WHILE THE U.S. SLEEPS

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Squandered Opportunities and Looming Threats to Societies.

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Winston Langley

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To Eunny whose life has been dedicated to
protecting children from this sleep.

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Acknowledgements

Without belittling the courage with which
men have died, we should not forget those acts
of courage with which men have lived.
— J. F. Kennedy, *Profiles in Courage*

This book came from a deep concern about my adopted country, the United States of America, especially its seeming blindness to its own weaknesses, including claims about and beliefs in itself that have served as opiates to society in the face of evidence contradicting those claims and beliefs and the development of social ills that now threaten its very existence. Because, especially after World War II, the United States became and, to an extent, remains the leading nation-state in international affairs, threats to its existence also bear with them fundamental threats to the world.

There are values that the United States espouses that are important to the world and the future of humankind. Given those values, along with many that other countries likewise (separately or collectively) offer to the world, should they become the defining grounds for interpersonal, inter-societal, international, and global societies, the promise that tomorrow could hold for everyone would be quite bright. There is no such brightness, however, and storm clouds are being formed domestically and globally. Those storm clouds are the offspring of many years, sometimes centuries, of accumulated bypassing, as if we were in a sleep. The clouds can be removed if we wake up and heed the call to a number of required individual and social acts of courage.

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Introduction

As the 2018 congressional midterm elections neared in the United States, the news media posed a question: "What kind of candidate can defeat President Trump?"[1] It is a question that elites, the country at large, and observers worldwide continue to ask as the 2020 election approaches. In part, those asking it seek to identify candidates to whom they might offer help in removing a president whose fitness for office they doubt—mobilizing voters, shaping policy positions, overcoming mistaken assumptions about the 2016 electorate, inveighing against (or championing) the wing of the Democratic Party from which a candidate may emerge, or pointing to the person whom President Trump might least wish to face as he campaigns for reelection. Some or all of these factors as well as others may be involved.

However, the question is grounded on a superficial understanding of leadership, the issues confronting the United States, and the extent to which any individual head of the nation can address those issues effectively. My own research and reflection suggest that replacing President Trump will do little to tackle the major problems that the United States faces; nor will solutions be found in any leader or political party.

For well over a century, both political parties and a long succession of U.S. leaders have failed to embrace countless opportunities across a variety of areas to make a major contribution to either national society or the world at large. Those failures haunt U.S. society and the world today. *While the U.S. Sleeps* looks at six of these areas. In each, the failure to grasp opportunities constitutes a form of sleep, even a lack of basic understanding of the profound implications of rejecting or circumventing those opportunities.

Consider, for example, the area of arms limitation and disarmament. Occasions to pursue these goals came with the Hague Conferences of 1899 and 1907 and continued with the Kellogg–Briand Pact of 1928, certain terms of the League of Nations Charter, U.S. responses to the 1986 Reagan–Gorbachev disarmament

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initiative in Reykjavik, Iceland, and the 2017 Treaty on the Prohibition of Nuclear Weapons.

The United States also failed to seize opportunities for domestic and international progress with regard to economic development. This becomes clear when viewing all three general models of development pursued by the United States through a lens of fairness in the distribution of economic returns. For over 140 years, the United States pursued a mercantilist model of development, using it, especially after World War I, to ensure the nation's international ascendency, even while surviving the Great Depression and other challenges to development. The next model was liberalism as it came to dominance after World War II. Late in the war, forty-four nations created the Bretton Woods System, a new way to control the value of national currencies and hence the international economy. The United States' Marshall Plan bypassed that system, and later, it collapsed in the 1970s. Perhaps most importantly, the United States rejected the Global South's proposal for a new international economic order (NIEO) and pursued in its stead liberalism's offspring, neoliberalism, which is the third model of economic development.

A further broad area of lost opportunities comes with the deliberate manipulation of economic, social, and cultural emphases, along with the U.S. denial, domestically and abroad, of social rights, and instead, it pursued actions that preserved racial cleavage. Lost were opportunities to challenge racism during and after World War I (including during the New Deal), after World War II (especially surprising in light of the war's racial atrocities), at the beginning of the modern human rights movement, during the 1960s civil rights movement, or in conjunction with the 1976 adoption of the United Nations (UN)–sponsored International Covenant on Economic, Social, and Cultural Rights (ICESCR), the 1976 International Covenant on Civil and Political Rights (ICCPR), and the Carter administration's 1979 decision to make human rights a cornerstone of U.S. foreign policy. Across these instances, far from dealing with our society's deep racial issues, the United States sought to preserve immoral claims of racial superiority. It fought off efforts to adopt statements on racial equality and supported principles that spoke in terms of nondiscrimination rather than racial equality.

When the United States finally accepted the ICCPR in 1992, the adoption came with a fundamental limitation: the covenant could not add to rights already present under the U.S. Constitution. At the same time, the United States continued its long-standing de-emphasis of social class, substituting racial identities in its stead, with incentives for white ethnics to focus on their whiteness. U.S. political leaders have never even brought up the ICESCR for discussion. That covenant could have promoted a sense of community and helped confront the nation's ugly history of racial discrimination.

In the fourth area of lost opportunities, the history of racism couples

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with the use of education, more properly termed political culture and political socialization. Education in the United States has eroded early Puritan values that promoted the self-making, truth-seeking person, one committed to the social good; it has replaced that person with the consumer, a more or less passive individual, with ego-driven concerns for material things but little interest in the social good. The realms of information and communication as well as the advent of "captains of consciousness," the rise of the advertising industry, have joined in this socialization and, along with social media, now seek to produce and manage human experiences with the aid of artificial intelligence.

The fifth area centers on the national and international history of the environmental movement, the 1983 National Academy of Sciences report entitled *Changing Climate*, and Washington's responses to those developments. Particularly important are the 1992 United Nations Conference on the Environment and Development (UNCED or the Rio Summit) and other international conferences. In case after case, the United States sought to limit efforts to build an international legal and policy infrastructure on environmental matters. Before Rio, an emerging consensus had developed for the United States to lead worldwide efforts toward that goal. The United States' failure to accept leadership in 1992 and its subsequent behavior stand in contrast to the struggle of domestic subnational leaders, including state-level and nongovernmental individuals and organizations, to redress, at least in part, the poor record of the national government. Washington continued its pattern of missed opportunities with its responses to the 2015 Paris Agreement, reports from the UN's Intergovernmental Panel on Climate Change (particularly its 2018 report as well as a parallel report from the U.S. government itself), and the link of the UN's Millennium Development Goals with those of the environment.

The final area of lost opportunities centers the U.S. march to global leadership and the extent to which that leadership reflects national interests over global ones. Looking at the United States in terms of a "will to power" suggests that its claim to represent a larger humanity, dating from the time of George Washington, in fact, shields a tight focus on augmenting national power. A comparison with the United Kingdom and the latter's own idea of empire is informative in the context of today's many challenges to the collective future of humanity: ongoing demographic changes and transborder movements of peoples; the nature of the social compact that societies must embrace if they are to survive; the capacity of economic systems to accommodate that compact while generating promise for the complex political future that humanity appears to seek; the acceptance of humanity's place in the earth's ecology; the relationships among education, technology, and society; and our common security, including security conferred by the rule of law. Chapter 7, using a redefined concept of security, suggests a possible last chance for the United States.

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My approach throughout is primarily historical, with a focus on the linkage between domestic and international affairs. To explore those linkages, I have relied primarily on the positions and policies of decision makers, looking at presentations by presidents to Congress, for example, as well as court decisions, international treaties, political memoirs, and political theoreticians and thinkers (Alexander Hamilton and Reinhold Niebuhr, for example). The failure to recognize national–international linkages has often been a cause for a mistaken separation of U.S. behavior from its consequences. On issue after issue, the results of the United States' rejection of proposals for change and its failure to seize opportunities to improve national and international society have returned to haunt the nation and the world. There appears to be little understanding of this fact and, thus, little or no preparation to deal with any of the fundamental issues it raises, hence the title: *While the U.S. Sleeps.*

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Arms Limitation, Third-Party Dispute Settlement, and Security

The United States is both the world's dominant economy and its dominant military power, spending more on national security than all the major and second-tier military powers combined. However, dual supremacy has not resulted in security in either sphere. On the contrary, it has made the United States less secure in many ways, nationally and internationally, and within U.S. borders, militarism threatens the very democracy that armed might was to ensure.

This state of affairs was not inevitable; indeed, the United States has subverted a number of opportunities in the past century and earlier to bequeath to the present and future a different nation and, quite likely, a different international system and different paths for the world.

The Hague Conferences of 1899 and 1907

Named after the Dutch city where they took place, the Hague Conferences of 1899 and 1907 aimed at "limiting the progressive development of existing armaments" and serving as a means of "assuring to all the peoples [of the world] the blessings of real and lasting peace," in the words of Tsar Nicholas II, who called for the first gathering.[1] The Russian's actions caught political leaders off guard and even elicited anger from some. Many tried to ascertain his motives.

For the United States, the first of the two initiatives, May 7–July 29, 1899, could not have come at a worse time: just after the 1898 war with Spain. However, U.S. political leaders had no alternative but to attend the conference. Tsar Nicholas's call captured popular opinion against war, and his action reinforced a strong, vocal peace movement that had emerged in Russia, Europe, and the United States. At

the first conference, the leaders spent much of their time publicly lauding the tsar and suggesting a strong attachment to peace.

The United States, through Pres. William McKinley's nuanced voice, tried to indicate that the conference proposal to limit arms (which he termed an "exalted proposal") was really directed at the nations of Europe, although "it behooves us as a nation to lend countenance and aid to the beneficent project."[2] The president voiced the prevailing reasoning among U.S. foreign policy elites that "the active military force of the United States, as measured by our population, territorial area, and taxable wealth," was so "conspicuously less than that of European powers" during times of peace that the tsar's project could not conceivably have any practicable application.

The U.S. delegation, especially through the leading voice of Capt. Alfred T. Mahan, joined with that of the United Kingdom, which, as the dominant power, wanted little by way of arms limitation. Together, they shaped a consensus merely to study arms limitation further. According to Sir Julian Pauncefort, the British delegate to the conference, Mahan had already indicated to the British that the United States would, "on no account, even discuss the question of any limitation on naval armaments."[3] Mahan considered U.S. vital interests to follow primarily an East–West trajectory in international relations rather than a North–South frame. Further, he thought the United States would be "compelled, by fact if not explicit policy, to take a leading part in the struggle for Chinese markets," a course of action that would entail "considerable increase in her [U.S.] naval forces in the Pacific."[4]

On behalf of the United States, Mahan voted no on whether governments should prohibit the use of projectiles, the principal purpose of which was, Tate wrote, the "diffusion of asphyxiating gasses."[5] With that vote, Mahan weakened the conference's core objective: limiting arms. Because projectiles could have a decisive effect during war, Mahan believed that denying a country the right to use them was the equivalent of denying the advantage of such weapons, a line of reasoning that continued with the advent of U.S. military preeminence.

On the matter of devising a means of ensuring peace for all, the conference focused on arbitration as a peaceful, third-party way to settle disputes. A third-party mode of settlement would help end the morally and legally corrosive practice of having states serve as judges of their own causes and actions, and it would build a greater sense of fairness into international relations. The conference did agree on creating an arbitration court, now called the Permanent Court of Arbitration, but only after overriding strong German and British opposition. Both claimed that war entailed fixed schedules, so arbitration might only buy time for powerful rivals to overcome any advantages that those schedules might confer.

The disappointment of peace activists and others over the limited achievements in disarmament was, in part, balanced by gains in the sphere of arbitration.

Governmental and nongovernmental peace groups deepened their engagement in the debates as well as in peace congresses (1904, 1905, 1906) and peace societies in France, the United Kingdom, Italy, Germany, Scotland, and the United States, among other countries.

The activists began to demand that governments publicly commit to arbitration and sometimes compulsory arbitration, a principle that gained ground between the first and second Hague Conferences. Denmark, for example, entered into arbitration treaties with Holland (1904) and Italy (1906); Norway entered into a treaty with its then rival Sweden (1905), and those two countries also demilitarized their frontiers. These developments prompted UK prime minister Sir Henry Campbell-Bannerman to declare in 1905 not only that he had cause to "rejoice that the principle of arbitration had made great strides" but also that his nation had conquered a most important psychological barrier: "It is no longer counted a weakness for any of the Great Powers to submit to a higher tribunal."[6]

Amid these speeches and decisions, however, other international developments provided cause for concern and even dismay. For example, the United Kingdom refused to submit its differences with South Africa to arbitration, and the nations went to war (Boer War, 1899–1902). Also, the wanton destruction of people, institutions, and property, with foreign powers playing a major role, followed the Boxer Uprising in China (1899–1901). Panama, with U.S. help, forcefully separated from Columbia in 1903 to facilitate the building of the Panama Canal. Even more dangerous in terms of international peace and security were the Russian–Japanese War (1904–1905) and the Moroccan Crises in 1905 and 1906, which threatened to ignite an all-European war. Augmenting the fear and tensions associated with these events was an escalating arms race as Italy, France, and Germany steeply increased their military spending and the United Kingdom doubled the spending of all three nations put together.[7]

Rising arms spending, increasingly lethal weapons, and the outbreak or threat of wars made the cause of worldwide, third-party dispute settlement all the more compelling and urgent. It is one thing to have bilateral agreements for resolving differences between two states; it is quite another to have a universal commitment to settling disputes.

In the United States, the Lake Mohonk Conference on International Arbitration was among the peace groups and societies pushing to strengthen international arbitration by making it compulsory, unlike the voluntary kind agreed to in 1899. Consisting of a number of wealthy people, mostly philanthropists, who had privileged access to presidents, Congress, and other leading organs and members of government, the Mohonk Conference brought considerable pressure to bear on Pres. Theodore Roosevelt, and he indicated that he was favorably disposed to arbitration on a number of occasions during this period.[8] The president also made promises in 1904 to both the Universal Peace Congress and the Inter-Parliamentary

Union (which counted members of Congress among its members) that he would call for another international gathering to deal with arms reduction and arbitration.

With some degree of public concern about the U.S. Navy's expansion following the war with Spain, President Roosevelt, on December 6, 1904, informed Congress that he had asked other countries to join in a second Hague conference. "It is hoped that the work already begun at the Hague may be carried some steps further toward completion," he declared.[9] Those steps would entail both arms limitation and the compulsory third-party settlement of disputes.

In the same speech, President Roosevelt noted that the "maxim of law that for every wrong, there was a remedy" was not yet applicable to international law and would not be without a "judicial way of enforcing a right in international law."[10] He went further: until some method was devised of "international control over offending nations," it would be "a wicked thing for most civilized powers to disarm." Doing so would mean the immediate "recrudescence of barbarism of one form or the other."[11] Compulsory arbitration would not satisfy all the requirements, but it would be a major step on the way.

The idea that Roosevelt would call a second Hague conference became even more promising in 1905 after he mediated the end of the Russo-Japanese War. That achievement brought him and the United States considerable world recognition and prestige, including the 1906 Nobel Peace Prize for the president. He played a similar role in the 1905 Moroccan Crisis involving France, Germany, and the United Kingdom, raising his international standing even further. Indeed, Carl Schurz, a reformer and Republican Party leader, congratulated the president on his successful mediation between Japan and Russia and asked him to use his influence, in the service of humankind, to promote the "gradual diminution of the oppressive burdens imposed upon nations by the armed peace."[12]

On September 13, 2005, Roosevelt received a memorandum from Russia indicating that the time was favorable, given the conclusion of the Russo-Japanese War, to extend the work of the 1899 Hague Conference. However, the president, then singularly able to exercise a persuasive influence on other countries at such a conference and who had promised to call one, yielded the initiative to Tsar Nicholas. That decision proved to be most unfortunate. First, it discouraged and weakened the influence of peace groups, especially the Inter-Parliamentary Union, which had obtained the president's promise to lead a second Hague conference. Second, it allowed an internationally diminished Nicholas II, reeling from defeat by Japan and then politically and morally enfeebled by domestic uprisings seeking to overthrow the monarchy, to lead where and when he was least able to. For example, the tsar, who had become politically dependent on the Russian military after a 1905 uprising at home, could not seriously push for arms limitation, the major failure from the 1899 Hague Conference. The military, after the Russo-Japanese War had exposed its weakness, could hardly be expected to press the

case for arms reduction. Just as important, the Russian economy depended deeply on European finance, especially from France but increasingly the United Kingdom as well. London, the main opponent to any change in the distribution of power, staunchly supported the status quo. France, observing Germany's growth in armaments, especially in defeating France in the Franco-Prussian War of 1870, resisted any limitation of its arms as long as Germany continued increasing its military power. Berlin, for its part, was not about to freeze a status quo favorable to the United Kingdom. The latter, which had remained neutral during the Russo-Japanese War, had begun courting Russia (at France's prompting) in pursuit of an alliance against Germany, leading to the Triple Entente in August 1907.

In this broad context, before the second Hague Conference convened on June 18, 1907, the major powers struck understandings to say little about arms limitation. Instead, they would focus on improving the Permanent Court of Arbitration. Efforts to secure compulsory arbitration of differences between and among states failed.[13] The nations did agree to some limitation on floating mines, the bombardment of undefended towns, and the dropping of explosives from the air. Also, they secured a prohibition against using poison gases, but the conference left nations to continue the arms race.

The failure of the 1907 Hague Conference was vexing, both morally and spiritually, for a number of reasons. The first conference had set in motion profound expectations. Never before had nations gathered to discuss peace for all human beings.[14] The gathering represented a qualitative change in the very nature of international relations, and when both President Roosevelt and Tsar Nicholas spoke of furthering its work, it was in the spirit of this change. Although the 1899 conference did not limit arms or military budgets, it stirred a movement and set the stage for deeper and wider deliberations by peoples and governments.

To limit the disappointments after the 1907 conference, the delegates envisioned a third conference for 1914. President Roosevelt, the self-acknowledged believer in and advocate for the "most civilized powers," claimed that they would accept limits to their armaments and military budgets if there were greater "international cohesion and sense of international duties." In fact, Roosevelt had the opportunity to take the lead in effecting that greater cohesion. Not only did he have strong domestic support for such a venture, but also, he could point to the U.S.–Canada demarcation as the world's longest demilitarized international border as an example. Moreover, he retained considerable trust among governments, especially after his mediatory interventions in the Moroccan Crisis and the Russo-Japanese War.

Roosevelt's failure to accept the opportunity coincided with the expiration of the time for another conference as World War I began. Merze Tate writes, "[T] he most highly civilized nations of the world possessed of the most powerful and

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deadly means of destruction devised to that time . . . engaged in one of the most ghastly annihilations in history."[15]

Why did President Roosevelt refuse to lead the second conference? His offered reason to Secretary of State Elihu Root was that he did "not want to appear as a professional peace advocate."[16] While this partly captures his position, it masks a larger complex of factors that induced him to sacrifice an opportunity for peace in preference for his search for great power status for the United States: the idea of "frontier"; the matter of U.S. identity; the emulation of great powers, especially the United Kingdom; and the notion of U.S. exceptionalism.

For Roosevelt, the expansion from the Atlantic Ocean across the American West had changed and shaped the U.S. character and culture into one of courage, adventure, conquest, and faith in progress. With the apparent closing of this frontier, what would happen to the most distinctive qualities of the "American spirit"? Complementing this territorial outlook was an inherited geopolitical frontier defined by President Washington (and buttressed by President Monroe), urging a focus on the Americas while avoiding entangling political intercourse with European powers. Roosevelt as well as many of his influential supporters sought new frontiers to ensure the continuing development of the American character and "manhood."[17]

In the matter of identity, racial and other, concern was rising about the perceived waning of the nation's Anglo-Saxon heritage, defined by intelligence, courage, valor, self-sacrifice, high-mindedness, and broad heroic achievements, including conquest in warfare. Sentiments of the kind, about a "softening" of the republic, are found in Roosevelt's fourth annual message to Congress: "Many times, peoples who are slothful or timid or shortsighted, who have been enervated by ease and luxury . . . have shrunk in unmanly fashion from doing duty that was stern and needed self-sacrifice"; these persons have instead "sought to hide from their own minds their shortcomings, their ignoble motives, by their love of peace."[18] In short, Roosevelt did not want to reinforce sentiments for peace, especially when pushing for a new frontier, including the frontier that came with the Anglo-Saxon virtues displayed by Admiral Dewey in defeating Spain in the Philippines.[19]

Emulation and exceptionalism offer complementary reasons for Roosevelt's reluctance to lead the second Hague Conference. The president admired and sought to emulate the United Kingdom, a fellow Anglo-Saxon country, especially in the area of naval supremacy and its expansive links to the rest of the world. He also admired the Dutch and their place in what is today Indonesia, the French in Algeria, the Russians in Turkistan, and the Japanese in Taiwan. In his view, these nations were doing the "world's work," and the United States should share in that endeavor beyond the Caribbean and the Atlantic into the Pacific. Above all, he sought, especially by enlarging the U.S. Navy, to expand U.S. influence

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throughout the world or, phrased differently, assume "her rightful place" among the great powers.[20]

In pursuing this aim, Roosevelt expressed not only his own views but also those of a broadening political and psychological terrain among political elites, including the following: members of the Senate, where Henry Cabot Lodge's views on the U.S. role in the world were at least as expansive as Roosevelt's; the House of Representatives, where Speaker Thomas Read had lost broad support because he opposed increased military spending, especially for the navy; and secretaries of state and military thinkers who imbibed the scholarly work of Captain Mahan, including his influential book *The Influence of Sea Power upon History, 1660–1783*.[21] In fact, a few months after the second Hague Conference ended, the United States sent the Great White Fleet—fourteen thousand sailors, eighteen battleships, and their supporting cast—around the world to emphasize U.S. industrial and military power. How would a public leader of a conference for peace appear when so avidly pursuing military expansion?

Between 1898 and 1904, those expansive ideas extended to U.S. sponsorship of the building of the Panama Canal, taking control of Cuba, Puerto Rico, Guam, and the Philippines and annexing Hawaii—but no official use of the term *imperialism* or even *expansionism* ever characterized U.S. foreign policy. Those terms were reserved for Europe. Henry Cabot Lodge simply referred to "the large policy" to distinguish Europeans' actions from those of the United States. Roosevelt and others saw the United States as better and more decent than other nations. Never part of the unending dynastic struggle of Europe, the United States instead opened its borders to and developed from refugees, people fleeing persecution and corruption.[22] This nation was exceptional; it had a special mission.

The Interwar Years: Arms Limitation and Criminalization of War

During the Hague Conferences' clamors for limiting arms, the United States contended that it could not follow the actions recommended by some countries, nongovernmental groups, and popular sentiments unless an organization or internationally recognized institution could enforce decisions resulting from international deliberations and agreements. Such a third-party enforcer emerged in the period between World War I and World War II, but the United States, bent on global supremacy as the United Kingdom's dominance waned, found other reasons for resisting, until it was too late, the type of arms control needed and sought.

The first significant development in the domain of international organization was the League of Nations. Articles 10 and 16 of the league's covenant, which went into effect in 1920, provided for collective action—in the form of financial,

economic, and military sanctions—to repel attacks by any nation that might impair the political independence and territorial integrity of member states. However, the United States did not join the league, which President Coolidge called a "foreign agency" that would limit Washington's freedom and independence.[23] This reaction to the league, despite its creation to help ensure international peace in part by enforcing international law and policy, came even after other nations had made unprecedented concessions to the United States. The wording of Article 21 provided for international recognition of U.S. domination of the Americas and the Caribbean: "Nothing in the Covenant shall be deemed to affect the validity of international engagements . . . or regional understandings like the Monroe Doctrine, for securing the maintenance of peace."

For years, the United States had used the Monroe Doctrine to justify high levels of military spending, but this did not affect a line of reasoning that Senator Borah of Idaho advanced against joining the League of Nations. He argued that one "cannot yoke a government whose fundamental maxim is that of liberty to a government whose first law is that of force and hope to preserve the former," and he inveighed against committing the United States "to a scheme of world control based on force."[24] In other words, the United States could not accept arms limitations without institutions for international enforcement of law and policy, yet given such an institution, even a relatively weak one that could not succeed without U.S. participation, it was described as a form of "world control," contrary to liberty.

The United States did join the league's Permanent Court of International Justice—sort of. The court, which came into being under the league's covenant in 1920, had an optional clause. It bound a state accepting that clause to compulsory arbitration of international disputes. The United States became a signatory to the optional clause, but it never became a member of the court despite the immense prestige its membership would have conferred on the court, multiple assertions since 1899 about Washington's commitment to a law-governed world, and many promises to join.

The United States had come out of World War I as a creditor nation for the first time in its history, and its industrial capacity and balance of payments surpassed those of the entire British empire. This newly won status made the United States the world's banker, and every country would have to seek its favor.[25] Washington was not prepared to subordinate this position to any international organization regardless of what even the most limited subordination could mean for the world.

Two other developments in the interwar years are of concern here: continuing efforts at arms control or limitation and a revolutionary step that made war a crime. At the end of World War I, people throughout the world and many national leaders resolved that changes should be effected in the suicidal armament policies defining the decades preceding 1914. As a result, the postwar settlements incorporated

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policies to avert or limit future arms races. To give a concrete expression to these policies, the settlements provided disarming the defeated powers, especially Germany and its allies, and simultaneously taking the unprecedented step of obligating the victors to voluntarily reduce their own armaments.[26]

Germany, which joined the League of Nations in 1926, was honoring the terms of the Treaty of Versailles, which required it to reduce its arms to a level consistent with self-defense. Reminiscent of today's nonproliferation treaties, Germany understood (and repeatedly asserted) that it and its former allies should not be expected to observe the "self-defense only" condition indefinitely in the absence of good faith actions on the part of other major powers, especially the United States and the other victors. Indeed, Germany began to insist, with justification widely recognized by other nations, that all league members should make their promised contributions to international security.[27]

Pres. Franklin Delano Roosevelt seemed to agree at first, apparently bypassing a series of excuses the United States had given in the 1920s for not giving greater support to disarmament. On May 10, 1933, he informed Congress that he thought offensive weapons, which had the capacity to overwhelm defenses—aside from causing unacceptable, recurring budget challenges—were a source of people's and nations' fear. Therefore, he would share with other nations a plan to reduce weapons, with the understanding of the "simple fact that invasion of any nation or the destruction of national sovereignty can be prevented only by the complete elimination of the [offensive] weapons that make such a course possible."[28] He further contended, without acknowledging the need for an organization to help provide security for all, that "[t]he way to disarm is to disarm. The way to prevent invasion is to make it impossible" by getting rid of offensive weapons.[29]

Roosevelt's proposal was prompted by the rise of Hitler in Germany. Unfortunately, he put forth no specific plan for enforcing any disarmament agreement. France, for example, which would be among the most vulnerable countries were Germany to rearm, objected on the grounds that the approach to disarmament required a different sequence. Before disarmament must come a mechanism to ensure the enforcement of agreements. However, before and during FDR's administration, the U.S. position opposed granting the league any powers of supervision or control in matters of disarmament. With the world's most powerful country unsupportive of enforcement[30] and other leading nations uncertain and even fearful about their capacity to resist aggression, the league was crippled—as was seen when Japan invaded Manchuria in 1931 and then withdrew from the league the next year. Hitler apparently learned much from Japan's model. In October 1933, he withdrew from the league, blaming the other major states for refusing to act in good faith to disarm.

While disarmament failed for many reasons, the unfortunate lack of substantive U.S. support was the principal cause. That lack was particularly

painful because the 1928 Pact of Paris took the first steps to inaugurate a new order in matters of war and peace.[31] In contrast with the Hague Conferences, the League of Nations, and disarmament or arms limitation talks, the pact was not concerned with finding ways to make wars less brutal or more morally acceptable. Rather, it was concerned with nothing less than criminalizing and abolishing war. Article 1 specifically stipulates that states "condemn recourse to war for the solution of international controversies and renounce it as an instrument of policy in their relations with one another." Article 2 states that "the settlement of all disputes and conflicts of whatever nature or whatever origin they may be, which may arise among them, shall be sought by pacific means."[32]

It would have been far more effective for the United States to have insisted on complete disarmament with league enforcement based on the Pact of Paris rather than tinkering with the "old order" of arms limitation and arms reduction. After all, the United States was a joint author of this important international instrument, which appealed to the highest normative instincts in international relations and which had the shared support of the world at large, including Germany and Japan. Continuing the old-order approach confused rather than helped clarify the emerging new order that Washington had helped give birth to. Under the Pact of Paris, in fact, neutrality was illegal under the new order in contrast to the old regime that accepted war as legal.[33]

The United States, which had historically benefited commercially from neutral stances, refused to take the position that wars were criminal pursuits that made neutrality impossible. Instead, when Japan had invaded Manchuria, the United States, seeking to protect the interests of U.S. citizens in China, merely issued a statement of non-recognition of Japanese activities.[34]

What if the United States had labeled Japan's acts in Manchuria (and later Italy's in Ethiopia) as criminal in nature? What if, as a result of criminal courses of conduct, Washington called on other states to cut off trade with Japan? Aside from the major powers, members of the league's general assembly were, as a group, outraged by the failure of the league's council to punish Japan and would have supported a U.S.-led initiative within or outside the league. This would have given pause to other countries contemplating aggression. One may even contend that the principle of a crime against peace, grounded on the Pact of Paris (and that later served as the basis for trials and convictions of German and Japanese military leaders after World War II), would have been better known to the world and have far greater influence today. The principle was partly weakened after World War II because it wore the appearance of something used by victors against the defeated instead of a widely, publicly, and popularly recognized legal and moral norm of international life.

Along with other international understandings, a recognition of crimes against peace might have contributed to the creation of a new, mutually beneficial

order among nations. Instead, that failure helps preserve a vague demarcation between the old and new orders, one in which the United States can use its military and economic ascendency to a perceived, indefinite advantage.

The 1986 Gorbachev–Reagan Initiative and the 2017 Nuclear Ban Treaty

Between World War II and 1986, competition to develop nuclear weapons proceeded incessantly, with little regard for voices of caution, dissent, and warning.[35] Weapons piled on weapons, delivery systems upon delivery systems, levels of destructiveness upon levels of destructiveness, and theory after theory of nuclear deterrence.[36] It was as if moral sensibilities had become nonexistent, as the nuclear utilization thinkers (NUTs), who believed that a nuclear war could be fought and won, inveighed against the mutual assured destruction thinkers (MADs), who felt that weapons would deter foes who understood how a nuclear war would end.

In 1985, the Soviet Union gained a new leader, Mikhail Gorbachev. Intellectually able and imaginative and, at the age of fifty-four, relatively young for a general secretary of the Communist Party, he was born in rather modest circumstances but rose to the highest levels of leadership—what Americans would call living the American dream. He had seen and experienced the excesses of Soviet authoritarianism, come to understand how poorly his country's economic system was performing, and seen that many billions of rubles went to supporting the military while his country's social and cultural ills increased. Perhaps most profound of all, he came to recognize the decline of the moral and psychological passion and historical truth the Soviet Union was to have embodied. He had become an unbeliever.

The West, led by the United States, believed that the Soviet Union continued to pose strong military and political threats even if it was becoming economically weak.[37] Washington sought to limit Soviet actions in the political and military domains and to allow social and economic deterioration to continue.[38] Mikhail Gorbachev would have none of what the United States envisioned. In 1985, he introduced two major programs. Glasnost (openness) had to do with making Soviet society's goings-on transparent through radio, television, publishing, schools, churches, public discussions, debate, and the transborder movement of peoples, among other things. Perestroika (restructuring) sought to dismantle the Stalinist state machinery and remove the Communist Party's stranglehold, replacing them with institutional structures, especially in the economy, that would transform an authoritarian state into a social democratic system, not unlike certain Western European societies.[39] Few people in either country had believed such changes were possible in the Soviet Union.

Gorbachev also sought to put in place a vision (albeit with few details) of reorganized relations among nations. Partly, this was to deal with what he saw as the Soviet Union's low levels of investment, lack of innovation, inefficiencies in production, and wasteful military spending. In this context, he made a dramatic proposal after largely prevailing against those in his own country who believed that Moscow should always be prepared to win a nuclear war because deterrence might not work. To effect his international vision, Gorbachev needed a partner and thought he saw one in the U.S. president.

Five years before Gorbachev took office, Ronald Reagan had won the election chiefly on a promise to restore America's military strength, and he then oversaw considerable increases in military spending that augmented U.S. self-confidence about its military prowess.[40] In 1983, President Reagan had presented the Strategic Defense Initiative (SDI, popularly known as Star Wars), seeking to create a space-based defense system to protect the United States from a strategic nuclear attack. By the time Gorbachev had become general secretary, SDI research was well underway, with billions of dollars being invested in it. While this might make him an odd partner to Gorbachev, Reagan's 1983 language about the SDI suggested otherwise. He was persuaded that "the human spirit must be capable of rising above dealing with other nations and human beings by threatening their existence."[41]

In fact, the threat of a nuclear exchange had generated severe anxiety in both countries, with the Soviet buildup of its strategic offensive weapons capabilities during the 1970s and early 1980s, the similar U.S. buildup during that period and into the Reagan administration, and tensions generated by wars in Afghanistan, the Middle East, Central America, and Southern Africa, among other areas—wars that either directly or indirectly implicated both Moscow and Washington. Further, for Gorbachev, the April 1986 nuclear reactor explosion at Chernobyl, releasing more than a hundred times the radiation of the atomic bombs dropped on Hiroshima and Nagasaki, reinforced his conviction of the need for bold steps to deal with nuclear weapons as part of his overall focus on transforming the Soviet Union.

At a summit meeting in Reykjavik, Iceland, on October 11–12, 1986, the Soviet general secretary proposed to the U.S. president that their nations eliminate *all* offensive strategic nuclear weapons within a decade.[42] Within the first five years, the two nations would eliminate 50 percent of the weapons, with the remainder eliminated over the next five years. Complementing this effort would be a collaboration between the two superpowers in the area of common security.

Gorbachev's initiative had one condition. Under the terms of the 1972 Anti-Ballistic Missile Treaty, the United States would forego "testing in space of all space components of the missile defense" and confine itself to "research and testing in laboratories."[43] Gorbachev's proposal astonished the U.S. delegation.

Defense Department officials rejected it, as did many on the National Security Council, although in a more nuanced way. However, the State Department, led by George Shultz, urged consideration. The president accepted Shultz's counsel, having decided to test the Soviet leader in responding to a pre-Reykjavik letter from Gorbachev.[44]

Gorbachev was willing to make almost every concession the United States asked for, including retreating on matters calculated to reassure his own allies, many of whom would be as anxious as U.S. leaders about the proposal. However, Gorbachev refused to drop his opposition to the SDI. For him, ending the SDI would be a test of U.S. good faith. If the two nations were eliminating offensive weapons, why would the United States require a space defense system, and how consistent would the SDI be with the very language used to justify research into its feasibility? Did not President Reagan give as a reason for SDI research "the ultimate goal of eliminating the threat posed by strategic nuclear missiles"? Eliminating these missiles—all of them—would eliminate their threat.

The path-breaking significance of Gorbachev's proposal was clear. Reagan, on finding Gorbachev immovable on the SDI, asked his team to reexamine matters. He especially sought to move the more conservative members of the U.S. delegation who, like Reagan himself, deeply mistrusted the Soviet Union.[45] They stood firm on the SDI, however, and Reagan said no to Gorbachev.

That refusal has had deep repercussions. The vicious arms buildup cycle has continued (despite some here-and-there rounds of arms reduction), with technology, including artificial intelligence, assuming ever greater roles in military and civilian thinking and escalating the lethality of weapons systems. For example, on July 7, 2017, 122 countries voted to approve the Treaty on the Prohibition of Nuclear Weapons, forbidding states to "use or threaten to use nuclear weapons or other nuclear explosive [devices]" and prohibiting states from developing, testing, or stockpiling nuclear weapons.[46] However, the United States, abdicating moral leadership, has been the treaty's leading opponent. Washington refuses to ratify or become a party to the treaty because it disregards the "reality" of the international security environment, which it says proves the necessity of nuclear weapons.[47]

Further, in March 2018, the Trump administration proposed creating a "U.S. Space Force" that would be separate from the U.S. Air Force.[48] This would violate the 1967 Outer Space Treaty, which forbids the use of space for military purposes. The open move into space underscores the failure of the United States to accept complicity in the Cold War and the military rivalry it had entailed. In the U.S. view, this nation had simply reacted to threats from others. In fact, as forcefully stated by the "father of containment," George Kennan, "[i]t was we who first produced and tested the device [atomic bomb]; we who were the first to raise its destructiveness to a new level with the hydrogen bomb; we who introduced the

multiple warheads; we who declared the principle of 'first use'; and we alone, so help us God, who have used the weapons in anger against others and against ten thousands of helpless non-combatants at that."[49] Will the United States now add to these steps backward, among others, and become the first to initiate an outer space force? This step began many years ago, although Washington now uses China and Russia as the rationale as they emulate and try to catch up with the United States.[50]

The United States rejected the idea of common security, proposed by Gorbachev, along with its associated abolition scheme. The general secretary continued, after Reagan, to work with George H. W. Bush to urge the abolition of the North Atlantic Treaty Organization (NATO) and the Warsaw Pact, but the United States felt that doing so would undermine U.S. worldwide preeminence. As Rozanne Ridgway, then U.S. ambassador to East Germany, argued, substituting a common security for strategic missiles "would change the way we walked down the street."[51] It would indeed transform the way Americans see themselves and other see them; it would change the U.S. identity.

The rejection of Gorbachev's grand proposal revealed the U.S. government's lack of interest in his democracy project for the Soviet Union despite laudatory comments from Washington and other Western leaders.[52] Gorbachev got almost no material help from the United States despite his risk-taking to effect radical civil and political changes within the Soviet Union, along with his external focus on arms reduction and elimination. Even the image he sought to build of a leader who had won Western approval was defeated, at least in part, when the United States refused to allow him to speak to the American people—even as he had given some U.S. leaders access to his nation.[53]

A number of observers, including former secretary of state George Shultz, have downplayed the impact of wasting the Reykjavik opportunity, suggesting that Gorbachev's proposal was not genuine. Shultz argued that Gorbachev had made so many concessions because he feared the SDI and went to Reykjavik to kill it,[54] yet Shultz not only misrepresents actual events but also gives a considerable impetus toward more SDI spending. While the SDI itself, by 2017, had "barely made it past the concept stage,"[55] interest escalated in military activities in outer space, although just as much for offense as for defense.[56]

In another rewriting of the events surrounding and following Reykjavik, political scientist Francis Fukuyama ascribed the dissolution of the Soviet Union to liberalism's victory over communism.[57] On the contrary, the fall is directly attributable to some of Gorbachev's reforms, such as deliberately weakening the Communist Party's control of the state and society.

The rejection of Gorbachev's proposal may have even contributed to growing militarization within the United States. With the dissolution of the Soviet Union, Washington celebrated not so much a victory for liberalism as an ideology or set of values but the triumph of U.S. military power—power used to reshape the

world in a manner consistent with perceived U.S. interests.[58] Contrary to Reagan's announced intent for the SDI, the United States has not come to feel that it can rise above threatening the existence of other human beings, countries, or nature. In 2002, the United States unilaterally abandoned the 1972 Anti-Ballistic Missile Treaty with Russia, and the Trump administration has withdrawn from the 1987 Intermediate-Range Nuclear Forces Treaty, negotiated by Reagan and Gorbachev, requiring the banning of short- and intermediate-range missiles from land. The security sought by the 2014 NSA Report, on which many security concerns since then has relied, is nowhere in sight.[59]

The U.S. objective has been to reduce Soviet power and reinforce its own ascendency; aggravating the Soviet Union's social and political problems would further that end. Only a few years after the Soviet Union had broken up, the United States aided Boris Yeltsin, inviting the first president of the Russian Federation to speak to a joint session of Congress in 1992. Under the guise of creating a market economy, Yeltsin had opened Russia to cruel exploitation, led by oligarchs. In U.S. eyes, this new order, which passed for a market economy, was more important than democracy.

Gorbachev, on the other hand, while committed to democracy, had wanted social democracy that was roughly comparable to that practiced in Western Europe. Like his countryman Boris Pasternak wrote in *Doctor Zhivago*, Gorbachev saw communism as the "god that had failed" and felt that a new form of society would have to be created not only to vindicate the suffering of all who had sacrificed for the romantic ideal of the classless society but also to find a way to ensure human dignity and societal self-fulfillment. The Russia that the United States had sought and Yeltsin had offered promised none of this. How different would the world, Russia, and U.S. relations with Russia have been had Gorbachev's vision come to pass?

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