

## The Structure of American Foreign Policy Ideology

In *The American Tradition of International Law*, Mark Janis opens with the statement: ‘How we think about any aspect of the law is largely an inheritance’, setting the scene for a contest between ideas of ‘exceptionalism’ and those of ‘universalism’ since the earliest days of the republic.<sup>1</sup> By identifying the influence of exceptionalist beliefs over conceptions of IL, Janis concludes that ‘some of America’s fierce debates about the nature and advantages of international law have been generated by the disputants failing to acknowledge that they were actually talking about somewhat different things’.<sup>2</sup> Chapter 1 demonstrated how power, ideas and interests are interrelated as causes of ‘exceptional’ American IL policy. This chapter turns to the role of ‘ideology’ in IL, as the concept that best captures power transformed into beliefs that interpret interests.

Identifying America’s several foreign policy ideologies yields a framework for understanding how US IL policy can be consistent with broad expectations of power-based explanations, yet also conform to particularistic commitments within American political culture. The structure of American foreign policy ideology is established via an influential four-part typology developed through empirical research on both political leaders and the mass public. The Wittkopf-Holsti-Rosenau (WHR) typology has repeatedly demonstrated an underlying structure of beliefs that has proven a powerful indicator of foreign policy preferences and the contradictions between them. Synthesising the WHR typology with evidence from diplomatic history yields four ideal ideological types, which together form the parameters of American approaches to IL. Policymakers’ *governance* preferences are arrayed along an *internationalist–nationalist* dimension, while *values* shaping legal policy sit along a *liberal–illiberal* dimension. The crossing

<sup>1</sup> Mark W. Janis, *The American Tradition of International Law: Great Expectations 1789–1914* (Oxford University Press, 2004), p. 1.

<sup>2</sup> *Ibid.*, p. 2.

of these dimensions produces four discrete ideal types of American IL policy: *liberal internationalism*, *illiberal internationalism*, *liberal nationalism* and *illiberal nationalism*. That typology provides the ideological structure applied throughout this book to analyse competing conceptions of the international rule of law.

## The Power of Foreign Policy Ideology

### *International Relations Theory and Ideology*

The key question emerging from Chapter 1 is not whether unique dynamics of American IL policy are best explained by power *or* ideas, since they are evidently interrelated; rather, the question is: how do culturally ingrained ideas about America's global role mediate between the fact of preponderant power and legal policymakers' engagement with IL? In IR terms, this becomes a question of how a state's perception of interests alters the way that it behaves within the international system and therefore the causal role of ideas. It has become almost ritualistic to begin such an enquiry by identifying the limitations of Kenneth Waltz's neorealist tenet that 'considerations of power dominate considerations of ideology'<sup>3</sup> and then describing the advantages of a flourishing array of alternative IR theories that reassert the power of ideas.<sup>4</sup>

Richard Steinberg observes that international legal scholarship tends to 'perpetuate a common misperception that realism is a monolithic approach that denies any role for law'.<sup>5</sup> Yet theoretical variants do recognise that ideas, including legal beliefs, can be mutually constitutive of power, and among these the 'softest realist position is that of the traditional or neoclassical realists'.<sup>6</sup> Gideon Rose explains that adherents of the IR school of neoclassical realism recognise, first, that 'the scope and ambition of a country's foreign policy is driven first and foremost by its place in the international system and specifically by its relative material power capabilities. This is why they are realist' but, second, that 'the

<sup>3</sup> Kenneth N. Waltz, 'Realist Thought and Neorealist Theory' (1990) 44 *Journal of International Affairs* 21, p. 31.

<sup>4</sup> The standard triumvirate includes variants of 'liberal institutionalism' and 'constructivism', each of which identifies a causal role for human agency and ideational variables. For an overview see Richard H. Steinberg & Jonathan M. Zasloff, 'Power and International Law' (2006) 100 *American Journal of International Law* 64.

<sup>5</sup> Richard H. Steinberg, 'Overview: Realism in International Law' (2002) 96 *Proceedings of the Annual Meeting (American Society of International Law)* 260, p. 261.

<sup>6</sup> *Ibid.*, p. 261.

impact of such power capabilities on foreign policy is indirect and complex, because systemic pressures must be translated through intervening variables at the unit level. This is why they are neoclassical.<sup>7</sup> Those 'intervening variables' include ideology, comprised of the foreign policy ideas 'embedded in social norms, patterns of discourse and collective identities'.<sup>8</sup> Ideology operates to 'filter and limit options, ruling out policies that fail to resonate with the national political culture'.<sup>9</sup> The mutually constitutive relationship between policymakers' beliefs and the material structure of the international system renders realism compatible with 'constructivist' theories of IR, which lawyers have conventionally seen as the ideal entry point for interdisciplinary research. IL scholarship often 'echoes the flavour and ontology of constructivist theory' in that both treat ideas and identity as the fundamental building blocks of international politics.<sup>10</sup> Within these approaches, IL policy can be analysed by reference to the 'competing general conceptions of what legal institutions and rules should look like', which are in turn 'shaped by the actors' conceptions of their interests and their identities'.<sup>11</sup>

The advantages of theoretical synthesis are evident in Rose's analysis of America's rising relative power and the concomitant assertion of its normative exceptionalism. He argues that 'instead of viewing ideas as either purely independent or purely dependent variables', there is scope for identifying 'how, in conjunction with relative power, they could play both roles simultaneously'. Specifically, Rose considers shifting interpretations of the exceptionalist belief that American 'domestic institutions should be disseminated to others'. This idea has been expressed by both the 'exemplars' of the nineteenth century and the 'crusaders' of the twentieth century.<sup>12</sup> By adopting a neoclassical realist framework, he argues that the most important explanation for this shift remains the 'massive increase in relative power' that gave the United States the means to contemplate a strategy of shaping global politics. The role of political

<sup>7</sup> Gideon Rose, 'Neoclassical Realism and Theories of Foreign Policy' (1998) 51 *World Politics* 144, p. 146.

<sup>8</sup> Nicholas Kitchen, 'Systemic Pressures and Domestic Ideas: A Neoclassical Realist Model of Grand Strategy Formation' (2010) 36 *Review of International Studies* 117, p. 131.

<sup>9</sup> *Ibid.*, p. 141.

<sup>10</sup> Kal Raustiala & Anne-Marie Slaughter, 'International Law, International Relations and Compliance', in Walter Carlsnaes, Thomas Risse & Beth A. Simmons (eds.), *Handbook of International Relations* (SAGE Publications, 2002), p. 544.

<sup>11</sup> David Wippman, 'The International Criminal Court', in Christian Reus-Smit (ed.), *The Politics of International Law* (Cambridge University Press, 2004), p. 154.

<sup>12</sup> Rose, 'Neoclassical Realism', p. 169.

power and the basic premise of political realism thereby remain intact. Yet analysts 'still need to know the content of American political ideology . . . in order to understand the specific policy choices officials made in either era'.<sup>13</sup> The causal role of ideology and law is thereby preserved, even when proceeding from an ostensibly political realist foundation.

### *Ideas as Beliefs*

To achieve greater clarity in the meaning of 'ideology', it is useful to start with a more precise definition of 'ideas' as its basic building blocks. There is a degree of imprecision in formulations that variously label the constitutive elements of ideology as 'ideas', 'opinions', 'values', 'symbols' and 'beliefs'. For this book, Judith Goldstein and Robert Keohane's approach is instructive, as it defines ideas simply as 'beliefs held by individuals'.<sup>14</sup> Focusing on beliefs is persuasive, as it expresses the interconnection between abstract political ideas and the real actors who hold them – who emerge as central characters in these pages. For Goldstein and Keohane, foreign policy beliefs are of three types: worldviews defining possible modes of thought and discourse;<sup>15</sup> principled beliefs providing normative criteria for assessing right from wrong;<sup>16</sup> and causal beliefs about the cause–effect relationships that yield strategic outcomes.<sup>17</sup> As will be seen, all three forms of belief inhere in a single ideology.

Building on this treatment, Alexander George and Andrew Bennett argue that, rather than exerting a deterministic influence, political beliefs increase the propensity of decision-makers to reach particular 'diagnostic' and 'choice' decisions. Beliefs create in policymakers a propensity to reach a particular diagnosis about what is happening in a case, which is followed by policymakers' strategic choices about what action to then take.<sup>18</sup> The distinction alludes to the role of political beliefs in not merely recognising interests but in defining what they are. Blyth reminds that a useful understanding of beliefs must distinguish between the *concept* of

<sup>13</sup> Ibid., p. 170.

<sup>14</sup> Judith Goldstein & Robert O. Keohane, 'Ideas and Foreign Policy: An Analytical Framework', in Judith Goldstein & Robert O. Keohane (eds.), *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change* (Cornell University Press, 1993), p. 3.

<sup>15</sup> Ibid., p. 8.

<sup>16</sup> Ibid., p. 9.

<sup>17</sup> Ibid., p. 10.

<sup>18</sup> Alexander L. George & Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (MIT Press, 2005), p. 193.

interests and the necessarily prior *cognates* of interest. This distinction permits interests to be 'less about *a priori* structural determination and more about the construction of wants as mediated by beliefs and desires (i.e., ideas)'.<sup>19</sup> Although structures such as relative global power remain important in determining interests, they 'do not come with an instruction sheet'.<sup>20</sup>

### *Defining Ideology*

'Ideology' emerges as the bridge between 'interests' and 'ideas' in legal and political analysis. Michael Freeden's influential definition of political ideology is of

- a set of ideas, beliefs, opinions, and values that:
- 1 exhibit a recurring pattern;
  - 2 are held by significant groups;
  - 3 compete over providing and controlling plans for public policy; [and]
  - 4 do so with the aim of justifying, contesting or changing the social and political arrangements and processes of a political community.<sup>21</sup>

Here, ideology is identified as pervasive in all political thought, being composed of the 'ideas and symbols through which political actors find their way and comprehend their social surroundings'.<sup>22</sup> The way beliefs are configured in a specific ideology enables the 'decontesting' of their meaning, thereby narrowing the valid policy implications for any political situation.<sup>23</sup> Miroslav Nincic and Jennifer Ramos approvingly adopt Freeden's definition for highlighting ideology as a form of 'structured thinking: a stable and coherent relationship among the cognitions and preferences people hold'.<sup>24</sup> Importantly, for present purposes, Freeden addresses the question of the correlation between material power and belief. Ideology is characterised as both a representation of an objective reality and part of the discourse that constructs it:

<sup>19</sup> Mark Blyth, 'Structures Do Not Come with an Instruction Sheet: Interests, Ideas, and Progress in Political Science' (2003) 1 *Perspective on Politics* 695, p. 697.

<sup>20</sup> *Ibid.*, p. 698.

<sup>21</sup> Michael Freeden, *Ideology: A Very Short Introduction* (Oxford University Press, 2003), p. 32.

<sup>22</sup> *Ibid.*, p. 123.

<sup>23</sup> *Ibid.*, pp. 54–5.

<sup>24</sup> Miroslav Nincic & Jennifer M. Ramos, 'Ideological Structure and Foreign Policy Preferences' (2010) 15 *Journal of Political Ideologies* 119, p. 121.

[Ideologies] interact with historical and political events and retain some representative value. But they do so while emphasizing some features of that reality and de-emphasizing others, and by adding mythical and imaginary happenings to make up for the 'reality gaps'. A constant feedback operates between the 'soft' ideological imagination and the 'hard' constraints of the real world.<sup>25</sup>

Crucially, this approach recognises the dialectical nature of ideology. A nation's political ideology does not develop in a vacuum but, rather, through encounters with the constraints and opportunities afforded by power.

Jonathan Zasloff explores the meaning of ideology in a context closer to home, albeit from the reverse angle to this book's: analysing the influence of 'legal ideology' on early American foreign policy. His account of the 'notoriously treacherous' concept is on point for drawing attention to ideology's causal role in mediating between power and international legal policy.<sup>26</sup> Zasloff adopts David Davis's definition of ideology as 'an integrated system of beliefs, assumptions, and values, not necessarily true or false, which reflects the needs and interests of a group or class at a particular time in history'.<sup>27</sup> Davis's own further explanation is useful for reminding that 'there is a continuous interaction between ideology and the material forces of history'.<sup>28</sup> This element comports with Rose's observation that the rise in ideas about America's 'exceptional' global role has paralleled and reinforced the reality of growing preponderant global power. Zasloff's most important point for present purposes is that so defining ideology means that it cannot be approached as merely 'a cynical cover for the naked pursuit of self-interest'.<sup>29</sup> That conclusion is pivotal to the argument of this book: although US IL policy is often defended in idiosyncratic terms that align with politicised interests, that cannot itself be evidence of hypocrisy on the part of legal policymakers. Zasloff puts the case well:

[I]deologies carry power precisely because they allow people to believe that they are acting properly while at the same time serving their own interests. Legitimation, then, is directed more at the producer of ideology than at the consumer. Put another way, an effective ideology enables action because it helps avoid the cognitive dissonance that arises when

<sup>25</sup> Freedman, *Ideology*, p. 106.

<sup>26</sup> Jonathan M. Zasloff, 'Law and the Shaping of American Foreign Policy: From the Gilded Age to the New Era' (2003) 78 *New York University Law Review* 239, pp. 247–50.

<sup>27</sup> *Ibid.*, p. 247. See David B. Davis, *The Problem of Slavery in the Age of Revolution, 1770–1823* (Cornell University Press, 1975), p. 14.

<sup>28</sup> Davis, *The Problem of Slavery*, p. 14.

<sup>29</sup> Zasloff, 'Law and the Shaping of American Foreign Policy', p. 248.

a person advocates something she knows to be unjust or destructive simply to further her own interest.<sup>30</sup>

American IL policymakers thus perform an 'important ideological function' that has 'helped to reconcile imperial power with republican traditions and universal principles'.<sup>31</sup> The implications are significant in cases of apparent legal contradiction, since to so observe 'is not to say that people were disregarding the "true" law but rather to underline the claim that all international law, to one degree or another, relies on such ideological construction'.<sup>32</sup> Within this process, ideology operates to translate power into legal principle – in effect deriving an 'ought' from an 'is'<sup>33</sup> – which adherents can then adopt as simultaneously both a good faith commitment to IL and an affirmation of American power.

Especially pronounced consequences arise in the specific context of *foreign policy ideology*, since policymakers are faced with inherent uncertainties about the intentions of external parties owing to 'gaps in distance, culture, and understanding'. Even more so than in domestic politics, policymakers are 'forced to rely upon ideological assumptions to guide their action'.<sup>34</sup> Michael Hunt's leading account defines American foreign policy ideology as 'an interrelated set of convictions or assumptions that reduces the complexities of a particular slice of reality to easily comprehensible terms and suggest[s] appropriate ways of dealing with reality'.<sup>35</sup> For George, foreign policy ideology is 'a belief system that explains and justifies a preferred political order for society, either one that already exists or one that is proposed, and offers at least a sketchy notion of strategy . . . for its maintenance and attainment'.<sup>36</sup> Jeffrey Legro's definition identifies three characteristics of ideas specific to the domain of foreign policy ideology. These are that ideas: '(1) are collectively held; (2) involve beliefs about effective means; and (3) refer specifically to national conceptions about international society'.<sup>37</sup> For Legro, these ideas 'are not so much mental as symbolic and organizational; they are embedded not only in

<sup>30</sup> Ibid., p. 248, citations omitted.

<sup>31</sup> Benjamin A. Coates, *Legalist Empire: International Law and American Foreign Relations in the Early Twentieth Century* (Oxford University Press, 2016), p. 3.

<sup>32</sup> Ibid., p. 7.

<sup>33</sup> A form of David Hume's 'is-ought' fallacy.

<sup>34</sup> Zasloff, 'Law and the Shaping of American Foreign Policy', pp. 248–9.

<sup>35</sup> Michael H. Hunt, *Ideology and U.S. Foreign Policy* (Yale University Press, 1987), p. xi.

<sup>36</sup> Alexander L. George, 'Ideology and International Relations: A Conceptual Analysis' (1987) 9 *Jerusalem Journal of International Relations* 1, p. 1.

<sup>37</sup> Jeffrey W. Legro, *Rethinking the World: Great Power Strategies and International Order* (Cornell University Press, 2005), p. 4.

human brains but also in the “collective memories,” government procedures, educational systems, and the rhetoric of statecraft’.<sup>38</sup> Moreover his definition of ideology draws attention to the inherent ‘instrumentality’ of foreign policy ideas, which are beliefs not just about the objectives of policy but also about the effective means for achieving them.<sup>39</sup> His final element is of particular interest to the present analysis, which is that a foreign policy ideology entails beliefs about the proper attitude toward the existing international order: whether to join, remain outside or revise it.<sup>40</sup>

From these accounts, foreign policy ideology can be defined as a shared set of interrelated beliefs that interpret global power and help define a state’s international interests and strategies for achieving them. The nature of ideology as beliefs entrenched in a political community ensures that evaluations of success will be heavily biased by a conviction that an ideology is effective. It is hard, if not impossible, to conclusively falsify beliefs about foreign policy once ideologically entrenched. They do not provide an ‘absolute truth’ about foreign policy interests and strategies, merely beliefs that resonate as an article of faith. Any established American foreign policy ideology entails a claim to a formula for strengthening national power and interests.

## The Structure of American Foreign Policy Ideology

### *The Wittkopf-Holsti-Rosenau Typology*

Attention can now turn to the substance and structure of American foreign policy ideologies influencing conceptions of IL. The underlying rationale of the WHR typology is the same as this book’s, which is that it ‘is useful in understanding the frequent inconsistency of American foreign policy, for the maintenance of a coherent foreign policy is more difficult in a domestic environment characterized by the absence of consensus’.<sup>41</sup> Although the foundational literature does not use the term ‘ideology’, it is clear that the underlying concept is the same.<sup>42</sup> In a review of foreign policy ideology

<sup>38</sup> Ibid., p. 6.

<sup>39</sup> Ibid., p. 7.

<sup>40</sup> Legro typologises these positions as ‘integrationist’, ‘separatist’ and ‘revisionist’: *ibid.*, p. 10.

<sup>41</sup> Eugene R. Wittkopf, ‘On the Foreign Policy Beliefs of the American People: A Critique and Some Evidence’ (1986) *International Studies Quarterly* 425, p. 443.

<sup>42</sup> The term ‘ideology’ is used in this literature to describe political placement on a left-right spectrum, which may explain reluctance to apply the term to the structure of beliefs as a whole.



literature, Michael Hunt cited the work of Ole Holsti and James Rosenau as an example of 'a new concern with ideology' that had 'infiltrated the field of diplomatic history'.<sup>43</sup> Those authors' own terminology of 'attitude structures',<sup>44</sup> 'worldviews'<sup>45</sup> and, in particular, 'belief systems'<sup>46</sup> entails the key elements of interrelated ideas about the nature of the world and political strategies for responding to it. The model is accordingly adapted here to identify and classify the constitutive beliefs and structure of American foreign policy ideology and thereby of American IL policy.

As a preliminary point, the most analytically useful typology in social science is one that moves beyond mere listing and instead maps out the structure of how different types relate to one another. David Collier et al. define an analytical typology as 'an organized system of types that breaks down an overarching concept into component dimensions and types'.<sup>47</sup> 'Dimensionality' is a broader concept than 'type' and refers to the 'number of variables entailed in a concept or a data set'.<sup>48</sup> Common variables may be evident in different types and so the goal of the analyst is to isolate each variable, then show how types are connected and differentiated through them. Where the concept under analysis exhibits multidimensionality, a clear typology will be one constructed by the intersection of orthogonal dimensions to form discrete types. An underlying strength of the WHR typology is that it goes beyond merely listing different forms of ideology, instead meeting the more rigorous standard of mapping out how different types relate to one another. A further point is that the product of this typology is four 'ideal types' of foreign policy ideology. In Max Weber's terms, 'an ideal type is formed by the one-sided accentuation of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent concrete individual phenomena, which are arranged according to

<sup>43</sup> Michael H. Hunt, 'Ideology' (1990) 77 *The Journal of American History* 108, pp. 112–13.

<sup>44</sup> Ole R. Holsti & James N. Rosenau, 'The Structure of Foreign Policy Beliefs among American Opinion Leaders: After the Cold War' (1993) 22 *Millennium: Journal of International Studies* 235, p. 235.

<sup>45</sup> As described by Matthew A. Baum & Henry R. Nau, 'Foreign Policy Views and U.S. Standing in the World' (2009) 28 *Harvard Kennedy School Faculty Research Working Paper Series*, pp. 5–6.

<sup>46</sup> Ole R. Holsti, 'The Belief System and National Images: A Case Study' (1962) 6 *Journal of Conflict Resolution* 244.

<sup>47</sup> David Collier, Jody LaPorte & Jason Seawright, 'Putting Typologies to Work: Supplementary Material' (2012) 65 *Political Research Quarterly*, [https://journals.sagepub.com/doi/suppl/10.1177/1065912912437162/suppl\\_file/Putting\\_Typologies-Supplementary\\_Material.pdf](https://journals.sagepub.com/doi/suppl/10.1177/1065912912437162/suppl_file/Putting_Typologies-Supplementary_Material.pdf).

<sup>48</sup> Ibid.

those one-sidedly emphasized viewpoints into a unified analytical construct'.<sup>49</sup> These types are therefore analytical constructs that usefully capture patterns of observed behaviour, rather than an account of any particular person's belief system. Outlying cases and inconsistencies do not necessarily falsify the typology; rather, they remind that it represents a synthesised ideal.

Holsti first described a 'three-headed eagle' of foreign policy types in 1979; it comprised 'two versions of internationalism', identified previously by Michael Mandelbaum and William Schneider as 'conservative internationalism' and 'liberal internationalism', plus 'isolationism'.<sup>50</sup> *Conservative internationalism* emphasised elements of traditional *real-politik*, including a zero-sum contest between the United States and its adversaries and the importance of US leadership maintaining a favourable balance of power.<sup>51</sup> In contrast, *liberal internationalism* rejected the wisdom of pursuing US primacy, instead emphasising global interdependence and thus the need for cooperation – particularly on economic and humanitarian issues.<sup>52</sup> Mandelbaum and Schneider then arranged these types in relation to a third 'noninternationalist' category<sup>53</sup> to conclude that foreign policy is best thought of in terms of two dimensions: 'an internationalist–isolationist dimension (*whether* the United States should play an active role in world affairs) and a cross-cutting liberal–conservative dimension (*what kind* of role it should play)'.<sup>54</sup>

Survey data from the Chicago Council on Foreign Relations (CCFR)<sup>55</sup> and the Foreign Policy Leadership Project (FPLP) corroborated a bi-dimensional ideological structure of support–oppose 'militant internationalism' (MI) and support–oppose 'cooperative internationalism' (CI), which together forms four foreign policy belief types (see Table 1).<sup>56</sup>

<sup>49</sup> Max Weber, *The Methodology of the Social Sciences* (The Free Press, 1949), p. 90.

<sup>50</sup> Ole R. Holsti, 'The Three-Headed Eagle: The United States and System Change' (1979) 23 *International Studies Quarterly* 339, p. 356; Michael Mandelbaum & William Schneider, 'The New Internationalisms' (1978) 2 *International Security* 81, p. 93.

<sup>51</sup> Holsti, 'The Three-Headed Eagle', pp. 343–5.

<sup>52</sup> *Ibid.*, pp. 346–7.

<sup>53</sup> Equivalent to Holsti's 'isolationism'.

<sup>54</sup> Michael Mandelbaum & William Schneider, 'The New Internationalisms', in Kenneth A. Oye, Donald Rothchild & Robert J. Lieber (eds.), *Eagle Entangled: U.S. Foreign Policy in a Complex World* (Longman, 1979), p. 41, original emphasis.

<sup>55</sup> Now The Chicago Council on Global Affairs.

<sup>56</sup> Eugene R. Wittkopf, 'The Structure of Foreign Policy Attitudes: An Alternative View' (1981) 62 *Social Science Quarterly* 108, p. 115; Ole R. Holsti & James N. Rosenau, 'The Structure of Foreign Policy Attitudes among American Leaders' (1990) 52 *Journal of Politics* 94, p. 96.

Table 1 *Wittkopf-Holsti-Rosenau typology*

	Oppose MI	Support MI
Support CI	Accommodationists	Internationalists
Oppose CI	Isolationists	Hardliners

*Accommodationists* support CI and oppose MI. They adopt an internationalist focus according to a liberal worldview that emphasises non-traditional security threats such as democratisation and human rights, with a preference for working multilaterally through IL and institutions. *Internationalists* support both CI and MI. They have an internationalist focus but according to a conservative worldview that is willing to combine diplomatic cooperation with military superiority to maintain America's global position. *Isolationists* oppose both CI and MI. They resist unnecessary international involvement in order to protect liberal values at home. Finally, *hardliners* oppose CI and support MI. They adopt a nationalistic rather than international focus, but do so to uphold national security and America's global position rather than for liberal objectives.

Subsequent survey research confirmed that these dimensions structure the beliefs of both American masses and American foreign policy elites – rebutting pioneering findings by Philip Converse that elite foreign policy beliefs diverged from the beliefs of the mass public.<sup>57</sup> Eugene Wittkopf analysed the beliefs of 'leaders' within the CCFR survey data, taking them to be those respondents 'in leadership positions with the greatest influence upon and knowledge about foreign relations'.<sup>58</sup> Falling in this category are 'policymakers' in the sense used in this book, including members of Congress (in particular members of the Foreign Relations and Foreign Affairs committees) and the executive (including State Department officials and 'officials with international responsibilities from other government departments').<sup>59</sup> The real difference between elites and masses was in the distribution between types. Survey results demonstrated a relatively even distribution of the mass public among the

<sup>57</sup> See Philip E. Converse, 'The Nature of Belief Systems in Mass Publics (1964)' (2006) 18 *Critical Review* 1.

<sup>58</sup> Eugene R. Wittkopf & Michael A. Maggiotto, 'Elites and Masses: A Comparative Analysis of Attitudes toward America's World Role' (1983) 45 *Journal of Politics* 303, p. 308.

<sup>59</sup> *Ibid.*, pp. 308–9, n. 9.

four types.<sup>60</sup> In contrast, leaders were more likely to support CI compared to the mass public, with a far greater distribution between the two internationalist quadrants (accommodationists and internationalists). This difference stemmed specifically from the occupancy of leadership positions itself rather than from the demographic characteristics of those leaders.

Distribution of leaders and masses among types was determined foremost by political ideology and party affiliation, with data indicating that self-identified liberals were more likely to adopt a support CI/oppose MI position. In contrast, conservatives and moderates were more likely to adopt a support MI/oppose CI position.<sup>61</sup> In terms of partisanship, this translated into a greater number of Democrats identifying as accommodationists, while internationalists and hardliners were more likely to be Republicans. Partisan affiliation of isolationists was less apparent but leaned toward Republican or independent.<sup>62</sup> Subsequent analysis of CCFR data by Joshua Busby and Jonathan Monten suggested an increase in the proportion of Republican elites categorised as hardliners, and thereby a narrowing gap between the mass public and elites in levels of support for both forms of internationalism.<sup>63</sup> In something of a prologue to the surge of 'populist-nationalism' in the 2016 US presidential election, the research showed forms of partisanship emerging from 2002, with growing support for CI among Democrat leaders matched by increasing support for MI among Republican leaders.<sup>64</sup> Busby and Monten's updated analysis nevertheless confirmed both the persistence of the WHR structure of beliefs and the continued concentration of leaders among internationalist types.

The WHR typology has been repeatedly verified through empirical data on the structure of foreign policy ideology among the American public and elites,<sup>65</sup> and through evidence that the types correlate with

<sup>60</sup> Holsti & Rosenau, 'The Structure of Foreign Policy Attitudes among American Leaders', p. 103; Eugene R. Wittkopf, 'What Americans Really Think about Foreign Policy' (1996) 19 *Washington Quarterly* 88, pp. 94–5.

<sup>61</sup> Eugene R. Wittkopf, 'Elites and Masses: Another Look at Attitudes toward America's World Role' (1987) 31 *International Studies Quarterly* 131, p. 134.

<sup>62</sup> Holsti & Rosenau, 'The Structure of Foreign Policy Beliefs among American Opinion Leaders: After the Cold War', pp. 248 & 278.

<sup>63</sup> Joshua W. Busby & Jonathan Monten, 'Who Are the Hardliners? Public Opinion and Republican Elite Attitudes on U.S. Foreign Policy after the Cold War', Annual Meeting of the International Studies Association, San Francisco, CA, 27–30 March 2008, pp. 17–18.

<sup>64</sup> *Ibid.*, pp. 27–8.

<sup>65</sup> See Ole R. Holsti, *Public Opinion and American Foreign Policy* (University of Michigan Press, 2004).

domestic political beliefs.<sup>66</sup> The historical context of the typology was, of course, heavily influenced by Cold War thinking and US–Soviet relations. However, a ‘remarkable continuity’ in ideological structure followed the end of the Cold War.<sup>67</sup> Holsti and Rosenau traced the evidence across a period spanning the immediate post–Vietnam War to the post–Cold War era and concluded that belief structures have ‘persisted through a period of historic international change’. That continuity is evident not only in ‘high politics’ on the causes of war and peace but also in emerging non-traditional security threats that span state boundaries.<sup>68</sup> As such, there is strong evidence that the WHR ideological structure is invariant over time and independent of changing distributions of international power. Critiques of the typology have been offered over the years, including that foreign policy beliefs are structured either by more<sup>69</sup> or by less<sup>70</sup> than the two MI/CI dimensions. No formulation has eclipsed the WHR scheme, however, in popularity or influence. Matthew Baum and Henry Nau more recently endorsed the typology as ‘impressively reliable at predicting support or opposition to U.S. approaches toward foreign policy in general, and specific policy initiatives in particular’.<sup>71</sup> Alternative formulations may have merit, therefore, but the WHR has proven adequate to the task of providing an analytical typology of foreign policy ideology, while offering the advantages of parsimony and an impressive pedigree as the ‘gold standard’ within the literature.<sup>72</sup>

<sup>66</sup> Ole R. Holsti & James N. Rosenau, ‘Liberals, Populists, Libertarians, and Conservatives: The Link between Domestic and International Affairs’ (1996) 17 *International Political Science Review* 29; Brian C. Rathbun, ‘Steeped in International Affairs?: The Foreign Policy Views of the Tea Party’ (2012) 9 *Foreign Policy Analysis* 21.

<sup>67</sup> Shoon K. Murray, Jonathan A. Cowden & Bruce M. Russett, ‘The Convergence of American Elites’ Domestic Beliefs with Their Foreign Policy Beliefs’ (1999) 25 *International Interactions* 153, p. 478.

<sup>68</sup> Holsti & Rosenau, ‘The Structure of Foreign Policy Beliefs among American Opinion Leaders: After the Cold War’, p. 252.

<sup>69</sup> See Brian C. Rathbun, ‘Hierarchy and Community at Home and Abroad: Evidence of a Common Structure of Domestic and Foreign Policy Beliefs in American Elites’ (2007) 51 *Journal of Conflict Resolution* 379 who introduces an ‘isolationist dimension’ independent from the MI/CI scheme. William O. Chittick, Keith R. Billingsley & Rick Travis, ‘A Three-Dimensional Model of American Foreign Policy Beliefs’ (1995) 39 *International Studies Quarterly* 313 introduces a ‘third dimension’ of ‘multilateralism-unilateralism’.

<sup>70</sup> Murray, Cowden & Russett, in ‘The Convergence of American Elites’ Domestic Beliefs with Their Foreign Policy Beliefs’, argue that a single ideological ‘liberalism-conservatism’ dimension constrains both the MI and the CI dimensions.

<sup>71</sup> Baum & Nau, ‘Foreign Policy Views and U.S. Standing in the World’, p. 3.

<sup>72</sup> Nincic & Ramos, ‘Ideological Structure and Foreign Policy Preferences’, p. 122.

*Evidence from Diplomatic History*

The WHR scheme is valuable for using quantitative research to map the interrelation between ideological beliefs, but it remains a parsimonious rendering of rich traditions of thought long shaping American foreign policy. Foremost, this history provides clear evidence of analogous dimensionality in attitudes to foreign policy. An early analysis by Frank Klingberg observed that the US foreign policy 'mood' has cycled between periods of 'extroversion' and 'introversion'.<sup>73</sup> Louis Hartz identified a similar pattern, but in the context of two distinct forms of a Lockean 'liberal tradition'.<sup>74</sup> The first is an 'exemplarist' strand that seeks to spread American values primarily by preserving the unique character of the nation as an example to the world.<sup>75</sup> This has meant promoting the superiority of the American example within the confines of the existing international order. Alternatively, American foreign policy has taken a 'messianic' form in which the United States seeks to actively spread exceptional values abroad. Here, the focus is on using American values as a blueprint for reforming the international order in line with its own values. For Hartz, the connection between these divergent outlooks is that 'absolute national morality is inspired either to withdraw from "alien" things or to transform them: it cannot live in comfort constantly by their side'. In consequence, liberalism can variously manifest in internationalist or nationalist form so that, for America, 'messianism is the polar counterpart to its isolationism'.<sup>76</sup> Hartz's thesis of a defining liberal tradition has not gone unchallenged, however, with scholars such as Anatol Lieven describing the importance of an 'American antithesis' grounded not in universal values but in particularistic ethnoreligious roots.<sup>77</sup> For William Brock, the universal and liberal view of American purpose has been 'constantly at war with the idea that Americanism belongs exclusively to the American people and must be defended against alien influences rather than shared with mankind'.<sup>78</sup> In these terms,

<sup>73</sup> Frank L. Klingberg, 'The Historical Alternation of Moods in American Foreign Policy' (1952) 4 *World Politics* 239, pp. 239–40.

<sup>74</sup> Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought since the Revolution* (Harcourt Brace, 1955).

<sup>75</sup> The term is Brands': see H. W. Brands, *What America Owes the World: The Struggle for the Soul of Foreign Policy* (Cambridge University Press, 1998), p. vii.

<sup>76</sup> Hartz, *The Liberal Tradition in America*, p. 286.

<sup>77</sup> Anatol Lieven, *America Right or Wrong: An Anatomy of American Nationalism* (Oxford University Press, 2005), p. 5.

<sup>78</sup> William R. Brock, 'Americanism', in Dennis S. R. Welland (ed.), *The United States: A Companion to American Studies* (Methuen, 1974), p. 59.

a former Trump administration official warned of the contempt engendered when liberal-minded policymakers set aside parochial defence of the American nation and instead act as if it is 'immoral to prefer one's fellow citizens to strangers on the opposite side of the world'.<sup>79</sup>

These connections were recognised in Holsti and Rosenau's earlier work, which noted that their isolationists 'revived a theme with venerable roots in American political thought – that the ability to nurture and sustain democratic institutions at home is inversely related to the scope of the nation's commitments abroad'.<sup>80</sup> They cited as evidence George Kennan's contemplation: 'I think I am a semi-isolationist'.<sup>81</sup> Similarly, the strong connection between domestic liberalism and accommodationist beliefs is explained as the legacy of the ideas of democracy promotion, human rights and collective security in the foreign policy of Woodrow Wilson.<sup>82</sup> Finally, hardliners are described in terms directly attributable to what is sometimes labelled the 'Jacksonian' tradition of foreign policy, with strong Southern roots and an emphasis on military virtues.<sup>83</sup> In the WHR typology, hardliners are identified as predominantly Southern, typified by former chairman of the Foreign Relations Committee Senator Jesse Helms and 'strongly pro-military and right wing, but staunchly nationalist and outspokenly protectionist opponents of the New Deal'.<sup>84</sup>

Fleshing out the WHR model requires attention to the sets of ideas that have developed around each point of intersection across American diplomatic history. Policymakers' beliefs are not derived from the logic of the scheme itself, but are informed by culture and diplomatic history, which have rendered determinate sets of ideas about policy means and ends. Freedman notes the importance of cultural and historical influences rendering a circumscribed 'range of meanings and arguments' from

<sup>79</sup> Michael Anton, 'America and the Liberal International Order' (2017) 1 *American Affairs* 113.

<sup>80</sup> Ole R. Holsti & James N. Rosenau, 'Consensus Lost. Consensus Regained?: Foreign Policy Beliefs of American Leaders, 1976–1980' (1986) 30 *International Studies Quarterly* 375, p. 379.

<sup>81</sup> George Kennan, 'An Appeal for Thought' (1978) *The New York Times Magazine*, May 7, cited in Ole R. Holsti & James N. Rosenau, *American Leadership in World Affairs* (George Allen & Unwin Ltd, 1984), p. 123.

<sup>82</sup> Holsti & Rosenau, 'Liberals, Populists, Libertarians, and Conservatives', pp. 47–9.

<sup>83</sup> Walter R. Mead, *Special Providence: American Foreign Policy and How It Changed the World* (Routledge, 2002), pp. 227 & 254–5.

<sup>84</sup> Thomas Ferguson, 'The Right Consensus?: Holsti and Rosenau's New Foreign Policy Belief Surveys' (1986) 30 *International Studies Quarterly* 411, p. 414.



a broader ideology.<sup>85</sup> Similarly, for Hunt, this process permits a 'relatively coherent, emotionally charged, and conceptually interlocking sets of ideas',<sup>86</sup> while for Colin Dueck, 'culture' establishes a 'set of interlocking values, beliefs, and assumptions that are held collectively by a given group and passed on through socialisation'.<sup>87</sup> These all suggest the formation of an American foreign policy *Weltanschauung*, largely defining the universe of acceptable policy options. The two dimensions of the WHR scheme provide a skeleton for analytically ordering more diffuse sets of competing ideas that American policymakers hold about the nature of American power and its purpose in the world. Perhaps the strongest evidence of the WHR typology's external validity is that the four ideal types are corroborated by these well-established sets of foreign policy beliefs that precede the specific typology by many decades and even centuries.

The WHR schema now sits atop an identifiable body of literature that draws upon American diplomatic history to divide American foreign policy into four distinct types.<sup>88</sup> These formulations necessarily differ given that they are developed through a forensic reconstruction of observed patterns of conduct. Inevitable overlaps and inconsistencies exist among the types, but a review of this literature reveals sufficient correspondence to treat these as corroborating the approach. The most well-known is that of Walter Russell Mead, who argues that his classification of the Wilsonian, Hamiltonian, Jeffersonian and Jacksonian traditions of thought allows for the interpretation of 'American foreign policy as more of a unified whole and less as a sequence of unrelated episodes'.<sup>89</sup> Mead sees these four traditions as an organic product of the American experience, with each deeply rooted in regional, economic, social and class interests. More specifically, he speculates that the traditions may be

<sup>85</sup> Freedman, *Ideology*, p. 50.

<sup>86</sup> Hunt, *Ideology and U.S. Foreign Policy*, p. 12.

<sup>87</sup> Colin Dueck, *Reluctant Crusaders: Power, Culture, and Change in American Grand Strategy* (Princeton University Press, 2006), p. 15.

<sup>88</sup> See Mead, *Special Providence*; Dueck, *Reluctant Crusaders*; Alexander Nacht, 'U.S. Foreign Policy Strategies' (1995) 18 *Washington Quarterly* 195, p. 203; Barry R. Posen & Andrew L. Ross, 'Competing Visions for U.S. Grand Strategy' (1996/7) 21 *International Security* 5, p. 4; Henry R. Nau, *At Home Abroad: Identity and Power in American Foreign Policy* (Cornell University Press, 2002). For related but alternative four-part typologies see Henry R. Nau, *Conservative Internationalism* (Princeton University Press, 2008), p. 27; Colin Dueck, *Hard Line: The Republican Party and U.S. Foreign Policy since World War II* (Princeton University Press, 2010); John van Oudenaren, 'Transatlantic Bipolarity and the End of Multilateralism' (2005) 120 *Political Science Quarterly* 1, p. 65.

<sup>89</sup> Mead, *Special Providence*, pp. 87–90.



traced to the four 'folkways' inherited from the regional cultures of the British Isles.<sup>90</sup>

*Wilsonians* focus on the moral dimension of US political culture and the interests in spreading these values internationally through democracy promotion and the rule of law. Mead sees the roots of this tradition lying deep in nineteenth-century American missionary activities<sup>91</sup> so that, despite the moniker, 'there were Wilsonians long before Woodrow Wilson was born'.<sup>92</sup> This tradition is more than mere idealism, emerging 'as a middle way between reactionary militarism and revolutionary internationalism'.<sup>93</sup> *Hamiltonians* focus on strengthening the state through an alliance between government and big business, which serves as the basis for policies directed toward protecting the nation's economic power.<sup>94</sup> *Jeffersonians* emphasise liberty at home as the pre-eminent American value, and thus focus on avoiding the corrupting influence of an activist foreign policy. For Mead, this is the only tradition 'that believes history is not necessarily on the side of the American experiment', producing a fear that overseas commitments erode American liberty through both neglect and centralisation of government power.<sup>95</sup> H. W. Brands' 'exemplarists' terminology captures the idea that America owes the world only the example of its constitutional freedoms. Going any further threatens to 'jeopardize American values at the source. In attempting to save the world, and probably failing, America would risk losing its democratic soul'.<sup>96</sup> Finally, *Jacksonians* represent a nationalist-populist tradition in US foreign policy, which values the security and preservation of the American 'folk community' above all else. 'American exceptionalism' is seen by Jacksonians 'not as a function of the universal appeal of American ideas, or even as a function of a unique American vocation to transform the world, but rather as rooted in the country's

<sup>90</sup> Ibid., p. 87, citing David H. Fischer, *Albion's Seed: Four British Folkways in America* (Oxford University Press, 1989).

<sup>91</sup> Mead, *Special Providence*, p. 139.

<sup>92</sup> Ibid., p. 88.

<sup>93</sup> Eileen P. Scully, 'The United States and International Affairs, 1789-1919', in Michael Grossberg & Christopher L. Tomlins (eds.), *The Cambridge History of Law in America: Volume 2: The Long Nineteenth Century (1789-1920)* (Cambridge University Press, 2008), p. 612.

<sup>94</sup> Hamilton has been described as 'the American Machiavelli': see John Lamberton Harper, *American Machiavelli: Alexander Hamilton and the Origins of U.S. Foreign Policy* (Cambridge University Press, 2004).

<sup>95</sup> Mead, *Special Providence*, pp. 183 & 217.

<sup>96</sup> Brands, *What America Owes the World*, pp. vii-viii, 1-2 & 4.

singular commitment to the equality and dignity of individual American citizens'.<sup>97</sup> Mead argues that US foreign policy is notable for the continuity of these four traditions in shaping America's worldview and the character of its international engagement.<sup>98</sup> The history of US foreign policy is thus seen as one of the traditions vying for political influence separately and together in shifting combinations. Each has contributed to national power and proven naturally capable of complementing one another as if led by Adam Smith's invisible hand.<sup>99</sup>

The parallels between the WHR and Mead typologies are obvious. Holsti states that, although never attributed as such, the four types 'bear more than a passing resemblance to the distinction between the Hamiltonian (internationalists), Wilsonian (accommodationists), Jeffersonian (isolationists), and Jacksonian (hard-liners) approaches to American foreign policy'.<sup>100</sup> The WHR typology has indeed been treated as synonymous with Mead's for analytical purposes, with the primary difference being its more rigorous structure.<sup>101</sup> Mead himself disavows any intent to 'prove' that policymakers hold these beliefs, or indeed to treat his typology as a model suited to empirical testing.<sup>102</sup> His work is presented as a 'classificatory typology' listing named types, rather than a 'conceptual typology' constructed on underlying dimensions.<sup>103</sup> Nevertheless, Mead's typology exhibits the same dimensionality as the WHR scheme, with Wilsonianism and Hamiltonianism classed together as specific types of a 'globalist' tradition, while Jeffersonianism and Jacksonianism comprise 'nationalist' traditions.<sup>104</sup> Moreover, Mead emphasises the liberal values at the core of both Wilsonianism and Jeffersonianism, which distinguishes them from the other two traditions. Other variants of the typology confirm the same dimensions. In Nau's examination, his 'internationalists' and 'realists' are actively engaged in

<sup>97</sup> Walter R. Mead, 'The Jacksonian Revolt: American Populism and the Liberal Order' (2017) 96 *Foreign Affairs* 2, p. 3.

<sup>98</sup> Mead, *Special Providence*, p. 92.

<sup>99</sup> *Ibid.*, pp. 95 & 311.

<sup>100</sup> Holsti, *Public Opinion and American Foreign Policy*, p. 54. Mead emphasises that his typology was developed independently of the WHR or associated approaches: Walter R. Mead, Personal Communication with Author (4 November 2013).

<sup>101</sup> Busby & Monten, 'Who Are the Hardliners?'.

<sup>102</sup> Mead, *Special Providence*, p. 89.

<sup>103</sup> See David Collier, Jody LaPorte & Jason Seawright, 'Putting Typologies to Work: Concept-Formation, Measurement, and Analytic Rigor' (2012) 65 *Political Research Quarterly* 217, p. 218.

<sup>104</sup> Mead, *Special Providence*, pp. 175 & 268.

the international sphere, while his 'neoisolationists' and 'nationalists' resist international engagement.<sup>105</sup> Dueck is more explicit, setting out two dimensions of *strongly/weakly committed to liberalism* and *strongly/weakly committed to limited liability*, which functionally replicate the WHR dimensions and resulting typology.<sup>106</sup>

A similar distribution of elites and masses between the historical and WHR types is also evident. Mead emphasises the popular and mass appeal of Jacksonianism and Jeffersonianism, in contrast to the greater support among foreign policy elites for his two internationalist traditions.<sup>107</sup> Reflecting on the 2016 US presidential election, Mead observed the nationalist mood among a 'public increasingly disenchanted' with the Hamiltonian-Wilsonian internationalism long favoured by the 'foreign policy establishment'.<sup>108</sup> Dueck likewise emphasises that, of his two internationalist traditions, the Wilsonian equivalent has been the most influential among elites, while his Hamiltonian equivalent has consistently failed to resonate with the American public.<sup>109</sup> These suppositions accord with the empirical evidence that leaders and foreign policymakers are located in the internationalist quadrants in far greater proportions than the mass public.

### *Revisiting American Exceptionalism*

A crucial implication of thinking in terms of diplomatic history is that this brings the WHR structure to bear on the divergent strands of 'exceptionalism' evident in legal analysis. American exceptionalism has itself been called an ideology that has 'deeply shaped the structure of social and political thought'.<sup>110</sup> However, in the context of foreign policy, Siobhán McEvoy-Levy prefers to describe American exceptionalism as 'the "para-ideological" umbrella' encompassing the many recurrent themes of America's global engagement. By this, she means that the concept lacks the coherence of an ideology, but rather is 'a crystallization of a set of related ideas which explain the world and the US role therein'.<sup>111</sup> That is

<sup>105</sup> Nau, *At Home Abroad*, p. 43.

<sup>106</sup> See Dueck, *Reluctant Crusaders*, pp. 31–3.

<sup>107</sup> Mead, *Special Providence*, p. 267.

<sup>108</sup> Mead, 'The Jacksonian Revolt', p. 2.

<sup>109</sup> Dueck, *Reluctant Crusaders*, pp. 31–3.

<sup>110</sup> Dorothy Ross, *The Origins of American Social Science* (Cambridge University Press, 1992), pp. xviii & 22.

<sup>111</sup> Siobhán McEvoy-Levy, *American Exceptionalism and US Foreign Policy: Public Diplomacy at the End of the Cold War* (Palgrave, 2001), p. 23, original emphasis.

the conclusion preferred in this book, which does not find exceptionalist thinking to meet the features of an ideology. Rather, the interplay between America's uniquely preponderant power and the incentive to understand and explain its own normative significance has produced exceptionalist beliefs as components of broader foreign policy ideologies. Each of the four American foreign policy ideologies has settled on distinct explanations for American uniqueness that, when taken together, represent the different faces of what has become known as American exceptionalism. The term is indeterminate as a categorical label and only provides insight into American foreign policy where the particular variants of exceptionalist ideas are specified as liberal, illiberal, internationalist or nationalist.

Mead directly describes Jacksonian thinking as combining 'a firm belief in American exceptionalism and an American world mission with deep scepticism about the United States' ability to create a liberal world order'.<sup>112</sup> But the label applies equally to his Wilsonians' perception of an 'American duty to remake the world in its image'<sup>113</sup> and the Jeffersonian view that the American Revolution 'was the start of a new era in the world'.<sup>114</sup> Baum and Nau are more explicit in identifying each of the WHR types as entailing a particular interpretation of exceptionalist thinking, observing that 'Americans do not have a single, uniform view of American exceptionalism or foreign policy. Instead, they have several distinct ones'.<sup>115</sup> For all versions of the four-part typology, the outlier in terms of exceptionalist beliefs is the WHR 'internationalist' type or Mead's 'Hamiltonian' tradition. Notably Dueck as well as Baum and Nau simply label this the 'realist' tradition. For Dueck, the internationalism of this type flows not from exceptionalist beliefs but rather 'from an attempt to promote the national interest in a balanced manner'.<sup>116</sup> Likewise, for Baum and Nau, adherents 'do not consider America as exceptional at all but ordinary like all other powers'.<sup>117</sup> Exceptionalist ideas nevertheless remain a defining component within each of the alternative foreign policy ideologies.

<sup>112</sup> Walter R. Mead, 'The Tea Party and American Foreign Policy: What Populism Means for Globalism' (2011) 90 *Foreign Affairs* 28, p. 35.

<sup>113</sup> Mead, *Special Providence*, p. 147.

<sup>114</sup> *Ibid.*, p. 180.

<sup>115</sup> Baum & Nau, 'Foreign Policy Views and U.S. Standing in the World', pp. 5–6.

<sup>116</sup> Dueck, *Reluctant Crusaders*, p. 33.

<sup>117</sup> Baum & Nau, 'Foreign Policy Views and U.S. Standing in the World', pp. 5–6 & 26.

### Foreign Policy Ideology in Legal Scholarship

Legal scholarship has been unwilling to acknowledge the influence of foreign policy ideology on receptions of IL for deep-seated epistemological and disciplinary reasons. The dominant narrative in the discipline is of a unified body of rules and institutions, with content and obligations determined independently of the identity and ideological commitments of state subjects of IL.<sup>118</sup> For scholarship built on these foundations, ‘universalist assumptions and aspirations can make comparativism seem both irrelevant and potentially dangerous’.<sup>119</sup> Shirley Scott seeks to address the significance of ideology in IL, without engaging the comparativist problem, by approaching the *idea* of IL itself as an ideology built on universalist assumptions.<sup>120</sup> The core belief of this ideology is that ‘international law is ultimately distinguishable from, and superior to, politics’.<sup>121</sup> Here, Scott conceives ideology in IL as a form of ‘legal rhetoric in inter-State correspondence’<sup>122</sup> rather than as part of the belief system of any state or group of policymakers, with no requirement that any ‘believe the ideology to be true’.<sup>123</sup> Yet, the primary power of ideology lies not in providing a rhetorical argument external to those it is directed at but in its ability to constitute the beliefs and actions of its adherents. A system of rhetorical claims remains subordinate to internalised ideological beliefs of legal policymakers situated in a particular national context. The insight from the present analysis is that an array of foreign policy ideologies are each likely to be associated with a particularistic ‘idea of international law’,<sup>124</sup> which thus manifest in the act of contesting rather than confirming a singular ideology of IL.

The internalised content of political ideologies is what makes ‘legal doctrine intelligible’ to particular policymakers, which must therefore be substantiated as an empirical fact rather than as a theorised

<sup>118</sup> Scott refers to this as the ‘rule-book’ image of international law: see Shirley V. Scott, ‘Identifying the Source and Nature of a State’s Political Obligation towards International Law’ (2005) 1 *Journal of International Law and International Relations* 49, p. 56.

<sup>119</sup> Anthea Roberts, *Is International Law International?* (Oxford University Press, 2017), p. 3.

<sup>120</sup> Shirley V. Scott, *International Law, US Power: The United States’ Quest for Legal Security* (Cambridge University Press, 2012), pp. 211–15 & 234–5.

<sup>121</sup> Scott, ‘Identifying the Source and Nature of a State’s Political Obligation’, pp. 54–5.

<sup>122</sup> Shirley V. Scott, ‘International Law As Ideology: Theorising the Relationship between International Law and International Politics’ (1994) 5 *European Journal of International Law* 313, p. 319.

<sup>123</sup> Scott, ‘Beyond Compliance’, p. 44.

<sup>124</sup> Scott, ‘International Law As Ideology’, p. 318.

ideal.<sup>125</sup> Phillip Trimble undertakes that task in the analogous case of foreign policy ideology shaping competing interpretations of the US Constitution. Looking at the shifting balance of powers between the executive and Congress, he finds that 'the dominance of the Presidency is intertwined with the prevailing ideology of U.S. foreign policy, which includes a notion of U.S. example and leadership in world affairs that requires executive initiative. The President's constitutional foreign affairs power must be defined in light of this background.'<sup>126</sup> Constitutional interpretation thereby must 'accommodate the self-image of world leadership that the American body politic has adopted and that forms the core of American foreign policy ideology'.<sup>127</sup> Identifying the construction of legal meaning through ideology furnishes specific beliefs, beyond simply treating law as its own ideology. This book accordingly continues down the path of the small selection of authors who have explored the ways that substantive beliefs of American foreign policy ideology structure competing conceptions of IL.

The leading analysis for present purposes remains Harlan Cohen's sophisticated 2003 article 'The American Challenge to International Law',<sup>128</sup> in which he poses the question: 'Can inconsistent [IL] policies be explained as mere hypocrisy, as the pragmatic application of hegemonic power?' The answer is no.<sup>129</sup>

Pragmatic assessments of American self-interest undoubtedly played a role . . . But such an answer seems empty. Observers have long noticed the power of ideas in American foreign policy, and it has become commonplace to discuss how American foreign policy history reflects various *intellectual trends* – some dating to the founding of the Republic. It seems strange to discuss American perceptions of international law as somehow divorced from these intellectual trends. Ideas have long shaped American perceptions of the outside world and the United States' relation to it; it seems logical that those same ideas would play a role in defining the tools of American international relations – the possible, the useful, the dangerous.<sup>130</sup>

<sup>125</sup> J. M. Balkin, 'Ideology As Constraint' (1991) 43 *Stanford Law Review* 1133, p. 1138.

<sup>126</sup> Phillip R. Trimble, 'The President's Foreign Affairs Power' (1989) 83 *American Journal of International Law* 750, p. 754.

<sup>127</sup> *Ibid.*, p. 757.

<sup>128</sup> Harlan G. Cohen, 'The American Challenge to International Law: A Tentative Framework for Debate' (2003) 28 *Yale Journal of International Law* 551.

<sup>129</sup> *Ibid.*, p. 553.

<sup>130</sup> *Ibid.*, pp. 553–4, emphasis added, citations omitted.

Cohen's objective is 'to re-explain the American perception of international law as an extension of intellectual trends in American foreign policy',<sup>131</sup> for which he specifically cites Mead's four traditions as exemplars.<sup>132</sup>

Cohen identifies a specific 'foundational ideology' that he terms 'liberal constitutionalism as a utopian world vision' and that manifests in two strands equivalent to the accommodationist/Wilsonian and isolationist/Jeffersonian types, respectively.<sup>133</sup> The ideology is composed of America's 'particular mix of democracy, free-market capitalism, and constitutional protection of human rights', presented as a model for the rest of the world.<sup>134</sup> In this ideology, America 'presupposes that it is the only truly legitimate state' and therefore that 'the American utopian vision is in itself the most true international law'.<sup>135</sup> The crucial insight offered by Cohen's ideological analysis is that apparently hypocritical policy 'may actually be informed by a coherent, specifically American conception of international law'.<sup>136</sup> In consequence, 'international law cannot ignore ideology' and instead must engage with existing ideological commitments for legal doctrines and practice to be accepted as legitimate and effective.<sup>137</sup> In subsequent writings, Cohen reiterated: 'Predicting the positions future American administrations might take on international law and institutions requires a deeper understanding of international law's place within competing foreign policy ideas and philosophies.'<sup>138</sup>

Cohen is not alone in adapting Mead's typology to US IL policy, with a handful of other legal scholars being equally attracted to its pithy rendering of complex ideas into digestible categories.<sup>139</sup> John Noyes and David Bederman each specifically set out elements of IL policy drawn from Mead's four traditions, albeit while accepting that the impact of types 'cannot

<sup>131</sup> Ibid., pp. 554–5.

<sup>132</sup> Ibid., p. 553, n. 13.

<sup>133</sup> Ibid., pp. 555 & 558–9.

<sup>134</sup> Ibid., pp. 555, n. 19 & 558.

<sup>135</sup> Ibid., pp. 562–3.

<sup>136</sup> Ibid., p. 556.

<sup>137</sup> Ibid., p. 574.

<sup>138</sup> Harlan G. Cohen, 'Historical American Perspectives on International Law' (2009) 15 *Journal of International & Comparative Law* 485, p. 489.

<sup>139</sup> See Julian Ku, 'Explaining American Foreign Policy: Obama's Liberal Internationalism v. Bush's Neoconservatism', *Opinio Juris*, 6 April 2010, <http://opiniojuris.org/2010/04/06/explaining-american-foreign-policy-obamas-liberal-internationalism-v-bushs-neo-conservatism/>.



always be neatly compartmentalized', with 'overlap in views' likely.<sup>140</sup> Noyes' approach is notable for taking seriously the implications of the foreign policy ideology approach: employing his account of Jacksonian opposition to UNCLOS in order to strategically engage Jacksonians on their own terms.<sup>141</sup> This targeted dialogue is precisely the type of contribution that ideology can make when engaging American IL policy. Philippe Lagassé considers the specific case of the ICC, setting out competing conceptions of IL informed by Walter McDougall's ideologies of 'exceptionalism, unilateralism and Wilsonianism'.<sup>142</sup> Like the foregoing authors, Lagassé argues that characterisations of hypocritical US ICC policy are misplaced to the extent that they overlook basic ideological conflicts. McDougall's exceptionalists, for example, mirror Jeffersonians in their rejection of any incursion on protections for individual liberty under US constitutional government.<sup>143</sup> Ratification of the Rome Statute becomes untenable for conflicting with the constitutionally guaranteed right to a trial by jury, protection against double jeopardy and the status of the US Supreme Court as the truly supreme judicial body of the US legal system.<sup>144</sup> Wilsonians, in contrast, do support the ICC, as a key element of an overarching desire to promote international legal structures in furtherance of the rule of law.<sup>145</sup> Lagassé concludes: 'Were American foreign policy consistent and unified in its aspirations, . . . [accusations of hypocrisy] might be accurate. American foreign policy, however, is not driven by a single philosophy.'<sup>146</sup>

### The Structure of American International Law Policy

Reviewing legal scholarship on the influence of foreign policy ideology leads to two main conclusions. The first is that this is a compelling response to the gap between existing legal accounts and observed

<sup>140</sup> John E. Noyes, 'The United States and the Law of the Sea Convention: U.S. Views on the Settlement of International Law Disputes in International Tribunals and U.S. Courts' (2009) 1 *Berkeley Journal of International Law Publicist* 27, p. 32; David J. Bederman, 'Globalization, International Law and United States Foreign Policy' (2001) 50 *Emory Law Journal* 717.

<sup>141</sup> See generally Noyes, 'The United States and the Law of the Sea Convention', p. 627.

<sup>142</sup> Philippe Lagassé, 'The International Criminal Court and the Foreign Policies of the United States' (2004) 59 *International Journal* 433. See Walter A. McDougall, *Promised Land, Crusader State: The American Encounter with the World since 1776* (Houghton Mifflin, 1997).

<sup>143</sup> McDougall, *Promised Land, Crusader State*, pp. 37–8.

<sup>144</sup> Lagassé, 'The ICC', p. 436.

<sup>145</sup> *Ibid.*, p. 431; McDougall, *Promised Land, Crusader State*, p. 136.

<sup>146</sup> Lagassé, 'The ICC', p. 442.



Table 2 *Ideological structure of American international law policy*

	Liberal	Illiberal
Internationalist	Liberal internationalists ( <i>accommodationists</i> )* ( <i>Wilsonians</i> )†	Illiberal internationalists ( <i>internationalists</i> )* ( <i>Hamiltonians</i> )†
Nationalist	Liberal nationalists ( <i>isolationists</i> )* ( <i>Jeffersonians</i> )†	Illiberal nationalists ( <i>nationalists</i> )* ( <i>Jacksonians</i> )†

\* Wittkopf's terminology (1981); † Mead's terminology (2002).

contradictions within American IL policy. The second is that the literature presents opportunities for further development, including synthesising the inductive WHR typology with the deductive typologies drawn from diplomatic history to establish an analytical model of four ideal types of American IL policy. The ambition is to present complex conclusions from political science in a parsimonious framework available for legal scholars wanting to avoid specialised political science methodology. Moreover, understanding the ideas of each of the WHR types is artificially limited if disconnected from their historical underpinnings. With these objects in mind, the typologies are synthesised as the intersection of an internationalist–nationalist *governance* dimension with a liberal–illiberal *values* dimension, which forms four ideal type IL policies: *liberal internationalism*, *illiberal internationalism*, *liberal nationalism* and *illiberal nationalism* (see Table 2).

### *Internationalist–Nationalist Governance Dimension*

Parsimonious explanations from political power predict that a powerful state will tend to ‘oscillate between two poles: instrumentalization of and withdrawal from international law’.<sup>147</sup> In ideological terms, this ‘governance’ dimension measures US commitment to governing foreign policy through the international legal system. Legal policymakers have at times demonstrated a belief that American interests are enhanced by actively engaging to develop the architecture of international legal rules and

<sup>147</sup> Nico Krisch, ‘International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order’ (2005) 16 *European Journal of International Law* 369, p. 379.

institutions. In this view, American interests and security are dependent on the nature of the world beyond national borders, with the international legal order being a meaningful determinant of how that world looks. This also entails a commitment to elite authority in IL, since global governance is by its nature a domain properly controlled by legal and diplomatic personnel with technocratic expertise on how to advance identified interests through law. Internationalism may be expressed through a diversity of values and rationales, but there is evidence of a persistent belief in the strategic advantages of governance through a global system of law.

Alternatively, legal policymakers have identified the national interest in decreasing American enmeshment in international institutions and law. In this view, governing through law and institutions located at the national level is a superior strategy for meeting American foreign policy interests, which should therefore be shielded from increasing global entanglement. In particular, policymakers with a nationalist commitment are more concerned with how certain IL policies 'will best advance the kind of *domestic* policies and order they wish to promote'.<sup>148</sup> Nationalist positions are by their nature a domain centred on and more directly responsive to popular preferences of ordinary American citizens, rather than of foreign policy elites. In this sense, the concept of 'populism' in American IL policy can be best understood not as itself an ideology but as a position along the ideological governance dimension.<sup>149</sup> The governance dimension thus encompasses the WHR 'support CI–oppose CI' dimension, Mandelbaum and Schneider's 'internationalist–isolationist' dimension and the internationalist–nationalist dimension evident in diplomatic history.

### *Liberal–Illiberal Values Dimension*

The second dimension concerns the 'values' informing American IL policy. At one end are American legal policymakers who identify the legitimacy of IL in its realisation of universally defined liberal values, as encapsulated in human rights and the protections of US constitutional democracy. The essence of liberalism is that, in questions of governance,

<sup>148</sup> Mead, *Special Providence*, p. 176, emphasis added.

<sup>149</sup> Common categorisation of populism as 'a thin-centered ideology' indicates the awkwardness of defining it as an ideology in its own right: see Cas Mudde & Cristóbal R. Kaltwasser, 'Populism and (Liberal) Democracy: A Framework for Analysis', in Cas Mudde & Cristóbal R. Kaltwasser (eds.), *Populism in Europe and the Americas: Threat or Corrective for Democracy?* (Cambridge University Press, 2012), p. 8.

natural persons be accorded 'equal concern and respect'.<sup>150</sup> IL thus has Lockean foundations in which people, rather than states or classes of people, are its fundamental sovereign subjects holding 'certain unalienable Rights'.<sup>151</sup> To this end, liberal conceptions have tied the legitimacy of IL to a functioning municipal rule of law, which is the necessary foundation for securing substantive democratic values and fundamental human rights as 'the core of international law'.<sup>152</sup> Crucially, liberalism in US IL policy means only recognising the equal *normative* status of all people but does not necessarily translate into an equal *political* status for those outside of the American polity, whose perceived rights remain dependant on governance beliefs.

Conversely, IL policy has been motivated by illiberal values – being any values that prevail over the defence of universally defined liberal rights as the foundation for IL. Specifically, these include strengthening national security, using foreign policy to maintain a particular balance of global power and upholding parochial ethnocultural values and group identity. Illiberal approaches to IL policy reject the principle of promoting cosmopolitan values that transcend the state, focusing instead on guarding what is uniquely American. As such, there is an equally strong case that the values dimension captures the 'oppose MI–support MI' dimension, Mandelbaum and Schneider's 'liberal–conservative' dimension and the liberal–illiberal dimension evident in diplomatic history.

## Chapter Conclusion

Evidence from empirical data and American diplomatic history casts foreign policy ideology as all-pervasive in structuring conceptions of IL. In this respect it is a mistake to treat power-based accounts such as Goldsmith and Posner's *Limits of International Law* as 'stripping away the veil of ideology'.<sup>153</sup> Their largely illiberal internationalist account is shaped by a particular ideology interpreting power and interests no less than the liberal internationalist approaches they critique. The same

<sup>150</sup> Ronald Dworkin, *A Matter of Principle* (Harvard University Press, 1985), p. 190.

<sup>151</sup> See Brian Rathbun, 'Wedges and Widgets: Liberalism, Libertarianism, and the Trade Attitudes of the American Mass Public and Elites' (2016) 12 *Foreign Policy Analysis* 85, p. 90.

<sup>152</sup> Anne-Marie Slaughter & Jose E. Alvarez, 'A Liberal Theory of International Law' (2000) 94 *Proceedings of the Annual Meeting (American Society of International Law)* 240, p. 246.

<sup>153</sup> Kenneth Anderson, 'Remarks by an Idealist on the Realism of the Limits of International Law' (2005) 34 *Georgia Journal of International and Comparative Law* 253, p. 257.

proviso applies to Philippe Sands' criticism of legal advice rendered by Goldsmith to the US government; that 'ideology infects the content of the actual advice, bending it to support a particular conclusion'.<sup>154</sup> The IL conception advocated by Sands is itself constituted by ideology, and thus the contention is really about the normative and political merits of competing ideologies. This chapter has made these connections explicit by explaining precisely how power, jurisprudence and political culture are related through the concept of foreign policy ideology.

A passing similarity exists between the typology developed in this chapter and an earlier set of four conceptions of IL identified by Wolfgang Friedman.<sup>155</sup> In order respective to that presented here, they were: 'genuine belief in the supremacy of international legal order over national sovereignty'; 'use of international law as rhetorical argument'; 'limited respect for the "live and let live" rules of international law as an appropriate guide to the conduct of nations, subject to the overriding national interests of States'; and an 'attitude of open contempt for international law as incompatible with the nature of man, which is controlled by the survival of the fittest, and the destiny of nations, which is realised in constant struggle and war'.<sup>156</sup> Although this typology is an imperfect fit,<sup>157</sup> Friedman draws the same conclusion that 'much depends on the Legal Adviser's conception of the appropriate role for international legal considerations in the formulation of foreign policy'.<sup>158</sup> The promise of Friedman's approach, and the one developed here, is that the idiosyncrasies and contradictions in American IL policy will be revealed as the consequence of ideology structuring IL policy in ways quite predictable and internally coherent.

Importantly, the present rationale for developing a typology of four conceptions of IL is not to make a normative argument that law therefore *ought* to be constructed upon the 'parochial foundation' of

<sup>154</sup> Philippe Sands, 'Poodles and Bulldogs: The United States, Britain, and the International Rule of Law' (2009) 84 *Indiana Law Journal* 1357, p. 1364.

<sup>155</sup> Wolfgang Friedmann, 'The Reality of International Law: A Reappraisal' (1971) 10 *Columbia Journal of Transnational Law* 46.

<sup>156</sup> *Ibid.*, pp. 46–51.

<sup>157</sup> Apart from a lack of dimensionality, his types are also historically bounded to specific examples drawn from WWII, during which he had fled Nazi Germany, and from the Cold War, during which he was writing.

<sup>158</sup> See Tamara L. Tompkins, 'A Theory of Ethical Conduct for the Legal Advisor to the State Department: Applied for a Fresh Look at Abraham Sofaer and the ABM Treaty Reinterpretation Debacle' (1993) 7 *Georgetown Journal of Legal Ethics* 523, p. 546.

American foreign policy ideology.<sup>159</sup> Cohen suggests that IL may need to do so strategically in order to resonate with the American polity, albeit with the aim of locking the United States into dialectical progress toward ‘self-perpetuating universal norms’ over the long term.<sup>160</sup> This is itself a utopian argument that US policymakers are receptive to progressive change, as liberal internationalism assumes for global politics. This may indeed be one advantage of understanding ideological structures, but uncovering the interconnectedness of legal ideals and power is equally a powerful tool for unmasking and managing hegemonic interests in the present, especially where they are least visible to those articulating them. Accordingly, the remaining task in Part I of this book is to apply the theorised ideological structure to define elements of competing meanings of the ‘international rule of law’. Identifying divergent logics internal to law promises a framework for understanding the observed contradictions at the heart of this book, and therefore for contesting global power.

<sup>159</sup> Cohen, ‘The American Challenge to International Law’, p. 575.

<sup>160</sup> Ibid., p. 577.