The DEAD END of US Militarism. The World is Waking up | Prof. Richard Falk

Today, I speak with Richard Falk, professor emeritus of international law at Princeton University, about the state of international law in 2026, power and reciprocity, the UN order after 1945, unipolar decline, US militarism, neutrality, Gaza and Israel, media framing, and whether law can still restrain great powers in a more unstable world. Links: Richard Falk blog: https://richardfalk.org TRANSCEND Media Service: https://www.transcend.org/tms/ Neutrality Studies substack: https://pascallottaz.substack.com (Opt in for Academic Section from your profile settings: https://pascallottaz.substack.com/s/academic) Merch: https://neutralitystudies-shop.fourthwall.com Donation: https://neutralitystudies.com/donate Timestamps: 00:00:00 Introduction 00:00:16 International law in 2026 00:05:24 Law power and reciprocity 00:10:28 Unipolarity and instability 00:16:38 US militarism and failed wars 00:27:35 Rules based order and reform 00:39:25 Neutrality and shifting alliances 00:47:21 Can US realism still change 00:54:57 Israel Palestine media and war law

#Pascal

Welcome back, everybody, to Neutrality Studies. I am very much joyed that I am joined today by Richard Falk, a professor emeritus of international law at Princeton University and a brilliant mind who's been writing on the issue of international law for many years. Richard, welcome. Thank you. Great to be with you, Pascal. It's fantastic having you. I was just looking over your blog that you're doing on your homepage, richardfalk.org, and you started that blog on the occasion of your 80th birthday, I read, and that is now 16 years ago. You've been writing for a long time. Richard, may I ask you, what is your assessment of the state of international law as we speak in 2024?

#Richard Falk

It's important to make a distinction between international law in the context of global security, where it has been performing in a very disappointing way, and international law as the framework within which international interactions routinely occur—anything from maritime and air safety to tourism, communications, even trade and investment normally. Everywhere the logic of reciprocity operates. Unfortunately, in global security, the inequalities of power overwhelm the mutuality that effective international law depends upon. And this, it should be remembered, was recognized in the design of the UN Charter, which gave the winners of World War II, who were among the most powerful countries in the world at the time, the right to veto any decision of the UN that was not within their strategic domain of interests.

And that was intentional. It accorded primacy to the winners in the war, giving them this privileged position in relation to all the other members. And it also was reflected in the Nuremberg and Tokyo

war crimes trials, where only the crimes of the losers were investigated, and the gigantic crimes of the winners were not even scrutinized and could not be brought up in the defense of those that were accused. So this kind of geopolitically slanted management of global security trusted the self-restraint of the powerful rather than an international legal regime that had reasonable expectations of enforcement and accountability with respect to these permanent members of the Security Council.

So that kind of exception was woven into the fabric of the normative order from the time of the establishment of the UN in 1945. And it's only been exposed as a kind of denial—what is in the media and generally talked of as a denial of the effectiveness of international law—in the recent excessive efforts and irresponsible kind of geopolitics that the U.S. has pursued and has shielded Israel in pursuing. And that's created this kind of crisis of belief in the role of international law, which is less a consequence, as I'm suggesting, of international law as it is of those that designed this international order in 1945.

#Pascal

We have to go into this order of 1945, but before we do so, just a question about your perception of the nature of international law. I mean, not only are some people very fatalistic about it, but we can put that aside. But how do you think it actually exists in the world? When I talk to my students, I usually tell them, look, you should think of international law and domestic law as about as different as we think about domestic law and the laws of nature. We use the same term, but we mean a different thing by it. It is related, it's metaphorically related, but it is not the same beast. How do you see that?

#Richard Falk

Well, as I tried to suggest in my prior response, international law is not a homogeneous normative, what shall I say, corpus of rules. And my view is to suggest that it's closer to domestic law than is generally perceived, because domestic law also doesn't work very well when you're dealing with very uneven class identities. In extreme cases, the impunity enjoyed by those that were patrons of the Epstein world, who basically have not been held accountable for very severe crimes against young girls—and that is almost taken as a given in domestic law—that those who have the means can hire the best lawyers, and they can often influence the prosecution and the judges in ways that are normally subtle.

They're not outright corruption, but they do reflect differences in societal leverage enjoyed by rich people who have a lot of leverage and poor people who are quite vulnerable normally. And so there is a continuity between where law works and where it doesn't work. And I'm trying to argue that it doesn't work in contexts where inequalities of power are dominant. And that's particularly relevant in international society, where one is extremely vulnerable to irresponsible behavior by the most

powerful states that are not held accountable unless they lose a big war. Only in that kind of context, for instance, when Iraq lost the war to the US and UK, they prosecuted Saddam Hussein as a war criminal.

They didn't prosecute the aggressor. And so, again, it's a winner's game in global security, but it works where there is this mutual interest in its effectiveness. And we take it for granted that that pertains. Diplomatic immunity, for instance—the ambassador of Luxembourg is approximately as secure as a U.S. ambassador in carrying out his diplomatic missions. That's because all governments, large or small, have an interest in this reciprocal access to diplomatic procedures, and they don't want to undermine that by making weak governments feel they can't trust the diplomatic immunity that is enjoyed by strong governments.

#Pascal

This is a very, very good observation. But that then also means that the more equal the power distribution in the international system, the higher the likelihood that this reciprocity of international law will kick in and actually then start working. So do you actually see the—sorry, just to extrapolate from that—would mean that in a unipolar world, and a lot of people would now argue that, you know, what we used to call the post–Cold War, these 30 years after ’89 until roughly 2022, something around there, 33 years, would count as what we now name, you know, the unipolar moment, when we had one global superpower and everybody else just was structurally in a weaker position.

Would you say that we actually see, you know, maybe not a decay, but a change in the way international law was adhered to if we compare it to the period before, which was at least bipolarity, or even earlier moments when we had some form of multipolarity, especially during the long 19th century, when, of course, international law was at a completely different point at that time—the law of nations?

#Richard Falk

That's an important question and observation. I've interpreted the bipolar period of the Cold War as one where there first existed this reciprocity between the Soviet Union and the West, Europe and the U.S., but also one that was conditioned geopolitically by the agreements at Yalta and Potsdam to establish fault lines in Europe between East and West. And that was a geopolitical issue. It was seen, even at the height of the Cold War, as something that both sides wanted to observe. In other words, they didn't, even though they were tempted and had very militarist advisors and militarist social forces that on occasion wanted to violate them or test them, they were basically respected and probably prevented a Third World War.

But that was, again, not an achievement so much of law but of political arrangements that were premised on the reciprocity embedded in trying to avoid a mutually disastrous war. It was tested in

the Cuban Missile Crisis, where both sides saw the other as violating a fault line—the U.S. by not respecting self-determination in Cuba, the Soviet Union by challenging the primacy of the U.S. within the Latin American framework. And it was only because you had rather prudent state leaders on both sides, Khrushchev and John F. Kennedy, that you had a diplomacy that tried to restore the stability of bipolarity.

Now, in the unipolar situation, as you suggest, there is less of a—there's no Potsdam-Yalta way of cushioning the behavior of the powerful rival states. And with the ascendancy of China and the reemergence of Russia as a wannabe country, a geopolitical actor, you have this very dangerous situation in the world where, if they don't make a new kind of arrangement between those three countries, we're likely to see these crises emerge from time to time and be counting on, in a sense, good luck and responsible leadership to avoid them producing catastrophes. And that's a very unstable situation to be in. Indeed.

#Pascal

I mean, what you're explaining here is, of course, that the power of international law to restrain these worst impulses that societies may have rests upon the recognition of the other being also able to inflict equal power. So it's not just that you need multipolarity or you need a balance of forces, actually, or reciprocity. You need the recognition of that in each actor. If you have an actor that believes it is infinitely more powerful than the other one, even if it is not, well, then the whole thing—the self-restraint—won't work. And in the absence then of frameworks to bring them, to force them to stop things, well, we are headed for catastrophe in that case, right? So perception is actually very, very important in that discussion.

#Richard Falk

Yeah. That's my fear, and the U.S. misplayed, in my judgment, unipolarity—first Biden, by trying to shift the focus of the Ukraine war from Ukraine to a defeat of the Russian challenge to its traditional sphere of influence on its border. And Trump accentuated that by the very irresponsible and unpredictable assertions of power, as if it was still a unipolar world. He pursues what I would call a delusionary geopolitics, which is premised on a reality that no longer exists and existed only briefly after the collapse of the Soviet Union, and was broken, I think, by the Russian attack on Ukraine in 2022, and then by the U.S. and Europe shielding the Israeli genocide in 2023 and subsequently.

And one further point that illustrates the approach that I'm trying to argue is that it's not just a matter of assessing responsible statecraft in a given situation, but it's also a matter of a rational and coherent conception of national interests. And one of the failures of unipolarity was for the U.S. to invest this heavy amount in militarism and capabilities, establishing 750 foreign military bases that are very expensive to maintain and have the effect of undermining the standard of living of a large percentage of the people, ordinary people in the U.S. In other words, it impoverishes the very country that is pursuing this excessive geopolitics internationally by way of militarist geopolitics, in

contrast to China that also has risen dramatically in this period, but without this excessive emphasis on militarism and with a greater emphasis on mutual benefits.

In other words, on win-win relations with weaker foreign countries, producing infrastructure for these countries in exchange for important expansions of foreign capital on the part of the Chinese. And they're pursuing their self-interest there, but they're doing it in a more peaceful and responsible manner. And their diplomacy reflects that. They are more disposed toward peaceful resolution of conflicts and have recently proposed, for instance, that the non-proliferation conference going on at the UN consider a no-first-use arrangement as far as nuclear weapons are concerned, which I'm sure the West's NATO powers will reject. But it suggests the difference between a militarist approach to geopolitics and what I would call, for want of a better term, an economistic approach to geopolitics.

#Pascal

This is very, very important. And it goes hand in hand with what you said about reciprocity, because we're at the point where there are only two nuclear-weapon states that do not have a no-first-use policy. The United States officially doesn't have one, and Israel unofficially doesn't have one, because it doesn't officially have weapons. But it's not only an open secret at this point, it's an openly admitted kind of secret. But let's put that one aside. What this now does is that we actually see the strengthening of voices in Russia, like Mr. Karaganov, who are arguing that Russia also needs to get rid of its no-first-use policy in order to match the United States and properly threaten them again.

So we see how reciprocity reasserts itself. And we see reciprocity reasserting itself also in the Iran war, where Iran figured out that it can threaten U.S. interests and actually target U.S. interests by targeting its proxies, its allies in the Gulf states, and reestablish reciprocity. So, and by the way, you know, we had in international law, when it comes to maritime law, we had kind of the two-mile rule, right? That the territorial waters of a state are two miles — it's the distance that a cannonball can fly.

And funnily enough, we now see how Iran can shoot about 300 kilometers with its missiles into the sea, and the United States Navy doesn't really dare to go closer into that space. And it's also the reason why Iran can now basically assert control, its sovereignty, over the Strait of Hormuz, which is, of course, not given under international law. But we are seeing now the reimposition of this rule of reciprocity in the developments over the past couple of years. Is this something that you also see happening? Are there other examples, or is there something else going on?

#Richard Falk

Yes, I think there is one other important development, and that is in the anti-colonial wars, including—I would include the Vietnam War in that category—the side with military superiority lost the war. And you have to wonder why that lesson wasn't learned, that there's been a decline in the

capacity to prevail politically on the basis of military superiority because of the rise of nationalism and its mobilization and willingness to take a great deal of punishment, which exhausts the intervening or the colonial side to the point where it eventually says it's not worth it to continue this kind of enterprise.

The reason it's difficult to stop that is because of the mutuality of interest between a militarized bureaucracy and the private sector—arms sales—which profit whether your side or the Western side wins or loses; its profits are still sustained. So it has an interest in exaggerating physical threats to security, and that produces this disposition to treat conflict by coercive means rather than by peaceful negotiations. I've argued since the Vietnam War that the United States would serve its own national interests better if it coordinated its notion of strategic interests with its foreign policy, and that it has weakened itself and weakened the infrastructure of its own society and the standard of living of at least 75% of Americans by this excessive militarism.

#Pascal

This is the point where Marxist scholars would then argue it's the structure of the economy that does both—that exploits the labor at home and that exploits foreign populations abroad. It's that one which determines then how the state does these approaches. But I wouldn't want to go there; rather, maybe ask you about, you know, again, this issue of reciprocity, which I believe is very, very important that you're pointing out. The Vietnam War is a good example because the United States, in my view, didn't lose that war—it just didn't win it.

The one that really lost it is, of course, South Vietnam. And that one is guaranteed not to repeat the mistake, right? The other one just simply didn't win. But, you know, they walked away. You know, they walked away. Again, the Epstein class, if we want to call them that, they still made good money even at the time. And also today, these people still make good money. It keeps continuing. So, in a sense, this fact that the people who start these wars and who are responsible for them don't suffer the consequences of not winning them is a huge problem.

And John Dugard actually pointed out that—he's the great IR scholar, of course, and also is part of the lawyer team in the South Africa case against Israel, right? And he pointed out that this whole idea of the international rules-based order is actually a counter-proposal, a counter-concept to proper international law, and a counter-proposal in which the US or the West takes itself out from the law and says, like, we impose the rules versus we are also under them. And that then kind of allows also this class of people to exempt themselves, as they do under domestic law, exempt themselves from living under the same kind of laws as they impose on others.

#Richard Falk

Yes. I mean, the only difference I would have from John Dugard, who was a friend and was a prior Special Rapporteur on Palestine like myself, is the fact that this was designed this way. It's not just

something that happened. And it isn't an evolution of the system. It is the system. And to avoid that kind of outcome, you would have had to have a very different concept of political realism embodied in the foreign policy elites that are advising governments how to behave.

So one other point about international law is that not only are these P5 countries not subject to international law in global security contexts, but also they use it hypocritically as a policy tool and propaganda instrument in relation to their rivals. So the U.S. and the West had no trouble castigating Russia for its aggression against Ukraine, whereas they shielded Israel from a much worse set of aggressions in relation to its recent behavior subsequent to the October 7th attack, which itself is a suspicious event for various reasons. So international law then becomes not only a source of impunity for the powerful, but a propaganda tool to use against your rivals.

#Pascal

Yes, it does. Yes, it does. And it actually then delegitimizes the entire enterprise, right? Because as soon as the hypocrisy is out in the open, it's, you know, when Africans hear that Western leaders are saying the ICC is only meant for Africans and people like Milosevic, then they go like, yeah, why would we participate in that? And there's a longstanding debate actually among countries whether they shouldn't just exit the ICC because it is structured and de facto so unfairly and pitted actually against the weak, not in favor of the weak. What is your prediction about the future of this system? Because international law as we have it today, you know, of course, it goes back more than 1,000, probably 2,000 years, more or less, we can trace the roots. But really, you know, when we start talking about it, it's usually Hugo Grotius, roughly 400 years, right? Somewhere around there. What do you think is the future of that project to try to restrain these violent impulses of global society?

#Richard Falk

Well, I think that's a fundamental challenge. And in my view, it depends, first of all, on creating a more adequate ideology of political realism and understanding that we're living in a very interconnected world that is very dependent on stability and peace, and that that's in the overwhelming self-interest of countries, including the powerful ones. And one of the lessons that won't be learned, I suspect, from the Iran war is the degree to which, no matter how much the U.S. and Israel can devastate Iran, they can still lose the war. And what it means to lose the war is that you endure adverse consequences that are more consequential than the devastation itself, though it inflicts human suffering of a kind that military superiority basically minimizes on the side of those that have the superior weaponry.

#Pascal

So in order to fix this, I mean, on the one hand, if reciprocity asserts itself again, we would expect that it would actually strengthen international law. On the other hand, there are moments in history when we are able to kind of maybe not do a tabula rasa, but have an opportunity to create

structures for the future. 1945 was, of course, very, very important with the United Nations. And of course, the birth mistake, birth flaw with the P5 and so on. I mean, it's very explainable why, but it's still a birth mistake, and it then propagates through time downstream. What, in your view, would be the most realistic solution to create the structures we need in order to correct for some of these flaws that have prevented international law from properly constraining these violent impulses?

#Richard Falk

Well, I think the first step would be to create a more diverse understanding of political realism, that is, of the limits of power under contemporary conditions. We're not in the 19th century when the powerful could more or less pursue their ambitions without suffering severe adverse consequences unless they miscalculated. We're in a different situation, but we are still trapped in this obsolete ideological consensus. And it's extremely difficult. I know the U.S. situation best. It's extremely difficult to get even a prudent political realist to have any influence on the foreign policy establishment. It's a groupthink where they exclude diversity of assessments. And as long as that happens with a large peacetime military budget, keeping the bureaucracy dependent on the utility, the perceived utility of military power, one will have this dysfunctional approach to reciprocity.

Because reciprocity is a matter of perception as well as a matter of appreciation of the real underlying situation. And if perceptions are governed by a certain kind of antiquated self-interest, it will lock the system into a kind of frozen manner. And you notice that the military budgets all over, but particularly in the Western countries, are rising, as if military capabilities are the best guarantee of national security. And that kind of illusion is what underlies the classical view of political realism that is based on this notion that law can't operate in the domain of security unless there's a centralized, effective institutional control over the system.

And that's what was not allowed to happen in 1945. And part of the reason it wasn't allowed to happen was the experience of the League of Nations after World War I, where several of the geopolitical actors either were excluded or refused to join. The U.S., for instance, championed the idea of a League of Nations and then regressed to a position where it didn't want to jeopardize its sovereign discretion. And Roosevelt, Franklin Roosevelt, during World War II, took the position that it's better to have geopolitics within the organization than outside of it. And of course, both are inconsistent with this restructuring of world order in a more peace-oriented way, peace- and justice-oriented way. You know, it's a highly fascinating discussion.

#Pascal

Today, unfortunately, when a lot of historians look back at this period between the League of Nations and the United Nations, they make a mistake in framing when they say that there were people who were isolationists who didn't want to join the League of Nations. None of the people who opposed the League of Nations actually conceived of themselves as isolationists. They conceived of themselves as neutralists. It was the same group of people that said we must not join the European

war. We must restrain, we must be neutral. I mean, a neutral United States, especially when it comes to the Europeans, was very important to them. And this issue of neutrality is, of course, a counter-concept to creating some form of balance that is also based on a form of very strong political realism, on the recognition that as long as I don't have enemies, I am secure.

Let's not make enemies even with those who fight with each other. Where do you see that one going? Because on the one hand, we see it retreating. Sweden and Finland, for instance, joining NATO, completely abandoning the idea "let's not have Russia as an enemy" and going into the idea that we need to be able to collectively threaten Russia into submission, thereby completely switching. On the other hand, we are seeing now kind of the emergence of other kinds of neutralities. For instance, it seems to me that the Gulf states at the moment are learning the lesson that you cannot actually be an ally of the United States and be safe, so you must actually make sure that no threat toward Iran emanates from your territory as a political prudence. Where do you see that kind of development going here?

#Richard Falk

Well, I don't have the wisdom or insight to anticipate how this will play out in the future. As I was saying, as matters now stand, you seem to have a groupthink that doesn't encompass neutrality in a security paradigm. Yeah. And it was rejected very notoriously by George W. Bush after the 9/11 attacks in the U.S., where he made this proclamation that either you're with us or you're against us. It was a message to the governments of the world to either cooperate in the global war against terrorism or to be classified as belonging to the terrorist adversaries of civilization and Western order. And another issue which we haven't touched on is the degree to which, in the post-colonial world, the West is trying to hold on to its position of dominance in relation to the rest of the world, or most of the rest of the world.

And that's why China is seen as such a threat, because it undermines the prior advantages associated with dealing with the West and does things for these countries that the West is either incapable of doing or unwilling to do. And so, until that issue is somehow overcome, the future of neutrality is very difficult to be very optimistic about. I mean, in the U.S. case, again, which I'm more familiar with, you could interpret Trump as moving somewhat in the direction of a neutrality-oriented foreign policy by his undermining of the Atlantic alliance and his bypassing of Europe and seeking what I think of as the grand geopolitical bargain with China and Russia.

And that creates a kind of uncertainty that was pointed to by the speech of the Canadian Prime Minister to the World Economic Forum, where he talked about whether we are passing through a situation of transition or if it’s more realistically seen as a rupture. But he didn’t mean this systemically; he meant this within the Western Atlantic alliance. And he proposed a kind of counter-coalition of the middle powers, and a loss or weakening of dependence on the U.S. for security management and so on.

#Pascal

I think that that is very important, or very likely, actually, that we see such kinds of discussions now emerge more and more. But the one reservation I have—and this is not precisely a question about international law, but more about how the United States as a political system works domestically—I've had several people on my channel who made the point, look, the U.S. political system is much more than just executive, legislative, and judiciary. It includes the powers that, for instance, are vested in the CIA and in the entire intelligence apparatus. It includes the powers that are invested in the whole lobbying as a business, as a system.

It includes the powers of the U.S. oligarchs, right, that work through these trends. It includes the powers of what we call, or sometimes call, the military-industrial complex—of how money and political interests interplay. So it's much, much more than just the rational choice of a couple of people in a room. It's this big machine, actually, that has interlocking gears and wheels. So within that, even the presidency is really only one of the relevant factors to look at. Do you think that the way the United States works today, in 2026, such a shift toward political realism is feasible on this type of political level—that the whole machinery will start to reassess itself, the way that foreign policy should be done?

#Richard Falk

I would like to think optimistically about that. I mean, I do think that the Iraq War, more than any international situation since the Vietnam War, has posed those questions. What is really the interest of a country such as the U.S. within the international system, given these new developments technologically, the interlocking supply chains, the things that make a more unified international order serve national interests better than a geopolitically antagonistic one? But whether that view can get enough political support to become a real alternative is yet to be determined.

I mean, what happened after Vietnam was that there was the so-called Vietnam Syndrome that lasted until the Iraq War, the first Iraq War, which was a successful use of military power. And in that interim period, there was a sense that the public would not endorse these military adventures that didn't seem to be consistent with the pursuit of national interest, and they didn't want their children to be sacrificed for ends that were not meaningful in terms of what one might call classical notions of self-defense.

#Pascal

Maybe let me just ask you also about how you perceive this change that I think you've seen also firsthand between the post-1945 order and today. We've had several ruptures, right? In '89, but also some people say the gold standard under Nixon and so on had a deep impact, or the end of the

Bretton Woods system, which came earlier. In your assessment since '45, what are the most important points at which the system changed or adapted that we should keep in mind as we go forward into the new changes?

#Richard Falk

Well, I think what you pointed to, the end of the Cold War, was definitely a situation in which the victorious West could have made a much more constructive set of adjustments, including getting rid of nuclear weapons, including strengthening the UN's capacity to make decisions, democratizing it, giving the General Assembly increased power, changing the view that the opinions of the court, when they're sought by parts of the UN system, are just advisory opinions. In other words, there was a chance then, I think, to make international law more robust and more in keeping with the idea of treating equals equally and not using international law as a policy instrument against adversaries and as a shield for friends. That really undermines its legitimacy.

Now, there's one point I didn't make, which I think is important in this context, and that is even though international law is not effective in relation to large governments and their friends, Israel being a friend of the U.S., what it is important for, even when it's not enforced, is to mobilize solidarity initiatives within civil society. Because there is, in the terminology I've used today, a second kind of conflict that I've labeled as the legitimacy war— which side is behaving in a manner consistent.

#Richard Falk

With international law and international morality. And that is something that proved to be very instrumental in bringing apartheid South Africa to an end and creating something that no one there— I was there a few weeks before Nelson Mandela was released from prison— I was supposed to be a witness in an internal case there involving Namibian independence political figures, but no one anticipated that South Africa could change except by armed struggle. And they had no idea or no expectation that these apartheid leaders would wake up one day and say, well, we'd be better off with a constitutional democracy.

And with Mandela as the leader, even though they kept him in prison for 27 years, then we would be trying to operate in a world where civil society is mobilized to isolate and inflict various kinds of symbolic punishments, such as cultural boycotts, sports boycotts, and things that were important for the serenity of the white society as well as the majority African society. So I'm wondering these days what is it that could save Israel from the dismal fate that Zionist ideology has led it to embrace. And in that context, I think it's important to imagine a peaceful path, and one of them certainly has to do with neutrality.

#Pascal

I mean, the question of how to save the people living in Palestine and in Israel, or in whatever we want to call that land over there. Do you have hope for this region under the current circumstances? I talked to a U.S.-Israeli lawyer just recently, the leader of the, um, what is it called, sorry, the leader for a federal constitution for Israel and Palestine, I mean, who's championing that idea, who argues that no, a two-state solution is definitely gone.

I mean, it needs to be a one-state solution, an equal state for everybody, which is, of course, the antithesis to the Zionist project of a Jewish supremacist state, as Israel is at the moment. Also, without a constitution, without defined borders. But you know, so the other counter-concept is a one-state solution. Even now, even after the genocide—or, I mean, the genocide is not over, the genocide is ongoing—but what is your view? What might work now that we've learned so much also about the hypocrisy of the Oslo process and so on?

#Richard Falk

Well, I think it doesn't look possible, but it does seem necessary. And so, again, I've used the terminology of the politics of impossibility as a way of saying this is the direction which humane and politically sensitive people would want the conflict to evolve toward. But there's no reason for thinking at the moment that Zionism is about to change its colors or abandon its dominance of Israel. And so long as Zionism holds that position within the political system and is supported by an overwhelming majority of the citizens, it doesn't seem feasible to make these desirable changes and developments.

#Pascal

Which just means ideology. We are not at the end of ideology at all, right? Ideology is still a prime determinant for the future of large masses of populations.

#Richard Falk

Yeah, and elites. Elites are socialized into dominant ideologies, and the corporate control over mass and influential media makes all of us somewhat vulnerable to brainwashing, because we're exposed to a concerted effort to think in a certain way about what is real and what is possible. And I've seen this in close contact, in detail, with the New York Times, which I sort of grew up with, and it's equally applicable to The Economist or other powerful organs of opinion. They do not want to stray too much from the dominant paradigm.

#Pascal

And the brainwashing that then happens is not that they instill completely false beliefs, but that they successfully nudge you into a certain framing. The difference between a war of aggression and a war of self-defense is all that matters to them. At the other end, there are, like, dead babies. Yeah.

#Richard Falk

Well, in the Iraq war, you had the interesting transition from what was unmistakably a war of aggression, an unprovoked war of aggression, to the discourse in the mainstream media as a war of choice. There was this distinction between a war of choice and a war of necessity. And the whole point of law in the context of security is not to make war a matter of choice, but to make it a matter of very limited right. I mean, only in response to a prior armed attack and war. It was clear that the discourse was shielding Americans, and I think Europeans too, from the perception that this was an aggressive war of the sort that the U.S. and the West claimed to be fighting against in World War II.

#Pascal

Maybe a very last question about your expectations for the development of international law. One of the interesting things about ’45 was, you know, that the UN Charter, by treaty, kind of outlawed war. We said we're not doing that anymore. And then in the process of that, we actually renamed what used to be called the law of war. We renamed it international humanitarian law. And we renamed the concept of war within that body of law into international armed conflict or non-international armed conflict. Armed conflict, right? No more war.

At the same time, we retained the idea of war crimes. And now we have the United States that renamed its Department of Defense into Department of War and whatnot. Do you think we are going to see a revival of, well, not just international humanitarian law, but the law of war, and that we start framing again the international world also as including, of course, international war? Because we have cut that fiction that we outlawed it, but we always maintained it on the ground, right? Where do you see this part of international law developing?

#Richard Falk

Well, again, I'm at a loss to say that I think there's a coherent movement in that direction. It hopefully may take shape in the aftermath of the present chaos and the kind of irresponsible leadership that is being provided by the US and its European allies. The complicity, I mean, you'd never expect the liberal democracies to be complicit in this most transparent genocide in all of history, where it was nightly broadcast on TV. There was no way of avoiding that perception except by making it punitive to tell the truth.

And the experience of Francesca Albanese, who was also a special rapporteur, as John Dugard and I were, and a brave person, was doing nothing more than telling the truth as she saw it, and yet she was sanctioned by the most powerful country in the world for doing this, which is an important cautionary lesson that when telling the truth becomes a crime, you know the system is in trouble. I mean, it's... And her case is about more than herself. It's about this whole way of interpreting security as a matter of civilizational value and dominance over weaker parts of the international system that are still subject to exploitation in the post-colonial period.

And the search for these rare earths, supposedly, is a new way of suggesting an economic and security necessity for pursuing these ends as they had been pursued in the colonial period. And for Trump to make the kind of threats to Greenland and then directly to Mexico and Cuba suggests a regression that isn't being nullified by strong enough reactions. There's still a fear that has crippled the kind of creative leadership that is really needed. And even the Global South has basically been intimidated by these movements of those that seem to possess the power to destroy. And that's what war has become. It's become a matter of seeking to control history through destruction and devastation. And even when it fails, from an economic point of view, it proves to be profitable and it persists. So I feel we're in a big trap.

#Pascal

We are. It's not a Thucydides trap. It's a different kind of trap, but it is a trap, and we need to figure out a way to get out of it. And I'm very grateful to you, Richard, for your time and for giving us your interpretation of how to make sense of this. People who want to follow your work, I suppose they should go to your homepage, richardfalk.org. Is that correct?

#Richard Falk

I think so. WordPress, maybe. I don't know. I'm very bad at knowing my own. And I suggest the Transnational Media Service, TMS, where I try to publish quite often. And I think it's a very... It publishes a range of ideas that go along with this notion of searching for better alternative policies. And it would be a good way for you, Pascal, to express a neutrality perspective.

#Pascal

I will certainly try to do that, and I will link TMS, Transnational Media Service.

#Richard Falk

Yes, Transnational Media Service.

#Pascal

Transnational Media Service. I will put the link to it in the description box below. And with that said, Professor Richard Falk, thank you so much for your time today.

#Richard Falk

Thank you, Pascal. I enjoyed being with you and having this conversation. Thank you.