



Primo Piano - Giancarlo Elia Valori: “The crisis of international law”

Roma - 07 dic 2021 (Prima Notizia 24) The idea of promoting the human rights agenda in the image and likeness of the Western countries' principles - as the repositories of Absolute Truth - is counterproductive and directly harmful in the Near and Middle East and Central Asia, as it does not consider the

historical experience of these geopolitical regions.

Moreover, many experts in the West talk about such topics, but do not really know the local culture or languages. Therefore, when they write about these countries, they rely on the classic languages of imperialism - English and French - with all that inevitably follows in geometric progression. The decline of the bipolar system in international relations in the early 1990s was accompanied by great expectations of politicians and experts, who dreamt of the advent of a world based on the rule of law. A kind of Paradise on Earth, where everyone would suddenly be happy, and wars - but first and foremost hunger - would disappear. Their dreams, however, were not destined to become true, as wars have multiplied and hunger is claiming more victims than ever before, with the spectre of wars over water resources now looming large. The specificities of international relations are determined by the three most important components: international law, geopolitics and ideology. The first international treaty systems appeared in the ancient world: in the aftermath of the Battle of Qadeš between the Egyptians and the Hittites at the end of May 1,274 BC. In 1,258 a fair treaty was concluded regarding the land to be ruled around the border that Ramesses II was unable to move farther north than Qadeš. But diplomacy, in the modern sense of the word, only began to take shape after the Thirty Years' War of 1618-1648. On May 15, 1648 the Protestant princes signed the first treaty of the Peace of Westphalia, in Osnabrück, which marked the end of the conflict between Sweden and the Habsburg Empire. The Catholic princes later signed two more treaties in Münster (on October 24 of the same year). Westphalia – and, to an even greater extent, the Congress of Vienna (November 1, 1814 - June 9, 1815) that replaced it, was also based on three components: multipolarity, the balance of powers and the concert of powers, which mainly meant the importance of the great powers: Austria, Prussia, Russia and the United Kingdom. In many ways, the same principles were characteristic of the Yalta-Potsdam system, which determined relations between the two superpowers during the Cold War. The rules of international law were respected above all because there was a force behind them that could not be ignored. That is why peace reigned in Europe and the interests of the Union of Soviet Socialist Republics and the United States of America clashed mainly in the countries on the periphery - i.e. by shifting the Second Thirty Years' War (1914-1945) to Third World countries and the Balkans, so that the West's and East's war industries would have their war theatres as outlets for their weapons. Little could the People's Republic of China do by defining both the former and the latter social-

imperialists as imperialists tout court, and branding them both as hegemonists. In the 1990s the world changed. It became "US-centric". After the collapse of the Soviet Union, the United States of America became the only superpower to take responsibility for the fate of humanity, i.e. its own "manifest destiny". The concept of the "end of history", developed by the famous American political scientist and Professor at Johns Hopkins University, Francis Fukuyama - although criticised by some experts in the United States of America - has not been seriously revised. In turn, the various wars in Asia, Yugoslavia and the difficult situation in Africa (the genocide in Rwanda in 1994, amidst the United Nations' indifference and multiple local wars) raised the issue of the right to interfere in the countries' internal affairs in order to protect human rights. The situation in the former Soviet Union also changed. Local leaders seemed to be deciding to abandon their sovereignty completely and to integrate themselves as far as possible into Western political structures. It is worth mentioning the conversation between the former President of the United States of America, Richard Nixon (the last great US President), and Boris Yeltsin's former Foreign Minister, Andrey Vladimirovi? Kozyrev, in June 1992. When asked by President Nixon how the Russian government decided his country's national priorities, Kozyrev replied that its leaders were guided by universal values: "Probably you, as a friend of Russian democracy, will help formulate these interests?" asked Kozyrev. The former US President briefly replied that he would not commit himself to doing so, hoping that the Minister would formulate them himself. However, after President Nixon left the Foreign Ministry, he could not resist stating that it was unlikely that such a Head of Russian diplomacy could earn the respect of his compatriots. The main idea of the United States of America, after the collapse of the bipolar system, was to take measures to prevent the emergence of any serious competitors in the international arena, especially in Eurasia. That effort, however, concealed a structural contradiction: the world is too complex and diverse to be controlled by a single centre. Humanity is currently faced with situations in which the system of international law is ever less functioning. The powers in the world arena have been upset and, without international law respected by everyone, it is impossible to speak about the existence of a system of equilibrium, but only of world law, regarded as a construction solely in the interests of the hegemonic and hegemonist country, whose role is increasingly claimed by the United States of America. . The reason for the crisis in which world diplomacy is now floundering is the US exorbitant ambitions, which have been expressed in the "liberal" interventionism of the Democratic Party and the neo-conservative ideology of the Republican Party. The economic rise of the People's Republic of China, as well as the creation of the foreign policy bases by the Russian Federation, which has recovered from the consequences of the "shock therapy" and the quasi-clearance sale operated by Yeltsin has gradually laid the conditions for the creation of the basis of a new multipolarity in the balance of power. The problem lies in the fact that it is extremely disadvantageous for the United States to recognise this new reality, because the US unique position after the end of the Cold War brought it considerable economic and political dividends. Moreover, the White House mastered new mechanisms to control its partners' activities. For example, many of the strategically important technologies that many countries need are based on US patents. Obviously, for the United States of America, the intensification of Russian foreign policy since the second half of the 2000s

has in many ways been an unpleasant revelation. While the People's Republic of China developed gradually, for the moment without criticising the United States on controversial issues, Russia's position, starting with Vladimir Putin's speech delivered in Munich in 2007, and especially after the handover of Crimea to the motherland in 2014, began to be perceived by the White House as a challenge aimed at restoring the influence lost in Eurasia and the world as a whole. Was it possible to avoid the conflict, which led to clashes of interests between the USA-NATO and Russia on the territory of Georgia, Ukraine and Syria? Some experts think so. The well-known British political scientist, Richard Sakwa - a Professor at the University of Kent - noted that the main problem of the West is that for many years it did not find effective mechanisms to integrate countries like Russia and the People's Republic of China into the orbit of its values. Developing this idea, we can see that the conditions for such an association should have been discussed on an equal footing and not imposed from outside. Will there be a politician in today's Europe who knows how to return to cooperation and compromise with Russia, reviving de Gaulle's idea of a "Europe from the Atlantic to the Urals"? In Italy certainly not; probably in France and Germany. While, on the whole, the current EU politicians - except when attempting to ban saying "Merry Christmas", for reasons of politically correct inclusiveness - are more interested in serving US interests. Therefore, the reason for the alienation arisen between Russia, the People's Republic of China and the West lies in the arrogance of the so-called developed countries, which actually deny the others the existence of national priorities, thus imposing - like good Gauleiter - the sphere of third parties' interest. The development of Russia's relations with Eastern countries, and especially with the People's Republic of China, is intended to make up for the losses Russia has suffered as a result of its confrontation with the West. According to some experts, however, China does not fully trust the current Russian political elite. The current complications in its relations with the United States and the European Union are sometimes seen here as nothing more than contrast and opposition, which can end as soon as Western politicians offer decent compensation. All this with the hope that then the Russian Federation will switch to a consistent anti-Chinese policy. Such fears are not unreasonable, but the anti-Russian lobby in the US Congress is unlikely to find strategists subtle enough to ensure such a split. Currently much depends on the White House's policy. It cannot be ruled out that the US President's uncertain actions - see the literal flight from Afghanistan - are likely to help clarify the platform on which a different concept of foreign policy will emerge from the United States. A concept which is probably better suited to the changed reality, since the allies' loss of power and trust was inevitably undermined in Afghanistan. Every year it becomes increasingly clear that the modern world needs new value bases for its development. With all the well-known merits of liberal democracy, it shall leave the historical scene. But what concepts will replace it and help humanity out of the crisis? Will there be some model of meritocracy or transhumanism, which is now fashionable in certain circles? It is too early to answer this question definitively. The fact is that, a quarter of a century after the end of the Cold War, ideological enmity has re-emerged between Europe and Russia. A significant reason for its emergence lies in the US efforts to prevent the revival of the idea of "Europe from Lisbon to Vladivostok". In view of laying the foundations for overcoming it, we need to recognise the right of the Russian Federation and the People's

Republic of China to pursue an independent foreign policy line and to step up contacts with Russia and China in the framework of the integration projects of multilateralism that had ensured stability until the implosion of the Soviet Union (December 25, 1991).

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