Is There Global Rule of Law? Posted On:December 31, 1969

During President Obama\222s recent visit to Asia, he spoke about Global Norms to students in Laos. He also said that America has been an enormous force for the good in the world, but that we often think that because of our size and clout, we do not need to know much about the rest of the world. Some people will be annoyed by this comment, but I think it is obvious. Only a steady ten percent of the American public has any interest in foreign policy, which is too bad, considering how important our international interests are. Even one of our presidential candidates drew a blank when asked about his policy for Aleppo, a city in Syria that has been in the news (bad news) for the past few years.

But an even larger question about Obama\222s speech was the reference to "global norms," which are sometimes called "international law." There is no such thing if by law we mean something enforceable. Yet, despite this, something akin to international law or more properly global norms have flourished for the past 70 years. The problem is that this real, but legally unenforceable system, is in the process of meltdown. The alternate to international law is anarchy, which is clearly the flavor of the day. It is time to review what it is, how it happened, why it is dying, and what will happen next.

 $\225$  Bretton Woods Conference. In 1944, during the last year of World War II, 44 allie d

countries attended this conference to decide the fate of the postwar world. Harry Dexter White (US) and John Maynard Keynes (UK) had planned this for three years. Together they negotiated the World Bank, International Monetary Fund, International Bank for Reconstruction and development, all intended to put back together devastated Europe and lay the foundations of the free-trade-dominated-global economic systems that endure to this day.

The attendees had no leverage. They were there to hear what the Americans had in store for them. The entire war at that time was being fought with American equipment, fuel, troops, and our country was trying to establish a world with no more excuses for war. The closed systems of the past (European colonial networks) would no longer be permitted. No one else had navies after this war (except for the British, much reduced). No more closed systems would be permitted. For the first time in the world, the US guaranteed freedom of the seas and free trade.

We rebuilt Europe through the Marshall Plan. We could afford it. We accepted European exports, and then everybody else\222s. We created the miracle of the EU, and also the Japanese, Korean, and Chinese miracles. Bretton Woods did this. We were able to dictate these terms because everybody else was in collapse. We could have been a terrible conqueror, but were not. Germany and Japan didn\222t believe their good luck. We made alliances instead of what the USSR did, taking by force. Eventually even China saw the benefit of this system. Goods could travel freely around the world without colonial tariffs and without bullying. For the first time since the 16th century, there was only one navy on the seas, ours. And we used it to protect free trade.

\225 Global Norms. As the world recovered from the war and because of our big umbrella

a number of standards began to emerge that countries accepted as treaty obligations or followed because they were obviously to everyone\222s benefit. These were called "Global Norms," mandating voluntary and mutually beneficial behaviors. There was law of the sea (everyone fights piracy); democratic institutions (elections); and freedom of the press, religion, and gender equality, that most advanced countries practice today.

Unfortunately, violating countries may have sanctions imposed or suffer global condemnation, but with few exceptions (when Iraq invaded Kuwait), nobody is ready to punish them.

If America abandons its long dream of a world ruled by law, much of the world will collapse in anarchy, leaving only the US, our English-speaking allies, and a few select countries, thriving from such law. What kind of world will it be then?

684 words

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