

2016

Trump's Foreign Policy: Realist Economic Nationalism

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Recommended Citation

Eric Engle *Trump's Foreign Policy: Realist Economic Nationalism*, 14 Loy. U. Chi. Int'l L. Rev. 91 (2016).
Available at: <https://lawcommons.luc.edu/lucilr/vol14/iss2/2>

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TRUMP'S FOREIGN POLICY: REALIST ECONOMIC NATIONALISM

Eric Engle*

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Abstract

This article presents newly-elected President Trump's proposed foreign policies, contextualizing them in the greater picture of U.S. global strategy. It argues that Trump's proposed foreign policies are largely a salutary reaction against repeated neoconservative errors, perpetrated by both Republicans and Democrats. However, like the younger President Bush, Trump pursues a unilateral approach to international relations. Trump's unilateralism risks repeating some of the unilateralist errors of the younger Bush. Moreover, Trump's policies to restrict immigration, raise wages, introduce tariffs, and pursue protectionist policies, if in fact implemented, will prove economically disastrous and will fail to deliver the promised prosperity for ordinary Americans which Trump seeks. The potential errors and probable successes are outlined in this article within the broader context of the formation of the international rule of law through globalization.

I. Introduction

U.S. foreign policy in the first two decades of this century was marked and marred by a number of errors.¹ Those errors cost the Republic dearly, both in terms of lost lives and wasted wealth. As a result, many of those who voted for Trump did so partly in protest against the consequences of foreign policy errors committed by the Republicans and Democrats alike.

Ordinarily, foreign policy does not play a major role in federal elections, even presidential elections. This is partly because the issues of foreign policy are largely outside of the interest of the average voter or of the average voter's ability to understand or influence, due to a lack of individuals' expertise in foreign languages, geography, and history. The inability of the average voter to understand or influence foreign policy results not in an indifferent electorate but in one which takes a reactive view to foreign affairs. That is, voters generally only react, and then only in a rough and unarticulated way, to foreign policy issues. This explains why simplistic, erroneous policies – isolationism, tariff barriers, and literal border walls - appeal to the majority of uninformed voters. They appear as simple solutions to complex problems, but because the problems are complex those ideas are not solutions at all.

Voter reaction against the foreign policy failures of republicans and democrats alike, whether in Iraq, Libya, or Syria, partly explains how a candidate with an ideology of economic nationalism could become the head of a party which had been committed to internationalist market-liberalism through free-trade under multilateral institutions.

Ordinary people lack expertise in foreign language, macroeconomics, international law, and history. Understanding and forming effective foreign policies requires knowledge of all those issues. This explains why countries have a pro-

¹ See generally WALID PHARES, *THE LOST SPRING: U.S. POLICY IN THE MIDDLE EAST AND CATASTROPHES TO AVOID* (2014); See also, Joseph E. Stiglitz & Linda J. Bilmes, *The \$3 Trillion War*, VANITY FAIR (Apr. 2008), <http://www.vanityfair.com/politics/features/2008/04/stiglitz200804>; See also Rupert Cornwell, *Iraq War Set to be More Expensive than Vietnam*, INDEPENDENT (Apr. 28, 2006), <http://www.independent.co.uk/news/world/americas/iraq-war-set-to-be-more-expensive-than-vietnam-6102587.html>.

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fessional corps of foreign policy experts: Ministries of Foreign Affairs, Departments of State, and Intelligence Agencies, etc. Although ordinary people lack all that expertise, ordinary people can nonetheless grasp the broad outlines of foreign policy and national strategy. The details of developing and implementing foreign policy are complex and require specialists with knowledge typically outside the competence, interests, and experiences of the average voter. This is why foreign policy, though vital to all, rarely decides federal elections, and then only in reaction to grave foreign policy failures, the case in 2016: War after war in Afghanistan, Iraq, Libya, Syria, Somalia, and Yemen have certainly weighed heavily on the minds of specific demographics of voters. Although foreign policy is not generally the driver of federal elections, exceptionally, for example in the face of repeated grave foreign policy errors, foreign policy influences federal elections, particularly presidential elections.

The need for professional foreign policy expertise explains why all countries have a professional diplomatic corps, a foreign policy community. The various professionals in the foreign policy community bring their particular expertise in one or more facets of foreign relations like languages, geography, computer science, economics, or cultural affairs to help form and implement national strategy. Their collective expertise exceeds that of the average voter, any individual expert, or even of the President. Such expert elites are necessary in order to effectively form and administer foreign policy: they are indispensable to form and implement coherent effective foreign policy.

The fact that foreign policy formation and implementation requires experts explains in part why Trump must attract at least acquiescence from foreign policy elites. These elites do not form a conspiratorial deep state: they do however form and administer a bipartisan foreign policy which exhibits remarkable inter-administration continuity and serves the national interest. This capacity to speak with one voice abroad is a unique strength of the United States, due to its presidential, not ministerial governance model. Trump will obviously try to tap these foreign policy experts. Indeed, he must do so in order to govern effectively. To what extent Trump will succeed in attracting foreign policy elites' support or assistance is still an open question.² Trump will in any case need such experts to advise him and implement his policies. However, Trump's brash populist leadership style may well repel elites, particularly given Trump's neo-isolationism and protectionist policies, which run contrary to the multilateral market liberalism which were consensus views held by both major political parties in the United States.

Even though forming and implementing effective foreign policy requires experts, most voters can understand national strategy, at least in the Big Picture

² See, e.g., Eric Bradner, *McCain Steps Up Trump Criticism*, CNN (Feb. 21, 2017), <http://www.cnn.com/2017/02/21/politics/john-mccain-trump-criticism/index.html>. (Illustrating, long-time Senator McCain already opposes Trump, and will become more opposed to Trump as time passes); See also Julian Zelizer, *Flynn's departure: The second big blow to Trump in a week*, CNN (Feb. 14, 2017), <http://www.cnn.com/2017/02/14/opinions/flynn-resignation-trump-troubles-zelizer/index.html>. (Meanwhile, Lt. General Flynn, nominated by the President for a prominent national security post has already been ousted from the Executive Branch).

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sense. Voters in the 2016 election knew something was very wrong with U.S. foreign policy: endless expensive wars. They also knew that foreign policy failures resulted in unfortunate domestic consequences: unemployment in 2008 and low wage growth since then, as well as various terrorist and criminal attacks, lost lives, wasted wealth. They voted accordingly — for a candidate who would decisively end a series of wars the US *chose* to enter in the Middle East: Mythology to the contrary, Saddam Hussein had nothing to do with 9/11.³ Nor, so far as can be reasoned, did Bashar Assad or Muammar Gaddafi.⁴

The voters rejected the endless avoidable wars and voted for a candidate whose foreign policy would pursue only the national interest⁵ instead of vague human rights claims⁶ that in practice were only excuses for ill-considered, expensive, over-ambitious, unnecessary interventions in Iraq, Syria, Libya and elsewhere. They voted for a candidate who promised to end the wars and to improve the economy: Trump. They voted against the candidate who had a voting and administrative record supporting war after war in Iraq, Libya, and Syria: Clinton. They so voted not because of pacifism or isolationism but because of the costly domestic consequences of avoidable foreign wars, which were obvious even to ordinary voters.

To understand the causes and extent of mistakes in U.S. foreign policy prior to Trump, we must understand neoconservative ideas about people, state-power, and the international system because neoconservative ideas have dominated U.S. foreign policy for the last two decades. Unfortunately, the neoconservatives' ideas are generally incorrect, which explains most of the mistakes in US foreign policy in the first two decades of this century. Neoconservative policies were implemented by the Republicans and by the Democrats, which explain why an anti-establishment candidate was able to usurp a political party and then seize the Presidency. Trump's master-stroke was to attract the industrial Midwest, traditionally Democratic-leaning due to its labor union base, to the Republican Party. That, coupled with his statist-interventionist approach to the economy, is a political pole-shift as great as that worked by Reagan or even Franklin D. Roosevelt.

How the Democrats lost labor is an interesting question and will be discussed at length over the next four years, but is beyond the scope of this article. Presi-

³ Suzanne Goldenberg, *Bush: Saddam Was Not Responsible For 9/11*, THE GUARDIAN (Sept. 11, 2006), <https://www.theguardian.com/world/2006/sep/12/september11.usa2>.

⁴ Neil Macfarquhar, *An Erratic Leader, Brutal and Defiant to the End*, N.Y. TIMES (Oct. 20, 2011), <http://www.nytimes.com/2011/10/21/world/africa/qaddafi-killed-as-hometown-falls-to-libyan-rebels.html>. ("Tripoli truly began to emerge from the cold after the September 2001 attacks against the United States. Colonel Qaddafi condemned them and shared Libya's intelligence on Al Qaeda with Washington. Libya had been the first country to demand an international arrest warrant for Osama bin Laden.")

⁵ Donald J. Trump, Remarks on Foreign Policy at the Center for the National Interest in *Trump on Foreign Policy*, NAT'L INTEREST (Apr. 27, 2016), <http://www.nationalinterest.org/feature/trump-foreign-policy-15960> [hereinafter Trump Remarks on Foreign Policy].

⁶ Donald Trump, Transcript: Donald Trump's Foreign Policy Speech, N.Y. TIMES (Apr. 27, 2016), www.nytimes.com/2016/04/28/us/politics/transcript-trump-foreign-policy.html?_r=0 ("Finally, I will work with our allies to reinvigorate Western values and institutions. Instead of trying to spread universal values that not everybody shares or wants, we should understand that strengthening and promoting Western civilization and its accomplishments will do more to inspire positive reforms around the world than military interventions.") [hereinafter Trump Foreign Policy Speech on Apr. 26, 2016].

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dent Trump is the first Republican since Nixon to accord the federal government a strong role in the economy as arbiter and indeed manager of labor-capital conflicts between workers and management. This, too, is a radical political shift: both major parties had taken up non-interventionist economic policies. Whether he knows it or not, Trump's economic strategies are corporatist.⁷ His proposed foreign policy amounts to economic nationalism, a variant on international relations realism.

This article exposes Trump's foreign policy as a popular reaction against foolish neoconservative excesses. It is structured as follows:

Part I exposes the neoconservatives' failed policies and then their underlying, faulty ideas which led to those failed policies. Their wrong-headed policies have dominated U.S. foreign policy for two decades with disastrous consequences.

Part II then describes a liberal neo-realist theory, which is more accurate than neo-conservatism and which coheres with Trump's economic nationalism. Since neo-realism is more accurate than neo-conservatism it enables better foreign policy to meet the various challenges facing the United States. This theory has and will inform Trump's nationalist foreign policy of "America first."⁸

The imminent destruction of the so-called Islamic State will finally end the ill-conceived, expensive, and inapt "global war on terror." Part III of this article thus considers the new challenges facing U.S. foreign policy. Those challenges will increasingly be Chinese and Russian rather than Jihadi and may well end in a new cold war.

Thus, U.S. foreign policy and economic policy is about to undertake a radical course correction. Trump's rejection of neo-conservatism⁹ is salutary: The U.S.A. will no longer enter into endless wars with unrealistic objectives in pursuit of policies which are naive or hypocritical. Trump will prosecute fewer wars but more viciously¹⁰ and will finally end the expensive supposedly interminable so-called global war on terror, which will free up resources for production, resources which otherwise would have been wasted on war after war. The imminent end of the so-called global war on terror will, however, see new and more serious challenges: economic nationalism, populism, and the risk of a new cold war.

⁷ Robert Tracinski, *Donald Trump Is America's Berlusconi*, FEDERALIST (Feb. 15, 2016), <http://thefederalist.com/2016/02/15/donald-trump-is-americas-berlusconi-whose-rhetoric-won-his-country-nothing/>.

⁸ Donald J. Trump, Presidential Election Victory Speech (Nov. 9, 2016), in Federal News Services, *Transcript: Donald Trump's Victory Speech*, N.Y. TIMES (Nov. 9, 2016), <http://www.nytimes.com/2016/11/10/us/politics/trump-speech-transcript.html> ("I want to tell the world community that while we will always put America's interests first, we will deal fairly with everyone, with everyone — all people and all other nations. We will seek common ground, not hostility; partnership, not conflict.") [hereinafter Trump Victory Speech].

⁹ Matthew Duss, *How Donald Trump Is Beating the Neoconservatives at Their Own Game*, NATION (Mar. 25, 2016), <https://www.thenation.com/article/how-donald-trump-is-beating-the-neoconservatives-at-their-own-game/>.

¹⁰ Trump Remarks on Foreign Policy, *supra* note 5 ("I will never send our finest into battle unless necessary, and I mean absolutely necessary, and will only do so if we have a plan for victory with a capital V. I will not hesitate to deploy military force when there is no alternative. But if America fights, it must only fight to win.").

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President Trump's economic nationalism will not stop globalization or liberalism. Economic facts on the ground, institutional inertia, and a market orientation will constrain,¹¹ compel, and ultimately commit Trump to abandon or ignore protectionist promises¹² and practice instead Hayekian free trade¹³ under the rubric of national unity.¹⁴ In other words: Trump will try, and fail, to impose tariff walls¹⁵ and bans on immigration¹⁶ and will likely resort to nationalist exhortations to placate and motivate his base in the face of the institutional constraints he faces. Economic reality will compel the President to embrace immigration and free trade, though his free trade agreements may be bi-lateral rather than multi-lateral and his immigration policies will be more selective than his predecessors.

If I am wrong and Trump achieves protectionist policies such as tariffs or punitive taxation the result will be foreign counter-measures leading to market collapse and poverty,¹⁷ and ultimately to more wars to soak up the unemployed and distract from domestic failure. However, the economic errors Trump is trying to make – inflationary wage hikes, immigration restrictions to shrink the labor supply and increase wages, and tariff walls to limit foreign competition – will likely prove impossible to implement due to the same economic constraints which compelled his election in the first place and foreign backlash. Whether Trump knows these policies would ruin the economy does not matter: because they would ruin the economy they will never be implemented. Even his vaunted immigration policies will likely be constrained by courts and congress.¹⁸

The rise of populist leaders shows that globalization is built out from nationalism, not on top of it nor to replace it. Globalization will increasingly manifest as the integration of various conflicting vectors of populist leaders such as Trump, Putin, Duterte, Abe, Erdogan, etc. These “national champions” will ultimately claim ideas and portions of globalization and liberalism such as trade and toler-

¹¹ Louis A. Delvoie, *Trump's power constrained*, THE WHIG (Feb.17, 2017), <http://www.thewhig.com/2017/02/17/trumps-power-constrained>.

¹² E.g., Ben White, *Investors turned off by Trump's protectionist talk*, POLITICO (Jan. 20, 2017), <http://www.politico.com/story/2017/01/2017-trump-inauguration-investors-react-233919>.

¹³ E.g., Interview with Donald Trump, Coverage of 2016 Presidential Hopefuls, Fox News Sunday (Oct. 18, 2015) (Trump has made statements which, with simple qualifications can be used to “walk back” on his statements on free trade. “I am all for free trade, but it's got to be fair.”).

¹⁴ Trump Victory Speech, *supra* note 8 (“Now it's time for America to bind the wounds of division; have to get together. To all Republicans and Democrats and independents across this nation, I say it is time for us to come together as one united people.”).

¹⁵ Matthew Rozsa, *A Tariff is Still a Tax: President Trump's Wall Will Be Paid for By Americans Paying Taxes on Imported Goods*, SALON (Jan. 27, 2017), <http://www.salon.com/2017/01/27/a-tariff-is-still-a-tax-president-trumps-wall-will-be-paid-for-by-americans-paying-taxes-on-imported-goods/>.

¹⁶ Cf. Douglas Massey, *Donald Trump's Mexican Border Wall Is a Moronic Idea*, FOREIGN POLICY (Aug. 18, 2015), <http://foreignpolicy.com/2015/08/18/donald-trump-immigration-border/> (an example of the institutional opposition Trump's policies evince).

¹⁷ Andrew Soergel, *Trump's Rumored Tariff 'Going to Be Perceived as a Trade War'*, US NEWS AND WORLD REPORT (Dec. 22, 2016), <https://www.usnews.com/news/articles/2016-12-22/trumps-floated-tariff-going-to-be-perceived-as-a-trade-war>.

¹⁸ *Congress and the Courts Will Poke Holes in the President's Deportation Plans*, THE ECONOMIST (Feb. 23, 2017), <http://www.economist.com/news/united-states/21717387-barack-obamas-administration-deported-hundreds-thousands-people-every-year-donald>.

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ance, diversity and deterrence, in order to maximize their own power by overtly arbitrating the various inevitable conflicts in the international system. Darkly however, that world-order is less likely to foster freedom and instead will tend to encourage authoritarianism, even – exceptionally - discrimination. However, as he himself is populist, Trump is much likelier to master rather than be mastered by the other populist leaders mentioned above given his much larger power base. As the United States is a global microcosm, a diverse immigrant empire, globalization and liberalism will inevitably continue, pushed forward, ironically, by white nationalists, either implicitly or provocatively.

Trump's election thus not only inaugurates a long overdue foreign policy course correction and a domestic political pole shift; it also signals new foreign policy issues facing the United States, namely: bilateralism in trade, immigration, even defense as well as increased state-to-state interactions rather than non-state actor or multilateral interactions, in the greater context of populist pugilism in the shadow of a new cold war. Trump may, but likely will not, avert a new cold war with Russia and/or China.

Prior to examining these oncoming challenges, we must first consider the source of the failed U.S. foreign policy of the last two decades, “neo-conservatism”, against which Trump is a reaction.

II. Neo-conservatism

The neocons,¹⁹ many of whom are Jewish,²⁰ and almost all of whom are pro-Israeli, started as leftist Trotskyites. Later in their careers however, the neocons rejected Communism and Socialism, becoming co-opted back into the system which they had earlier opposed. The neocons are not crypto-Trotskyite infiltrators seeking to worm their way into government to “change the system from within.”²¹ Rather, they simply saw from experience that they were naive in their youth and wrong to have believed in Marxism-Leninism: live and learn. The neocons' foreign policy is however consistent with their Trotskyite²² roots. Neocons believed that rapid regional revolution²³ could sweep throughout the entire Middle East. Neo-liberal revolutions would supposedly replace dictatorial regimes with stable, productive democracies. The neocons predicted²⁴ the results

¹⁹ WHY DID THE UNITED STATES INVADE IRAQ? (Jane K. Cramer & A. Trevor Thrall eds., 2012).

²⁰ Murray Friedman, *THE NEOCONSERVATIVE REVOLUTION: JEWISH INTELLECTUALS AND THE SHAPING OF PUBLIC POLICY* (Cambridge University Press 2005); *See also* Benjamin Balint, *RUNNING COMMENTARY: THE CONTENTIOUS MAGAZINE THAT TRANSFORMED THE JEWISH LEFT INTO THE NEOCONSERVATIVE RIGHT* (PublicAffairs 2010); *See also* Alexander Bloom, *PRODIGAL SONS: THE NEW YORK INTELLECTUALS AND THEIR WORLD* 372 (Oxford University Press 1986).

²¹ *See* Robert Sullivan, *Fabianism*, http://library.brown.edu/cds/mjp/render.php?view=mjp_object&id=mjp.2005.00.082 (arguing that the “change the system from within” trope even pre-dates Trotsky, tracing it to Fabianism).

²² Amir Butler, *When the Rattlesnakes Bite Back*, *ASIA TIMES* (Dec. 10, 2003), http://www.atimes.com/atimes/Middle_East/EL10Ak04.html.

²³ Fred Barbash, *Bush: Iraq Part of 'Global Democratic Revolution'*, *WASH. POST* (Nov. 6, 2003), <http://www.washingtonpost.com/wp-dyn/articles/A7991-2003Nov6.html>.

²⁴ JUSTIN VAISSE, *NEOCONSERVATISM: THE BIOGRAPHY OF A MOVEMENT* 16 (Arthur Goldhammer trans., 2010).

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of their regime change policy would be the attainment of human rights, the rule of law, and unleashing productive potential in the Middle East. Unfortunately, their optimistic predictions proved false. Neoconservative foreign policy has proved disastrous for the United States. The neoconservative's overly-optimistic theories were probably shaped by the successful revolutions which swept through Eastern Europe in 1989. Starting in the Baltic states, and followed by the rest of Eastern Europe, a series of mostly peaceful revolutions did indeed sweep away dictatorships, leading to improved human rights protections and greater productivity. The neocons were likely trying to replicate the results of the peaceful Eastern European "singing revolutions," which replaced communist dictatorships with fledgling democracies.²⁵ However, if the Eastern European revolutions of 1989 were their chosen model for the Middle East²⁶ then someone should have pointed out that there were no U.S. military interventions anywhere in the collapsing Soviet Union, and that Middle Eastern countries are both poorer²⁷ and more violent than Eastern European ones.²⁸ It is one thing to support a revolution, e.g. in Ukraine in 2014, but quite another to impose one by military intervention, e.g. Libya, 2013. Although the U.S. did intervene in ex-Yugoslavia in the mid-1990s, the intervention there was limited to instituting a cease-fire and peace among already conflicting parties. U.S. intervention in ex-Yugoslavia was not an intervention to remove one regime (e.g., Milosovic) and replace it with another.

Neoconservatives argued that regime change²⁹ in the Middle East would be low cost³⁰ both in monetary and human terms. After all, that had been the experience in 1989. Paul Wolfowitz famously said "the oil revenues of that country [Iraq] could bring between \$50 and \$100 billion over the course of the next two or three years. . . . We're dealing with a country that can really finance its own reconstruction, and relatively soon."³¹ Wolfowitz also said "predictions. . . that it will take several hundred thousand U.S. troops to provide stability in post-Saddam Iraq, are wildly off the mark."³² Unfortunately, he was quite wrong on both

²⁵ See Jacob Heilbrunn, *Neocons and the Revolution: How the Arab revolt is rocking the neoconservative world*, FOREIGN POLICY (Feb. 23, 2011), <http://foreignpolicy.com/2011/02/23/neocons-and-the-revolution-2/> (providing insight into the machinations within the neoconservative movement on revolution and human rights).

²⁶ Neil Davidson, *Is Social Revolution Still Possible in the Twenty-First Century?*, 23 J. CONTEMP. CENT. & E. EUR. 105, 107 (2015).

²⁷ See Ricard Torne Codina, *Economic Snapshot for the Middle East & North Africa*, FOCUS ECONOMICS (Feb. 8, 2017), <http://www.focus-economics.com/regions/middle-east-and-north-africa> (providing an overview of the economic well-being (or lack thereof) in the various countries in the Middle East).

²⁸ See Geo. Mason U., *Economies in Transition* (2017) <http://chnm.gmu.edu/1989/exhibits/economies-in-transition/introduction> (providing insight into the economic factors of the 1989 revolutions).

²⁹ See generally William Kristol & Robert Kagan, Opinion, *Bombing Iraq Isn't Enough*, N.Y. TIMES (Jan. 30, 1998), <http://www.nytimes.com/1998/01/30/opinion/bombing-iraq-isn-t-enough.html>.

³⁰ JEFFREY RECORD, WANTING WAR: WHY THE BUSH ADMINISTRATION INVADED IRAQ 93 (2010).

³¹ Lou Dobbs, Opinion, *Dobbs: Our Leaders Are Ducking Reality on Iraq*, CNN (Dec. 6, 2006), <http://www.cnn.com/2006/US/12/05/Dobbs.Dec6/index.html>.

³² Joshua Fryer, *Five Years Ago, Wolfowitz and Rumsfeld Were 'Off The Mark' On Troop Levels*, THINKPROGRESS (Feb. 27, 2008), <https://thinkprogress.org/flashback-five-years-ago-wolfowitz-and-rumsfeld-were-off-the-mark-on-troop-levels-28c0cec1b6cf#.2dc9bcaze>.

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counts. None of the neocons' rosy predictions about the costs or consequences of regime change proved true.³³ Rather than seeing stable productive democracies governed by the rule of law, the Middle East is now marked by civil wars in Libya (beginning in either 2011 or 2014) and Syria (ongoing since 2011), resurgent authoritarianism in Egypt, and various jihadi factions, both militant and non-militant, scattered throughout the region. Two decades since the "Project for a New American Century"³⁴ outlined the neoconservative agenda for regime change in the Middle East in *Rebuilding America's Defenses*.³⁵

It is evident that the neoconservatives made these errors:

- 1) The neocons over-estimated U.S. power and the capacity of the use of force to work political change;³⁶
- 2) The neocons under-estimated the costs, both human and monetary, of regime change as a national strategy;³⁷
- 3) The neocons over-stated the beneficial results that regime change would bring.³⁸

These errors are detailed below in that order.

1. Overestimating U.S. Power: Unilateralism

Neoconservatives argued that the United States was powerful enough to do it alone. Former President Bush famously said: "You are either with us or with the terrorists."³⁹ In the plain language of idioms: my way or the highway. Arrogant unilateralism repelled allies and did nothing to convert enemies into neutrals or neutrals into friends.⁴⁰ Turning neutrals into allies and neutralizing enemies are key actions in war-fighting and peace-winning. It is human nature to push back when one is told what to do, which is why unilateralism and arrogance are repulsive. That partly explains why Trump's nationalist campaign message and subsequent executive agenda, in itself sensible, offends many. President Trump's unilateralism risks repeating some of the errors of the younger Bush's adminis-

³³ C. Bradley Thompson, *Neoconservatism Unmasked*, CATO UNBOUND (Mar. 7, 2011), <https://www.cato-unbound.org/2011/03/07/c-bradley-thompson/neoconservatism-unmasked>.

³⁴ See generally PROJECTS FOR THE NEW AMERICAN CENTURY, <<https://web.archive.org/web/20130609155225/http://www.newamericancentury.org/globalissues.htm> (last visited Feb. 18, 2017).

³⁵ See generally THOMAS DONNELLY, *REBUILDING AMERICA'S DEFENSES: STRATEGY, FORCES AND RESOURCES FOR A NEW CENTURY* (2000).

³⁶ THE BRITISH APPROACH TO COUNTERINSURGENCY: FROM MALAYA AND NORTHERN IRELAND TO IRAQ AND AFGHANISTAN 2234 (Paul Dixon ed., 2012).

³⁷ THE BUSH LEADERSHIP, THE POWER OF IDEAS, AND THE WAR ON TERROR 47 (David B. MacDonald et al. eds., 2012).

³⁸ THEODORE H. COHN, *GLOBAL POLITICAL ECONOMY: THEORY AND PRACTICE* 66 (7th ed. 2016) ("However, the results of the Iraq War show that neoconservatives overestimated the U.S. ability to replace coercive regimes in complex developing societies with Western-style governments.").

³⁹ Bush: 'You Are Either With Us, Or With the Terrorists', VOICE OF AMERICA NEWS (Oct. 27, 2009), <http://www.voanews.com/a/a-13-a-2001-09-21-14-bush-66411197/549664.html>.

⁴⁰ Strobe Talbott, Opinion *Unilateralism: Anatomy of a Foreign Policy Disaster*, BROOKINGS INST. (Feb. 21, 2007), <https://www.brookings.edu/opinions/unilateralism-anatomy-of-a-foreign-policy-disaster/>.

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tration, e.g. torture.⁴¹ Unilateral policies pursued by Fomer-President George W. Bush during his presidency proved quite expensive. The elder Former-President George H.W. Bush, thanks to multi-lateralism, obtained significant financial and military support from U.S. allies: The First Gulf War was funded entirely by U.S. allies,⁴² because they were persuaded that opposing Hussein was in their own interests. In contrast, in the Second Gulf War, the younger President George W. Bush, pursued a unilateral strategy and consequently obtained almost no foreign support, military or financial.⁴³ President Trump, like the younger Bush, is a unilateralist. However, he has previously stated that he is not an interventionist.⁴⁴ Thus, he is less likely to get trapped in avoidable, expensive wars than the younger Bush was.⁴⁵

2. Under-Estimating the Cost of Regime Change

The neocons vastly underestimated the costs of imposing new governments on foreign states. The neocons' proposed wave of inexpensive instant bloodless revolutions proved to be quite costly and very violent. Thousands of maimed and killed U.S. veterans and trillions of wasted dollars are the results of ill-considered U.S. interventions in Iraq, Libya, Egypt, Syria, and elsewhere.⁴⁶ Fortunately, the neocon regime-change policies which failed, whether implemented by Republicans in Iraq or Democrats in Libya and Syria, play no part in Trump's proposed foreign policy.

⁴¹ Interview by Arthur Sulzberger, Jr. with Donald Trump, *in* N.Y. TIMES (Nov. 23, 2016), <https://www.nytimes.com/2016/11/23/us/politics/trump-new-york-times-interview-transcript.html> [hereinafter Sulzberger Interview] ("General Mattis is a strong, highly dignified man. I met with him at length and I asked him that question. I said, what do you think of waterboarding? He said — I was surprised — he said, 'I've never found it to be useful.' He said, 'I've always found, give me a pack of cigarettes and a couple of beers and I do better with that than I do with torture.' And I was very impressed by that answer. I was surprised, because he's known as being like the toughest guy. And when he said that, I'm not saying it changed my mind. Look, we have people that are chopping off heads and drowning people in steel cages and we're not allowed to waterboard. But I'll tell you what, I was impressed by that answer. It certainly does not — it's not going to make the kind of a difference that maybe a lot of people think. If it's so important to the American people, I would go for it. I would be guided by that. But General Mattis found it to be very less important, much less important than I thought he would say. I thought he would say — you know he's known as Mad Dog Mattis, right? Mad Dog for a reason.").

⁴² See, e.g., ERROL ANTHONY HENDERSON, *DEMOCRACY AND WAR: THE END OF AN ILLUSION?* 150 (2002) (noting that the First Gulf War, orchestrated by the senior President Bush in the early 1990s, was largely self-funding due to the coalition of dozens of active allies.).

⁴³ See, e.g., BRUCE JONES, CARLOS PASCUAL & STEPHEN JOHN STEDMAN, *POWER AND RESPONSIBILITY: BUILDING INTERNATIONAL ORDER IN AN ERA OF TRANSNATIONAL THREATS* 8 (2009).

⁴⁴ Trump Remarks on Foreign Policy, *supra* note 5 ("I will work with our allies to reinvigorate Western values and institutions. Instead of trying to spread universal values that not everybody shares or wants, we should understand that strengthening and promoting Western civilization and its accomplishments will do more to inspire positive reforms around the world than military interventions.").

⁴⁵ Sulzberger Interview, *supra* note 41 ("I don't think we should be a nation builder. I think we've tried that. I happen to think that going into Iraq was perhaps . . . I mean you could say maybe we could have settled the civil war, O.K.? I think going into Iraq was one of the great mistakes in the history of our country. I think getting out of it — I think we got out of it wrong, then lots of bad things happened, including the formation of ISIS. We could have gotten out of it differently.").

⁴⁶ Stiglitz & Bilmes, *supra* note 1; See also Rupert Cornwell, *Iraq War Set to be More Expensive than Vietnam*, INDEPENDENT (Apr. 28, 2006), <http://www.independent.co.uk/news/world/americas/iraq-war-set-to-be-more-expensive-than-vietnam-6102587.html>.

3. Over-Stating the Benefits of Regime Change

The neocons predicted regime change would result in democratic self-governance, the rule of law, improved protection of human rights, and increased productivity in the targeted states: incorrect once again. Whether in Iraq and Afghanistan under the Republicans or in Syria⁴⁷ and Libya⁴⁸ under the Democrats, regime change did not lead to the rule of law, improve protection of human rights, or increase productivity. In fact, violence and chaotic disorder are all that the regime change attained in the Middle East, placing the United States on a permanent war footing. We may rightly wonder if any of those failed interventions were necessary, or even useful in deterring and/or destroying terrorists and their training areas. These countries certainly failed to attain improved human rights, democracy, or greater productivity, since their conflicts began than they experienced before the intervention.

Why were the neocons so blithe, so careless with the lives of others? Divide and rule⁴⁹ was the possibility neoconservatives offered as the fallback to their over-optimistic regime change policies. If the grand ambition to transform the entire Middle East fails wholesale — so what? The consequence would be disorder and division among enemies, actual or potential: divide and rule.

We can better understand neoconservative strategy if we consider British and Israeli history. From the Spanish Armada to Hitler, Britain sought to prevent the emergence of a dominant continental European power⁵⁰ by playing the European powers against each other in what became known as the balance of power. Britain sought to prevent the emergence of a dominant continental power, for such a power would unite Europe by conquest and then threaten Britain. To prevent that threat, British foreign policy sought to maintain a precarious balance of power

⁴⁷ U.S. Department of State, "Clinton Email" UNCLASSIFIED U.S. Department of State Case No. F-2014-20439 Doc No. C05794498 Date: 11/30/2015 <https://foia.state.gov/searchapp/DOCUMENTS/...0C05794498/C05794498.pdf> ("The best way to help Israel deal with Iran's growing nuclear capability is to help the people of Syria overthrow the regime of Bashar Assad.").

⁴⁸ Micah Zenko, *The Big Lie About the Libyan War*, FOREIGN POL'Y (Mar. 22, 2016), <http://foreignpolicy.com/2016/03/22/libya-and-the-myth-of-humanitarian-intervention/>.

⁴⁹ Kevin MacDonald, *Iraq Nightmare*, OCCIDENTAL OBSERVER (June 13, 2014), <http://www.theoccidentalobserver.net/2014/06/iraq-nightmare/>. (While the *stated* purpose of the neoconservatives, who are known Machiavellians, is to generate revolutions in the Arab world—mass uprisings—to create democratic rule of law states, their *real* purpose is to create *permanent* disorder: divide and rule. They appear to be trying to follow Rome and Britain with *diviso et impero*—divide and rule. Britain struggled for centuries to prevent the emergence of a dominant continental power, fighting *three global wars* in the process (for the war against Napoleon was indeed global). Ultimately, Britain's policies proved unsustainable and the greatest empire in world history was bankrupted. On British policy of divide and rule, to prevent the emergence of a dominant power on the European continent, see J. Pirenne, *The Tides of History Vol. II: From the Expansion of Islam to the Treaties of Westphalia* 429 (EP Dutton 1963). The *real* purpose of the neoconservatives is similar, divide and rule. The neoconservatives seek to prevent the emergence of a dominant leading Arab power to prevent the emergence of a unified Arab world, which neoconservatives presuppose would oppose U.S. and Israel. The 2008 financial crash again shows that *diviso et impero* is financially unsustainable. A sustainable foreign policy elaborates a vision of rules and rulership in which the governed consent to being governed because they see such consent as in their self-interest).

⁵⁰ 2 JACQUES PIRENNE, *THE TIDES OF HISTORY: FROM THE EXPANSION OF ISLAM TO THE TREATIES OF WESTPHALIA* 429 (1963).

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among the competing alliances on the European continent to preserve Britain's independence and power to prevent the emergence of any dominant power on the European continent. Palmerston famously said thereto: Britain has no permanent friends, no permanent enemies, only permanent interests.⁵¹ First Spain, then Holland, then France, then Germany were all prevented from uniting Europe and conquering Britain by the balance of power policy. Ultimately however, Britain's continental policy of divide and rule through a balance of power failed and ended in the bankruptcy of Britain and the unification of the European continent into the European Union, using free-trade as the key to prosperity and leading to interdependence and fostering peace.⁵² The EU and NATO together have kept the European peace for over 75 years and proven more effective at maintaining peace and building prosperity than the balance of power policy. This is why Trump's willingness to call into question the U.S. commitment to NATO and free trade is seen, rightly, as dangerous and destabilizing, so much so that both General Mattis and Secretary of State Tillerson⁵³ have already been compelled to reiterate U.S. commitment to the EU and NATO despite statements intimating the contrary by the President.⁵⁴

Although the balance of power policy ultimately failed Britain, it is nonetheless likely that the Israeli government pursues a similar policy in the Middle East to prevent the emergence of a united Arab world.⁵⁵ The Israeli government wishes to prevent the emergence of a united Pan-Arab state because that would likely mean the extinction of the Israeli state, and perhaps also the expulsion or even extermination of the Jewish people living in Israel. A new balance of power, if indeed covertly advocated by the Israeli government, likely pits Iran, Saudi Arabia, Egypt, and Turkey against each other to prevent the emergence of any of them as the unifying force of a new Ottoman Empire or new Islamic Caliphate. However, as British history shows, a balance of power policy is by definition unstable and ultimately unsustainable because it offers no hope for an improved future and is a policy of permanent conflict. Balance of power theory and policies are just as much a failure as neo-conservatism, having caused two

⁵¹ *Travel Through History in the UK: Lord Palmerston*, INFOBRITAIN www.infobritain.co.uk/Palmerston.htm (last visited Feb. 16, 2017) ("We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow.").

⁵² See Eugene Kontorovich, *The Arab League Boycott And WTO Accession: Can Foreign Policy Excuse Discriminatory Sanctions?* 4 Chi. J. Int'l L. 283, 286 (2003); See also Eric Allen Engle, *A Social-Market Economy for Rapid Sustainable Development*, 2 J.L. Dev. & Pol. 42, 43 (2009) ("[T]he free trade system was designed to promote not just prosperity but peaceful and amicable relations between Member States.").

⁵³ Travis J. Tritten, *Tillerson Stands Firm on Nato, Backs Russia Dialogue*, STARS AND STRIPES (Jan. 11, 2017), <https://www.stripes.com/news/tillerson-stands-firm-on-nato-backs-russia-dialogue-1.448397> ("The Article 5 [NATO] commitment is inviolable and the U.S. is going to stand behind that commitment").

⁵⁴ Elizabeth McLaughlin, *Analysis: What we learned from Defense Secretary James Mattis' 2nd trip overseas*, ABC NEWS (Feb 20, 2017), <http://abcnews.go.com/International/analysis-learned-defense-secretary-james-mattis-trip-overseas/story?id=45614506> (Mattis stated: "The alliance remains a fundamental bedrock for the United States," and "As President Trump has stated, he has strong support for NATO.").

⁵⁵ MOSHÉ MACHOVER, *ISRAELIS AND PALESTINIANS: CONFLICT AND RESOLUTION* 293 (2012).

World Wars. Few people truly understand the logic of the balance of power idea and thus they wrongly equate it with international relations realism. The balance of power system characterized the decline and fall of the British Empire: it is nothing the U.S., or Israel for that matter, should seek to emulate. Fortunately, Trump does not appear to have taken up balance of power policies or rhetoric.

Having examined neoconservatism and its impact on U.S. foreign policy, we now turn to the neocons' flawed assumptions to understand the source of their flawed policies.

III. The Neocons' Assumptions

1. Human Nature

The more fascist strain of neo-conservatism regards people as fundamentally horrible creatures, lazy and most motivated by hate, fear, and greed.⁵⁶ Carl Schmitt stated: “[B]ecause man is by nature evil, he therefore needs dominion. But dominion can be established, that is, men can be unified only in a unity against – against other men. Every association of men is necessarily a separation from other men. . . the political thus understood is not the constitutive principle of the state, of order, but a condition of the state.”⁵⁷ Despite this pessimistic flawed view, neocons do believe people capable of excellence. However, neocons believe we require what is now called Foucauldian disciplining⁵⁸ to attain excellence because they believe us to be so horrible.

2. Dishonesty and Duplicity

Given that neocons as a principle believe people are rather horrible it may be less than surprising that neocons are economical with the truth.⁵⁹ Neoconservatives practice a policy of calculated deceptions, inherent dishonesty. Leo Strauss believed that deception is inevitable in the world, and must be placed in the service of state power using “noble lies.”⁶⁰ In *Persecution and the Art of Writing* (1952), Strauss wrote that there must be both exoteric (overt) and esoteric (secret) aspects in philosophical writing because of the bad character of people: “Strauss believed that the essential truths about human society and history should be held by an elite, and [h]e held that philosophy is dangerous because it brings

⁵⁶ C. BRADLEY THOMPSON & YARON BROOK, NEOCONSERVATISM: AN OBITUARY FOR AN IDEA 240 (2015).

⁵⁷ DAVID LIVINGSTONE, BLACK TERROR WHITE SOLDIERS: ISLAM, FASCISM & THE NEW AGE 315 (2013).

⁵⁸ See generally MICHEL FOUCAULT, DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON (Alan Sheridan trans., 1977).

⁵⁹ Jim Lobe, *Leo Strauss' Philosophy of Deception*, ALTERNET (May 18, 2003), http://www.alternet.org/story/15935/leo_strauss%27_philosophy_of_deception.

⁶⁰ Seymour M. Hersh, *Selective Intelligence*, THE NEW YORKER (May 12, 2003), <http://www.newyorker.com/magazine/2003/05/12/selective-intelligence>.

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into question the conventions on which civil order and the morality of society depend.”⁶¹ Irving Kristol agrees with this policy of deception, stating:

There are different kinds of truths for different kinds of people. There are truths appropriate for children; truths that are appropriate for students; truths that are appropriate for educated adults; and truths that are appropriate for highly educated adults, and the notion that there should be one set of truths available to everyone is a modern democratic fallacy. It doesn't work.⁶²

Those dark views are simply wrong. In the real world honesty is the best policy for practical reasons. To be an effective liar one must first engage in self-deception. Consequently, muddled thinking, delusion, confusion, neuroses, and paranoia are the usual fate of “clever” liars. Furthermore, in the end the truth comes out anyway — and then what? Lack of forethought marks most liars. Loss of credibility and thus of support are the natural final consequences of a policy of deception. No one likes being lied to, so few people put up with liars. You only have one reputation to ruin, and once it is ruined good luck restoring it. Not only does Trump's election signal the defeat of neoconservative policy, the neoconservative policy pundits now are in a position with an extremely threatened future, whether surviving only as discredited Trotskyites or as discredited liberal interventionists.

3. Permanent War

Whether because of their Fascist roots (Schmitt) or the Zionist outgrowth therefrom (Strauss), neocons believe that war is inherent to the human condition, necessary for the survival of the fittest⁶³ and at times even desirable. Given their policy of hidden agendas⁶⁴ and duplicity it should not be surprising that for all their talk of human rights, neocons are not opposed to permanent war,⁶⁵ 1984-style,⁶⁶ complete with newspeak. The “PATRIOT Act,”⁶⁷ which came 30 days after September 11, 2001, granted sweeping powers to the federal government to trespass on civil rights, and licensed the U.S. government to wage permanent war.⁶⁸ David Abraham compared this sweeping grant of power, while not nearly as all-encompassing, to Germany's *Ermaechtigungsetz*, which followed the

⁶¹ R. Alta Charo, *Passing on the Right: Conservative Bioethics Is Closer than It Appears*, 32 J.L. MED. & ETHICS 307, 311 (2004).

⁶² Ronald Bailey, *Origin of the Specious: Why do neoconservatives doubt Darwin?* (July 1997), <http://www.reason.com/news/show/30329.html>.

⁶³ IRVING KRISTOL, *NEOCONSERVATISM: THE AUTOBIOGRAPHY OF AN IDEA* 293 (1999).

⁶⁴ PHILIPP SARASIN, *ANTHRAX: BIOTERROR AS FACT AND FANTASY* 67-68 (Giselle Weiss trans., 2006).

⁶⁵ David Abraham, *The Bush Regime from Elections to Detentions: A Moral Economy of Carl Schmitt and Human Rights*, 62 U. MIAMI L. REV. 249, 262 (2008).

⁶⁶ GEORGE ORWELL, 1984 (1949).

⁶⁷ See generally USA PATRIOT ACT, Pub. L. 107-56, Page 115 Stat. 272 (2001).

⁶⁸ Abraham, *supra* note 65.

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Reichstag arson.⁶⁹ Torture in the USA is now called “enhanced interrogation,” just like Nazi Germany.⁷⁰ The U.S.A. even has its very own Blackshirts: Blackwater, which has since renamed itself Xe, Academi, etc. to avoid responsibility for crimes of its employees.⁷¹ When the government follows in the footsteps⁷² of unrepentant Nazi ideologues like Carl Schmitt,⁷³ no matter how many Zionists⁷⁴ filter⁷⁵ them, do not be surprised when you wind up with Nazi policies.⁷⁶ In “Political Theology” Schmitt defines the sovereign as he who decides whether to invoke a state of emergency.⁷⁷ Schmitt’s ideal political form features an all-power executive, with broad-ranging emergency powers, such as those seen in the German Enabling Act or the USA Patriot Act and still sparks debate in US legal policy circles.⁷⁸

Whether despite or because of the Nazi experience, unrepentant fascists⁷⁹ like Carl Schmitt and their hapless Zionist victims like Leo Strauss saw the world as fundamentally conflicted, even agonistically so. In turn, the neoconservatives believe that violent conflict is inevitable to the human condition, even desirable to discipline their underlings, and anyone who thinks otherwise is hopelessly naive. Neocons thus embrace a sort of Darwinism which sees war as heroic and necessary to maintain domestic order and the strength of the species. This is one of the reasons conservatives, who regularly balk at the idea of a social-welfare state, clamor to fund the military industrial complex, even its social-welfare aspects. Hitler called that National Socialism.⁸⁰ Believing war to be inevitable

⁶⁹ Abraham, *supra* note 65, at 258.

⁷⁰ ALFRED HIRSCH, RECHT AUF GEWALT?: SPUREN PHILOSOPHISCHER GEWALTRECHTFERTIGUNG NACH HOBBS 191 (2004).

⁷¹ Matt Apuzzo, *Blackwater Guards Found Guilty in 2007 Iraq Killings*, N.Y. TIMES (Oct. 22, 2014), https://www.nytimes.com/2014/10/23/us/blackwater-verdict.html?_r=1.

⁷² Abraham, *supra* note 65.

⁷³ Michael Lind, *Carl Schmitt's War on Liberalism*, NAT'L INTEREST (Apr. 23, 2015), <http://nationalinterest.org/feature/carl-schmitt%E2%80%99s-war-liberalism-12704>.

⁷⁴ WILLIAM H. F. ALTMAN, THE GERMAN STRANGER: LEO STRAUSS AND NATIONAL SOCIALISM xi (2010).

⁷⁵ Laurent Guyénot, *The Machiavelian Threefold Game of the Neoconservatives*, VOLTAIRE NETWORK (May 27, 2013), <http://www.voltairenet.org/article178638.html>.

⁷⁶ Arthur Versluis, *How Carl Schmitt Spawned Fascist America*, COUNTERPUNCH (Aug. 10, 2006), <http://www.counterpunch.org/2006/08/10/how-carl-schmitt-spawned-fascist-america-nbsp/>.

⁷⁷ Carl Schmitt, *Politische Theologie* 11 (Duncker & Humblot 2004) (“Souverän ist, wer über den Ausnahmezustand entscheidet.” [trans. “Sovereign is who decides on the exceptional state“]).

⁷⁸ See, e.g., Ahmad Chehab, *The Unitary Executive and the Jurisprudence of Carl Schmitt: Theoretical Implications for the War on Terrorism* (Jan. 7, 2007) (unpublished research paper, Wayne State University Law School) <https://ssrn.com/abstract=1746966>.

⁷⁹ Lars Vinx, *Carl Schmitt*, STAN. ENCYCLOPEDIA PHIL., <http://plato.stanford.edu/entries/schmitt/> (last updated Oct. 1, 2014).

⁸⁰ See Adolf Hitler, Volume Two: *The National Socialist Movement*, in MEIN KAMPF (1923), http://www.hitler.org/writings/Mein_Kampf/mkv2ch04.html, (Hitler describes his idea of nationalist socialism throughout Mein Kampf (“My Battle”). “The People’s State must assure the welfare of its citizens by recognizing the importance of personal values under all circumstances and by preparing the way for the maximum of productive efficiency in all the various branches of economic life, thus securing to the individual the highest possible share in the general output.”).

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creates an expensive⁸¹ self-fulfilling prophecy of war after war.⁸² Permanent war plays right into the hands of the enemies of the United States, whose objective is to bankrupt the United States,⁸³ because war is very expensive. Neocons' pessimistic cynical ideas, superficially appealing if taken at face-value, when fully exposed and understood are repulsive and cannot attract long-term compliance, replication, or supporters and thus are doomed to fail as can be seen from the fascist experiences with state power from 1930-1950 and the neocons' repeated failures in Afghanistan, Iraq, Libya, Syria, and elsewhere. Perpetual warfare manifests through at least two current ideas: the "clash of civilizations" and "the long war."

a. *Clash of Civilizations*

Samuel P. Huntington argued that in the post-cold war world a "clash of civilizations"⁸⁴ was likely, if not inevitable,⁸⁵ due to resource pressure and cultural difference. Echoing the neocons, Huntington notes: "There can be no true friends without true enemies."⁸⁶ Huntington's idea that future conflicts are likely and likely along ethnic lines meshes well with the neoconservatives' belief that war is inherent to the human condition and their practice of permanent war. The problem with such fatalism is it denies the power of human will to shape our social and material environment and tends to become a self-fulfilling prophecy. If you believe war is inevitable and that civilizations are by nature essentially different and in conflict, then you should not be surprised to see yourself trapped in war after self-destructive war. If you believe something is impossible or inevitable it is — for you. That is, limiting beliefs blind people to possibilities, to reality, and lead to surprised when objective facts overtake subjective error. Likewise, believing things impossible means you will think yourself or others incapable of things which they could in fact do.

Although I think President Trump is mistaken about the possibilities of cooperation with Putin, he does have the vision that cooperation rather than conflict is desirable, preferable, and possible: and politics is the art of the possible. However, after MH-17, Crimea, Donetsk, Lugansk it is evident to me that Trump is to present Putin's useful idiot.⁸⁷ At some point Trump will figure out that cooperation with Russia really is not possible: and then what? Likely, the U.S. will

⁸¹ Stiglitz & Bilmes, *supra* note 1.

⁸² Glenn Greenwald, *Wes Clark and the Neocon Dream*, SALON (Nov. 26, 2011), http://www.salon.com/2011/11/26/wes_clark_and_the_neocon_dream/.

⁸³ *Bin Laden: Goal is to Bankrupt U.S.*, CNN (Nov. 1, 2004), <http://www.cnn.com/2004/WORLD/meast/11/01/binladen.tape/>.

⁸⁴ Samuel P. Huntington, *The Clash of Civilizations?*, 72 FOREIGN AFF. 22, 22 (1993).

⁸⁵ Mohammed Haruna, Opinion, *September 11 and Huntington's Prophecy*, DAILY TRUST (Sept. 26, 2001), <http://allafrica.com/stories/200109270278.html>

⁸⁶ SAMUEL P. HUNTINGTON, *THE CLASH OF CIVILIZATIONS AND THE REMAKING OF WORLD ORDER*, 20 (1997) <https://books.google.com/books?id=lq75qmi3Og8C&pg=PA20&lpg=PA20>.

⁸⁷ Brent Griffiths, *Albright: Trump fits the mold of Russia's 'useful idiot'*, POLITICO (Oct. 24, 2016), <http://www.politico.com/story/2016/10/trump-russia-useful-idiot-madeleine-albright-230238>.

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return to and even intensify its current campaign to isolate Russia and undermine Putin's government.

b. *The Long War*

The neocon practice of permanent warfare is also expressed through the idea that the United States is somehow trapped in "a long war." How or why that is the case escapes me. For neoconservatives, war is not only inevitable, war is inevitably long. That is exactly the recipe to lose a war with because conflict is costly, agonistic, and unpredictable. The idea that we are trapped in a "long war" arose after the terrorist attacks against New York and Washington and is seen in the writings, for example, of James C. Boisselle⁸⁸ and Sharon L. Leary.⁸⁹ So at least some people think they know why the United States is trapped in a "long war" with a few easily isolated maniacs.⁹⁰ However, their reasoning is unimaginative and simplistic, because it does not imagine or propose alternatives to war-after-war for a very long time, nor consider alternatives to war. Constructing the struggle against terrorism as war is inapt.⁹¹ That treats terrorists, who are in fact cowardly criminals, as honorable warriors, making them martyrs, and confuses police work in preventing terrorism and capturing terrorists with armed conflict on open battlefields. The idea of a long war plays right into the hands of Bin Laden and his ilk: the longer the war the likelier it is to bleed out the American treasury and bankrupt the republic. The idea of an inevitable long war is strategically blind and tactically inapt, a recipe for defeat. Permanent war does however enable social control through the centralization of power, and the suppression of dissent: The idea of permanent war as a governance tool to distract the masses was central to the Trotskyite George Orwell's view of state power in his book "1984."⁹²

Autocrats and dictators such as Hitler or Galtieri use foreign wars and threats of foreign wars to unite the people and justify authoritarianism while distracting from economic failure and corruption. The rise of a surveillance state, permanent war, and newspeak (e.g. "enhanced interrogation" instead of torture, "targeted killing" instead of assassination), predicted by Orwell in 1984, coheres with recent U.S. history. In any case, a few terrorist attacks by a tiny minority of religious maniacs do not necessitate a permanent state of war; nor is there a good

⁸⁸ Col. James C. Boisselle, *Strategic Adaptation in the Long War* (Apr. 3, 2007) (unpublished student thesis, U.S. Army War College), <http://www.dtic.mil/dtic/tr/fulltext/u2/a494081.pdf>.

⁸⁹ Col. Sharon L. Leary, *Sustaining the Long War*, (Mar. 26, 2007) (unpublished student thesis, U.S. Army War College), <http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA469589>.

⁹⁰ Aaron David Miller, *Opinion, Fighting ISIS Will Be a Long War*, CNN (Nov. 19, 2015), <http://www.cnn.com/2015/11/19/opinions/miller-isis-the-long-war/index.html>.

⁹¹ See generally ERIC ENGLE, *IDEAS IN CONFLICT: INTERNATIONAL LAW AND THE GLOBAL WAR ON TERROR* (2013) ("[W]ar is the wrong metaphor for the broader struggle, since wars are fought at full intensity and have clear beginnings and endings. Meeting the jihadist challenge is more of a 'long, twilight struggle' [quoting John F. Kennedy's inaugural address] whose core is not a military campaign but a political contest for the hearts and minds of ordinary Muslims around the world.").

⁹² See generally ORWELL, *supra* note 66.

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argument to regard the U.S. as trapped in an inevitable endless war. The neocons' nightmare of permawar is more strategic blindness — or duplicity, consistent with the neocons policy of conscious deception.

The election of Donald Trump to the presidency signals the end of these neoconservative policies. He has already indicated he views the world through a realist lens of the national interest, which will put an end to the past fifteen years of endless expensive avoidable crusades.

c. *On War*

The neocons believe, enucleate, that war is inevitable and inevitably long, yet also a *deus ex machina*, a magical unicorn. They are incorrect, and wars are won by whomever makes the fewest mistakes.⁹³ Advocates of open-ended military commitments such as the neocons make any or all of these mistakes:

1. They over-estimate the capacity of military force to effect political change
2. They under-estimate the possibility of political solutions
3. They underestimate the costs of war.
4. They fail to elaborate a war termination strategy.⁹⁴

Miscalculating the costs and capacities of war and the failure to elaborate a war-termination strategy are mistakes, evidence of a lack of forethought. Mistakes are harbingers of defeat.

War is extremely costly, unpredictable, and a limited tool of political influence. War is costly and unpredictable because people will do anything to win, which in turn makes the course of war unpredictable. Consequently, war is agonistic: a fight to the death. Furthermore, war's agonistic nature means no warring party can compromise because each party to a war becomes trapped into escalation of commitment⁹⁵ due to the sunk-costs fallacy.⁹⁶ Those few "traitors" who advocate "cowardly compromise" are easily scapegoated as "defeatists" who are "unpatriotic."⁹⁷ Thus, compromise in war is impossible. Consequently, though

⁹³ SUN TZU, *THE ART OF WAR* (Lional Giles trans., Luzac & Co. 1910) (c. 500 B.C.E.).

⁹⁴ David C. Gompert, Hans Binnendijk & Bonny Lin, *The Iraq War: Bush's Biggest Blunder*, NEWSWEEK (Dec. 25, 2014), <http://www.newsweek.com/iraq-war-bushs-biggest-blunder-294411>. (Illustrating that when the U.S. invaded Iraq again in the Second Gulf War there was an unfounded expectation that all resistance would collapse and the speedy peaceful reconstruction of Iraq would occur: "The post-invasion model in the minds of those who decided to invade was that Iraqis freed from Saddam's despotic rule would work through a peaceful political process to create a unified, democratic and productive state that would serve as a model for others in the Arab world. The implication was that the demand for American occupation—troops, money, administration, and mediation—would be modest and brief." In fact, sectarian conflicts suppressed and mollified by Saddam Hussein reemerged, fueled by radicalism and the break-down of order. Effective military planning considers and plans for all contingencies, not merely the best-case or hoped-for scenarios, but also the worst case scenarios.)

⁹⁵ Theresa F. Kelly & Katherine L. Milkman, *Escalation of Commitment* (Oct. 23, 2011) (research paper, The Wharton School) (on file with the University of Pennsylvania), http://opim.wharton.upenn.edu/%7EKmilkman/2011_10_23_escalation_FINAL.pdf.

⁹⁶ Definition of Sunk Cost Trap, INVESTOPEDIA, <http://www.investopedia.com/terms/s/sunk-cost-trap.asp> (last visited Feb. 16, 2017).

⁹⁷ See, e.g., WILLIAM L. SHIRER, *THE RISE AND FALL OF THE THIRD REICH* 31 (1960). (The most famous example is the "backstab myth"; in Germany, after World War I, certain people tried to explain the defeat of the German army as a result of domestic treachery by variants of a Jewish-Bankers-Marxist

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wars are easy to start they are very difficult to end, which also makes their course unpredictable. Since no one can compromise, wars drag on with false hopes of miracle weapons or diplomatic breakthroughs offered to keep the people, basically ignorant about foreign affairs, happy to send their sons to die heroically as martyrs in wars that are already lost. War is not the continuation of politics by other means: it is the bankruptcy of politics, for the political is marked by constant compromise whereas war is a field where any compromise, no matter how slight, is impossible. Since war is costly, unpredictable, and difficult to end, supreme excellence in the art of war is to subdue the enemy without fighting,⁹⁸ for then you make your enemies' soldiers and supplies your own, whereas fighting necessarily destroys your own resources and any spoils. That too shows why war is not the continuation of politics by other means and instead is evidence of political failure. For these reasons well-led states avoid war when possible. When well-led states do wage war they do so rapidly and decisively, using overwhelming force to quickly crush the enemy combatants and conclude the conflict with as little destruction as possible. Colin Powell⁹⁹ is the best recent example of seeing the limits and risks inherent in the use of force. From correct premises he reaches the right conclusion: force, if used at all, must be applied as rapidly and decisively as possible. When war is waged it must be short, sharp, and have popular support with clear objectives. Otherwise, war should not be waged at all because long wars eventually become unpopular and are immediately expensive. Open-ended commitments to violence tend to be ill-considered and unrealistic. For all these reasons military force should be avoided when possible, but when used must be deployed with crushing decisive rapidity. That is exactly President Trump's formula for America's future wars.

4. Weimer on Washington

Neoconservative regime change policies, whether implemented by Democrats (Libya,¹⁰⁰ Syria¹⁰¹) or Republicans (Iraq,¹⁰² Afghanistan¹⁰³), attained only dismal results. Yet no one has fundamentally questioned the neoconservative prem-

conspiracy.). *See generally*, VICTOR CHERKASHIN & GREGORY FEIFER, *SPY HANDLER: MEMOIR OF A KGB OFFICER – THE TRUE STORY OF THE MAN WHO RECRUITED ROBERT HANSSEN AND ALDRICH AMES* (2005); JOHN BARRON, *BREAKING THE RING: THE BIZARRE CASE OF THE WALKER FAMILY SPY RING*, (1987). (Likewise, though fortunately with less harsh consequences, some tried to blame the U.S. defeat in Vietnam on domestic treachery – of which there was some, just not on the part of bankers or Jewish people: Agee, Walker, Ames, Hanson, the depressing deadly list of traitors goes on.).

⁹⁸ SUN TZU, *supra* note 93.

⁹⁹ Colin L. Powell, *U.S. Forces: Challenges Ahead*, FOREIGN AFF. (1992), <http://www.cfr.org/world/us-forces-challenges-ahead/p7508>.

¹⁰⁰ Mark Madell, *US Confirms its Libya Ambassador Killed in Benghazi*, BBC NEWS (Sept. 12, 2012), <http://www.bbc.co.uk/news/world-africa-19570254>; *See also* Greg Miller, *CIA rushed to save diplomats as Libya attack was underway*, WASH. POST (Nov. 1, 2012), https://www.washingtonpost.com/world/national-security/cia-rushed-to-save-diplomats-as-libya-attack-was-underway/2012/11/01/c93a4f96-246d-11e2-ac85-e669876c6a24_story.html. (Although U.S. casualties in Libya have been few among the dead figured notably the U.S. Ambassador to Libya Christopher Stevens and contracted employees of the Central Intelligence Agency Glen Doherty and Tyrone Woods as well as diplomat Sean Smith.).

¹⁰¹ Jeffrey Sachs, *Hillary Clinton and the Syrian Bloodbath*, HUFF. POST (Feb 14, 2017), http://www.huffingtonpost.com/jeffrey-sachs/hillary-clinton-and-the-s_b_9231190.html.

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ises or prescriptions, let alone proposed alternatives. This explains a certain paralysis and incapacity of current U.S. foreign policy. Contemporary U.S. foreign policy incompetence can be broadly but roughly characterized as power without purpose: a reflection, perhaps, of domestic congressional gridlock, the Weimarization of American politics.¹⁰⁴ Namely, America, like Weimar Germany in 1930, is factionalized into paralytic zero-sum dynastic factions: “gridlock.” *Federalist Number 10*¹⁰⁵ warned us of the dangers of faction: so did Benjamin Franklin.¹⁰⁶ *Federalist 10* explains that the key problem facing democracy is the rise of self-aggrandizing factions, coherent organized groups, which will try to expropriate property from other disorganized or political isolated groups: political paralysis might prevent factious expropriation but it also prevents effective governance and so is no solution to the problem of political polarization. *Federalist 10* prescribes sensible remedies to faction: the conscious inculcation of patriotism which places the national interest above faction coupled with the creation of legitimate channels for the naturally acquisitive tendencies of people: commerce. This separation of commerce and the state implies in turn a limited form of government.

Current U.S. politics, like those of Weimar era Germany in the 1920s and 30s, are marked by gridlock and political paralysis. Recent obvious examples of factious political paralysis can be seen in the budget sequester and also in the nomination and appointment of federal judges, especially Supreme Court justices. Despite this factional paralysis there is hope. The United States in the 2000s, unlike Germany in 1933, is not a bankrupt, broken nation. The United States in 2016 is still more akin to “House of Cards”, than “Game of Thrones.” Nevertheless, U.S. foreign policy is remarkably ineffective despite being terribly expensive thanks to the combination of erroneous ideas about foreign policy and domestic political paralysis. Part of the rise of populists like Trump¹⁰⁷ is a reaction against dishonest self-serving elites and gridlocked paralysis. Unfortunately however, most egotists are not deep thinkers. Consequently, even though Trump partially identifies the problem - factious dynasties, the epitome of a political class of professional politicians permanently seated in Gerrymandered districts - his solution, term limits, is only partial, and he may be unable to implement it. In the words of a Weimar era poem:

¹⁰² U.S. Department of Defense, *U.S. Casualty Status*, (Apr. 25, 2017) <http://www.defense.gov/casualty.pdf> (Over four thousand U.S. military personnel have died and over 30,000 have been wounded in fighting in Iraq since 2003. Moreover, over a hundred thousand Iraqis have died, with estimates of Iraqi war dead ranging as high as one million.).

¹⁰³ *Id.*

¹⁰⁴ The White House, *What You Need to Know about the Sequester*, (2013) <http://www.whitehouse.gov/issues/sequester>.

¹⁰⁵ THE FEDERALIST NO. 10 (James Madison).

¹⁰⁶ Joseph Lieberman, *A Republic, If We Can Keep It*, 282 ATLANTIC MONTHLY 14, 14-17 (1998).

¹⁰⁷ David Lewis, *Carl Schmitt: Nazi-Era Philosopher Who Wrote Blueprint for New Authoritarianism*, CONVERSATION (May 25, 2016), <http://theconversation.com/carl-schmitt-nazi-era-philosopher-who-wrote-blueprint-for-new-authoritarianism-59835>.

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*"The best lack all conviction, while the worst
Are full of passionate intensity."¹⁰⁸*

In sum, the neocons profoundly misapprehend the nature and limits of war and state-power. The foreign policy errors of the United States in the first two decades of this century were largely the result of their incorrect ideas. Merely recognizing that force has limited use and that unilateralism is ineffective leadership are steps in the right direction: "don't do stupid shit."¹⁰⁹ Understanding that state interactions are not inevitably or fundamentally violent, that war can be limited or even better avoided altogether, are further steps in the right direction. However, ultimately, the United States must develop foreign policies which reject neo-conservatism. A transformative approach to U.S. foreign policy based on some of the presumptions of international relations ("IR") realism will be more effective and is outlined below and is much closer to Trump's stated foreign policy outlook than the neoconservative folly he rightly rejects.

IV. A Realist Alternative to Neoconservative Mistakes

1. State Power

States, bands of like-minded similar individuals, are fundamentally self-interested and act coherently in pursuit of their perceived self-interest. People are not angels nor devils: we are however self-interested but do have free-will. Aristotle in *Politics* puts it best:

man, when perfected, is the best of animals, but, when separated from law and justice, he is the worst of all; since armed injustice is the more dangerous, and he is equipped at birth with the arms of intelligence and with moral qualities which he may use for the worst ends. Wherefore, if he has no virtue, he is the most unholy and the most savage of animals, and the most full of lust and gluttony. But justice is the bond of men in states, and the administration of justice, which is the determination of what is just, is the principle of order in political society.¹¹⁰

Aristotle recognizes that humans are capable of the worst misdeeds, yet desire the best. This understanding of our desire for the good and our capacity to do both good and evil is the basis of international relations realism. International relations realism is the idea that states, though abstractions from material reality, are reflections of that reality. States, like individuals, are rational and pursue their self-interest as best they can. Albeit, because people are self-interested, whether as individuals or aggregated into states, "the strong do what they can; the weak suffer what they must."¹¹¹ International law has limits and is not perfect in

¹⁰⁸ W.B. YEATS, *THE SECOND COMING* (1919).

¹⁰⁹ Jeffrey Goldberg, *The Obama Doctrine*, ATLANTIC, (Apr. 2016), <http://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525/>.

¹¹⁰ ARISTOTLE, *POLITICS* (Benjamin Jowett trans., Clarendon Press ed. 1885) (c. 350 B.C.E.).

¹¹¹ THUCYDIDES, *THE PELOPONNESIAN WAR* (Martin Hammond trans., Oxford World's Classics 2009) (c. 400 B.C.E.).

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part because people are imperfect. That is the world as it is. It may not be the world we desire, but we must start with understanding the world as it is in order to attain the world we desire. The realistic “facts of life” must be our starting point. The world needs correct ideas if we are to propose something better than the mendacious, unrealistic, and self-destructive policies of the neoconservatives, who have squandered trillions¹¹² of dollars and hundreds of thousands of lives in ill-considered pursuit of opportunistic cynicism.

2. International Relations Realism

States are formalized¹¹³ abstract aggregates of individuals, which are more powerful than the sum of their constituents because of productive synergies¹¹⁴ resulting from specialization and improved communication. IR realism argues that States are rational power-maximizers.¹¹⁵ That description is largely but not completely accurate. Roughly speaking, States do seek to maximize their power. States generally do act rationally in pursuit of power. There are however exceptions. Some actors, e.g. Hippies, the Amish, and slackers, do not try to contend for state-power at all and are not power-maximizers. Furthermore, some actors who seek to maximize their power do so irrationally: Hitler and Bin Laden come to mind as examples of irrational power-maximizers. Nonetheless, States and their constituents generally try to maximize their own power and tend to do so rationally. Those States which either do not seek to maximize their power and/or do not do so rationally are usually marginalized by other actors which are more coherent in the pursuit of power and so can generally be ignored when modeling state-power.

President Trump is a foreign policy realist. The main presumptions of IR realism are largely correct: States are generally rational actors and seek to maximize their power. However, there are other presumptions of realism which are less accurate. These errors of classical realism are sufficiently important and complex to require detailed analysis to understand why we should reject them and what we might better think instead.

¹¹² *Iraq War 'Costlier Than Vietnam'*, BBC NEWS (Aug. 31, 2005), <http://news.bbc.co.uk/2/hi/americas/4201812.stm>.

¹¹³ CHRIS CROWTHER-DOWEY, AN INTRODUCTION TO CRIMINOLOGY AND CRIMINAL JUSTICE 310 (2007).

¹¹⁴ ARISTOTLE, POLITICS (Benjamin Jowett, trans.), <http://classics.mit.edu/Aristotle/politics.mb.txt> (“the complete community, formed from several villages, is a city-state, which at once attains the limit of self-sufficiency, roughly speaking. It comes to be for the sake of life, and exists for the sake of the good life”).

¹¹⁵ BRUCE EDMONDS, & RUTH MEYER, SIMULATING SOCIAL COMPLEXITY: A HANDBOOK 675 (2013); See also Bruce Bordner, *Rethinking Neorealist Theory: Order Within Anarchy*, (1997), <http://brucebordner.com/Neorealism.html> (Summarizing Kenneth Waltz's *Man The State and War* as arguing that states are rational maximizers not of power but of their own survival).

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a. IR Realists tend, wrongly, to see the international system in Westphalian terms

Classical IR Realists see the international system as state-centered and exclusively constituted by States. That simplification, though useful for rough modeling, is obviously inaccurate in the world today. The international system is no longer centered exclusively on states. Numerous non-state actors now play parts on the world stage: international organizations, corporations, NGOs, and terrorist groups are some of the examples of non-state actors in the international arena. Although States are still the primary international actor, States now interact as one actor in a complex matrix of international organizations, multinational corporations, non-governmental organizations, national liberation movements, and terrorists before the backdrop of a global culture. Global culture transcends States and is manifested not only in Hollywood and capitalist ideology but also in Bollywood and Putin's alter-mondialism. Inasmuch as classical realism sees the international system as constituted exclusively by States, or as best modeled exclusively through the lens of States, it is inaccurate. The current post-Westphalian international system just described briefly is no longer exclusively constituted by States.¹¹⁶

b. Classical IR Realists tend to see states as essentially isolated from each other, and even as autarchic and interacting somewhat like billiard balls or atoms, bouncing off of each other but ever independent

In 1684, at the dawn of the Westphalian system and the industrial revolution, States were in fact largely isolated from each other. Today however, States are no longer isolated nor self-sufficient. We have lived in a post-Westphalian hegemonic globalized world since at least 1990, if not 1945. Greatly improved technology and new ideas of governance have created a world which is intensely networked via instant global communications and interdependent due to a massive increase in global trade thanks to improvements in transit technology. In 1684 transatlantic travel took weeks, even months. Today it takes but hours to cross the Atlantic Ocean. Communication is now instant and nearly cost-free. Thus, the world today is intensely networked, contrary to the presumptions of classical IR realism.

Although historically States were isolated and thus necessarily self-sufficient, that description is no longer even roughly accurate. States today are not only intensely networked they are also interdependent, not autarchic, because trade fosters prosperity and peace.

¹¹⁶ See, e.g. Antonio Cassese, *Human Rights, in A Changing World* 22 (Polity Press) (1990); See generally Engle, *supra* note 91 (In the post-Westphalian world states still remain the primary constituent of international law and the primary international actor. However, they have been supplemented by non-state actors such as international organizations and corporations in the formation of international norms ("soft-law"); rather than a principle of isolation into nation-states. Unlike the Westphalian system, the post-Westphalian world features intense economic and even political integration through global trade and communication, operating under principles of universal human rights).

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c. Classical IR realism correctly casts states into the role of rational power-maximizers, but wrongly tends to see states as interacting exclusively in zero-sum power relations

State interactions are no longer exclusively or even usually zero-sum or negative-sum. Positive sum economic interactions have become more important than military interactions in the post-Westphalian world¹¹⁷ due to the prosperity and peace that economic interdependence generates:¹¹⁸ in the post-war world trade vastly increased and instant global communication¹¹⁹ became reality because of jet aircraft and then computers. States today as a general rule relate to each other primarily commercially. Military interactions between States have become exceptional. That was not always the case. The rise of a positive-sum international economy contradicts the presumptions of classical IR realism, which saw state interactions as generally zero sum.¹²⁰

Classical IR realism posits that States can really only maximize their own power at the expense of other States. In reality, however, most State interactions today are positive sum and economic, not zero sum and military (inter-war rivalry) let alone negative sum (war). Furthermore, constantly improving technology increases the absolute capacity of almost all states, even those which are “weaker” in comparisons of relative-power. Power, in the sense of capability, is increasing for all States in absolute terms thanks to technological progress and economic growth.

In the contemporary post-Westphalian world we see, more-or-less, a dominant global ideology positing the free movement of goods, capital, ideas, and even persons as normal. Trump at times wishes to oppose some or all of that, but in the end he too will be washed under by the wave of instant global communication and rapid inexpensive global travel and trade which drive globalization forward, whether we like it or not. These are technological facts which cannot be ignored.

A global liberal ideology was never a defining characteristic of the Westphalian State system or of IR realism. Today however, even States such as Russia and China that currently challenge U.S. global hegemony do so largely within

¹¹⁷ William C. Plouffe, *Sovereignty In The “New World Order”: The Once And Future Position Of The United States, A Merlinesque Task Of Quasi-Legal Definition*, 4 TUL. J. INT'L & COMP. L. 49, 85 (1996).

¹¹⁸ In the post-war world international trade organizations proliferated: the General Agreement on Trade and Tariffs evolved into the World Trade Organization. As well as a global free-trade organization regional free trade associations such as the European Economic Communities, the North American Free Trade Area, the Association of South-East Asian Nations, and MercoSur / Andean Pact arose.

¹¹⁹ Alfred C. Aman, *The Globalizing State: A Future-Oriented Perspective On The Public/Private Distinction, Federalism, And Democracy*, 31 VAND. J. TRANSNAT'L L. 769, 780-81 (1998) (showing that technology and capital mobility equate to the rise of private actors and the decline of state actors); *See also* Stephen Kobrin, *Back to the Future: Neomedievalism and the Postmodern Digital World Economy*, J. OF INT'L AFF. 361 (1998), <http://www-management.wharton.upenn.edu/kobrin/Research/hartrev2.pdf> (arguing that national markets are too small to serve as economic units and that technology, especially information and telecommunication technology, has driven economic integration and deterritorialized commerce).

¹²⁰ *See* Luzius Wildhaber, *Sovereignty and International Law*, in *THE STRUCTURE AND PROCESS OF INTERNATIONAL LAW: ESSAYS IN LEGAL PHILOSOPHY DOCTRINE AND THEORY* 661, 668 (R. St. J. MacDonald et al. eds., 1986).

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and using the terms of liberalism. Authoritarians no longer dare use the terms of fascism or even of Marxist class-struggle because those ideas are proven failures and rather obviously wrong and inadequate for effective governance, especially global governance. Even corrupt authoritarian States are compelled to use the ideas and goals of liberalism to maintain domestic legitimacy and to negotiate with the wealthy strong states,¹²¹ all of which just-so-happen to be liberal democracies. Francis Fukuyama was to that extent correct in declaring the triumph of global liberalism.¹²² At the same time however, Fukuyama was mistaken about the ideological triumph of liberalism as the “end” of history in the sense of conclusion: conflict continues in the world after the cold war, notably in the Middle-East. However, violent conflict is now exceptional rather than the general rule.¹²³ Fukuyama did believe that history ended, and was wrong; history is neither the liberal line of progress, which might end, nor the ancient Greek wheel of time, endless with no real progress. Marxists rightly argue that history is an upward spiral¹²⁴ of inevitable long-term progress, with inevitable temporary set-backs: “two steps forward, one step back.” Thus, though history has not and cannot truly end, it has reached a level of development in which war has become the exception, not the rule, of interstate interaction. Although there have been numerous wars in the past two decades they have been confined almost exclusively to Africa and the Middle East, the poorest parts of the world. Fukuyama rightly saw Aristotelian liberalism as the telos, the natural path and goal, of human history.¹²⁵ However, liberalism will not be the end of the existence of state power because of the ever-present capacity of humans for conflict. Since people are by nature able to do terrible things to each other there will always be state-power, if only to restrain the evil and deluded ones, and history will never truly conclude, despite hopeful but unrealistic proclamations to the contrary, whether by Marxists, Libertarians, or liberals like Fukuyama.¹²⁶ The fact that people are inherently capable of violence explains why history will never end, why the State will never completely wither away. Technological progress will however continue to increase wealth, push globalization, and increasingly make violence a thing of the past, making state-power less and less relevant in ordinary life, increasingly replacing the state with civil society. However, the potential for violence will always be there: State power will always be necessary to restrain violent extrem-

¹²¹ E.g. Constitution of the People's Republic of China [Constitution] Dec. 4, 1982, art. 35 (The Chinese constitution proclaims the rights of individual liberties: “Freedom of speech, of the press, of assembly, of association, of procession and of demonstration. . . .Citizens of the People's Republic of China enjoy freedom of religious belief.”).

¹²² See generally Francis Fukuyama, *The End of History?*, NAT'L INTEREST (1989), <https://ps321.community.uaf.edu/files/2012/10/Fukuyama-End-of-history-article.pdf>.

¹²³ John Baylis, James J. Wirtz, & Colin S. Gray, Strategy in the Contemporary World: An Introduction to Strategic Studies, 102 (2007).

¹²⁴ Vladimir Ilyich Lenin, *On the Question of Dialectics* (1915) in LENIN'S COLLECTED WORKS at 357-61 (4th ed.1976).

¹²⁵ See generally Francis Fukuyama, *The End of History and the Last Man* 55-56 (1992) (addressing Aristotle's view on historical cyclicality).

¹²⁶ KARL MARX & FRIEDRICH ENGELS, *THE MANIFESTO OF THE COMMUNIST PARTY* (Samuel Moore trans., 1888) (1848).

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ists. Libertarians and Marxists, even if well meaning, are simply in error about human nature and the possibility of ending state-power.

Trump's election triumph also represents the rejection of libertarianism, for Trump is clearly a statist, and accords the State a pivotal role in the economy. Violence is a basic possibility of the human condition. Yet people desire a good life and are inherently social: We naturally tend to band together.¹²⁷ This dynamic of fear and desire explains the formation and evolution of state power:

"The state comes into existence, originating in the bare needs of life, and continuing in existence for the sake of a good life."¹²⁸

Aristotle goes on from there to define man as the rational talking animal,¹²⁹ inherently social, inherently curious, who seeks the good life. Thus, the State is doubly inevitable¹³⁰ and desirable. We band together in States not merely out of *fear* of nature or each other as Hobbes thinks.¹³¹ We also band together in *hope and desire* to attain the good life and for the productive benefits of living in society.¹³² We band together in part because of productive synergies: people live better and are more productive in groups than when isolated from each other. Babies, to make the obvious example, are in no way self-sufficient and could not survive, let alone prosper, unaided. Adults, while capable to survive, can only truly prosper in communities since people are naturally social and specialization increases productive power.¹³³ These facts are the bases of legitimate state-power and are why the Libertarians and Marxists¹³⁴ are both mistaken about the

¹²⁷ See generally, Aristotle, *supra* note 110.

¹²⁸ *Id.*

¹²⁹ *Id.* at 1253a1-18.

¹³⁰ *Id.* at 1252b30-1253a1, 1253a1-18.

¹³¹ "by art is created that great LEVIATHAN called a COMMONWEALTH, or STATE (in Latin, CIVITAS), which is but an artificial man, though of greater stature and strength than the natural, *for whose protection and defence it was intended*" Thomas Hobbes, *Leviathan*, "Introduction," P 1 (1651) (emphasis added), <http://www.uoregon.edu/~rbear/hobbes/leviathan.html> ; "[W]hatsoever therefore is consequent to a time of Warre, where every man is Enemy to every man; the same consequent to the time, wherein men live without other security, than what their own strength, and their own invention shall furnish them withall. In such condition, there is no place for Industry; because the fruit thereof is uncertain: and consequently no Culture of the Earth; no Navigation, nor use of the commodities that may be imported by sea; no commodious Building; no Instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth; no account of Time; no Arts; no Letters; no Society; and which is worst of all, continual fear, and danger of violent death; And the life of man, solitary, poor, nasty, brutish, and short." Thomas Hobbes, *Leviathan* 84, (A. R. Waller ed., 1904).

¹³² Aristotle, *POLITICS*, Book I, Chapter 1 (1.2.1252b27–30) (ca. 350 B.C.) ("originating in the bare needs of life, and continuing in existence for the sake of a good life.").

¹³³ See, e.g. Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* bk. 1, at 3 (Edward Cannan ed., 5th ed. London: Methuen & Co., Ltd. 1904), <http://www.econlib.org/library/Smith/smWN1.html>. (recalling Adam Smith's famous pin factory where each worker alone could only fashion, perhaps, one pin a day, but where even but ten poor workers specializing could produce two pounds of pins per day).

¹³⁴ See GERARD CASEY, *LIBERTARIAN ANARCHY: AGAINST THE STATE* (Bloomsbury Academic, 2016) (illustrating a libertarian anarchist view); See also, FRIEDRICH ENGELS, *Anti-Dühring* Part III, Chapter 2 (1878), http://www.mlwerke.de/me/me20/me20_239.htm#Kap_II ("The interference of the state power in social relations becomes superfluous in one sphere after another, and then ceases of itself. The govern-

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possibility to end the State and the nature of State power, though for different reasons.

3. Understanding the Possibilities and Limits of U.S. Power

The most logical argument is for a neorealist theory which sees the State as a rational actor, the primary actor, but no longer the only actor in the international system. The State seeks to maximize power, if only to survive, but does so more often through positive-sum economic interactions rather than zero-sum political or negative-sum military interactions. The argument has also been made herein to reject neo-conservatism as unrealistic, a proven failure, just as the impossibility of Marxist or Libertarian anti-state views has also been pointed out here.

Neorealist theory is largely consistent with President Trump's foreign policy statements. Following, I will further expose this neorealist theory in terms of contemporary challenges to U.S. foreign policy.

a. Universalism instead of Unilateralism

The U.S.A. is a global hegemon, leading a network of allies from all over the globe. Trump questioned alliance and trade networks before his election and during the start of his presidency, but in the end will be compelled to them because they are so useful. Unilateralist interventionism is a very foolish idea that fails¹³⁵ as can be seen from the Second Gulf War: that should not however inspire the opposite vice, vacillation.¹³⁶ Unfortunately, President Trump embraces unilateralism, but is not an interventionist. His unilateralism is nevertheless foolish because it calls into question the alliance and trading networks which the U.S. created and through which the U.S. exercises global hegemony such as the North Atlantic Treaty Organization (NATO), the United Nations, the World Trade Organization, and the North American Free Trade Agreement (NAFTA). Whether Trump will continue to attack institutions of U.S. global governance is an interesting question, but if he does he will surely lose support from the foreign policy elites, which he requires in order to form and implement U.S. foreign policy.

The U.S. commitment to its allies is key to its global hegemony. Cicero saw it first: "Our Roman republic, by defending its allies, has got possession of the world."¹³⁷ The fact that U.S. alliance commitments are credible explains U.S. global power: as a matter of fact, wars are likelier won by countries with many allies and few enemies, for there is strength in numbers, especially when well-coordinated. Additionally, not only the U.S. commitment to allies but also a real

ment of persons is replaced by the administration of things and the direction of the processes of production. The state is not 'abolished', *it dies out*".

¹³⁵ Richard Falk, *Why Foreign Military Intervention Usually Fails in the 21st Century*, FOREIGN POL'Y J. (Nov 3, 2014), <http://www.foreignpolicyjournal.com/2014/11/03/why-foreign-military-intervention-usually-fails-in-the-21st-century>.

¹³⁶ Joseph Bosco, *About Time the U.S. Made a Stand in South China Sea*, REAL CLEAR WORLD (Nov.2, 2015), http://www.realclearworld.com/articles/2015/11/02/about_time_the_us_made_a_stand_in_south_china_sea_111537.html.

¹³⁷ FRANCIS BARHAM, 1 THE POLITICAL WORKS OF MARCUS TULLIUS CICERO: COMPRISING HIS TREATISE ON THE COMMONWEALTH; AND HIS TREATISE ON THE LAWS (1841).

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vision of the future of peaceful productivity explains U.S. global hegemony. The United States is committed to a new world order, *novus ordo saeculorum*. The U.S.-led new world order is based on democracy, freedom, and the rule of law. This new world order replaces authoritarianism, monarchy and dictatorship, constraint and command. In a world of dictatorships, genocide, and slavery it is the last best hope of earth.¹³⁸

President Trump, so far as I have seen, has not addressed the idea of the U.S.A. as leader of a new world order, a new order of the ages. He has however addressed the idea of American exceptionalism, rejecting that idea as undiplomatic.¹³⁹

A proper self-understanding of the United States sees the United States as a universal force for freedom: The United States is the leader of a phalanx of nations all of which are committed to democracy and the rule of law. This concert of nations embraces and advances universal values, the good.¹⁴⁰ States which reject democratic self-government and the rule of law, i.e. the champions of authoritarianism, dictatorship, corruption, and lawless violence, are ever-fewer, because technological and social progress exposes these self-evident truths: fear, hypocrisy, violence, and corruption are terribly ineffective governance tools. There are fewer tyrannies, yet some still exist and must be resolutely opposed.

b. *American Exceptionalism*

American exceptionalism is the idea that the United States, a secular republic, is exceptional in its origin as espousing a limited form of democratic government under the rule of law with universal applicability. In fact, America is at once exceptional and ordinary. America is exceptional as the first secular state¹⁴¹ committed to the idea of self-governance under law, a literally revolutionary idea. Yet, America is also as ordinary as the tens of millions of impoverished refugees who have emigrated to the U.S.A. and now constitute its core populace. America is exceptional because this cross-section of the entire world is a *vox populi mundi*: a global voice of a globalizing world. Yet America is also ordinary because these people really are “just like everyone else.”¹⁴² Ordinary people doing extraordinary things explain why America is the most advanced State in the global process of liberalization. The United States of America is the larg-

¹³⁸ President Abraham Lincoln, Annual Address to the U.S. Congress, (Dec. 1, 1862) (“we shall nobly save, or meanly lose, the last best hope of earth”).

¹³⁹ David Corn, *Donald Trump Says He Doesn't Believe in “American Exceptionalism”*, MOTHER JONES (June 7, 2016), <http://www.motherjones.com/politics/2016/06/donald-trump-american-exceptionalism> (emphasizing President Donald Trump's distaste for the term American exceptionalism).

¹⁴⁰ See Aristotle, *supra* note 110 (explaining the importance of political science in determining the scope and application of the other sciences to attain the end of the good for the individual and the state).

¹⁴¹ JOSEPH J. ELLIS, *AMERICAN CREATION: TRIUMPHS AND TRAGEDIES AT THE FOUNDING OF THE REPUBLIC* (2008).

¹⁴² Emma Lazarus, “The New Colossus,” inscribed on the Statue of Liberty National Monument (“Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!”).

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est country on earth which is also a reflection, even a microcosm, of the entire planet¹⁴³ because it is constituted of immigrants from the entire world.¹⁴⁴ This partly explains U.S. global hegemony. Because the USA is a global microcosm, a refugee center for the entire world, it is easy for non-citizens to identify with the USA. America is also exceptional because the United States was the first federal democracy on earth.¹⁴⁵ Although some ancient Greek city-states had a limited form of self-government, the vote was limited to the aristocratic class and they were not federated. Ancient Greek democracies were not based on universal suffrage. Furthermore, the ancient Greek city-states were small and never united. Often at war with each other, ancient Greek governance never went beyond mere military alliances of independent city-states to anything like regional let alone continental governance. Finally, The Greek city states never claimed to be secular. Thus, America is exceptional, the first modern federal mass-democracy.¹⁴⁶

Yet, America is also unexceptional. America is “merely” the spearhead of a global liberation movement of like-minded peoples and states.¹⁴⁷ American exceptionalism is really better expressed as universalism: “all men are created equal.”¹⁴⁸ The United States is also unexceptional in that it is the logical outgrowth of ancient Greek and modern British liberal ideas expressed by Aristotle, Locke,¹⁴⁹ and in Magna Charta¹⁵⁰ and the English Bill of Rights.¹⁵¹ The liberal world, now numbering billions, the planet's majority, is much larger in space and numbers than some 50 states on one continent comprising just a few hundred

¹⁴³ Patrick J. Buchanan, *America Is a Microcosm of a World on Fire*, THE AMERICAN CONSERVATIVE (July 18, 2014), <http://www.theamericanconservative.com/2014/07/18/america-is-a-microcosm-of-a-world-on-fire/> (arguing that America is a global microcosm, but that this means America is violently conflicted).

¹⁴⁴ Dara Lind, *37 Maps That Explain How American is a Nation of Immigrants*, VOX (Feb. 7, 2017), <http://www.vox.com/2015/1/12/7474897/immigration-america-maps>.

¹⁴⁵ ARTICLES OF CONFEDERATION OF 1777, <http://www.usconstitution.net/articles.html> (the U.S. confederation was not the world's first confederation, however, it became the first federation featuring separation of powers with the ratification of the U.S. Constitution); See also THE FEDERALIST NO. 10 (James Madison), <https://www.congress.gov/resources/display/content/The+Federalist+Papers> (explaining how the federation is intended to check factionalism, which is of course the source of current congressional gridlock); See also ERIC ENGLE, *Haudenosaunee Great Law of Peace*, in U.S. CONSTITUTIONAL LAW FOR GERMAN JURISTS, 21 (2012) (on aboriginal origins of federal idea. The separation of powers idea is also evident in the Haudenosaunee's Great Law of Peace, though it is more evidence in Montesquieu's Spirit of the Laws (1750); See generally Eric Engle, *Theseus's Ship of State: Confederated Europa between the Scylla of Mere Alliance and the Charybdis of Unitary Federalism*, 8 FLA. COASTAL L. REV. 27, 27 (2006) (for further information on confederation and federation in current law).

¹⁴⁶ PAUL BARRY CLARKE & JOE FOWERAKER, ENCYCLOPEDIA OF DEMOCRATIC THOUGHT, 438 (2001); See also Thomas Jefferson, quoted in MERRILL D. PETERSON, THE JEFFERSON IMAGE IN THE AMERICAN MIND 378 (1998) (“I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man”).

¹⁴⁷ Harvey J. Kaye, THOMAS PAINE AND THE PROMISE OF AMERICA 220 (2007).

¹⁴⁸ THE DECLARATION OF INDEPENDENCE, para. 2 (U.S. 1776).

¹⁴⁹ See generally JOHN LOCKE, TWO TREATISES ON GOVERNMENT (Peter Laslett ed., Cambridge Univ. Press 1988) (1690)

¹⁵⁰ See generally MAGNA CARTA (1215).

¹⁵¹ See generally ENGLISH BILL OF RIGHTS (1689).

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million people. Although America was first, soon France¹⁵² and then every Republic in the American continents replicated the basic ideas of the founding fathers. The great experiment¹⁵³ went global. States which claim to be theocracies, absolute monarchies, and dictatorships, once the world majority, are now the shrinking minority. The few remaining autocratic bastions, the remnants of the failed deluded communist experiment and vestigial dictatorships, will ultimately also embrace democracy, the rule of law, and human rights because that is in the self-interest of their own people and of the world. Democratic self-governance under the rule of law is the most effective governing system,¹⁵⁴ as history and technological progress show. So, ironically, the neoconservatives were right in their stated teleology, their stated goals of people-power leading to regime change. However, the neoconservatives were incorrect in their means to those ends, being far too Machiavellian and impatient for such lofty goals.¹⁵⁵ Unilateralist armed intervention and cynical deceits cannot be the tactic of a global liberation movement. Furthermore, the neocons relied too much on the stick of pure power without the carrot's suasion or diplomacy. Finally, the unstated goals of the neocons' poisoned their project,¹⁵⁶ with fatal consequences for far too many, including many Americans, as well as disastrous economic consequences.¹⁵⁷

c. The Tactics of Global Liberation: How to Free Slaves and Influence People

The U.S. strategy of global development through freedom for enlightened self-interest, as reflected in the defense of the rule of law, democratic self-governance, and other human rights, is clear. That vision has successfully guided the United States since at least 1775 and will continue to guide it through all of the advances in life and affronts to its security. However, the appropriate tactics to attain the goal of global peace-through-prosperity and interdependence — global free trade and economic integration with equal justice under law — are less clear and will depend on factors outside of U.S. borders.

¹⁵² See generally National Assembly of France, *Declaration of the Rights of Man and the Citizen*, (Aug. 26, 1789), http://avalon.law.yale.edu/18th_century/rightsof.asp.

¹⁵³ Letter from George Washington to Catharine Macaulay Graham, (1790) (“the establishment of our new government seemed to be the last great experiment for promoting human happiness by a reasonable compact in civil society”).

¹⁵⁴ PUSHPESH PANT, *INTERNATIONAL RELATIONS IN 21ST CENTURY*, 182 (2011) (claiming incorrectly that “After the [Second World] war, the Spanish civil war put an end to republicanism” [sic]. In fact, Spanish fascism extinguished the coalition of Marxists and Socialists (“republicans” i.e. not monarchists) prior to the start of the Second World War).

¹⁵⁵ LEO STRAUSS, *THOUGHTS ON MACHIAVELLI* (1958).

¹⁵⁶ See, e.g. *Two Views of the Iraq War*, *DAILY KOS* (Nov. 17, 2008), <http://www.dailykos.com/story/2008/11/17/662269/>.

¹⁵⁷ See Kimberly Amadeo, *Cost of Iraq War: Timeline, Economic Impact*, *THE BALANCE* (Jan. 17, 2017), <https://www.thebalance.com/cost-of-iraq-war-timeline-economic-impact-3306301> (estimating that the costs of the various wars the U.S. has engaged in since 2001 run to nearly 2 trillion dollars).

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For the first hundred years of the Republic it was possible, necessary, and desirable for the United States to follow George Washington's advice¹⁵⁸ and avoid foreign entanglements.¹⁵⁹ The United States, the world's sole secular republic was a *usurper* in a world of monarchies,¹⁶⁰ an implicit threat to every monarchy and theocracy on earth. The U.S. governed a diverse mix¹⁶¹ of peoples: religious refugees, proto-capitalists, African slaves, natives, penal colonists, smugglers, and tax evaders. The Republic was large in area, yet far from the only foothold in the region, was sparsely populated, and could have easily been ripped apart by internal factionalism combined with foreign intervention, a real and frightening possibility.¹⁶² Indeed, the greatest threat in the history of the Republic was the Civil War, a war in which President Lincoln, through careful diplomacy, was able to prevent French or British military intervention.¹⁶³ However, as the natural moat of the ocean shrank due to technology, as the populace and land area of the republic grew and grew, as more and more states became democracies, neutrality and non-interventionism, once wise policies¹⁶⁴ was no longer necessary and in fact became impossible and dangerous. U.S. isolationism further destabilized the already inherently unstable balance of power in Europe because: in the event of a general European war, the U.S. could in principle remain neutral or intervene, and could do so either for or against Britain. The neutrality of the United States prior to the First World War made it impossible for the various European powers to calculate the consequences of a general European war,¹⁶⁵ with tragic consequences in the form of two world wars, caused in part by American neutrality.¹⁶⁶ After the terrible world wars, the new Republic grew into a global power with allies throughout the world, then a superpower, and now is global hegemon.

¹⁵⁸ Daniel L. Davis, *What Hillary and Trump Should Learn from Ike and George Washington*, NAT'L INTEREST (Aug. 15, 2016), <http://nationalinterest.org/blog/the-skeptics/washington-eisenhower-2016-warrior-presidents-who-shunned-17359?page=2>.

¹⁵⁹ President George Washington, Farewell Address (Sept. 19, 1796).

¹⁶⁰ ELLIS, *supra* note 141.

¹⁶¹ VINCENT N. PARRILLO, *DIVERSITY IN AMERICA* (3rd ed. 2008).

¹⁶² Richard J. Maybury, *The Founding Fathers: Smugglers, Tax Evaders And Traitors*, FREE MARKET 1 (July 1, 1987), https://mises.org/system/tdf/fm787_0.pdf?file=1&type=document.

¹⁶³ Michael Burlingame, *Abraham Lincoln*, MILLER CENTER OF PUBLIC AFFAIRS AT UNIVERSITY OF VIRGINIA, <http://millercenter.org/president/biography/lincoln-foreign-affairs> (last visited Feb. 24, 2017) (providing a brief overview of this fascinating piece of American diplomatic history).

¹⁶⁴ Thomas Jefferson, First Inaugural Address (Mar. 4, 1801) ("[e]qual and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none"); See also JOHN N. PETRIE, *American Neutrality in the 20th Century: The Impossible Dream*, in THE MCNAIR PAPERS (1995).

¹⁶⁵ JOHN WHITECLAY CHAMBERS, *THE OXFORD COMPANION TO AMERICAN MILITARY HISTORY* 495 (2d ed., 1999).

¹⁶⁶ See generally *From Neutrality to War: The United States and Europe, 1921 – 1941*, National Endowment for the Humanities, <https://edsitement.neh.gov/curriculum-unit/neutrality-war-united-states-and-europe-1921-1941> (for an accessible and comprehensible canonical layman's guide to the failure of neutrality).

V. The Enemies of Liberalism

We now turn our attention to present or imminent challenges facing U.S. global hegemony. These are, roughly speaking, medieval Mohammeden maniacs, Russia, and China, addressed here in that order.

1. Medieval Mohammedan Maniacs

The Islamic religion was perverted by suicidal maniacs claiming to represent "pure" Islam.¹⁶⁷ In reality, the Mohammedan maniac's ideology is not Islam, it is totalitarian fascism.¹⁶⁸ Like other¹⁶⁹ fascists they claim the state has absolute power and must be at the fore in every aspect of life and wish to return to a supposedly superior medieval way of life,¹⁷⁰ when disease was rampant and literacy rare. Terrorists are un-Islamic because they ignore the Koranic law of war, which expressly prohibits killing innocent women and children.¹⁷¹ I call them Mohammedan, not Islamic, because they elevate man above God and do not seek peace.

The maniacal Mohammedans struck at the Republic because it is secular and liberal. Osama Bin Laden, leading a minority of maniacs, sought to isolate the United States from allies, to polarize conflicts between Islam against Liberalism and Christianity, and to bankrupt the United States.¹⁷² Unilateralism, like permanent war, plays into the hands of the enemy because it needlessly isolates the United States alienating allies and encouraging neutrals to consider the enemy's

¹⁶⁷ See Osama Bin Laden, *Messages to the World: The Statements of Osama Bin Laden*, 167 (James Howarth trans., Bruce Lawrence ed. 2005); See also 15 *Dabiq* (former journal of ISIS) 4, 21 (2016), www.clarionproject.org/factsheets-files/islamic-state-magazine-dabiq-fifteen-breaking-the-cross.pdf.

¹⁶⁸ ALBERT SPEER, *INSIDE THE THIRD REICH: MEMOIRS*, 115 (1970) ("You see, it's been our misfortune to have the wrong religion. Why didn't we have the religion of the Japanese, who regard sacrifice for the Fatherland as the highest good? The Mohammedan religion too would have been more compatible to us than Christianity. Why did it have to be Christianity with its meekness and flabbiness?"); See also HEINRICH HIMMLER, *ON THE FORMATION OF THE SS HANDSCHAR (MUSLIM) DIVISION*, (Aug 6, 1943) ("I hold all commanders and other SS officers, responsible for the most scrupulous and loyal respect for this privilege especially granted to the Moslems. They have answered the call of the Moslem chiefs and have come to us out of hatred for the common Jewish-Anglo-Bolshevik enemy and through respect and fidelity for he who they respect above all, the Führer, Adolf Hitler. There will no longer be the least discussion about the special rights afforded to the Moslems in these circles.").

¹⁶⁹ *New Feudalism. Hitler's World Order*, SYDNEY MORNING HERALD 9 (Jan. 15, 1941) <https://news.google.com/newspapers?nid=1301&dat=19410115&id=B-djAAAAIABAJ&sjid=BZUDAAAABAJ&pg=5817,1553585>; See also Heather Pringle, *Heinrich Himmler: The Nazi Leader's Master Plan*, HISTORYNET (July 17, 2007), <http://www.historynet.com/heinrich-himmler-the-nazi-leaders-master-plan.htm>.

¹⁷⁰ David Carr, *With Videos of Killings, ISIS Sends Medieval Message by Modern Method*, N.Y. TIMES (Sept. 7, 2014), <https://www.nytimes.com/2014/09/08/business/media/with-videos-of-killings-isis-hones-social-media-as-a-weapon.html>; See also Michael Shammas, *ISIS's Backwards 'Caliphate' Evokes Crusaders Over Caliphs*, HUFF. POST (Dec. 29, 2015), http://www.huffingtonpost.com/mike-shammas/isiss-backwards-caliphate_b_8881636.html.

¹⁷¹ QUR'AN 6:151 ("and do not kill a soul that God has made sacrosanct, save lawfully."); See also QUR'AN 5:53 ("whoso kills a soul, unless it be for murder or for wreaking corruption in the land, it shall be as if he had killed all mankind; and he who saves a life, it shall be as if he had given life to all mankind.").

¹⁷² Osama Bin Laden, *Full Transcript of Bin Laden's Speech* (Nov. 1, 2004), AL JAZEERA <http://www.aljazeera.com/archive/2004/11/200849163336457223.html>.

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line. Bin Laden's objective was to bankrupt¹⁷³ the United States and destroy U.S. hegemony in a foolish effort to ultimately¹⁷⁴ return the Arab world to a medieval myth: a pan-Islamic Caliphate¹⁷⁵ where slavery would be legal and gender roles strictly defined. The would-be Caliphate would supposedly conquer the infidels and dominate the planet creating a world united by Islam — whether it likes it or not, ignoring the Koranic statement that “there is no compulsion in religion.”¹⁷⁶ Supposedly fundamentalists, Bin Laden and his allies ignored the literal text of the Koran, which requires tolerance of monotheists,¹⁷⁷ equal rights for women,¹⁷⁸ and respect for the law of war.¹⁷⁹ Bin Laden's medieval fascism ignored the realities of scientific progress, social diversity, and the Koran itself. Consequently, his ideas and those of like-minded maniacs could never attract supporters among even moderate Moslems,¹⁸⁰ let alone authoritarian atheist gov-

¹⁷³ *Bin Laden: Goal Is to Bankrupt U.S.*, CNN (Nov. 1, 2004), <http://www.cnn.com/2004/WORLD/meast/11/01/binladen.tape/>.

¹⁷⁴ Nancy A. Youssef, *Osama bin Laden Warned an Islamic State Would Fail*, DAILY BEAST (Mar. 1, 2016), <http://www.thedailybeast.com/articles/2016/03/01/osama-bin-laden-warned-an-islamic-state-would-fail.html>.

¹⁷⁵ Cassandra Vinograd, *Islamic State Declares Caliphate, Seizes Osama Bin Laden's Dream*, NBC NEWS (Aug. 26, 2015), <http://www.nbcnews.com/storyline/isis-uncovered/islamic-state-declares-caliphate-seizes-osama-bin-ladens-dream-n144221>.

¹⁷⁶ Sheikh Sâmī al-Mâjid, *Let There Be No Compulsion In Religion*, ISLAM TODAY, (Jan. 10, 2007), <http://en.islamtoday.net/artshow-262-3441.htm>.

¹⁷⁷ Z. Haq & A. Zahoor, *O People of the Book!, Verses From The Glorious Qur'an*, (1998), <http://www.cyberistan.org/islamic/peopleq.htm>.

¹⁷⁸ Abdur Rahman I. Doi, *Women in the Quran and the Sunnah*, ISLAM'S WOMEN, http://www.islamswomen.com/articles/women_in_quran_and_sunnah.php (last visited Feb. 16, 2017); See also Carla Power, *What the Koran Really Says About Women*, TELEGRAPH (Nov. 6, 2015), <http://s.telegraph.co.uk/graphics/projects/koran-carla-power/>.

¹⁷⁹ See e.g., “ABOUL-ENEIN, H. YOUSUF AND ZUHUR, SHERIFA, ISLAMIC RULINGS ON WARFARE 22, (Diane Publishing Co., 2004). (“If they withdraw from you but fight you not, and [instead] send you [guarantees of] peace, then God hath opened no way for you [to war against them]” (Koran, 4:90); “But if they [the enemy] incline towards peace, do thou [also] incline towards peace, and trust in God: for He is the One that heareth and knoweth [all things]” (Koran, 8:61); “Stop, O people, that I may give you ten rules for your guidance in the battlefield. Do not commit treachery or deviate from the right path. You must not mutilate dead bodies. Neither kill a child, nor a woman, nor an aged man. Bring no harm to the trees, nor burn them with fire, especially those which are fruitful. Slay not any of the enemy's flock, save for your food. You are likely to pass by people who have devoted their lives to monastic services; leave them alone); See also Heba Aly, *Islamic Law and the Rules of War: More Than a Millennium Before the Codification of the Geneva Conventions, Most of the Fundamental Categories of Protection Could be Found in Islamic Teachings, Middle East Eye*, (Apr. 29, 2014) archived at <http://perma.cc/L6PQ-WTRW> (stating the Koran prohibits targeting civilians unless under “supreme emergency” to prevent the destruction of Islam); See also 10 Islamic Rules of War, 1000 Good Deeds, (Nov. 20, 2012), <http://1000gooddeeds.com/2012/11/20/10-islamic-rules-of-war/>.

¹⁸⁰ Scott MacLeod, *Curtains for Bin Laden's Freak Show*, HUFF. POST http://www.huffingtonpost.com/scott-macleod/osama-bin-laden-freak-show_b_856512.html (last visited Apr. 1, 2017) (“his fellow Muslims rejected his radical ideology and terrorist methods. He was unable to find or lead a mass following anywhere, including his native Saudi Arabia. He had already lost his last foothold in the Arab world a few months after I met him when the Sudanese government — Islamist allies — betrayed him and bin Laden skulked out of Khartoum in the dead of night. Fifteen years later, he was a fugitive on the run, holed up in a villa without Internet in northern Pakistan. He had become a man without adequate protection from bodyguards, much less a commander of a glorious Muslim army marching on Jerusalem. Bin Laden has no glory to show for his deeds, mainly just blood on his hands.”).

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ernments such as China¹⁸¹ or North Korea.¹⁸² One of the major U.S. mistakes in the past twenty years has been the failure to split the moderate Moslem majority from the tiny minority of maniacal Mohammedans.¹⁸³ Trump¹⁸⁴ is just the most obvious recent example of this form of blindness, which fails to distinguish enemies from friends. Bin Laden, killed in Pakistan, failed in part because he did not consider the resilience of U.S. political and financial institutions, the strength of the American people, and the attractive power of democratic freedom.¹⁸⁵ Bin Ladenism is unsustainable because it is literally suicidal, repulsive, and thus is self-defeating. Consequently, the threat of the so-called "Islamic" state — really, Mohammedan fascism — is being slowly extinguished. The so-called "Islamic State" was premature,¹⁸⁶ maniacally ruthless, and is being squeezed to the point where it will be crushed.¹⁸⁷ Of course, some individuals, isolated and scattered, will escape from the cauldron of the "Caliphate." Many of those isolated maniacs will not learn and will still try to engage in disorganized sporadic suicidal terrorism. However, as they literally die out, literally get older, and find fewer and fewer resources for support, the scattered survivors of Mohammedan fascism will watch their would-be murder spree fail to attain any of its goals. The Mohammed-

¹⁸¹ Jennine Liu, *China's ISIS Woes: With its Rising Overseas Presence, Can China Sustain its Policy of Non-interference?*, THE DIPLOMAT (Feb. 26, 2016), <http://thediplomat.com/2016/02/chinas-isis-woes/> ("On November 18, 2015, the Islamic State, also known as the Islamic State of Iraq and al-Sham (ISIS) executed a Chinese hostage known as Fan Jinhui. A self-professed wanderer, the Islamic State kidnapped him in Syria and offered him up for sale initially before executing him. Fan is the first Chinese hostage to be killed by the Islamic State, although in 2014, ISIS executed three Chinese militants for attempted desertion."); See also Neelabh Chaturvedi, *Islamic State Recognizes Taiwan in New Propaganda Video*, CNBC (Nov. 25, 2015), <http://www.cnbc.com/2015/11/25/islamic-state-rites-china-by-recognizing-taiwan-in-new-propaganda-video.html>. (ISIS claims to have recognized Taiwan as an independent country, almost certainly incurring the ire of the People's Republic of China thereby.)

¹⁸² *North Korea Sends 'Message of Sympathy' for Brussels Attacks*, THE KOREA TIMES (Mar. 23, 2016), <http://www.koreatimesus.com/n-korea-sends-message-of-sympathy-for-brussels-attacks/>.

¹⁸³ James Kurth, *Splitting Islam*, THE AMERICAN CONSERVATIVE (Sept. 26, 2005), <http://www.theamericanconservative.com/articles/splitting-islam/>. ("The history of the Cold War shows that, when dealing with an opposing political ideology, a strategy of separating its moderate adherents from its extremist adherents can sometimes be successful. In Europe in particular, the United States was very successful in separating moderate Marxists—socialists and social democrats—from extremist Marxists—communists—during the 1950s, and this division largely persisted for the rest of the Cold War. This splitting strategy was not very effective in the Third World, however. There, moderate Marxists—the 'Third Way'—rarely existed or, if they did, they were soon marginalized by the extremist Marxists or repressed by the authoritarian, anticommunist regimes that were the allies of the United States. Today's counterpart would be separating moderate Muslims from extremist Islamists.")

¹⁸⁴ Paul R. Pillar, *The Foreign Consequences of Trump's Racism*, NAT'L INTEREST (June 15, 2016), <http://nationalinterest.org/blog/paul-pillar/the-foreign-consequences-trumps-racism-16597>.

¹⁸⁵ Nikki Knewstub, *Bush Rejects Taliban Offer to Hand Bin Laden Over*, THE GUARDIAN (Oct. 13 2001), <https://www.theguardian.com/world/2001/oct/14/afghanistan.terrorism>; See also Brian Daks, *Osama Truce Offer Rejected*, CBS NEWS (Apr. 15, 2004), <http://www.cbsnews.com/news/osama-truce-offer-rejected>. ("I am offering a truce to European countries," the taped message said as the stations showed an old, still picture of bin Laden. "Its core is our commitment to cease operations against any country which does not carry out an onslaught against Muslims or interfere in their affairs.")

¹⁸⁶ Murad Batal al-Shishani, *The Islamic State's Strategic and Tactical Plan for Iraq*, TERRORISM MONITOR (Aug. 8, 2014), <https://jamestown.org/program/the-islamic-states-strategic-and-tactical-plan-for-iraq/>.

¹⁸⁷ Mohammed Nuruzzaman, *Is the ISIS Caliphate Collapsing?*, NAT'L INTEREST (Aug. 13, 2016), <http://nationalinterest.org/feature/the-isis-caliphate-collapsing-17338>.

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dan maniacs' challenge, already fading, will finally disappear. Their back has already been broken.¹⁸⁸

2. Russia

The defeat of maniacal Mohammedan fascism is no guarantor of the triumph of liberalism: there are other more serious challengers. Though he finally failed, Bin Laden's tactics were successful enough, mostly because of U.S. strategic errors, to encourage authoritarians in China and autocrats in Russia to mount challenges to liberal democracy. Russian and Chinese challenges to liberalism, enabled by the Mohammedan maniacs, will persist after the defeat of the so-called "Islamic state."

Unfortunately, efforts to help Russia reform its domestic law and society to grow Russia into the rule of law, free-trade, prosperity, and peace have largely failed.¹⁸⁹ Russian foreign policy has emerged as consistently and constantly deceptive and hostile, enabled by the fading and failing jihad, which as we see in Chechnya is also an enemy of Russia.¹⁹⁰ The bellicose actions of the Russian federation constitute an attempt by Russia to make itself important again by starting a new cold war¹⁹¹ to create a multi-polar world.¹⁹² However, history shows that multi-polarity leads to large great-power wars, whereas unipolarity is associated with great peace,¹⁹³ e.g. the Pax Romana,¹⁹⁴ the Haudenosaunee (Iroquois) Great Law of Peace,¹⁹⁵ the Qin pax sinica,¹⁹⁶ pax Britannica,¹⁹⁷ Pax Ameri-

¹⁸⁸ Jean Marc Mojon & Tony Gamal-Gabriel, 2016, *The Year the IS 'Caliphate' Buckled*, AGENCE FR. PRESSE (Dec. 16, 2016), <https://www.yahoo.com/news/2016-caliphate-buckled-064441981.html>.

¹⁸⁹ See, e.g. RUSSIA, THE EUROPEAN UNION AND THE CIS (Eric Engle ed., 2012).

¹⁹⁰ See, e.g., Mansur Mirovalev, *Chechnya, Russia and 20 Years of Conflict*, ALJAZEERA (Dec. 11, 2014), <http://www.aljazeera.com/indepth/features/2014/12/chechnya-russia-20-years-conflict-2014121161310580523.html>.

¹⁹¹ See generally Eric Engle, *A New Cold War? Cold Peace. Russia, Ukraine, and NATO*, 59 ST. LOUIS U. L.J. 97 (2014).

¹⁹² *Shift to Multipolar World: Lavrov Says Russia Working to Adjust Foreign Policy to New Reality*, RT NEWS (Apr. 10, 2016), <https://www.rt.com/news/339082-russia-new-foreign-policy-multipolar/>; See also Molly K. McKew, *Putin's Real Long Game: The World Order We Know is Already Over, and Russia is Moving Fast to Grab the Advantage. Can Trump Figure Out the New War in Time to Win it?*, POLITICO (Jan. 1, 2017), <http://www.politico.com/magazine/story/2017/01/putins-real-long-game-214589>; See also Michael Crowley, *Putin's Revenge: Humiliated by the 1990s, Russia's strongman is determined to win Cold War 2.0. He may be succeeding*, POLITICO (Dec. 16, 2016), <http://www.politico.com/magazine/story/2016/12/russia-putin-hack-dnc-clinton-election-2016-cold-war-214532>.

¹⁹³ See generally William C. Wohlforth, *Unipolarity, Status Competition, and Great Power War*, 61 WORLD POL. 28 (2009).

¹⁹⁴ See, e.g., ADRIAN GOLDSWORTHY, *PAX ROMANA: WAR, PEACE AND CONQUEST IN THE ROMAN WORLD* (2016).

¹⁹⁵ See, e.g., BRUCE ELLIOTT JOHANSEN & BARBARA ALICE MANN, *ENCYCLOPEDIA OF THE HAUDENOSAUNEE (IROQUOIS CONFEDERACY)* (2000).

¹⁹⁶ 2 ELIZABETH POLLARD, *WORLDS TOGETHER WORLDS APART* 242 (W.W. Norton & Company 2015).

¹⁹⁷ See, e.g., BARRY GOUGH, *PAX BRITANNICA: RULING THE WAVES AND KEEPING THE PEACE BEFORE ARMAGEDDON* (2014).

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cana.¹⁹⁸ Hobbes tells us why: “during the time men live without a common power to keep them all in awe, they are in that condition which is called war, and such a war as is of every man against every man.”¹⁹⁹ A hegemon provides that common power to keep them all in awe. Since a multipolar world would be even more dangerous, it is fortunate that the geopolitical facts on the ground — population and poverty — as well as lack of a coherent ideology mean Russia is easily isolated and is unable to marshal allies to mount more than a regional challenge to liberalism. Despite Trump's desire to improve U.S.-Russian relations, he will likely be unable to do so. This is because Russian foreign policy tends to be duplicitous, intransigent, and one sided, and none of that will change just because Trump is in office.²⁰⁰ The fact is, the United States and Russia have little in common neither in terms of interests or values.²⁰¹ Russian efforts to dominate immediate neighbors by force and fraud will ultimately fail due to Russian bankruptcy,²⁰² both metaphoric and real. No one likes a bully. Russia is not a large state in terms of population nor is it technically advanced or particularly productive.²⁰³ Russia lacks a coherent ideology around which to raise a serious challenge to liberalism.²⁰⁴ So any Russian challenge to liberalism will be at most regional. One tragedy of the early 2000s was the inability of Russia to grow westwards or the West to include Russia, but the fault of this tragedy ultimately is found in Moscow, not Washington, London, Paris, or Berlin.

Russian governance can be characterized as corrupt, deceptive, lawless, yet realist.²⁰⁵ The Russian state seeks to maximize Russian power through cunning policies of force and fraud.²⁰⁶ On the one hand, isolating a thoroughly corrupt dishonest bellicose regime with no unique ideology would appear to be easy: Great Russian orthodox Christian authoritarianism by nature lacks global appeal. On the other hand, Russian violent lawlessness presents a negative role model to the other great state challenge to U.S. global hegemony, China. Obviously, if there are no consequences when Putin occupies and annexes neighbors like Moldova, Georgia, and Ukraine, then we should expect China and many other states to do likewise, say, in the South China Sea. This explains why stopping Putin fast and hard is vital to the U.S. led rules-based world order. China must note the consequences of Russian corruption and illegality, which are pov-

¹⁹⁸ See generally, JAMES MACDONALD, *WHEN GLOBALIZATION FAILS: THE RISE AND FALL OF PAX AMERICANA* (2016).

¹⁹⁹ Thomas Hobbes, *Of Man, Being the First Part of Leviathan*, 34 HARV. CLASSICS, pt. 5, § 13, at ¶ 8 (Charles W. Eliot ed., 2001) (1651).

²⁰⁰ See generally, Engle, *supra* note 191 (analyzing the Russian challenge and correct U.S. responses).

²⁰¹ See, e.g., Eric Engle, *Gay Rights in Russia? Russia's Ban on Gay Pride Parades and the General Principle of Proportionality in International Law*, 6/2 J. OF EURASIAN L. 22 (2013).

²⁰² See, e.g., Eric Engle, *It Would Be Funny, If It Weren't So Sad: Putin and Hitler*, ST. LOUIS U. L. J. (2015) <http://www.slu.edu/colleges/law/journal/it-would-be-funny-if-it-weren-so-sad-putin-and-hitler/>.

²⁰³ Eric Engle, *A New Cold War? Cold Peace. Russia, Ukraine, and NATO*, 59 ST. LOUIS U. L. J. 97-174 (2015) (providing an extensive analysis of the Russian challenge and correct U.S. responses to it).

²⁰⁴ *Id.*

²⁰⁵ *Id.*

²⁰⁶ *Id.*

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erty and isolation. The consequence for illegal annexation must be severe, otherwise we would return to the deadly poor prewar world of constant border wars.

3. The Chinese Challenge

Dictatorial Chinese-atheist Marxism and theocratic-jihadi fascism have little in common beyond authoritarianism. Unlike Mohammedan fascism, the current system of government in China is not totalitarian. The People's Republic of China, unlike the so-called Islamic state, is not totalizing and omnipresent and does not intrude into all social spheres of life, unlike fascist theocracy. Chinese and Russian political ambitions are organized around state power, not random murder stunts. Organized state-power constrains violent tendencies but also channels and focuses them. Although Russian and Chinese adventurism may be foolish, China and Russia are not maniacal or even necessarily irrational. Consequently, Russia and China raise greater strategic and long-term challenges to global liberalism, yet less immediate tactical challenges than Mohammedan fascism.²⁰⁷ The Russian and Chinese challenges to liberalism must be met unequivocally and resolutely, yet flexibly, relying on persuasive bargaining and negotiating as much as on sanctions, deterrence, and global embarrassment.

Russian invasions and annexations are a direct challenge to a rules based world-order. However, China poses a greater and more difficult potential challenge because it has a much larger and more productive population and is led by the Communist party and the elites who wield the entirety of its power.²⁰⁸ Fortunately, to present, the Chinese challenge is largely potential rather than actual.²⁰⁹ That may be in part because China must cope with the fact of newfound prosperity and the domestic consequences thereof. One major challenge is pollution: China is very badly polluted.²¹⁰ Simply cleaning up China's own environment will greatly improve the quality of life for Chinese people and is an important task of the Chinese government, if only to secure its own legitimacy in the eyes of the Chinese people, who will increasingly want a comfortable western lifestyle.²¹¹ Moreover, the Chinese people, now enriched due to working within a market economy, will also increasingly desire the same liberal advantages as their western counterparts, whether in the form of freedom of political, artistic, or sexual expression; those troublesome liberties dictatorships cannot control and

²⁰⁷ Dave Majumdar, *America Reveals 'Great Power' Plans Against Russia and China*, NAT'L INTEREST (Feb. 3, 2016), <http://nationalinterest.org/blog/the-buzz/america-reveals-great-power-plan-against-russia-china-15103>.

²⁰⁸ Nake M. Kamrany & Frank Jiang, *China's, Rise to Global Economic Superpower*, HUFF. POST http://www.huffingtonpost.com/nake-m-kamrany/chinas-rise-to-global-eco_b_6544924.html (last visited Apr. 25, 2017).

²⁰⁹ Xie Tao, *Assessing the China Challenge for Trump's Presidency*, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE (Jan. 18, 2017), <http://carnegieendowment.org/2017/01/18/assessing-china-challenge-for-trump-s-presidency-pub-67690>.

²¹⁰ Jonathan Kaiman, *China's toxic Air Pollution*, THE GUARDIAN (Feb. 25, 2014), <https://www.theguardian.com/world/2014/feb/25/china-toxic-air-pollution-nuclear-winter-scientists>.

²¹¹ *Why China's Youth Find Western Culture Attractive*, PBS (Feb. 12, 2013) http://www.pbs.org/newshour/bb/world-jan-june12-china_02-13/.

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thus distrust and usually suppress. China faces related governance problems.²¹² For example: How much freedom of expression for religion is permitted in an atheist government where Party membership and religious affiliation are incompatible?²¹³ How to manage party political local elections?²¹⁴ Could a federal China better govern regions like Tibet, Hong Kong, Taiwan? Most importantly, the Chinese government faces the immense task of creating a rule of law state and rooting-out corruption.²¹⁵ The single party “people’s dictatorship”²¹⁶ cannot maintain effective power without a rule of law state which is free of corruption. These stresses constrain and compel Chinese foreign policy, but will not disappear even if China’s adventuresome foreign policies prevail.

So, China faces serious domestic challenges. Perhaps surprisingly, those very challenges in part explain China’s adventurous foreign policy. The Chinese regime seeks to maximize its foreign policy influence to unite and impress its own people and distract²¹⁷ them from domestic problems.²¹⁸ Chinese foreign policy initiatives include the creation of a parallel banking system with, shall we say, “lax” compliance requirements in comparison to those now typical in western banks.²¹⁹ The Asian Infrastructure and Investment Bank in the best case will take money laundering business away from HSBC and in the worst case, which is likely, will end up being a bank for dictatorships.²²⁰

Meanwhile, China makes exorbitant claims to land and waters in the East China and South China Seas. China has claimed shoals and islands, reclaiming land from the adjoining sea to expand said shoals and islands to build military

²¹² Eric Fish, *Why's Beijing So Worried About Western Values Infecting China's Youth?*, CHINA FILE (Feb. 4, 2017), <https://www.chinafile.com/features/whys-beijing-so-worried-about-western-values-infecting-chinas-youth>.

²¹³ Eleanor Albert, *Religion in China*, COUNCIL ON FOREIGN RELATIONS (June 10, 2015), <http://www.cfr.org/china/religion-china/p16272>.

²¹⁴ *Vote As I Say: Independent Candidates For Elections Appear To Be a Spontaneous Step Too Far For The Communist Party*, THE ECONOMIST (Jun. 16, 2011), <http://www.economist.com/node/18836744>.

²¹⁵ Macabe Kelher & Hsinchao Wu, *How To Discipline 90 Million People: Can China's President Reform The World's Largest One-Party State By Reforming Its Officials?*, THE ATLANTIC (Apr. 7 2015), <https://www.theatlantic.com/international/archive/2015/04/xi-jinping-china-corruption-political-culture/389787/>.

²¹⁶ XIANFA art. 10, §5 (1982) (China) (“The People’s Republic of China is a socialist state under the people’s democratic dictatorship led by the working class and based on the alliance of workers and peasants.”).

²¹⁷ Zheng Wang, *How Foreign Analysis of China's Military Parade Missed the Point*, THE DIPLOMAT (Sept. 10, 2015), <http://thediplomat.com/2015/09/how-foreign-analysis-of-chinas-military-parade-missed-the-point/> (“Many reports about the September 3 military parade claim that Beijing wanted to use the parade to distract people’s attention from the stock market and China’s economic problems.”).

²¹⁸ Ted Galen Carpenter, *Could China's Economic Troubles Spark a War?*, NAT’L INTEREST (Sept. 6, 2015), <http://nationalinterest.org/feature/could-chinas-economic-troubles-spark-war-13784>.

²¹⁹ See, e.g., Fan Yu, *Follow the Money: Chinese Banks On Course For Global Expansion*, EPOCH TIMES (Oct. 9, 2016), <http://www.theepochtimes.com/n3/2169046-follow-the-money-chinese-banks-on-course-for-global-expansion/>. (“The U.S. Federal Reserve last month ordered the New York branch of the Agricultural Bank of China to improve its anti-money-laundering (AML) infrastructure after examiners found ‘significant deficiencies’ in its AML controls.”).

²²⁰ David McLaughlin & Greg Farrell, *HSBC Money-Laundering Controls Aren't Sufficient*, U.S. SAYS, BLOOMBERG (Apr. 1, 2016), <https://www.bloomberg.com/news/articles/2016-04-01/hsbc-hasn-t-adhered-to-terms-of-u-s-prosecution-agreement-imhzd5m5q>.

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bases. States are in fact free to reclaim land from the sea, accreting thereby their sovereign territory, including by construction of artificial islands.²²¹ However, though occupied by China and thus de facto Chinese, the de jure sovereignty over at least some those islands and shoals is disputed.²²² More troubling, China also claims extensive exclusive fishing and mineral rights over the adjoining waters and seabed.²²³ Those claims to exclusive economic rights are clearly contrary to international law.²²⁴

The Chinese policies of “merritorial”²²⁵ expansion are examples of rational power maximization. China undertakes expansionism in part to deflect domestic challenges mentioned earlier: China’s government seeks to unite the Chinese people around foreign fears and distract the Chinese people from domestic problems through its adventurist foreign policy in order to obtain populist legitimacy. Hopefully, China’s policies will prove less extreme and end better than when Galtieri tried a similar insular foreign policy over the Falklands to distract domestic discontent in Argentina.²²⁶ How else may China manifest its foreign policy ambitions? China might try to split the U.S., Taiwan, Korea, Japan, Philippines, and Vietnam from each other. However, that policy, if attempted, would likely only drive those States into closer relations with the United States. China might even try to defeat some or all of these countries in regional wars, proceeding from the weakest to the strongest just like Russia did against Moldova, then Georgia, and most recently Ukraine.

China may also try to lure the U.S. into expensive over-commitment. Although the U.S. should help China’s neighbors defend themselves, for example, by arming and upgrading the submarine forces of these countries, the U.S. should also do so frugally. However, Chinese claims to territorial waters and exclusive economic zones in areas where such rights clearly do not accrue under current

²²¹ United Nations Convention on the Law of the Sea, art. 56(1)(b)(i), Dec. 10, 1982, 1833 U.N.T.S. 397; *See also* art. 60(1)(a).

²²² Richard Javad Heydarian, *A Dangerous Showdown in the South China Sea*, NAT’L INTEREST (June 28, 2014), <http://nationalinterest.org/feature/dangerous-showdown-the-south-china-sea-10775>.

²²³ Daniel Livingstone, *The Spratly Islands: A Regional Perspective*, 1 J. OF THE WASHINGTON INST. OF CHINA STUDIES, 149, 149 (Fall 2006).

²²⁴ *See generally* Ronald O’Rourke, CONG. RESEARCH SERV., R42784, MARITIME TERRITORIAL AND EXCLUSIVE ECONOMIC ZONE (EEZ) DISPUTES INVOLVING CHINA: ISSUES FOR CONGRESS (2015); *See also* United Nations Convention on the Law of the Sea, art. 60(8), Dec. 10, 1982, 1833 U.N.T.S. 397 (“Artificial islands, installations and structures do not possess the status of islands. They have no territorial sea of their own, and their presence does not affect the delimitation of the territorial sea, the exclusive economic zone or the continental shelf. Natural reefs in contrast may be used as a measure of the territorial sea”); *See also* United Nations Convention on the Law of the Sea, art. 6, Dec. 10, 1982, 1833 U.N.T.S. 397 (“Reefs in the case of islands situated on atolls or of islands having fringing reefs, the baseline for measuring the breadth of the territorial sea is the seaward low-water line of the reef, as shown by the appropriate symbol on charts officially recognized by the coastal State.”).

²²⁵ This is a neologism the author coined. Mare is of course Latin for the sea. China seeks not only to claim and reclaim islands, rocks, and shoals, but also (and illegally) to claim subjacent mineral and fishing rights in the adjoining seas.

²²⁶ Edward Schumacher, *Galtieri Bars Peace If Britain Restores Its ‘Colonial Rule’*, N.Y. TIMES (June 16, 1982), <http://www.nytimes.com/1982/06/16/world/galtieri-bars-peace-if-britain-restores-its-colonial-rule.html>.

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international law must be opposed. Those territorial claims which are dubious²²⁷ must also be contested. The reason even friends of China must contest these claims is because under international law if one country makes a legal claim, and that claim goes uncontested by other countries then after sufficient time the claim becomes legal as a matter of international customary law.²²⁸ Consequently, the United States and U.S. regional allies must consistently vigorously oppose Chinese over-reach and aggrandizement, even while acknowledging those Chinese claims which are in fact legitimate. The United States ought to support China's neighbors, not to oppose China but rather to help China avoid the path that Russia has taken. Given the risk of war or a series of wars between China and its neighbors, it is very important to the United States to make a clear example of what happens to countries such as Russia which decide to wage wars of conquest and to signal that the consequences of regional war would be bad, even disastrous, for China. Clear deterrent signaling is crucial. Russia is an example for China and should be made an example of for that reason. That too is basic deterrence. Although China challenges the rules-based world order, it does so in part as a reaction to its own internal problems, problems which frankly threaten any single party ruling class due to a lack of domestic rule of law. Aristotle already warned that dictatorships are unstable because of the concentration of power in the hands of the tyrant, consequent lawlessness, and the inevitable instability upon the succession of the tyrant.²²⁹ That explains why liberalization is in the Chinese government's self-interest. The Chinese government thus faces constraints and if rational a balanced policy of "carrots" and "sticks" — trade and development if China acts responsibly, alliances arms and sanctions if China acts foolishly — should be effective at persuading China to pursue its self-interest rationally by building the rule of law in its domestic and foreign legal relations as opposed to undertaking foolish risky international adventures. The facts of environmental, demographic, and economic challenges explain why the networked interdependent global liberal core can help China grow into that core rather than further out into the poor periphery which the Russian state is currently riding headlong into — if the Chinese government so chooses. Russia is the negative example for China, the harbinger of the fate of corrupt lawless authoritarian regimes.

China both faces and poses challenges, challenges that can be resolved. However, resolving the challenges of China may not be easy. If — and only if — one

²²⁷ See *How Uninhabited islands soured China-Japan ties*, BBC (Nov. 10, 2014), <http://www.bbc.com/news/world-asia-pacific-11341139> (China's claim to the uninhabited Senkaku islands is one example of a dubious Chinese claim; those islands were discovered by China, but ceded to Japan by treaty over a hundred years ago. While mere discovery does give de jure executive title, this title was ceded and was never perfected by the fact of Chinese settlement into vested sovereign territory).

²²⁸ *Customary International Law*, WEX LEGAL DICTIONARY, https://www.law.cornell.edu/wex/customary_international_law (last visited Feb. 16, 2017).

²²⁹ Aristotle, *supra* note 110 ("Tyranny has all the vices both of democracy and oligarchy"; "There are two chief motives which induce men to attack tyrannies- hatred and contempt. Hatred of tyrants is inevitable, and contempt is also a frequent cause of their destruction.").

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proceeds from correct assumptions can we avoid “Thucydides Trap.”²³⁰ Professor Graham Allison, at Harvard University, noted the tendency of status quo hegemony to fail to adequately contain or foster rising powers, noting that rising powers tend to go to war with the dominant hegemon. Allison regards this as a real risk and the greatest challenge to U.S. foreign policy in this century. Given the risks we face, we must better understand the neoconservative errors of the first decade of this century in order to avoid further errors and meet current challenges.

Failure to understand the nature and limits of war and the incapacity to conceive of a rapid solution to an isolated problem explains how the United States crippled its own foreign policy sufficiently that authoritarian kleptocracies,²³¹ most notably Russia, literally bankrupted in a cold war, now try to flout international law. However, the kleptocrats and authoritarians, like the maniacal Mohammedans, are incapable of forming a successful alternative ideology to global liberalism. Corruption fosters poverty making kleptocracy a poor contender for global or even regional dominance. Corruption and poverty, rather than “realistic” or “purifying” expressions of “national will” or “the spirit of the times” are in fact repulsive failures as governance tools. Such structures draw even fewer allies than cynicism, unilateralism, or one-dimensional militarism. Does anyone really expect technologically-backward impoverished nations to dominate the planet? Why? How? Placing one's faith in the uneducated, impoverished, desperate, deluded, and deceived global proletariat led by a conspiratorial, dictatorial, vanguard party of intellectuals is only slightly less unrealistic than placing one's faith in the hands of those who wish to return to medieval slavery, as history has shown.

VI. Conclusion

The United States champions a universal liberal ideology. The United States is also a global “refugee center”, a multicultural melting pot, literally populated by people from the entire planet. These are two pillars of American power that President Trump can and should stand on. Due to America's universal ideology and population base it can successfully appeal to liberal elements within authoritarian and developing countries throughout the world to attract allies and transform corrupt impoverished authoritarian regimes into productive participants in a new world order based on the rule of law, not men.

U.S. global hegemony is not merely based on military power or economic productivity. U.S. hegemony is also culturally attractive throughout the world, and not merely because of Hollywood or propaganda. However, to turn global support into aid and to export the ideas of democratic self-government under the

²³⁰ Allison Graham, *The Thucydides Trap: Are the U.S. and China Headed for War?*, THE ATLANTIC (Sept. 24, 2015), <http://www.theatlantic.com/international/archive/2015/09/united-states-china-war-thucydides-trap/406756/>.

²³¹ See KAREN DAWISHA, PUTIN'S KLEPTOCRACY: WHO OWNS RUSSIA? 313 (2015), <https://books.google.com/books?isbn=1476795207> (defining kleptocracy as a particular form of authoritarian or autocratic regime in which the governing class systematically strips wealth from the nation and appropriates it to itself. North Korea and Russia are two of the more obvious examples of kleptocracies).

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rule of law the United States requires a much more optimistic and disciplined vision of the world than the dismally depressing and utterly unrealistic neoconservative nonsense that crippled U.S. foreign policy for at least the first decade of this century. President Trump's economic nationalism can and should broaden its horizons and ambition to make America the undisputed global leader again by standing on these pillars of American power.

Additionally, President Trump rightly recognizes that to "make America great again" the United States must choose its battles wisely and fight only battles it will win. Rather than seeking to impose "a new American century"²³² on the basis of lawless cynical unilateral violence, we must call for partnerships among nations based on mutual respect, tolerance, and the rule of law to lift the developing world out of lawless corruption, poverty, and self-destructive belligerency into the developed world, enjoying the free movement of goods, persons, capital, and ideas. Populists must be criticized when intolerant or unilateral and encouraged to adapt their thinking toward liberal internationalism as that is the most effective base for trade in a tightly networked interdependent world.

²³² See generally Felicity Arbuthnot, THE NEOCONS' PROJECT FOR THE NEW AMERICAN CENTURY, GLOBALRESEARCH (Sept. 20,2012) <http://www.globalresearch.ca/the-neocons-project-for-the-new-american-century-american-world-leadership-syria-next-to-pay-the-price/5305447>.