international law are least defined, China’s values are most nascent. For example, China’s use of artificial intelligence (AI) reflects its authoritarian values.²³⁸ China uses AI for domestic surveillance through facial recognition technology.²³⁹ China uses AI to “enhance social management” and has installed “millions” of surveillance devices across the nation to leverage “new techniques” for censorship and police control.²⁴⁰ In doing so, China legitimates the use of AI to weaken “the voice of civil societal groups,” and is establishing technological norms that nations along China’s Belt and Road Initiative (BRI) are adopting.²⁴¹ The Chinese owned companies implementing AI in China hold contracts to develop similar technology along the Chinese BRI.²⁴² Some scholars refer to this as the Digital Silk Road.²⁴³ China is also creating its own norms and rules for cyberspace.

Whereas the western liberal order favors free speech and freedom of the press, China favors a closed internet architecture.²⁴⁴ Referred to as the “Great Firewall of China,” China

²³⁶ Miskimmon and O’Loughlin, “Understanding the International Order and Power Transition,” 301.

²³⁷ Elizabeth Warren, “Foreign Policy for All,” *Foreign Affairs* (January/February 2019): 59.

²³⁸ Oriana Skylar Mastro, “The Stealth Superpower: How China Hid Its Global Ambitions,” *Foreign Affairs* 98, no. 1 (2018), 36.

²³⁹ Elsa B. Kania, “Battlefield Singularity: Artificial Intelligence, Military Revolution, and China’s Future Military Power” (Research Report, Center for a New American Security, 2017), 6, accessed February 13, 2019, <http://www.jstor.org/stable/resrep16985.6>.

²⁴⁰ Ibid.

²⁴¹ Mastro, “The Stealth Superpower,” 36; Wenyuan Wu, “China’s ‘Digital Silk Road’: Pitfalls Among High Hopes,” *The Diplomat*, November 3, 2017, accessed December 26, 2018, <https://thediplomat.com/2017/11/chinas-digital-silk-road-pitfalls-among-high-hopes/>; Rachel Brown, “Beijing’s Silk Road Goes Digital,” Council on Foreign Relations, Asia Unbound Blog, accessed December 21, 2018, <https://www.cfr.org/blog/beijings-silk-road-goes-digital>.

²⁴² Stewart Patrick, “Belt and Router: China Aims for Tighter Internet Controls with Digital Silk Road,” Council on Foreign Relations, The Internationalist Blog, December 21, 2018, accessed December 26, 2018, <https://www.cfr.org/blog/belt-and-router-china-aims-tighter-internet-controls-digital-silk-road>.

²⁴³ Ibid.

²⁴⁴ Mastro, “The Stealth Superpower,” 36.

promotes a norm of “Cyber sovereignty,” where cyberspace falls under the control of the state.²⁴⁵ China believes that states “should have the right to regulate whatever content they wish within their borders.”²⁴⁶ Conversely, the United States has long championed “an open, decentralized, and secure cyber domain that remains” privatized.²⁴⁷ China seeks to make its closed internet architecture, which includes “censorship and persecution of dissidents,” the world norm.²⁴⁸ For example, China blocked the participation of groups favoring an open society in the UN Group of Governmental Experts, which was created to establish norms in cyberspace.²⁴⁹ China then formed its own conference to propagate its “view of Internet regulation.”²⁵⁰

China actively promotes its culture and political values.²⁵¹ China’s promotion of its “culture and values” through its numerous Confucius Institutes is one example.²⁵² There are 548 Confucius Institutes throughout the world.²⁵³ While some argue these institutes may be a “Trojan Horse” designed to increase China’s soft power, others view them as purely academic pursuits among universities.²⁵⁴ That the Chinese Communist Party supplies the funds for the programs maintenance to foreign universities lends the former position credence.²⁵⁵

²⁴⁵ Bloomberg News, “Quicktake: The Great Firewall of China,” November 5, 2018, accessed December 26, 2018, <https://www.bloomberg.com/quicktake/great-firewall-of-china>.

²⁴⁶ Mastro, “The Stealth Superpower,” 36.

²⁴⁷ Patrick, “World Order,” 18.

²⁴⁸ Ibid., 21.

²⁴⁹ Mastro, “The Stealth Superpower,” 34.

²⁵⁰ Ibid.

²⁵¹ Mearsheimer, *The Tragedy of Great Power Politics*, loc. 1129.

²⁵² Elizabeth C. Economy, “History with Chinese Characteristics: How China’s Imagined Past Shapes its Present,” *Foreign Affairs* (July/August 2017): 148; Paradise, “China and International Harmony,” 647-69.

²⁵³ Confucius Institute, Classroom, “About,” accessed February 13, 2019, http://english.hanban.org/node_10971.htm.

²⁵⁴ Paradise, “China and International Harmony,” 659-662.

²⁵⁵ Ibid., 647-69.

Given the divergent values of China and the United States, a preference for open and closed societies respectively, it is difficult to imagine that China will conform to the principles and norms of the international order. Rather, China will seek to revise the order where it can, offering an alternative to likeminded nations and using its economic might to make its model more appealing. “The ideologies of nationalism and authoritarianism” present significant challenges to liberal democratic values.²⁵⁶

Institutional Alternatives: Shadowing the West

Despite a generation of US statecraft designed to cultivate democracy within China, including the 1971 Nixonian Rapprochement, China’s “Most Favored Nation trading status,” and its 2001 accession to the World Trade Organization, China remains reluctant to embrace the institutions of post-Second World War order.²⁵⁷ Rather than accept the legitimacy of the international order, China expected the order to evolve to include its interests.²⁵⁸ In the 1990s and 2000s, China chose to “bide its time, maintain a low profile, and never claim leadership.”²⁵⁹ However, the 2008 fiscal crisis, and the United States involvement in the Middle East created an opportunity for China. In the last decade, China has used wealth generated through an open economic system to provide autocratic nations an alternative development model, one that does not require internal political reforms.²⁶⁰ In the words of Xi Jinping to the 19th National Congress of the Communist Party of China, “[China] has stood up, grown rich, and is becoming strong,”

²⁵⁶ Warren, “Foreign Policy for All,” 59.

²⁵⁷ Kissinger, *World Order*, 315-316; Kissinger, *On China*, 436, 479.

²⁵⁸ Kissinger, *World Order*, 225.

²⁵⁹ Deng Xiaoping, quoted in Kissinger, *On China*, 437.

²⁶⁰ Kurt M. Campbell and Ely Ratner, “The China Reckoning: How Beijing Defied American Expectations,” *Foreign Affairs* (March/April 2018): 62.

offering a “new option for other countries and nations who want to . . . develop while preserving their independence.”²⁶¹

In 2013, China engaged in a flurry of institution building that scholars at the Mercator Institute have characterized as a “Shadow Foreign Policy.”²⁶² China’s institutional alternatives mimic the Marshall Plan, and the global economic institutions created at Bretton Woods.²⁶³ The Brazil, Russia, India, China, and South Africa New Development Bank (BRICS NDB), Asian Infrastructure Investment Bank (AIIB), and China’s BRI are prime examples.

The AIIB, the BRICS NDB, and the BRI increase China’s economic leverage. These institutions offer developing nations an alternative source of funding for economic growth and allow them to avoid the internal reforms needed to receive monetary aid from the World Bank or IMF. China’s AIIB signals its desire to contest the US led international order and expand its regional influence. China founded the AIIB in 2015, and maintains a controlling vote within it.²⁶⁴ If Ikenberry’s argument that increased economic cooperation leads to increase political cooperation is right, then the United States must seriously consider the impact of the United Kingdom, Germany, Australia, and South Korea all opting to join the AIIB.²⁶⁵ China’s institutional binding with Brazil, Russia, India, and South African economies is equally concerning.

²⁶¹ Xi Jinping, “Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism with Chinese Characteristics for a New Era” (Delivered at the 19th National Congress of the Communist Party of China, October 18, 2017), *China Daily*, November 4, 2017, accessed November 12, 2018, http://www.chinadaily.com.cn/china/19thcpnationalcongress/2017-11/04/content_34115212.

²⁶² Sebastian Heilmann et. al., “China’s Shadow Foreign Policy: Parallel Structures Challenge the Established International Order,” *China Monitor*, no. 18 (October 28, 2014), 1, accessed November 12, 2018, https://www.merics.org/sites/default/files/2018-01/China_Monitor_18_Shadow_Foreign_Policy_EN.pdf.

²⁶³ Ibid.

²⁶⁴ Jennifer Lind, “Life in China’s Asia: What Regional Hegemony Would Look Like,” *Foreign Affairs* (March/April 2018): 72.

²⁶⁵ Asian Infrastructure and Investment Bank, “Members and Prospective Members of the Bank,” accessed November 12, 2018, <https://www.aiib.org/en/about-aiib/governance/members-of-bank/index.html>.

The BRICS NDB, founded in 2015, is a direct challenge to the World Bank. It offers an alternative to the World Bank's "policy-oriented loans . . . with emphasis on poverty reduction, privatization, or deregulation."²⁶⁶ As of 2018, the BRICS NDB has only issued loans to its founding members, and those loans are issued in US dollars.²⁶⁷ In the future, China may seek to use the BRICS NDB or AIIB to internationalize the Renminbi by using the Chinese currency when issuing foreign investment loans.²⁶⁸ A declared goal of China's is to "limit the function of the US dollar as a globally predominant reserve currency."²⁶⁹ Competition increases opportunity, but hinders the ability of Western institutions to promote reforms that reflect the values the Allies fought the Second World War to defend. China's focus on funding foreign infrastructure nests the efforts of the BRICS NDB and AIIB within the aims of its signature project, the BRI.

The BRI links together "Asia, the Middle East, Africa, and Europe" through a system of "ports, rails, roads, pipelines, and telecommunications networks."²⁷⁰ Xi Jinping began the BRI in 2013.²⁷¹ In his own words, China's "project of the century" is a path to "win-win" peaceful economic develop among nations.²⁷² Through the BRI, China seeks to "reshape the economic and geopolitical landscape of the Indian Ocean rim and Eurasia."²⁷³

²⁶⁶ Robert Manning and Olin Wethington, "A Path to US Leadership in the Asia Pacific: Revitalizing the Multilateral Financial Institutions," *Atlantic Council*, November 2016, accessed November 12, 2018, http://www.atlanticcouncil.org/images/publications/A_Path_to_Leadership_in_the_Asia-Pacific_web_1116.pdf.

²⁶⁷ Heilmann et al., "China's Shadow Foreign Policy."

²⁶⁸ Ibid.

²⁶⁹ Manning and Wethington, "A Path to US Leadership in the Asia Pacific."

²⁷⁰ Daniel Kliman, "The Geostrategic and Military Drivers and Military Implications of BRI" (Testimony before the U.S.-China Economic and Security Review Commission, January 25, 2018, Center for New American Security), 1, accessed December 20, 2018, https://www.uscc.gov/sites/default/files/Kliman_USCC%20Testimony_20180119.pdf.

²⁷¹ Ibid.; Feng Huiyun and Kai He, "China's Institutional Challenges to the International Order," *Strategic Studies Quarterly* 11, no. 4 (2017): 30, accessed December 20, 2018, <http://www.jstor.org/stable/26271633>.

²⁷² Xi Jinping, "Speech at the Opening Ceremony of the Belt and Road Forum for International Cooperation" (Beijing, May 14, 2017), Xinhua Net, accessed December 20, 2018, http://www.xinhuanet.com/english/2017-05/14/c_136282982.htm.

²⁷³ Kliman, "The Geostrategic and Military Drivers and Military Implications of BRI," 2.

The BRI mimics the Marshall Plan, but exceeds its scale and has different aims. While the Marshall Plan cost about “\$122 billion” in 2017 dollars, China has devoted around “\$340 billion,” to its BRI.²⁷⁴ The Marshall Plan empowered the nations of Europe, whereas China uses the BRI to coerce nations into submitting to Chinese political aims. The BRI is a vehicle to advance Chinese influence, create leverage, and it is “ultimately harmful to good governance.”²⁷⁵

Rhetorically, China’s BRI and institutional alternatives come with no strings attached, but in practice they allow China to control the internal politics of her partners through “debt-trap diplomacy.”²⁷⁶ Through the BRI, China exchanges financing for the infrastructure projects that developing nations require for “favorable access to their natural assets, from mineral resources to ports.”²⁷⁷ China’s policies allow developing nations to trade short-term solutions to economic problems without considering the long-term consequences of restrictions to their sovereignty. The Hambatonta Port in Sri Lanka is an instance of China using economic aid to gain influence over a developing nation.

With China’s Hambatonta Port project, China traded access for equity, undermining the long-term prosperity of Sri Lanka.²⁷⁸ Straddling Indian Ocean trade routes linking Europe, Africa, and the Middle East to Asia, the port has strategic value.²⁷⁹ In 2007, China gained access to the port when the US stopped arms sales to Sri Lanka, citing human rights violations during Sri

²⁷⁴ Ratner, Rosenberg, and Kliman, “The China Challenge.”

²⁷⁵ Ibid.

²⁷⁶ Maria Abi-Habib, “How China Got Sri Lanka to Cough-Up a Port,” *New York Times*, June 25, 2018, accessed December 20, 2018, <https://www.nytimes.com/2018/06/25/world/asia/china-sri-lanka-port.html>.

²⁷⁷ Brahma Chellaney, “China’s Creditor Imperialism,” *The Strategist*, December 21, 2017, accessed December 20, 2018, <https://www.aspistrategist.org.au/chinas-creditor-imperialism/>.

²⁷⁸ Gordon Fairclough and Uditha Jayasinghe, “Sri Lanka to sell 80% Stake in Strategically Placed Harbor to Chinese,” *The Wall Street Journal*, December 8, 2016, accessed December 20, 2018, <https://www.wsj.com/articles/sri-lanka-to-sell-80-stake-in-strategically-placed-harbor-to-chinese-1481226344>.

²⁷⁹ Brahma Chellaney, “Sri Lanka the Latest Victim of China’s Debt-Trap Diplomacy,” *Asia Times*, December 24, 2017, accessed December 20, 2018, <http://www.atimes.com/article/sri-lanka-latest-victim-chinas-debt-trap-diplomacy/>.

Lanka's civil war against the Tamil Tigers. China filled the void, allying with Sri Lanka. China gave Sri Lankan President Mahinda Rajapaksa's government \$37 million in military aid, and negotiated a \$1 billion deal to develop the Hambantota port.²⁸⁰

China fused a deal to help Sri Lanka prevail in a civil war, with an economic contract that was not in Sri Lanka's interest. The port facility at Hambantota opened in 2010, and in 2013, rather than earning Sri Lanka revenue, it only increased Sri Lanka's debt.²⁸¹ The numbers bear out. Since its opening in 2010, the Hambantota port accounts for less than 8 percent of Sri Lanka's total port facility traffic shared across five ports.²⁸² Consequently, Sri Lanka's debt expanded from "35 percent of its [Gross Domestic Product] in 2010 to 94 percent in 2015."²⁸³ In 2015, when Sri Lanka could no longer pay its debt, China supplied another \$1.1 billion in loans in return for an 80 percent stake in the Hambantota Port.²⁸⁴ In 2017, China gained a 99-year lease on the port in return debt reductions, restricting Sri Lanka's future sovereign choices.²⁸⁵ As Secretary Mattis' remarked in his 2017 testimony before the Senate Armed Services Committee, "I think in a globalized world, there are many belts and many roads, and no one nation should put itself into a position of dictating" that there be only "One Belt" and "One Road."²⁸⁶

²⁸⁰ Jeffrey M. Smith, "China's Investments in Sri Lanka: Why Beijing's Bonds Come at a Price," *Foreign Affairs*, May 23, 2016, accessed December 20, 2018, <https://www.foreignaffairs.com/articles/china/2016-05-23/chinas-investments-sri-lanka>.

²⁸¹ Ibid.

²⁸² Numbers derived from, Ministry of Finance Sri Lanka, *Annual Report 2017* (Government of Sri Lanka, December 2017), accessed December 20, 2018, <http://www.treasury.gov.lk/publications/annual-report>.

²⁸³ Smith, "China's Investments in Sri Lanka."

²⁸⁴ Ibid.

²⁸⁵ Kai Schultz, "Sri Lanka, Struggling with Debt, Hands a Major Port to China," *The New York Times*, December 12, 2017, accessed December 20, 2018, <https://www.nytimes.com/2017/12/12/world/asia/sri-lanka-china-port.html>.

²⁸⁶ US Congress, "Political and Security Situation in Afghanistan" (Transcript of Testimony before the Committee of Armed Services, October 3, 2017), accessed December 20, 2018, https://www.armed-services.senate.gov/imo/media/doc/17-82_10-03-17.pdf.

Contested Norms: Claiming Sovereignty, Reclaiming Reefs

China contests the rules of international law and the norm of sovereignty in the SCS. The SCS is strategically important, holding oil and natural gas reserves equivalent to those in the Persian Gulf.²⁸⁷ One third of the world's commerce transits the sea, and its waters host rich fishing grounds.²⁸⁸ Over half of the world's fishing vessels compete for access to its waters.²⁸⁹ China's Island building projects and claims to maritime sovereignty in this resource rich area have implications for the legitimacy of the state sovereignty norm in the twenty-first century.

The first instance of China making a sovereign claim to the "Pratas Islands, Paracel Islands, Macclesfield Bank, and Spratly Islands" occurred in its September 4, 1958, Declaration on China's Territorial Sea.²⁹⁰ However, in a 2013 legal analysis of China's claims to sovereignty in the SCS, authors Florian and Pierre-Marie Dupuy explain that from 1958 to 1996 China provided no legal basis for its claims. Rather than supply evidence, China made claims as if they were facts.²⁹¹ China's ratification of the United Nations Convention on the Law of the Sea (UNCLOS) in 1996 drove China to rethink its approach.²⁹²

China uses a two-pronged approach to claim the SCS as its sovereign territory. First, despite China's 1996 ratification of the UNCLOS, which defines Economic Exclusion Zones

²⁸⁷ Navarro, *Crouching Tiger*, 134.

²⁸⁸ *Ibid.*, 134-135.

²⁸⁹ Center for Strategic and International Security Studies, "Defusing the South China Sea Disputes: A Regional Blueprint" (Report, Center for Strategic and International Security Studies, October 2018), 6, accessed February 13, 2019, https://csis-prod.s3.amazonaws.com/s3fs-public/publication/181011_DefusingTheSouthChinaSea2.pdf.

²⁹⁰ Asian Law Information Institute, "Resolution of the Standing Committee of the National People's Congress of the People's Republic of China of the Approval of the Declaration of the Government of the People's Republic of China on China's Territorial Sea" (100th Meeting of the Standing Committee of National People's Congress, September 4, 1958), accessed November 2, 2018, <http://www.asianlii.org/cn/legis/cen/laws/rotscotnpcotaotdotgocts1338/>.

²⁹¹ Florian Dupuy and Pierre-Marie Dupuy, "A Legal Analysis of China's Historic Rights Claim in the South China Sea," *The American Journal of International Law* 107, no. 1 (January 2013): 129.

²⁹² Zheng Wang, "China and UNCLOS: An Inconvenient History," *The Diplomat*, July 11, 2016, accessed December 26, 2018, <https://thediplomat.com/2016/07/china-and-unclos-an-inconvenient-history/>.

(EEZ) in international waters out to 200 nautical miles and limits territorial waters to those “not exceeding 12 nautical miles,” China makes ambiguous claims to the entire SCS as its sovereign territory.²⁹³ Second, rather than defend this claim, China centers the debate on whether the actual features within the SCS belong to China, with references to Chinese history.²⁹⁴

In 1998, China introduced the terminology of “historic rights” to its claims to the SCS, presumably to justify its claims through a mechanism of international law.²⁹⁵ Then, on May 7, 2009, China appended a “nine-dashed line” map in a *note verbale* to the Secretariat General of the UN explaining that the claims of the Socialist Republic of Vietnam and Malaysia to the continental shelf beyond 200 nautical miles of their coasts infringed on China’s sovereignty.²⁹⁶ However, China’s claims do not conform to the norms and rules of international law.

China’s nine dashed line conforms to neither the rules for “historic” claims, nor the rules for cartographic claims outlined in International Law. For historic claims to provide a legal basis for sovereignty, they require both the acquiescence of other states claiming sovereignty to the same territory and a long period of historical consistency. First, Vietnam, Malaysia, and the Philippines, dispute China’s claims in the SCS, therefore the condition of consent is absent. Second, China’s historic evidence for its claim rests upon a 1948 Chinese Atlas produced before the creation of the People’s Republic of China existed.²⁹⁷

The map China appended to its 2009 *note verbal*, derived from the Atlas, fails to meet the criteria of international law for cartographic claims to sovereign territory. First, the maps must be geographically exact. China’s nine dashed line is not exact, rather it is depicted “in the most

²⁹³ United Nations, *United Nations Convention on the Law of the Sea of 10 December 1982*, last updated March 28, 2018, accessed December 26, 2018, http://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf.

²⁹⁴ Pei, “Domestic Changes in China and Implications for American Policy,” 54.

²⁹⁵ Dupuy and Dupuy, “A Legal Analysis of China’s Historic Rights Claim in the South China Sea,” 129.

²⁹⁶ *Ibid.*, 132.

²⁹⁷ *Ibid.*, 137-140, 127, 141, 131.

inaccurate way possible.”²⁹⁸ Second, to use a map in an “international court or tribunal seeking to establish objective facts,” it must come from a party with an unbiased viewpoint.²⁹⁹ Using a Chinese Atlas as the basis of its own territorial claims is hardly unbiased. These facts have not stopped President of the People’s Republic of China, Xi Jinping, from coercing regional neighbors, nor reclaiming reefs in these international waters, heightening tensions in the SCS in recent years.

Under Xi Jinping, China has continued its attempt to control the SCS through incremental actions that achieve small gains, carefully staying below the level of intensity that might spark war.³⁰⁰ China uses its large economy to gain a de facto veto over other nations when they attempt to use the norms and rules of international law to defend their territory. For instance, Scarborough Shoal is 500 nautical miles from mainland China, and 140 nautical miles from the Philippines, placing it clearly within the Philippines EEZ under UNCLOS.³⁰¹ In 2012, China took the Scarborough Shoal from the Philippines.³⁰² When Philippine ships refused to leave the area, China used its “white hulled” coast guard vessels to ram them. The Philippines brought the matter before the international legal community in 2013. China retaliated by allowing bananas exported from the Philippines to rot in a Chinese harbor.³⁰³ With the international community threatening to resolve the EEZ disputes diplomatically, China expedited a military buildup in the SCS.³⁰⁴ In

²⁹⁸ Ibid., 134.

²⁹⁹ Ibid.

³⁰⁰ Bonnie Glaser, testimony before US Congress, “China’s Relations with Southeast Asia” (Hearing before the U.S. China Economic and Security Review Commission, 114th Cong, 1st sess., May 13, 2015), accessed August 10, 2018, https://www.uscc.gov/sites/default/files/Glaser_Written%20Testimony_5.13.2015%20Hearing.pdf.

³⁰¹ Andrew Higgins, “In Philippines, Banana Growers Feel the Effect of South China Sea Dispute,” *The Washington Post*, June 10, 2012, accessed December 21, 2018, https://www.washingtonpost.com/world/asia_pacific/in-philippines-banana-growers-feel-effect-of-south-china-sea-dispute/2012/06/10/gJQA47WVT.

³⁰² Navarro, *Crouching Tiger*, loc. 1451.

³⁰³ Higgins, “In Philippines, Banana Growers Feel the Effect of South China Sea Dispute.”

³⁰⁴ Navarro, *Crouching Tiger*, loc. 1972.

2013, Xi Jinping began a reclamation project to convert low-tide elevations and rocks, which have no legal authority under UNCLOS, into military outposts.

In 2016, the Netherlands Permanent Court of Arbitration ruled in favor of the Philippines.³⁰⁵ The tribunal also ruled that there are no actual islands in the Spratlys, only rocks and reefs, and that no feature of the Spratlys warrants more than a 12 NM territorial zone. Furthermore, the seven rocks and low-tide elevation features within the SCS that Xi Jinping began developing for military purposes in 2013, the most notable being Mischief Reef, do not qualify for a 12 NM zone. Rather, Mischief Reef, and nearby Scarborough Shoal, both fall within the Philippines EEZ, or the EEZs of Vietnam, Malaysia, or Indonesia respectively. While the ruling carefully avoided the question of sovereignty, it proved China's claims to the entire SCS are illegal under UNCLOS.³⁰⁶ Therefore, Chinese outposts in the Spratlys have neither a legal foundation under international law for a Chinese EEZ, nor does China have a legal foundation for a claim to sovereignty over the features.³⁰⁷ Rather, the Spratlys belong to the nations surrounding the SCS. China refuses to acquiesce.

Xi Jinping's rhetoric matches the reality he has created in the SCS, continuing to claim the region as China's sovereign territory irrespective of international norms and law. In 1998, China tried to circumvent the provisions of UNCLOS through historic claims to sovereignty in an attempt to illustrate to the post-Cold War world that it might work within the international order. The 2009 *note verbal* was merely an attempt to make the discussion about historic, sovereign rights rather than the EEZ provisions of the UNCLOS treaty China ratified in 1996. In 2013, Xi

³⁰⁵ Permanent Court of Arbitration, "PCA Press Release: The South China Sea Arbitration (The Republic of the Philippines vs. The People's Republic of China)," The Hague, July 12, 2016, accessed December 21, 2018, <https://pca-cpa.org/wp-content/uploads/sites/175/2016/07/PH-CN-20160712-Press-Release-No-11-English.pdf>.

³⁰⁶ Euan Graham, "The Hague Tribunal's South China Sea Ruling: Empty Provocation or Slow-Burning Influence?" Council of Councils, August 18, 2016, accessed December 21, 2018, https://www.cfr.org/councilofcouncils/global_memos/p38227.

³⁰⁷ Graham, "The Hague Tribunal's South China Sea Ruling."; Dupuy and Dupuy, "A Legal Analysis of China's Historic Rights Claim in the South China Sea," 121-141.

Jinping proved what “peaceful co-existence” might look like when its claims ran counter to the rules and norms of the international order. China built military outposts in waters that, under UNCLOS, belong to nations whose mainland shores are closer. In 2018, Xi Jinping visited these outposts. He re-iterated the official position of the People’s Republic of China State Councilor General and Defense Minister Wei Fenghe that China will not give up “one single piece” of its sovereign territory and warned his military to “prepare for war.”³⁰⁸

Section 6: Conclusion

This monograph first examined the historic pattern of the creation and destruction of international orders through major wars. It then detailed the construction of the post-Second World War settlement. Ikenberry laid the theoretical foundation for the criteria of international order through his argument that the post-war settlement was an intentional US project. He argued that the settlement took form immediately prior to and during the Cold War, later expanding with the collapse of the Soviet Union.³⁰⁹ The case studies then illustrated the ways in which Russia and China contest the settlement, through the lens of the criteria. The evidence suggests that the post-war international order competes with alternative visions of order in a contest for a legitimate world order. Both Russia and China contest the principles, institutions, and norms, created following the Second World War.

Russia seeks recognition as a great power, not a failed empire. The values Putin champions to facilitate his power undermine those enshrined in the post-war settlement. Putin appears to be recasting the Russian identity as civilizational. In doing so, he seeks to erode the sovereignty of former Soviet satellites through calls to common cultural and historical bonds.

³⁰⁸ Kristin Huang, “‘Prepare for War,’ Xi Jinping Tells Military Region that Monitors South China Sea, Taiwan,” *South China Morning Post*, October 26, 2018, accessed December 21, 2018, <https://www.scmp.com/news/china/military/article/2170452/prepare-war-xi-jinping-tells-military-region-monitors-south>.

³⁰⁹ Ikenberry, *After Victory*, chapters 6 and 7.

Russia desires a multi-polar world and a buffer region between itself and Western Europe to reinstate the influence lost as the Soviet Union collapsed. In this effort, Putin is trying to create a Eurasian economic bloc to gain influence over nations within Russia's orbit. Russia's actions in Crimea confirm its contempt for the rules and norms of the international order. Given Putin's discontent with the aftermath of the Cold War, Russia is likely to remain committed to contesting the settlement if the United States does not accommodate its desired sphere of influence.

China offers its own vision of order to the world, reflecting its closed autocratic values. China, more so than Russia, is creating the architecture for a separate world order. China has developed new economic institutions and international economic development programs to bind nations to its interests. China's vision of order is attractive to developing nations that wish to avoid making the internal political reforms the institutions of the post-Second World War settlement require. China offers an alternative model of economic development. Consequently, the United States may find it more difficult to influence political outcomes in regions where China's coercive economic practices restrain political options for developing nations. China's disregard for international law and territorial norms in the SCS has created concern among security analysts and congressional oversight committees.³¹⁰ Given China's history of using force to claim territory, there is reason to believe it may use force in the SCS.

Russia and China elevate the long-term cost of US strategic restraint, setting conditions for a hard power war to occur. The implications of a "world in disarray," and a contested international order are significant for the US military.³¹¹ In a world where the values and principles of China and Russia diverge from those inherent within the post-war settlement, the contest for world order will continue. In this contest of competing visions of world order, the US

³¹⁰ Ben Dolven, Mark E. Manyin and Shirley Kan, R42930, *Maritime Territorial Disputes in East Asia: Issues for Congress* (Washington, DC: Congressional Research Service, May 2014), accessed December 10, 2018, <https://fas.org/sgp/crs/row/R42930.pdf>.

³¹¹ *A World in Disarray* is the title of Council on Foreign Relations chairperson Richard Haass's 2017 book on the future of the international order.

military must stand ready to defend the order, thereby guaranteeing its legitimacy in the form of empirical power. Given the pattern evident in history and the evidence of the settlement's dissolution, the US military is wise to prepare for any eventuality, including large scale combat operations.

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