
The Coming War on Sovereignty

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BARACK OBAMA'S nascent presidency has brought forth the customary flood of policy proposals from the great and good, all hoping to influence his administration. One noteworthy offering is a short report with a distinguished provenance entitled *A Plan for Action*,* which features a revealingly immodest subtitle: *A New Era of International Cooperation for a Changed World: 2009, 2010, and Beyond*.

In presentation and tone, *A Plan for Action* is determinedly uncontroversial; indeed, it looks and reads more like a corporate brochure than a foreign-policy paper. The text is the work of three academics—Bruce Jones of NYU, Carlos Pascual of the Brookings Institution, and Stephen John Stedman of Stanford. Its findings and recommendations, they claim, rose from a series of meetings with foreign-policy eminences here and abroad, including former Secretaries of State of both parties as well as defense officials from the Clinton and first Bush administrations. The participation of these notables is what gives *A Plan for Action* its bona fides, though one should doubt how much the document actually reflects their ideas. There is no question, however, that the ideas advanced in *A*

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Plan for Action have become mainstays in the liberal vision of the future of American foreign policy.

That is what makes *A Plan for Action* especially interesting, and especially worrisome. If it is what it appears to be—a blueprint for the Obama administration's effort to construct a foreign policy different from George W. Bush's—then the nation's governing elite is in the process of taking a sharp, indeed radical, turn away from the principles and practices of representative self-government that have been at the core of the American experiment since the nation's founding. The pivot point is a shifting understanding of American sovereignty.

WHILE THE term “sovereignty” has acquired many, often inconsistent, definitions, Americans have historically understood it to mean our collective right to govern ourselves within our Constitutional framework. Today's liberal elite, by contrast, sees sovereignty as something much more abstract and less tangible, and thus a prize of less value to individual citizens than it once might have been. They argue that the model accepted by European countries in the Peace of Westphalia in 1648, which assigned to individual nation-states the right and responsibility to manage their own affairs within their own borders, is in the process of being superseded by new structures more appropriate to the 21st century.

* The report can be downloaded free of charge at http://www.brookings.edu/reports/2008/11_action_plan_mgi.aspx.

In this regard, they usually cite the European Union (EU) as the new model, with its 27 member nations falling under the aegis of a centralized financial system administered in Brussels. On issue after issue, from climate change to trade, American liberals increasingly look to Europe's example of transnational consensus as the proper model for the United States. That is particularly true when it comes to national security, as John Kerry revealed when, during his presidential bid in 2004, he said that American policy had to pass a "global test" in order to secure its legitimacy.

This is not a view with which the broader American population has shown much comfort. Traditionally, Americans have resisted the notion that their government's actions had to pass muster with other governments, often with widely differing values and interests. It is the foreign-policy establishment's unease with this long-held American conviction that is the motivating factor behind *A Plan for Action*, which represents a bold attempt to argue that any such set of beliefs has simply been overtaken by events.

To this end, the authors provide a brief for what they call "responsible sovereignty." They define it as "the notion that sovereignty entails obligations and duties toward other states as well as to one's own citizens," and they believe that its application can form the basis for a "cooperative international order." At first glance, the phrase "responsible sovereignty" may seem unremarkable, given the paucity of advocates for "irresponsible sovereignty." But despite the *Plan's* mainstream provenance, the conception is a dramatic overhaul of sovereignty itself.

"Global leaders," the *Plan* insists, "increasingly recognize that alone they are unable to protect their interests and their citizens—national security has become interdependent with global security." The United States must therefore commit to "a rule-based international system that rejects unilateralism and looks beyond military might," or else "resign [our]selves to an ad-hoc international system." Mere "traditional sovereignty" is insufficient in the new era we have entered, an era in which we must contend with "the realities of a now transnational world." This "rule-based international system" will create the conditions for "global governance."

The *Plan* suggests that the transition to this new system must begin immediately because of the terrible damage done by the Bush administration. In the *Plan's* narrative, Bush disdained diplomacy, uniformly preferring the use of force, regime change, preemptive attacks, and general swagger in its conduct of foreign affairs. The *Plan*, by contrast, "re-

jects unilateralism and looks beyond military might." Its implementation will lead to the successful resolution of dispute after dispute and usher in a new and unprecedented period of worldwide comity.

AS THE OBAMA years begin, we certainly do need a lively debate on the utility of diplomacy, but it would be better if that debate were not conducted on the false premise offered by *A Plan for Action*. In reality, in the overwhelming majority of cases, foreign-policy thinkers on both sides of the ideological divide believe diplomacy is the solution to the difficulties that arise in the international system. That is how the Bush administration conducted itself as well.

The difference arises in the consideration of a tiny number of cases—cases that prove entirely resistant to diplomatic efforts, in which divergent national interests prove implacably resistant to reconciliation. If diplomacy does not and cannot work, the continued application of it to a problematic situation is akin to subjecting a cancer patient to a regimen of chemotherapy that shows no results whatever. The result may look like treatment, but it is, in fact, only making the patient sicker and offering no possibility of improvement.

Diplomacy is like all other human activity. It has costs and it has benefits. Whether to engage in diplomacy on a given matter requires a judicious assessment of both costs and benefits. This is an exercise about which reasonable people can disagree. If diplomacy is to work, it must be preceded by an effort to determine its parameters—when it might be best to begin, how to achieve one's aims, and what the purpose of the process might be. At the cold war's outset, for example, Harry Truman's Secretary of State, Dean Acheson, frequently observed that he was prepared to negotiate with the Soviets only when America could do so from a position of strength.

Time is one of the most important variables in a diplomatic dance, because it often imposes a cost on one side and a benefit to its adversary. Nations can use the time granted by a diplomatic process to obscure their objectives, build alliances, prepare operationally for war, and, especially today, accelerate their efforts to build weapons of mass destruction and the ballistic missiles that might carry them. There are concrete economic factors that must be considered as well in the act of seeking to engage an adversary in the diplomatic realm—the act of providing humanitarian assistance as an act of good will, for example, the suspension of eco-

nomic sanctions, or even resuming normal trade relations during negotiations.

Obviously, the United States and, indeed, all rational nations are entirely comfortable paying substantial costs when they appear to be wise investments that will lead to the achievement of a larger objective. Alas, such happy conclusions are far from inevitable, and failing to understand the truth of this uncomfortable and inarguable reality has led nations to prolong negotiations long after the last glimmer of progress has been snuffed out. For too many diplomats, there is no off switch for diplomacy, no moment at which the only sensible thing to do is rise from the table and go home.

Has one ever heard of a diplomat working to fashion an “exit strategy” from a failed negotiation? One hasn’t. One should.

DIPLMACY IS a tool, not a policy. It is a technique, not an end in itself. Urging, however earnestly, that we “engage” with our enemies tells us nothing about what happens after concluding the initial pleasantries at the negotiating table. Just opening the conversation is often significant, especially for those who are legitimized merely by being present. But without more, the meaning and potency of the photo op will quickly fade.

That is why effective diplomacy must be one aspect of a larger strategic spectrum that includes ugly and public confrontations. Without the threat of painful sanctions, harsh condemnations, and even the use of force, diplomacy risks becoming a sucker’s game, in which one side will sit forever in naïve hope of reaching a settlement while the other side acts at will.

Diplomacy is an end in itself in *A Plan for Action*. So, too, is multilateralism. The multilateralism the *Plan* celebrates and advocates is, of course, set in sharp contrast to the portrait it draws of a Bush administration flush with unilateralist cowboys intent on overturning existing international treaties and institutions just for the sport of it. Defining unilateralism is straightforward: the word refers to a state acting on its own in international affairs.* It is a critical conceptual mistake, however, to pose “multilateralism” simply as its opposite.

Consider, for example, the various roles of the United Nations, the North American Treaty Organization, and the Proliferation Security Initiative. The UN, the Holy Grail of multilateralism, is an organization of 192 members with responsibility for the maintenance of international peace and security lodged in its Security Council. NATO is a defense alliance of 26 states, all of which are West-

ern democracies. The Proliferation Security Initiative (PSI), created in 2003 by the Bush administration, now includes 90-plus diverse countries dedicated to stopping international trafficking in weapons of mass destruction.

Each organization is clearly “multilateral,” but their roles are so wildly different that the word ceases to have any meaning. For example, if the United States confronted a serious threat, it would be acting multilaterally if it took the matter either to NATO or the UN. Both options would be “multilateral,” but widely divergent in diplomatic and political content, and quite likely in military significance as well. They would be comparable related in the same way a steak knife is comparable to a plastic butter knife.

The PSI offers an even starker contrast, for unlike either the UN or NATO, it has no secretary general, no Secretariat, no headquarters, and no regularly scheduled meetings. One British diplomat described the initiative as “an activity, not an organization.” In fact, the model of the Proliferation Security Initiative is the ideal one for multilateral activity in the future, precisely because it transcends the traditional structures of international organizations, which have, time and again, proved inefficient and ineffective.

“Multilateralism” is, in other words, merely a word that describes international action taken by a group of nations acting in concert. For the authors of *A Plan for Action*, however, multilateralism has an almost spiritual aspect, representing a harmony that transcends barriers and oceans.

Harmony is designed to stifle any discordant notes, and so is the multilateralism envisioned by an American foreign policy guided by “responsible sovereignty.” It is one in which the group of nations, of which the United States is but a single player among many, initiates policies and activities that would likely be designed to constrain the freedom of action of the United States in pursuit of that harmony—not only in its activities abroad, but also in its activities within the 50 states.

There is a precedent for this in the conduct of the European Union, whose 27 nations now possess a common currency in the form of the euro and an immensely complex series of trade and labor poli-

* An important subtext is the continuing confusion between unilateralism and isolationism, confusion especially evident in Europe in the late 1990s. Even before the Bush administration, I tried to explain the distinction in “Unilateralism Is Not Isolationism” in Gwyn Prins, ed., *Understanding Unilateralism in American Foreign Relations*, Chatham House, 2000. More recently, Mackubin Thomas Owens makes a similar point in “The Bush Doctrine: The Foreign Policy of Republican Empire,” *Orbis*, Winter, 2009.

cies intended to cut across sovereign lines. The EU is the model *A Plan for Action* proffers for the “responsible sovereignty” regime its authors wish to import to the United States. EU bureaucrats based in Brussels have been reshaping the priorities and needs of EU member states for a decade now, and proposing a system based on the design of the EU suggests a desire to subject the United States to a kind of international oversight not only when it comes to foreign policy but also on matters properly understood as U.S. domestic policy.

That very approach has been on display at the United Nations for years in an effort to standardize international conduct that has come to be known as “norming.” In theory, there is good reason to create international standards—for measurement, for example, or for conduct on the high seas. But “norming” goes far beyond such prosaic concerns. The UN has, for example, repeatedly voted in different committees to condemn the death penalty, in a clear effort to put pressure on the United States to follow suit. Similar votes have been taken on abortion rights and restricting the private ownership of firearms.

SUCH ISSUES have been, and likely will again be, the subjects of intense democratic debate within the United States, and properly so. There is no need to internationalize them to make the debate more fruitful. What is common to these and many other issues is that the losers in our domestic debate are often the proponents of internationalizing the

controversies. They think that if they can change the political actors, they can change the political outcome. Unsuccessful in our domestic political arena, they seek to redefine the arena in which these matters will be adjudicated—moving, in effect, from unilateral, democratic U.S. decision-making to a multilateral, bureaucratic, and elitist environment. For almost any domestic issue one can imagine, there are likely to be nongovernmental organizations roaming the international arena desperately trying to turn their priorities into “norming” issues.

This is what “responsible sovereignty” would look like. For the authors and signatories of *A Plan of Action*, sovereignty is simply an abstraction, a historical concept about as important today as the “sovereigns” from whose absolute rights the term originally derived. That is not the understanding of the U.S. Constitution, which locates the basis of its legitimacy in “we the people,” who constitute the sovereign authority of the nation.

“Sharing” sovereignty with someone or something else is thus not abstract for Americans. Doing so by definition will diminish the sovereign power of the American people over their government and their own lives, the very purpose for which the Constitution was written. This is something Americans have been reluctant to do. Now their reluctance may have to take the form of more concerted action against “responsible sovereignty” if its onward march is to be halted or reversed. Our Founders would clearly understand the need.