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## Commentary: Convergences and Divergences: The United States and France In Multilateral Diplomacy

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# COMMENTARY: CONVERGENCES AND DIVERGENCES: THE UNITED STATES AND FRANCE IN MULTILATERAL DIPLOMACY

*André Lewin\**

Despite the divergences that have regularly separated the United States and France, or at the very least their officials—who unfortunately influence public opinion as well—there are, in my opinion, more similarities than differences than one would believe between these two countries' approaches to international relations. They both feel that they have a calling to defend the advancement of universal values in the world in order to further humanity along the road of peace, democracy, happiness, and justice. The United States, which can be considered a relatively new country, values respect for human rights, free enterprise, equal opportunity for everyone, individual freedom, religious faith, a belief in justice, and constitutional rights. The United States can also be characterized by its ambivalence towards state intervention, balanced by a feeling of national pride and that “the American way of life” is an objective worth defending in the United States and promoting all over the world. France is aware that it is an old country, where revolutionary ideals are mixed with a respect for tradition. France also shares a respect for human rights, a strong belief in equality and equal opportunity, and a belief in a political democracy with freedom to criticize the government. Although the French criticize the state and politicians, they look to the state for service and assistance whenever there is a problem. France and the United States have similar objectives. Although their methods of achieving those objectives may once have been similar—for instance the methods of the de Gaulle administration are similar to current United States methods—today the manner in which the two proceed in attaining these objectives places them at odds. France has become conscious that it is no longer a superpower and has adapted its diplomatic means to that situation.

Since the dissolution of the Soviet Union, the disappearance of the blocs, and the end of the East-West conflict, the United States has unarguably emerged as the sole world superpower. Having overcome the temptation of isolationism, its tendency has been to practice a unilateralist approach in which “he who is not with me is against me.” A multi-polar world is irrelevant for a nation convinced that it holds a monopoly over good. On the opposite side of good there exists only the axis of evil and its allies, or rather its accomplices, and one of America's priorities has become the fight against terrorism, in which international cooperation is vital. As George W. Bush put it, “I believe it is our duty to lead the world.”<sup>1</sup>

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1. Interview by Matt Lauer with President George W. Bush, NBC “Today Show,” (Aug. 30, 2004). Cf. President John F. Kennedy, Speech to the Nation (Nov. 16, 1961). President Kennedy stated:

And we must face the fact that the United States is neither omnipotent nor omniscient, that

This attitude, which can easily become arrogance, is somewhat simple to carry out in the arena of bilateral diplomacy once one accumulates demographic weight, political dynamism, military force, economic power, financial preponderance, cultural appeal, and the use of a progressively universal language.<sup>2</sup> However, it is within international organizations that this policy faces obstacles because these bodies are generally founded upon the principle of sovereign equality among states and a voting procedure of "one state, one vote." Therefore, the United States must compromise with often reticent, if not hostile, majorities.

During the era in which the non-aligned movement represented a real force, refusing to choose between the two blocs, yet often acting as an ally of the USSR and the "socialist camp," created difficulties for Western positions, especially those supported by the United States. Henry Kissinger stated that "the non-alignment itself is also an alignment."<sup>3</sup> Jean Kirkpatrick, referring to the vast differences between United States contributions to the UN budget (twenty-five percent at the time) and those of the non-aligned countries (a good number of them contributed at the minimum rate), declared: "Who pays the note does not get the vote."<sup>4</sup>

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we are only six percent of the world's population, that we cannot impose our will upon the other ninety-four percent of mankind, that we cannot right every wrong or reverse each adversity, and that therefore there cannot be an American solution to every world problem.

2. However, it has been said that military power alone cannot create enduring political power over wide regions. In a 1999 interview, George Kennan stated:

But purely military power, even in its greatest dimensions of superiority, can produce only short-term successes. Serving in Berlin at the height of Hitler's military successes, in 1941, I tried to persuade friends in the government that even if Hitler should succeed in achieving military domination over all of Europe, he would not be able to turn this into any sort of complete and long-lasting political preeminence and I gave reasons for this conclusion. And we were talking, then, only about Europe. Applied to the world scene, this is, of course, even more true. I can say without hesitation that this planet is never going to be ruled from any single political center, whatever its military power.

Interview by Richard Ullman with George Kennan, professor at Princeton University and former United States ambassador to the U.S.S.R. and Yugoslavia, in the *New York Review of Books* (Aug. 12, 1999), available at <http://www.transnational.org/features/kennaninterview.html>.

3. I was present when Henry Kissinger said this during an informal meeting with journalists in the UN cafeteria after a UN debate where the United States and Western positions were severely out-voted by completely unanimous non-aligned movement members voting in concert with Eastern bloc countries. This happened around 1974 or 1975.

4. When I was director of the UN and international organizations department in the French foreign ministry from 1979 to 1984, I took part at least once a year in meetings of the so-called Geneva group, created in 1964 and chaired by the United States and the United Kingdom. In the Geneva group, the twelve main Western contributors to the UN budget and the budget of UN specialized agencies met to discuss financial matters. These years (the 1970s and 1980s) were crucial because a majority of the countries making small contributions to the UN budget endorsed without discussion and adopted the quickly growing annual budgets. Most of the big contributors to the UN budget, led by the United States delegation, wanted to impress upon the leaders of the institutions the importance of sticking to a "zero growth" of the draft budgets, and the Geneva group was one of the main ways to achieve this goal.

I never personally met Jean Kirkpatrick in these meetings, but the United States delegation often quoted this saying of hers. Of course she would never have said it in public, because it would not be popular to assume that paying the expenses would be rewarded by votes in favor of the United States position.

The United States does not attach much importance to multilateral diplomacy because Washington takes the view that only a few international organizations today are favorable to the United States. The United States marginalizes the role of the UN, where American veto power is sufficient to block anything that could truly hamper the United States or threaten its crucial interests. The United States has blocked any idea of reform to the UN Security Council that would weaken its own veto privilege. One exception to the American view that international organizations are not favorable to the United States is NATO. The United States has tried to expand NATO's role in peacekeeping—even involving UN peacekeeping operations—in regions that are completely outside of the North Atlantic treaty area, for instance Afghanistan, Iraq, and Sudan. It seems to this writer that President Theodore Roosevelt's idea of a "league of civilized nations," expressed in his 1910 Nobel Prize speech, is not too far off from America's hopes for today. The United States would like the UN to become—or would like to replace the UN with—an institution that only admits democratic countries, and from which nations of the "axis of evil" would be expelled.

In addition, the United States only needs to maintain direct or indirect control of a few key positions—or a significant proportion of voting rights—within the few organizations that truly matter, such as the Washington-based institutions (the World Bank, which has had only American presidents since 1945, and the IMF), the United Nations Development Program (overseen for nearly four decades by American administrators), UNICEF (which has had solely American executive directors since 1946), the World Food Program (three American executive directors out of nine), and certain other institutions, UN-related or not.

As for France, it cannot complain about the positions it holds in multilateral governance. Its nationals currently run the International Energy Agency, the European Bank for Reconstruction and Development, the European Central Bank, the European Patents Office, the World Trade Organization, the Organization on Security and Cooperation in Europe, the World Customs Organization, the World Meteorological Organization, the Universal Postal Union, and the International Criminal Tribunal for the former Yugoslavia. French nationals also occupy numerous secondary positions: three Frenchmen were general directors of the International Monetary Fund (out of nine), and in the past, some were at the head of the International Court of Justice, the International Labor Organization [ILO], UNESCO, and the International Civil Aviation Organization [ICAO], among others.

France today has, in fact, a clear understanding of the influence it has been able to exercise in the arena of multilateral diplomacy. When France had significant power and was the "great nation," it did not hesitate to use force to propagate revolutionary ideals or Napoleonic ideas across the Old Continent, or to establish a vast colonial empire.

Is France a "great power?" Even General de Gaulle did not think so in stating, "I have only one rival and it is Tintin; we are merely the small who do not wish to be pushed around by the great."<sup>5</sup> Furthermore, the former Gaullist Prime Minister Michel

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5. ANDRE MALRAUX, *DES CHENES QU'ON ABAT* (1971). For an English translation, see ANDRE MALRAUX, *FELLED OAKS, CONVERSATION WITH DE GAULLE* (Linda Asher, ed., Irene Clephane, trans., 1972).

Debré customarily said: “Yes, France occupies a second rank, but a second rank is still a rank.” France can no longer act alone and it recognizes that. Its vocation is not unilateralism, nor does it have the means to act unilaterally. Its population, land area, and GNP are average, and its military budget is one-tenth that of the United States. However, its thinking has always been universally oriented and its international action undertaken accordingly.

In fact, France’s voice has made itself heard loud and clear—annoyingly sometimes, but most times interestingly—by refusing to blindly follow the lines of action mapped out by others (particularly Washington). France also tries to conceive original proposals which distance themselves from set phrases or forceful solutions by attempting to share France’s concerns, conceptions, and solutions with its partners in several privileged circles, including:

- The European Union circle, considered and designed to be the initiator of a strong, autonomous, and independent force in the areas of economy, foreign policy, defense, research, social progress, and culture. At the heart of this Europe, Paris relies greatly on the sheer force of the Franco-German couple, regardless of what figures or political parties are leading the two countries. Clearly, a Europe of twenty-five members today, twenty-seven or more tomorrow, would represent an even more powerful force, in so far as it remains consistent in its positions—which is not the case just yet. Furthermore, it is uncertain whether France can act outside the circle of “Old Europe” (as United States Secretary of Defense Donald Rumsfeld qualified it with some disdain) with the same momentum and success as it has had in the past, or at least until there exists a new European consciousness.
- The Francophone circle, with the OIF (Organisation internationale de la Francophonie), where fifty-six countries share the French language, promote a common culture, and to an even greater extent, foster the values of tolerance and progress.
- The circle of friendships—traditional or new—in Africa, as confirmed by the twenty-third Africa-France Summit, which assembled in Bamako, Mali in December 2005 and included France and almost all countries (fifty-one) on the African continent. (However, this circle is not structured by an institution).
- The circle of the Third World is traditionally defended by Paris (for instance during G8 meetings), a position which ensures sympathy for the French among leaders in the Southern Hemisphere, like Brazilian President Lula.
- The multilateral diplomacy circle, within eighty-eight international organizations of which France is a member. Most important is the UN, where France holds a permanent seat on the Security Council and its voice may be heard primarily concerning development, human rights, the “right of interference,” and the “obligation to protect” when the survival of populations is at stake due to either humanitarian catastrophes or internal conflicts.
- Finally, the global circle, because French bilateral diplomacy is active in nearly all countries; it is one of the truly rare states to have established everywhere embassies, permanent missions, or general consulates—278, more than the United States (249), the United Kingdom (224), and Germany (211).

For France, culture is an integral part of its heritage. It is one of the rare countries to have historically practiced a cultural diplomacy that contributes to its undeniable influence around the world. Its multilateral role has not been neglected. It was in 1945, under the provisional government of de Gaulle—hardly favorable to multilateral

institutions—when UNESCO was invited to establish its headquarters in Paris. In 1966, de Gaulle stood before UNESCO to deliver an exceptionally short speech (four paragraphs!) in vibrant praise of the organization. Nor can it be forgotten that in 1960, the Minister of Culture André Malraux gave his famous speech on protecting Nubian temples in upper Egypt, thereby launching the first world campaign to preserve heritage.

France has argued for an attitude towards cultural products called the “cultural exception.” The term “cultural exception” means, for the French, that cultural products like music, films, books, and TV are not commercial goods like sugar, bananas, meat, textiles, minerals, cars, or planes. Therefore, cultural goods should not be treated like commercial goods, and should not be submitted to the general trend towards globalization and liberalization. They should not be dealt with by the WTO, but rather by UNESCO. Each country should be allowed to help its own cultural production through subsidies to national cinema and to protect against cultural dumping from other sources (i.e., the United States). The term “cultural exception” is not an arrogant phrase that implies that France believes itself to be exceptional or superior. Rather, this simply means that assets of the mind are not merchandise, that trade regulations cannot be applied to them, and that they must therefore be treated as exceptional and fall under UNESCO instead of the WTO. However, the United States, strengthened by its superiority in terms of wealth and images, satellites and television, musical releases, cinematographic production, and communication technologies would like to liberalize trade in films, books, and music, just like agricultural and industrial products; thus intellectual content must give way to the material instrument. Defending the cultural exception goes hand in hand with cultural diversity and the will to promote cultural dialogue. It is through these means that the thirst for identity, respect for the other, the demand for tolerance, the search for solidarity, and the will for peace are best expressed and harmonized.

The term “cultural exception” was changed to “cultural diversity,” and was the subject of the UNESCO convention on cultural diversity. On October 20, 2005, the United States failed in its attempt at the UNESCO General Conference to block voting on the protection of cultural content diversity and artistic expression; 148 countries (led primarily by France and Canada) approved it, two (the United States and Israel) voted against it, and four abstained (Australia, Honduras, Liberia, Nicaragua). Even the micro-state of Kiribati, which abstained in commission, did not persist in its attitude. Other large film producing and exporting countries—such as the United Kingdom, Japan, and India—that had initially hesitated because they found the text “ambiguous,” finally adopted it.

Following a twenty-year absence, the return of the United States to UNESCO in late 2003—an event welcomed by all—was a gesture intended to demonstrate a few months after the launch of military operations in Iraq that the Bush administration was not hostile towards UN-family organizations. However, the gesture did not obtain the anticipated results. United States diplomacy was unable to prevent an overwhelming majority from speaking out against the American position on cultural diversity. United States representatives let it be known that Washington was now going to campaign in the capitals of member countries in order to prevent them from ratifying the convention in question. This method had previously been employed (with relative success) by the United States, when it sought to prevent American soldiers from being tried as war

criminals before the new International Criminal Court established in the Hague. The United States violently opposed the court and voted against its creation on July 17, 1998, in Rome, along with six other delegations, while 120 countries approved it and twenty-one abstained. This was not the first time that the United States publicly demonstrated its reticence, if not its hostility, towards those multilateral institutions in which it had failed to gain acceptance for its positions or had been regularly defeated.

Let us also recall the failure of President Woodrow Wilson, the inspirational force behind the League of Nations, who on March 19, 1920, despite numerous concessions, was unable to obtain the necessary two-thirds majority in the Senate for the Treaty of Versailles, which contained the Covenant of the League of Nations. The absence of the United States from this precursor to the UN was largely to blame for its failure. Fortunately, President Roosevelt, and later President Truman, did not face the same obstacles, and on August 8, 1945, the United States ratified the UN Charter, a text also greatly inspired by American views.

Several times over the past sixty years, there have been campaigns for the United States to withdraw from the UN or for the UN Secretariat to be removed from New York. As such, in the 1970s, the slogan, “the U.S. out of the UN, the UN out of the U.S.,” could often be heard, to which this author was a witness, having been in New York at the time as spokesman for the Secretary General. More recently, following the launch of the war in Iraq in 2003 without UN approval, neo-conservative circles, such as the Conservative Caucus, called for American withdrawal from an organization which some already deemed to be “dead.” However, in the end, the United States did not withdraw: something only Indonesia under President Soekarno had done for a few months in 1965-1966. Colonel Khadafi, during his most exuberant period, threatened to leave the UN and promote a new RUN (Revolutionary United Nations), but never did. However, we should remember that France in December 1945 voted against the proposal to establish UN headquarters in the United States (the United States abstained). The following year, in December 1946, France abstained from voting on the organization’s establishment in New York. Some argue that Paris feared that the presence of a large Jewish community in the city would influence the impartiality of debates concerning Palestine.

It should also be noted that the United States withdrew from the International Labor Organization in 1977 under the Carter administration, before returning in 1980. Similarly, the Reagan administration decided to withdraw from UNESCO in 1984 (as did Margaret Thatcher’s United Kingdom) to demonstrate opposition to the organization’s management under its director general, Moktar Mbaw from Senegal. Their withdrawal was also motivated by fierce objections to the New World Information and Communication Order, a plan since buried, because they perceived therein a threat to the freedom of information circulation. Yet, the United States returned to UNESCO in 2003, a positive gesture by the Bush administration, undoubtedly to compensate for the very negative attitude towards the UN over the conflict in Iraq. Since then, attacks have been targeted less against the UN than against Secretary General Kofi Annan, particularly regarding the poor management of the “Food for Oil” program. However, documents concerning the program could have been examined by all Security Council members—permanent or not. In addition, Secretary General Annan himself, in March 2001, warned staff and member-countries of rumors of misconduct of these operations due to kickbacks requested by some Iraqi

officials. Finally, the United States withdrew in 1995 from UNIDO (United Nations Industrial Development Organization, established in Vienna).

The Iraqi conflict gave rise, in early 2003, to a Franco-American confrontation within the Security Council. The spectacular one-on-one debate between Colin Powell and Dominique de Villepin will not soon be forgotten. At the time, the United States had realized that it would not be able to gain the necessary nine-vote majority for the mandate to launch military operations—which would have been blocked anyway by a French, Russian, or Chinese veto. There had already been the Gulf War, led by a coalition of international forces under U.S. command to liberate Kuwait in 1990, which was not a UN operation; however, it had been authorized by the Security Council because it entailed liberating a member country. Similarly, thirteen Korean War contingents—one of which was French—were placed under U.S. command in 1950 by a formal Security Council mandate.<sup>6</sup> This “UN Command in Korea” is still there today, although its ties to the UN are more theoretical than real, and its commander has always been an American general.

However, the United States has not hesitated on several occasions to withdraw from international operations when it felt that its national interests were being threatened. For example, the United States did not hesitate to withdraw troops placed at the disposal of a UN peacekeeping and humanitarian operation in Somalia in October 1993, when a group of eighteen Marines was killed, and the body of one of them profaned in front of CNN cameras. The United States withdrawal led to the end of this predominantly humanitarian operation. It was the American “Zero Dead” doctrine throughout the Somali operation that led Washington thereafter to take a very restrictive stance when placing soldiers at the disposal of the UN (even in Liberia, for example, where United States participation would have otherwise been valuable). In addition, the United States gave priority to air operations (as in the former Yugoslavia), leaving the responsibility of ground operations to French, English, Canadian, Dutch, and other troops.

Finally, the United States has been known, on several occasions, to exert enormous pressure on UN-family organizations to force them to make administrative reforms and institute drastic budget cuts. In the 1980s, it successfully pushed the Geneva group (comprising the twelve greatest contributing countries to the UN and specialized agency budgets) to accept “zero growth” for their budgets.

More recently, the United States, facing pressure particularly from Congress, blocked for several years the payment of significant contributions (more than 1 billion dollars worth) to the UN budget, notably to the peacekeeping operations budget. It also negotiated the reduction of its quota from twenty-five percent to twenty-two percent for the regular budget (it is slightly higher for the peacekeeping operations budget).

After having used its veto to prevent the re-election of Boutros Boutros-Ghali, the United States engaged in excellent relations with his successor, Kofi Annan, during his first term, but these have significantly deteriorated after he proclaimed the war in Iraq to be illegal according to UN criteria. Thereafter, the campaign against him began, along with demands for detailed reform to the secretariat’s management.

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6. UN peacekeeping forces were not “invented” until 1956.



However, France, while hardly suspected of harboring hostility to multilateral diplomacy, has over recent decades reacted rigidly at times, and not only, as one would believe, during the era of General de Gaulle. We cannot forget, for example, that in August 1954, France dealt a harsh blow to European unity when it rejected, by parliamentary vote, the treaty on the European Defense Community, even though France had been its initiator. As a result, the creation of such a community suffered a setback that has yet to be rectified even today. Similarly, in May 2005, another warning shot was fired by France at European construction when it rejected the European draft constitution by referendum (the Netherlands did the same a few days later).

During his presidency, Charles de Gaulle vetoed both the United Kingdom's entry into the European Economic Community in 1963 and in 1967. However, France considered these vetoes to have political justification. France thought the United Kingdom was not genuinely "European" and was more inclined to Atlantic sympathies. Churchill himself several times distinguished the United Kingdom from Europe.<sup>7</sup> In fact, France suffered after the United Kingdom became a member of the EEC. On a number of matters, whether under Margaret Thatcher or under Tony Blair, the positions of the United Kingdom have been clearly closer to American positions than to positions of the majority of European Union member states.

From July 1965 to January 1966, the French practice of the "empty chair" and its refusal to participate in Brussels' community affairs also represented forceful demonstrations tied to defending national interests. This was because de Gaulle opposed the transition from unanimous voting to majority voting within the European Council of Ministers (a crisis resolved by the "Luxemburg Compromise" allowing a member State to block a decision should it deem that "very important interests" are at stake). The practice of the "empty chair," which France has practiced in Brussels and in the UN, is that no French delegation is present in the room and the chair remains without a delegate; only the French name plate is present. This technique pressured the EEC into siding with France. France's absence paralyzed the EEC, because it needed a unanimous vote to proceed. Notwithstanding its status as one of the oldest and greatest countries in Europe, France could not forego its opposition, which it may have had to do if it had been a less powerful and assertive country. Even today, with regard to the EU's Common Agricultural Policy, which benefits French agriculture, France is highly opposed, for fear of isolation, to a decrease in agricultural subsidies as proposed by the European Commission to the WTO.

In May 1965, France withdrew from SEATO (the South-East Asia Treaty Organization). In a similar fashion, in March of the following year, France announced its departure from NATO military institutions, thereby forcing the organization to move its headquarters from Paris to Brussels. Although highly criticized by the United States, this decision did not prevent France from remaining a member of the Atlantic Pact, cooperating with NATO (even militarily, as witnessed in the former Yugoslavia and today in Afghanistan), and demonstrating solidarity when United States security was at stake. For example, during the Cuban missile crisis in 1962, de Gaulle had no

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7. This writer heard Churchill distinguish the United Kingdom from Europe when he was a small boy visiting Switzerland with his parents and heard Churchill give a speech in Zurich.

desire to examine photographic evidence of the presence of Soviet missiles that had been sent to him by President Kennedy, stating that he trusted his word. However, could the same be said today? Yes. Such solidarity was apparent following the World Trade Center attacks on September 11, 2001.

France has also shown a certain reserve at times towards the UN. In the 1950s, its seat remained empty during the debates on Morocco, Tunisia, and Algeria. France was denounced, alongside the United Kingdom and Israel, during the Suez crisis in October 1956 (Paris therefore made use, with London, of its veto right), and later during its nuclear testing in the Sahara and the Pacific. France also refused to participate in UN work on disarmament and hesitated for a long time before signing the non-proliferation treaties.

In 1960, General de Gaulle treated the UN as a nameless “thingy,” and refused to deal with Secretary General Dag Hammarskjöld (even though he had been nominated by France for the position of Secretary General) particularly during the Bizerte crisis with Tunisia in 1961. He also refused to visit UN headquarters during one of his stays in the United States—preferring instead to receive the Secretary General at his New York hotel. Finally, de Gaulle demonstrated his opposition to UN intervention in the former Belgian Congo (the future Zaire and Democratic Republic of the Congo). De Gaulle refused to pay France’s contribution towards financing these operations, in violation of an advisory opinion from the International Court of Justice. This refusal happened despite the United States’ threat to implement Article 19 of the Charter, which would deprive France of its veto right—an interesting paradox in light of what happened to the United States forty years later. However, it was at the height of this controversial period with the UN, in 1963, that de Gaulle made a remarkable gesture in deciding to devote 0.5 percent of the French military budget towards the creation—under the aegis of the WHO—of an international cancer research center, which was established two years later in Lyon.

Relations between France and the UN greatly improved under Secretary General U Thant of Burma, whom General de Gaulle welcomed in Paris on several occasions, describing the UN as a “useful forum” and hoping to infuse the organization with a new lease on life by consulting with the five large founding countries. Valéry Giscard d’Estaing spoke before the UN in 1978 and announced a stark change in attitude towards the problem of disarmament, but he was not the first French head of state to speak at the UN. In 1948 and 1951, Vincent Auriol opened the third and sixth sessions held in Paris. Auriol also visited the UN during an official trip to the United States in 1951, but did not deliver a speech because the Assembly was out of session. His successors René Coty, Charles de Gaulle, and Georges Pompidou did not pay any visits to the UN. Also during 1978, Valéry Giscard d’Estaing sent a strong French military contingent to southern Lebanon (the first such action since sending observers to the Middle East in 1948 and the French battalion during the Korean War in 1950). Since then, France has always been among the main contributing countries to UN peacekeeping forces. Valéry Giscard d’Estaing’s successors, François Mitterrand and presently Jacques Chirac, could also be considered staunch supporters of the UN. On the United States side, every president without fail has come year after year to speak at the opening session of each General Assembly, traditionally taking the floor on the first day.

It is also interesting to compare the United States' and France's use of the veto within the Security Council. Up until late 2004, it was used eighteen times by France (in particular, during 1976 to defend a national interest regarding sovereign rights in the Comoros, and for the last time, in 1989). On the other hand, the United States has used it more than eighty times, primarily since the end of the Cold War and most often concerning the Near East in order to protect Israel from condemnation. Among the previous U.S. vetoes are those (with the support of other Western countries) seeking to protect South Africa from economic and military sanctions during the period of apartheid, and in 1973 the first unilateral veto which blocked the adoption of a resolution demanding the opening of negotiations on the status of the Panama canal. By comparison, the USSR has the record for the most vetoes, with 113 in total, and three for Russia since 1991. The United Kingdom has thirty and China has six.

Another interesting element is that in selecting their ambassadors and permanent representatives to the UN in New York, the United States has chosen four professional State Department diplomats out of twenty-five office-holders (the other incumbents being political appointees or politicians), whereas France had only four political appointees, against fifteen foreign office diplomats.

One similarity between France and the United States is their respective relationships with the International Court of Justice. Although both countries are firm partisans of peace through law, both have limited the compulsory jurisdiction of the ICJ. France had accepted the compulsory jurisdiction of the ICJ in 1947, but in 1966 limited jurisdiction in cases concerning national defense and nuclear policy. France denounced jurisdiction completely in 1974 for national security reasons. The United States decided in 1985 to withdraw its consent to the compulsory jurisdiction of the ICJ, on the occasion of the complaint against it by Nicaragua concerning U.S. military and paramilitary activities.

Multilateral diplomacy, which was born after World War I and tends to take precedence over classic bilateral diplomacy, is a new mode in international relations. In fact, the majority of new states having acquired independence since the 1950s do not have the administrative, personal, or financial means to maintain diplomatic relations with a large number of partners. Their effective participation in international community life depends on their membership in international organizations, the most important of which is the UN.

However, the larger states themselves cannot ignore the benefits arising from multilateral diplomacy in their international role as well. The examples of the United States, the sole superpower, and France, a country with more modest means, demonstrate that the manner in which multilateral diplomacy is used can vary greatly given the circumstances. While marginal for the United States, it is essential for France. France feels more at ease in the multilateral context than the United States; its positions and means of proceeding are better accepted there because they are more consensual and are imbued with a universalism deriving from the French way of looking at the world.

# APPLICATION OF TREATIES AND THE DECISIONS OF INTERNATIONAL TRIBUNALS IN THE UNITED STATES AND FRANCE: REFLECTIONS ON RECENT PRACTICE

*Martin A. Rogoff*

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