

Treaty of Westphalia vs. Responsibility to Protect

By Elisa Barwick

The following script formed the basis of a soon-to-be-released special edition of the CEC Report

Today we are going to take a look at the planet from a historical perspective. We're going to talk about the 1648 Treaty of Westphalia, and its significance for today. This was the treaty that ended the 30 years war and brought about the age of nation-states, incredibly crucial institutions which we tend to take for granted today.

But first I would like to pose a question. Do you think that we as a nation have the right to make our own decisions? Or do you think that some other nation or nations should be allowed to stick their nose in at any juncture and tell us what to do?

That simple right, for us to determine our own destiny, is the basis of sovereignty—the principle perhaps most under attack in the world today.

Why is it under attack? Well when you take a quick survey of the globe you see that it is rife with wars and conflicts, and we have an upsurge in lawlessness and in the growth of terrorist groups like al-Qaeda. You begin to wonder whether it is possible to continue to have nations with governments, or if we will end up with a host of various territories under the ever-changing control of marauding, lawless gangs?

Some parties think that only with a global force, monitoring nations and dictating terms, can we ever achieve peace. This force intervenes with regime change operations, themselves ironically often based upon bolstering local opposition movements comprised of groups like al-Qaeda.

The CEC has always taken a position of defending the sovereign right of each and every nation to determine their own destiny, whether that nation be Australia or Syria, or anything in between. That same right is being defended by Russia and China when they have voted against various UN resolutions calling for western interventions into nations like Syria. (They also know that they are the ultimate targets of this series of coup d'états.)

So Russia and China are being bullied to drop their resistance to regime change, by nations which are pushing to destroy the notion of sovereignty in favour of an idea championed by Tony



The Treaty of Westphalia, by Gerard Terborch, depicts the signing of the historic treaty in 1648.

Blair for more than a decade: the Responsibility to Protect, or R2P. This means that in the case of governments believed to have committed mass atrocities against their population, the international community has the *responsibility to protect* those citizens. Sounds good on the surface, but let's have a closer look at where this doctrine came from.

From the intervention in Kosovo in 1999, to the 2003 invasion of Iraq, Blair steered the spines of US leaders, insisting that national sovereignty was a thing of the past. He asserted that the *era of the nation-state*—ushered in with the 1648 Treaty of Westphalia—was over.

In a March 5, 2004 speech justifying the invasion of Iraq, he laid this out explicitly. He said:

“Let me attempt an explanation of how my own thinking, as a political leader, has evolved during these past few years. Already, before September 11th the world's view of the justification of military action had been changing. The only clear case in international relations for armed intervention had been self-defence, response to aggression. But the notion of intervening on humanitarian grounds had been gaining currency. I set this out, following the Kosovo war, in a speech in Chicago in 1999, where I called for a doctrine of international community, where in certain clear circumstances, we do intervene, even though we are not directly threatened... So, for me, before September 11th, I was already reaching for a different philosophy in international relations from a traditional one that has held sway since the treaty of Westphalia in 1648; namely that a country's internal affairs are for it and you don't interfere unless it threatens you, or breaches a treaty, or triggers an obligation of alliance....”

Well 9/11 certainly gave him the go ahead!

Interestingly, in the 1999 Chicago speech he referred to, he couched the need to overturn “the principle of non-interference”



Tony Blair unveiled his “Blair doctrine” of international relations in a 1999 speech at the Chicago Economic Club. Russia's President Vladimir Putin has put forward his Putin Doctrine—based on the defence of national sovereignty—as a challenge to the Blair doctrine.

in terms of *globalisation*. “[G]lobalisation is not just economic. It is also a political and security phenomenon,” he said. Just as quote “we cannot refuse to participate in global markets if we wish to prosper” unquote, the same holds in regard to security. We are in a new world and need new rules for international cooperation. He thus pushed what he called a “new doctrine of international community.” (By the way, the environment was also a major factor in this push—the Kyoto Treaty specifically, at the time—anything that compels people to accept that we must breach the long-respected notion of sovereignty.)

Another figure who came out after 9/11 demanding the end of the Westphalian era was National Security Advisor and Secretary of State under Nixon and Ford, Henry Kissinger:

He wrote in the Fall 2002 NPQ magazine that, “The controversy about preemption... At bottom it is a debate between the traditional notion of sovereignty of the nation-state as set forth in the Treaty of Westphalia in 1648 and the adaptation required by both modern technology and the nature of the terrorist threat.”

The main funder of US President Obama’s election, the international financier George Soros, is the other key figure who has long been promoting R2P.

In a January 2004 article in *Foreign Policy* magazine, Soros stated that “Sovereignty is an anachronistic concept originating in bygone times when society consisted of rulers and subjects, not citizens. It became the cornerstone of international relations with the Treaty of Westphalia in 1648....”

“The rulers of a sovereign state have a responsibility to protect the state’s citizens. When they fail to do so, the responsibility is transferred to the international community.”

The R2P doctrine was formally proposed at the United Nations in 2005 and has been heavily pushed ever since. However, it has never been accepted as international law by the UN. Even after a lengthy debate in July 2009, only a rather weak resolution to continue to consider the doctrine was passed.

The non-aligned movement, of 118 members and 18 observer nations, opposed the R2P concept as a danger to national sovereignty and a tool of selective punishment.

So at the moment Article 2.4 of Chapter I of the United Nations Charter (which lays out the purpose and principles of the United Nations) still says that,

“All 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.”

And its charter further states that the UN “is based on the principle of the sovereign equality of all of its Members.”

Despite this, member nations continue to essentially break international law.

Opposition to R2P

At the UN on Feb. 22, 2012, India’s Permanent Representative to the UN, Hardeep Singh Puri, citing the use of the R2P by “over-enthusiastic members” of the international community in the case of Libya and Syria, charged that the UN principle of responsibility to protect is being used for regime change.

He is correct. The R2P was explicitly the justification for Obama’s Libya war, and the assassination of that country’s leader, Muammar Qaddafi, in 2011. Special Assistant to Obama, and Soros lackey, Samantha Power, has pushed R2P, even writing the forward to a 2009 book *Responsibility to Protect: The Global Moral Compact for the 21st century*, which was the blueprint for R2P interventions. The “success” of the Libya operation is now viewed by Soros and his cohorts as the greatest chance in a century to wipe the idea of sovereignty out of the charters of the UN, and out of the world.

Around mid 2012 Russian leaders including President Vladimir Putin began seriously challenging the West on their breaches of



Henry Kissinger and George Soros have also been key proponents of the Responsibility to Protect.

international law by their military campaigns and assassinations in countries like Libya and Syria.

On September 27, 2012 on the occasion of receiving the credentials of 21 new ambassadors to Russia, President Vladimir Putin demanded that the international community reject “geopolitical games” and not allow the use of force in circumvention of the U.N. Charter.

Putin called for reflecting on the U.N. Charter, which “sets forth the principles for collectively managing international relations and establishing a fair and just world order that respects all countries’ sovereignty and equality. These principles guide us to settle all problems through negotiations, without resorting to outside intervention. Strict adherence to these principles is needed more than ever today. The supremacy of law should be as guaranteed in the international arena, as it is within countries themselves. This directly concerns events taking place in the world’s ‘hot spots,’ above all in the Middle East and North Africa. Various forms of instigation and continued violence, with the aim of forcing regime change, will only drive the situation into a dead end. Violence breeds only more violence. ...”

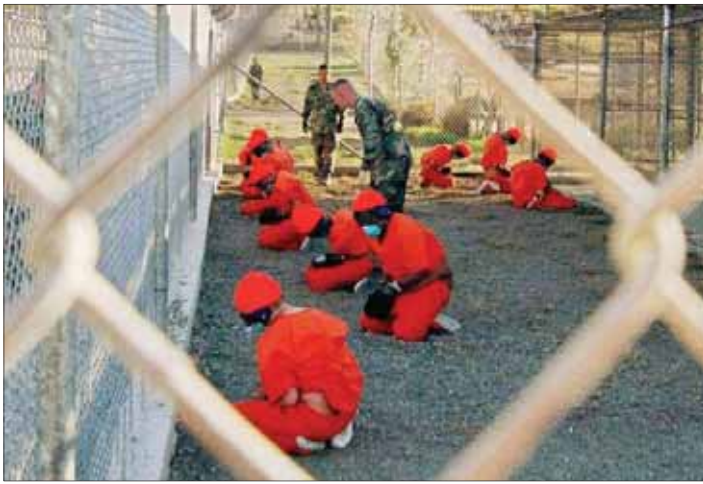
“No good comes out of attempts to substitute unilateral or bloc-based action for the universal principles in the UN Charter, or to bypass the Charter and use force,” he continued. “Such actions carry the risk of destabilisation and chaos, and in such circumstances no crisis management is possible. Events of late have once more confirmed that our view is correct. It is time to learn the lessons from what is going on.”

In a lengthy TV interview on Sept. 6, 2012 on Russia Today, President Putin had gotten even more specific, addressing the insanity of US efforts to oust regimes by fostering opposition movements comprised of al-Qaeda networks. He said:

“You know, whenever someone aspires to attain a much-desired end, any means will do. As a rule, they will try and do that by hook or by crook—and hardly ever think of the consequences that will follow. That was the case during the Afghan war after the Soviet Union in 1979 sent its troops to Afghanistan. At that time, our current partners supported a rebel movement there and basically gave rise to al-Qaeda, a United States pet project that



India’s Permanent Representative to the UN, Hardeep Singh Puri, has challenged R2P.



Putin suggested that given America's support for the al-Qaeda-linked opposition rebels in Syria, it may as well let all of the detainees out of Guantanamo Bay prison, later targeted its creator.

"Today some people want to use militants from al-Qaeda or some other organisations with equally radical views to accomplish their goals in Syria. This policy is dangerous and very short-sighted. But in that case, one should unlock Guantanamo, arm all of its inmates and bring them to Syria to do the fighting—it's practically the same kind of people. But bear in mind that one day these people will get back at their patrons and eventually end up in a new prison, one that will very much resemble the camp off the Cuban shore. I would like to emphasise that this policy is very short-sighted and is fraught with dire consequences."

What Putin is pointing to here, is the fact that the bloody circumstances that supposedly compel the international community to intervene to protect the people of certain nations, do not generally arise spontaneously—they are *deliberately created* (as was the case also during the 30 years war). This in turn sets up the justification for a virtually global empire to be created, with a global police force monitoring and intervening to dislodge undesirable governments wherever necessary.

Disunity and turmoil are fostered via the age-old mechanism of the British Empire sometimes called "Divide and conquer", and is why the concept of the Treaty of Westphalia, based on the "advantage of the other" is crucial today. If your foreign policy is motivated by putting other nations, even your enemies first, then you can't be played off against each other, and within your own nation you will tend to be unified rather than divided.

On the other hand, where we have seen the principle of R2P in action, has it really worked? For millions of Iraqis, Libyans and Afghans, the quality of life is much worse than it was before. In these countries there is effectively no functional, or unified government—perhaps apart from in name only—just marauding ruling gangs in various regions, at worst, or disparate militia zones, at best.

Here in Australia, there is no doubt that we pretty much take *government* for granted, especially given how much we all whinge about whichever happens to be the current one.

Well, it's a pretty crucial institution though, even if it ain't working so good at the moment. But a government can only really function if it has the authority to make decisions and follow through on those decisions without interference—that is, if it has *sovereignty*.



Cardinal Jules Mazarin, 1602-1661.

The Treaty of Westphalia

The Peace of Westphalia was the treaty that finally brought an end to the 30 Years War, which raged from 1618 to 1648, between nominally Catholic and Protestant states of Europe. The war had been a never-ending cycle of violence, driven by religious zeal on both sides, in which all sides felt justified in exacting

revenge, and invading their neighbours to defend communities of their own religious persuasion. After 30 years Europe was decimated, but there was no end in sight, until the Catholic Cardinal Mazarin brokered an extraordinary peace agreement wherein both sides gave up their decades of grievances, on a truly Christian basis, which was "the advantage of the other". Both sides signed knowing that by doing so it would advantage their enemy, but in the knowledge that their enemy was signing on the same basis. The Peace of Westphalia enshrined the principle of *non-interference* as the foundation of national sovereignty—no longer could a Prince use claims of religious oppression of fellow Catholics, or Protestants, in a neighbouring state as an excuse to attack that state.

How did Mazarin pull this off?

Well, there were no nation-states at the time. The Hapsburg Emperor—in the area of Europe we now call Germany—had feudal authority over small, warring states manipulated against each other using religious means. Relations with neighbouring countries were poor, and conflict with Spain, France and the Dutch Republic, etc, was also constant.

Mazarin who was French, and the envoy of Pope Urban the eighth, acted as a mediator, and conspired to bring about peace and sovereignty by developing the general welfare of the German people, by developing, for their greatest advantage, the cities located at the mouths of, or along, the major rivers which formed the basis of commerce and trade. In this way war-torn regions of the Empire could be rescued and rebuilt, and the British-Dutch mercantile control unravelled. (An example of such control was the privately exacted and outrageously expensive tolls to use rivers, like the Rhine and the Danube, for transport. Under Mazarin's proposal tolls were to become illegal.)

Mazarin conducted a thorough study of the entire Hapsburg Empire River system and composed a plan for economic development corridors. This would open up channels of trade with many more neighbouring countries. With thousands of jobs being created, new towns springing up, and new markets becoming accessible, this also fostered the power of the individual to participate in the economy and the state.

Mazarin's proposal included an economic policy of protection and directed public credit aimed to create sovereign nation-states, co-designed by his great protégé Jean-Baptiste Colbert. Colbert's dirigist policy of fair trade was the most effective weapon against the liberal free trade policy of central banking maritime powers of the British and Dutch oligarchies.

By the time a number of Electors and princes of the warring German states began to realise that Mazarin's project was entirely to their advantage, and decided to modify their allegiance to the Emperor, war had reduced the German people from 21 million to only 13 million as of 1648. Without peace, European civilisation was going to be destroyed.

The Treaty was signed by the Holy Roman Emperor and the King of France and their respective allies after several years of negotiations. It succeeded both because of the benefits from economic cooperation which it promised, given that it was based on the common good of all the people, and also because unlike most treaties, it wasn't based upon drawing lines in the sand that if crossed by one or the other party would unfurl the gates of war again. The only principle which can put a dead stop to suspicion between two enemies is the principle of the Advantage of the Other, because you are putting the other party ahead of yourself—giving him the advantage—and not demanding any compensation in return. It works because what is good for him, is ultimately good for you.

Let's have a look at two of the most important concepts in the treaty:

Article I begins: "A Christian general and permanent peace, and true and honest friendship, must rule.... And this Peace must



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be so honest and seriously guarded and nourished that each part furthers the advantage, honour, and benefit of the other... A faithful neighbourliness should be renewed and flourish for peace and friendship, and flourish again."

Peace among sovereign nations requires, in other words, that each nation develops itself fully, and regards it as its self-interest to develop the others fully, and vice versa—a real "family of nations."

Article II says: "On both sides, all should be forever forgotten and forgiven—what has from the beginning of the unrest, no matter how or where, from one side or the other, happened in terms of hostility—so that neither because of that, nor for any other reason or pretext, should anyone commit, or allow to happen, any hostility, unfriendliness, difficulty, or obstacle in respect to persons, their status, goods, or security itself, or through others, secretly or openly, directly or indirectly, under the pretence of the authority of the law, or by way of violence within the Kingdom, or anywhere outside of it, and any earlier contradictory treaties should not stand against this.

"Instead, [the fact that] each and every one, from one side and the other, both before and during the war, committed insults, violent acts, hostilities, damages, and injuries, without regard for persons or outcomes, should be completely put aside, so that everything, whatever one could demand from another under his name, will be forgotten to eternity."

The Peace of Westphalia thereby established a Code of Nations, which was based on the Christian principle that all men are created equal in the eyes of God. Applied to foreign policy this meant helping neighbouring peoples and nations according to their economic needs, not for the interest of one's own nation. This is the notion of The Common Good. Mazarin instituted this new code of government conduct for the purpose of population growth and for the advancement of scientific, technological

and cultural development of all nations of the world, with the conscious intention of increasing proportionately the power of mankind over the universe.

This image of man is the very basis of the sovereign nation-state, and international relations between nation-states. It is that image of man which we are sacrificing if we give up the notion and the practice of sovereignty.

Only the spirit of cooperation, as seen in the Treaty of Westphalia, can break the world from the fast track it is now on to thermonuclear confrontation. As in the case of the Treaty of Westphalia, that cooperation must be based on an urgent, mutually desirable mission, to secure our peace and safety, into the future.

Despite their terse warnings to the US about breaching international law and fostering divisive Al-Qaeda-type groups, Russia has made explicit offers to the US for cooperation in various economic development projects, as they are already doing with China and other countries. Major projects like creating systems to defend the Earth from asteroid strikes, colonising the moon, creating the capability to send a man to Mars, or even just the Eurasian Landbridge development corridors which Lyndon LaRouche's international organisation has long been campaigning for, require extensive collaboration. A Treaty of Westphalia approach today is the only way to get the world back on track economically, and to stop local, regional and world wars. In the process we will uplift and develop parts of the world that have never had the minimum economic requirement in order to be able to protect basic human rights. The potential for every individual on the planet to be economically empowered and uplifted, and hence attain their full potential, can be realised.

That is the basis for sovereignty to be attained, and protected well into the future.