

AMERICA ALONE: WINDING DOWN *PAX AMERICANA*

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“[The] man . . . knows the price of everything, and the value of nothing.”¹

I. INTRODUCTION

The Second Administration of Donald Trump has announced that the United States of America is exhausted, depleted, and no longer sees an advantage in being the world’s hegemon. The Administration’s National Security Strategy (“NSS”), which was published in November 2025, has declared that the shouldering of permanent global burdens has “no connection to the national interest.”² Further, it has pleaded poverty, declaring America cannot afford “a massive military, diplomatic, [and] intelligence” network, provide for the well-being of its most vulnerable citizens, nor indeed fund a modern state.³ Equally astonishing, as one notable observer has remarked, the NSS announces that the “administration’s approach to the world is explicitly transactional.”⁴ No state—no ally—will be exempt from this utilitarian calculation. The NSS literally compares America to Atlas,⁵ the mythical Greek figure condemned eternally to carry the weight of the heavens on his shoulders. And it makes one thing abundantly clear: Atlas has shrugged. The era of American global dominance is over.⁶

Moreover, the NSS charges that “they”—policy elites—“lashed” the U.S. to international institutions it accuses of being “anti-American.”⁷ This is an incredible charge. It is American foreign policy elites who created and sustained these institutions, exactly to preserve the role of the United States as the dominant power in global political and economic affairs. To be sure, the United States has shouldered the burden, economic and political, of sustaining the world order. But it has also reaped the greatest rewards that the system is designed to offer. It is by far the wealthiest country on earth, perhaps the wealthiest country in the history of the world. A great part of the reason it enjoys

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1. Oscar Wilde, *Lady Windermere’s Fan*, in THE PLAYS OF OSCAR WILDE 1, 61 (Vintage Books, 1988).

2. WHITE HOUSE, NATIONAL SECURITY STRATEGY 1 (2025) [hereinafter NSS].

3. *Id.* (decrying also the funding of a “welfare-regulatory-administrative state”).

4. Sumit Ganguly, *New US Security Strategy signals a new world order in the making*, DECCAN HERALD (Dec. 13, 2025), <https://www.deccanherald.com/world/new-us-security-strategy-signals-a-new-world-order-in-the-making-3830430> [<https://perma.cc/BYX2-BR7C>].

5. NSS, *supra* note 2, at 12.

6. “[T]he United States *rejects* the ill-fated concept of global domination for itself.” *Id.* at 10 (emphasis in original).

7. *Id.* at 2.

such wealth is that its currency is the world's reserve currency and the currency of international trade. Other countries invest in the United States because it has the rule of law, which encompasses an independent judiciary, the enforceability of contracts, and historic checks on the power of the executive. These features also provide the U.S. with the legitimacy to be the leading country in the international political system, the "indispensable nation," as former Secretary of State Madeleine Albright once called it.⁸ Through its reckless disregard of the guardrails the U.S. itself imposed, it is now dismantling the system that has given it such wealth and power, with no certainty that what is to follow will sustain it.

After this introduction, Section II will present a thumbnail sketch of the establishment by the United States of the post-war political and economic dispensations. It will also outline how the U.S. has benefited from these systems. Section III will examine the conduct of the current Administration as it dismantles both systems and argues that the international community has already begun to prepare for a world in which the U.S. no longer participates in the rules-based order. America's closest allies are in the nascent stages of forming blocs to balance the United States and hedge between it and China and Russia. If the U.S. has been the greatest beneficiary of the existing system, it may well be the greatest loser of frittering that system away. One final word: while the author is a lawyer publishing in a law review, this analysis is not intended as a strict legal analysis of the existing world order, though some relevant references to the law abound. Rather, the author's academic interests lie in the interstices between law, policy, and politics. It is this space to which this article seeks to contribute.

II. A BRIEF HISTORY OF THE POST-WAR SYSTEM

At the end of the Second World War, the United States stood alone at the pinnacle of world power, the undisputed global hegemon. Its economic strength dwarfed that of its allies in the war—its cities and industrial heartlands had, after all, never been bombed—and it possessed military might unmatched by any other power, not least as the sole possessor of atomic weapons for the next four years. What the U.S. chose to do with its hegemonic dominance was remarkable. Rather than dictate terms to the rest of the world, the United States instead created the so-called rules-based system that has evolved to regulate the world's political and economic spheres for eighty years. The seeds for the post-war system were planted in Washington, D.C., even as the war continued to rage. This rules-based system consisted of two principal branches: a political system and an economic system, with, to be sure, U.S. dominance over both.

8. *Why the United States Remains an Indispensable Nation*, CHATHAM HOUSE (May 10, 2023), <https://www.chathamhouse.org/2015/06/why-united-states-remains-indispensable-nation> [https://perma.cc/L3DF-ZCT8].

A. Building the International Political Order

At a conference held on the grounds of a Georgetown estate, Dumbarton Oaks, in Washington, D.C., the United States, the United Kingdom, the Soviet Union, and later China, met in the summer and fall of 1944 to negotiate the parameters of the post-war political system and propose an early draft of the Charter of the United Nations.⁹ Later, in April 1945, just before the war in Europe ended, they convened a follow-up conference in San Francisco to establish what in fact became the United Nations. Yet the United States and its allies did not simply dictate the terms of the post-war political order, as they might well have done, presenting the draft U.N. Charter as a take-it-or-leave-it document. Instead, as a contemporary account documents, delegates from the 51 assembled countries were invited to submit what turned out to be hundreds of amendments to the proposed charter produced at Dumbarton Oaks, with the final draft growing to 10,000 words from the original 3,500-word proposal.¹⁰ Core principles such as justice and international law, omitted by the Big Four in Washington, were codified into the U.N. Charter on the insistence of the “small nations.”¹¹

Regardless of the deficiencies of the founding of the United Nations, some of which are sketched below, it remains that the norms it established materially improved the international system. If the post-First World War system preserved European imperialism or racial hierarchies, the post-1945 system at least espoused “[u]niversal rights and protections ... [as being] more central to the ideological vision.”¹² Fundamentally, the new arrangement was built around a “security community,” one that “enshrined basic human rights and social protections.”¹³ Further, the Covenant of the League of Nations did not seek to outlaw aggressive war, even coming as it did in light of the carnage of the First World War. Quite the contrary, the Covenant merely sought to impose a kind of “cooling-off period” prior to the commencement of hostilities.¹⁴ Indeed,

9. J. Simon Rofer, et al., *The UN and the Postwar Global Order: Dumbarton Oaks in Historical Perspective after 75 Years*, 54 J. CONTEMP. HIST. 256, 257 (2019). On China’s later participation, see Edwin Borchard, *The Dumbarton Oaks Conference*, 39 AM. J. INT’L L. 97, 97 (1945).

10. George A. Finch, *The United Nations Charter*, 39 AM. J. INT’L L. 541, 541-42 (1945).

11. *Id.* at 542; see, e.g., U.N. Charter art. 1, ¶ 1, art. 2, ¶ 3. In addition to the 51 voting states, there were several nonvoting non-governmental organizations at the San Francisco Conference. See James Loeffler, “*The Conscience of America*”: *Human Rights, Jewish Politics, and American Foreign Policy at the 1945 United Nations San Francisco Conference*, 100 J. AM. HIST. 401 (2013).

12. G. John Ikenberry, *The End of Liberal International Order?*, 94 INT’L AFF. 7, 14-15 (2018).

13. *Id.*

14. League of Nations Covenant art. 12 (“The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report

acquisition of territory by conquest, which had been legal for centuries, continued to be so in international law for over a decade after the promulgation of the Covenant of the League of Nations.¹⁵

By contrast, the United Nations Charter expressly prohibits not only the use of force, but also the *threat* of force in international relations between states, requiring UN Member States to settle their disputes only through peaceful means.¹⁶ The Charter recognizes only two exceptions to the prohibition on the use of force. The first exception is where the UN Security Council authorizes the use of force to effectuate its will.¹⁷ The second exception is where a state is engaged in self-defense.¹⁸ All other uses of force against territorial integrity or

by the Council. In any case under this Article the award of the arbitrators or the judicial decision shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.”). Indeed, one near-contemporaneous commentator on the Covenant stated that “it is not so clear that all acts of war before the prescribed time are forbidden by Article 12,” as Italy claimed its bombardment and occupation of Corfu in 1923 “was not intended to and did not lead to war,” and thus did not violate the Covenant. Quincy Wright, *The Outlawry of War*, 19 AM. J. INT’L L. 76, 87 (1925); but cf. Arnold D. McNair, *The Legal Meaning of War, and the Relation of War to Reprisals*, 11 TRANSACTIONS GROTIUS SOC’Y 29, 42-43 (1925) (expressing another contemporaneous view that the Italian bombardment, killing a number of non-combatants as it did, nonetheless may not have arisen to the level of an act of war within the meaning of Article 12, being, instead, a “coercive measure.” The U.N. Charter obviates this issue by forbidding the “threat or use of force,” force being an obviously much broader term than war).

15. Oona A. Hathaway & Scott J. Shapiro, *Might Unmakes Right: The Catastrophic Collapse of Norms Against the Use of Force*, 104 FOREIGN AFF. 80, 83-85 (2025) (it was not until 1931 that US Secretary of State John Stimson refused to recognize Japan’s acquisition of Manchurian territory with the Members of the League following suit that the norm against acquisition of territory by conquest appears to have arisen).

16. U.N. Charter art. 2, ¶ 3-4 (Paragraph 3 of Article 2 states that “[a]ll Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.” Paragraph 4 of Article 2 states that “[a]ll Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”).

17. U.N. Charter art. 42 (“Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.”).

18. U.N. Charter art. 51 (“Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.”); See Elisabeth Zoller, *The Law Applicable to the Preemption Doctrine*, 98 AM. SOC’Y INT’L L. 333, 334-36 (2004) (recognizing that a state is not required to sustain an armed attack before engaging in the inherent right of self-defense. Customary international law recognizes states have the right to pre-emptive or anticipatory self-defense where an attack is imminent, even where the armed attack has not yet occurred).

political independence of states are illegal.¹⁹ Equally significant, in the UN era, the acquisition of territory by force is prohibited.²⁰

The UN Charter's newly codified principles did not usher in an earthly Utopia, where peace and harmony would effloresce and state use of force would become unknown; rather, violations remain plentiful. In the last thirty years, NATO bombed Kosovo in 1999 with no legal justification whatsoever.²¹ Other examples from the recent past include the 2003 war in Iraq, China illegally extending its authority in the South China Sea by building artificial islands, and Russia invading Ukraine in 2022.²² At this writing, the U.S. and Israel have been bombing Iran in what appears to be a clear violation of the UN Charter and customary international law.²³ The established norm did, however, instill in the various states a sense of legal obligation to abide by these principles, often to condemn violators, and, on occasion, even to combine the weight of the international community to reverse the effects of violations, such as when Iraq sought to annex Kuwait by force.²⁴

The above discussion is not intended as a credulous, beatific retelling of a tale of U.S. benevolence at the founding of the U.N. Far from it. There are many deeply problematic features of the establishment of the post-war dispensation. To begin with, a large swath of humanity—mainly Africans and Asians—were not represented at the founding conferences as they continued to live under colonial rule.²⁵ Not only were colonized people not formally represented, but they were also often not allowed even informal representation through their

19. John Yoo, *Using Force*, 71 U. CHI. L. REV. 729, 741 (2004). Professor Yoo incorrectly states that international law prohibits “all use of force against the political independence and territorial integrity of a nation.” *Id.* (emphasis added). In fact, UN Charter art. 2(4) uses the conjunction “or,” not “and” see U.N. Charter art. 2, ¶ 3-4.

20. Hathaway & Shapiro, *supra* note 15, at 87.

21. See Harold Hongju Koh, *Humanitarian Intervention: Time for Better Law*, 111 AJIL UNBOUND 287, 288 (2017). While Koh describes the view that the Kosovo war was illegal as “simplistic,” he nevertheless begrudgingly concedes that this reading is consistent with the verbatim text of the UN Charter. *Id.* at 287-88. Further, the fact that Koh argues for “better law” implies that he concedes that the *lex lata*, the existing international law, does not recognize the legality of “humanitarian interventions” such as those in Kosovo.

22. See Hathaway & Shapiro, *supra* note 15, at 81. The authors do not mention Kosovo, a war that, however illegal, is nonetheless largely popular with the interventionists. See Koh, *supra* note 21, at 288.

23. Marko Milanovic, *The American Israeli Strikes on Iran are (Again) Manifestly Illegal*, EJILTALK (Feb. 28, 2026), <https://www.ejiltalk.org/the-american-israeli-strikes-on-iran-are-again-manifestly-illegal/> [https://perma.cc/88LM-CRPQ] (“this use of force by the US and Israel is manifestly illegal[.]” being “as plain a violation of the prohibition on the use of force in Article 2(4) of the UN Charter as one could possibly have” and “[n]one of [the] conditions are met” to justify pre-emptive or anticipatory self-defense under customary law).

24. See Colin Warbrick, *The Invasion of Kuwait by Iraq*, 40 INT’L L.Q. 482 (1991); Colin Warbrick, *The Invasion of Kuwait by Iraq: Part II*, 40 INT’L L.Q. 956 (1991).

25. Farina Mir, *Introduction*, 120 AM. HIST. REV. 844, 844 (2015) (“in Africa alone, more than fifty new states were created, beginning in the 1950s” well after the 1944 and 1945 formative conferences).

respective NGOs.²⁶ For instance, Marika Sherwood has demonstrated that the U.S. Government only allowed the National Association for the Advancement of Colored People (“NAACP”) to serve in a consultative capacity on decolonization issues to the Government at the San Francisco Conference, excluding forty-one others that had asked to do so.²⁷ Indeed, she states that the “many black activists in San Francisco [advocating for decolonization] did not have the right of entry into the discussions” inside the conference hall.²⁸ Instead, these activists were forced to seek sympathetic voices to champion their cause from among the Arab states (including Egypt, an Arab but also an African State), Haiti, Liberia, and Ethiopia, which were formally represented in the Conference.²⁹ Perhaps this parlous state was because decolonization of 750 million people³⁰ had seemingly become a secondary issue for U.S. policy by the time the delegates were assembled. After all, it had been Franklin Delano Roosevelt who was keenly interested in the topic.³¹ By the time of the 1945 Conference, however, Harry Truman was president, and he was “not nearly as supportive of independence for colonies as Roosevelt.”³²

There were other deeply problematic aspects regarding the founding of the United Nations. For instance, one of the architects of the Charter’s Preamble, a man “revered” as a “venerable world statesman” at the time, was South African Prime Minister Jan Smuts.³³ It was Smuts who was responsible for introducing the stirring invocation of human rights in the Preamble.³⁴ Yet history recalls Smuts perhaps less for this contribution and more for his infamy in defending the apartheid that the South African Government declared in the immediate aftermath of his premiership in 1948, ironically, the same year the Universal Declaration of Human Rights (“UDHR”) was passed by the General Assembly.³⁵ Even so, as early as 1946, while he was still prime minister and representing South Africa in the General Assembly, the UN became a venue for challenging South Africa’s egregious human rights record.³⁶ The Indian lead

26. Marika Sherwood, “*There Is No New Deal for the Blackman in San Francisco*”: African Attempts to Influence the Founding Conference of the United Nations, April-July 1945, 29 INT’L J. AFR. HIST. STUD. 71, 76 (1996).

27. *Id.*

28. *Id.* at 83.

29. *Id.*

30. *Global Issues: Decolonization*, UNITED NATIONS (last visited Apr. 18, 2026), <https://www.un.org/en/global-issues/decolonization> [<https://perma.cc/95PE-JWEX>].

31. Sherwood, *supra* note 26, at 71-72.

32. *Id.* at 83.

33. Saul Dubow, *Smuts, the United Nations and the Rhetoric of Race and Rights*, 43 J. CONT. HIST. 45, 48 (2008).

34. U.N. Charter pmb1, ¶ 2.

35. Dubow, *supra* note 33, at 53-54 (noting that the UDHR passed unanimously with only eight abstentions, South Africa being one of them).

36. *Id.* at 65-66.

delegate, Vijaya Laxmi Pandit,³⁷ charged Smuts with hypocrisy to his face for having advocated for human rights while pursuing racist policies in South Africa.³⁸

Whatever the flaws of the founding of the United Nations system and the individuals involved in the process, Professors Hathaway and Shapiro conclude:

This shift [in outlawing the acquisition of territory by force], led by the United States, marked one of the most profound legal transformations in world history. During the nearly eight decades after the UN Charter entered into force, the kinds of interstate wars and territorial conquests that shaped and reshaped national borders for centuries became rare. . . . Conflict, of course, has not disappeared, but it has become far less prevalent. The century that preceded World War II saw over 150 successful territorial conquests; in the decades afterward, there have been fewer than ten.³⁹

At the end of the Second World War, America did not use its position of global dominance simply to impose its will capriciously on the world. Instead, it “created and for the most part followed” the rules of the order it established.⁴⁰ It also “gave weaker states a seat at the table and a voice in the decisions” of this new rules-based system.⁴¹ As a consequence, the U.S. not only benefitted, it became “the long[-term] principal beneficiary of the [world] order.”⁴² Aside from a measurably more peaceful world than the one that preceded the current international order, the United States has benefited from that order and the alliances it built at the onset of the Cold War. These benefits continue to pay dividends, both material and otherwise. Policymakers, calculating what the cost of maintaining the current system has been, would do well to consider the cost of disposing of it without knowing what would replace it.

One of the benefits accruing to the U.S. from its European policies over the last eighty years has been a check against the possibility of a return to Europe’s old rivalries and balance-of-power politics that had cost much blood and treasure, including to the United States, in the preceding decades during two world wars. Now, as Europe fears U.S. withdrawal, Germany is preparing to recreate a national defense industry, moving away from purchasing American

37. Manu Bhagavan, *A New Hope: India, the United Nations and the Making of the Universal Declaration of Human Rights*, 44 MOD. ASIAN STUD. 311, 312 (2010) (noting that in 1953, Mrs. Pandit would become the first woman elected to preside over the UN General Assembly).

38. Dubow, *supra* note 33, at 65-66.

39. Hathaway & Shapiro, *supra* note 15, at 86-87.

40. Stephen M. Walt, *The Predatory Hegemon: How Trump Wields American Power*, 105 FOREIGN AFF. 8, 10 (2026).

41. *Id.*

42. C. Raja Mohan, *The Multipolar Delusion: And the Unilateral Temptation*, 105 FOREIGN AFF. 54, 54 (2026).

arms but also maintaining independence from European arms industries.⁴³ While it is possible that greater European integration will result, there is another, more ominous possibility. Europe could fragment, with multiple poles forming around Germany, France and Britain, and Poland and the Northern European States on the other side.⁴⁴ In this scenario, should the far-right Alternative für Deutschland (“AfD”) party, which has a revanchist element making claims on former German territories,⁴⁵ come to power in Berlin, old rivalries could resurface.⁴⁶ The result could replicate the history of Europe that led the United States to intervene in Europe’s wars twice in the twentieth century. Avoiding a return to those days was a reason for the integration of German armed forces into NATO, led by the U.S., in the first place.⁴⁷

The U.S. has derived other tangible benefits from this security arrangement.⁴⁸ It has 30 military bases throughout Europe, giving the U.S. a tremendous forward-operating capability to deal with nascent threats in the Middle East, the Horn of Africa, the Arctic, or elsewhere.⁴⁹ European states have generally allowed the U.S. to operate out of its European bases with few restrictions.⁵⁰ This reduces the time and cost of U.S. action.⁵¹ Indeed, NATO allies have allowed the U.S. overflight rights over Europe, even when disagreeing with U.S. policy.⁵² For instance, in 2003, several European states allowed the U.S. to overfly their territory, even though they opposed the war in Iraq.⁵³

The U.S. derives commercial benefit from these arrangements, as well. In 2022-24 alone, the Europeans collectively spent a total of \$61 billion on U.S. arms, often buying from U.S. manufacturers rather than their own.⁵⁴ Indeed, they have doubled their U.S. purchases since 2020.⁵⁵ Yes, the U.S. may pay more in defense as a percentage of its GDP than the Europeans,⁵⁶ but it is clear that it also benefits from protecting its trading partners by having

43. Liana Fix, *Europe’s Next Hegemon: The Perils of German Power*, 105 FOREIGN AFF. 120, 124 (2026) (Feb. 6, 2026); <https://www.foreignaffairs.com/germany/europes-next-hegemon-liana-fix> [<https://perma.cc/YZ72-DBLE>]. Germany plans to reduce its U.S. defense purchases to 8% through its 2026 procurements, spending half on U.S. weapons systems that it spent in 2023. Chris Lunday, *Germany’s €80B rearmament plan sidelines US weapons*, POLITICO (Sep. 23, 2025), <https://www.politico.eu/article/germanys-defense-donald-trump-air-defense-washington-us-weapons/> [<https://perma.cc/V9JW-VCLG>].

44. Fix, *supra* note 43, at 127-28.

45. *Id.* at 123.

46. *Id.* at 129.

47. *Id.* at 124.

48. See Celeste A. Wallander, *Beware the Europe You Wish for: The Downside and Dangers of Allied Independence*, 104 FOREIGN AFF. 22 (2025).

49. *Id.* at 26-27.

50. *Id.* at 26.

51. *Id.* at 26-27.

52. *Id.* at 26.

53. *Id.*

54. *Id.* at 28.

55. *Id.*

56. *Id.*

technologically advanced allies who generally share its ideological and strategic military and political objectives. America's adversaries must be incredulous that the United States is pushing away perhaps the most constant allies in history—dissolving certainly the most successful alliance in centuries if not ever—to its strategic and economic detriment.

B. Building the International Economic Order

If Dumbarton Oaks led to the establishment of the post-war political system dominated by the U.S.,⁵⁷ another conference convened by the United States at Bretton Woods in New Hampshire established U.S. dominance over the post-war economic system.⁵⁸ American supremacy of the economic system was assured as the U.S. made the dollar the world's reserve currency of choice and the preferred currency of international trade. The Bretton Woods model was initially organized under the General Agreement on Tariffs and Trade ("GATT") in 1947, and was modified in the 1990s into the World Trade Organization.⁵⁹ These arrangements have ensured that the U.S. occupies the "centre of global trade."⁶⁰ It is no accident that the United States is the only country in the International Monetary Fund that wields a veto.⁶¹

As the end of the Second World War approached, American planners considered the degree to which the U.S. would need to reach into the global economy to sustain American domination over the system. The preceding era had been one of trading within imperial blocs.⁶² To sustain the new post-war system, U.S. analysts concluded that the U.S. would first require access to a global market, one whose institutions the U.S. would dominate, institutions increasingly favoring a second pillar, free trade.⁶³ Of course, a worldwide free market implies that the U.S. would buy from other countries, as they would from the U.S. America's policy of post-war European reconstruction should thus not be seen as mere altruism. Not only did the reconstruction of Western Europe foreclose the possibility of Europe turning communist, but it also ensured the rise of trading partners for the U.S.⁶⁴ The eventual trade imbalance that

57. Rofe et al., *supra* note 9, at 257.

58. Thomas Costigan et al., *The US Dollar as the Global Reserve Currency: Implications for US Hegemony*, 8 *WORLD REV. POL. ECON.* 104, 106 (2017) (noting that "[t]he Bretton Woods Conference held in 1944 was the forum where a US-centric world [economic] system was instituted").

59. Serdar Altay, *The Rise and Decline of the Liberal World Order and the Multilateral Trade System: A Critical-Constructivist Synthesis to International Regime Analysis*, 21 *ULUSLARARASI İLİSKİLER [INT'L RELS.]* 97, 97-98 (2024).

60. Costigan et al., *supra* note 58, at 108.

61. *Id.*

62. Ikenberry, *supra* note 12, at 15.

63. *Id.* at 15-16.

64. Brigitte Granville, *Time for a Rescue*, 55 *WORLD TODAY* 7, 7 (1999); cf. Jessica Reinisch, *Comparing Europe's Post-War Reconstructions: First Balzan Workshop*, 61 *HIST. WORKSHOP J.* 299, 301 (2006) (digesting the views of economic historians who argue that the

developed away from the United States, though no doubt an easy political issue in the hands of any populist, actually favors the U.S. in the long run, as economist Douglas Irwin argues. Writing during Trump's first term, he explains:

Because the dollar is the world's reserve currency, the closest thing to a safe asset in the global financial system, foreign demand for dollar-denominated assets will remain strong. The continued demand for safe assets means that other countries will use some of their dollar earnings to buy U.S. assets instead of U.S. goods. This, in turn, means that the United States will continue to buy more from other countries than they do from it.⁶⁵

Irwin thus argues essentially that a trade deficit favors the United States, because, given the safety and desirability of holding assets in dollars, America's trading partners will reinvest some of their trade surpluses back into the United States.

Another analyst agrees, arguing that, at least at the turn of the current century, for every \$100 sent overseas to purchase foreign imports, more than \$98 returns into the United States as foreign direct investment, and some of the balance is used in foreign states as currency.⁶⁶ Also ignored in the populist denunciation of free trade is that the resulting cheaper imports and "greater product variety" result in higher standards of living.⁶⁷ While the populist argument runs to the effect that free trade has resulted in lost manufacturing jobs, there is ample evidence that a more significant factor has been increased productivity.⁶⁸ Automation has also taken its toll on manufacturing jobs. Where it took U.S. steel manufacturers ten man-hours to produce a ton of steel in the 1980s, it now takes two.⁶⁹ Finally, so long as the dollar remains a desirable reserve currency and demand for U.S. debt securities remains high around the world, individual and corporate consumers benefit because interest rates on loans in the U.S. remain low.⁷⁰

The UN and the trading system aside, the United States established two additional pillars of the post-war international system. One additional pillar was

US Marshall Plan for European reconstruction "[w]as not nearly as important [economically] as it was politically. . . .").

65. Douglas A. Irwin, *The False Promise of Protectionism: Why Trump's Trade Policy Could Backfire*, 96 FOREIGN AFF. 45, 52-53 (2017).

66. Daniel T. Griswold, *Stop Worrying about the U.S. Trade Deficit*, 1 GEO. J. INT'L AFF. 67, 68 (2000).

67. Holger Janusch & Witold Mucha, *America First: Power and Geopolitics in US Trade Policy under President Trump*, 35 SEC. & PEACE 110, 111 (2017).

68. *Id.*

69. Irwin, *supra* note 65, at 50.

70. Barry Eichengreen, *The Dollar Dilemma: The World's Top Currency Faces Competition*, 88 FOREIGN AFF 53, 54 (2009).

the establishment of international institutions,⁷¹ such as the International Monetary Fund (“IMF”), the World Bank, and the like.⁷² The fourth pillar was building a community of like-minded states, states that, at the end of the Cold War, would not simply be an anti-Soviet defensive bloc, but a community of like-minded, liberal democracies.⁷³ This pillar became a “democratic alliance” [the North Atlantic Treaty Organization (“NATO”)] to defend and support a shared liberal democratic political space under the leadership of the United States.⁷⁴

The two central features of this *Pax Americana*, the political and the economic, thus worked synergistically to maintain international peace. As Hathaway and Shapiro explain, “The expansion of trade and the prohibition of war went hand in hand, as states could no longer enrich themselves through conquest. Instead, they had to rely on economic cooperation, market competition, and the free flow of goods and capital.”⁷⁵ The system worked when Saddam Hussein attempted in 1990 to annex Kuwait and its oil wealth to Iraq.⁷⁶ Under American political and military leadership, allied with like-minded states, and forearmed with Security Council authorization, an international coalition expelled Iraq from Kuwait.⁷⁷

The question then arises, why did Western Europe and other states accept U.S. hegemony for so long? Once the Europeans rebuilt and developed their own industrial and eventual technological bases, they surely could have asserted their own independence, rather than allying themselves in virtual lockstep with the United States. True, the Soviet Union during the Cold War, then the revanchist Russian Federation, looming over Europe, provides a partial answer to this question. International relations theory, however, provides a more complete answer.

For instance, Jack Snyder argues that realist models of international relations predict that when a state such as the U.S. rises to become a hegemon, weaker states typically band together to balance against it.⁷⁸ The hegemon may be militarily more powerful than any other state, but it is unlikely to be more powerful than all other states combined.⁷⁹ An observer could ask why the

71. Ikenberry, *supra* note 12, at 15.

72. Costigan, et al., *supra* note 58, at 106 (calling these institutions among “the most critical [] components for the functioning of U.S. hegemony”).

73. *Id.* at 16-17.

74. *Id.* at 17.

75. Hathaway & Shapiro, *supra* note 15, at 87.

76. See J. Travis Moger, *The Gulf War at 30*, 118 ARMY HIST. 1, 6 (2021).

77. See *id.* at 7-11; see also EMILY MEIERDING, *THE OIL WARS MYTH: PETROLEUM AND THE CAUSES OF INTERNATIONAL CONFLICT* 159 (2020).

78. Jack Snyder, *One World, Rival Theories*, 145 FOREIGN POL’Y 52, 56 (2004).

79. See Kai He, *The Hegemon's Choice Between Power and Security: Explaining US Policy Toward Asia After the Cold War*, 36 REV. INT’L STUD. 1121, 1124 (2010) (explaining that realism posits that even great hegemonies cannot indefinitely cause other states to conform their will to its desires); see also Joseph S. Nye, Jr., *Limits of American Power*, 117 POL. SCI. Q. 545, 558-59 (2002-2003) (“[I]f American diplomacy is unilateral and arrogant, our preponderance would not

Western European States, once their economies recovered, did not balance against the U.S., instead allying with it through NATO? Snyder answers that the Europeans perceived America as a benign hegemon and thus did not perceive a need to balance against it.⁸⁰ They could infer that benignity from a shared set of democratic principles of governance domestically, the rule of law, and the promotion of human rights at home and in the international arena. U.S. allies have thus had no incentive to create an alternate structure to U.S. power. Even if weaker powers were unable to deploy military might against the U.S. in the short term, they might, for example, have deployed their soft power to frustrate U.S. policy;⁸¹ they did not.

How then to measure American power? Joseph Nye, Jr., published a seminal article nearly twenty-five years ago to assess how the U.S. maintained its status as a global hegemon at the dawn of the twenty-first century. He noted that while in the past a state's military power—what he calls its “strength of war”—sufficed as the test of a hegemon's power, in modern times “military power and conquest” are no longer the sole determinant of a state's standing.⁸² If not the sole determinant of power, nonetheless, “military force can still play an important political role among advanced nations” in vindicating their strategic objectives.⁸³ Nye here appeared to be invoking von Clausewitz's famous aphorism that “War is a mere continuation of policy by other means.”⁸⁴ Yet, in addition to military might, economic power has become an increasingly important consideration in assessing a state's strength;⁸⁵ these two components of strength—military and economic—constitute a state's “hard power.”⁸⁶ America's seemingly unmatched military machine, along with a tremendous economic engine, thus marks its “hard power” as that of a world hegemon in Nye's analysis.

But America also has a large reserve of “soft power.”⁸⁷ In distinction to hard power, by which states obtain their political objectives through “inducements (carrots) or threats (sticks),”⁸⁸ soft power results in a state obtaining its desired outcomes, “because other countries want to follow it,

prevent other states and nonstate actors from taking actions that complicate American calculations and constrain its freedom of action.”).

80. See Snyder, *supra* note 78, at 56. It is fair to point out that “band wagoning”—weaker states joining the hegemon—is a cheaper strategy than balancing. See, e.g., Wei Zongyou, *In the Shadow of Hegemony*, 1 CHINESE J. INT'L POL. 195, 197-98 (2006). Certainly, in the jargon of international relations realist theory, the Europeans have “band wagoned” with the US since 1945. See, e.g., Benjamin Schreer, *A New “Pragmatism”: Germany's NATO Policy*, 64 INT'L J. 383, 389 (2009) (“Band wagoning with the United States should continue to inform European allies' NATO policies”).

81. See Nye, *supra* note 79.

82. *Id.*

83. *Id.* at 551.

84. 1 CARL VON CLAUSEWITZ, ON WAR 23 (J.J. Graham, trans. 1918).

85. Nye, *supra* note 79, at 551.

86. *Id.* at 552.

87. *Id.*

88. *Id.*

admiring its values, emulating its example, aspiring to its level of prosperity and openness.”⁸⁹ Further, he states:

In this sense, it is just as important to set the agenda in world politics and attract others as it is to force them to change through the threat or use of military or economic weapons. This aspect of power—getting others to want what you want—I call soft power. It coopts people rather than coerces them.⁹⁰

Finally, this element—soft power—consists of, *inter alia*, the U.S. “behavior at home,” including safeguarding its constitutional institutions and the promotion of democratic ideals at home and peace and human rights internationally.⁹¹ “[I]f the United States wants to remain strong,” Nye warns, “Americans need also to pay attention to our soft power.”⁹²

Speaking almost twenty-five years after Nye’s article, Christine Lagarde, president of the European Central Bank, has affirmed that it is the combination of hard and soft powers that makes a reserve currency—the U.S. dollar for the past eight decades—desirable.⁹³ Military and economic might aside, she has credited two institutions of soft power that give the dollar its credibility to foreign investors: the independence of the Federal Reserve Bank and the rule of law generally in the United States.⁹⁴ In this context, it must, therefore, have come as a shock to Lagarde to read that the Chairman of the U.S. Federal Reserve Bank is under investigation ostensibly for committing perjury in congressional testimony, but apparently because he is, in Trump’s view, insufficiently pliant on interest rates.⁹⁵ Such actions—using the executive prosecutorial power to impinge upon the independence of Federal Reserve—are self-destructive.

In the end, Nye asserts *Pax Americana* will survive only “to the extent that the United States ‘is uniquely capable of engaging in “strategic restraint,” reassuring partners and facilitating cooperation.””⁹⁶

Moreover [he concludes], the impact of American preponderance is softened when it is embodied in a web of

89. *Id.*

90. *Id.* (internal footnote omitted).

91. *Id.* at 554.

92. *Id.* at 552.

93. Christine Lagarde, President of the Eur. Cent. Bank, Speech at an event in Berlin, Earning influence: lessons from the history of international currencies, (May 26, 2025), (transcript available at <https://www.ecb.europa.eu/press/key/date/2025/html/ecb.sp250526~d8d4541ce5.en.html> [<https://perma.cc/FL3Q-K6YV>]).

94. *Id.*

95. See Victoria Guida et al., *DOJ opens probe into Fed’s Powell, drawing backlash from lawmakers*, POLITICO (Jan. 11, 2026, at 21:25 EST), <https://www.politico.com/news/2026/01/11/doj-probe-fed-powell-statements-headquarters-00721679> [<https://perma.cc/35EH-SP3A>].

96. Nye, *supra* note 79, at 559.

multilateral institutions that allow others to participate in decisions and that act as a sort of world constitution to limit the capriciousness of American power.⁹⁷

This is the virtuous synergy of hard and soft powers, coupled with strategic restraint, that has assured the continued leadership of the United States in the order it created. As will be demonstrated in the next section, it is this virtuous synergy, to coin a phrase, that the United States Administration is currently dissipating.

III. DISMANTLING THE INTERNATIONAL ORDER AND ITS CONSEQUENCES

A. Dismantling the International Political Order

Within the first month of his second term in office, Trump issued an Executive Order directing the Secretary of State, in consultation with the UN Permanent Representative, to:

[C]onduct a review of all international intergovernmental organizations of which the United States is a member and provides any type of funding or other support, and all conventions and treaties to which the United States is a party, to determine which organizations, conventions, and treaties are contrary to the interests of the United States and whether such organizations, conventions, or treaties can be reformed.⁹⁸

The Executive Order also pledged renewed scrutiny for the UN Human Rights Council (“UNHRC”), from which Trump withdrew the U.S. in 2018; the UN Education, Scientific, and Cultural Organization (“UNESCO”); and the UN Relief and Work Agency for Palestinians in the Near East (“UNRWA”).⁹⁹ He accused these agencies of being anti-Semitic, anti-Israeli, and, in the case of the latter, of being “infiltrated” by foreign terrorist organizations.¹⁰⁰ The president directed a halt to all cooperation between the U.S. and UNHRC and a stop to all funding for the principal UN body providing humanitarian relief to Palestinian refugees.¹⁰¹ He directed a review of U.S. cooperation with UNESCO, a body

97. *Id.*

98. Withdrawing the United States From and Ending Funding to Certain United Nations Organizations and Reviewing United States Support to All International Organizations, 90 Fed. Reg. 9275 §3 (Feb. 4, 2025).

99. *Id.* §1.

100. *Id.*

101. Yezzen Saadah, *Trump Withdraws From UNESCO For A Second Time—Here’s Why He’s Opposed To The U.N. Agency*, FORBES (July 22, 2025, at 16:18 EDT), <https://www.forbes.com/sites/yezzenaadah/2025/07/22/trump-withdraws-from-unesco-for-a-second-time-heres-why-hes-opposed-to-the-un-agency/> [<https://perma.cc/AH65-X4AZ>] (“Trump pulled the U.S. out of the World Health Organization (WHO) and the United Nations Human Rights Council

from which he withdrew the U.S. in 2018 because it had admitted the State of Palestine as a full member, and he did so again in 2025 for the same reason, after President Joseph R. Biden had caused the U.S. to rejoin the body.¹⁰²

In January 2026, following up on the Executive Order, Trump issued a memorandum withdrawing the United States from 66 international arrangements he asserted were contrary to U.S. interests.¹⁰³ Among the UN institutions from which the U.S. withdrew were all the ECOSOC regional development offices; the International Law Commission; three Offices of the Special Representative of the Secretary-General: those for Children in Armed Conflict, for Sexual Violence in Conflict, and for Violence against Children; the Peacebuilding Commission; the Democracy Fund; the Entity for Gender Equality and the Empowerment of Women; the Population Fund; and perhaps most prominently, the UN Framework Convention on Climate Change (“UNFCCC”),¹⁰⁴ a treaty that underlies such other climate agreements as the Kyoto Protocol and the Paris Climate Agreement.¹⁰⁵ Of these entities, the last is the most interesting, as it is a treaty ratified by the U.S. on the advice and consent of the Senate in 1992.¹⁰⁶ Presumably, all other withdrawals can be rescinded by a subsequent president through a revocation of Trump’s Executive Orders.

Trump’s withdrawal from UNFCCC, on the other hand, raises interesting constitutional questions. As Professor Jean Galbraith has argued recently, it is not entirely certain whether the president in fact has the unilateral constitutional right to withdraw from a treaty once the Senate has acted, although “such

(UNHRC), citing WHO’s “mishandling of the COVID-19 pandemic” and the UNHRC’s alleged bias against Israel. Trump’s February executive order also cut funding to the United Nations Relief and Works Agency (UNRWA), which provides aid to Palestinians”).

102. *Id.*; Thomas Adamson, *First Lady Jill Biden to mark US reentry into UNESCO with flag-raising ceremony in Paris*, INDEPENDENT (July 25, 2023 9:53 BST), <https://www.independent.co.uk/news/ap-unesco-jill-biden-united-nations-trump-b2381364.html> [https://perma.cc/W57C-VLRS]. For other international organizations and agreements Biden re-entered after assuming office, see Lindsay Maizland, *Biden’s First Foreign Policy Move: Reentering International Agreements*, COUNCIL ON FOREIGN RELS. (Jan. 21, 2021, at 09:00 EST), <https://www.cfr.org/articles/bidens-first-foreign-policy-move-reentering-international-agreements-2> [https://perma.cc/D82X-52ZX].

103. *Withdrawing the United States from International Organizations, Conventions, and Treaties that Are Contrary to the Interests of the United States*, WHITE HOUSE (Jan. 7, 2026), <https://www.whitehouse.gov/presidential-actions/2026/01/withdrawing-the-united-states-from-international-organizations-conventions-and-treaties-that-are-contrary-to-the-interests-of-the-united-states/> [https://perma.cc/KTV8-FKJK].

104. U.N. Framework Convention on Climate Change, May 9, 1992, S. TREATY DOC NO. 102-38, 1771 U.N.T.S. 107.

105. *United Nations Framework Convention on Climate Change (UNFCCC) and Climate, Peace and Security*, UNITED NATIONS, <https://www.un.org/climatesecuritymechanism/en/united-nations-framework-convention-climate-change-unfccc-and-climate-peace-and-security> [https://perma.cc/7CCF-FS7C] (last visited Apr. 21, 2026).

106. See Jean Galbraith, *Retreating from Internationalism: The Announced U.S. Withdrawal from Many International Entities*, VERFASSUNGSBLOG (Jan. 10, 2026), <https://verfassungsblog.de/the-announced-u-s-withdrawal-from-many-international-entities/> [https://perma.cc/MDV7-DDSS].

withdrawals occur in practice.”¹⁰⁷ A related question is whether a future president could rely on the 1992 Senate advice and consent to re-enter the UNFCCC. Galbraith has argued that this route is, though untested, likely available.¹⁰⁸ On the other hand, the current Republican Senate could presumably act now in a fashion to effectively repeal the prior advice and consent, thereby foreclosing the possibility of a future president rejoining the treaty without a new resolution from the Senate.¹⁰⁹ It is a complicated tangle with little constitutional certainty.

As the Trump Administration doubles down on withdrawing from the political institutions of the international order, including casting doubt on whether it is committed to defending the allies in Europe under the NATO Charter,¹¹⁰ it has added a new tactic. After years of saying that NATO allies must spend 2.5% of their GDP if they expect the U.S. to honor its defense commitments, once most allies met that target in 2024,¹¹¹ Trump has now doubled his demand to 5%.¹¹² Even more bizarrely, Trump has spent much of his first year in office openly musing about the U.S. taking, by force if necessary, Greenland, a sovereign territory of Denmark, a NATO ally that sent forces into U.S. wars in Afghanistan and Iraq.¹¹³ A hallmark of what made the U.S. generally more attractive as a hegemon, in distinction to the Soviet Union, for example, was that while the former has been an “empire by invitation,” the latter was an empire of coercion.¹¹⁴ Where the Soviet Union had to send troops into Budapest in 1956 and Prague in 1968 to prevent reform, it would have been unthinkable for the U.S. to do the same, say, in London or Paris or Berlin. That is because of the inherent attraction of the American commitment to the ideals of democracy, human rights, and the rule of law. None of this is ordained. If the

107. *Id.*

108. *Id.* (citing Jean Galbraith, *Rejoining Treaties*, 106 VA. L. REV. 73, 97-102 (2020)).

109. Jean Galbraith, *Rejoining Treaties*, 106 VA. L. REV. 73, 103-04 (2020) (explaining different mechanisms at the Senate’s disposal to effectuate rescission of advice and consent, whether through a resolution (as has occurred twice), or by subsequent legislation that makes the substance of the treaty contrary to US law (the “last-in-time rule”). Under US law, treaties have traditionally been regarded as legal equivalents to statutes, both subservient to the Constitution. *Id.* Subsequent legislation, therefore, may effectively amend a treaty obligation. Michael Stokes Paulsen, *The Constitutional Power to Interpret International Law*, 118 YALE L.J. 1762, 1776 (2009); see U.S. CONST. art. VI, cl. 2.

110. Seung Min Kim, *‘Depends on Your Definition’: Trump Casts Doubt on Commitment to NATO Mutual Defense Guarantee*, MILITARY.COM (June 24, 2025, at 11:21 ET), <https://www.military.com/daily-news/2025/06/24/depends-your-definition-trump-casts-doubt-commitment-nato-mutual-defense-guarantee.html> [<https://perma.cc/V6GP-E6ZJ>].

111. Celeste A. Wallander, *Beware the Europe You Wish For: The Downside and Dangers of Allied Independence*, 104 FOREIGN AFF. 22, 22 (2025).

112. NSS, *supra* note 2, at 12.

113. Mariam Khan, *US military is ‘always an option’ for Trump to acquire Greenland, White House official says*, ABC NEWS (Jan. 6, 2026, 18:01 EST), <https://abcnews.com/Politics/us-military-option-acquiring-greenland-white-house-official/story?id=128960041> [<https://perma.cc/9PSU-77VY>].

114. Robert O. Keohane & Joseph S. Nye, Jr., *The End of the Long American Century: Trump and the Sources of U.S. Power*, 104 FOREIGN AFFS. 68, 73 (2025).

United States—as it is currently doing—dismantles these institutions at home and engages the world as a bully abroad, it will dissipate its soft power.¹¹⁵

That dissipation is underway. In a widely reported speech at the last World Economic Forum in Davos, the prime minister of America’s largest trading partner and perhaps closest ally, Canada, Mark Carney described the American rejection of the rules-based system it had developed as a “rupture.”¹¹⁶ He went on to describe the current moment in world affairs as “the end of a pleasant fiction, and the beginning of a harsh reality where geopolitics—where the large, main power, read the United States, “is submitted to no limits, no constraints.”¹¹⁷ Carney acknowledged that the “rules-based system” was itself always partly a fiction, that the U.S. could always exempt itself from the rules, and did so from time to time.¹¹⁸ Still, he also acknowledged that Canada, and by extension the world, benefitted from “American hegemony,” because it “provided public goods: open sea lanes,¹¹⁹ a stable financial system, collective security, and support for frameworks for resolving disputes.”¹²⁰

Further, Carney said the United States is threatening international structures that middle powers like Canada have relied on. He acknowledged what the NSS also states, that “the old order is not coming back,” and called for like-minded states to combine their strengths to create a “third path,” one that is independent of the great powers.¹²¹ Carney expressly rejected “relying on their institutions”¹²²—the institutions built by the U.S., but perhaps also those being built by China, like BRICS and the Shanghai Cooperation Agreement. The Canadian prime minister never used the word “balancing.” But he did use words such as “hedging,” *i.e.*, between the U.S. and China, “not being forced to choose between hegemons,” and “reducing leverage that enables coercion.”¹²³

Two additional reasons augur ill for continued U.S. leadership of the international system. First, as Keohane and Nye argue, America’s perceived commitment to a human rights regime, whether overseas or at home, and the rule of law give the U.S. international legitimacy.¹²⁴ While the U.S. historically has not ratified many human rights treaties, it has always participated in negotiations over definitions and practices, with its voice always heard at such

115. *Id.* at 74.

116. Mark Carney, Prime Minister of Can., Speech at World Economic Forum Annual Meeting, Principled and pragmatic: Canada’s path (Jan. 20, 2026) (transcript available at <https://www.pm.gc.ca/en/news/speeches/2026/01/20/principled-and-pragmatic-canadas-path-prime-minister-carney-addresses> [<https://perma.cc/ZD2N-ATZU>]).

117. *Id.*

118. *Id.*

119. For context on the role the U.S. undertakes to ensure the freedom of navigation on the high seas as a “global public good” that benefits “all comers” as well as to ensure its own national security interests, see Amitai Etzioni, *Freedom of Navigation Assertions: The United States as the World’s Policeman*, 42 ARMED FORCES & SOC’Y 501, 507 (2016).

120. Carney, *supra* note 116.

121. *Id.*

122. *Id.*

123. *Id.*

124. Keohane & Nye, *supra* note 114, at 74.

fora. No doubt that it is because it has been perceived as championing human rights at home. Yet what does the world see on their television screens coming from the United States? The use of the military to “police” Democratic-led cities,¹²⁵ ICE executing American citizens on the streets of U.S. cities without reason or consequences (at this writing),¹²⁶ and criminal proceedings commenced against the president’s political opponents,¹²⁷ including at least one journalist.¹²⁸ What state that adheres to international and municipal conceptions of the rule of law would be proud to accept such a hegemon’s invitation to join it?

Second, the U.S. is squandering what theorists call “usable power.”¹²⁹ Determinants of the extent of a state’s usable power include bipartisanship and the credibility of commitments,¹³⁰ the ability of leaders to frame strategic issues in terms that make it difficult to oppose them,¹³¹ and economic buy-in by voters into the foreign-policy agenda of the leadership.¹³² By each of these measures, the United States is failing. Given the fragmentation of political parties, leaders cannot articulate a persuasive foreign-policy strategic vision that acquires buy-in across the divides of the political class, let alone voters. An example is the Paris Climate Agreement. Obama negotiated the agreement.¹³³ Trump withdrew the United States from it,¹³⁴ and Biden later reentered it.¹³⁵ Trump has now not only withdrawn the United States from the Paris Agreement again, but from the UNFCCC altogether.¹³⁶ The constraint, then, on the ability of the U.S. to project international stability and cohesion is not extrinsic, imposed by a rising power or a combination of powers, but intrinsic, as American policy careens from one extreme to another every four to eight years. The U.S. has become utterly

125. Kayla Epstein, *Why is Trump deploying the National Guard to US cities?*, BBC (Nov. 27, 2025), <https://www.bbc.com/news/articles/cwy9z7yg2n7o> [<https://perma.cc/PE4W-P38Y>].

126. *Minneapolis left to decide future of streetside memorials to 2 people killed by federal officers*, MPR NEWS (Feb. 15, 2026, at 08:23 EST), <https://www.mprnews.org/story/2026/02/15/minneapolis-to-decide-future-of-renee-good-alex-pretti-memorials> [<https://perma.cc/4A6R-AF5S>].

127. Dareh Gregorian & Ryan J. Reilly, *Justice Department investigating a growing number of Trump political foes*, NBC NEWS (Jan. 24, 2026, at 05:23 EST), <https://www.nbcnews.com/politics/justice-department/growing-number-trump-political-foes-investigated-justice-department-rcna255049> [<https://perma.cc/2M6U-74WB>].

128. Whitney Wild & Andi Babineau, *Don Lemon pleads not guilty to federal charges stemming from church protest*, CNN (Feb. 13, 2026), <https://www.cnn.com/2026/02/13/media/don-lemon-arraignment-minnesota> [<https://perma.cc/F9PN-P584>].

129. Peter Trubowitz & Peter Harris, *The End of the American Century? Slow Erosion of the Domestic Sources of Usable Power*, 95 INT’L AFF. 619, 619 (2019).

130. *Id.* at 623-27.

131. *Id.* at 627-33.

132. *Id.* at 633-37.

133. *Id.* at 627.

134. *Id.*

135. Sara Schonhardt, *So long, Paris: US officially leaves landmark climate pact*, POLITICO (Jan. 27, 2026, 10:04 EST), <https://www.politico.com/news/2026/01/27/so-long-paris-u-s-officially-leaves-landmark-climate-pact-00746628> [<https://perma.cc/8YJ8-DE3V>].

136. *Withdrawing the United States from International Organizations, Conventions, and Treaties*, *supra* note 103.

unpredictable to all and especially unreliable to allies. For all its military and economic might, then, it appears the U.S. is losing its usable power because of its internal incoherence.

B. Dismantling the International Economic Order

The Trump Administration has given the world pause about the U.S.-led economic order. For instance, Trump's abuse of the sanction power at his disposal could also harm the use of the dollar in international trade. In his first term, he withdrew the U.S. from the Joint Comprehensive Plan of Action ("JCPOA"), the agreement the Permanent Five Security Council Members and Germany made with Iran to limit the latter's nuclear program.¹³⁷ By reimposing sanctions on Iran, he forced the Europeans, who opposed the U.S. withdrawal,¹³⁸ to abide by those sanctions, cutting off the ability of European firms to do business with Iran and Iranian companies.¹³⁹ The U.S. has leverage to impose its will unilaterally by excluding access to the dollar and to U.S. markets by any foreign entity that does business with a sanctioned entity, through so-called secondary sanctions.¹⁴⁰ So against their will, the Europeans complied with the sanctions regime. At the time, calls arose for the establishment of the euro as an alternative currency to the dollar,¹⁴¹ a move that would deleteriously affect the value of the dollar.

Trump is doing the same in his second term. The Administration imposed sanctions against six judges and three prosecutors of the International Criminal Court ("ICC") because of the arrest warrants the ICC issued against Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant for war crimes and crimes against humanity allegedly committed in Israel's war

137. VALI NASR, *IRAN'S GRAND STRATEGY: A POLITICAL HISTORY*, 246 (2025).

138. *See generally* ELLIE GERANMAYEH & MANUEL LAFONT RAPNOUIL, *MEETING THE CHALLENGE OF SECONDARY SANCTIONS* (Eur. Council on Foreign Rels., 2019), https://ecfr.eu/publication/meeting_the_challenge_of_secondary_sanctions/ [<https://perma.cc/VKF8-LTF2>] (Although Europe and the United States continue to closely coordinate their sanctions policies in other situations, disagreements between them – such as on [withdrawal from] the JCPOA – have led to not only a sharp divergence in their approaches to sanctions but also a clash between their respective foreign policies”).

139. *Id.* (“Given its extensive power to investigate and fine European actors – and to cut them off from the US market – the US Treasury’s influence prevails when US and EU regulations and foreign policy diverge. As such, the mere threat of US secondary sanctions on European entities has led to an exodus of EU companies from Iran and undercut a nuclear deal that once stood as a signal achievement of European foreign policy”).

140. *Id.* “European capitals were reminded of the harsh reality that, through secondary sanctions, Washington can use access to the US markets as a source of immense political power. . . ,”

141. *Id.* (noting proposals by European Union officials “to bolster its currency in the hope of one day competing with the US dollar” but also noting that, similarly, “China has sought to elevate the renminbi”).

in Gaza.¹⁴² Trump has also imposed sanctions against the UN Special Rapporteur on the Occupied Palestinian Territories, Francesca Albanese, with the same type of sanctions because she has been extremely critical of Israel's war in Gaza and what she has described as the displacement of Palestinians from the Occupied Territories.¹⁴³ These are sanctions designed to deal with human rights abusers, terrorists, and drug traffickers, not judges and lawyers who are international civil servants.¹⁴⁴

While there has yet to be a hue and cry over these latest sanctions, the Trump Administration's continued use of unilateral sanctions will predictably cause economic partners to question the efficacy of relying on the dollar. Fifty-five years ago, when President Richard Nixon took the U.S. off the gold standard, effectively ending GATT, there was no viable alternative to the dollar, and the world went along.¹⁴⁵ That is no longer necessarily true today.¹⁴⁶ As noted above, both the euro and the renminbi have both been postulated as possible alternatives.¹⁴⁷ Nor would it be the first time in the last century that there has been more than one dominant currency. In the interwar years of the last century, the dollar and the pound sterling were vying for dominance, with the dollar being more dominant by the last half of the 1920s, but sterling rising again by the mid-1930s.¹⁴⁸ The authors of this seminal work conclude that these data "throw into question the idea" that there is "room for only one significant international currency," since "sterling and the dollar shared reserve-currency status in the interwar period."¹⁴⁹ Indeed, beyond economics, the authors argue that political factors within the sterling zone were determinative in the perception of the pound's re-emergence as the dominant currency in the

142. Stéphanie Maupas, *Nicolas Guillou, French ICC judge sanctioned by the US: 'You are effectively blacklisted by much of the world's banking system'*, LE MONDE (Jan. 13, 2026), https://www.lemonde.fr/en/international/article/2025/11/19/nicolas-guillou-french-icc-judge-sanctioned-by-the-us-you-are-effectively-blacklisted-by-much-of-the-world-s-banking-system_6747628_4.html [<https://perma.cc/5MYX-2CL5>] (the list of those sanctioned includes "nearly 15,000 individuals . . . , mostly members of Al-Qaeda, the Islamic State group (IS), mafia organizations and the leaders of authoritarian regimes").

143. Filip Timotija, *UN investigator: US sanctions 'going to hurt me'*, HILL (July 25, 2025, at 18:52 ET), <https://thehill.com/policy/international/5428893-un-official-albanese-sanctioned/> [<https://perma.cc/A76L-89Z3>].

144. *See id.*

145. *See* Costigan et al., *supra* note 58, at 109 ("[President Richard] Nixon's removal of the US dollar from the gold standard represented a key departure from the protocols established by the Bretton Woods Conference.").

146. *See* Rana Al Mosharrafa, *Navigating the Tides of De-dollarization: Impact on Global Economy and BRICS Initiatives*, 15 WORLD REV. POL. ECON. 566, 572 (2024) (stating that "a growing perception" of the weaponization of the dollar has "prompt[ed] nations to actively seek de-dollarization").

147. GERANMAYEH & RAPNOUIL, *supra* note 138 (noting proposals by European Union officials "to bolster its currency in the hope of one day competing with the US dollar" but also noting that, similarly, "China has sought to elevate the renminbi").

148. Barry Eichengreen & Marc Flandreau, *The Rise and Fall of the Dollar, or When Did the Dollar Replace Sterling as the Leading Reserve Currency?*, 13 EUR. REV. ECON. HIST. 377, 393 (2009).

149. *Id.* at 403.

1930s.¹⁵⁰ It is doubtful that such political factors would today redound to the dollar's benefit.

The issue then turns on what the United States policy is doing to ensure the comparative favorability of maintaining the dollar's dominance on the global economic stage. Unfortunately, very little. Its tariff policies over the past year (at this writing) are irrational. It imposed a 10% tariff on all imported goods, reserving the highest tariffs for the sixty countries with which it has the highest trade deficit.¹⁵¹ The U.S. imposed multiple layers of tariffs (10%, 35%, 25%) on goods that are non-Canada-U.S.-Mexico-Agreement ("CUSMA") compliant.¹⁵² But any argument that proof of Canada's unfair trading practices can be inferred from the U.S. trade deficit is absurd. Canada has roughly one-eighth the population of the United States, yet Canadians consume eight times the value of U.S. goods per capita than Americans consume from Canada (\$8500 versus \$1208).¹⁵³ Why would the U.S. rationally expect Canada to consume even more U.S. goods?

Brazil is an even less rational case. The U.S. has enjoyed a trade *surplus* with Brazil for two decades, yet it slapped it with 50% tariffs.¹⁵⁴ Why? Because Brazil was prosecuting, and has since convicted, its former president, a Trump-aligned far-right politician, of attempting to subvert Brazil's political order by remaining in office after losing his re-election bid.¹⁵⁵ Bangladesh, surely one of the poorest countries in the world, saw a 37% tariff imposed on it by the U.S., while Sri Lanka and Vietnam had initial tariffs of 44% and 46%, respectively.¹⁵⁶

150. *Id.*; see also Patricia Meredith, *Digital Payments and Payment Infrastructure* 4-5 (Ctr. Int'l Governance Innovation Paper No. 341, 2025), https://www.cigionline.org/static/documents/Patricia_Meredith_Ieg3kE7.pdf [<https://perma.cc/UEN3-HCHC>] (explaining that while it is unlikely the dollar will be replaced soon, *inter alia*, geopolitical factors "could alter this trend").

151. Bryan Mena, *Key takeaways from Trump's 'Liberation Day' tariffs*, CNN (Apr. 2, 2025, at 21:20 EDT), <https://www.cnn.com/2025/04/02/economy/key-takeaways-from-trumps-liberation-day-tariffs> [<https://perma.cc/4WZX-VPYB>].

152. Abby Hughes, *The U.S. bumped its tariff on Canadian goods to 35%. How big of an impact will it have?*, CBC NEWS (Aug. 1, 2025, at 17:59 EDT), <https://www.cbc.ca/news/business/what-in-canada-is-subject-to-35-per-cent-tariff-1.7600029> [<https://perma.cc/8DQQ-WUNK>].

153. Chris Nelson, *Canadians have been high rollers when it comes to spending on American goods*, CALG. HERALD (Mar. 27, 2025), <https://calgaryherald.com/opinion/columnists/nelson-canadians-high-rollers-spending-american-goods> [<https://perma.cc/63KW-LJL2>].

154. Valentina Sader & Ignacio Albe, *The numbers that define the US-Brazil trade partnership*, ATLANTIC COUNCIL (July 17, 2025), <https://www.atlanticcouncil.org/blogs/new-atlanticist/the-numbers-that-define-the-us-brazil-trade-partnership/> [<https://perma.cc/847L-A5WV>].

155. Caio Quero, *Why is Trump targeting Brazil - and will it backfire for Bolsonaro?*, BBC NEWS (July 10, 2025), <https://www.bbc.com/news/articles/crk68drj57mo> [<https://perma.cc/CP5B-5FUN>] (Bolsonaro was convicted and sentenced to 27 years in prison); Vanessa Buschschlüter, *Bolsonaro sentenced to 27 years in jail - what you need to know*, BBC NEWS (Sep. 11, 2025), <https://www.bbc.com/news/articles/cy4d409v2neo> [<https://perma.cc/PH2H-Y6UM>].

156. Monika Noshin & Sajid Amit, *Donald Trump's Tariff and Implications for Bangladesh*, CTR. FOR ENTER. & SOC'Y, 1, 3 (Apr. 2025), https://ulab.edu.bd/sites/default/files/uploads/2025/04/28/CES%20TLA_Donald%20Trump%E2%80%99s%20Tariff%20and%20Implications%20f

Incredibly, Trump threatened NATO allies with retaliatory tariffs for failing to support his bid to acquire Greenland.¹⁵⁷ While several countries ultimately negotiated lower tariff rates than the U.S. initially imposed, this type of tariff war and its concomitant upheaval may be just the type of stimulus to push countries away from the United States and the dollar.

In the same speech at Davos, quoted above, in which Canadian Prime Minister Carney criticized U.S. actions in the global political order, the head of government of America's largest trading partner and perhaps closest ally, gave a devastating account of America's role in the current global economy.¹⁵⁸ Carney, a former governor of the Bank of Canada and the Bank of England, described the U.S., without naming it, as having "begun using economic integration as weapons, tariffs as leverage, financial infrastructure as coercion, and supply chains as vulnerabilities to be exploited."¹⁵⁹ It should not be lost on the observer that, four days before giving this speech, Carney announced a "landmark" agreement with China on certain goods, an agreement he described as "realistic, *respectful* and interest-based."¹⁶⁰ "Respectful"—a word Carney surely used deliberately after Trump mooted annexing Canada as the fifty-first state and referred to the Canadian prime minister as "governor."¹⁶¹ More recently, Trump threatened to delay the opening of a new bridge between Windsor and Detroit—built entirely at Canada's expense and approved by Trump in his first term—"until the United States is fully compensated for everything we have given [Canada]" and until "Canada treats the United States with the Fairness and Respect [sic]."¹⁶² It then emerged that the Ambassador Bridge, the existing private toll bridge that is currently open, is owned by a billionaire megadonor to the Republican Party, who lobbied the White House

or%20Bangladesh_Monika%20Noshin_Sajid%20Amit_April%202025.pdf [https://perma.cc/Y5L4-7CGT].

157. Lara Jakes, Jim Tankersley & Zolan Kanno-Youngs, *Trump Says He Has Framework for Greenland Deal as NATO Mulls Idea of U.S. Sovereignty Over Bases*, N.Y. TIMES (Jan. 21, 2026), <https://www.nytimes.com/2026/01/21/us/politics/trump-greenland-threats-diplomacy-force.html> [https://perma.cc/5UTX-AJPL].

158. Carney, *supra* note 116.

159. *Id.*

160. Darren Major, *Here's what you need to know about the Canada-China deal on EVs and canola*, CBC NEWS (Jan. 16, 2026, at 16:24 EST), <https://www.cbc.ca/news/politics/what-is-in-canada-s-trade-agreement-with-china-9.7049082> [https://perma.cc/7Y65-9ATD] (emphasis added).

161. John Paul Tasker, *Trump again floats Canada joining the U.S. as the 51st state*, CBC NEWS (Sep. 30, 2025, at 11:49 EDT), <https://www.cbc.ca/news/politics/trump-51st-state-again-1.7647268> [https://perma.cc/8YHB-TYEG]; Michelle Butterfield, *Trump trolls Trudeau, calls him 'governor' of the 'Great State of Canada'*, GLOBAL NEWS (Dec. 10, 2024, at 21:38 ET), <https://globalnews.ca/news/10910501/donald-trump-justin-trudeau-governor-state-of-canada/> [https://perma.cc/M4V9-LKQ2].

162. Anna Clark, *Trump Is Threatening to Block the Michigan-Canada Bridge. He Used to Cheer It.*, PROPUBLICA (Feb. 13, 2026, at 05:00 ET), <https://www.propublica.org/article/trump-michigan-canada-gordie-howe-bridge-reversal> [https://perma.cc/6QXD-VJ6X].

before Trump's announcement.¹⁶³ This is how a banana republic behaves, not a great world power.

Such erratic and impetuous conduct by the leader of the global order must give policymakers the world over pause. While economist Barry Eichengreen, for instance, does not foresee an imminent change in the status of the dollar as the preferred reserve currency, he expresses concern that "election of a U.S. administration prepared to engage in trade wars with other countries and dismissive of geopolitical alliances could accelerate this transition."¹⁶⁴ Further, he notes that, to the extent global trade could be "split into nonoverlapping U.S.- and Chinese-centric blocs," then states in each respective bloc would naturally turn to the currency of their trading partner.¹⁶⁵ Canada's halting and limited steps toward China do not yet augur such a tectonic shift; however, policymakers in Washington and anyone who wishes the U.S. economy well should note these developments with concern.

A new phrase has entered the lexicon describing how the U.S. currently comports itself on the global stage, even with respect to its hitherto closest allies: predatory hegemony.¹⁶⁶ As Prof. Walt correctly notes, Trump's predatory view of the world encompasses both the economic sphere (e.g., his view that "trade deficits are a 'rip off' and a form of looting" of the U.S.)¹⁶⁷ and the political (e.g., by repeatedly "raising doubts about whether he would honor alliance commitments").¹⁶⁸ The nature of America's predation on the world is to use its economic and political dominance "to extract economic concessions."¹⁶⁹ Walt concludes with a dire warning:

To be sure, the United States is not about to face a vast countervailing coalition or lose its independence—it is too strong and favorably positioned to suffer that fate. It will, however, become poorer, less secure, and less influential than it has been for most living Americans' lifetimes. Future U.S. leaders will operate from a weaker position and will face an uphill battle to restore Washington's reputation as a self-interested but fair-minded partner. Predatory hegemony is a losing

163. Emma Loop, *Morouns ramped up bridge lobbying before Trump's Gordie Howe threats*, CBC NEWS (Feb. 12, 2026, at 04:00 ET), <https://www.cbc.ca/news/canada/windsor/trump-gordie-howe-moroun-bridge-lobby-ambassador-ballard-9.7085529> [https://perma.cc/4TGP-3DM7].

164. Barry Eichengreen, *When the Facts Change: The Future of the Global Monetary System*, 5 (Ctr. for Int'l Governance Innovation Paper No. 32, June 9, 2025), https://www.cigionline.org/static/documents/Barry_Eichengreen_phCpxAb.pdf [https://perma.cc/S6YL-4BNN].

165. *Id.*

166. See Walt, *supra* note 40, at 8 ("[T]he grand strategy of [Trump's] second presidential term is perhaps best described as 'predatory hegemony. Its central aim is to use Washington's privileged position to extract concessions, tribute, and displays of deference from both allies and adversaries, pursuing short-term gains in pursuing what it sees as a purely zero-sum world.'").

167. *Id.* at 14.

168. *Id.* at 15.

169. *Id.* at 15-16.

strategy, and the sooner the Trump administration abandons it, the better.¹⁷⁰

IV. CONCLUSION

This article began with an epigram by Oscar Wilde expressing Lord Darlington's definition of the cynic, a man who knows the price of everything and the value of nothing. In the second half of the nineteenth century, at the zenith of the British Empire, the English constitutional essayist, Walter Bagehot, had a similar, if less pithy, warning for his countrymen. "The characteristic danger of great nations," he admonished, "is that they may at last fail from not comprehending the great institutions which they have created."¹⁷¹ This article seeks, at the beginning of the second quarter of the twenty-first century, to sound precisely the same alarm. *Pax Americana*, flawed and imperfect as it may be, has nonetheless sustained a global order with America at its apex, one that has, on the whole, resulted in a more peaceful and prosperous world than the era before it. To be sure, there are costs to the U.S. in maintaining its position. The questions at this moment in history, questions that have not been raised, much less debated, by the American political class, are: What are the costs to the U.S. should it dismantle the system? And do those costs outweigh the costs of maintaining it?

In the closing days of the Second World War, the United States designed the post-war dispensation.¹⁷² It established an international political and economic order in which it would be the indispensable player. It established the rules of the order and pledged that it would generally, though not always, play by those rules.¹⁷³ From time to time, when the U.S. national interest seemed to warrant it, the U.S. did violate the rules, but, as Prime Minister Carney acknowledged at Davos, most states went along because the benefits from the existing system, while perhaps not universal, were nevertheless substantial, especially for countries closely allied with the U.S.¹⁷⁴ It is no accident that the states of Eastern Europe, once enslaved by the Soviet Union, rushed to ally with the United States and NATO at the first opportunity.¹⁷⁵ They had before them the example of Western European states, which embraced the United States upon their liberation from German and Italian fascism and tyranny.

In exchange, the states that participated in this American creation prospered, most of all, the United States itself.¹⁷⁶ The political order it created generally allowed the U.S. freedom of action to engender its interests as succeeding

170. *Id.* at 23.

171. Walter Russell Mead, *The United States and the World Economy*, 6 WORLD POL'Y J. 1, 1 (1988).

172. Rofe et al., *supra* note 9, at 257; Costigan et al., *supra* note 58, at 106.

173. Walt, *supra* note 40, at 10; Carney, *supra* note 116.

174. *Id.*

175. Mary Elise Sarotte, *A Broken Promise? What the West Really Told Moscow About NATO Expansion*, 93 FOREIGN AFF. 90, 90 (2014).

176. Walt, *supra* note 40, at 10; Carney, *supra* note 116.

generations of its leaders saw those interests, within the limits of a competing hegemon during the Cold War.¹⁷⁷ But then, during the Cold War, it had a voluntary alliance with like-minded states, the most technologically advanced in the world, after the U.S. itself. Since the fall of the Soviet Union, there have been few limits, indeed, to stand in the way of the United States. As for the economic system, it suffices to say that by helping to rebuild the industrial capacity of its partners, the United States became perhaps the wealthiest state in world history.

For the past year, the Administration has been throwing all of that away. It has alienated virtually every ally and every trading partner. Because of its sheer mass, the U.S. can maintain this posture for the short and intermediate terms. But in the long term, the U.S. is encouraging the formation of political and economic blocs to balance against its newly found predatory instincts.¹⁷⁸ The benefits the U.S. derives from the existing system are profound and demonstrable. What it hopes to gain from its current policies remains illusory and ephemeral.

There is virtually no arena related to international relations and commerce in which the U.S. is not inflicting harm on itself. For example, it is making it more difficult for business travelers, tourists, temporary workers, and students to obtain U.S. visas.¹⁷⁹ No doubt partly due to the crass fight the U.S. picked with its northern neighbor, air travel from there is down 43%, and losses for the U.S. tourism industry generally are estimated to be between \$8 and \$12 billion dollars.¹⁸⁰ Some of these losses may be anticipatory, as the U.S. has proposed a rule requiring visitors from America's closest allies to allow consular officers access to five years' worth of the traveler's social media.¹⁸¹ In the meantime, China has announced that it will no longer require visas from UK and Canadian business travelers.¹⁸²

Whatever options a future president may have for attempting to re-establish the international order from which Trump is withdrawing, the international community is unlikely simply to wait out the next three years and hope for a *volte face* by the next administration. The damage—intentional as it is—to a world order led by the United States and with the consent of like-minded states will be permanent. Even before the 2024 presidential election, France's Europe

177. *Id.*

178. See Walt, *supra* note 40, at 23.

179. Suzanne Rowan Kelleher, *Struggling U.S. Tourism Takes Another Hit: New Visa Requirement For Foreign Visitors*, FORBES (Sep. 8, 2025), <https://www.forbes.com/sites/suzanne-rowan-kelleher/2025/09/08/struggling-us-tourism-takes-another-hit-new-visa-requirement-for-foreign-visitors/> [<https://perma.cc/K4NM-3UK7>].

180. *Id.*

181. Agency Information Collection Activities; Revision; Arrival and Departure Record (Form I-94) and Electronic System for Travel Authorization (ESTA), 90 Fed. Reg. 57208 (proposed Dec. 10, 2025).

182. Adam Goldsmith, *China confirms visa-free travel for UK and Canadian nationals*, BBC NEWS (Feb. 15, 2026), <https://www.bbc.com/news/articles/c875d3d3x34o> [<https://perma.cc/57G5-YWV3>].

Minister, Benjamin Haddad, said publicly, “We cannot leave the security of Europe in the hands of voters in Wisconsin every four years.”¹⁸³ This comment reflects an awareness that the Administration’s actions are not the idiosyncrasies of one man; they reflect, at best, the indifference of American voters, or at worst, are supported by tens of millions of voters who no longer believe in American leadership of the rules-based system.

The above sentiment is underscored by a conversation that former U.S. Assistant Secretary of Defense Celeste Wallander documents:

In 2017, Europe could comfort itself with the thought that American voters didn’t really know what they were getting when they elected him. But in 2024, Americans had already watched Trump bully U.S. allies, toy with leaving NATO, and cozy up to Russia. They voted for him anyway. As one European diplomat told me in January, the continent must consider the idea that Joe Biden’s presidency, not Trump’s, was the blip.¹⁸⁴

If that view prevails in Europe—as rational behavior dictates it must—there will be no turning back the clock.

That reality aside, there is another that is even more grim. For the past year, the United States has been broadcasting images of its security forces as brutes who have no regard for human life. In our name, these masked men, without the visible accoutrements of law enforcement and wearing facemasks to hide their identity, have shot unarmed American citizens in the head without justification and without facing consequences.¹⁸⁵ The world has been watching these horrifying images, which must remind Europeans of the worst days of the 1930s and 1940s. In response, the French satirical magazine, *Charlie Hebdo*, published a cover in January 2026, Figure 1, wherein the blood of U.S. civilians killed by ICE forms the stripes of the American flag and their bodies form the canton in lieu of the fifty stars.¹⁸⁶ It is possible to dismiss this jarring image as the rantings of an iconoclastic publication, one whose *raison d’être* is bombast and to sling mud on the Establishment. But Figure 2, shows an ICE agent holding a gun to the back of the Statue of Liberty, her pose evoking that of Alex Pretti the instant before an ICE agent killed him. The fear is palpable in her face. Her torch, representing Liberty, is discarded on the ground, extinguished, but still smoldering. This is an image published in the French newspaper *Le Monde*.¹⁸⁷

183. Nicholas Vinocur, *It doesn’t matter if Trump or Harris win. Europe has already lost.*, POLITICO (Oct. 31, 2024, at 04:03 CET), <https://www.politico.eu/article/donald-trump-kamala-harris-jd-vance-tim-waltz-eu-nato-us-elections-weapons/> [https://perma.cc/6W5A-JKL2].

184. Wallander, *supra* note 48, at 33.

185. *Minneapolis left to decide future*, *supra* note 126.

186. See Felix, CHARLIE HEBDO (cover) (Jan. 28, 2026), <https://abo.charliehebdo.fr/common/categories/3> [https://perma.cc/ND86-TB9J].

187. Marco De Angelis, LE MONDE (Jan. 26, 2026, 16:40), https://www.lemonde.fr/idees/article/2026/01/26/vu-par-marco-de-angelis_6664185_3232.html [https://perma.cc/WX4M-

Le Monde is the Establishment. If this is how our closest ideological allies view us now, it is difficult to conceive, brute force aside, how the United States can ever again assert moral leadership in world affairs.

REXP]. On what appears to be the artist's personal website, the image is entitled "Stop Liberty!" See Marc De Angelis, *Stop Liberty*, CARTOON MOVEMENT (Jan. 21, 2026), <https://www.cartoonmovement.com/cartoonist/717> [<https://perma.cc/4M9R-L9U2>].

APPENDIX A: FIGURES

Figure 1: Cover of the French magazine, *Charlie Hebdo*, published on January 28, 2026, and drawn by *Charlie Hebdo* caricaturist Felix.¹⁸⁸

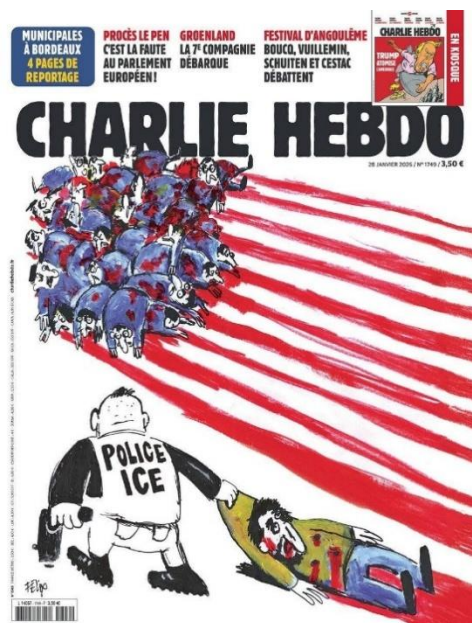


Figure 2: Caricature by Marco de Angelis published in the French newspaper, *Le Monde*, January 26, 2026.¹⁸⁹



188. Felix, *supra* note 186.

189. De Angelis, *LE MONDE*, *supra* note 187.