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Ved P. Nanda

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Word Politics: Verbal Strategy Among the Superpowers

WORD POLITICS: VERBAL STRATEGY
AMONG THE SUPERPOWERS

THOMAS M. FRANCK AND EDWARD WEISBAND. Oxford University Press. 1971 xiii, 176 pp. \$5.95.

It is universally acknowledged that given the decentralized structure of the international community, international law is, in large measure, prescribed, invoked, applied and appraised by state departments and foreign offices. States, which are still the primary actors in the international arena, employ various strategies — ideological, diplomatic, economic, and military — to pursue their objectives and in doing so, they transmit signals to other actors, signals which ought to be carefully watched and read, for it is these signals which create mutual expectations and invariably set the parameters of acceptable and unacceptable state behavior.

Traditionally, state conduct has been the focus of most scholarly investigation so as to predict future state behavior, for a state's past conduct has been considered to be a fairly accurate measure of what might be a state's likely response in a similar future situation. Also, policymakers seem to keep a close watch on what their allies and adversaries do. State utterances, on the other hand, have not been the subject of close scrutiny by the scholar. Professors Franck and Weisband contend that even the policymakers, at least those in Washington, do not seem to be overly concerned with what expectations they might inadvertently create by their pronouncements.¹

How important are these utterances, compared with what states do, in anticipating their future moves or the moves of the states at which these utterances, are directed, or in affecting their internal structures and values or in transforming the international system? The current debates on the "credibility gap" between the U.S. government and the citizenry in the context of the Vietnam war, the U.S.-Soviet "missile gap", U.S. defense spending for national security, the India-Pakistan war and the ITT case have recently stirred interest in state utterances. However, Professors Franck and Weisband deserve credit for having undertaken this pioneering study to demon-

¹ T. FRANCK & E. WEISBAND, WORD POLITICS: VERBAL STRATEGY AMONG THE SUPERPOWERS (1971) [hereinafter cited as FRANCK & WEISBAND].

strate that words, principles and doctrines are as important in world politics as is military strategy.

The authors assert that when a superpower engages in verbal strategy, that is when it attempts to explain its conduct to the world by relying on a set of principles, it thereby affects the international system in general and limits the options available to the state in future specific confrontations with other states.² Specifically, when the conduct is explained by principles inconsistent with those previously applied in similar situations, the result is that: (1) the system is transformed insofar as the expectation is created that the other superpower in the future may invoke the same principles;³ (2) the superpower's world image is tarnished;⁴ and (3) the superpower's strategic credibility is reduced, *i.e.*, deterrence may no longer be credible because "[n]ot only what we do, but what we say we are doing creates a psychological expectation by the other side that it will not be prevented from acting in accordance with the same principles".⁵

The authors examine in detail the U.S. verbal behavior between 1954 and 1965 in three regional crisis situations: Guatemala, Cuba and the Dominican Republic. Based upon their investigation, they show that the explanations and rationalizations advanced by the U.S. of its conduct during these crises anticipated the Brezhnev doctrine⁶, which the Soviet Union enunciated following its invasion of Czechoslovakia in August, 1968. They conclude that: "The cumulative effect of the U.S. pronouncements is to appear to authorize the Soviet Union to do exactly what it did to Czechoslovakia in 1968".⁷ Thus, the Johnson and Brezhnev doctrines are "virtually identical".⁸

The authors discuss the politics of the Czechoslovakian invasion⁹ and argue that the Soviets might have been deterred from directly invading Czechoslovakia "had there been an added cost, namely, a convincing uncertainty about the risk of a U.S. military reaction".¹⁰ There was no cause for such uncer-

² *Id.* at 119.

³ *Id.* at viii, 6.

⁴ *Id.*

⁵ *Id.* at 7.

⁶ On the legal aspects of the Brezhnev doctrine, *see generally* Ramundo, *Czechoslovakia and the Law of Peaceful Coexistence: Legal Characterization in the Soviet National Interest*, 22 STANFORD L. REV. 963 (1970); Goodman, *The Invasion of Czechoslovakia*, 4 INT'L LAW. 42 (1969); *infra* note 28.

⁷ FRANCK & WEISBAND at 8.

⁸ *Id.* at 6.

⁹ *Id.* at 11-32.

¹⁰ *Id.* at 32.

tainty, for the Russians were able to point out that in Czechoslovakia "they were merely applying the very principles of conduct the United States had evolved in relation to Latin America".¹¹

The authors outline the principles of the Brezhnev doctrine as follows:¹² (1) a nation-member of a regional or ideological community cannot withdraw or be withdrawn from that community's jurisdiction; (2) the community could impose certain standards of behavior on its members pertaining to domestic and foreign policy; (3) the community determines whether a member of the community is complying with the set standards; (4) a member found derelict in its compliance with the set standards may be forced by the community to alter its policies — *i.e.*, if the the community action requires the use of military force, it will be termed collective self-defense against the encroachment of an alien ideology, and not aggression; (5) specifically, any socio-economic or political doctrine or system at variance from the one established by the community will be considered alien, in response to which the community may use force as a collective self-defense measure; and (6) under the treaty of the community, community members may invade the territory of a state at the invitation of any persons designated by the community as "loyalist" leaders, even though they do not constitute the legally recognized government even by the community members.

The authors show how these six principles were all derived from the prior verbal behavior of the United States in justifying its interventionist policies in Latin America. In 1954, during the Guatemalan crisis, the United States had successfully blocked any United Nations action, thus signalling the Soviet Union that the United States would not tolerate any interference, even that of the United Nations, in the Western Hemisphere, a region that the United States considered exclusively within its sphere of influence.¹³ The authors outline the principles which the United States relied upon to justify the Cuban quarantine, to demand the removal of Soviet missiles during the Cuban Missile Crisis in 1962,¹⁴ and to show that while "the precise circumstances of the Cuban missile crisis and the Czechoslovakian crisis of 1968 are, of course, different, the entire verbal conceptualization of the American and O.A.S.

¹¹ *Id.*

¹² *Id.* at 39-40.

¹³ *See generally id.* at 49-55.

¹⁴ *Id.* at 63-68.

positions during the missile crisis unmistakably makes the principles of the Brezhnev Doctrine seem more reciprocal than innovative".¹⁵

Since the United States did not use its armed forces in the territory of either Guatemala or Cuba, the sixth principle outlined in the Brezhnev doctrine finds no parallel in the U.S. or O.A.S. verbal strategy used in those crises. But the authors find a fitting parallel to that principle in the Johnson doctrine, enunciated during the 1965 Dominican Crisis.¹⁶ The now famous doctrine that "American nations cannot, must not, and will not permit the establishment of another Communist government in the Western Hemisphere",¹⁷ was invoked to justify the presence of American troops in the Dominican Republic. This doctrine of "unlimited superpower supremacy in its region . . . proved very convenient to Soviet strategists in 1968",¹⁸ for the Soviets merely echoed the propositions advanced by the United States during the Dominican Crisis,¹⁹ and "with the help of the words, concepts, and principles of the prior U.S. foreign policy pronouncements", had little or no difficulty in rationalizing the invasion of Czechoslovakia. The Dominican and Czechoslovakian actions were justified by the U.S. and Soviet Union respectively by invoking their right and duty to raise self-defense measures against alien-influenced invasion, in accordance with the norms and expectations established by the respective regional pacts, and as humanitarian rescue operations.

The authors do not assert that the U.S. action in the Dominican Republic was "the operative cause of the Soviet suppression of Czechoslovakia",²⁰ for they recognize that there are many intervening variables. However, what they do skillfully and convincingly accomplish is prove their contention that there was an almost indistinguishable invocation of concepts and norms by the U.S. and the Soviet Union to rationalize interventions into their respective regions, which have in reality been transformed into super power ghettos.

Forcefully arguing that it is a false dichotomy to distinguish between words and acts in terms of their impact intern-

¹⁵ *Id.* at 69.

¹⁶ See generally *id.* at 70-95. See also this reviewer's analysis of the Dominican crisis in Nanda, *United States Action in the 1965 Dominican Crisis: Impact on World Order*, 43 DENVER L. J. 439 (1966); and Part II, 44 DENVER L. J. 225 (1967).

¹⁷ FRANCK & WEISBAND at 79.

¹⁸ *Id.* at 94-95.

¹⁹ See generally *id.* at 96-113.

²⁰ *Id.* at viii.

ally, or on other actors and the international system in general,²¹ the authors assert that:

it ought to have been recognized that when President Johnson explained our invasion of the Dominican Republic in terms of a doctrine of limited sovereignty and regional self-defense against an alien ideology he in effect offered the Soviets the right to depose any regime in Eastern Europe that appeared to threatened socialist orthodoxy. In August 1968 the "offer" was accepted. Strategically it means little to argue — however true — that we did not intend this systemic consequence. We knew, and the Russians knew that we knew, that the Brezhnev Doctrine was the reciprocal of the Johnson Doctrine. Estoppel in such circumstances is not merely a legal but also a systemic and strategic concept.²²

The authors contend that the U.S. verbal strategy in the Guatemalan, Cuban and Dominican crises seems to endorse a static balance of power which they find not to be in the U.S. national interest, "if we believe liberty better than totalitarianism to be the dynamic force".²³ They fear that if the U.S. continues its policy of "regional repression", it "would almost certainly create social and political conflicts at home that could end only in the restoration of democratic ideals to our foreign policy or else in a domestic regime as authoritarian as any we might impose on the hemisphere".²⁴ They predict: "If we were to subscribe to the principle of a two-ghetto system, we would be further blurring the line between U.S. democracy and Soviet communism. . .".²⁵

The last chapter²⁶ is a study of the current developments, especially the recently pronounced Nixon doctrine which would purportedly shift the emphasis from the verbal strategy of hostility to that of cooperation. The authors suggest that perhaps Nixon's pronouncements on the election of President Allende in Chile and on the leftist course of action adopted by the revolutionary junta of Peru offer a promise for the future, recognizing the right of small states in the hemisphere to pursue diverse economic policies. This is qualified by the cautionary stand that these states not serve as a base for a foreign state or for the subversion of other Latin American states. The Soviet Union seems to be following a reciprocal pattern by permitting Romania, Yugoslavia and Albania to follow their own roads to socialism.

²¹ See generally *id.* at 114-36.

²² *Id.* at 129.

²³ *Id.* at 112.

²⁴ *Id.* at 116.

²⁵ *Id.* at 115.

²⁶ *Id.* at 137-69.

Thus the authors suggest that perhaps an effort is already under way to modify the Johnson-Brezhnev principles which were responsible for creating superghettoes. However, in order to succeed in laying the foundation for a different kind of world order, based on cooperation instead of hostility, efforts will have to be made to bring about changes on several levels, for instance; in climate, images, concrete conduct and systemic norms of conduct. The authors conclude with this succinct observation: "We are at the crossroads. If they and we so choose, the Soviet Union and the United States can now move from the dual-ghetto patterns of subsystem interaction to a new norm that safeguards the superpowers' justified, essential strategic interests, while yet permitting much greater expression of the national individuality of smaller states within each superpower's region".²⁷

The book should interest and benefit students of international law and relations as much as those who are policy-makers, politicians and statesmen. Those of use who have followed the earlier works by Professors Franck and Weisband on the subject, especially their articles: *The Johnson and Brezhnev Doctrines: The Law You Make May Be Your Own*,²⁸ and *The Role of Reciprocity and Equivalence in Systemic Superpower Interaction*,²⁹ and that of Professor Franck, *Who Killed Article 2(4)*?³⁰ had hoped and anticipated that the authors would bring this material together into a handy volume, which, fortunately, they have done. In fact, the authors have gone beyond the already printed material. They have not only added new material but new insights as well, especially in the last chapter and in their analysis of the prior case studies.

One could perhaps quibble over the fact that since the bipolar system is giving way to a multipolar system, since the future of Sino-Soviet relations is unpredictable, and since many more major middle powers as well are likely to have their impact on the nature of the future international system, the concept of superpower-ghettoes might already have become outmoded. But still the fact remains that the verbal strategy of nation states, both big and small, needs to be carefully formulated, for it does affect the nature of the international system and its shape to be. The authors have given ample proof that since the United States had "never learned to listen

²⁷ *Id.* at 169.

²⁸ 22 STANFORD L. REV. 979 (1970).

²⁹ 3 N.Y.U.J. INT'L L. & POLITICS 263 (1970).

³⁰ 64 AM. J. INT'L L. 809 (1970).

to itself as if it were the enemy speaking",³¹ it and the world order have suffered in the long run. Their recommendations are indeed invaluable, and if followed would form the foundation for a desirable world public order.

Ved P. Nanda*

*Professor, College of Law, University of Denver. Director, International Legal Studies Program.

³¹ FRANCK & WEISBAND at 8.

