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Unilateralism as Sole Foreign-Policy Strategy?

American Policy toward the UN, and the OPCW in the Clinton Era

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Summary

The United States is currently experiencing an unprecedented renaissance of its economic power and its predominance in military technology. At the same time, over the last five years, American foreign policy in a number of key domains has caused irritation all over the world on account of its unmistakably unilateral bent—all the more so since the ‘assertive multilateralism’ of the Clinton administration that was proclaimed at the outset gave the impression of being not just an instrument of the government’s policymaking but its underlying principle. This unilateralism raises fundamental questions about the USA’s preferences in regard to foreign-policy strategies, about the status of international organizations (IOs), and about the conditions in which the United States is prepared to work together with other countries within a multilateral framework.

In the area of security/arms-control policy, these questions pose themselves in particular in relation to American conduct toward three international institutions. These are: the United Nations, NATO, and the Organization for the Prohibition of Chemical Weapons (OPCW). These three bodies serve as a good means of highlighting the differences and parallels in American policy. As the Clinton era draws to a close, this study seeks to take stock of the administration’s two periods of office in a major area of policymaking, and to indicate whether the conduct of the USA toward the three selected international organizations confirms the unilateral trend observable in US foreign policy.

American policy toward the United Nations is examined using the example of UN reform. We also analyze the disagreements about American participation in UN peacekeeping operations. The declared principle underlying this remains unilateral use of force by the United States as a means of enforcing its interests. In the debate about reform, the lowest common denominator between the major US actors is the need to make the United Nations more efficient—and to use the process of change to establish US influence on as firm a footing as possible.

In other key areas, the administration and the Republican-dominated Congress have had entirely different views about the United Nations. This has led to an ambivalent picture of the hegemon, and to inconsistent foreign-policy strategies. The dissension over US policy toward the United Nations was exemplified particularly clearly in the matter of the reduction of the American debts. Although the Clinton administration acted unilaterally on several points (e.g. in reducing its contributions without consultation), the United States ultimately behaved as a hegemon that is open to compromise. The government campaigned for a large part of the arrears to be paid off, since the UN had satisfactorily carried out its reforms. A different position was taken by the dominant arch-conservative senators around Jesse Helms. They threatened to take the US out of the United Nations, in order to tighten up the reform conditions even more, and at the same time, year after year, they blocked funding.

However paradoxical it may seem: because of the blockade policy of the majority in Congress, the American hegemon has so far been acting more like a ham-strung medium-sized power in this area of policymaking. It is not just the UN that is weakened; the reputation and influence of the United States within the United Nations are also

compromised at present. The establishment of power and influence that was sought via budgetary and administrative reform can currently only be achieved through the restoration of American credibility—in other words, initially by the USA's changing from being the largest debtor to the largest *and* most reliable donor. By paying off part of its arrears, the United States has, after a lengthy tug-of-war, taken a first, hesitant step. An arduous path still lies ahead of it: the USA now has to persuade the General Assembly to accept its special demands and one-sided conditions. The US funding of the UN over the next few years which was laid down in law on 19 November 1999 is not a permanent solution, but a political stop-gap. The main problem of the last few years is unchanged: there is no stable internal American consensus for a constructive policy toward the UN.

The conduct of the USA toward the regional organization NATO is examined via the three following aspects: a) the decision about the enlargement of the alliance; b) the discussion about the overhaul of the latter's functions and area of competence; c) the development of a European Security and Defence Identity. Here, the United States comes across as a 'benevolent hegemon', whose conduct is still essentially cooperative and still adheres to multilateral principles even though ten years have passed since the end of the East–West conflict.

Despite the major changes that have occurred in the alliance and its environment, US policy toward it is, overall, characterized by continuity. The United States does not see itself as a normal member of the alliance. It views itself, rather, as an irreplaceable leading power that lends the alliance cohesion, cushions internal European dissension, forges compromises on disputed issues, and acts for the good of all by pushing through decisions in borderline cases, even in the face of opposition. External observers see the American leadership as characterized by openness, dialogue, and a readiness to take account of the concerns and interests of smaller members of the alliance. Its power therefore does not express itself in unbridled dominance.

However, this arrangement is increasingly coming under pressure in the American debate. Isolationist critics point to the costs of NATO involvement and to the danger of being drawn into conflicts in which the United States has no vital interests. The criticism of the unilateralists assumes that the alliance is restricting American freedom of action like a corset, without any significant reciprocal effort by the Europeans to relieve the burden on the USA. Up to now, this criticism has not been reflected in any major change in American policy on NATO. What is currently of greater political importance than the isolationist and unilateral criticism is the call of the internationalist center of the political spectrum for the alliance to be geared more strongly to American interests, because otherwise it will lose its practical relevance. Against this background, there is a danger that the foreign-policy consensus that has underpinned the hegemon's involvement in NATO will now begin to crumble.

The attitude of the United States toward the Organization for the Prohibition of Chemical Weapons (OPCW) is manifested, to begin with, in the legislation on the implementation of the Chemical Weapons Convention (CWC). This allows us to assess how far the superpower is complying with what are the binding provisions of the convention.

If one is to believe the political rhetoric, the United States is a cooperative member of the OPCW that vigorously supports the organization's objectives—namely, the elimination of existing arsenals of chemical weapons and the non-proliferation of such weapons. However, US practice sometimes diverges significantly from the multilateral procedures set out in the Chemical Weapons Convention. The hegemon's attitude here is similar to that shown to the United Nations: the unilateralism is unmistakable. During the toing and froing between the executive and the legislature, provisions were incorporated into the American ratification and implementation legislation that considerably restrict the organization's powers within the United States.

This policy of unilateral self-interest is embodied in the day-to-day cooperation with the Organization for the Prohibition of Chemical Weapons. The United States on the one hand hampered cooperation in The Hague—the organization's base. It also put obstacles in the way of routine inspections by the OPCW team in various American chemical-weapons facilities.

All in all, as far as the policy of the US hegemon toward the three selected international organizations is concerned, the picture that emerges underscores our overall assessment of an increase in unilateralism. NATO is the exception to the rule. As our analysis shows, the markedly unilateral conduct of the United States toward the UN and the OPCW on the one hand, and its cooperative policy toward NATO on the other, are a function of the peculiar characteristics of the three international organizations concerned. The UN and the OPCW are large-scale organizations, with 185 and 130 members respectively. Associated with this numerical size is a considerable ideological-cum-political disparity which keeps the influence of the USA—in so far as this is deliberately exerted—in check. We here turn to the **explanatory factors for unilateralism and cooperation/multilateralism** that have been suggested in the present discussion, and we assess their plausibility. We discuss the significance of four determining factors for unilateralism in relation to relevant US behavior toward the UN and the OPCW; and we consider the analytical scope of three explanatory factors for cooperation/multilateralism in relation to the essentially cooperative policy of the United States toward NATO.

In conclusion, we raise the question of the **permanence of the American hegemon's basic unilateral stance**. Although we are not able to give a definitive answer on this, it would appear to us that the determining factors elaborated here are likely to continue to be decisive for the foreseeable future: a revised version of the 'assertive multilateralism' of the first Clinton administration is not in prospect.

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1. US Hegemony, Foreign-Policy Strategies, and the Role of International Organizations: A Status Report

1.1 Outline of the Problem

“We may have to shut up shop and go home”, warned the then Secretary-General, Boutros Boutros-Ghali as far back as 1995.¹ Until very recently, the United Nations was teetering on the edge of bankruptcy. At the end of February 1999, the accumulated debts of various member-states totaled \$US2.965 billion. Having gone on year after year holding back long-overdue payments, the penny-pinching US superpower figured prominently in this catastrophic situation, accounting for the lion’s share of the debt with its arrears of \$US1.6 billion. In November 1999, thanks to a legally enshrined compromise between the administration and Congress, it was agreed that a proportion of the monies, amounting to \$US926 million, should be released over the next three years. This is a political band-aid solution; it does little to assure the long-term funding of the United Nations.²

The behavior of the United States is also under fire in relation to two other international organizations (IOs)—the UN Special Commission in Iraq and the International Atomic Energy Agency (IAEA). In contrast to the situation with the UN, however, what the US is accused of in these two cases is not refusing to cooperate, but seeking to use international organizations to further its national interests. The criticism here admittedly emanates from two directly affected countries—Iraq and North Korea; but the charge of manipulative behavior on the part of hegemonial powers is part of the stock-in-trade of political-science criticism.³ And yet in the view of the US State Department, these bodies are two model examples of the importance of international organizations and of the conscious multilateral commitment of the United States. Both now form part of the repertoire of arguments put forward by those US actors who seek to demonstrate the relevance of the UN to its (conditioned) opponents at home.

We are very grateful to our colleague **Dr Rudolf Witzel** for the important contributions he has made to the production of this report in the course of discussions about content. Sections 1–3 and overall direction: Bernd W. Kubbig; Section 4: Matthias Dembinski; Section 5: Alexander Kelle; Section 6: IO-related parts by individual authors, summing-up on the basis of discussion in the ‘US Research’ work-group: Bernd W. Kubbig. Warm thanks are also extended to **Martina Glebocki** and **Mirko Jacobowski** for their editorial work and to **Tanja Nackmayr** (intern from the Free University of Berlin) for her assistance.

¹ Interview in: *Der Spiegel*, No. 50, 11 Dec. 1995, 151.

² See United Nations Information Centre, *United Nations Reform: An Update*, Washington, D.C., 17 Mar. 1999, 4. These are the most reliable UN figures. The figures we have for mid-1999 are of roughly the same order but are either not as detailed or not totally consistent.

³ On this, see the discussion in: Andreas Hasenclever/Peter Mayer/Volker Rittberger, ‘Interests, Power, Knowledge: The Study of International Regimes’, *Mershon International Studies Review*, 40 (1996): 177–228 (179), Katja Frank, *Antreiber der Abrüstung oder Spielbälle der Mächte? Zur Rolle internationaler Organisationen in Rüstungskontrolle, Abrüstung und Nichtverbreitung* (HSFK: HSFK-Report 9; Frankfurt/M., 1998), 1 ff.

The differing behavior of the hegemon in these three international bodies needs to be viewed alongside a number of other American decisions that have also caused great irritation. These include, for example: the continuing refusal of the US to sign up to the International Criminal Court in Rome; the American-British bombing of Iraqi targets and the waging of the war in Kosovo (both without a UN mandate); the half-hearted implementation of the guidelines on the reduction of dangerous greenhouse gases agreed in Kyoto in 1997; the dismantling of the 1972 Anti-Ballistic Missile (ABM) Treaty; and the refusal of the Senate to ratify the Comprehensive Test-Ban Treaty. In all these cases, the competent US actors have demonstrated a unilateralist outlook and a high-handed attitude toward the interpretation of the law.

These events, decisions, and developments raise fundamental questions about the American hegemon's preferences in regard to foreign-policy strategies, about the status of international organizations, and about the conditions in which the USA is prepared to work together with other countries within a multilateral framework. By way of illustration, we shall consider these questions as they relate to the policymaking field of security/arms control, particularly in the area of tension between unilateralism and multilateralism, using the example of American conduct *vis-à-vis* a global, a regional, and a functional international organization. The organizations in question are: the United Nations, NATO, and the Organization for the Prohibition of Chemical Weapons (OPCW). These three bodies cover the full spectrum of international organizations in more than just formal terms. We have also chosen them because, given their particular characteristics, they serve as a good means of highlighting differences and parallels in American policy.

Analysis in the case studies is pitched mainly at executive and legislature policy level. Examination of the policy of these two entities toward the three IOs will indicate how well anchored it is within American society—in other words, how far it takes into account public opinion and the balance of power between social groupings. International organizations are formal components of the global world of regimes;⁴ together they form the major parameters of American multilateralism—in other words of the organizational form of foreign policy beyond unilateralism and bilateral relations.⁵ In relation to the UN, NATO, and the OPCW, we examine rhetoric and policy-formulation as well as foreign-policy concepts and strategies. Concrete decisions—on UN peacekeeping operations, for instance—and the processes that lead up to them are deliberately excluded from our account. They would overtax our account. This level of analysis does, however, figure

⁴ In line with Krasner's classic definition, we understand a regime to mean a web of principles, norms, rules, and procedures that set standards of behavior for the participating states in individual issue-areas. On this, see Frank, *Antreiber der Abrüstung* (fn. 3), 6. We do not deal in detail with the demarcation between IOs and regimes, and the role which IOs play in regimes. On this, see *ibid.* On this whole area, see also Harald Müller, *Die Chance der Kooperation: Regime in den internationalen Beziehungen* (Darmstadt, 1993).

⁵ We make the same formal distinction here as John Gerard Ruggie. In contrast to Ruggie, however, our account of the content of multilateralism comes later (see 1.3.3), mainly via a description of the relationship between the US hegemon and the members of the three selected IOs. See John Gerard Ruggie, 'Multilateralism: The Anatomy of an Institution', *International Organization (IO)*, 46 (1992), 3: 561–98 (568–74).

fruitfully at odd points, given that practical political experiences have been one of the factors that have prompted US actors to effect changes in their ideas.

The case studies (Sections 3–5) are designed to provide a more precise answer to the question of whether a basic unilateral tendency is beginning to emerge in American security and arms-control policy as the Clinton era draws to a close. We have deliberately not assumed too rigid a pattern of behavior: the time-span of more or less one decade is much too short for that. What this report seeks to do, rather, is to stand back as the Clinton era closes and take stock of the administration's two periods of office in a major area of policymaking.

1.2 Analytical Framework

1.2.1 *The USA and Its Behavior under the Countervailing Influences of Unilateralism and Multilateralism*

The analytical framework for this study is derived from the academic-cum-journalistic debate, chiefly in the USA.⁶ As the 'American Century' draws to a close, the Americans themselves are discussing the questions that we raise here. The full spectrum of the debate—which, simply for reasons of space, we are unable to cover here⁷—encompasses a number of groupings. On the one hand, we have the *isolationists*, for whom domestic American politics is the central concern and the external conduct of the US comes a clear second. Their aversion to excessive US involvement with, or actual membership of, international organizations, is correspondingly marked.

Alongside this grouping, we have the *conservative internationalists*. This school of thought⁸ comprises two wings: that of the strictly conditioned and that of the pronounced internationalists. In Congress, the first tendency, from which there is a fluid transition to the isolationist grouping, is represented by, for example, Senator Jesse Helms; numbering amongst the representatives of the second tendency, in its moderate permutation, are

⁶ We focus on more recent concepts of hegemony. We ignore older theories such as those of Charles Kindleberger and Robert Gilpin. On this, see the discussion in: Stefan Robel, *Die Theorie der 'Hegemonialen Stabilität' und die amerikanische Außenpolitik nach dem Ende des Ost-West-Konflikts: Unter besonderer Berücksichtigung der Neorealismus/Neoliberalismus-Debatte* (Diss., Frankfurt/M., 1994).

⁷ On the foreign-policy debate, see also Matthias Dembinski, *Die Zukunft des politischen Westens: Zum Spannungsverhältnis zwischen europäischen und transatlantischen Strukturen in der Sicherheitspolitik* (HSFK: HSFK Report 4; Frankfurt/M., 1999), 6 ff; Peter Rudolf, 'New Grand Strategy? Zur Entwicklung des außenpolitischen Entscheidungsdiskurses in den USA', in: Monika Medick-Krakau (ed.), *Außenpolitischer Wandel in theoretischer und vergleichender Perspektive: Die USA und die Bundesrepublik Deutschland* (Baden-Baden, 1999), 61–95; also Bernd W. Kubbig, 'Der US-Hegemon und die Internationalen Organisationen aus der Sicht der amerikanischen Denkschulen', Frankfurt/M., 2000 (unpub.).

⁸ We here take 'school of thought' to mean all relevant theoreticians and practitioners (strategists, politicians); the term therefore encompasses more than the schools of IR theory mentioned.

Senator Richard Lugar and former president George Bush. For strictly conditioned internationalists, maximum US freedom of action is the paramount concern; any kind of restriction has them up in arms. Their urge to withdraw from international organizations, or at any rate to threaten to withdraw from them so that they can push through American interests to the maximum if they remain, is correspondingly great. As objects of American hegemonial policy, IOs have no importance for them *per se*.

Strictly conditioned internationalists are the most conspicuously unilateralist. They advocate one-sided action by the US in two domains:

1. *Outside multilateral arrangements*, in the form either of a refusal to cooperate or of national solo-ventures allowing the US to circumvent or ignore international organizations. This unilateralism is *not* identical with American isolationism. (An example of this type of behavior would be the American-British bombing of Iraqi targets without a UN mandate.)
2. *Within multilateral arrangements*, in the form of limited cooperation with IOs on the basis of minimum compromise (e.g. on the question of the payment of US debts to the United Nations). In representatives of pronounced internationalism these positions mostly figure in watered-down form; most importantly, however, the political point of departure for them is different—it is not withdrawal from an international body, but continuance within it tied to specific conditions.

In the view of the third school of thought—that of the *liberal internationalists*—the USA is precisely not an unbridled hegemon operating primarily on a unilateral basis. It is, rather, a flexible superpower acting chiefly on a multilateral basis. In the mind of all liberals, American hegemony cannot be reduced to ‘hard’ military and economic elements. There is the added element of ‘soft power’, meaning the attractive paradigmatic function of American values and the ‘American way of life’, and also the subtle power of ‘agenda setting’, implying the ability to define and shape the rules according to which other countries conduct their foreign policies within the framework of regimes and IOs. Representatives of the liberal school place greater emphasis than conservative internationalists on the political notion of leadership, meaning the ability and will to make efficient and adroit use of available power-resources. The more differentiated set of instruments of power proposed by liberal theoreticians is also a product of their view of international relations, which they see as characterized by growing interdependence and increasing complexity.

The multifaceted nature of the academic-cum-journalistic debate makes it both necessary and possible to introduce some kind of systematization when assessing the American hegemon’s behavior toward the three selected organizations under the countervailing influences of unilateralism and multilateralism. We therefore propose a typology that correlates views about the American hegemon with American strategies. As far as possible, this incorporates on the one hand the power-base whose discrete elements were detailed above—in other words, the ‘hard’ and ‘soft’ factors—and the domestically underpinned

will of the US to exercise leadership.⁹ On the other hand, it takes account of the preference of key American actors for a particular foreign-policy strategy or leadership-style. Using this approach, we arrive at the following four ideal-typical variants:

- Variant 1: A weak and perhaps domestically preoccupied hegemon, acting as *primus inter pares* in his policies toward or within a particular international organization, pursues what amounts to an *egalitarian multilateralism*, characterized by a largely symmetrical cooperation-structure and approximately equal participation by the IO members (e.g. ‘partners in leadership’).¹⁰
- Variant 2: A self-restrained *benevolent hegemon* opts for a *multilateralist approach that is intermittently dominant but ultimately open to compromise*—and thus also for a foreign-policy strategy (leadership style) that acknowledges the interests of other states, with the result that these do not feel themselves threatened by the superior might of the USA.
- Variant 3: A *coercive hegemon* opts, within the multilateral framework, for *unilateralism tied to strict conditions and allowing very little room for compromise*. This strategy or style of leadership operates primarily, or indeed exclusively, with methods based on threat or coercion (e.g. the threat of a refusal to cooperate, the threat of withdrawal from an IO). These are intended to ensure that the one-sided parameters needed to safeguard an advantageous position and get it formally established are pushed through without regard for the interests of the other IO members.
- Variant 4: The hegemon, intent on maximum freedom of action, opts for unilateralism in the shape of formal withdrawal from an IO (Variant 4a) or, outside a multilateral arrangement, in the shape of national solo-ventures in which he circumvents or ignores the international organization in question and/or violates laws in force (Variant 4b).

1.2.2 Determinants of Cooperation and Multilateralism

This typology based on the American debate equips us to give an account of US behavior. In order to work out the conditions that determine cooperative conduct by states, we here fall back on the key attempts at elucidation provided by the liberal theory of international relations. Three separate explanatory strands are discernible as regards the status of international organizations, the cooperative conduct of the hegemon *vis-à-vis* member states and allies, and the cohesiveness of IOs and alliances. The first relies heavily on cost–benefit calculations; the second focuses on institutions; and the third picks up on the three key elements of the theory of Democratic Peace.

⁹ However, as far as ‘hard’ and ‘soft’ power are concerned, when it comes to discussing the determinants of unilateralism (see 1.2.3), we confine ourselves to ‘hard power’ parameters.

¹⁰ This variant is not necessarily relevant to the period covered by this study, but it is rightly discussed in the literature. Michael Brenner and his co-authors (in: Michael Brenner [ed.], *Multilateralism and Western Strategy* [New York, 1995]) consider it against the background of the USA in the Bush era and at the start of the Clinton administration. One certainly cannot talk of a weak American hegemon at present. However, the discussion of that time, only a few years distant, remind us that the days of a strong US hegemon may be numbered. An adequate concept of hegemony must take this into account.

1. *Cost-benefit calculations.* Whatever the area involved—non-proliferation of nuclear weapons, global environmental protection, terrorism, tariff-related questions and economic issues—international organizations can help alleviate, or indeed solve, the kinds of difficulties that arise in interdependent issue-areas. Such problems call for joint solutions, because solo efforts by individual nations, even the American superpower, are not enough.¹¹ The hegemon here engages in a comparison of costs and benefits and subordinates the gains that might accrue from a unilateral strategy in the short term to the more considerable benefits that can be expected in the long term from cooperation with international institutions.

One incentive to cooperation is the reduction in ‘transaction costs’ brought about by international organizations. This refers to the expenditure that arises from negotiating and implementing decisions. IOs, like regimes, “make it cheaper for governments” to achieve particular goals.¹² Not only do they create stability of expectation, and thus also confidence; in addition, they facilitate multilateral cooperation by providing a forum and institutionalizing contacts. International organizations can also facilitate the formation of coalitions and lend collective legitimacy to the political-cum-diplomatic and military actions of the USA.¹³

2. *The institutional approach.* Here, it is the self-restraining,¹⁴ ‘benevolent hegemon’ that comes into play. The hegemon and the other member states engage in a process of ‘nitty-gritty bartering’ through which they arrive at a consensus as to the *modus vivendi* to be adopted in what is an asymmetrical conglomerate of relationships. In the rules that are brokered—which are in the nature of a constitution—the hegemon agrees not to exploit his preeminent position excessively, in the sense of being constantly dominating, or indeed of opting out, and instead to limit this position by opening up to the weaker countries and taking their interests into consideration. In this case, then, the hegemonial positioning of the US within the multilateral framework is based on the readiness to make concessions; and these can be achieved through discursive processes of argumentation, negotiation, and

¹¹ In certain conditions, cooperation in international bodies is possible even without a hegemon. But it is also feasible with a hegemon. In *After Hegemony*, Robert Keohane came to the conclusion that the hegemon was still needed to create international institutions, but not to maintain cooperation. See Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton, 1984); for an overview, see also id., ‘International Institutions: Can Interdependence Work?’, *Foreign Policy*, 110 (1998), 82–96 (86 ff.).

¹² Keohane, *After Hegemony* (fn. 11), 90. See also David A. Lake, *Entangling Relations. American Foreign Policy in its Century* (Princeton, 1999).

¹³ See *ibid.* 86 ff. Similarly Margaret P. Karns/Karen A. Mingst, ‘The United States and Multilateral Institutions: A Framework for Analysis’, in: ead. (eds.), *The United States and Multilateral Institutions: Patterns of Changing Instrumentality and Influence* (Boston et al., 1990), 1–24 (esp. 6).

¹⁴ See Joseph S. Nye, Jr., ‘Redefining the National Interest’, *Foreign Affairs (FA)*, 78 (1999), 4: 22–35 (28 ff.). For a more explicit account than Nye’s, see G. John Ikenberry, ‘Institutions, Strategic Restraint, and the Persistence of American Postwar Order’, *International Security (IS)*, 23 (1998/99), 3: 43–78, and id., ‘Rethinking the Origins of American Hegemony’, *Political Science Quarterly (PSQ)*, 104 (1989), 3: 375–99; Charles A. Kupchan, ‘After Pax Americana. Benign Power, Regional Integration, and the Sources of a Stable Multipolarity’, *IS*, 23 (1998), 2: 40–79.

persuasion.¹⁵

In return, the smaller states agree, for their part, to forgo any attempt to challenge the preeminent position of the USA or to opt out of the regulatory set-up concerned (in our case the relevant international organization) and form a counterweight. Cohesion is achieved not only through a mutual optimization of interests, nor merely through rational cost-benefit calculations. Rather, an especially important role is played here by the “lock-in effect of institutions”. These can be “sticky”, and they can commit states to a predictable course of action that precludes certain options such as withdrawal from a particular international body.¹⁶

3. *Elements from the theory of Democratic Peace.* Here again, it is a question of the self-restraint of the hegemon and of his conduct toward homologous member-states of an international organization—in other words, members who are also democratically constituted. The restrained use of power (and also the overall cohesion of this kind of security community) is explained by the fact that democracies recognize each other as being of peaceful intent, and that they see interdependence as conducive to prosperity and peace. Cooperation in security communities is determined to a large extent by shared values. The upshot is a body of rules and regulations that offsets imbalances in power.¹⁷

1.2.3 Explanatory Factors for Unilateralism

Four specific factors explaining the unilateral tendencies in the hegemon’s foreign-policy behavior can be distilled from the current discussion on the position of the USA in world politics. In presenting these, we draw in particular on the neorealist theory of international relations (see factors 1 and 3 below); factors 2 and 4 are derived from the domestic politics theory.¹⁸ The hegemon’s behavior toward international organizations form part of its overall foreign-policy conduct. The four factors are:

1. *The strength of the United States in economic terms and in military technology.* An economic boom that has continued uninterrupted since 1991, a low inflation-rate and low unemployment coupled with a high rate of productivity, a stable dollar, and the first-ever budget surplus—as the Clinton era draws to a close, the United States is experiencing golden times.¹⁹ This dynamic currently puts the US ahead of all its economic competitors. And yet it is not a world leader in the economic sphere: its share of global GDP is about the same as that of the European Union, and as an exporting nation, it ranks behind the EU.

¹⁵ See Duncan Snidal, ‘IGOs, Regimes, and Cooperation: Challenges for International Relations Theory’, in: Karns/Mingst (eds.), *The United States and Multilateral Institutions* (fn. 13), 321–49 (338).

¹⁶ Ikenberry, ‘Institutions’ (fn. 14), 45. See also Kupchan, ‘After Pax Americana’ (fn. 14), esp. 42f.

¹⁷ For one of many treatments, see Thomas Risse-Kappen, *Cooperation among Democracies: The European Influence on U.S. Foreign Policy* (Princeton, 1995).

¹⁸ Strictly speaking, the ‘new generation’ factor cited below can be regarded as secondary, given that this change was to some extent related to the end of the East–West conflict.

¹⁹ On US ‘soft power’, which has clearly also increased but which we cannot deal with in detail here, see Torbjørn L. Knutsen, *The Rise and Fall of World Orders* (Manchester, 1999).

However, because of its boom, the USA is at present frequently viewed as an economic hegemon.²⁰

In the military domain, the gap between the United States and the rest of the world has grown greater in real terms. All the relevant indicators give it a lead, or indeed show it to have unique capabilities and a monopoly. This applies to: military expenditure and investments in research, development, and procurement; communications, control, and command structures and satellite reconnaissance; presence in space, in the oceans, and in all parts of the world; a comprehensive spectrum of highly accurate weapons; and a global intervention-capacity based on highly mobile forces.²¹ In addition, thanks to a thoroughgoing structural overhaul of the arms industry, the USA has achieved two things: a financially solidly underpinned military-technology infrastructure ('defense industrial base'); and, as a result of a process of concentration and merger, a set of armaments concerns that are extraordinarily well positioned on the world market.

No country on earth, nor even any grouping of countries such as the EU, has anything of even remotely similar capacity to set against this dual US might. The current topic of debate is whether the 'revolution in military affairs' will further enhance the USA's 'high-tech hegemony',²² and, if so, to what extent.²³ The 'hard power' parameters detailed here reveal the United States as an undisputed hegemon, who—so the thesis goes—can, politically speaking, generally afford to resolve many security problems on its own, because it is less reliant on cooperation. Where it does get involved within the multilateral framework, so the second thesis goes, the greater its power, the greater its tendency to pass on financial follow-on costs to its allies (e.g. in the war in Kosovo).

2. *The 'Republican revolution'*. Two elements explain the effectiveness of the conservative ideological revolt. a) Following their landslide victory in both houses of Congress in November 1994, the Republicans sought to get their essentially domestically oriented 'Contract with America' translated into appropriate legislation. This 'contract', designed, with offensive intent, as a counter to the Democratic administration's projects, incorporated the credo of inviolable US freedom of action; the isolationist emphasis of conservative unilateralism was also unmistakably present in form of a National Missile Defense system. b) The overwhelming victory of the Republicans was not a one-off occurrence; they managed to maintain their numerical dominance in the legislature in the

²⁰ See *Frankfurter Allgemeine Zeitung (FAZ)*, 3 and 29 Jan., 8 Feb. 2000; also *Der Spiegel*, No. 2, 10 Jan. 2000, 82. See also *FAZ*, 19 July 1999 (article based on the EU study 'The Story behind Growth and Jobs').

²¹ See International Institute for Strategic Studies (ed.), *The Military Balance 1999–2000* (Oxford, 1999); Stockholm International Peace Research Institute (ed.), *SIPRI Yearbook 1998: Armaments, Disarmament and International Security* (Oxford, 1998), 236–9.

²² See James Kitfield, 'Providing High-tech Hegemony', in *Government Executive*, Washington, D.C., Aug. 1999, 102–4.

²³ See e.g. David C. Gompert, 'National Security in the Information Age', *Naval War College Review*, 51 (1998), 4: 22–41; Michael O'Hanlon, *How to Be a Cheap Hawk* (Washington, D.C., 1998); Eric R. Sterner, 'You Say You Want a Revolution (in Military Affairs)?', *Comparative Strategy (CS)*, 18 (1999), 4: 297–308.

elections of 1996 and 1998. The Republicans made adroit and efficient use of this situation to push through their agenda.

Another element of the ‘Republican revolution’ was the call for a ‘lean’ government, including reduced foreign aid and cutbacks in the USA’s operational presence abroad. This was a concrete expression of a clearly isolationist ‘America first!’ attitude.²⁴ Republican-dominated Congress acquired additional weight thanks to the ideological revolt in foreign-policy issues. It was not ‘divided government’ *per se* that made the task of governing difficult for the administration in the 1990s; it was more the increase in the importance of party affiliation brought about by the ‘Republican revolution’.²⁵ In addition to this, however, there was, on the administration’s side, the inability of the president, long-absorbed by personal affairs, to exercise proper leadership in foreign-affairs decision-making.²⁶ As a result, the ‘natural advantages’ of what, by comparison with the fragmented Congress, was a relatively united administration,²⁷ could not come properly into play.

3. *A superpower with no counterweights.* The disappearance of the ‘security peg’ provided by East–West confrontation has led to profound changes at the actor level and in the relationship between the general public/social environment on the one hand and the political system on the other. Nothing of similar influence has come to replace the relatively structured positions and attitudes of the *general public* that reigned during the East–West conflict. This also applies to the majority of *actors in the political system, especially the legislature*. The conditions for the latter’s political socialization have thus permanently changed.²⁸ Overall, the room for maneuver of individual Congress members, and the impact of the idiosyncrasies of elected deputies and senators in the foreign-policy domain, will probably increase. The American voter continues to elect his or her politicians on the basis of domestic political factors. Given the absence of the ideological influence of the East–West conflict, coherence between domestic and external political

²⁴ In the view of Secretary of State Albright, the decision of both houses of Congress in summer 1999 to make a 12% cut (more than \$US2.4 billion) in the administration’s budget for international affairs was crucial in relation to American foreign policy: “Congress faces a critical choice between funding America’s overseas leadership and turning its back on the world.” Madeleine K. Albright, ‘Investing in Our Interests’, *Washington Post (WP)*, 9 Sept. 1999

²⁵ See James Kitfield, ‘A Return to Isolationism’, *National Journal (NJ)*, 9 Oct. 1999, 2872–7 (2874).

²⁶ On the wider political context, see the 10 case studies by Stanley R. Sloan: ‘Foreign Policy? Blame both Congress and the White House’, *International Herald Tribune (IHT)*, 21 Jan. 2000. (This is a summary of the Georgetown University study *The Foreign Policy Struggle: Congress and the President in the Nineties and Beyond*, of which Sloan was one of the main authors.)

²⁷ On this, see Terry Moe/William Howell, ‘Unilateral Action and Presidential Power: A Theory’, *Presidential Studies Quarterly*, 19 (1999), 4: 850–72.

²⁸ To what extent the arbitrary interpretation and application of international law at federal level mentioned at the start of this study, and the unmistakable ‘Republicanization’ of the states as part of the development of American federalism, determine the nature of this socialization—and thus also the foreign-policy attitudes of elected representatives—must remain an open question. An investigation as methodologically complex and demanding as this cannot be carried out within the framework of this report. Basic data on party affiliation amongst governors may be found in *Congressional Quarterly Weekly (CQW)*, 58 (2000), 1: 26–7 (26).

positions amongst politicians has probably declined dramatically. The group of elected representatives without fixed political-cum-ideological views seems, overall, to have increased in size. One thing that definitely has increased, at any rate, is the influence of current framework-conditions (exceptionally good economic parameters, for instance) and of outstanding one-off political events—even more so in cases where the media take an interest. This means, in principle, that the political process, already fragmented, has become even more unpredictable. In the present economically propitious, arms-friendly conditions, this process fosters the formation of ‘winning coalitions’ of basic unilateral bent.

4. *The Arrival of a New Generation.* The arrival of a new generation has reinforced the processes triggered in the political establishment—particularly amongst members of the legislature—by the collapse of the USSR. Fifty of the 100 senators, and 353 of the 435 members of the House of Representatives, were newly elected to Congress during the last decade. Leading lights with a deep knowledge of, and an ongoing interest in, international politics—people such as Sam Nunn, Les Aspin, or Lee Hamilton—are no longer present in Congress. The change has “seriously undermined the foreign policy knowledge base” of the legislature; and with it has come a change in the factors that determine the voting behavior of members in the appropriating committees, which also approve the funds for the international activities of the US government previously mentioned. Narrow financial considerations have come to occupy first place; foreign-policy expertise has become secondary.²⁹ These developments have led to many younger elected representatives in both parties adopting a marked domestic orientation, which goes hand in hand with a lack of interest in foreign affairs. This combination fosters isolationist tendencies.³⁰ These are reflected in seemingly unimportant phenomena such as the steep fall in the number of foreign trips, even by members of Congress who hold leading positions.³¹ Some members of the legislature are said not even to own a passport.³²

We shall return to these factors, as far as empirically possible, in our concluding section,

²⁹ Sloan, ‘Foreign Policy’ (fn. 26).

³⁰ On the Republican newcomers to Congress, see Nicol C. Rae, *Conservative Reformers: The Republican Freshmen and the Lessons of the 104th Congress* (Armonk, 1998).

³¹ In 1999, for example, the leader of the Republicans in the House of Representatives, Dick Armey, from the state of Texas, admitted he had not gone abroad since his freshman year in 1986. “I’ve been to Europe once—I don’t need to go again.” The same was true of Asia, he said. Senator Lugar, himself a well-known representative of moderate internationalism and a chairperson of the Foreign Relations Committee in the mid-1980s, sees serious differences between his party nowadays and in the Reagan era. At that time, says Lugar looking back, “I would travel around the world as chairman at the President’s request. [...] That just doesn’t happen anymore. It was a different era.” Nowadays, under the chairmanship of Senator Helms, the Foreign Relations Committee hardly ever meets, he says. Quoted in Kitfield, ‘A Return to Isolationism’ (fn. 25), 2876.

³² See *Ibid.* 2876. Jesse Helms did, however, make a trip to the Security Council in New York in Jan. 2000, to present his views on the UN, previously set out in his *Foreign Affairs* article (Jesse Helms, ‘Saving the U.N.: A Challenge to the Next Secretary-General’, *FA*, 75 (1996), 5: 2–7). Coverage of the event gives the impression of the senator making an ‘official visit’ to what is for him a piece of foreign territory on American soil (see *FAZ*, 22 Jan. 2000; and *IHT*, 21 Jan. 2000).

when we present our main empirical finding—namely, that the conduct of the United States toward the UN and the OPCW displays clear unilateral emphases, whereas American policy on NATO is of a primarily multilateral nature.

2. The Clinton Administration and the International Organizations

When Bill Clinton conquered the White House in the elections of November 1992, he did so by focusing on a domestic political issue: the restoration of the American economy, then beset by severe problems. Despite his foreign-policy successes, George Bush had not been able to secure re-election—neither the conclusion of the Cold War during his period of office, nor his victorious hot war against Saddam Hussein were of any avail here. In line with Clinton's blunter but more powerful election slogan—"It's the economy, stupid!"—the administration turned its attentions mainly to domestic politics, particularly in 1993 and 1994. For the majority of the population, the ten most important problems of the day were in the domestic realm. Crime, unemployment, and health care occupied the first three places on the list. Since 1978, interest in international problems had no longer been quite so exiguous, and the population did not have such an isolationist attitude. The prevailing view, rather, was characterized by a tendency to argue in favor of selective involvement in bodies such as NATO and the UN. Any use of military force would require that the "vital interests" of the United States were affected.³³

The clear setting of priorities, and the configuration of public opinion and public demands, gave the government a certain freedom of definition and scope for action in respect of America's self-image as a hegemon and of the choice of means when it came to elaborating and implementing foreign policy. Leadership indeed meant, initially and primarily, leading the US economy out of its dire straits; but the new administration could not and would not confine itself to this. That the United States was a superpower, and intended to remain so, was beyond question within the administration. The claim to leadership in foreign affairs, and the willingness to exercise such leadership, were also bound up with this world-power status. "America must lead"—this was how Secretary of State Warren Christopher summed up the administration's guiding principle.³⁴ The question was: What did it mean to be the hegemon in the restrictive economic conditions that prevailed? How should leadership be exercised? And when should military or political means be used?³⁵ The answers to these questions were shaped not only by the

³³ Bernd W. Kubbig, *Aufrüstung vor Rüstungskontrolle: Amerikanische Raketenabwehrpolitik während der Clinton-Administration* (HSFK: HSFK-Report 1; Frankfurt/M., 1996), 3. On what follows, see esp. Ernst-Otto Czempiel/Kerstin Dahmer/Matthias Dembinski/Kinka Gerke, *Die Weltpolitik der USA unter Clinton. Eine Bilanz des ersten Jahres* (HSFK: HSFK-Report 1–2; Frankfurt/M., 1994); Ernst-Otto Czempiel, *Rückkehr in die Führung: Amerikas Weltpolitik im Zeichen der konservativen Revolution* (HSFK: HSFK-Report 4; Frankfurt/M., 1996); Kinka Gerke, *Die unilaterale Versuchung: Die Sanktionen der USA gegen die Handelspartner Kubas, Irans und Libyens und ihre Auswirkungen auf das Welthandelsregime* (HSFK: HSFK-Report 2; Frankfurt/M., 1997); Jürgen Wilzewski, 'Abschied vom Multilateralismus? Amerikanische Außenpolitik und die konservative Agenda', in: Bruno Schoch/Friedhelm Solms/Reinhard Mutz (eds.), *Friedensgutachten 1996* (Münster *et al.*, 1996), 179–89.

³⁴ U.S. Policy Information and Texts (USPIT), 1 June 1993, 4; similarly USPIT, 3 June 1993, esp. 19: "We are the only superpower in the world. We have the responsibility to act unilaterally where that's appropriate, and to lead multilaterally where that's appropriate. We also will protect our vital interests, if we have to, unilaterally."

³⁵ This last aspect will be dealt with in greater detail in connection with the peacekeeping question.

predominantly domestically oriented view, but also by the foreign-policy conceptions that the Clinton team brought with it. To begin with, the positions of this team were initially indebted to an unusually high degree—sometimes down to the choice of words—to the liberal internationalist school of thought.

At first, the administration based its approach on the notion of a restricted role for the United States as the sole remaining world power. This arose not only out of the limited resources, but also out of what the Clinton administration saw as the high level of interdependence in international relations and the significance of transfrontier problems in the realms of armaments, the economy, and environmental protection. The USA could neither solve these problems by exclusively unilateral means nor seal itself off from them. In a briefing with journalists in May 1993, Under Secretary of State Peter Tarnoff summed up the situation. The key elements he cited were consonant with a pragmatic/cost-saving style of multilateralism reflecting the selective internationalism then prevailing amongst the public. They were: the sharing of power and responsibility—and thus also of financial burdens—coupled with solo-ventures by the US on an exception-rather-than-rule basis.³⁶

On 24 June 1993, in a statement to Congress, the then US ambassador to the United Nations, Madeleine Albright, introduced the term that was to become the rhetorical hallmark of the newly accented foreign policy. Her ‘assertive multilateralism’ located the United States’ “leadership role within a multilateral setting to deal with the problems that we have to deal with”.³⁷ In Albright’s view, the USA was a superpower whose chief accoutrements—nuclear weapons—had proved ineffective against a whole range of problems and a whole series of actors such as the Bosnian Serbs and the Khmer Rouge.³⁸

³⁶ The following are the key passages from Tarnoff’s briefing:

“We simply don’t have the leverage, we don’t have the influence, we don’t have the inclination to use force and we certainly don’t have the money to bring to bear the kind of pressure that will produce positive results any time soon.

We’re talking about new rules of engagement for the United States. There will have to be genuine power-sharing and responsibility-sharing.

There may be occasions in the future where the United States acts unilaterally—if we perceive an imminent danger very close to home that can be defended and where the amount of resources that we expend are commensurate with what our interests are. But these will be exceptions.” Quoted in Mark T. Clark, ‘The Future of Clinton’s Foreign and Defense Policy: Multilateral Security’, *CS*, 13 (1994), 2: 181–95 (188).

³⁷ Madeleine Albright, ‘Statement’, 24 June 1993, in: 103/1 U.S. Congress, House, Committee on Foreign Affairs, Subcommittee on International Security, International Organizations and Human Rights, *Hearing: U.S. Participation in United Nations Peacekeeping Activities*, Washington, D.C., 1993, 13.

³⁸ This had been her explicit view in early May when she appeared before the House of Representatives Committee on Foreign Affairs (see ead., ‘Statement’, 3 May 1993, in: 103/1 U.S. Congress, House, Committee on Foreign Affairs, Subcommittee on Europe and the Middle East and International Organizations and Human Rights, *Hearing: Collective Security in the Post-Cold War World*, Washington, D.C., 1993, 164). The conclusion to which this shortcoming led her at the time was the idea of collective security (ibid., esp. 164). A little while later, she abandoned the term collective security. In her speech to the Council on Foreign Relations on 11 June 1993, she spoke about “cooperative security and the United Nations” (ead., ‘Address to the Council on Foreign Relations Conference on Cooperative Security and the United Nations’, 11 June 1993, printed in: 103/1 U.S.

Albright's statements, which also reveal a strong affinity with the liberal school of thought, gave the impression that multilateralism was not just an instrument of American policymaking but its underlying principle. Like Tarnoff, the UN ambassador spoke of unilateral measures as the exception.³⁹ But a notion of leadership in which the USA occupied a position at the head of a coalition was not to be given priority either.⁴⁰

Amongst the international organizations, the United Nations occupied the key position. The concept favored by Albright explicitly took up the positive role-model function of the USA, as implied in Joseph Nye's 'soft power' idea, and stressed the 'agenda-setting' function of American leadership within the new international framework. The ambassador described the relationship of tension that generally prevailed between the US leadership and other states in any multilateral arrangement as productive; "assertive multilateralism", she said, had a "multiplier effect" and was "definitely not an oxymoron".⁴¹

Given the increasing criticism (see below), the days of 'assertive multilateralism' were, literally, numbered. On 24 June, Albright had still vigorously defended her concept before Congress, highlighting the mutually exclusive objections of her critics. On 30 August 1993, however, she made a general retraction not only of her description of this foreign-policy approach, but of the idea of multilateralism in general: "Multilateralism is a word for policy wonks [...] so let's not use it anymore", she stated on the 'MacNeil-Lehrer Newshour' on television.⁴² Albright's radical shift did not mean that the whole administration had declared multilateralism to be taboo and banished it from its repertoire of approaches. The ambassador's public distancing did, however, signal that the term was to be redefined—and qualified. From now on, multilateralism was to be "a means not an end", as Secretary of State Warren Christopher put it in an address at Columbia University on 20 September 1993.⁴³ In contrast to the form in which Tarnoff and Albright had initially advocated it, multilateralism as a principle of foreign policy now gave way to a pragmatism led by American interests and by the selection of a corresponding set of instruments.

A 'pick and choose' US hegemon would decide whether it would pursue its goals in solo

Congress [fn. 37 above], 123). By 24 June, she was no longer using the term collective security (*ibid.*, esp. 13).

³⁹ "Though sometimes we will act alone, our foreign policy will necessarily point toward multilateral engagement" (*ibid.* 3).

⁴⁰ See Albright, 11 June 1994 (fn. 38), esp. 123.

⁴¹ *Ead.* (fn. 37), 13: "I see assertive multilateralism as a way for us to take a leadership role along with others. The arguments against it take, in effect, opposite sides: either that [...] it is viewed as weakening us, or it is involving us in issues that we don't want to undertake. I think that what it does is place us in a position of responsibility along with our partners so that we don't have to do everything alone. It also provides us with the strength of the others and does not engage us in situations by ourselves or withdraw us from situations or isolationists."

⁴² Quoted in John Gerard Ruggie, 'Third Try at World Order? America and Multilateralism after the Cold War', *PSQ*, 109 (1994), 4: 553–70 (559).

⁴³ Quoted in Michael Brenner, 'A United States Perspective', in: *id.* (ed.), *Multilateralism and Western Strategy* (fn. 10), 131–84 (150).

ventures, within a coalition of like-minded entities ('coalition of the willing'), or multilaterally, within the framework of international organizations such as the UN and NATO. Christopher's clarificatory statement anticipated the relative rankings given by President Clinton to the unilateralist and multilateralist approaches. In his speech to the UN General Assembly on 27 September 1993, in which he set out US foreign-policy principles, the president insisted on the right to engage in unilateral actions where the vital interests of the USA and its allies were at stake. If these interests were not affected, multilateral measures could come into play.⁴⁴ This differentiation consigns multilateralism to second place but at the same time leaves it enough scope to steer foreign policy along cooperative lines. Multilateral steps remain appropriate for situations in which the USA is unable to resolve a problem on its own.

Clinton's object in making this clarificatory statement was to quell the rising tide of internal American criticism of his foreign-policy approach. The remarks made by Under Secretary of State Tarnoff, which had not been intended for publication, had already caused a "public outcry".⁴⁵ Even Madeleine Albright's ideas contained several exposed flanks. The tough criticism that crystallized around the issue of multilateralism targeted three aspects of the substance of American foreign policy in the Clinton era: the USA's inadequate leadership; the inefficiency of actions organized on a multilateral basis; the threat to US freedom of action. Foreign-policy problems began increasingly to crowd in on a world power preoccupied with its economy and its budget. These problems went by the name of Yugoslavia and Somalia.⁴⁶

In view of the president's vacillation on the disintegrating Yugoslavian state, critics in American society and within his own democratic party—which at that time still had a majority in both houses—accused him of weak leadership. Multilateralism was becoming a synonym for systematic non-action in a leaderless community. But even if a common denominator could be found, so the objection went, multilateral decision-making processes could not ensure that the USA would successfully assert its will—at least not if the sort of compromise-oriented 'soft power' measures canvassed by Ambassador Albright were applied. American influence could only be successfully translated into reality through a dominant style of leadership. For the critics, the UN intervention in Somalia became the perfect example of how the United States had given away its sovereignty to an international organization, how it had, as it were, become a 'subcontractor to the UN',⁴⁷—with catastrophic results, as shown by the death of eighteen American soldiers in Mogadishu at the beginning of October 1993.

This criticism provided a foretaste of the major changes that were to take place in the internal American power-constellation from November 1994. With the landslide victory of

⁴⁴ See USPT, 29 Sept. 1993, 4 f.

⁴⁵ Ruggie, 'Third Try at World Order?' (fn. 42), 553, n. 2.

⁴⁶ See Brenner, 'A United States Perspective' (fn. 43), 140 ff.

⁴⁷ For a trenchant account, see James E. Goodby, Foreword in: Brenner (ed.), *Multilateralism and Western Strategy* (fn. 10), pp. viii–ix; see also Michael Brenner, 'The Multilateral Moment', in: *ibid.* 1–41 (17 ff.); Phil Williams, 'Multilateralism: Critique and Appraisal', in: *ibid.* 209–31. This book also includes an well-argued case for multilateralism by Hans Maull.

the Republicans in both houses of Congress came the dominance of representatives who, with their 'Republican revolution', sought to initiate a conservative, primarily domestically oriented counter-program. In the foreign-policy domain, they relied on unilateral measures and military strength; the conservative internationalists amongst them stressed the USA's global leadership. The pressure on Clinton grew. The changes he sought to effect in social, economic, and budgetary policy made no headway; the charges of weak leadership increased. In this muddled and, for Clinton, politically ever more dangerous situation, the president had recourse to the previously neglected strategies and instruments of the realist, power-politics-based school of thought.

At the end of 1995 he decided to dispatch a contingent of 20,000 troops to oversee the Dayton peace accords in Bosnia-Herzegovina. By this decision, Clinton not only demonstrated his capacity for leadership *vis-à-vis* the American legislature; the decision also marked the start of a serious attempt to assume international responsibility. In his keynote speech on foreign policy in January 1996, the president lent this aspiration programmatic force. As is demonstrated by NATO enlargement, the administration did not reject all multilateral involvement. However, its preference came to lie increasingly with those international organizations about which there was no internal social dissension and which promised a satisfactory enforcement of American interests.

The changed balance of forces and the foreign-policy realignment were also mirrored in the Clinton administration's attitude toward the UN, NATO, and the OPCW.

3. The Ideological Battlefield of the Unilateralists and Multilateralists: UN Reform and American Peacekeeping Policy within the Framework of the United Nations

3.1 A UN Upturn: The Comprehensive Debate about Reform

At the start of the 1990s, it was hoped that the latter would be a decade of enhanced political status for the United Nations. Many of the ideas and proposals that were circulating prior to the UN's fiftieth anniversary were aimed at increasing its strength and independence. It was to be better endowed financially, and its power of action was to be enhanced by the creation of a rapid intervention force under the jurisdiction of the Security Council. The Council itself was to undergo a structural reform that would alter the traditional power-configuration and gradually transform the members' "private monopoly" into a "public monopoly".⁴⁸

Hopes were rooted in the disappearance of the bipolar order and the UN-legitimated anti-Iraq coalition in the second Gulf War. In the United States—the architect, host, and nominally largest contributor to the United Nations—President Bush's 'New World Order' fueled huge expectations in regard to the kind of enhanced UN that would emerge from a process of reform.⁴⁹ Bush's vision, it is true, remained rhetoric; but the president did make efforts to normalize America's relationship with the United Nations following years of alienation in the Reagan era.⁵⁰ The UN seemed to offer itself as the perfect vehicle for the newly accented multilateralism of Bush's democratic successor, Clinton. An increased UN role in the management of international conflicts was to lighten the burden on both the American taxpayer and the US economy. Bill Clinton had incorporated some of the elements from the reform discussion into his foreign-policy election program.

⁴⁸ This is the thrust in Volker Rittberger/Martin Mogler/Bernhard Zangl, *Vereinte Nationen und Weltordnung: Zivilisierung der internationalen Politik?* (Opladen, 1997), 61. On UN reform, see also Lothar Brock, *Die USA und die UN: Reform oder Abbau der Weltorganisation?* (HSFK: HSFK-Standpunkte, 2; Frankfurt/M., 1998); Ernst-Otto Czempel, *Die Reform der UNO: Möglichkeiten und Mißverständnisse* (Munich, 1994); Klaus Hüfner (ed.), *Die Reform der Vereinten Nationen: Die Weltorganisation zwischen Krise und Erneuerung* (Opladen, 1994). In this context, see also Manfred Knapp, 'Mehr weltpolitische Verantwortung? Der Wandel der deutschen Außenpolitik im Verhältnis zur UNO', in: Monika Medick-Krakau (ed.), *Außenpolitischer Wandel in theoretischer und vergleichender Perspektive: Die USA und die Bundesrepublik Deutschland* (Baden-Baden, 1999), 171–202.

⁴⁹ See George Bush/Brent Scowcroft, *A World Transformed* (New York, 1998), 360 ff.

⁵⁰ See Pia Bungarten, 'Multilateralismus auf enger oder breiter Basis—zur Rolle der USA in den Vereinten Nationen nach dem Ende des Kalten Krieges', in: Cord Jakobeit/Ute Sacksofsky/Peter Welzel (eds.), *Die USA am Beginn der neunziger Jahre: Politik Wirtschaft Recht* (Opladen, 1992), 35–59; Sabine Loeper, 'Multilateralismus ohne Hegemonie? Die amerikanische Politik gegenüber den Vereinten Nationen', in: Matthias Dembinski/Peter Rudolf/Jürgen Wilzewski (eds.), *Amerikanische Weltpolitik nach dem Ost-West-Konflikt* (Baden-Baden, 1994), 381–406; Konrad Klingenburg, 'Die UN: Vom Hoffnungsträger zum Prügelknaben?', in: Friedhelm Solms/Reinhard Mutz/Gert Krell (eds.), *Friedensgutachten 1994* (Münster et al., 1994), 22–35; Frank Zitka, *Wandel und Kontinuität: Amerikanische UNO-Politik 1977-1993* (Frankfurt/M. et al., 1997), *passim*.

However, all these hopes soon dissolved. Even in the run-up to the anniversary celebrations, the ideas about reform had already come up against “currents” within the USA which were marked by “skepticism and dislike of, indeed hostility toward, the United Nations”.⁵¹ The proposals essentially remained paper tigers; little headway was made in translating them into a political program. Today, the UN is experiencing the greatest crisis in its history—and not just because of the years of overdue payments. Politically too, it has lost credibility—not without some responsibility on its own part.⁵² And yet its dire state is due primarily to the conduct of the United States. The latter’s unilateral policies are jeopardizing the multilateral principle of organization on which the United Nations is based. The long-established policy of financial blockade that is the focus of the following account points up the asymmetrical relationship between the UN and the USA: without the latter, the former could scarcely survive, but politically dominant actors in the United States have made it quite clear that they do not want to be reliant on *this particular* United Nations.

3.2 A Political About-Turn: Congress as the Motor of American Policy on the United Nations

With the triumph of the Republicans in the elections to Congress in November 1994, the legislature was assured of the role of chief player in American UN policy for years to come. This shift in roles goes beyond a general extension of the legislature’s say on foreign-policy matters. In the case of the United Nations, as in other areas, the involvement of the legislature operates through the ‘power of the purse’—the appropriation of funds for the regular UN budget, for individual UN organizations, and for peacekeeping operations.⁵³ But America’s withholding of, and procrastination over, its compulsory contributions involved more than this. The United Nations formed the arena in which the different views of the role of the USA, and about foreign-policy strategies under the dual pull of unilateralism and multilateralism, clashed with one another. In addition, the republican-dominated parliament used its stymieing tactics as a means of controlling the Democratic executive and of molding the UN according to its own foreign-policy conception.

The draft legislation introduced in both houses reflects the clear precedence of those members of the legislature who either rejected or were extremely skeptical of the United Nations. However, the isolationist bills calling for the withdrawal from the UN that were

⁵¹ Carel Mohn, ‘Die Taktik des richtigen Input: Über den Einfluß der UN-politischen Debatte in den USA auf die Reformempfehlungen der Weizsäcker-Kommission’, *Vereinte Nationen*, 44 (1996), 6: 142–7 (142). This exceptionally informative article describes the strategies of argumentation adopted by the ‘Weizsäcker Work-Group’ *vis-à-vis* the anti-UN milieu in the United States.

⁵² For example: a commission of inquiry chaired by the former Swedish prime minister Ingvar Carlsson charged the UN—and in particular the Security Council—with being partly responsible for the genocide in Rwanda. The UN later acknowledged this. See *FAZ*, 17 Dec. 1999.

⁵³ Unless defined more precisely in what follows here, the term peacekeeping operations here implies measures designed either to maintain peace (blue-helmet operations) or to enforce it, as set out in chapters VI and VII of the UN Charter respectively.

repeatedly submitted from 1995 onwards won the support of no more than about 20 of the 435 members of the House of Representatives.⁵⁴ They had as little chance of securing a majority as did the demands of the (none the less sizeable group of) one hundred or so liberal representatives in the opposing political camp. On 25 March 1999, this latter group introduced the “Arrears Payment Act” (H.R. 1355), supported by 92 Democrats and 10 Republicans. This called for the unconditional payment of the monies owing to the UN. What ultimately won the day, however, was a series of bills by the conservative internationalists, which were supported by a majority in both houses.

It was the activities of the powerful chairman of the Foreign Relations Committee, Senator Jesse Helms, which formed the legislature’s political center of gravity. In mid-1997, Helms introduced the “United Nations Reform Act”. His beliefs in matters relating to the UN, set out in a manifesto-style article for *Foreign Affairs* in 1996,⁵⁵ reveal him to be a member of the legislature keen to see a United Nations with reduced powers. This runs counter to the “empowerment” objectives which Secretary-General Boutros Boutros-Ghali sought to achieve through the reforms. When the time came for the Secretary-General to be re-elected, a trial of strength ensued between these proponents of different policies. It marked the apogee of an out-and-out American campaign against Boutros Boutros-Ghali. The high-ranking Egyptian diplomat (“I was too independent for them”)⁵⁶ was obliged to give way. The extent to which Republican-dominated Congress has become the hub of US policy on the UN is demonstrated by the fact that in 1997, on the advice of President Clinton, the new secretary-general, Kofi Annan, paid a courtesy call on committee chairman Helms.⁵⁷

Helms’s isolationist withdrawal tendencies are unmistakable; he links continued membership of the UN to extremely strict conditions. The senator from North Carolina is looking for a 50 per cent cut in American contributions to this “power-hungry and dysfunctional organization”, this “quasi-sovereign entity in itself”.⁵⁸ But such far-reaching demands are incapable of securing a majority in the Senate. The grouping that sponsored them was forced to make certain compromises with the moderate and liberal internationalists, who regard American membership of UN as indispensable. Overall, however, the conservatives around Helms managed to get a lot of their own way in the bill in question. The “Helms-Biden Agreement”, passed by the Senate on 7 June 1999, tied the repayment of the sums owed by America, and the whole of future financing policy, to a host of conditions—including the reform of the organization.

⁵⁴ These bills include, for example, the “United Nations Withdrawal Act of 1995” (H.R. 2535), introduced in the House of Representatives on 25 Oct. 1995, and the “American Sovereignty Restoration Act of 1999” (H.R. 1146), introduced there on 17 Mar. 1999.

⁵⁵ See Helms, ‘Saving the U.N.’ (fn. 32).

⁵⁶ Interview in: *Der Spiegel*, No. 20, 12 May 1997, 156.

⁵⁷ See Peter Rudolf, *Krise ohne Ende? Die USA und die Vereinten Nationen* (Stiftung Wissenschaft und Politik: Ebenhausen, 1997), 13.

⁵⁸ Helms, ‘Saving the U.N.’ (fn. 32), 2.

3.3 Conditioned Cooperation: The Clinton Administration's Package-Policy

With the landslide victory of the Republicans in the November elections of 1994 came a major shift in the discussion about reform. There could no longer be any thought of a political or financial strengthening of the United Nations. Instead, increasing its administrative efficiency became the central focus of American UN policy. Linked to this was a narrowing of the debate to the budgetary and administrative dimension. The administration's main goal now—this was the lowest common denominator with Congress—was to use the reforms to get American influence in the UN set on as firm a footing as possible. There was also consensus that the reform process should be exploited to secure unilateral advantages.

From 1994, the Clinton administration worked to set this process of reform in motion. It did not do this solely under pressure from Congress. A more economical UN fitted in with its domestic priorities and its concept of multilateralism. Internationally, the American government was by no means alone in calling for a radical administrative 'overhaul' of the UN. Calls to this effect extend as far back as the 1980s.⁵⁹ What was new, however, was the linking of reforms to the payment of American arrears. The Clinton administration exercised its leadership partly in unilateral fashion—the conditions imposed by Congress, and the administration's own schemes, such as the reduction in US contributions to peacekeeping operations (see below), were pushed through not via negotiation, but by diktat and pressure. In some cases, the administration made its proposals for change on its own or by arrangement with the tiny circle of influential, democratically constituted major donors to the UN. It took on board the often preprogrammed conflicts with the developing countries (the Group of 77); there could be no question of this being an egalitarian multilateralism that took the positions and demands of this numerically dominant grouping seriously.⁶⁰

The upshot of the *budgetary discipline* called for by the Clinton administration and a number of major donor-countries was that for the first time ever the UN General Assembly agreed to a cutback in the budget (a 'negative-growth budget') for the dual fiscal period 1997/98. In 1994/95, the budget had amounted to \$US2.608 billion. Between 1987 and 1995, the members of the UN had already agreed to 'zero nominal growth'. If the United States gets its way, the total UN budget for 2000/01 will remain at the 1998/99 level—\$US2.533 billion.⁶¹ All of this means a real cutback in the budget. Congress's 'signature' is clearly visible behind the extraordinarily inflexible budgetary policy.⁶² And yet the sum

⁵⁹ See Zitka, *Wandel und Kontinuität* (fn. 50), 173 ff.

⁶⁰ See Richard Sklar (US Representative for UN Management and Reform), Statement, in: 105/1 U.S. Congress, Senate, Committee on Foreign Relations, Subcommittee on International Operations, Hearing: United Nations at a Crossroads: Efforts toward Reform, Washington, D.C., 6 Nov. 1997, 5.

⁶¹ See UN Ambassador Richard Holbrooke, *Letter to the Members of the UN General Assembly*, 10 Sept. 1999, 1 (<http://www.un.int/usa/ga54obj.htm>). On the financing of the UN, see also the study by Anthony McDermott, *The New Politics of Financing the UN* (New York, 1999).

⁶² In 1996, it laid down in law that about one-third of US contributions to the United Nations should be withheld—unless the Secretary-General could assure representatives in Washington that it would

required by the United Nations—so said former Secretary-General Boutros Boutros-Ghali—is less than the budget for the New York fire-service.⁶³

On *administrative reform*: the US government sought to secure a drastic cutback in staff and funding, especially in the secretary-general's immediate area of operation. In March 1997, under pressure from—in particular—the United States, Kofi Annan put forward a first plan for reform ('Track I'), which was followed, in July 1997, by a second ('Track II'). This plan also bears an unmistakable American 'signature'. US influence also extended to the need for greater coherence in the content and management of programs⁶⁴ and to the bureaucratic methods used for the ongoing monitoring of efficiency.⁶⁵

Compared with budgetary and administrative reform, *structural reform* occupies a secondary position in the Clinton administration's policy. Extension of the Security Council is the main point addressed here. The government argues for the inclusion of Germany and Japan as permanent members; at the same time, it accepts that three Third World countries should be admitted. It believes that, for reasons of efficiency, the maximum number of non-permanent members should be twenty-one. It has not yet come to a definite view as to whether the new members of the Security Council should have a right of veto, which has so far only been held by the five official nuclear powers.⁶⁶ If it is decided that they should, this would bring about considerable changes in UN's power-structure and mechanisms of influence.

According to UN calculations, US arrears as at February 1999 totaled more than \$US1.6 billion (including contributions to peacekeeping operations and the International Court of

adhere to the negative-growth budget. See Zarrin Caldwell, *U.S. Policy and U.N. Reform: Past, Present and Future* (UNA-USA Publications, 1997), 3 (<http://www.unausa.org/publications/reforms.htm>).

⁶³ See Interview in: *Der Spiegel*, No. 50, 11 Dec. 1995, 154.

⁶⁴ By March 1997, Secretary-General Annan had almost achieved the promised reduction of 1,000 jobs: 900 had been done away with. Overall, the UN cut the number of its posts from 12,500 to 8,800. In restructuring the work-program of his secretariat, Kofi Annan followed the proposal made by Secretary of State Albright: he tightened up his programs and departments and divided them up into four areas (humanitarian operations, development measures, economic and social operations, and peace and security). Before the reforms, there had been about 30 programs and departments reporting to the Secretary-General; now there are just four under secretaries-general.

⁶⁵ Of the various systems of monitoring in existence, the American-style Office of Internal Oversight (OIOS) initiated by the USA in 1994 has proved particularly controversial within the General Assembly. The office, working under the direction of an independent inspector-general, investigates wastage and mismanagement. By the middle of March 1999, it had completed investigation into 590 cases, and work was in progress on a further 240. The UN secretariat implemented 237 of the 255 recommendations made by the OIOS—i.e. almost all of them. Here again, Congress intervened in the 'micromanagement' of the UN. At the time, it laid down in law that the USA would withhold part of its payments if the UN did not set up the office. When, in 1995, doubt was expressed in Congress that the OIOS had access to the necessary data, members of the legislature again reacted with a legal provision. According to this, 20% of US contributions to the regular budget of the UN can be withheld if the American president cannot give an assurance that the Office of Internal Oversight is able to carry out its tasks in accordance with its statutes.

⁶⁶ See U.S. Department of State, Fact Sheets on U.N. Reform and the U.S. Financial Support for the United Nations, 19 Sept. 1999, 4 f. (<http://www.usia.gov/topical/pol/usandun/factsh.htm>).

Justice). The administration, for its part, estimates the amount owed by it at \$US1.021 billion. This means there is still a considerable sum in dispute between the USA and the United Nations. The difference is due to the unilateral reduction of the American contribution to peacekeeping measures from 31 to 25 per cent. This measure had been agreed jointly by the then still Democrat-dominated Congress and the Clinton administration, to take effect from 1 October 1995.

3.4 Dual Roles and Dilemmas: The Congressional Policy of Blockade and the Undermining of US Leadership in the United Nations

With its conditional policy of cooperation, the Clinton administration engaged in a dual game geared to its various target groups.⁶⁷ To UN opponents at home, the package-deal combining payment-policy with reforms could be presented as a strategy for securing a more favorable position within the UN decision-making system. The aim of the Clinton government here was not only to achieve budgetary and administrative reform; it also wanted to push through a reduction in the level of US contributions to peacekeeping measures and to the regular UN budget—which had already been unilaterally cut back—to 25 per cent and 22 per cent of the overall UN budget respectively.⁶⁸ In this connection, the “Consolidated Appropriations Act” passed in November 1999 stipulates that the tranches for 2000 and 2001 only be released if the General Assembly agrees with a reduction to 22 per cent in the contribution to the budget.

To the other target group—the UN member states and the bureaucracy on the East River in New York—the administration held out the prospect of payment when there had been demonstrable measures of reform. This dual role could only work as long as both target groups played along—and the other 184 UN member states and the New York headquarters duly did so. All the representatives of the Clinton administration soon confirmed to them that the process of reform whose institution the USA had played a crucial role in enforcing had already produced considerable, largely satisfactory results in all domains. The administration therefore considered its conditions had been fulfilled. Its willingness to cooperate with the UN was expressed in its urgent appeal to Congress to pay over the monies owing, amounting to one billion dollars and more. For a long time, however, the other target group—the Congress—refused to play along and blocked release of the money. As late as autumn 1999, the House of Representatives linked the release of American UN contributions to the abortion issue. On 25 October 1999, as in the previous year, President Clinton imposed his veto on the legislation in question, considering such a linkage to be unacceptable.

In contrast to 1998, the executive and legislature did not block each other for very long. In autumn 1999 there began to be some movement in the rigid positions. This was because the US now risked losing its voting rights in the General Assembly on account of its ever-growing mountain of debts. According to Article 19 of the UN Charter, a member state

⁶⁷ On this, see Brock, *Die USA und die UN* (fn. 48), 5.

⁶⁸ See Holbrooke, *Letter to the Members of the UN General Assembly* (fn. 61), 2.

loses this right if its arrears amount to, or exceed, the equivalent of two yearly contributions. The USA would have reached this stage on 1 January 2000 if it had not paid off about \$US575 million of its debts by then.⁶⁹ The “Consolidated Appropriations Act” (H.R. 3194) passed on 19 November 1999, which rested on an exchange deal between Congress and the administration, saved the United States from this situation. In return for the release of \$US926 million out of the total of about \$US1.6 billion, the government accepted a number of minor restrictions in American funding for international programs that promoted abortion. The president is empowered to waive these restrictions; should he make use of this power, the US contributions to family-planning groups, totaling \$US385 million, would be automatically cut by the minor figure of \$US12 million.⁷⁰

This legislation saved the United States, with its high-profile special demands, from ending up in the group of twenty-six insolvent countries, alongside the likes of Burundi, Niger, and Cambodia. With an internal American compromise taking shape, the administration was able to suspend its humiliating behind the scenes lobbying.⁷¹ Prior to this, it had effectively been in the position of a petitioner: the General Assembly would have had to find some kind of special arrangement for the USA had it not paid over the required sum by the deadline of 1 January 2000. The American government had hoped for the kind of loophole that had saved France, Russia, and China from the loss of their voting rights in similar circumstances during the East–West conflict.⁷²

What strengthened the administration’s position *vis-à-vis* Congress by comparison with the previous year was the fact that the crisis in the US’s political credibility at the UN had grown more acute. On top of this, the financial blockade was undermining the greater influence it had already achieved through the reforms. The policy of non-cooperation was also reducing the US government’s chances of getting its objectives—most notably its unilateral reduction in contributions—accepted in the General Assembly. The discharge of the debt was designed to counter this: “If we have a check in hand, [...] the climate for

⁶⁹ As stated by Under Secretary-General for Management Joseph Connor. Quoted in United Nations Association of the United States of America, *Washington Report: UN Funding Issue Acquires New Urgency despite Lack of Action*, 7 Oct. 1999, 2 (<http://www.unausa.org/dc/info/dc10799b.htm>). By way of illustration: the sum owing is less than the \$US658 million which US companies obtained from UN procurement contracts in 1994. See U.S. Department of State, Bureau of International Organization Affairs, *Most Frequently Asked Questions: U.S. Participation in the U.N.*, Apr. 1997, 5 (<http://www.state.gov/www/issues/iofaqs2.html>).

⁷⁰ See United Nations Association, *Congress Adjourns after Passing UN Arrears’ Authorization; Increases Appropriation for Peacekeeping*, 22 Nov. 1999, 1 (<http://www.unausa.org/dc/info/dc112299.htm>). See also *WP*, 15 and 16 Nov. 1999.

⁷¹ See *IHT*, 30 Sept. 1999.

⁷² See Zarrín Caldwell, *What is Article 19? Losing Our Vote in the U.N. General Assembly*, UNA-USA-Publications, 1998 (<http://www.unausa.org/publications/whatisa19.htm>); Steven A. Dimoff, *Legislative Update: U.N. Arrears and Congress*, United Nations Association of the United States of America, *Washington Report*, 7 June 1999 (<http://www.unausa.org/dc/info/update6799.htm>); Jeffrey Laurenti, *Losing America’s Vote at the United Nations: Prospects and Consequences of Article 19*, United Nations Association of the United States of America, 28 June 1999 (<http://www.unausa.org/issues/losevote.htm>).

reforms will be greatly improved.”⁷³

However true it may be that Congress for a long time systematically undermined the government’s attempts to build up its leadership in the UN through a credible payments-policy, to see the administration merely as a victim would fall short of the truth. Irrespective of Congress, its attitude to the United Nations is an ambivalent and dubious one. We allude here to its refusal to accede to the International Criminal Court—of which it was a co-initiator—because its judgements could also affect American citizens.⁷⁴ In the case of the bombing of Iraq⁷⁵ and the NATO attack on Serbia in March 1999, the US government pursued its policy in disregard of the United Nations. Toward the end of the Clinton era, what had once begun hopefully ended in a relationship for which the much-used term crisis is a euphemism. Amongst the top-ranking officials at the UN headquarters in New York, there is also bitterness about the executive in Washington: “Bill Clinton has done this institution incalculable damage.”⁷⁶ The UN officials’ main reproach is that the president left the conduct of UN policy to the legislature and his leading officials, instead of making it his main concern. It was only the imminent loss of US voting rights that seems to have galvanized Clinton into settling the financing question with Congress—at a very late date.

3.5 At the Interface between UN Reform and Selective Multilateralism: American Participation in Peacekeeping Operations

During the 1992 election campaign, as Democrat challenger to President Bush, the governor of Arkansas had backed the call for the creation of Blue Helmet units on permanent standby. At the beginning of its period of office, the new administration advocated the setting-up of a properly functioning crisis-center on the East River. It was also prepared to allow US soldiers to take part in UN peacekeeping operations even under UN command. The government was clearly intending to make American contingents available for a permanent United Nations intervention force, in accordance with Article 43 of the UN Charter.⁷⁷ Speaking before Congress, Ambassador Madeleine Albright explicitly supported the idea of standby troops.⁷⁸

However, opposition to the new emphases in UN and peacekeeping policy soon began to

⁷³ Comment by a high-ranking official in the US government, quoted in *New York Times (NYT)*, 16 Nov. 1999.

⁷⁴ On this, see Michael Bothe, ‘Internationale Strafgerichtshöfe als Friedensinstrumente’, in: Bruno Schoch/Ulrich Ratsch/Reinhard Mutz (eds.), *Friedensgutachten 1999* (Münster et al., 1999), 208–17.

⁷⁵ See Marc Weller, ‘Auf dem Weg zu einer imperialen Machtordnung der Welt? Vereinigte Staaten untergraben die Glaubwürdigkeit der Vereinten Nationen’, *FAZ*, 12 Dec. 1998.

⁷⁶ A quote from one of several, equally critical, UN officials, as reported in *NYT*, 5 Aug. 1999.

⁷⁷ See Volker Rittberger/Claudia Dedeke/Gabriele Kittel, ‘Langsame Annäherung. Das Verhältnis zwischen USA und UN unter den Präsidenten Reagan, Bush und Clinton’, *Vereinte Nationen*, 42 (1994) 2: 45-52 (51).

⁷⁸ See Albright, ‘Statement’ (fn. 37), 174.

make itself felt, not only in the legislature, but also within the administration. The House of Representatives did not appropriate the \$US10 million requested by the government for creation of the crisis center at UN headquarters; it also refused to give the green light to funding of \$US30 million for future US participation in peacekeeping activities.⁷⁹ The administration understood this signal: its initial plans could not be pushed through. One area particularly affected by the government's shift away from 'assertive multilateralism' was peacekeeping. Here, there were now three concerns: to formulate restrictive conditions for UN participation, and thus also drastically reduce the extent of activities and the budget involved; to establish American sovereignty *vis-à-vis* the United Nations; and to tackle the discrepancy between what was expected of the UN and what it was actually capable of doing.⁸⁰ This led on to the cardinal question of the relationship between mandating and improved, possibly separate, UN capacities such as had been called for at the start of the 1990s during the debate about reform outlined at the start of this paper.

The cornerstone of peacekeeping policy within the framework of selective multilateralism is Presidential Decision Directive (PDD) 25, passed at the beginning of May 1994. This dealt with the intervention in Somalia⁸¹ and took account of key objections by the emergent opposition to the government's initial ideas. At the same time, it sought to define the dividing-lines between unilateralism and multilateralism in peacekeeping policy. Clinton's 1993 slogan about "together when we can, alone when we must",⁸² had identified the problem but had left open the question of which instances should be dealt with unilaterally and which multilaterally. In view of the exponential increase in Blue Helmet operations, Congress was understandably pushing for some clarity on this matter. Helms sardonically remarked that "Peacekeeping is the United Nations' fastest-growing industry [...] peacekeeping must be overhauled".⁸³

The directive already contained the basic principles, criteria, and restrictions that have been so hotly debated on both sides in Congress in recent years. These debates were therefore essentially a form of rearguard action. The key 1994 restrictions on participation have now been embodied in the "Helms-Biden Agreement", passed by the Senate on 7 June 1999. Here too, reform means reduction. The administration's selective multilateralism has the

⁷⁹ See Rittberger/Dedeke/Kittel, 'Langsame Annäherung' (fn. 77), 51. On what follows here, see also: Tom Barry (with Eric Leaver), *The Next Fifty Years: The United Nations and the United States* (Albuquerque, 1996); Ivo H. Daalder, 'Knowing When to Say No: The Development of US-Policy for Peacekeeping', in: William J. Durch (ed.), *UN Peacekeeping, American Policy and the Uncivil Wars of the 1990s* (Houndsmills et al., 1997), 35–67; Edward C. Luck, 'The United Nations, Multilateralism, and U.S. Interests', in: Charles William Maynes/Richard S. Williamson (eds.), *U.S. Foreign Policy and the United Nations System* (New York et al., 1996), 27–53; 105/1 U.S. Congress, House, Committee on International Relations, *Hearing: Does U.N. Peacekeeping Serve U.S. Interests? Part II: Administration Witnesses*, Washington, D.C., 1997.

⁸⁰ This was the tenor of Albright's remarks to the UN Business Council: USPIT, 30 Sept. 1998, 7.

⁸¹ U.S. General Accounting Office, *Peace Operations: Withdrawal of U.S. Troops From Somalia*, Washington, D.C., 1994; Loeper, 'Multilateralismus ohne Hegemonie?' (fn. 50), 400.

⁸² Quoted *ibid.* 405 [translation from this German source].

⁸³ Helms, 'Saving the U.N.' (fn. 32), 6.

figures to show for it.⁸⁴ However, there was one demand from conservative UN critics which the Clinton government unequivocally rejected: that the United Nations should be asked for to pay for operations conducted independently by states such as the USA. Though they had UN support, in the form of a Security Council resolution, such operations did not take place under the leadership of the United Nations. For the American taxpayer, such a system of financing would have meant that he or she would have had to bear part of the costs of operations conducted, for example, by Italy in Albania. Proposals such as this would have spelt the end of the whole peacekeeping enterprise.⁸⁵

PDD 25 makes it clear that American military strategy is led by the principle of unilateralism. “UN peacekeeping operations cannot substitute for this requirement.”⁸⁶ In certain circumstances—regarded as the multilateral exception to the unilateral rule—they can be “one useful tool”. PDD 25 sets it down as one of the basic principles of American policy that the USA “cannot be the world’s policeman”.⁸⁷ The directive—like the later “Helms-Biden Agreement” in Congress—is based on the traditional instrumental and interest-led conception of international organizations, here defined in UN-specific terms: the ‘collective action’ of the United Nations legitimates what are often unilateral decisions by the USA. Multilateral operations are also regarded as important where they constitute an alternative or a complement to unilateral measures—because they are more effective and/or cheaper. Appropriateness, size, nature of task, burden-sharing, and options for American withdrawal all figure more prominently as criteria.⁸⁸ They have since become part of the Helms-Biden legislation, which has been used by members of the legislature as a means of generally strengthening their control in this area of policymaking.

Multilateral cooperation, so the Department of State argued, is also in the US interest because it offered “a valuable alternative to either acting alone or doing nothing at all”.⁸⁹ The Clinton administration sought to demonstrate the UN’s political importance to

⁸⁴ The number of UN troops deployed worldwide fell from 78,000 to 15,00 between the mid-1990s and 1998. In spring 1997, of the total of 26,000 Blue Helmets in service, 800—i.e. 3%—were Americans. Only one per cent of the troops patrolling the Iraq–Kuwait border belong to the US contingent. There was a corresponding sharp drop in the UN budget for peacekeeping measures from 1993 onwards—the year in which, mainly because of the UN intervention in Somalia and former Yugoslavia, it reached a high point of almost \$US4 billion. At the start of 1999, the administration requested only \$US235 million for the forthcoming budget. However, at the end of October, it asked for further monies for the operations in Sierra Leone and East Timor. The “Consolidated Appropriations Act” passed on 19 Nov. 1999 provides for funds of \$US500 million for peacekeeping operations in the Fiscal Year 2000. See U.S. Department of State, Bureau of International Organization Affairs, *Most Frequently Asked Questions* (fn. 69), 4. On the latest budget figures, see United Nations Association, *Washington Report* (fn. 69), 2.

⁸⁵ See USPIT, 29. Apr. 1994, 25 f.

⁸⁶ U.S. Department of State, Bureau of International Organization Affairs, *Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25)*, 22 Feb. 1996, 2.

⁸⁷ *Ibid.* 12.

⁸⁸ See *ibid.* 25.

⁸⁹ U.S. Department of State, Bureau of International Organization Affairs, *Most Frequently Asked Questions* (fn. 69), 4.

opponents of the United Nations at home by pointing to a number of peacekeeping operations—in Cambodia, El Salvador, Guatemala, Haiti, Cyprus, Namibia, and Mozambique, and also on the Golan Heights and along the Iraq–Kuweit border. The administration’s representatives even managed to extract some positive aspects from the dubious or negative results of UN operations in, for example, former Yugoslavia (Bosnia-Herzegovina), or from UN non-action in Rwanda.

These arguments cannot disguise the fact that the Clinton government—both theoretically, in PDD 25, and also in its practical policy of selective multilateralism—did largely accommodate two demands: that there should be only minimal encroachments on American sovereignty, and that there should be no further steps toward UN independence. The clearest indication of the sovereignty stance is the fact that the American president retains overall command of US troops even if they temporarily operate under a UN flag or under some other national command. The United Nations continues to be an instrument of all its member states—any risk of this relationship being reversed is non-existent. In any case, given its right of veto, the United States can successfully block all developments that are not consonant with American interests.

All this was a clear rebuff to any idea of an independent UN. The Clinton administration was thereby reverting to the traditional US position—and, incidentally, found itself in full accord with many other member states in doing so. The more far-reaching possibilities considered at the start of its period of office remained no more than a temporary. Thus it rejected the idea of an independent armed force for the United Nations. For the United States as for others, even the standby system that has been set up does not imply any general or automatic obligation to provide troops; decisions are made on a case-by-case basis. The administration in Washington also argued against UN headquarters in New York building up its own sources of financing—through an international system of taxation, for instance (and thus indirectly out of US taxes).⁹⁰

These positions chime with the American policy of not strengthening the United Nations sufficiently for it to fulfill its tasks as set out in Chapters VI and VII of the Charter. What made the UN’s credibility crisis more acute, and helped to weaken the organization, was the fact that it was not adequately equipped to carry out peacekeeping tasks—let alone peace-enforcement missions. The UN was charged with the task of creating security zones in Bosnia without having the wherewithal to defend them. This led to humiliation when Blue Helmets were taken hostage by the Serbs in an attempt to prevent Western air-attacks. The UN acquired the label ‘helpless helper’⁹¹ (a synonym for ineffective multilateralism within the UN framework) and became a scapegoat. And yet, in line with the nation-state set-up, it was the member countries who refused to give the green light for adequate provisioning. The major Western donor-countries—first and foremost the United States—did not back the kind of permanent UN intervention force which Boutros Boutros-Ghali

⁹⁰ See *ibid.* 3; United Nations Information Centre, *United Nations Reform* (fn. 2), 5; U.S. Department of State, Bureau of International Organization Affairs, *Most Frequently Asked Questions* (fn. 69), 4.

⁹¹ E.g. in Peter Schlotter, ‘Die hilflosen Helfer: EG und UN im Krieg auf dem Balkan’, in: Gert Krell/Friedhelm Solms/Reinhard Mutz (eds.), *Friedensgutachten 1993* (Münster *et al.*, 1993), 94–106.

considered necessary.⁹² Their preference went instead to the regional organization in which, because of its decision-making structures, missions, and instruments of power, the United States had an assured measure of influence: NATO.

3.6 The Will of the People Largely Ignored

The positions represented in the administration and in Congress are, of course, also present on the societal level. The isolationists and unilateralists predominate in institutes and lobby organizations such as the Cato Institute, the National Center for Policy Analysis, the American Enterprise Institute, and the Heritage Foundation. With the exception of the Pentagon, the networks which they built up during the 1980s probably only extend to a limited degree to Clinton's Democrat administration. What lends their demands weight is their continuing close links with the Republicans in Congress. Common to all isolationists and unilateralists is their harsh, moralistic blanket-criticism of the United Nations: they see the "Kafkaesque bureaucracy"⁹³ as a quagmire of deception, profligacy, and inefficiency. They all call for tighter controls on the UN, which, they say, has as yet not made nearly enough reforms. They treat the United Nations as if it were an American institution. What their proposals ultimately seek is a weakening of the United Nations. The publications of the Cato Institute⁹⁴ and the National Center for Policy Analysis⁹⁵ intimate that US withdrawal from the United Nations is the advisable option.

The Heritage Foundation, by contrast, explicitly advocates that the USA remain in the UN. The United States is to exploit its membership to further American interests. Withdrawal would call its global leadership into question, send out a false signal to its adversaries, and jeopardize the cohesion of other organizations such as NATO. This lobby organization also sets tough conditions for continued US membership. In its view, the compromises arrived at between Senators Helms and Biden in regard to the payments to the UN do not go far enough.⁹⁶

The opponents and critics of the United Nations cannot—unlike its general advocates—claim the support of a broad coalition of influential groupings and political agenda-setters.

⁹² See the interview with him in *Der Spiegel*, No. 31, 29 July 1996, 117.

⁹³ Edward H. Crane/David Boaz (eds.), *Cato Handbook for Congress*, ch. 51: 'The United Nations' (1998) 1. (<http://www.cato.org/pubs/handbook/hb105-51.html>).

⁹⁴ See *ibid.*; also David Isenberg, 'The Quadrennial Defense Review: Reiterating the Tired Status Quo', *Policy Analysis (PA)*, 317 (1998); Cliff Kincaid, 'The United Nations Debt: Who Owes Whom?', *PA* 304 (1998).

⁹⁵ See John R. Bolton, 'U.S. Money and a U.N. Vote', *Washington Times*, 24 Oct. 1998 (<http://www.aei.org/ra/rajrb8.htm>), National Center for Policy Analysis, *NPCA Policy: Should U.S. Be Paying U.N. Dues?* (<http://www.npca.org/pd/pdint160.html>), *NPCA Policy: Is the U.N. Even Necessary?* (<http://www.npca.org/pd/pdint51.html>), *International Issues: UNICEF. Another United Nations Boondoggle* (<http://www.npca.org/pd/pdinter/pdint216.html>).

⁹⁶ See Brett D. Schaefer, *Congress Should Hold the Line on U.N. Reform* (Heritage Foundation: Backgrounder 1290, Executive Summary; 4 June 1999) (http://www.heritage.org/library/backgrounder/pdf/bg_1290.pdf).

There is, however, one important exception here: the conservative anti-abortionists, who have good links with Congress. Overall, the United Nations enjoys a high degree of acceptance amongst social actors. There are a number of professional organizations who have made it their task to get the UN Charter implemented and/or are striving to strengthen the United Nations. They pursue their goals mainly from within coalitions of actors. The major organizations and alliances include: the United Nations Association of the United States of America (UNA-USA); the Business Council for the UN; the Emergency Coalition for US Financial Support for the United Nations; and the Campaign for UN Reform. The first three came together to form the Better World Campaign. Their lowest common denominator was the call to the administration, and in particular to Congress, finally to create the political and legal basis for a credible payment-policy *vis-à-vis* the United Nations. Virtually the whole of corporate America is represented in the “Business Council”—from the Bank of America, through the Coca-Cola Company, the New York Stock Exchange Inc., up to the Rockefeller Group, Unilever United States Inc., and the Xerox Corporation.⁹⁷

These global players have a strong economic interest in a properly functioning United Nations—either because it helps to protect the property rights of US companies and to set standards for fair competition, or because it disseminates important economic data and improves investment opportunities, including for American companies, by promoting market structures worldwide.⁹⁸ The “Emergency Coalition” included a large number of traditionally liberal non-governmental organizations from the arms-control, environmental, human-rights, and church sectors. This alliance of actors—which broke up after US financing was enshrined in law—extended right into the conservative camp. Without losing sight of their ultimate objective of a stronger United Nations, professional socially based UN organizations such as UNA-USA and the Campaign for UN Reform gear their demands to the balance of power within Congress. Hence, their pragmatic call for the conditions for their country’s continued membership of the United Nations to be tightened up.

A whole series of elder statesmen of various foreign-policy orientations and party-political affiliations spoke up in favor of a credible payments-policy. Jimmy Carter, Gerald Ford, Henry Kissinger, Cyrus Vance, and Paul Volcker—all the signatories of the Open Letter of 4 March 1998 pointed to the overwhelmingly cooperative-minded, UN-friendly population and argued in favor of the US quest to lead, in favor of a multilateralism that took existing international institutions seriously—and against a falsely construed unilateralism.⁹⁹ In March 1999, a similar Open Letter was sent to the leading members of Congress by seven

⁹⁷ See Better World Campaign, *Allies of the United Nations* (<http://www.betterworldfund.org/partners/partners.html>).

⁹⁸ Representatives of the administration have incorporated these interests into their standard arguments for US payments-policy. See also USPIT, 30 Sept. 1998 (fn. 80), 6.

⁹⁹ On this, see also Council on Foreign Relations, *American National Interests and the United Nations*, Statement and Report of an Independent Task Force, New York *et al.*, 1996; State Department, Bureau of International Organization Affairs, *Broad Coalition Supports UN Arrears Payment*, 4 Mar. 1998 (http://www.state.gov/www/issues/fs_arrearscoalitn_980304.htm).

former US secretaries of state from both parties.¹⁰⁰ On 14 September 1999, twenty-three church leaders appealed for the American debts to be paid off, pointing to the fact that the moral leadership of the USA was under threat.¹⁰¹ It must be said, however, that, compared with the conservative organizations, these groups, alliances, and agenda-setters have less access to the Congress majority's centers of power. Their lesser influence is also due to the fact that—particularly in the case of the companies mentioned—the UN issue is mostly not at the top of their political list of priorities.

The anti-UN attitude of many members of the legislature has little backing amongst their own population either. The basic stance toward the UN amongst the frequently surveyed general public—who, overall, currently support “guarded engagement” by the US—is distinctly positive.¹⁰² Compared with the situation in the mid-1990s, it has improved, even if there are individual aspects indicating some reservations on the part of the population.¹⁰³ There is, however, one hefty bitter pill to swallow: the fact that the UN lies a mere eleventh in the list foreign-policy topics of interest—though this does put it immediately ahead of US public interest in the defense of the allies.¹⁰⁴ And yet: in a survey published in September 1998, 60 per cent of those questioned acknowledged that the UN did good work. This was the highest rate of agreement since 1959 (1992: 45 per cent, 1995: 54 per cent). Even amongst the born-again Christians, the most extremely conservative wing of the Republic electorate, the relevant figure, varying between 58 per cent (1998) and 52 per cent (1995), is high and does not reflect the elected representatives' positions on the UN.

The predominant stance in favor of multilateralism¹⁰⁵ is also reflected in the following figures: 72 per cent (as compared with 54 per cent in 1995) consider active US membership of the UN to be very important. The isolationist segment of the US public, standing at 7 per cent, is vanishingly small. In March 1993, 89 per cent of those interviewed favored UN-brokered US cooperation with other countries of the world, and 90 per cent argued that their government should not take important foreign-policy decisions in the United Nations on its own. American participation in UN peacekeeping operations was also approved by a majority of the members of the public who were

¹⁰⁰ See Henry A. Kissinger/Cyrus R. Vance/Alexander M. Haig/George P. Shultz/James A. Baker, III/Lawrence S. Eagleburger/Warren M. Christopher, *Letter to Dennis J. Hastert, Richard J. Gephardt, Trent Lott, Thomas A. Daschle*, 16 Mar. 1999 (http://www.betterworldfund.org/backdues/031899_letter.htm).

¹⁰¹ See Emergency Coalition for U.S. Financial Support of the United Nations, *Religious Leaders Call on Congress to Pay UN Dues*, 16 Sept. 1999 (<http://www.clw.org/ecun/relletter.html>).

¹⁰² John E. Rielly: ‘Americans and the World: A Survey at Century’s End’, *FP*, 114 (1999), 97–113 (100 ff.).

¹⁰³ The view can still be said to be predominantly positive even when one takes into account the aspects judged to be negative—e.g. when 57% of those questioned were of the opinion that “The UN is eating away at American sovereignty—that is, at the country’s ability to make decisions on its own.” Or again: “The UN drags the United States into doing things we don’t need or want to do.” United Nations Association of the United States of America (ed.), *1998 Wirthlin Worldwide Survey on the United Nations, Poll Results* (<http://www.unausa.org/programs/topline.html>).

¹⁰⁴ See Rielly, ‘Americans and the World’ (fn. 102), 101.

¹⁰⁵ See *ibid.* 102 ff.

questioned (51%: 19%). At the end of the decade, most of the American population regarded the USA as the most powerful country in the world; but this self-image—an unusual one viewed across the historical spectrum—did not translate into an argument in favor of unilateral strategies.

The discrepancy between the population and majority opinion in Congress in regard to repayment policy is equally striking. In 1998, those questioned approved fulfilling the financial obligations by a majority of 3 to 1; 52 per cent were in favor of unconditional repayment, 42 per cent wanted to link it to certain conditions. Opinion on the debt-payment/abortion package-deal which was the destructive hallmark of UN policymaking in Congress for many years is unequivocal: 80 per cent of those questioned rejected such a linkage. A clear discrepancy also exists between these 'real' opinions amongst the US population and the picture that the members of the legislature have of their clientèle's stance on the United Nations. At 82 per cent, a clear majority of members of Congress wrongly believe that the overwhelming majority of Americans questioned have a negative attitude toward the United Nations. Even in the constituencies of two elected representatives who introduced legislation into Congress seeking to secure a US withdrawal from the UN, over 75 per cent of the electorate did not agree with this political goal. The financing of the UN enshrined in law on 19 November 1999 could only be represented as the implementation of the will of the majority of the electorate if it were a permanent solution—rather than a political stop-gap.

4. The Clinton Administration and NATO: Cooperation amongst Equals or Hegemony?

4.1 A Multilateral Tradition with an Uncertain Future

In the literature, there is broad agreement that during the East–West conflict the USA exercised the leadership role within the alliance, but that its superior material power was not unvaryingly translated into dominance over the smaller members of the alliance. Indeed, a number of studies have concluded that the weaker partners had a surprisingly high level of influence on the superpower's policies.¹⁰⁶ The Europeans had a much greater hand in determining the strategy and arms-control and disarmament policies of the alliance, and the latter's relationship to the Soviet Union, than the asymmetric power-configuration might suggest.¹⁰⁷ The European influence was matched by a willingness on the part of the US to rein in its power through a network of legally uncodified and yet effective, invokable regulations. The USA acted multilaterally within NATO. Why it should have agreed to limit its own power in this way is a matter of controversy. Some ascribe this effect to the democratic nature of NATO's member states; others point to the impact which the bipolar conflict had on alliance policy, or on the special nature of the US hegemon (see also 1.2.2). On this view, prior to 1989 the smaller allies had a disproportionate degree of negotiating power because the USA saw their membership of the alliance as being both a crucial *and* a non-assured factor in the clash with the Soviet Union.

Whether or not the United States is continuing to operate multilaterally within the alliance even after the end of East–West conflict is unclear. More than ten years have passed since the *annus mirabilis*—time enough to make an initial assessment and try to throw some light on the above question. Our investigation will confine itself to three aspects: a) the decision about NATO enlargement; b) the discussion about the overhaul of NATO's functions and area of competence; and c) the development of a European Security and Defence Identity (ESDI).

4.2 NATO Enlargement: Between Domestic Constraints and International Responsibility

There is no doubt that the USA had a major impact on the eastward enlargement of the alliance. Whether it dominated this process, and systematically damaged the interests of its allies, will be examined more closely here through two key decisions—the decision to

¹⁰⁶ See Risse-Kappen, *Cooperation among Democracies* (fn. 17). Also Olaf Theiler, 'Der Wandel der NATO nach dem Ende des Ost-West-Konflikts', in: Helga Haftendorn/Otto Keck (eds.), *Kooperation jenseits von Hegemonie und Bedrohung: Sicherheitsinstitutionen in den internationalen Beziehungen* (Baden-Baden, 1997), 101–36.

¹⁰⁷ See Helga Haftendorn, *Kernwaffen und die Glaubwürdigkeit der Allianz: Die NATO-Krise von 1966/67* (Baden-Baden, 1994).

open NATO up, and the decision to admit an initial batch of three candidates.

Like its predecessor, the Clinton administration initially reacted to the desire for admission expressed by the eastern Europeans extremely cautiously. In the intra-bureaucracy tussle, the defense department numbered amongst the most influential and most resolute opponents of rapid expansion. The civilian Pentagon leadership and the military justified their negative attitude by pointing to the discrepancy between the assumption of new responsibilities and a simultaneous decline in budgets in the USA and western Europe. To begin with, under the leadership of Strobe Talbott, the then Special Adviser to the President on the Successor States of the Soviet Union, the Department of State also pursued a very guarded policy *vis-à-vis* eastern European aspirations to admission. This accorded precedence to Russia and the settlement of the nuclear question rather than to the stabilization of eastern Europe. The Partnership for Peace (PfP) program officially initiated at the start of 1994 served primarily to put the eastern European states' aspirations to membership into cold storage.¹⁰⁸

The surprising turn-around was signaled in two speeches made by Clinton in Warsaw in summer 1994 and a little later in Prague. In these, the president held out the prospect of NATO's being opened up—without, however, specifying a timetable or possible candidates for admission.¹⁰⁹ The intra-bureaucracy tussle that followed was increasingly dominated by the new assistant secretary of state for European and Canadian affairs, Richard Holbrooke. His decisive argument in favor of a swift opening-up of NATO was that continuing instability in eastern Europe would also pose a threat to cohesion in the western part.¹¹⁰ The EU alone could not muster the strength to solve eastern Europe's problems. The United States must therefore assume leadership, put an end to the war in Bosnia and expedite the integration of the eastern and central European states into the western institutional set-up—and do so via an enlargement of the EU, which, if necessary, would have to be preceded by an opening-up of NATO. Clinton was won over by this argument, and he promoted the expansion of the alliance, because he was sure of the

¹⁰⁸ See Nick Williams, 'Partnership for Peace: Permanent Fixture or Declining Asset?', *Survival*, 38 (1996), 1: 98–110.

¹⁰⁹ Some observers date the turn-around to the start of 1994. In January, in response to a question on this, Clinton had stated that it was no longer a question of whether NATO would admit new members, but merely of when and how it would do so. Others date the decision to the second half of 1994. In either case, the decision in favor of a rapid opening-up of NATO would have been taken before the mid-term elections. See James M. Goldgeier, 'NATO Expansion: The Anatomy of a Decision', *Washington Quarterly* (WQ), 21 (1998), 1: 85–102. See also Gerard B. Solomon, *The NATO Enlargement Debate, 1990–1997* (Westport, 1998).

¹¹⁰ In the past, so Holbrooke argued, aggressive behavior on the part of Germany and Russia had been an expression of profound uncertainty. In order to ensure stability in Central Europe, and to avoid any Russo-German rivalry, a swift extension of western institutions was necessary. But it was not only eastern Europe that was affected: "Stability in Central Europe is essential to general European security, and it is still far from assured." Richard Holbrooke, 'America, a European Power', *FA*, 74 (1995), 2: 38–51 (42).

correctness of this policy.¹¹¹ In autumn 1994, the US confronted its partners with its changed position, and as early as December 1994, the alliance decided to enter into concrete discussions on the admission of new members. A mere eleven months after NATO's Council, acting on the initiative of the Americans, had agreed on the PfP program, the whole rationale behind this enterprise, and thus also NATO's enlargement policy, underwent a fundamental shift—once again on the initiative of the Americans.

The decision as to which countries should be admitted was decisively influenced by the USA. In the run-up to the Madrid summit on July 1997, the Europeans disagreed as to whether other states besides Poland, the Czech Republic, and Hungary should be invited to negotiations on admission. France favored Romania and Slovenia, whilst the Scandinavian countries advocated extension in a north-easterly direction. Clinton brought this discussion to an abrupt end by declaring, at a press conference on 12 June 1997, that his country was in favor of the three-country option.¹¹²

Do these two episodes mark a change in American policy on NATO? Should they be regarded as an indication that the US hegemon is pushing through strictly nationally defined positions in the alliance, and is thus taking less and less account of the interests of its partners? Was the American decision primarily the result of an internal political constellation of interests? And was there a clearly defined European counter-position that was ignored by the United States?

Opinion polls indicated quite open attitudes on the part of the American public toward the admission of Poland, the Czech Republic, and Hungary; but they also indicated a high degree of ambivalence and uncertainty.¹¹³ The foreign-policy élite revealed itself to be split—but the dividing-line did not run, as in the East–West conflict, between the liberal and conservative factions. Representatives of the conservative security establishment approached the public with recommendations as varied as those of the liberal critics.¹¹⁴

¹¹¹ On the background and motives of American policy on NATO enlargement, see the excellent study by Peter Rudolf: *Die USA und die NATO-Erweiterung* (Stiftung Wissenschaft und Politik: AP 2932; Ebenhausen, Oct. 1995). Also Gale A. Mattox, 'NATO Enlargement and the United States: A Deliberate and Necessary Decision?', in: Charles-Phillipe David/Jacques Lévesque (eds.), *The Future of NATO, Enlargement, Russia, and European Security* (Montreal, 1999), 79–94.

¹¹² See Ulrich Weisser, 'Die NATO öffnet sich für neue Mitglieder. Von der Idee zum Vollzug: Polen, Ungarn und die Tschechische Republik werden Mitglieder in der Atlantischen Allianz', *FAZ*, 12 Mar. 1999.

¹¹³ About half the Americans questioned favored expansion, but at the same time did not accord much importance to this issue. Only the ethnic lobby-groups—especially, in this case, the influential Polish–American Congress—sought to mobilize any political pressure. See John E. Rielly (ed.), *American Public Opinion and U.S. Foreign Policy 1995* (Chicago, 1995); see also Peter Rudolf, *Sichere Öffnung? Die USA auf dem Weg zur Ratifizierung der NATO-Beitrittsprotokolle* (Stiftung Wissenschaft und Politik: IP 3030; Ebenhausen, July 1997).

¹¹⁴ Conservative internationalists who spoke up against NATO enlargement included people such as Paul Nitze, Richard Pipes, and Fred Charles Iklé. The influential Democrat Senator Sam Nunn also argued against eastward expansion. All of them feared negative repercussions on relations with Russia. For a similar view, see Michael E. Brown, 'The Flawed Logic of NATO Expansion', *Survival*, 37 (1995), 1: 34–52. Early advocates of an opening-up included Kissinger and Brzezinski. See Henry Kissinger, 'The

Opponents of an opening-up adduced two main arguments. First, they pointed to the fact that this decision would cause new splits and would damage what, for the United States, was the much more important relationship with Russia. Secondly, they feared the loss of cohesion that was likely to result from the admission of new members.¹¹⁵ In addition, the isolationist tendency now spoke up. They feared that enlargement of NATO would result in the US hegemon becoming entangled in conflicts that were not relevant to its interests.¹¹⁶ The ultimately decisive argument put forward by the pro-admissionists' was that NATO enlargement was necessary in order to guarantee stability in eastern Europe, and thus also to ensure the stability of western Europe.¹¹⁷

In Congress, the advocates of enlargement ultimately gained a clear upper hand. When it came to the vote in the Senate on 30 April 1998, those who supported the admission of Poland, the Czech Republic, and Hungary won a surprisingly clear victory with 80 votes to 19.¹¹⁸ Again, this development was by no means predetermined. The proposal to open up NATO had been taken up by leading Republicans in 1994, because they hoped that by criticizing Talbott's 'Russia first' policy they would be able indirectly to deal a blow to Clinton's foreign policy. This campaign initially found little support; it did not, at any rate, prove suitable for mobilizing electors. The Republican critics of the 'Russia first' policy were undoubtedly bolstered by the results of the mid-term elections of November 1994; but it was only when the moderate Democrat and Republican mainstream declared their support for the opening-up of NATO—for quite different reasons—that the cross-party consensus emerged which ultimately made possible a problem-free ratification. This

Atlantic Alliance Needs Renewal in a Changed World', *IHT*, 2 Mar. 1992; id., 'Not This Partnership', *WP*, 24 Nov. 1993; Zbigniew Brzezinski, Statement, in: 105/1 U.S. Congress, Senate, Committee on Foreign Relations, Hearings: The Debate on NATO Enlargement, Washington, D.C., 1997, 46–54. Criticism from the liberal camp was articulated by groups such as the Union of Concerned Scientists, the British–American Security Council, and the Center for Defense Information (*ibid.*, *passim*). For a critical liberal view, see also Michael Mandelbaum, 'Preserving the New Peace: The Case against NATO Expansion', *FA*, 74 (1995), 3: 9–13.

¹¹⁵ Fred Charles Iklé, for example, feared that an enlarged NATO would have scarcely more deterrent effect than the UN Charter. See Fred Charles Iklé, 'How to Ruin NATO', *NYT*, 11 Jan. 1995. See also John Hillen, *Getting NATO Back to the Basics* (The Heritage Foundation: Backgrounder 1067; Washington, D.C., 1996).

¹¹⁶ The CATO Institute in particular argued against NATO expansion from an isolationist perspective. See Ted Galen Carpenter, *Beyond NATO: Staying out of Europe's Wars* (CATO Institute: Washington, D.C., 1994). Carpenter not only opposed expansion; he also advocated that NATO be wound up and replaced by European security institutions. See also Christopher Layne, 'Why Die for Gdansk? Enlargement and American Security Interests', in: Ted Galen Carpenter/Barbara Conry (eds.), *NATO Enlargement: Illusions and Reality* (Washington, D.C., 1998). As an example of the convergence between the right-most edge of the traditional security establishment and various isolationist positions, we might here mention the so-called Eagle Forum, chaired by Phyllis Schlafly. See 'Will Treaties Rule America's Future? NATO Expansion Commits U.S. to Wars', *Phyllis Schlafly Report*, 31 (1997), 2: 1 f.

¹¹⁷ Of course there were other voices as well—e.g. that of Peter Rodman—who justified NATO enlargement by pointing to the possibility of a reawakened Russian threat. Ultimately, however, these were outsider positions. For an overview, see David S. Yost, *NATO Transformed: The Alliance's New Roles in International Security* (Washington, D.C., 1998), 108.

¹¹⁸ See *CQW*, 56 (1998), 17 (2 May): 1164 ff., 1172.

grouping did not link NATO enlargement to any anti-Russian thrust. Some were following the president out of party-political loyalty, others responding to his argument about expansion stabilizing eastern Europe and thus ensuring stability in the other part of the old continent.¹¹⁹ The opponents of enlargement—nine Republicans and nine Democrats—also constituted a politically diverse camp. They included a mixture of conservative and liberal isolationists, internationalists of liberal tendency, and prominent conservatives from the security establishment.¹²⁰

The American change of course took the Europeans by surprise. It was criticized by some on grounds of style but was not rejected in substance. In fact, the wish of the eastern and central European states to join NATO was first taken up within the Western community by the then German defense minister, Volker Rühle, not by the Clinton administration.¹²¹ The American change of heart was probably influenced more by prominent eastern Europeans such as Vaclav Havel and Lech Walesa.¹²² Of more significance to the present inquiry, however, is the fact that there was no clearly formulated, unequivocal European opposition to eastward expansion. France, it is true, had opposed the transfer of additional functions to NATO at the start of the 1990s.¹²³ The new tasks of peacekeeping, stabilization, and crisis prevention throughout Europe should, it thought, be assumed by the western European states. However, France once again moved closer to the alliance after Clinton, attending the NATO summit in Brussels in early 1994, invited the Europeans to implement the European Security and Defence Identity—a project driven mainly by France—as a second pillar within the alliance. Once President Chirac came to office in May 1995, and perhaps even before this, France suspended its rhetorical onslaught against NATO enlargement.¹²⁴

¹¹⁹ The administration had lobbied intensively, under Jeremy Rosner's direction, to ensure the Senate's approval of NATO expansion. This campaign was supported by the leadership of both the Republican and Democrat parties and by the Senate leadership. It was not until October 1997 that Jesse Helms came down on the side of the pro-expansionists, once Albright had assured him that the NATO–Russia Act would not create any new openings through which Moscow might influence alliance policy. See *CQW* 56: 17 (fn. 118), 1165.

¹²⁰ How many of the senators who voted 'No' belonged to the isolationist camp is difficult to tell, but isolationist arguments were clearly discernible. The Republican Senator John Ashcroft, for example, defended his negative stance by claiming that, by opting for expansion, Clinton would be placing American interests under the jurisdiction of multilateral institutions. See *Congressional Quarterly Weekly Report (CQWR)*, 56 (1998), 2 (28 Feb.): 504. The statements made by the liberal-minded Senator Tom Harkin also contained isolationist echoes. The Democrat Senator Daniel Moynihan, by contrast, based his opposition on considerations of stability.

¹²¹ Rühle had pressed the case for the opening-up of NATO as early as 23 March 1993, in a talk to the International Institute for Strategic Studies.

¹²² See Goldgeier, 'Nato Expansion' (fn. 109).

¹²³ See Anand Menon, 'Defense Policy and Integration in Western Europe', *Contemporary Security Policy*, 17 (1996), 2: 264–83.

¹²⁴ See Yost, *NATO Transformed* (fn. 117), 112 ff. In fact, one might speculate that French and American interests were broadly parallel here. France was as skeptical of rapid EU enlargement as it was fearful of the alternative of growing German influence in eastern Europe—not to mention the memories of Rapallo. Given these alternatives, NATO expansion might well appear attractive, despite the reservations about it.

In the case of the second decision, there was a slightly differently positioned but broadly similar internal American constellation. Here, the view of the general public, the foreign-policy élite, and the majority in Congress was unequivocal. Enlargement should initially be restricted to the three Visegrad states—the Czech Republic, Hungary, and Poland.¹²⁵ For geopolitical reasons, and on account of Russian opposition, there could be no question of the Baltic states being admitted. Romania, meanwhile, was thought by the Americans to be altogether insufficiently prepared.¹²⁶ On the European side, there was, here again, no unified or definitive counter-position. The great majority of the Europeans were not exactly over the moon about the additional candidates for admission brought into play by the Scandinavians and French. Even the German support for the French position was more in the way of lip-service. It was not even clear whether Paris was supporting the admission of Slovenia and Romania out of conviction or for tactical reasons.¹²⁷

This case is clearly not suitable as a test of American behavior in a clearly structured situation of conflict: the European position was too disunited for this, and not pressed with sufficient vigor. And yet it does provide us with a number of clues about the USA's multilateral stance during the Clinton administration. First, given its core argument for expansion, this stance linked into the traditional American position: its main object was long-term stability in western Europe, not the enforcement of an American interest against the will of the western Europeans. Secondly, in making its abrupt about-turn, the government was not responding primarily to internal political power-configurations. The frequently painted picture of a Clinton administration responding opportunistically to internal American constellations, and thus ultimately acting unilaterally, is not a convincing one in this case.

The situation in the USA was characterized by extreme disunity. Undoubtedly there were attacks against Talbott's 'Russia first' policy from the arch-conservative section of the Republican party; but Clinton could easily have 'sat these out'. It was only when the administration committed itself on this matter for foreign-policy reasons, because it believed it must live up to its responsibilities, and when it assumed the agenda-setting role, in concert with the Republican party's Atlanticist security establishment, that the general public, and the informed public, fell into line with the objective of NATO expansion. And thirdly, the United States was responding to requests from Europe—not least Germany. US behavior in this case may be seen as paternalistic, but it does not differ significantly from that displayed during the East–West conflict.

¹²⁵ This stance was reflected in the surprisingly good showing by the Warner Amendments to the legislation on NATO expansion. In a move against the administration, the Republican Senator John Warner had proposed that, following admission of the first three candidates, NATO expansion be blocked for a period of three years. This amendment was rejected by 59 votes to 41. The 'Yes' voters included Republican pro-expansionists of the stature of Helms and Thurmond.

¹²⁶ This judgement is not based on any objective criteria. The yardsticks formulated in the study on admission tell us very little. However, if one assumes that admission to NATO will precede admission to the EU, there are cogent reasons for treating an application by Romania with the utmost care.

¹²⁷ See *FAZ*, 6 Mar. 1997.

4.3 Exploitation of the Alliance? American–European Disagreement about New Functions and the Extension of NATO’s Area of Responsibility

The question of what tasks the adversary-less defensive alliance was meant to perform had not been conclusively resolved in the New Strategic Concept adopted in Rome in November 1991. Top of the list came collective defense, and only second to this came a general expression of willingness on the part of NATO to assist in the creation of a just and lasting peace-order in Europe. In June 1992, the alliance declared itself ready to conduct peacekeeping and peacebuilding activities on a case-by-case basis under the aegis of the OSCE and, from November 1992, of the UN also. A defining, if not definitive, decision on this question—a central one for the alliance—was to be issued at the summit held to mark the latter’s fiftieth anniversary.

In the United States, the debate about the future functions of NATO began early on. As early as 1993, the moderate conservative Senator Richard Lugar concluded that NATO would have to go “out of area” otherwise it would go “out of business”.¹²⁸ This view is now shared by the majority of political commentators. Internationally minded agenda-setters in the USA argue for a new interpretation of alliance objectives and obligations. On this view, the US hegemon continues to work to maintain security in Europe, and in return the Europeans agree to an extension in NATO’s functional and geographical purview. NATO acquires jurisdiction over North Africa, the Middle East, and south-west Asia, and also the territory of the former Soviet Union; and, besides peacekeeping and peacebuilding, it becomes responsible for the non-proliferation of weapons of mass destruction and the fight against terrorism.¹²⁹ The former special representative of the Bush government, Robert Blackwill, is convinced that “since we now have peace in Europe, the Atlantic Alliance must turn its attention to the new opportunities as well as to the new threats, if it is not to lose its importance”.¹³⁰

These kinds of recommendations were appropriated by large sections of Congress and the administration.¹³¹ NATO’s task, it was argued, should no longer be to defend the territory of its member states but to defend western interests.¹³² Collective defense remained an

¹²⁸ Quoted in Stephen S. Rosenfeld, ‘Nato’s Last Chance’, *WP*, 2 July 1993.

¹²⁹ See Ronald D. Asmus/Robert D. Blackwill/F. Stephen Larrabee, ‘Can NATO Survive?’, *WQ*, 19 (1996), 2: 79–101.

¹³⁰ Robert D. Blackwill, ‘Führung aus der ersten Reihe’, *FAZ*, 27 Nov. 1999.

¹³¹ See e.g. Madeleine K. Albright, ‘Address to the New Atlantic Initiative Conference’, in: *USPIT*, 12 Feb. 1998, 4–8.

¹³² President Clinton presented the American interpretation of the new terms of reference for NATO in his speech in Berlin in May 1998: “Tomorrow’s Alliance must continue to defend enlarged borders and defend against threats to our security from beyond them—the spread of weapons of mass destruction, ethnic violence, regional conflict.” In short: “America and Europe must work together to shape this world.” *Clinton Remarks in Berlin to the People of Germany*, in: *USPIT*, 19 May 1998, 1–3. Deputy Secretary of State Strobe Talbott, for example, sees the defense of shared values and interests as being the central task of the new NATO. See Talbott’s talk at the Royal United Services Institute on 10 Mar. 1999, printed in: *USIS*, EUR305, 10 Mar. 99, 3. For an overview, see Karl-Heinz Kamp, *Das Neue*

integral element; what was more important, however, was that the alliance should be geared to averting the kinds of threats to western interests that might result from out of area developments such as the proliferation of weapons of mass destruction, regional crises, the movement of refugees, or terrorism.¹³³ The administration had planned that the Washington summit would agree a large-scale initiative on non-proliferation and would gear itself to a greater extent than previously to American counter-proliferation policy.¹³⁴

Closely bound up with this was the question of mandates and of the relationship between NATO and the OSCE/UN. The number of members of the foreign-policy élite who believed that the alliance should not be subordinated to the UN or OSCE in its new functions either, and who pointed instead to the necessity and legitimacy of NATO crisis-intervention operations even without a UN mandate, increased.¹³⁵ This assessment too was adopted by the administration. Deputy Secretary of State Strobe Talbott insisted that the alliance should not be subordinated to any other international organization. Rather, the alliance should “reserve the right and freedom of always acting when there is a consensus amongst its members that it should do so”.¹³⁶

The Europeans accepted the necessary reweighting between the traditional task of collective defense and the new tasks of crisis management and peacekeeping. But the majority of them pointed in other directions. In the run-up to the summit, they advocated restricting the functional and geographical competence of the alliance. They also rejected any initiative based on American counter-proliferation policy. Above all, they resisted the idea of self-mandating by NATO.¹³⁷

The New Strategic Concept adopted at the Washington summit contains a number of compromise formulas dealing with the main bones of contention, but overall it may be regarded more as a European than as an American success. It too stresses collective defense as the core function, and security cooperation, peacekeeping, and crisis

Strategische Konzept der NATO: Entwicklung und Probleme (Arbeitspapiere der Konrad-Adenauer-Stiftung; Sankt Augustin, 1998).

¹³³ See e.g. the talk about the future of NATO given by the American ambassador to NATO Alexander Vershbow at the European Institute (Washington) on 13 Mar. 1999, printed in: USIS, EUR319, 17 Mar. 1999, 3. See also the statement by Marc Grossmann, Assistant Secretary of State for European Affairs, in: USIS, EUR320, 17 Mar. 1999.

¹³⁴ See the comments of the Joint Chief of Staff, General Henry H. Shelton, at the ‘NATO at 50’ conference on 8 Mar. 1999 in London, printed in: USIS, EUR203, 9 Mar. 1999, 3.

¹³⁵ Robert Blackwill, for example, called on Germany to overcome its guilt-complex and bid farewell to the notion “that the answer to all international security problems was the UN Security Council—in other words, a forum in which Russia will be constantly vetoing every conceivable military operation by the West over the coming years”. Blackwill, ‘Führung aus der ersten Reihe’ (fn. 130).

¹³⁶ FAZ, 5 Feb. 1999.

¹³⁷ The dictum that the non-mandated use of military force in Kosovo must remain an exception has become part of the official parlance of European politics. The EU heads of state and government used the concluding report of the Helsinki meeting of the European Council as a vehicle for reiterating their position on this. The report states that the Union recognizes the prime responsibility of the UN Security Council for the maintenance of international peace. See also Kamp, *Das Neue Strategische Konzept der NATO* (fn. 132).

management only as subordinate to this. The area of operations in which NATO is to assume these additional tasks is said to be the Euro-Atlantic region; but the limits of this are not defined, and they become even more blurred when it is stated that alliance security interests may be put at risk by developments in far-off regions—by refugee flows, for instance, or the cutting-off of access to important resources. That said, NATO seeks only to act as a forum for consultation in such cases, and to coordinate the counter-measures of those member states that consider their vital interests are under threat. Little thus remains of the planned American initiative on counter-proliferation. Instead, the New Strategic Concept puts the emphasis on political-cum-diplomatic instruments in the fight to contain the spread of weapons of mass destruction.

The question of the mandating of operations beyond the bounds of collective defense only figures in indirect form. On the one hand, the document contains no direct reference to the fact that NATO may only conduct military operations going beyond the defense of the alliance if it has a mandate from the UN. On the other hand, the statements concerning the new crisis-management tasks refer throughout to Article VII of the NATO treaty, which highlights the UN Security Council's responsibility for maintaining international peace. However, the New Strategic Concept should not be seen as the conclusion to a transatlantic controversy. Americans and Europeans stick to their divergent interpretations; the dispute goes on.

4.4 Reform of the Alliance's Internal Structures: From Hegemony to Partnership?

The practical implementation of the European Security and Defence Identity, which was agreed, in rather sketchy form, at the Maastricht summit, may be viewed as a test of the US's multilateral orientation within NATO. For one thing, the change which the Europeans are seeking in the alliance's internal structure directly targets the USA's position of prominence. For another, if, as a result of the ESDI, the EU became capable of independent action in the foreign-policy and security spheres, the main motive for American involvement in Europe—namely, European weakness—would disappear. European autonomy in the security and defense fields would thus, it is said, demand a lot of adjustment from the United States. It would have to adapt itself to the idea of a partnership amongst equals. Whether American consideration for the concerns and interests of its European allies derives from the specific mode of interaction between democracies, so that the USA would still be interested in multilateral cooperation even if this meant a reduction in its freedom of action, or whether US conduct is the expression of an enlightened patriarchal attitude—this will be at least partially discernible from its reaction to the ESDI. A definite answer to this question would, of course, only be possible if European autonomy in the foreign and security domains actually came about.

In contrast to his predecessor, Clinton responded quite openly to the European pressure for a greater say in affairs. He invited the allies to set up the European Security and Defence Identity as a second pillar within NATO. A decisive factor in this change of course was the Clinton administration's conclusion of the time that the US hegemon, then lagging behind

its allies economically, would no longer be able to bear the burdens of leadership.¹³⁸ The desire for burden-sharing carried markedly more weight than the desire for control. Rhetorically, the United States held to its “vision of a real partnership with a free, undivided and integrated Europe”.¹³⁹ Its enthusiasm on this matter gave way to a more skeptical attitude as early as 1995, and it began to append various provisos to the offer of the creation of a second—European—pillar within NATO. The restructuring was to take place, not through the Europeans creating permanent parallel structures, but by their selecting *ad hoc* elements for WEU-led crisis-intervention operations out of a menu of separable, but not separate, NATO structures. The Combined Joint Task Forces (CJTF), agreed in principle as early as 1994, was one of several measures designed to serve this purpose. Of course, from the European point of view, this structure had the disadvantage that both the release of NATO/American capacities and the ongoing use of these resources as part of an operation for which the Europeans had responsibility would be subject to American veto. The USA would thus be able to exercise control over a European operation even when it was not involved in it.

Under the impression of unbounded US strength, a number of proposals for a reorganization of NATO structures tending in quite a different direction were aired as part of the internal American debate during the second half of the 1990s. The backdrop to these reflections was the fear that an increasingly heterogeneous set of interests amongst the member states could render NATO incapable of action and put undue restrictions on American strength. In order to prevent this, it was argued, the USA should no longer rely on multilaterally structured alliances that tended to immobilize American power, but should replace these with *ad hoc* ‘coalitions of the willing’.¹⁴⁰ These ideas were so explosive that they were not taken up by the American government. Nonetheless, the scenarios painted reflect both the perception of unbounded US power and the feeling that, following the end of the East–West conflict, the United States’ interests were no longer automatically congruent with those of its European allies.

When, in autumn 1998, the British did an about-turn on the question of the creation of autonomous European options for action, thus rendering possible the practical implementation of the European Security and Defence Identity, the USA reacted with growing skepticism. Washington gave a clear thumbs-down to the decision of the

¹³⁸ In May 1993, the then undersecretary in the Department of State, Peter Tarnoff, hinted that, because of economic difficulties and the decline in economic performance in real terms, the USA would have to cut back on its global commitments (see fn. 36). The former undersecretary in the Commerce Department, Jeffrey Garten, expressed a similar view. See Philip H. Gordon, ‘Recasting the Atlantic Alliance’, *Survival*, 38 (1996), 1: 32–57 (35).

¹³⁹ *Clinton Remarks* (fn. 132), 1 ff. See also Stuart Eizenstat, ‘Die Bedeutung der euroatlantischen Partnerschaft für das 21. Jahrhundert’, *Amerika Dienst*, 22, 4 Nov. 1998, 16. On American support for the ESDI, see Talbot’s comments at the meeting of the North Atlantic Council on 15 Dec. 1999: “The US is not ambivalent. We are not anxious. We are for it.” *Atlantic News*, 3165, 17 Dec. 1999, 2.

¹⁴⁰ On this, see Richard N. Haas, ‘Foreign Policy by Posse’, *National Interest*, 41 (1995), 58–64; id., *The Reluctant Sheriff: The United States after the Cold War* (New York, 1997). Along the same line, see David C. Gompert/F. Stephen Larrabee, ‘Conclusion: Institutions and Policies’, eid. (eds.), *America and Europe: A Partnership for a New Era* (Cambridge/Mass., 1997), S. 231–56.

European Council, gathered in Cologne, to create the military means needed for autonomous operations. The two clarificatory statements issued at the Helsinki summit calmed American spirits somewhat: first, the EU needed a facility for making decisions independently in order to be able to respond to international crises in cases where NATO as a whole was not involved; secondly, it was stipulated that “unnecessary duplications are to be avoided”. Despite this, the American reservations remained. Strobe Talbott summed them up as follows:

“We would not want to see an ESDI that comes into being first within NATO but then grows out of NATO and finally grows away from NATO, since that would lead to an ESDI that initially duplicates NATO but that could eventually compete with NATO.”¹⁴¹

The Clinton administration insists that, in formulating its security and defense policy, the Europeans should observe four conditions.¹⁴²

First: Steps should be taken to ensure that NATO is the superordinate institution when Europeans and Americans decide to act together in a crisis situation. This presupposes that the NATO Council remains the prime authority as regards coordination and policy-formulation on defense matters in the transatlantic region. The openness of consultations is not to be jeopardized by the Europeans agreeing their positions beforehand. A European ‘caucus’ would be interpreted by the US as the start of a process of decoupling. Only when the United States decides that it does not want to be involved are the ESDI structures to be activated.¹⁴³ However, in order to minimize the risk of being unwantedly drawn into European conflicts, Washington is to be involved early on in European planning even when it is not taking part in a military operation. This will always apply where Europeans make use of American resources. The first condition thus effectively prunes the ESDI back into a mere back-up instrument dependent on US will, and enables the US to retain leverage on European decision-making processes.

Secondly: The Europeans are not to use the scarce financial resources to duplicate capacities that already exist within NATO.¹⁴⁴ The war in Kosovo, it is claimed, revealed a

¹⁴¹ Strobe Talbott, ‘Transatlantic Ties’, *Newsweek*, 18 Oct. 1999, 38 f. Talbott had expressed a similar view in March, in a talk to the Royal United Services Institute, printed in: USIS, EUR305, 10 Mar. 1999, 4.

¹⁴² See the talk given by NATO ambassador Vershbow on 20 Jan. 2000 in Wilton Park, in: NATO (ed.), ‘Vershbow Remarks on „Preserving the Transatlantic Link“’, *Security Issues Digest*, 15, (<http://usa.grimble.com/s20000124d.html>).

¹⁴³ In the words of Deputy Assistant Secretary of State for European Affairs, Anthony Wayne: “NATO remains the institution of choice when the United States and its European allies decide to act together militarily”, in: USIS, EUR306, 22 Sept. 1999, 3. See also his comments in: 106/1 U.S. Congress, Senate, Committee on Foreign Relations, Subcommittee on European Affairs, *Hearing: The European Union: Internal Reform, Enlargement, and the Common Foreign and Security Policy*, Washington, D.C., 1999, 1–9 (8).

¹⁴⁴ NATO ambassador Alexander Vershbow said the aim must be “to preserve NATO as the over-arching framework and avoid the waste and political divisiveness that could come from efforts to establish separate European capabilities and structures”, in: USIS, EUR319 (fn. 133), 5.

considerable need for modernization in the European forces. The Defense Capability Initiative (DCI) agreed at the NATO summit should coordinate the necessary updating of the forces. European armament-projects ought to be agreed within the framework of the DCI. European funds—scarce enough as it is—should be used to close the ever-wider gap between the technological capabilities of the American and the European forces, thereby strengthening NATO. The resources should on no account be squandered in trying to reduce Europe's dependence on the USA. The Clinton administration is particularly concerned that the Europeans should not create any permanent command-structures that might undermine the integrated military structure.

Thirdly: European partners in NATO should participate in EU operations on an equal footing. If there is to be a fusion of the EU and WEU, this should not diminish opportunities for participation granted to associate members of the WEU but should, as far as possible, strengthen them. The American hegemon insists that those European partners in NATO who are not members of the EU should be able to participate on an equal footing in the preparation and implementation of a military operation run by the European Union, and should possibly even be involved in the decision-making about it. This would render the formulation of a European policy even more difficult. And in practice, it would mean the creation of another opening for American influence on European policymaking processes in the foreign and security fields.

Fourthly: The USA insists on comprehensive transparency between the EU and NATO. Because the Europeans are fully informed about what goes on in the alliance, comprehensive transparency is tantamount to an American say on intra-EU decision-making.

With these four conditions, the US hegemon is seeking to crank down European security and defense policy to the status of a weak appendage of an American-led NATO. The motive underlying the American provisos is rarely named but is clear for all to see: a Europe that could also act independently in the security sphere would run counter to the US interest in maintaining control. In the American discussion, this interest is presented in two variants. Champions of the defensive variant fear that, without American dominance, Europe would ultimately be laid low by its own internal conflicts. Advocates of the offensive variant fear that a Europe capable of independent action in the security sphere, which would, in part, be pursuing different interests from the USA, would alter the model of transatlantic relations and force the United States, for its part, to make major adjustments. The resultant rival would challenge American hegemony. Whichever way one turns the argument, the upshot is the same: the USA is currently not prepared to engage in an equal partnership.

4.5 Societal Backing for Policy on NATO

It has already been made clear that the attitude of the American public and élites toward NATO is still largely characterized by consensus. The North Atlantic alliance continues to enjoy a great deal of acceptance amongst the American public and the foreign-policy

élites.¹⁴⁵ This basic consensus assisted the administration in mobilizing support for the policy of cautious opening-up. There can therefore be no question of the Clinton administration having opportunistically sought to bend with the internal political mood and confront its partners with the costs of a policy geared solely to internal political parameters.

Opinion polls indicate that multilateral attitudes to NATO have not wavered. Thus, the American public rejects the idea of unilateral action in a crisis situation that does not directly affect vital American interests. Instead, a majority of them advocate prior consultations and a joint approach with the European allies, and would even be prepared, in individual cases, to leave the leadership to the Europeans.¹⁴⁶ The cracks in the espousal of multilateralism that lurk deeper down beneath these surface attitudes quickly become evident.¹⁴⁷ For one thing, the apparent readiness to share responsibility within NATO reflects the widespread view that foreign-policy problems cannot touch the American public's own lives and that, as a consequence, the USA should contribute less to the joint effort.¹⁴⁸ Multilateralism here means, first and foremost, the offloading of burdens onto the shoulders of the allies. Secondly, there is a conspicuous divergence here between public opinion and the stance of the foreign-policy élite. The latter is much less willing to allow American freedom of action to be curtailed by the allies.¹⁴⁹

Multilateral attitudes and the readiness to assume leadership in a multilateral context are thus ambivalent. This tradition of American NATO-policy risks being caught between two countervailing forces: a unilateral urge, based ultimately on the country's perception of its own power; and a basic, internally oriented thrust in American policy that is more strongly isolationist. In the medium term, this latter thrust will probably figure more prominently. Since the end of the East–West conflict/the Gulf War, the USA has found itself in the exceptional situation of virtually unbroken economic prosperity. The possibility cannot be precluded that, at the moment when the present economic development flips over into the negative, and American society begins once again to take a more serious look at the costs of its leadership role, one of the central motives underlying multilateral attitudes—the

¹⁴⁵ See John E. Rielly (ed.), *American Public Opinion and U.S. Foreign Policy 1999* (Chicago Council on Foreign Relations, Chicago, 1999), 25.

¹⁴⁶ For instance: asked who should assume overall responsibility in the attempts to bring the Kosovo war to a close, 67% of those questioned said the Europeans should do this. Only 22% were in favor of the US exercising a leadership role. See *NJ*, 3 Apr. 1999, 897.

¹⁴⁷ For an interpretation that sees these kinds of opinion-poll results as indicating widespread multilateral attitudes in the American public, see Steven Kull/I. M. Destler/Clay Ramsey, *The Foreign Policy Gap: How Policy Makers Misread the Public* (University of Maryland, Center for International and Security Studies, 1997).

¹⁴⁸ See Aaron L. Friedberg, 'Are Americans Becoming Isolationist?', *Commentary*, 106 (1998), 5: 45–8. A study by the Pew Research Center actually concludes that isolationism has now become a "large minority sentiment" in the United States. See Robert Charles Toth, *America's Place in the World, II* (Pew Research Center for the People and the Press, Washington, D.C., 1997).

¹⁴⁹ The question of whether the USA should try to resolve an international crisis even when it does not have the support of its allies elicited a 'Yes' from only 21% of the public but from almost half the élites (44%: 48%). See Rielly, *American Public Opinion* (fn. 145), 25.

desire to relieve the USA of some of its burdens as the leading power within NATO—will start to have a greater impact.

5. The Organization for the Prohibition of Chemical Weapons as a Victim of Unilateral American Self-interest

Two characteristics make the Chemical Weapons Convention (CWC), and also the Organization for the Prohibition of Chemical Weapons (OPCW) specifically created to implement it, into a 'spearhead' of negotiated multilateral arms control. First, the CWC enacts in binding form the elimination of a whole category of weapons, with guaranteed verification. Secondly, the member states' civilian sectors, in the form of their chemical industries, are included on an unprecedented scale in the OPCW's verification activities. The USA's chemical-weapons arsenal, the second-largest in the world (see below), and its world-beating chemical industry, are amongst the factors that account for the influence which the USA has on the work of the organization, and which, conversely, the OPCW has on American policies on chemical-weapons disarmament and non-proliferation. Against the background of this high degree of reciprocal significance, we shall here analyze US policy toward an international organization in the security area, using the example of the OPCW. In contrast to the situation in regard to American behavior toward the UN and NATO, the arguments within American society about policy on the OPCW mostly come 'in technical guise'. This should not, however, obscure the fact that these debates are essentially political in nature.

The OPCW came into being when the CWC came into force on 29 April 1997. States which own chemical weapons (CWs) must destroy their arsenals within ten years of the convention coming into force.¹⁵⁰ Contracting states that do not own any CWs undertake not to develop or produce them, or acquire them from elsewhere. Given the specific nature of chemical weapons—that is to say, the large quantities needed for attack over a wide area, which would be produced mainly using existing infrastructure, meaning the chemical industry—breaches of the convention are to be expected. For this reason, the OPCW was accorded extensive inspection-powers that also cover production plants in this sector.

The foundation, structure, and functions of the organization are dealt with in Article VIII of the convention. The USA played a prominent role in the more than twenty-year negotiating marathon on the CWC. This role resulted, on the one hand, from its hegemonial status during the East–West conflict, which was also reflected in arms-control negotiations. The special position of the United States was also due to its ownership of around 30,000 tons of chemical-warfare agents—the second-largest CW arsenal after that of Russia. If one traces the development of American disarmament policy in this area, a clear trend toward multilateralism emerges. In 1985 Congress decreed the unilateral destruction of American CW stocks. The armed forces made a start on this task in 1991. In the meantime, the United States concluded two bilateral agreements with the Soviet Union: with the 'Memorandum of Understanding of September 1989 and the Bilateral Destruction Agreement of June 1990, Washington and Moscow laid the foundations for the negotiating

¹⁵⁰ Apart from the United States, stocks of CWs have been notified to the OPCW by Russia, India, and South Korea. See Alexander Kelle, 'Assessing the First Year of the Chemical Weapons Convention', *Nonproliferation Review*, 5 (1998), 3: 27–35.

success of the Geneva conference on disarmament.¹⁵¹ The talks on the CWC were concluded in autumn 1992, and the signing took place in January 1993 in Paris.

Because of its importance, the United States had a disproportionate influence not just on the shaping of the CWC overall, but also on the international organization that implements it. Particular significance therefore attaches to the full translation of the CWC into domestic law by the USA. Our first step here will be to analyze the extent to which this translation has taken place, using as a basis the legislation on ratification and implementation. In addition, this section will examine everyday cooperation with the OPCW. This takes place both in The Hague, at the organization's headquarters, and at various establishments in the USA where the OPCW carries out routine inspections. A further section will analyze backing for American CW policy within society. Here, attention will be focused on the chemical industry and the non-governmental organizations active in the area of CW disarmament and non-proliferation. Following this, we consider the guiding questions posed in this report as they relate to US policy toward the OPCW (see Section 6).

5.1 Translation of the Chemical Weapons Convention into Domestic Law: The Primacy of the US Constitution and the Protection of Purported Industry Interests

After the signature of the CWC in January 1993, it took until November of that year for the Clinton administration to pass the convention to the Senate. Notwithstanding the government's rhetoric, in which it accorded a high degree of priority to seeing the convention brought into force and to the concomitant creation of the OPCW, its practical policies spoke a different language. The sporadic nature of the president's pronouncements, and the lack of any high-ranking support for the swift passage of the CWC through the Senate, suggest that the administration in fact considered the entry into force of the convention and its monitoring by the OPCW less important than it claimed.¹⁵²

The Clinton administration made no effort to exploit the continuing cross-party acceptance of the CWC; in general, it showed no leadership as far as swift ratification was concerned. As a result, none of the advocates of arms-control in the Senate seized the initiative in trying to fulfill the administration's ambitious goal of securing ratification by summer 1994. The CWC did make it onto the agenda of the Foreign Relations Committee promptly, but the latter's chairman at that time, Senator Claiborne Pell, considered there should be an exhaustive discussion of the convention's provisions. With the approach of the autumn 1994 mid-term elections to Congress, the focus of political interest shifted even further toward internal policy. In the absence of the relevant spur from the administration, no vote was taken on the CWC prior to the elections. The lack of presidential leadership

¹⁵¹ On the content of the two agreements, see *id.*, *Das Chemiewaffenübereinkommen und seine Umsetzung—einführende Darstellung und Stand der Diskussion* (HSFK: HSFK-Report 12; Frankfurt/M., 1996), 16–18.

¹⁵² The official pronouncements came from the then director of the ACDA, John Holum, rather than from the secretary of state or the president. See USPIT, 24 Mar. 1994, 11–13; USPIT, 17 June 1994, 3–5.

was one of the major reasons why ratification did not take place before the mid-term elections.¹⁵³

These elections led to the reversal of the majority-situation in the Senate as well, and to a return to divided government. Only after the Republicans' landslide victory did the Clinton administration make a half-hearted attempt to expedite the passage of the CWC through the Senate. This initiative bore his own personal hallmark in the form of the appointment of the former Democrat Congressman Martin Lancaster as Special Adviser to the President on Chemical Weapons. Despite this, the administration did not succeed in overcoming the Senate opposition to dealing with the convention. With the Republican victory came a change in the chairpersons of the key committees—the Foreign Relations Committee and the Armed Services Committee. The advent of Jesse Helms and Strom Thurmond meant that these positions—crucial in terms of the ratification of the treaty—were now occupied by two unilaterally minded, arch-conservative Republicans with a basic aversion to international treaties in the security and arms-control domain.

The newly arrived Republican members of Congress—the so-called freshmen—constituted a second obstacle. Their main interest lay in domestic issues, particularly budgetary policy. For most of them, foreign policy was an unnecessary evil which, given the costs it occasioned to the American taxpayer, must be kept as tightly as possible in check. Arms-control agreements such as the CWC also fell under this head. Beyond this, the residual interest of many newcomers to Congress was aimed at pushing through a unilateralist foreign policy that would leave the United States maximum scope for action. A multilateral disarmament treaty could hardly be squared with this kind of outlook.

Apart from rejecting arms control on principle, Helms saw the blockage of international agreements and ambassadorial appointments as a tried-and-tested means of achieving his objectives of reorganizing the foreign-policy bureaucracy and drastically reducing foreign aid.¹⁵⁴ Because the administration did not accede to these demands of Helms's, there were no hearings on the CWC in 1995. It was not until December of that year that the Democrat Senator John Kerry managed, through a 'unanimous consent agreement' passed as part of the negotiations on the State Department Authorization Bill, to secure a stipulation that the CWC was to be released back into circulation by the Foreign Relations Committee by the end of April 1996 at the latest.¹⁵⁵

In April, the committee chairman, Helms, did indeed put the CWC on his committee's

¹⁵³ Overall, Congress had traditionally been a strong advocate of chemical disarmament. Not only did it decree the unilateral elimination of American CW stocks in 1985; a clear majority of the Senate also supported the conclusion of an international chemical-weapons convention. In June 1989, for example, Senators David Pryor and Mark Hatfield—and with them a further 50 Democratic and 22 Republican senators—had expressed their unconditioned support for the convention negotiations to the then president, George Bush. In their letter to him, they cited an international, verifiable ban as the best method of countering the threat from chemical weapons. Extracts from the letter are quoted in Amy E. Smithson, 'Clinton Fumbles the CWC', *FP*, 99 (1995), 169–82.

¹⁵⁴ See ead., 'Playing Politics with the Chemical Weapons Convention', *Current History*, 96 (1997), 609: 162–6.

¹⁵⁵ See *Congressional Record (CR)*, 7 Dec. 1995, S18229.

agenda, but only in order to pass it to the full Senate with a Resolution of Ratification to which twenty conditions were attached. At the declaratory level, Helms's resolution did provide for the ratification of the convention; *de facto*, however, it would have been tantamount to a rejection of the CWC by the Foreign Relations Committee. The resolution was, however, rejected by 12 votes to 6. A rival resolution introduced by Senator Richard Lugar managed, by contrast, to secure acceptance by 13 votes to 5.¹⁵⁶ It too contained a number of conditions to which the recommendation of ratification is linked, but these do not take the form of killer amendments like those in the Helms resolution. Even after the matter was passed to the full Senate by the Foreign Relations Committee, Helms continued to try to torpedo the CWC.

In the debate about the CWC beginning in spring 1996—at first in the Foreign Relations Committee and, after the summer recess, in the full Senate—it was the opponents of the convention that held the upper hand. Shortly before the vote, scheduled for 14 September, they declared that they had sufficient Republican senators on their side—the figure of 35 was cited—to vote down the CWC. In order to avoid a ballot defeat shortly before the presidential elections, the administration decided to withdraw the convention.¹⁵⁷

At the start of 1997, following his re-election, President Clinton once again submitted the CWC to the Senate. But now there was much more time-pressure than before: on 31 October 1996, Hungary had become the sixty-fifth state to ratify the CWC and thus triggered the 180-day countdown to its entry into force, on 29 April 1997. In order to avoid the humiliation of having the convention enter into force without American participation, the administration now dramatically increased the amount of attention it was giving to the ratification of the treaty, and at the same time changed its strategy *vis-à-vis* the Republican majority in the Senate. During the 104th Congress, the task of persuading the Senate to adopt the CWC had been left to politicians from the second echelon of the administration. Now, the president himself, along with Secretary of State Madeleine Albright and Defense Secretary William Cohen, began to be active in this area. In addition, given the short time time-span before the CWC was to come into force, the administration could not avoid engaging in some bartering with the Senate leadership and Jesse Helms. As early as January 1997, for example, the new secretary of state, Madeleine Albright, declared that flexibility would be shown in the reorganization of the foreign-policy bureaucracy and that it was hoped the same approach would be taken in regard to ratifying the CWC on schedule.¹⁵⁸

Despite this, it was not until 17 April that a compromise solution was found, in the form of a 'unanimous consent agreement' which fixed 24 April as the deadline for the vote in the Senate. In return for this, the administration had to make the following considerable concessions to the Republican opponents of the convention:

¹⁵⁶ Lugar was supported by his Republican colleague Nancy Kassebaum and the Democrats Claiborne Pell and Joseph Biden. See the 'Substitute Amendment to the Resolution of Ratification to the Chemical Weapons Convention', 25 Apr. 1996, in: Henry L. Stimson Center web page, 10 June 1996.

¹⁵⁷ On this, see the comments of the Republican majority leader in the Senate, Trent Lott, in: *CR*, 24 Apr. 1997, S3601.

¹⁵⁸ See *CQWR*, 55 (1997), 9 (1 Mar.): 546.

- the Arms Control and Disarmament Agency, the US Information Agency, and the Agency for International Development to be integrated into the State Department
- amendments to the ABM and CFE treaties to be passed to the Senate for approval
- Senate Foreign Relations Committee to approve payment of overdue contributions to the United Nations¹⁵⁹

But this only guaranteed that a vote took place; it was by no means assured that there would be a majority for the ratification of the CWC. Only when the administration managed to persuade the former Republican Senator and presidential candidate Robert Dole to voice public support for the treaty did the majority leader in the Senate, Trent Lott, indicate his willingness to vote in favor of the convention. This meant those Republican senators who were still undecided also voted for it. The majority of Republicans thus supported the convention. On the evening of 24 April 1997, President Clinton was able to announce that the Senate had authorized him, by a majority of 74 votes to 26, to ratify the Chemical Weapons Convention.

As far as the content of the convention was concerned, the CWC critics around Senators Helms and Kyl raised five points. All of these were, however, taken out of the overall context of the convention and presented for the most part in a distorted form:

- The verification measures provided for in the CWC violate the American constitution. This conclusion was categorically denied by, amongst others, the two constitutional lawyers Abram Chayes and Louis Henkin.¹⁶⁰
- The verification regulations are too extensive and are a threat to confidentiality in the American chemical industry. The critics would not be moved from this view even though the Chemical Manufacturers Association was giving public and unconditioned support to the convention.
- The CWC'S verification provisions are not extensive enough to uncover the illegal activities of problem countries such as Syria, Libya, and North Korea.
- Dubious states such as this will not, in any case, sign up to the convention. Therefore, the USA should not allow itself to have its own scope for action curtailed unnecessarily.
- The CWC's provisions on cooperation oblige the United States to release know-how and pass on technologies in a way that threatens national security and runs directly counter to the interests of the US economy.¹⁶¹

The criticism of the CWC's verification provisions in its turn impinges on the core tasks of the OPCW. The formulation of this particular criticism does not, of itself, constitute a new phenomenon in the handling of disarmament agreements by the Senate; what it did do,

¹⁵⁹ See *CQWR*, 55 (1997), 16 (19 Apr.): 917–21; *CQWR*, 55 (1997), 5 (2 Apr.): 853–6.

¹⁶⁰ See *The Chemical Weapons Convention, Constitutionality, and Unwarranted Fears* (Henry L. Stimson Center: Issue Brief; Washington, D.C., Feb. 1996), (<http://www.stimson.org/pubs/cwc/const.htm>.)

¹⁶¹ See the refutation of this argument in Will D. Carpenter, 'Understanding Chemical Industry Support for the CWC and Its Implementing Legislation', in: Brad Roberts (ed.): *Ratifying the Chemical Weapons Convention* (Washington, D.C., 1994), 29–32.

however, was to lead to the embodiment, in the Resolution of Ratification¹⁶² and the law on implementation,¹⁶³ of American standards of conduct which in some cases run directly counter to the provisions of the CWC and the terms of reference of the OPCW. The three most problematic restrictions—which virtually form the ‘hard core’ of America’s unilaterally self-interested stance—are discussed briefly below.

5.1.1 Analysis of Samples and ‘Condition 18’ of the CWC Implementation Act

The CWC allows for the possibility of samples being taken from an inspected site during routine or challenge inspections. These are then removed from the country and tested in parallel in three laboratories approved for this purpose by the OPCW.¹⁶⁴ However, the organization carries out the great majority of routine inspections in industrial plants without taking any samples. The standard procedures in routine inspections are: a tour of the site; an audit; and talks with staff. The taking of samples merely serves as a back-up in the rare event of anything odd emerging during the inspection which cannot be sorted out on the spot and therefore gives rise to the suspicion that there may have been a serious breach of the convention.

This inspection procedure—use of which is likely to be rare—is dealt with in ‘Condition 18’ of the authorization to ratify the CWC. This prohibits inspectors removing samples collected during inspections at American plants out of the country in order to be tested in OPCW-accredited laboratories. The main justification cited for this step was the risk of industrial secrets being lost. Critics of the condition consider there is a grave danger that other states will copy this clause in their ratification or implementation legislation—with the result that the OPCW’s ability to establish that conduct conforms with the treaty, or to expose countries with an interest in proliferation, will be sharply reduced. This kind of restricted scope for action considerably weakens the OPCW.

In a fit of hegemonial presumption, some of the advocates of this curtailment of the OPCW’s powers suggested that a mobile laboratory, to be developed by the American Defense Department, be made available to the organization on loan. This was to be used to analyze samples both in the USA and in other states. This suggestion demonstrates a total ignorance of the painstaking procedures that went into the drafting of a consensus-based list of permitted inspection equipment. The American refusal to allow only inspection equipment that was freely available on the world market was already heavily criticized in that connection. Several states, including China, India, and Pakistan, interpreted the American behavior as an attempt to put the US technological lead—for example, in tracking down chemical-warfare agents—at the service of the OPCW as it saw fit, but not to make it freely available to all states. In addition, this policy makes a nonsense of the costly and time-consuming test and certification procedure conducted by the OPCW laboratory.

¹⁶² See S. Exec. Res. 75 of 24 Apr. 1997.

¹⁶³ See S. 610 of 23 May 1997 and H.R. 2709 of 12 Nov. 1997.

¹⁶⁴ See the verification appendix to the CWC, Part II, §52–58. Reprinted in: Walter Krutzsch/Ralf Trapp (eds.), *A Commentary on the Chemical Weapons Convention* (Dordrecht, 1994), 270–506.

5.1.2 Challenge Inspections and National Security

A further restriction imposed on the OPCW in the implementation legislation allows the president to refuse a challenge inspection on American territory, on the grounds that it would be a threat to the national security of the United States.¹⁶⁵ This is in clear contradiction to the provisions of the CWC, according to which challenge inspections must be accepted by all contracting parties at any time and in any place.¹⁶⁶

This restriction on the operation of the OPCW is all the more incomprehensible in that it was the United States itself which, in the mid-1980s under President Bush, got the principle of challenge inspections at any time and in any place included in the draft of the CWC.¹⁶⁷ In addition, in the final text of the treaty, the parties to the negotiations agreed a form of managed access for this type of inspection, to be worked out by the inspection team and plant operators. This is intended to preclude abuse of challenge inspections. After detailed examination, even the American chemical industry approved the CWC procedures on this.

This restriction of activity is also problematic for the OPCW in that, even if it is never put into practice, it may serve as a precedent for other states. And if potential proliferators can hide behind the assertion that a challenge inspection poses a threat to their national security, the credibility of the OPCW will be further undermined, and the stability of the CWC monitoring regime will be jeopardized.

5.1.3 Redefinition of 'Low Concentrations'

The American Implementation Act on the CWC contains a threshold for the declaration of chemical mixtures that bears no relation to practical OPCW measures in the domain of routine inspections in other countries. The setting of thresholds for the declaration—and thus also the subsequent inspection—of chemical mixtures in industrial plants is necessary because only very few of the chemicals listed in the annex to the CWC are produced, processed, or sold in pure form.¹⁶⁸ For reasons of practicability, the parties to the OPCW informally agreed to set a threshold of 30 per cent for Schedule 3 chemicals—in other words, listed chemicals in the form of mixtures and solutions need only be declared where they exceed this threshold. This informal agreement was supported both by the American

¹⁶⁵ See S. 610, Section 307, of 23 May 1997 and H.R. 2709, Section 237, of 12 Nov. 1997.

¹⁶⁶ See CWC, Art. IX.

¹⁶⁷ See United Nations, Conference on Disarmament: Draft Text of the Convention on the Prohibition of the Development, Production etc., Doc. CD/500, Geneva, 1984, 7 f. and 11 ff.

¹⁶⁸ In the CWC's Annex on Chemicals, the relevant chemicals and precursors are listed in three schedules according to their toxicity and frequency of use for peaceful purposes. Schedule 1 contains 12 toxic chemicals that are known as chemical-warfare agents and have little or no industrial application; Schedule 2 lists three toxic chemicals and 11 precursors that "pose a significant risk to the object and purpose of [the CWC]" and are "not produced in large commercial quantities"; Schedule 3, by contrast, contains four toxic chemicals and 13 precursors that are known as chemical warfare-agents and are produced in large commercial quantities.

delegation in The Hague and by the US chemical industry.

The US Implementation Act on the CWC raises this threshold from 30 per cent to 80 per cent.¹⁶⁹ The result is an enormous distortion in the activation of routine inspections by the OPCW, which, if the regulation is retained, will lead to clear preferential treatment for the US industry. Moreover, the American legislation once again gives the green light to other countries to undertake similar measures—all the more so since the agreement as it has existed so far has been of an informal rather than a legally binding nature. This weakening of OPCW routine monitoring opens up a welcome loophole for potential proliferators: a mixture that contains 80 per cent of a Schedule 3 chemical offers a much more promising starting-point than a 30 per cent mixture. The unilateral raising of the threshold for mixtures thus facilitates the production of chemical-warfare agents from industrial chemicals. Besides this: how an 80 per cent proportion of a chemical in a mixture can still be described as a ‘low concentration’ is a secret known only to the US Senate.

5.2 Cooperation with the OPCW: Narrow Implementing Regulations and a Restrictive Attitude to Finance

Cooperation between the United States and the OPCW took place, and still takes place, at two different levels. First, at the organization’s headquarters in The Hague, the United States exerted influence on the creation and structure of this organization specifically set up to oversee implementation of the Chemical Weapons Convention. Secondly, a number of points of contact arose when inspection teams from the organization were in the US supervising the stocks of American chemical weapons earmarked for destruction. The influence of the US administration in The Hague was diminished, initially by the last-minute ratification of the CWC and later by the non-materialization of the American implementing legislation.

Before the CWC entered into force, members of the OPCW Preparatory Commission¹⁷⁰ and external observers alike were expecting there to be an end game in the preparations for the coming into force, once the USA had ratified the CWC. But because the United States only completed ratification a few days before entry into force, a situation never arose in which package-deals might have been concluded to resolve outstanding issues. As a result, a host of unresolved issues had to be absorbed into the OPCW’s ongoing regulatory business.¹⁷¹ Some solutions emerged automatically out of the daily operations of the OPCW—the existence of which is a function of the implementation of the CWC. In cases where unresolved issues threatened to hold up implementation, the OPCW’s Technical Secretariat assumed responsibility for settling them, thus effectively removing them out of the immediate reach of the member states. Those most affected by this were, of course, the

¹⁶⁹ See S. 610, Sect. 402; and H.R 2709, Sect. 252.

¹⁷⁰ The forerunner of the OPCW Technical Secretariat. The Preparatory Commission began its work after the CWC signature conference in January 1993 and was converted into the Technical Secretariat after the entry into force of the CWC in April 1997.

¹⁷¹ On this, see Alexander Kelle, ‘Setting up the Organization for the Prohibition of Chemical Weapons’, *Disarmament Diplomacy*, 15 (1997), 9 f.

states that would have occupied a strong negotiating position if a solution had been worked out between the members. The Technical Secretariat's implementation practice thus created *de facto* situations which the contracting parties in the Executive Council and the Conference of the States Parties could then do no more than approve of.

In addition, the delay in passing the US Implementation Act led to the declaration by the American chemical industry being made at a very late stage. This, in its turn, caused considerable ill feeling in The Hague. Criticism of the American approach came in particular from CWC members who had important chemical industries. The longer the American industry's declaration was delayed, and the greater the discrepancy thus became in the impact of OPCW inspections in the chemical sector, the more marked this irritation became. At the fourth Conference of the States Parties in June/July 1999, for example, the German delegation, speaking for the EU, underlined the imbalance in inspections of the industry: in 1998, 64 per cent of the Schedule 2 inspections and 54 per cent of the Schedule 3 inspections had taken place in EU countries—and none at all in the USA.¹⁷²

As early as the third conference, and to an even greater extent during the fourth, this imbalance caused great difficulties in getting the organization's budget for 1999 and 2000 passed. The countries most affected by the industry inspections sought—in the end successfully—to oppose the United States and halt the growing disparity in the distribution of these inspections by earmarking budget funds for specific purposes.¹⁷³ However, the arduous budget negotiations prevented other issues that were of importance to the implementation of the convention from being dealt with.

In the absence of the American chemical industry's declaration, the OPCW had to confine its activities in the United States to the inspection of military facilities. Although about two-thirds of OPCW inspection-operations in 1998 fell into this category,¹⁷⁴ the organization was not able to carry out these checks without obstruction:

- During the earliest inspections in the USA, American authorities refused to allow the team to buy suitable adapters so that it could use the inspection equipment it had brought with it on the US electricity system. According to an American team-escort, an adapter bought locally in the USA was not a permitted piece of inspection equipment.¹⁷⁵
- OPCW inspectors were only allowed to affix identificatory seals to a tiny number of chemical weapons (grenades, etc.). Such a patchy form of inventorying drastically

¹⁷² See Statement of Germany on behalf of the EU to the Fourth Session of the Conference of States Parties, The Hague, 28 June 1999.

¹⁷³ On these arguments during the two conferences of the states parties, see Alexander Kelle, 'Business as Usual in Implementing the CWC? Not Quite Yet!', *Disarmament Diplomacy*, 32 (1998) 8–12; id.: 'Problems and Prospects of CWC Implementation after the Fourth Session of the Conference of States Parties', *Disarmament Diplomacy*, 38 (1999), 12–16.

¹⁷⁴ In 1998, 12,048 of a total of 16,927 inspection days were devoted to chemical-weapons facilities, and 11,206 of these to chemical-weapons facilities in the USA. See *OPCW Annual Report 1998* (The Hague, n.d.), 22 f.

¹⁷⁵ See Amy Smithson, *Rudderless: The Chemical Weapons Convention at 1½* (Henry L. Stimson Center: Report 25; Washington, D.C., Sept. 1998), 44.

reduces the organization's ability to verify that chemical-weapons arsenals have been totally eliminated.¹⁷⁶

- The American escort-teams forbade the OPCW inspectors to weigh chemical-warfare agents stored in large containers. The official ground cited for this was the risk that would thereby be posed to the security and health of the persons involved. In fact, however, the object of this maneuver was to cover up inaccuracies in the US declaration.¹⁷⁷

The American government was also keen to pass on part of the verification costs arising from the destruction of the chemical weapons to the OPCW. This represents a further attempt to renege, in part, on commitments previously entered into. According to Articles IV and V of the CWC, it is the owner of the chemical weapons that must bear these costs. The latter are financed in advance by the organization, out of its current budget, but they then have to be reimbursed by the states concerned. That said, exactly what portion of verification costs are repayable had still not been decided a year after the CWC had come into force. The informal consultations thus turned mainly on the question of whether the salaries of the inspectors who had supervised the destruction of the chemical weapons counted amongst the reimbursable costs, and, if they did, how an inspector's salary was to be calculated. In the end, after some tough wrangling, the OPCW member states opted for a solution that lay much closer to the ideas of the USA (and Russia) than to those of the majority. The United States was not prepared to countenance a compromise that would have been more costly to itself—even if it would have been more in line with the provisions of the CWC.¹⁷⁸

5.3 The Societal Environment and US Policy on Chemical Weapons: Disregarded and Disconnected

When it came to American ratification of the CWC, non-governmental organizations were to be found both on the side of the convention's advocates and on the side of its opponents. Thus, CWC critics in the Senate, whose arguments bypassed the core elements of the convention, secured the support of two conservative, anti-arms-control lobby organizations based in the capital: the Heritage Foundation and the Center for Security Policy.¹⁷⁹ In 1996, working with the Republican Senator John Kyl, the latter organization had been extremely effective in mobilizing the requisite number of senators, and also a certain

¹⁷⁶ See *ibid.* 45.

¹⁷⁷ See *ibid.* 46 f.

¹⁷⁸ On the final settlement, see the OPCW document EC-XI/DEC of 1 April 1998.

¹⁷⁹ For examples of the pamphlets put out by the two organizations, see Baker Spring, *The Chemical Weapons Convention: A Bad Deal for America* (Heritage Foundation: Committee Brief, 25; 15 Apr. 1996); *id.*, *Ratifying the Chemical Weapons Convention: American Business Will Pay the Price* (Heritage Foundation: F.Y.I., 111; 18 July 1996); for the Center for Security Policy: *Why the Senate Must not Approve the Chemical Weapons Convention* (Decision Brief 96-D 45; 9 May 1996); *What the World Does not Need Is Any More of Clinton's Non-Proliferation Non-Achievements* (Decision Brief 96-D 81, 9 Sept. 1996).

section of the media, to oppose the CWC. It had, for instance, sent a total of eight so-called 'Decision Briefs' to staff in the government bureaucracy, the senate, and the media.¹⁸⁰ In addition, Senator Kyl did the rounds of his as yet undecided colleagues, with another critic of the CWC—Kathleen C. Bailey of the Lawrence Livermore National Laboratory—in tow.¹⁸¹ Once the CWC opponents had managed, by these means, to rally sufficient support for the fight against the CWC, the Clinton administration was forced to withdraw the convention in order to avoid a foreign-policy defeat during the presidential elections.

After the elections in November 1996, the non-governmental organizations who supported the convention—numerically far superior to its opponents—regrouped and stepped up their activities sharply.¹⁸² The result was the formation of three coalitions with differing goals and overlapping memberships. The Poison Gas Task Force comprised more than twenty organizations. They sought, successfully, to improve the level of information amongst the media and the interested public.¹⁸³

One specific measure taken by the Poison Gas Task Force was to arrange a survey on the CWC. This was conducted jointly by two opinion-research organizations: the Mellman Group, politically close to the Democratic Party; and Wirthlin International, which is known for its strong connections with the Republican Party. The survey showed that a clear majority of those interviewed (84 per cent) supported the CWC. Self-confessed Republicans amongst those interviewed stated by a majority of two to one that they would give preference to a senator who voted for the ratification of the convention.¹⁸⁴ These figures, and their dissemination at a press conference given by Senator Richard Lugar, a moderately conservative internationalist within the Republican Party, provided a welcome back-up for the CWC advocates in the administration and Congress.

The second group, operating under the name of the so-called Monday Lobby, also included declared lobby-organizations. Their weekly meetings were aimed at coordinating activities relating to Congress and the administration. The third group centered on the Chemical Manufacturers Association (CMA) and also met to discuss strategy. These meetings were attended mainly by industry lobbyists from individual (large-scale) enterprises or from

¹⁸⁰ On this, see the Center's website (<http://www.security-policy.org>).

¹⁸¹ For more detail on this, see John Parachini, 'NGOs: Force Multipliers in the CWC Ratification Debate', in: Henry L. Stimson Center (ed.), *The Battle to Obtain the U.S. Ratification of the Chemical Weapons Convention* (Occasional Paper 35; Washington, D.C., July 1997), 35–57 (36); on Kathleen Bailey's criticisms of the CWC, see e.g. her article 'Why the Chemical Weapons Convention Should not Be Ratified', in: Brad Roberts (ed.), *Ratifying the Chemical Weapons Convention* (CSIS Significant Issues Series, 16/4; Washington, D.C., 1994), 52–9.

¹⁸² An overview compiled by the Henry L. Stimson Center lists the supporters and opponents of the CWC. See <http://www.stimson.org/cwc/supportr.htm>.

¹⁸³ The list of fax numbers used by the Task Force for this included more than 700 addressees. In relation to response in the print-media, Parachini talks of 171 pro-CWC articles in 102 newspapers and journals. By contrast, the CWC opponents managed only 17 articles in 9 print-media. See Parachini, 'NGOs: Force Multipliers' (fn. 181), 39, 46 f.

¹⁸⁴ See The Mellman Group/Wirthlin Worldwide, *Survey Findings on the Chemical Weapons Treaty*, Memorandum, 25 Feb. 1997.

other CWC-friendly associations.

Because of the breadth of the verification provisions, the chemical sector is far and away the largest grouping within society to be affected by the convention. Its representatives saw support for the disarmament agreement as a good means of presenting themselves in a positive light and thus improving the negative image of their branch of industry amongst the public. For this reason, its representatives were involved right from the time of the negotiations, as members of the American delegation. They were able to exert a decisive influence on the ultimate shape of the verification regime, and did not consider that the OPCW's inspection activities posed any kind of threat to their sector of industry. They were therefore amongst the CWC's most vociferous supporters during the ratification procedure. Besides influencing the convention's content at the earlier stage, the US chemical industry had an economic interest in seeing it ratified: either three or five years before the convention's entry into force, all member states must stop trade with non-members involving chemicals specified in two lists. Given the close international interlinkage within the chemical industry, a decision by a state to remain outside the CWC means considerable restrictions on the commercial activities of the affected companies. From the point of view of the US chemical industry, this had to be avoided.¹⁸⁵

The CWC thus had the support not only of the industry and the public, but also of large sections of the governmental bureaucracy and Congress. The fact that, despite this, acceptance of the OPCW's activities, and of the limited transfer of sovereignty to the organization, met with so much opposition—particularly in the conservative segment of the political élite—needs clarification (on this, see Section 6).

¹⁸⁵ The fact of this support was reflected in a large number of publications. See e.g. Will Carpenter, 'The Perspective of the Western Chemical Industry', in: Benoit Morel/Kyle Olson (eds.), *Shadows and Substance. The Chemical Weapons Convention* (Boulder, 1993), 115–26.

6. Summary: US Policy toward the Three International Organizations

In what follows here, we draw together the answers to the guiding questions posed in this report as they relate to the three organizations dealt with. We take as our guide the typology set out above, which ranks the conduct of the US hegemon between the two cardinal values of unilateralism and multilateralism. Comparison of American policy brings to light clear parallels in regard to the United Nations and the Organization for the Prohibition of Chemical Weapons; by contrast, in the case of US conduct toward the west's military alliance, it is the differences that emerge. This finding needs to be evaluated, given that our overall results are meant to help confirm or correct the idea, postulated at the outset, of a basic unilateral tendency in US foreign policy (see 6.1). The result also needs to be explained (see 6.2), after which we shall make some brief comments on the prospects for American unilateralism (see 6.3).

6.1 Contours of American IO Policy: Strategies and Influence of the Hegemon in regard to the UN, the OPCW, and NATO

6.1.1 The United Nations

Two aspects of American UN policy were of note here: first, the behavior of the United States in respect of the conceptualization and implementation of reform policy, narrowed down to budgetary and administrative considerations; secondly, American participation in UN peacekeeping operations. A distinction must also be drawn between the crucial shapers of policy, in the form of the administration and a heterogeneous Congress. The result is an ambivalent picture of the American superpower, and a set of inconsistent foreign-policy strategies. We should begin by emphasizing that, even though the manner in which the changes in the United Nations have been implemented is open to criticism, there is no doubt that only the sole world-power—the USA—was in a position to bring about the reforms considered by so many states to be necessary. As far as budgetary and administrative reform was concerned (and also the peacekeeping issue), any kind of egalitarian multilateralism (Variant 1 in our typology in 1.2.1) was precluded from the outset: the USA—which, in any case, was anything but a *primus inter pares* for most of the Clinton era—was determined to push through enhanced UN efficiency despite the likely resistance of many countries, particularly in the Third World. Equally, at no time could either a national go-it-alone policy, in the form of a refusal to cooperate with the UN as a matter of principle, or a formal withdrawal of the United States from the United Nations, have commanded a majority (Variant 4a in the typology).

And yet, in the Senate especially, influential Republicans constantly acted in line with the coercive hegemon model. They threatened withdrawal and argued resolutely against any curtailment of American freedom of action. In the case of the budgetary and administrative reform of the United Nations, this led to a unilateralism that was basically not open to compromise or else tied to strict conditions, as pursued by a coercive hegemon (Variant 3 in the typology). The clearest example of this behavior within the multilateral framework

was the reduction of the contribution to the regular UN budget, which was approved by the Clinton administration and adopted by Congress in law and without reference to the General Assembly.

The same applies to the reduction in the percentage of funds provided by the United States for UN peacekeeping operations. The more tightly formulated criteria for American participation in UN military operations are a reflection of the selective multilateralism of the United States. It was the military leadership in particular, and Congress, which raised the threshold for American participation. The declared principle remains unilateral use of force by the United States as a means of enforcing its interests.

In sum: the generally distinctly unilateral conduct of the US within the multilateral UN framework tallies with its manifest unilateralism outside the United Nations, as demonstrated in national solo-ventures by a US hegemon intent on preserving maximum freedom of action for itself—whether by circumventing the UN or ignoring it (Variant 4b in our typology).

On the question which the report poses concerning the extent to which hegemonial power—based on physical resources—is translated into influence: in the case of the UN, the translation has by no means been automatic. The evidence to date is ambivalent. On the one hand, the USA managed to bring about a degree of ‘Americanization’ of the United Nations through the budget and management reforms. This outcome was founded on a deal struck by the hegemon—which, in the guise of the administration, was ultimately acting in a way that was open to compromise—and the rest of the member states. The deal was: reforms in return for assured funding. The UN honored the obligation imposed on it; the US, meanwhile, was unable fully to redeem its pledge because of the blockade in Congress.

The repeatedly deferred payments-policy does, however, also make it clear that the coercive hegemon had come up against his limits, because—and this is the other side of the coin—the conflicting conceptions of the United Nations entertained by the crucial US actors were jeopardizing the very goal of safeguarding American interests and influence to the maximum. This undermined the credibility of the United States within the United Nations, which had now honored the obligations imposed on it—in the shape of reforms. The Clinton administration therefore highlighted an important aspect of ‘soft power’ by arguing, in return, for a repayment of the debts (Albright: “What we preach, we must practice.”¹⁸⁶). However paradoxical it may seem: because of the blockade policy of the majority in Congress, the American hegemon has so far been acting more like a hamstrung medium-sized power in this area of policymaking. It is not just the UN that is weakened; the reputation and influence of the USA within the UN are also compromised at present. The establishment of power and influence that was sought via budgetary and administrative reform can currently only be achieved through the restoration of American credibility—in other words, initially by the USA’s changing from being the largest debtor to the largest *and* most reliable donor.

By paying off part of its arrears, the United States has, after a lengthy tug-of-war, taken a

¹⁸⁶ USPIT, 30 Sept. 1998 (fn. 80), 7.

first, hesitant step. An arduous path still lies ahead of it: it now has to persuade the General Assembly to accept its special demands and one-sided conditions. Besides the unilaterally reduced contributions, the main bone of contention between the UN and the US continues to be the size of the American arrears.¹⁸⁷

6.1.2 The Organization for the Prohibition of Chemical Weapons

In the case of the OPCW, the findings are strikingly similar. If one is to believe the political rhetoric, the United States is a cooperative member of the OPCW that vigorously supports the organization's objectives—namely, the elimination of existing arsenals of chemical weapons and the prevention of the proliferation of such weapons.

However, the practical policies of the American hegemon sometimes diverge significantly from the multilateral procedures of the CWC as regards the means to be used. Both the ratification and the implementation legislation, for example, contain provisions that restrict the organization's scope for action in the United States. This is intended to reduce to a minimum the limited transfer of sovereignty to the organization stipulated in the convention. The same trend is discernible in the conduct of inspections. In addition, the tardy adoption of the Implementation Act has led to a lop-sided situation in the industry inspections, putting other states at a clear disadvantage. Lastly, the tough negotiations as to what proportion of the costs of supervising the destruction of chemical weapons is to be reimbursed mirrors a debate which—much more so in relation to the payment of UN contributions—marks a US trend toward the retraction of material commitments.

Because of the way—described above—in which actors and interests are configured in relation to the OPCW, there is, overall, an attitude of unilateral self-interest in regard to the detailed provisions of CWC implementation. Both at the formal level of treaty membership and at the declaratory level, this appears in a seemingly multilateral guise. However, the rhetoric here cannot obscure the fact that American policy toward the OPCW also obeys the notion of a hegemon intent on maximum freedom of action. That hegemon violates laws in force—and does so both when translating international norms into national law and when implementing general procedures in the inspection domain (Variant 4b in our typology).

This does not result in any increase of US influence on the organization. On the contrary: if the unilateral policy continues to be pursued, particularly in the area of industry declarations and inspections, the American position within the OPCW, and the OPCW itself, is likely to be weakened. That said, it is unlikely that the translation of American power into increased influence on the organization was intended. American policy seems, rather, to want merely to use the OPCW as a subsidiary element in a more comprehensive strategy of disarmament and non-proliferation of chemical weapons. Within this strategy, the actors in the political system are increasingly preferring unilateral options for action—and in the case of the conservative Republicans in the Senate, are doing so against the declared will of the majority of the population.

¹⁸⁷ On this, see also Friederike Bauer, 'Woher nehmen die UN das Geld?', *FAZ*, 11 Jan. 2000.

6.1.3 NATO

By contrast with this, American conduct within NATO appears still to be following multilateral principles even though ten years have passed since the end of the East–West conflict. Despite the major changes that have occurred in the alliance and its environment, US policy toward it is, overall, characterized by continuity. The most important change in the American self-image occurred during the transition from the Bush to the Clinton administration. At the start of its period of office, the latter opted to give priority to the social and economic rehabilitation of the USA. Accordingly, it sought a reduction in the burdens attaching to its leadership role. How far the egalitarian multilateralism which it propagated during this phase was underpinned by a genuine purpose (see Variant 1 of our typology), or whether the USA was merely seeking to disguise a partial disengagement on its part, one cannot say for sure. Later on, the USA returned to its traditional role.

This was and is not a multilateralism among equals. The USA does not see itself as a normal member of the alliance, invested with the same rights and duties as the other countries. It views itself, rather, as an irreplaceable leading power that lends the alliance cohesion, cushions internal European dissension, forges compromises on disputed issues, and pushes through decisions in borderline cases, even in the face of opposition, if the common good requires it. External observers see the American leadership as characterized by openness, dialogue, and a readiness to take account of the concerns and interests of smaller members of the alliance. Accordingly, the role of the USA has been compared with that of a father figure or ‘benevolent hegemon’ (Variant 2 in the typology).¹⁸⁸ Its power therefore does not express itself in permanent dominance. Even today, the European allies exert more influence within NATO than the asymmetrical power-configuration would lead one to suppose.

However, this arrangement is increasingly coming under pressure in the American debate. Isolationist critics point to the costs of NATO involvement and to the danger of being drawn into conflicts in which the United States has no vital interests. The criticism of the unilateralists assumes that the alliance is restricting American freedom of action like a corset, without any significant reciprocal effort by the Europeans to relieve the burden on the USA. Up to now, this criticism has not been reflected in any major change in American policy on NATO. Of greater political weight than the isolationist and unilateral criticism at present is the call of the internationalist center of the political spectrum for the alliance to be geared more strongly to American interests, because otherwise it will lose its practical relevance. Against this background, the foreign-policy consensus that has underpinned the hegemon’s involvement in NATO is in danger of beginning to crumble.

¹⁸⁸ See Josef Joffe, ‘Amerika und Deutschland: Die Weltmacht, der „sanfte Hegemon“ und die natürliche Partnerschaft’, in: Karl Kaiser/Joachim Krause (eds.), *Deutschlands neue Außenpolitik, Bd. 3: Interessen und Strategien* (Munich, 1996), 117–22.

6.2 The United States and the Three IOs: Reasons for Joint and Divergent Action

As far as US policy toward the three selected international organizations is concerned, the picture that emerges underscores our overall assessment of an increased unilateralism. NATO seems to be the exception to the rule. The markedly unilateral conduct of the United States toward the UN and the OPCW on the one hand, and its cooperative policy toward NATO on the other, are also a function of the peculiar characteristics of the three international organizations concerned.¹⁸⁹ This is where the explanatory factors that have emerged in the foreign-policy discussion come into their own. The report takes them up and assesses their plausibility. We discuss the significance of the four determining factors for unilateralism in relation to corresponding US behavior toward the UN and the OPCW; and we consider the analytical scope of the three explanatory factors for cooperation/multilateralism in relation to the essentially cooperative policy of the United States toward NATO.

6.2.1 *The United Nations and the Organization for the Prohibition of Chemical Weapons*

The UN and the OPCW display the following similarities. Both are large-scale organizations, with 185 and 130 members respectively. Associated with this numerical size is a considerable ideological-cum-political disparity which keeps the influence of the USA—in so far as this is deliberately exerted—in check.¹⁹⁰ The sharp increase in the number of member countries that occurred in the wake of decolonization led to a redistribution of power in the UN which, although to the disadvantage the United States, did not encroach on its veto position. The General Assembly, and probably also the Secretary-General's office, became more strongly critical of America. The United Nations

¹⁸⁹ In this connection, see the study by Karns/Mingst (eds.), 'The United States and Multilateral Institutions' (fn. 13). In regard to the peculiar characteristics of IOs, we have also had the good fortune to be able to draw on the findings of the HSFK Report by Katja Frank and on the literature dealt with there: see Frank, *Antreiber der Abrüstung oder Spielbälle der Mächte?* (fn. 3), esp. 41. By contrast, two more recent works on American IO policy did not prove very productive for us. These were: Lisa L. Martin/Beth Simmons, 'Theories and Empirical Studies of International Institutions', in: *IO*, 52 (1998), 4: 729–57, and W. Michael Reisman, 'The United States and International Institutions', *Survival*, 41 (1999/2000), 4: 62–80.

¹⁹⁰ Karns/Mingst sum this up as follows: "The case studies reaffirm the key role played by the United States in creating and sustaining the suite of postwar IGOs. Virtually all of the nine organizations depended heavily on American funds, personnel, and technical expertise. By providing material support to them, U.S. decision makers expected that these IGOs could be used as instruments of American foreign policy. In some cases the expectation was explicit (the UN Security Council, NATO, OAS); in others, more implicit (UNESCO and WHO). In all cases these institutions also provided legitimacy to American policies. Because of the global predominance of liberalism, the United States could rely on these organizations as dependable forums for U.S. influence." Margaret P. Karns/Karen A. Mingst, 'Continuity and Change in U.S.-IGO Relationships: A Comparative Analysis with Implications for the Future of Multilateralism in U.S. Foreign Policy', in: ead. (eds.), *The United States and Multilateral Institutions* (fn. 13), 288–319 (292).

developed into a forum in which, as well as prosecuting East–West antagonism, the governmental actors increasingly played out the differences between North and South, both politically and symbolically. For the USA, the votes were often humiliating.

Since this time, the long history of relations between the United Nations and the world power has no longer been a success-story for the United States. From the 1980s, it became strained, and from time to time was actually interrupted. The hope that the disappearance of the antagonism between East and West would lend renewed impetus to the United Nations proved deceptive. Instead, we have had the developments described here, resulting in an unproductive US policy toward the UN. These developments can be traced back to the international upheavals to the extent that the now-absent East–West conflict—our first explanatory factor—would, for instance, have put limits on the enormous scope that currently exists for figures such as Senator Helms to flourish. Elected politicians have probably become more unpredictable with respect to foreign-policy issues—including in regard to their stance on the UN. However, this phenomenon cannot be explained solely in terms of the disappearance of the basis on which foreign policy previously operated. The ‘Republican Revolution’—our second explanatory factor—must also be taken into consideration here.

That the Republican-dominated Congress has acquired added weight in foreign-policy affairs is demonstrated, for one thing, by the fact that leading members of the legislature in particular are able to ignore clear individual demands from the public (e.g. as regards credible UN funding)—or use ambivalent public attitudes to underpin their own positions.¹⁹¹ The lack of leadership by Clinton was also reflected, as indicated, in his policy *vis-à-vis* the UN: for years, he left the leadership role to Congress, and only began to make the funding question his prime concern from autumn 1999.

The arrival of a new generation—our third explanatory factor—probably also tends to strengthen the unilateralists, because the conditions for political socialization have changed. In the case of younger conservative members of the legislature, this has led to a stronger internal orientation and a decline in interest in foreign-policy affairs. The foreign-policy tendencies of the unilateralists are reflected in an ‘America first!’ stance, and in espousal of the principle of maximum American freedom of action; on top of this comes the isolationist aspect. Evidence of these foreign-policy tendencies is provided by the call of the Republicans, mentioned at start of this report, for a reduction in foreign aid and for cutbacks in the operational presence of the US in other countries. This represents the broader foreign-policy framework in which the UN arrears policy spotlighted by Secretary of State Albright has its place.¹⁹² The tardy payment of the arrears is symptomatic of the fact that, just at the moment when the international leadership of the USA is being called increasingly into question, Congress’s support for it is crumbling.

The renaissance of material power—our fourth explanatory factor—is the most difficult to

¹⁹¹ During his visit to the UN Security Council, Senator Helms declared that “unlike Europeans, the American people were moving away from ‘supranational institutions’ and wanted no part of ‘utopian’ international arrangements, including an international criminal court”. (*IHT*, 21 Jan. 2000)

¹⁹² See Albright, ‘Investing in Our Interests’ (fn. 24).

asses in terms of its significance for unilateral behavior. How far increased 'hard' power extends to the cost-benefit calculations of many liberal internationalists, and raises the barriers to multilateral cooperation ('Why act multilaterally, if going it alone saves time, and possibly also money?'), must remain an open question. Another question concerns the extent to which the argument for 'coalitions of the willing' that is being increasingly clearly voiced by moderate and liberal internationalists is being translated into practice. 'Practice' here means American solo-ventures or multilateral operations conducted without a UN mandate—which, in certain circumstances, can be time-consuming to obtain, or else does not materialize at all. The way in which the renaissance in American power that began in 1991 has bolstered the more marked tendency to intervention amongst the liberals—if it has done so at all—has not been automatic. The administration hesitated for years over Bosnia, for example. What ultimately triggered Clinton's military intervention was, as described previously (see Section 2), internal political considerations.

Overall, then, it can be said that all four of the factors cited at the outset as reinforcing unilateral tendencies in policy on the UN come into play, albeit to differing degrees. Accordingly, the three factors cited as possible explanations for the conditions governing US willingness to cooperate occupy a secondary position. All the same, it should be noted that the official withdrawal of the United States from the UN has never been up for discussion—though the penny-pinching superpower did not balk at the prospect of the UN's facing financial bankruptcy. In addition, the Republicans, who threatened to take the US out of the UN, demonstrated their unanimous aversion to any kind of "lock-in effect" (Ikenberry) by this international organization. Interest-led cost-benefit calculations played an important part in the Clinton administration's arguments in favor of peacekeeping operations (and thus also in favor of cooperation with the United Nations)—at any rate after the UN had got its reforms under way.

Despite this, the main problem at present is that there is nothing even approaching a stable consensus on a credible UN policy within the US political system. The ideological phalanx of the dominant Republican conservatives has permanently shifted the political parameters: it is patently obvious that many members of Congress do not even consider the United Nations suitable as a vehicle for furthering American interests. This partly invalidates the classic criticism of traditional big-power policies toward international organizations: this conservative segment actually argues for US policy to be made in disregard of the United Nations.

On the Organization for the Prohibition of Chemical Weapons: the organization's political-cum-ideological disparity is lent added weight by the fact that, from the American point of view, many member states are part of the non-proliferation problem, not part of the solution. A further complicating factor as far as an unconditional slotting into the existing OPCW regulatory set-up is concerned is the fact that, in contrast to the situation in the UN Security Council, Washington has no right of veto in the OPCW Executive Council. The OPCW is thus welcome as an instrument of American non-proliferation policy, and the multilateralization of American chemical-weapons policy discussed at the beginning of the case study has, in this sense, been pursued systematically to its conclusion; but the minute the organization attempts to monitor the implementation of CW disarmament obligations in the United States, as stipulated in its mandate, it is at best tolerated. The restriction on

American freedom of action associated with the inspections is regarded by many as unacceptable. Of course, the representatives of this policy, both in the executive and in the legislature, overlook the fact—or, in the case of the isolationists and extreme conservative internationalists, deliberately take it on board—that this unilateral pursuit of self-interest also undermines the OPCW's non-proliferation function.

The case of the OPCW demonstrates how the dominant Republicans, operating within the framework of their ideological revolt, have exploited their negotiating power to create an environment hostile to arms control. The extreme conservatives around Senator Helms linked their 'Yes' to the ratification of the Chemical Weapons Convention to the administration's willingness to integrate the Arms Control and Disarmament Agency into the Department of State and thus destroy it as an independent actor; the Republicans had already done away with another important arms-control institution prior to this, when it secured the winding-up of the Office of Technology Assessment.

Closely bound up with the conservative revolution is the arrival of a new generation in the Senate. Thus, in 1989 it was still possible for 51 Democrat and 23 Republican senators to write a letter to the then president, George Bush, in which they expressed their unconditioned support for the conclusion of the Chemical Weapons Convention. Ten years later, such a move was unthinkable. For one thing, there was a dearth of the kind of leading figures that might have lent impetus to such a process. For another, there had been a marked increase in partiality within Congress and a marked decrease in 'senatorial courtesy'.¹⁹³ Even though, in the specific case of the blocking of the CWC by the committee chairman, Jesse Helms, the seniority principle meant that this behavior was not displayed by a newly elected senator, the arrival of a new generation in this chamber—and also the lack of leadership from the White House—are subsidiary factors that made Helms's policy of obstruction possible.

The safeguarding of the USA's material power, in the form of technological superiority, comes into play as an explanatory factor at the point where the political élite in the administration and Congress begin to view the activities of the OPCW as placing this very superiority in jeopardy. However, it should once again be pointed out that this perceived—or at least postulated—danger is something fabricated by the political system itself. The chemical industry affected by the inspections does not see any such danger. Thus, in the case of American policy toward the OPCW, as in the other areas, a decoupling of the decision-making of the political system from the societal environment is observable.

At first sight, because of the date at which the OPCW was created, the end of the East–West conflict and the fundamental changes which this brought about in the broader political picture do not seem to fit the bill as an explanatory factor. But there is an indirect connection here. If we take into account the final phase of the negotiations on the CWC, from the beginning of the 1990s, a remarkable development can be seen to have taken place: the unilateral American CW disarmament policy adopted in 1985 was initially

¹⁹³ Michael Krepon arrives at the same conclusion in his article 'The New Politics of Treaty Ratification', in: Henry L. Stimson Center (ed.), *The Battle to Obtain the U.S. Ratification of the Chemical Weapons Convention* (fn. 181), 1–6.

'bilateralized' in two agreements with the former Soviet Union, but the American efforts at chemical-weapons control then led on, in 1993, to the conclusion of the multilateral CWC. This trend mirrors the phase immediately after the end of the East–West conflict—mentioned at the start—in which arguments put forward by the liberal internationalists had an increasing impact on policy and there was a growing sense of striking out on a new path to egalitarian multilateralism. From about the middle of the 1990s, this trend was reversed: as far as American policy on the OPCW was concerned, this led to the unilateral pursuit of self-interest in multilateral guise, as described above. The conclusion of the Chemical Weapons Convention and the creation of the OPCW thus came about on account of a window of opportunity that was clearly dependent on the global political situation of the time. That this window has since been more or less closed up again is vividly demonstrated by the extremely restrictive American attitude in the negotiations on a verification protocol for biological weapons.¹⁹⁴

6.2.2 NATO

The peculiar features of NATO and the relationship of the United States to the western alliance are in marked contrast to all this. NATO was and is an association of democratic, highly interdependent states. The members of the transatlantic alliance mostly share the same political values and basic convictions. Their societies are closely enmeshed with one another. There are therefore two respects in which the alliance is distinct from the two other institutions under examination here. Its catchment-area encompasses an interest of vital significance to American society, and the near-complete congruence of values and interests guarantees a high degree of effectiveness. The cost–benefit calculation (our first explanatory factor for cooperation) of membership of this organization thus turns out quite positive. And US interest in NATO is correspondingly marked. This is due not so much to the fact that American might is directly translated into influence within the alliance, but more to the fact that the preferences and interests of the members are quite similar.

It has been argued that the creation of NATO brought into being a democratic security community. This community is characterized by particular durability and resilience. Within it, the influence of the members on the organization's policy do not directly reflect the balance of power. Joint policymaking is also influenced by force of argument, the rules of the organization, and the conduct of the intergovernmental NATO bureaucracy (our third explanatory factor for cooperation/multilateralism). However, the thesis—borrowed from the theory of Democratic Peace—that the creation of the transatlantic alliance brought into being a security community of democratic states that sets a premium on rule-oriented behavior and dialogue and offsets imbalances of power between its members, needs to be examined in detail (a task which we have only been able to make a start on here).

¹⁹⁴ On this, see the article by Marie I. Chevrier, 'Preventing Biological Proliferation: Strengthening the Biological Weapons Convention: An American Perspective', in: Oliver Thränert (ed.), *Preventing the Proliferation of Weapons of Mass Destruction: What Role for Arms Control? A German-American Dialogue* (Friedrich Ebert Stiftung: Berlin, 1999), 85–98.

One thing that needs to be emphasized is that reference to NATO's continued vitality ten years after the end of the East–West conflict is not enough to justify the assumption that with the creation of NATO a democratic security community came into being: bureaucratic inertia, and possibly also dependence on the institutional path identified by John Ikenberry (our second explanatory factor for cooperation and multilateralism), could also offer a plausible explanation for the survival, for a limited period, of an outdated order.¹⁹⁵

Doubts about the explanatory value of the model drawn from the theory of Democratic Peace arise mainly because clear cracks are beginning to appear in the traditional 'transatlantic bargain'.¹⁹⁶ There is no mistaking the fact that the multilateral orientation in the USA is also beginning to fragment in regard to NATO. Following the implosion of its former counterweight, the United States finds itself invested with a unique power. Because it is the sole world power, it has a specific responsibility. American and European interests no longer coincide as automatically as they did during the East–West conflict. In the USA, the notion of unrestricted power is increasingly prompting people to ask why the interests and views of allies should continue to be taken into account when the world power is able to realize its interests by its own efforts and the Europeans have little to contribute to the fulfillment of the tasks which the United States regards as important. Signs of a policy change that would make NATO into more of an instrument of American interests are beginning to be evident in the White House—and even more so in Congress. Because the alliance, with its traditional portfolio, is no longer useful to American interests, it must, so it is said, adapt, so that it can continue to make contributions of substance in regard to foreign- and security-policy threats. The alternative, so the gist of the political argument goes, is for the alliance to wither away from inside.

It is also clear that the USA has considerable reservations in regard to the reconfiguration of the alliance's internal balance that is being sought by the Europeans. A real partnership among equals would require major adjustments by Washington. It seems as if the Americans regard the unrestricted leadership of the hegemon to be part and parcel of NATO's working basis. Even if Clinton's 1994 offer of a relationship built on partnership was aimed at downgrading the American role within NATO to that of a *primus inter pares*, American society would hardly have warmed to this role in the long term. This insistence on unrestricted freedom of action is, again, incompatible with the thesis that cooperation within NATO derives from the specifically democratic character of this organization.

¹⁹⁵ By contrast, the transaction costs which we highlighted in connection with cost–benefit calculations are not very plausible as an explanatory factor in the case of NATO: cooperation is so intensive that these kinds of costs are not of any consequence.

¹⁹⁶ On the importance of the traditional "transatlantic bargain", see Gunther Hellmann, *Die Europäische Union und Nordamerika nach Maastricht und GATT: Braucht die Atlantische Gemeinschaft einen neuen Transatlantischen Vertrag?* (Konrad Adenauer Stiftung: Interne Studien, 70; St. Augustin, 1994).

6.3 Prospects: American Unilateralism For Ever?

For the foreseeable future, the conditions detailed here would seem to favor the basic unilateral orientation of the hegemon, including in relation to international organizations. They cannot, however, determine it.¹⁹⁷ The factors involved are too multifarious and structurally divergent; and to have them concentrated in this way is exceptional historically speaking. President Clinton referred to this fact in his State of the Union Address at the end of January 2000. Another important fact is that the spectrum of foreign-policy schools of thought outlined at the beginning continue to exert a decisive influence. This includes the liberal internationalists, who stand for cooperation and multilateralism. The hegemon who acts consistently—this has been demonstrated by our typology—is a non-existent phenomenon. At the moment the liberals are not occupying center-stage, particularly in Congress; but this is not an immutable fact. Observers expect that the Democrats in the House of Representatives will already have broken the dominance of the Republicans at the next elections in November. The Republicans' ideological revolution, which overall was perhaps the most important explanatory factor, would be considerably weakened by this. Furthermore, a decline in the economic framework conditions, or an inadequate, cost-intensive implementation of military-technology programs, could also weaken American unilateralism both inside and outside international institutions.

Our empirical findings back up the often purely theoretically formulated views of leading US analysts. Here, we are therefore able not only to turn once again to the current discussion about the USA's foreign-policy position. We can also add to it with our own case-studies. Theoreticians in the United States are also posing questions about US unilateralism and the continuance of American hegemony. Not all analysts are as emphatic as the journalist Charles Krauthammer, who assumes that the 'Pax Americana' could extend over a generation. Even before the official winding-up of the Soviet Union, he was heralding, in a *leitmotiv*-like, triumphal manner, the "unipolar moment". "There is but one first-rate power", he said, "and no prospect in the immediate future of any power to rival it."¹⁹⁸ Theoreticians such as Ikenberry, Kupchan, Brzezinski, and Huntington similarly do not view the USA's overwhelming hegemonial position as a short-lived phenomenon. And yet they are skeptical. Kupchan's forward-looking concept of hegemony comes under the general watchword "After Pax Americana". David Calleo links his account back into his 'America in decline' position of the 1980s and continues to warn us that the USA's international obligations will sooner or later be bereft of an assured economic basis.¹⁹⁹

Huntington adduces both external and internal factors to justify his skepticism. It is the

¹⁹⁷ The important question of the extent to which the findings of this study can be transposed to other areas such as environmental protection and legal policy cannot be discussed in detail here. On this subject, see the forthcoming HSFK Report by Alexander Kelle and Harald Müller, *Die unilateralistische Supermacht. Militärische Überlegenheitsträume und die Demontage des Multilateralismus in der amerikanischen Außen- und Sicherheitspolitik* (working title).

¹⁹⁸ Charles Krauthammer, 'The Unipolar Moment', *FA*, 70 (1990/91), 1: 23–33 (24).

¹⁹⁹ See David P. Calleo, 'A New Era of Overstretch?', *World Policy Journal*, 15 (1998), 1: 11–25.

perception of the “rogue superpower”²⁰⁰ which he believes prevails in many states that has made the Harvard professor a convert as regards his view of hegemony. At the beginning of the 1990s, he propounded the notion of the “indispensable”²⁰¹ US hegemon in a quasi-unipolar situation. He explained the fact that the United States carried out a large number of tasks in the world arena by reference to its national identity, which, he said, was marked by an exceptionally strong desire to spread fundamental political and economic values across the world.²⁰² In explaining his later doubts about this omnipotent American role, anchored in the political culture, he not only cited the negative perception of the United States abroad. There was also the fact, he said, that the American population would not go on indefinitely approving the financial expenditure entailed by US obligations. America would earn the dubious reputation of being a “hollow hegemon”.²⁰³

The key to a more resolute turning-away from unilateralism on the part of the USA thus lies primarily—but not exclusively—in the United States.²⁰⁴ The allies’ scope for action is thus limited. But they are not entirely at the mercy of the hegemon. In the case of the organizations investigated by us, this scope is far from being exhausted. We finish by illustrating this point using the example of the United Nations: the financially powerful industrial states have so far not reacted to the United States’ dubious UN policy with any initiatives of their own. They have hidden behind the penny-pinching hegemon. The United Nations’ permanent financial crisis cannot be solved in this way. Why not, whilst not excluding the superpower, establish a positive role-model function for the medium-sized powers?²⁰⁵ The input of voluntarily increased contributions to the UN that would be needed to make a start and at least partly fill the resultant political-leadership vacuum would be minimal.

²⁰⁰ Samuel P. Huntington, ‘The Lonely Superpower’, *FA*, 78 (1999), 2: 35–49 (40).

²⁰¹ Id., ‘Why International Primacy Matters’, *IS*, 17 (1993), 4: 68–83 (82).

²⁰² See *ibid.* 82 f.

²⁰³ Id., ‘The Lonely Superpower’ (fn. 200), 40. This last thought is also to be found in Brzezinski, who considers that the current hegemonial position of the USA will also be jeopardized if the dispersal of power makes strides on account of the proliferation of weapons of mass destruction, and extends to substate terrorist actors. See Zbigniew Brzezinski, ‘Das Modell Demokratie scheint weltweit zu triumphieren’, *Frankfurter Rundschau*, Whitsun 1999.

²⁰⁴ It is possible to hold this opinion without sharing the neorealist view—championed for example by Werner Link—that the prominent position of the USA almost automatically leads to the formation of counterpower throughout the world. See Werner Link, ‘Gleichgewicht und Hegemonie’, *FAZ*, 19 Sept. 1999.

²⁰⁵ This is suggested for climate policy in: Sebastian Oberthür/Hermann Ott, *The Kyoto Protocol—International Climate Policy for the 21st Century* (Berlin, 1999).