

GET THE POINT

By Fritz Pointer

International Law vs. Rules-Based International Order

Make no mistake about it the “Rules-Based Order” put forth by US Secretary of State, Anthony Blinken, at the United Nations Security Council meeting May 7th, 2021 is nothing more than a cover for Western hegemonic ambitions. The Chinese chaired this meeting and, wisely, pinched the US between China’s Ambassador, Wang Yi who opened; then it was Blinken’s turn, followed by Russian Ambassador Sergei Lavrov.

This was, obviously, a premeditated, intentional arrangement of presentations. The new-found and, globally, long-awaited cooperation and partnership between China and Russia, will prevent bullying and imposition of American linguistic trickery from prevailing. In other words, the Chinese and Russians stand for International Law: the whole system of International Relations underpinned by Law; founded upon the United Nations Charter, international treaties and concepts of state sovereignty built up over centuries.

Whereas, the United States and its Western allies – especially, the U.S. and Britain - want to substitute for International Law a new concept of “Rules-Based International Order,” which entitles them to meddle in the internal affairs of all other countries and to conduct policies around the world which ultimately contradict International Law.

Wang Yi, the Chinese Ambassador said: “All countries should promote dialogue and cooperation on the basis of equality and mutual respect. No country should expect other countries to lose, but strive to win together with

other countries, to achieve universal security and common prosperity.” He continued: “All parties should seek fairness, justice and not bullying. The core is to promote the democratization of International Relations so that all countries share the responsibility for governance and peaceful development. The key is to promote the Rule of Law in International Relations, abide by universally recognized International Law and mutually agreed upon International Agreements.” Rules are not the same as Laws.

The difference between Laws and Rules is that Laws are binding on the creators and have universal and equal application. The Civil Rights Movement in the U.S. argued this position forcefully in the struggle against Jim Crow Laws. By contrast, Rules are imposed by the maker who often, perhaps invariably, is not subject to these rules. What happens in a school classroom is a good analogy. A teacher is able to impose certain rules that are binding on the children in the classroom. The teacher is not subject to these rules. That is a system of rules imposed by the teacher that is effective on the children but not the teacher. By contrast, International Law, or “Law” in this case, binds the teacher, the parents of the children, the children themselves, the school administration – all are subject to it. If it does not constrain the maker as well, it is not Law, it is anti-law. It may be called rules but it is not law.

Anthony Blinken, on the other hand, had this to say: “We will continue to push back forcefully when we (the US) see countries undermine the *International Order* and pretend that *Rules* we’ve all agreed to exist or don’t exist, or simply violate them at will.” He goes on: “Let me be clear, the United States is not seeking to uphold this *Rules Based Order* to keep other countries down. The International Order we helped to build and defended has enabled the rise of

some of our wealthiest competitors. Our aim is simply to defend, uphold and revitalize that Order.”

It is quite clear that Blinken and the U.S. intend to, is seeking to *weaponize* International Human Rights Law as a tool against other countries; so we have comments like this: “Human Rights and Dignity must stay at the core of the International Order. Some argue that what governments do in their own borders is their own business, and that Human Rights are subjective values that vary from one society to another. But the Universal Declaration of Human Rights begins with the word “Universal” because all nations are agreed that certain rights to which every person everywhere is entitled. Asserting domestic jurisdiction doesn’t give any state a blank check to enslave, disappear, ethnically cleanse their people or violate their Human Rights in any other way.”

What Blinken is saying is that International Human Rights Law somehow entitles some states to interfere in the internal affairs of other states to defend Human Rights. Well, the United States continues to torture people, bomb them and their cities, disappear them – that’s what *extraordinary rendition* is.

And who, what nation, what authority should intervene in the U.S. when it consistently violates international law and the Human Rights of Black and Indigenous Americans through mass incarceration and extrajudicial murder? This and the decades of relentless bombing of Muslim countries, the ban on Muslims entering the U.S. should make clear the hypocritical ruse that the U.S. cares about the Human Rights of the Muslim Uyghur minority in Xinjiang, China. So, the U.S. is saying to the world “Look at what we’re going to do. Don’t judge us by our past.” It doesn’t get more self-serving than that.

Then in his typical clear and confident style came Sergei Lavrov: “We believe efforts to impose totalitarianism in Global Affairs to be unacceptable. Yet, we see it more and more from our Western colleagues, above all the United States and the European Union and other allies who reject all principles of Democracy and Multilateralism on the Global Stage.” He goes on, “It is striking that Western leaders, while openly undermining International Law, do not hesitate to argue that the main task of World Politics should be to counter the attempts of Russia and China to challenge the Rules-Based Order.”

So, U.S. linguistic trickery and gymnastics is a substitution of concept. The West is no longer concerned with the norms of International Law and now requires everyone to follow its Rules and observe its Order. Obviously, the U.S. and Britain have had the biggest hand in shaping these Rules. This is the great conceptual division in the modern world. It becomes clear that in addition to being the greatest purveyor of violence in the world today, the U.S. is also the greatest threat to Democracy, and a Democratically organized world, around the world.

If the U.S. can intervene in China and other countries under a Rules-Based Order, could China intervene in the U.S. for its violation of International Law and Human Rights? Strictly speaking under International Law and the UN Charter, both the U.S. and China have “sovereignty.” But both nations break the Law and the United Nations is helpless to intervene to protect the victims, the citizens of this world. That is why a “New United Nations” incorporating the *Earth Constitution* could help bring about universal law applied to all.

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