

Theoretical Innovation of the Overseas Military Base Regime from the Perspective of the Four Global Initiatives

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Abstract

Alliance is the theoretical cornerstone of the traditional overseas military base regime. The alliance theory holds that the countries involved in overseas military bases should build a base system focusing on addressing traditional security threats based on a common enemy or a hypothetical enemy. With the continuous advancement of international socialization, the traditional overseas military base regime is difficult to cope with the emerging non-traditional security threats. Based on the examination of the overseas military base regime theories under the perspectives of realism, liberal institutionalism and constructivism, this paper argues that taking the "Four Global Initiatives" as the guiding concept for constructing the overseas military base regime can improve the overseas military base regime.

Keywords

Overseas Military Bases; "Four Global Initiatives"; Alliance; Constructivism.

1. What Is the Overseas Military Base Regime?

An institution refers to a set of interrelated rules-formal or informal-that operate with continuity, define roles, constrain behavior, and shape expectations. Robert Keohane points out that institutions primarily carry two dimensions of meaning: on the one hand, they denote "a general pattern of behavior or classification"; on the other hand, they refer to "a specific set of formal or informal organizational arrangements." [1] According to Keohane's definition, the institutional arrangements governing overseas military bases may take one of three forms.

The first form consists of intergovernmental organizations or non-governmental organizations. Such organizations are entities established to serve specific purposes. They are capable of supervising the acquisition, operation, and termination of overseas military bases, as well as monitoring and responding to activities conducted at such bases. These organizations are deliberately designed and established by states. They are bureaucratic in nature, characterized by clearly defined rules and specific regulatory arrangements governing individuals and groups. The second form is that of international regimes. International regimes refer to institutional arrangements with explicit rules, endorsed by the governments of states involved in overseas military bases, and applicable to specific areas concerning the acquisition, operation, and closure of overseas military bases.

The third form consists of international customs. In philosophy and social theory, customs are informal institutions composed of implicit rules and shared understandings that shape actors' expectations. They enable states involved in overseas military bases to achieve mutual understanding and to coordinate their behavior even in the absence of explicit rules. [2]

On this basis, this paper argues that the overseas military base regime primarily encompasses the following components. First, there is the regime governing the acquisition of overseas military bases. This regime concerns the political consensus and cooperation between the host state and the basing state, and is generally established through military treaties or agreements,

or through the charters and resolutions of international organizations. Second, there is the regime governing the operation of overseas military bases. This regime includes the allocation of jurisdiction between the basing state and the host state—an allocation that is typically institutionalized through instruments such as Status of Forces Agreements—as well as the functional operation of the base and the rights and obligations enjoyed by the parties during its operation. Third, there is the dispute settlement regime relating to overseas military bases. The establishment of such a regime involves the coordination of the domestic laws of the states concerned and the effective linkage between treaties governing overseas military bases and the domestic legal systems of the parties.

In sum, the overseas military base regime exhibits the general characteristics of international institutions. At the same time, overseas military base regimes have displayed significant variation across different historical periods and under the influence of different dominant theories of international relations. Accordingly, this paper proceeds to analyze the theoretical foundations of modern overseas military base regimes from the period of the First Industrial Revolution to the present.

2. The Historical Evolution of the Theoretical Foundations of the Overseas Military Base Regime

As an instrument of geopolitical struggle, the overseas military base regime has undergone three major stages in terms of its theoretical foundations.

2.1. The First Stage: From the First Industrial Revolution to the Outbreak of World War II—The Overseas Military Base Regime under the Dominance of Classical Realism

The core content of classical realism may be summarized as follows. First, the international system is anarchic. Realism holds that international politics differs fundamentally from domestic politics. Within the international system, there exists no world government or universal authority standing above sovereign states that is capable of enforcing law or establishing order; as a result, violence and war are regarded as inevitable phenomena. Under such conditions, human beings confront one another not as individuals but as social groups, and these social groups command the loyalty of their members. Second, within an anarchic system, the primary actors are states conceived as unitary entities. How states behave in the international system is determined not by their internal political institutions, but by the nature of the international system and the distribution of state power. Third, power constitutes the key to understanding international relations. The fundamental objective of states is to enhance power and security. International politics, therefore, is politics among states and politics of power. These “high politics,” oriented toward national security and international peace, are distinct from “low politics,” which focus on promoting economic and social welfare. In such political interactions, the use or threat of force constitutes the principal means by which states advance their interests. Accordingly, the measurement of state power is primarily based on military capability. Since every state bears responsibility for safeguarding its own interests and providing for its own security, states generally conduct foreign policy on the basis of power and security rather than morality or ideals. Fourth, states are rational actors. In their pursuit of power and security, states adopt purposive policies and are subjectively expected to act in accordance with utilitarian principles or rational norms. Confronted with an uncertain international environment, states seek to optimize their strategic position and maximize their national interests. Because each state endeavors to protect its own maximal interests, conflict among states is pervasive. Given that human rationality cannot transcend the fundamental conflictual nature of international politics, international institutions are incapable of promoting

cooperation on the most basic issues of peace and war.[3] From the period of the First Industrial Revolution to the First World War, classical realism prevailed as the dominant theoretical paradigm.

During the first wave of colonial expansion, spanning from the latter half of the sixteenth century to the mid-nineteenth century, Western states adopted mercantilist policies. Even before the formation of the modern state system, Western powers had already discovered the Americas, navigated around the African coast, and established contact with several Asian kingdoms. In the sixteenth century, Spain practiced mercantilism through the extraction of gold and silver from the American continent. From the seventeenth to the eighteenth centuries, other Western states successively established colonial settlements or military outposts along the Atlantic coast of North America in pursuit of additional resources and wealth. With the assistance of advanced ships and artillery, Western states expanded beyond Europe and began conquering other continents and civilizations. During the first colonial wave, Europe's principal achievements included the establishment of colonies and overseas military bases in the Americas, the military conquest of Asia, the forcible opening of China through the Opium Wars, and France's occupation of Indonesia beginning in the 1860s.

During the second colonial wave, coinciding with the era of Western imperialism, European powers further strengthened their control over Asia, particularly by incorporating China into their spheres of influence and thereby securing monopolistic trading privileges. Fueled by a sense of superiority derived from the Christian notion of "manifest destiny," Western powers believed that improving the conditions of non-white populations required subjecting other peoples to European cultural domination. Enabled by two major technological revolutions, Western states constructed vast colonial empires. With the invention of steamships and locomotives, Western rule extended across oceans and penetrated deeply into multiple continents, including previously undeveloped regions of Africa. The overseas military bases established by Western powers compelled colonies to continuously supply goods and manpower to their metropolises.[4] During this period, Western states acquired extensive colonial territories through military conquest and the establishment of overseas military bases. The overseas military base regime of this stage exhibited the following characteristics.

The first characteristic concerns attitudes toward international law. During this period, the vast majority of basing states acquired overseas military bases through military conquest and displayed a dismissive attitude toward international law. E. H. Carr argued that politics is, in essence, power politics, and that morality is a product of power. Modern international crises, in his view, signify the collapse of utopianism grounded in the notion of harmony of interests, while international moral norms emerging after World War I merely served as justifications for safeguarding the interests of major Western powers.[5]

George Kennan similarly contended that international law, particularly the so-called "international legal charter," was incapable of restraining chaos and danger in international affairs. He identified three fundamental dilemmas of the legal approach in international relations: first, states dissatisfied with their status or borders cannot be subordinated to an international judicial mechanism; second, the assumption that the world consists of fully equal sovereign states is merely an illusion, as uneven development generates systemic conflict; and third, the belief that sanctions can restrain undesirable state behavior is itself illusory.[6] Under the dominance of realist theory, overseas military bases functioned as instruments for the acquisition of state power. Basing states frequently ignored the constraints of international law, acquiring overseas military bases through military conquest or constructing base regimes grounded in the threat or use of force.

The second characteristic was that basing states, relying on overwhelming military superiority, demanded extraterritorial jurisdiction or consular jurisdiction over stationed personnel from host states. The establishment of overseas military bases primarily served to plunder the

material resources of host states or to preserve, through military means, feudal host-state governments acting as agents of the basing states' interests.

The third characteristic was that the establishment and operation of overseas military bases were entirely oriented toward serving military functions.[7] For example, the garrison provisions of the Boxer Protocol not only infringed upon China's national sovereignty, but also, through preventive clauses, institutionalized the privileged status of Western powers' military presence in China in order to sustain the Qing dynasty as an agent of foreign powers. This privilege regime manifested several features. First, it expanded negative servitudes. While the Boxer Protocol permitted foreign troops to be stationed in the Beijing Legation Quarter and along the Beijing–Shanhaiguan Railway-constituting a positive servitude-the 1902 Tianjin Handover Correspondence prohibited Chinese troops from stationing or operating within twenty li of foreign forces, thereby creating a negative servitude. Second, it unilaterally expanded extraterritorial jurisdiction. Although the Boxer Protocol did not explicitly address extraterritoriality at the time of its conclusion, in practice foreign troops in China organized military tribunals to try crimes committed by their personnel, including cases involving harm to Chinese individuals or property and Chinese nationals employed within foreign military camps. Under international law, non-official crimes committed by foreign troops should fall under the jurisdiction of the territorial state; however, foreign forces in China asserted that the Qing government lacked authority to punish, arrest, or detain foreign soldiers. Third, it expanded the right of military exercises, allowing foreign troops to conduct military drills in China, as exemplified by the Exchange of the Tianjin Correspondence, which permitted exercises in North China. Fourth, it expanded civil privileges of stationed troops, such as permitting foreign forces to reside in North China for summer retreat purposes.[8]

2.2. The Second Stage: From World War II to the Cold War Period - The Overseas Military Base Regime under the Dominance of Neorealism

World War II began with Germany's invasion of Poland in 1939 and ended with the unconditional surrender of Germany and Japan in 1945, with the Allied Powers achieving complete victory. After the Allies entered Italy in 1943, Mussolini's fascist government collapsed and Italy subsequently joined the Allies. Hitler's strategic miscalculations accelerated the Allied victory, yet the Allies still fought under extremely difficult conditions, because fascism not only threatened the independence of many states, but also directly threatened the lives of people in democratic states. When states with hostile ideologies go to war, such concerns are often matters of life and death and become the foremost consideration. After World War II, Western allies carried out democratic transformation in West Germany, and the United States carried out democratic transformation in Japan. These states prudently assisted the defeated countries in restoring their economies and returning to the existing state system. This time, they did not repeat the mistake made after World War I-namely, demanding war reparations from Germany and requiring territorial cessions. In other words, the treaties directed at Germany and Japan after World War II more closely resembled the reconstruction of France after Napoleon's defeat. These two countries rapidly became U.S. allies and part of a new balance-of-power system. Meanwhile, the Soviet Union expanded its socialist bloc into Eastern Europe and East Germany and constructed its own alliances to counter the Western camp. In this way, the Soviet Union and Western states entered into a Cold War lasting several decades. The Cold War that followed World War II created an atmosphere of extreme tension and hostility. Any action by one side could easily arouse fear and suspicion in the other. Successive crises could readily turn the Cold War into a hot war, or into a shooting war in which basic ideological conflicts were fought out within a competitive international order. The Cold War arose not only from hostile ideologies and worldviews, but also from the conventional arms race undertaken by states after the war in order to establish a new balance-of-power

system. Whether driven by ideological differences or by the arms race, the world became divided into two major camps led by the United States and the Soviet Union. Yet these two camps were entangled with one another and continually pushed their relationship toward conflict. Within only a few years, the United States and the Soviet Union, leading their respective camps, created a “bipolar” power structure equipped with nuclear weapons. By the 1960s, most states had joined, to varying degrees, one of these two camps.[9]

At this point, driven by the need to compete for global hegemony, leaders of both the United States and the Soviet Union embraced the strategic outlook of neorealism. For example, after the end of World War II, the Soviet leader Stalin issued instructions to his subordinates, explicitly stating that Stalin and other senior Soviet leaders did not believe that the United States would strike the Soviet Union in any localized war. If Western states attempted a conventional, probing ground offensive along the “Berlin route,” Soviet forces were ordered to counterattack without seeking Stalin’s approval; if U.S. forces launched a full-scale offensive, the Soviet leadership would likewise authorize Soviet troops to strike head-on. At the same time, Truman advanced the Marshall Plan, through which the United States sought to commit itself to efforts to continuously shape a new international order. The Marshall Plan aimed, through the 1947 Greek–Turkish Aid Program, to enable the United States to replace the United Kingdom’s international position. The United Kingdom had previously provided subsidies to these two countries, but after World War II Britain’s national strength declined and it was no longer able to sustain such subsidies. The Marshall Plan proposed by the United States in 1948 enabled the United States to fill the international power vacuum created by Britain’s decline.

The establishment of the Warsaw Pact and NATO brought about new changes in the international order. The international order was no longer the traditional European balance of power in which multiple states formed shifting combinations; rather, regardless of previous cooperative equilibria, only the balance between two nuclear-armed superpowers remained. If one side disappeared or stayed out, the balance would cease to exist, and the other would become dominant. NATO and the Warsaw Pact provided certain military forces for their member states/satellite states, but at most they served to obtain protection under the U.S. or Soviet nuclear umbrella, rather than to conduct homeland defense.[10] In this context, the overseas military base regime formally entered an era dominated by neorealism.

Neorealists represented by Kenneth Waltz argue that, when unequal states interact within the system, a decisive structural factor is anarchy. States’ behavioral performance is determined by their position within the international structure; the structure of the international system and international law are mutually exclusive in nature.[11] Neorealism treats the distribution of power as the only variable within the structure of the international system. Accordingly, neorealist thinking on power distribution “focuses centrally on the states that matter most.” Power distribution thus refers to the materially grounded distribution of capabilities among major powers. International institutions, including international law as a core component, are thereby marginalized and left with little room to play a significant role.[12]

Neorealism’s disregard for international norms such as international law led, during the Cold War, basing states to regard international law merely as an instrument for maintaining military alliance relations with host states, with its principal purpose limited to sustaining the establishment of bilateral security mechanisms.

Scholar Weitsman points out that threats among states do not necessarily lead to balancing alliances; rather, depending on the level of threat, states may have multiple choices, and allying with a potential opponent is one of them. “When threat levels are low, states may reach low-level commitment agreements with potential friends or enemies. States will enhance their own capabilities and block potential opponents’ paths of expansion, while at the same time they will signal reassurance to opponents so that their actions do not become overly provocative. When threat levels rise between states, they have incentives to form some kind of alliance in order to

manage and constrain their allies. In this way, threats become reciprocal and symmetrical, rather than one state submitting to another. If the level of threat continues to rise, threatened states will seek to balance. And when threat levels reach an extremely high level that can affect the survival of other states, those states will bandwagon with the stronger power and follow the leader in order to address the immediate threat.”[13]

Alliances are a subset of alignments. Alignment refers to a series of mutual expectations between two or more states, namely, when disputes or war arise with other specified states, states in an alignment relationship will receive support from other partners. Such expectations may be strong or weak, and they primarily derive from perceived common interests. Alignment behavior is influenced by three factors: the balance of capabilities, the conflicts and interests existing between states, and interactions among states. These factors all alter allies' expectations as to who will support whom, under what circumstances, and how likely such support is. Alignment constitutes a general commitment to cooperation and consultation among states, with a broad scope and ambiguous objectives; membership may overlap and intersect. Alignment relationships merely reflect similar interests among states, without formal mutual commitments. An alliance, by contrast, is a more formal security instrument aimed at countering an adversary. Stephen Walt argues that an alliance is a commitment to security cooperation between two or more states, intended to enhance each member's power, security, and influence. A basic element of a meaningful alliance is the commitment to mutual support against an external adversary.[14]

During this period, the parties to overseas military bases uniformly took alliance theory as the theoretical basis for base-regime construction. From the dual perspectives of politics and law, the regime displayed the following characteristics.

The first characteristic is that jurisdictional arrangements for overseas military bases generally adopted the “flag-state law theory.” The “flag-state law theory” refers to the view that the privileges and immunities enjoyed by a state at an overseas military base are the product of an extension of foreign forces' immunity. Before the end of World War II, the flag-state principle was the principal rule governing jurisdiction in overseas military bases, namely, that a state's military forces on foreign territory are not subject to the jurisdiction of the territorial sovereign with respect to the management of their own troops.[15]

For example, during the Korean War, the United States dispatched a large number of troops to the Republic of Korea and, in 1950, concluded-by exchange of notes-an agreement with Korea on the exclusive jurisdiction of U.S. forces stationed in Korea. That agreement recognized, in wartime, the exclusive jurisdiction of U.S. authorities over U.S. forces stationed in Korea. After the war, the 1966 Status of Forces Agreement Regarding United States Armed Forces Stationed in the Republic of Korea enabled the United States to obtain most of the criminal jurisdiction over its military bases in Korea. Article 22(1) provides that crimes committed at overseas military bases by U.S. forces stationed in Korea and their family members and other civilians shall fall under the exclusive jurisdiction of the U.S. forces. Paragraph (2) adds matters that would otherwise fall under Korean jurisdiction: where U.S. administrative penalties and punishments are more effective, Korea may, upon request by U.S. authorities, waive criminal jurisdiction. It further provides that, with respect to crimes infringing the security of U.S. property, acts or omissions committed in the performance of official duties by U.S. forces, and conflicts of U.S.-Korean criminal jurisdiction, the United States shall exercise criminal jurisdiction with priority.[16]

Through the 1947 U.S.-Philippines Military Bases Agreement, the United States obtained exclusive criminal jurisdiction over crimes committed by U.S. forces stationed in the Philippines, namely, crimes committed by U.S. forces and their family members within base areas were subject to the exclusive jurisdiction of the U.S. forces. Within base areas, the United States enjoyed extensive extraterritorial jurisdiction. Although Article 17 of the Status of Forces

Agreement Regarding United States Armed Forces in Japan provides that “Japanese authorities have, in accordance with Japanese law, the right to adjudicate and punish crimes committed in Japan by U.S. forces and related personnel,” Article 17(5) further provides that “with respect to suspects over whom Japan may exercise jurisdiction, where they are detained by the United States, the United States shall retain the right of continued custody until Japan institutes prosecution.”[17]

The second characteristic is that the institutional design of overseas military bases, grounded in alliance theory, tended to preserve the international predominance of the basing state, treating overseas military bases merely as a linkage bond within alliances. For example, in the early Cold War, in order to establish global hegemony, the United States—beginning with the North Atlantic Treaty—acquired most bases within its global base system through multilateral or bilateral alliance treaties such as the Rio Treaty and the U.S.–Japan Security Treaty. Around the 1960s, under the guidance of an expansionist national strategy, the use of alliance instruments reached its peak, and U.S. overseas military bases spread across Eurasia, Latin America, Africa, and other regions. In the post–Cold War period, although the global power contest between the United States and the Soviet Union was approaching its end, the United States nevertheless, within the NATO framework, developed numerous new allies and acquired or maintained rights to use military bases in those states.[18]

The third characteristic is that cooperation concerning overseas military bases was mostly carried out through the construction of bilateral security mechanisms. As a security mechanism delineated by regional scope, a bilateral security mechanism, compared with global security mechanisms or even regional security mechanisms, is a more common and more readily emerging form of international security mechanism. As a means of serving national interests, bilateral security mechanisms often exert profound but often divergent effects on the two parties that join them. Under such effects, the parties to overseas military bases must first consider the objectives of the bilateral security mechanism. Yet a bilateral security mechanism oriented toward external expansion can easily induce a state to illusorily amplify its own strength, incline it to use force to resolve issues, and readily trigger regional or even global tensions, thereby producing negative effects on states seeking security.[19]

In other words, no bilateral security mechanism can be an absolute good. In certain circumstances, a bilateral security mechanism may constitute a harm rather than a supplement to national power; moreover, any promise of future assistance is uncertain. A state may be dragged by its allies into conflicts that are unfavorable to its own interests.[20] At this stage, the establishment of overseas military base regimes was largely oriented toward military deterrence and the maintenance of a balance between the two opposing blocs.

The fourth characteristic is that, at this stage, basing states more often acquired overseas military bases by means of “leased territories.” For example, during World War II, the United States, driven by the need for strategic defense, treated the defense of the Panama Canal as a priority concern. Under the pretext of defending the Western Hemisphere, and taking advantage of Panama’s declaration of war on the Axis powers, the United States compelled Panama in May 1942 to sign the Agreement Between Panama and the United States on the Lease of Defense Areas. Under this agreement, Panama granted the United States the right to establish and use 134 overseas military bases outside the Canal Zone, and it was stipulated that they would be returned no later than after the end of the war.[21]

2.3. The Third Stage: From the End of the Cold War to the Present-The Overseas Military Base Regime under the Dominance of Liberal Institutionalism

The third stage runs from the end of the Cold War to the present. With the end of the Cold War, an increasing number of states broke away from the control of the bipolar structure and began

to explore their own development paths. The American scholar Paul Stares classifies states in the post-Cold War world into pre-modern states, modern states, and post-modern states. This theory holds that pre-modern states focus on the realist paradigm, post-modern states focus on the liberal paradigm, and modern states lie in between. The criteria for dividing states into these three types-pre-modern, modern, and post-modern-seem to constitute a linear developmental trajectory from backwardness to modernity: all states are expected to experience such a stage-by-stage evolution, moving from the pre-modern stage in terms of security outlook, through the modern stage, and ultimately to the post-modern stage.[22]

Liberal institutionalists still regard the state as the core actor. Once military force is invoked, it becomes the ultimate determinant of the structure of interstate relations. States and their leaders are treated as rational actors. They do not make decisions or take actions imprudently so as to bring losses or unbearable risks upon themselves. States, like individuals, are also assumed to be selfish egoists. They pursue their interests under anarchy, and the defining feature of anarchy is that the consequences of their actions generate enormous uncertainty; in other words, they lack the necessary information about how to act, that is, they cannot predict precisely and reliably the outcomes produced by their own and other actors' contingent actions. With respect to anarchy, institutionalists differ from neorealists: liberal institutionalists argue that states possess a wide range of choices across different policy areas, whether cooperation or defection. They are not forced to rely solely or primarily on force and threats to guide their collective responses to contingent events.[23]

After the end of the Cold War, major Western powers possessing overseas military bases generally took liberal institutionalism as the primary guiding theory for establishing overseas military base regimes. The main features of overseas military base regimes in this period are as follows.

The first feature is that, in order to adapt in a timely manner to the political context of the increasing organizationalization of international society, basing states and host states treated the soft-law norms of international organizations as important references/standards for the establishment of base regimes, or the parties to overseas military bases responded to international organizations by treating overseas military bases as logistical support hubs for transnational operations organized by international organizations. The most typical examples are overseas military bases established/provided by Security Council member states in response to peacekeeping operations. The content and functions of each base are defined by the relevant peacekeeping instruments. Typical examples include overseas military bases used to supervise the Arab-Israeli ceasefire pursuant to Resolution S/RES/50 (1948), to supervise the India-Pakistan ceasefire pursuant to Resolution S/RES/47 (1948), to supervise the ceasefire and disengagement between Greek and Turkish communities pursuant to Resolution S/RES/186, and to supervise the India-Pakistan ceasefire pursuant to Resolution S/RES/211.

The second feature is a functional transformation of overseas military bases. The overseas military base regime shifted from an exclusive focus on responding to traditional security threats to a coordinated approach addressing both traditional and non-traditional security threats. After World War II, with the development of modern international law, war was denied legitimacy as a means of resolving international disputes. The military function of overseas military bases in peacetime gradually receded from international politics, and was replaced by functions aimed at addressing non-traditional security threats. Non-traditional security is a concept defined in contrast to traditional security. Traditional security refers to territorial integrity, that is, sovereignty not being infringed, with security threats mainly originating externally. Non-traditional security refers to all factors endangering a state's security other than traditional security, including economic security (financial security, monetary security, fiscal security), political security, cultural security, scientific and technological security, talent security, information security, ecological security, energy security, international terrorism,

ethnic separatism, transnational crime, and so forth. Clearly, non-traditional security encompasses two aspects: first, military or non-military threats posed by non-state actors to state sovereignty and territorial integrity; second, issues of “human security,” namely, threats to society and individuals caused by externally connected factors, such as environmental problems (global warming, etc.), population growth and resource scarcity, public health, transnational crime, and antagonisms generated by racial or economic inequality.[24]

In other words, non-traditional security refers to non-military threats and harms originating from non-state actors that endanger state sovereignty and interests as well as the survival and development of individuals, groups, and humankind as a whole. It is transnational, plural, social, and interrelated. Non-traditional security does not exclude the state: the state, as well as individuals, society, and other non-state actors, are all subjects of non-traditional security. The objective of non-traditional security is to safeguard fundamental interests such as the survival and development of states and humankind, involving a wide range of issues beyond military security, including political, economic, social, cultural, and environmental domains. The sources of non-traditional security threats may come from within a state or from outside it, or may result from the interaction of internal and external factors; they may be caused by deliberate human destruction or by the consequences of natural disasters.[25]

After the end of the Cold War, the functions of overseas military bases evolved from a traditional single military function into comprehensive functions such as evacuation of nationals, counter-piracy, counter-terrorism, and assistance to peacekeeping operations. This functional transformation has gradually rendered the overseas military base regime a form of international security public good.

The third feature is that economic assistance became the predominant means of acquiring overseas military bases, with military conquest largely abandoned as a pathway to obtain overseas military bases. Liberal institutionalism views international law as a mode of interaction that learning-capable states, through repeated trial and error, come to adopt as the lowest-cost and most effective means of engagement, and also as an optimal or second-best instrument through which states seek to maximize their own interests. If international society is analogized to a playing field, international law is the set of game rules jointly negotiated and observed by states as competitors. As actors in international relations, unitary and rational states-like the “economic man” described by economists-are willing to cooperate with one another on the basis of comparative advantage, and establish norms in order to improve the environment of existence and promote human security. International institutions are the lowest-cost and most effective choice for interstate cooperation to avoid zero-sum games; only with an international order can the greatest benefits be obtained at the smallest cost. International institutions take three forms-international organizations, international regimes, and international customs-and have three characteristics: authority, constraint, and interrelatedness. These characteristics generate horizontal effects and network effects, thereby enabling the resolution of cooperation dilemmas and safeguarding effective cooperation. In other words, international law plays a crucial role within international institutions and serves as a primary avenue for cooperation among states. Liberal institutionalists maintain that even where states belonging to different geopolitical groups have significant divergences of interests in certain respects, they generally narrow their demands to exercise power independently, cooperate on sovereign affairs, and leave space for the scope of international law’s implementation.[26]

This “respect” for international law among liberal institutionalists, coupled with cost considerations, tends to manifest as respect for existing international law. Although some states continued to acquire overseas military bases through military conquest after the Cold War, the overwhelming majority still adopted economic assistance as the means to obtain/maintain the existence of overseas military bases. For example, in the early twenty-first century, large-scale

anti-base movements erupted in Okinawa due to environmental pollution caused by U.S. bases and sexual crimes committed by U.S. forces against local residents. The U.S. and Japanese governments, guided by compensation politics theory, constructed compensation mechanisms to respond to and offset the negative impacts of anti-base movements on U.S. bases. "Compensation politics" refers to a strategy of exchanging material benefits for political compromise; such practices may be identified as compensation politics. The compensation mechanisms concerning Okinawa bases between the U.S. and Japanese governments mainly included four levels: an international level led by the U.S. military, a central-government level led by the Japanese government, a local-autonomy level led by the Okinawa government, and a civic level led by Okinawan interest groups. Under these four levels of compensation mechanisms, Okinawa's economy developed a deep dependence on U.S. bases, which concealed the Japanese government's "discriminatory structure" toward Okinawa and also weakened the confidence of the Okinawa government and its people in building an independent economy. Okinawan residents emotionally rejected the bases, yet repeatedly found it difficult to resist the temptations of base-related compensation. For the Japanese government, compensation measures were sufficient to fragment the anti-base movement in Okinawa, thereby maintaining the existence of U.S. bases stationed there.[27]

In sum, although the theoretical foundations of overseas military bases across the three stages have gradually conformed to the modern international order, they still suffer from the following deficiencies.

First, the alliance theory underlying existing overseas military base regimes has become difficult to adapt to the development of the organizationalization of international society. As discussed above, alliance theory emphasizes the establishment of bilateral security mechanisms and the construction of military alliances to jointly address a shared "hypothetical enemy" of the parties to overseas military bases. This theory carries a distinct great-power chauvinism and is a product of power-politics theories such as hegemonic stability theory. Hegemonic stability theory first emerged within realist theory and was later developed within neorealism, with its legitimacy defended through functionalist and moralist arguments. Functionalism holds that international hegemony is an indispensable dominant element of international society, providing the strongest and ultimate guarantee for the world economy, politics, and security. In other words, only the existence of a hegemonic state can establish a robust linkage between international political and security cooperation; absent international hegemony, the world will become chaotic and disorderly, and individual states will be unable to cope with unknown challenges. Moralism proclaims that hegemony embodies the will to assume world responsibility, namely, that international society needs a "world police" capable of proactively intervening in global/regional disputes, and only a hegemonic state is qualified and capable of serving as such a "world police." [28]

Liberal institutionalism, within a neorealist framework, adds the concept of soft power, thereby remedying the "legitimacy defect" produced by neorealism's excessive obsession with power politics. Soft power is a cooperative form of power, whereas hard power is a confrontational form of power. Soft power is the ability of one state to make other states want what it wants, whereas hard power is the ability of one state to make other states do what it wants. The sources of soft power are mainly twofold: first, the attractiveness of culture and ideology; and second, the rules and institutions of international regimes. Accordingly, soft power is the capacity of a state to employ its soft power resources to shape an international situation in which other states will voluntarily make choices and define their interests in a manner consistent with that state.[29]

Joseph Nye argues that soft power has two aspects of effect: first, in the long run it can reduce state costs; second, it can enhance a state's legitimacy in international society. Nye states bluntly that adopting multilateral means entails the loss of certain flexibility, because doing so

provides other states with opportunities to express views; when other states express their views, your actions may be delayed-this is the cost incurred. On the other hand, you gain opportunities to access other states' financial resources. For example, in UN peacekeeping operations, costs can be shared with other states rather than borne solely by a single great power.[30]

Although the introduction of soft power enables liberal institutionalists to reduce moral condemnation in the international sphere, in essence it still serves a single state or a particular military hegemonic group.

Second, disregard for international norms such as international law has produced extremely adverse effects on existing international regimes. An international regime is a set of explicit or implicit principles, norms, rules, and decision-making procedures. Such content may appear as explicit international treaties, or may exist in purely subjective forms such as international custom. International law likewise includes these two forms of content. However, not all normative content contained in an international regime can become part of international law. On the one hand, entry into the normative system of international law requires stricter operating procedures than those of international regimes; on the other hand, and more importantly, international regimes merely embody the consensus of participating states and do not necessarily reflect the value pursuit of international justice. From a value perspective, international regimes may carry significance for promoting international cooperation and eliminating international disputes. Yet such cooperation may either be a common effort by states and peoples worldwide to oppose arms races and pursue peace, or a collusive arrangement among imperialist states in the partition of colonies. International law is different. Because the ideas of international law originate in "natural law" and the "law of nations," international law inherently contains value orientations toward justice, reasonableness, and fairness, in addition to the principles of sovereign equality and state consent. The basic content of international law thus displays a stronger normative tendency.[31]

As discussed above, realists and neorealists view international law as an instrument for pursuing international power and adhere to an "use it if it fits, discard it if it does not" approach. The construction of overseas military base regimes thus becomes merely a tool for a great power or a military alliance to maintain hegemony. Although liberal institutionalists add the concept of "soft power" to the design of overseas military base regimes, the core purpose remains to construct "an overseas military base regime as a platform to reduce communication costs among allies, so as to maintain the international hegemony of the parties to overseas military bases." Whether realism, neorealism, or liberal institutionalism, all adopt bilateral-priority security cooperation mechanisms, producing substantial negative impacts on the multilateralism advocated by existing international regimes.

Third, with respect to recognition among host-state populations, realism and neorealism often employ military deterrence to compel host states to amend domestic legislation, or to force them to grant privileged status or extremely broad immunities to the basing state's military personnel. Liberal institutionalists, by contrast, tend to "bribe" host-state governments through economic assistance, inducing host-state governments to coordinate and conceal public dissatisfaction with environmental pollution, civil torts, and even criminal offenses committed by stationed forces of the basing state.[32]

3. Dilemmas Confronting the Theory of the Overseas Military Base Regime in the Contemporary International Context

3.1. The Overseas Military Base Regime Has Difficulty Encompassing Non-State Actors

Non-state actors have, to varying degrees, been active on the stage of international politics since the Westphalian system was established in 1648. Broadly speaking, non-state actors have undergone three stages of development. The first stage emerged after World War II, when intergovernmental organizations represented by the United Nations sprang up in large numbers; such organizations were grounded in state sovereignty. The second stage began in the 1970s and 1980s. With the development of economic globalization, non-governmental organizations, by virtue of their expertise, gradually began to influence the development of international society. The third stage began after the end of the Cold War, during a period of rapid globalization. With the emergence of phenomena such as the formation of proxy-war models and the rise of international security services, multiple forms of non-state actors appeared beyond traditional transnational corporations, intergovernmental organizations, and non-governmental organizations, including international terrorist organizations (e.g., the Islamic State) and social civic governance organizations.

In terms of influence, non-state actors, relying on economic resources and technological capabilities, often pose major challenges to the traditional governance of state actors. In terms of scale and number, non-state actors exhibit a pronounced trend of development from large organizations toward small-, medium-, and micro-sized organizations. Non-state actors currently active in international society include not only traditional large private transnational security companies, but also a vast number of small and medium organizations or groups. Many of these emerging small-, medium-, and micro-sized organizations are non-governmental organizations, spanning numerous industries and fields, and their sheer quantity is difficult to calculate. In terms of organizational form, non-state actors display clear features of looseness and decentralization. In addition to traditional large organizations, in recent years newly emerging non-state actors have taken on even looser forms. "Coalitions of the willing" based on various forms of identity affiliation, interest affiliation, and value affiliation have gradually become the dominant developmental trend. Such small-scale and loose organizational forms often mean that emerging non-state actors do not pursue strict hierarchies or rigid management models; instead, a typical feature is that members act with subjective initiative and considerable freedom of action.

In terms of influence, non-state actors, relying on economic resources and technological capabilities, often pose significant challenges to the governance position of state actors. International terrorist organizations and other non-state actors employ methods such as "lone-wolf tactics" and "online terrorist propaganda" to generate intense public panic, thereby challenging traditional governance models and structures in an asymmetric manner. In terms of goals and demands, non-state actors are more eager to dominate discursive authority within their own domains and to seek a voice in state and international affairs. Whether relying on wealth resources or armed capabilities, contemporary non-state actors more proactively participate in various activities implicating their interests. At the same time, some actions of non-state actors have caused states to face "non-traditional security threats." [33]

The governance problems faced by the overseas military base regime arising from non-state actors are mainly concentrated in two aspects. First is the issue of attribution of responsibility after international terrorist organizations attack overseas military bases. Because non-state actors do not fully rely upon state sovereignty, corresponding problems of attribution arise. Second is the issue of jurisdiction of overseas military bases over non-state actors. In international practice, parties to international armed conflicts often hire private military

companies or private security companies to safeguard overseas assets and protect personnel. Yet in practice the parties to overseas military bases maintain a relatively ambiguous legal characterization of such non-state actors. Whether realism, neorealism, or liberal institutionalism, all construct corresponding rules of state attribution on the basis of the sovereignty of the parties. The emergence of non-state armed actors therefore poses a severe challenge to the set of attribution-related arrangements that overseas military base regimes have relied upon sovereignty to sustain.

3.2. Divergences in Ideational Identification

Although realism and liberalism differ in their understandings of how to construct overseas military base regimes-realism emphasizes the mechanics of international politics and views overseas military bases as instruments for acquiring international power, whereas liberal institutionalism advocates using overseas military base regimes to consolidate alliances, first by strengthening alliance capabilities to confront hostile states through overseas military bases, and second by reducing the uncertainty of parties' actions and restraining the security dilemma within alliances-the core question they explore remains, in any event, how to shape a "balance of power" internationally. In this respect, there has been no substantive change. In fact, alliances for which overseas military bases serve as a linkage are themselves in a state of "dynamic equilibrium." This also means that although realism and liberal institutionalism treat the pursuit of a "balance of power" as the core objective of any alliance, while the achievement of a certain "balance" is a static cross-section, ensuring the continual maintenance of "balance" is a genuinely dynamic process.[34] In international practice, broad consensus for constructing an overseas military base regime must satisfy both ideational identification at the political level and ideational identification at the legal level.

At the political level, the first issue is divergence in security conceptions among "great powers," "secondary great powers," "middle powers," and "small states." Robert Keohane, using the relationship between states and the international system as the distinguishing criterion, classifies states into four types-"system-determining," "system-influencing," "system-affecting," and "system-acting"-which are respectively defined as "great powers," "secondary great powers," "middle powers," and "small states." Keohane argues that small states are those whose leaders believe that their states, whether acting independently or through small-group arrangements, are entirely incapable of exerting significant influence on the system.[35]

States of different sizes are assigned corresponding systemic roles. In the evolution of the international system, great powers are the "dominators" and "constructors" that determine the nature, content, and direction of the system, while small states are merely passive "acceptors" and "obeyers" of the international system. Within an international context structured by power thinking, small states have no capacity to influence the system at all; hence small states are also defined as "those states that lack the ability to challenge this basic contextual configuration." [36]

At the level of security conceptions, the greatest difference between small states and the other three types of states is that small states' security-policy objectives and scope diverge more significantly from those of the other three types. Great powers' security-policy objectives may be far more expansive, even exceeding what national security strictly requires. Great powers' security strategies typically aim to occupy advantageous positions within the international system and to form and maintain favorable situations. The military security threats faced by great powers are other great powers that constitute or potentially constitute challenges; small states generally are not regarded as primary opponents or military threats. By contrast, small states' security-policy objectives do not seek to alter a great-power-dominated international system, nor do they possess the capacity to change the status quo; rather, they strive to maintain the status quo. In other words, the ultimate criterion for small states is survival rather than victory. Relative to their levels of capabilities and threat perceptions, small states'

security-policy objectives are not to confront great powers, but to avoid possible confrontation with great powers, especially neighboring great powers, to the greatest extent possible. The key premise of small-state survival and the fundamental route to safeguarding national security are peaceful coexistence with great powers, strengthening domestic development and the military capabilities required for security self-help, and deterring potential threats posed by neighboring states.[37]

At the level of overseas military base regime construction, small states hope-by becoming host states or otherwise serving as party actors-to form military alliances with basing states so as to obtain military security commitments provided by the basing states. In other words, because small states have relatively small economic and military capacities, their provision of land for overseas military bases or their participation in overseas military base regime construction aims to elevate their position within an ally system dominated by the basing state, so as to gain priority access to international security public goods provided by the basing state. Great powers, especially long-established capitalist states, by contrast, often establish overseas military bases to maintain international hegemony or to control key straits and other geopolitical chokepoints. The two thus diverge significantly in their security conceptions regarding overseas military base regimes.

The second issue concerns alliance conceptions between Global South states and Global North states. Global South states and Global North states hold different views on alliance conceptions: many Global South states are supporters of the Non-Aligned Movement, whereas Global North states-especially States Parties to the North Atlantic Treaty-take military alliances as the cornerstone and use the establishment of the legal regime of overseas military bases as a linkage to maintain the military hegemony accumulated from the end of the Cold War to the present.

At the legal level, the legal conception of an overseas military base regime requires effective linkage between international military agreements and the domestic laws of the parties, as well as coordination between the legal conceptions of the basing state and the host state, so as to construct a normative foundation for the overseas military base regime. In practice, the parties to most overseas military bases are mainly situated within the maritime law tradition, the civil law tradition, the socialist law tradition, and the Islamic law tradition.

The diffusion of the maritime law tradition first accompanied the footprints of British merchants and colonists in the eighteenth century across both the Eastern and Western Hemispheres. In colonies or dependent territories established in these English-speaking regions, the influence of the maritime law tradition mainly operated through the following forms: first, the forcible implementation of the colonizing maritime-law state's laws; second, through colonial officials of maritime-law states who established, within the colonies, laws suited to local conditions on the basis of maritime-law legislative conceptions; and third, the colonial authorities of maritime-law states consciously preserved certain pre-existing legal institutions of the region, enabling them to coexist with maritime-law conceptions.[38]

With the establishment of the United States and U.S. influence after World War II, the legislative spirit and legal conceptions of the maritime law tradition were gradually employed in constructing the overseas military base regime of the North Atlantic Treaty Organization. The civil law tradition inherited Roman law and "pure" Germanic law. From Justinian to the rise of Napoleon, and with the establishment of the Westphalian system, the civil law tradition was globally disseminated through the colonial rule of Spain, Portugal, the Netherlands, and France. Certain regions that were once colonies of continental European states and later came under British or U.S. jurisdiction—such as Puerto Rico and the U.S. state of Louisiana—still retain traces of the civil law tradition. The civil law tradition carries a passionate reformist legal ideology and the conception of fixing reform achievements through legal forms,[39] and conceptions such as a strict distinction between public law and private law have exerted profound influence

on long-established overseas military base powers such as France and Germany, and have also laid a theoretical foundation for the civil jurisdiction of overseas military bases.[40]

The Islamic law tradition's involvement in the construction of modern overseas military base regimes began after the Cold War. Traditional Islamic law excludes the stationing of non-Muslim troops on Islamic territory. For example, Article 146 of the Constitution of the Islamic Republic of Iran provides that the establishment of foreign military bases in Iran is prohibited. However, constitutional provisions of most other modern Islamic states stipulate that the government has the authority and obligation to decide whether foreign military bases need to be deployed, thereby making it possible for states to conclude overseas military base agreements. During the Cold War, Russia established overseas military bases in Kyrgyzstan and other states, while the United States established multiple overseas military bases in Gulf states such as Bahrain, Saudi Arabia, and Iran.[41] This development led the Islamic law tradition to display new developments in overseas military bases established by the Warsaw Pact in the Middle East and by NATO in the Middle East.

The socialist law tradition adheres to Marxist standpoints, viewpoints, and methods, and systematically elaborates Marxist theories of the state and law. This legal tradition not only explains the class nature of capitalist states, but also exposes the ugly essence of capitalist states' colonial plunder, aggression against other states, enslavement of other peoples, and deprivation of other peoples.[42] After the establishment of the Soviet Union, the socialist law tradition, as the normative guide for the Soviet overseas military base regime, became widely prevalent throughout Soviet regions. While each legal tradition has played a crucial guiding role in the construction of institutional norms for overseas military bases, value conflicts among these traditions have generated ideational divergences in the construction of overseas military base regimes.

3.3. The Sovereignty Conception of Traditional Overseas Military Base Regimes Conflicts with the Sovereignty Conception Advocated by the United Nations Charter

In the view of neorealists, human beings are selfish, and states are likewise so. The greatest difference between the international system and the domestic political system is that the domestic system is centralized and hierarchical, whereas the components of the international system are equal and therefore exist in a state of anarchy. Components of the domestic political system stand in superior-subordinate relations: some components possess command authority, and others must obey. The domestic system is centralized and hierarchical. By contrast, the components of the international political system are equal. Formally, every state is equal to all others; no one has the right to command, and no one obeys. The international system is decentralized and anarchic. In such an anarchic international system, in order to survive, states can only attend to their own interests. Under anarchy, the primary relations among states are competition and conflict; however, when two states have common interests, they can cooperate. Overseas military base regimes established under neorealist theory focus on sovereign interactions among the parties, while neglecting the interactive relationship between overseas military base regimes and international organizations. At the same time, within the interaction between basing states and host states, basing states often compel host states to accept "international servitude" clauses in base agreements, thereby concealing the erosion of host-state sovereignty by basing states in jurisdictional matters.[43]

Liberal institutionalism argues that the postwar Western order mainly has two characteristics. First is "security restraint," meaning that after the war Western states continuously practiced a reciprocal mechanism that linked their interests and security together. This mechanism differs from constraint mechanisms under imperial or hegemonic systems in that states benefit each other within it and thereby overcome the defects of international anarchy. Second is

“penetrated hegemony,” which, compared with previous forms of hegemony, places greater emphasis on reciprocity; this liberal hegemony emphasizes cooperation and emphasizes seeking common ground while reserving differences.[44]

Although liberal institutionalism emphasizes that overseas military base regimes must satisfy the “principle of reciprocity” between basing states and host states, in international practice, parties to overseas military bases exploit the “principle of reciprocity,” using economic assistance or political assistance as leverage to compel other parties to become involved in international disputes led by the basing state. For example, the 1951 Mutual Defense Treaty between the United States and the Philippines was a product of the Cold War, under which the United States and the Philippines jointly confronted the so-called communist threat. At that time, the relevant sovereignty disputes between China and the Philippines in the South China Sea had not yet emerged. After the 1970s, however, this dispute arose from nothing and intensified. The Philippines sought to bring the islands in the South China Sea over which sovereignty is disputed within the scope of application of the alliance treaty, but the United States did not make a commitment. It was not until 2019 that the U.S. Secretary of State, in Manila, pledged that “any armed attack on Philippine forces, aircraft, or public vessels in the South China Sea would trigger mutual defense obligations.” In May 2023, the United States issued the U.S.–Philippines Bilateral Defense Guidelines, extending the scope of the U.S.–Philippines Mutual Defense Treaty to the South China Sea region, thereby turning U.S. military bases stationed in the Philippines into an “instrument” for unlawful interference in the internal affairs of other states.[45]

4. The Response of the “Four Global Initiatives,” from a Constructivist Perspective, to the Theoretical Dilemmas of Existing Overseas Military Base Regimes

4.1. Overseas Military Base Regimes from a Constructivist Perspective

At the level of philosophical ontology, realism and liberalism begin their analysis of interstate relations from the material structure of the international system. Constructivism, in the philosophical sense, is a form of idealist theory. It attaches importance to the role of non-material factors such as ideas, beliefs, and culture, and emphasizes the influence of social structure and culture on international relations. Constructivism maintains that the structure of the international system includes not only a material structure but also a social structure. The material structure refers to the distribution of capabilities among actors and their corresponding positions; the social structure refers to the relatively stable and ordered distribution of ideas and rules within the international system, concretely manifested as international norms and international institutions, among others. Material factors can exert meaningful influence on actors’ behavior only through social structures. In the constructivist view, material factors do not fully determine state behavior; state behavior depends on how states understand and interpret material factors. Constructivism emphasizes a mutually constitutive relationship between systemic structure and actors. On the one hand, interactions among actors form the systemic structure; on the other hand, the systemic structure, by shaping actors’ identities and interests, establishes behavioral norms that actors follow. Accordingly, in the constructivist context, state interests are not a priori, given exogenous variables, but rather products of social structures continuously generated through international political interaction. Because it foregrounds non-material factors, constructivism understands the “anarchy” of international society differently from realism and liberalism. Constructivism argues that anarchy is a product of states, and the nature of international relations depends on what beliefs and expectations exist among states.[46]

In theory, constructivism divides the international system into three patterns. The Hobbesian pattern is one in which different states view each other as enemies, war becomes a normal condition, and attacking, annexing, and eliminating other states for the sake of one's own security, survival, and power is regarded as reasonable and legitimate. No state recognizes another's right to independence, and there are no restraints on escalation in the use of force. This is a "war of all against all, with every state as the enemy of every other state," a natural condition. This international system is the essential condition of international politics described by the realist school, namely, anarchy and a self-help system: states take survival and security as their primary goals, and, having no alternative reliance for national security, increase defensive capabilities; the self-help system thus becomes a typical security system. In the Lockean international system, the relationship among states is no longer one of "life-and-death" enmity. States no longer take survival as their first objective, but turn to welfare, development, and other low-politics areas. Estimates and judgments of strategic intentions no longer adopt a "worst-case" attitude. A minimum degree of mutual trust and consensus is roughly formed, and states follow a principle of non-aggression. A sovereignty system is thereby established: states mutually recognize that each possesses certain territory as its exclusive jurisdiction and enjoys a "right to survival and freedom," and while the use of force among states still occurs sporadically, it is subject to substantial restraints. Arbitrary aggression, intervention, and the elimination of a sovereign state are regarded as violations of international law and the sovereignty system, attracting condemnation and punishment from international society. States reach a consensus: mutual recognition of sovereignty and respect for sovereignty and territorial integrity, and recognition of each other's jurisdiction over life and development. War and force are no longer treated as a source of honor as in the Hobbesian system; they become a choice of necessity for self-defense. The development of international law and the proliferation of international organizations both promote an "anarchic but ordered" condition in international relations—an international system that is clearly the current sovereign nation-state system. The Kantian international system, by contrast, is built on a role-identity structure of "friends": states are neither enemies nor competitors, but friends in cooperative development. The self-help system of the Hobbesian pattern is completely replaced by plural communities or a collective security system; the use of force becomes unlawful, and states do not treat force as a means of resolving disputes among them. States can form reliable expectations regarding peaceful change in the international system. When members of the community face external invasion, they unite in solidarity to resist the enemy. With the development of globalization, the contemporary international system has begun to reveal a tendency toward the realm of "perpetual peace" spoken of by Kant.[47]

Constructivism emphasizes that "identity plays an important role in shaping states' behavior and gains," and opposes a simplistic categorization of parties to overseas military bases as "responsible major powers" and "traditional major powers." A "traditional major power" view holds that the rise and resurgence of emerging major powers will inevitably trigger regional and global turbulence and may even threaten regional and global peace. If parties to overseas military bases are simply categorized as traditional major powers, the conclusion naturally follows that their rise will threaten regional peace and stability. The "responsible major power" view holds that the rise of parties to overseas military bases will not threaten regional/global peace, but will instead contribute to global stability and prosperity. At this level, parties to overseas military bases will actively participate in various international institutions, strengthen cooperation with international society in addressing global issues, and actively provide international security public goods to international society through overseas military bases.[48]

In other words, overseas military base regimes under a constructivist perspective possess the following features. First, they take as evaluative indicators whether the means of obtaining

overseas military bases conforms to international morality, whether the establishment and operation of overseas military bases conforms to international norms-especially international law-and the degree of recognition by the host-state population toward the basing state. Second, with respect to the provision of international public goods, constructivists argue that the provision of ideational public goods is no less important than the provision of material public goods and institutional public goods. When overseas military bases provide international security public goods, they should also emphasize respect for consensus within international society and the construction of a shared security conception between the basing state and the host state. Third, regarding interactions between basing states and host states, constructivists place international norms such as international law at a relatively higher level, mainly in that: (1) they emphasize that legal norms for overseas military bases must obtain recognition under international law while also not violating the host state's domestic law; and (2) they fully respect the host state's strategic norms and endeavor to avoid interference in the host state's internal affairs. Fourth, they emphasize balancing "non-traditional security threats" and "traditional security threats." [49]

4.2. The Innovation of Overseas Military Base Regime Theory by the "Four Global Initiatives"

(1) Respect for Cultural Diversity as a Response to Ideational Divergences in Existing Overseas Military Base Regimes

The "Four Global Initiatives" (hereinafter, the "Initiatives") aim to respect the diversity of world civilizations and to promote the common values of all humanity. Respect for the diversity of world civilizations reflects the basic characteristics of human society. Different states and regions, due to differing conditions of production, religious traditions, and political ideas, have formed different types of political systems. The differentiated development of human society is an objective fact that cannot be avoided. Only by seeking common ground while reserving differences amid such diversity can effective exchanges among different civilizations be realized, thereby promoting the development of partnership in a community with a shared future for mankind. Through mutual learning among civilizations, it seeks to transcend clashes of civilizations; through coexistence among civilizations, it seeks to transcend claims of civilizational superiority. Civilization is an end pursued by humankind, and exchanges among different civilizational forms should be equal. If civilization is treated as an instrument and means, a series of global contradictions will be triggered. When faced with domestic economic and social problems, certain Western political groups adopt approaches such as provoking external contradictions and armed conflicts to divert internal contradictions. They attribute problems in economic and social development to differences among civilizational forms, and attempt to "lead" global cultural civilizational forms with their own civilizational form, thereby further exacerbating global economic, social, and cultural development problems. The Initiatives, built on respect for the diversity of world civilizations, provide a perspective and set of ideas that respect civilizational differences: one must not take the standards of a particular civilization as the standard by which to judge whether other civilizations are "advanced or backward."

In promoting the common values of all humanity, the Four Global Initiatives advocate the common values of all humanity. Certain Western states take the commonality of civilization as a justification for so-called "universal values," attempting, through multiple means, to impose their own values and civilizational views on other states so as to achieve the penetration of Western values and Western civilizational views into states worldwide. From the historical development of human civilizational forms, civilization has both differences and commonalities. Civilizational diversity emphasizes civilizational differences and opposes ideological confrontation grounded in differences in values and civilizational views. The Four Global

Initiatives, by contrast, emphasize the common values of all humanity—peace, development, fairness, democracy, and freedom—as expressions of civilizational commonality and value commonality.[50]

As noted above, realism, neorealism, and liberal institutionalism respectively provide approaches for overseas military base construction. Yet basing states and host states, due to cultural differences and differing domestic political traditions, often face ideational divergences. The Initiatives respond precisely to such ideational identification problems.

Guided by the values of the Four Global Initiatives, basing states and host states may adopt the following measures in constructing overseas military base regimes in order to respond to divergences in ideational identification between them. First, the preamble of relevant agreements on overseas military bases may add language requiring the parties to fully respect each other's cultural traditions, and prohibiting institutional designs that contravene the cultural traditions, political traditions, or religious traditions of the parties. Second, in agreements relating to the operation of overseas military bases, the parties should not design arrangements that violate the host state's domestic law, mainly in the following respects: in the general provisions of the overseas military base agreement, it should be expressly stipulated that the basing state shall not allocate criminal jurisdiction in a manner that violates the host state's domestic law; in the siting of overseas military bases, the basing state should fully take into account the host state's religious, cultural, and political traditions, and should not establish overseas military bases or deploy stationed forces in specific religious sites, certain cultural protected areas, or special environmental protected areas of the host state; in the operation of overseas military bases, the basing state's forces shall not engage in conduct that violates the host state's religious beliefs or cultural traditions—for example, they shall not open bars or stores selling alcoholic products in Muslim-concentrated areas, and shall not sell certain meat products that violate the host state's religious beliefs, and so forth.

(2) Promoting the Common Values of All Humanity to Construct an Equal Sovereignty Conception of “Non-Interference in the Internal Affairs of Other States”

By promoting the common values of all humanity, the Initiatives manifest the concept of peace of a new form of human civilization. The Global Civilization Initiative promotes the common values of humanity, emphasizing respect for the value systems and value connotations reflected in different civilizations. It does not advocate a single value system, nor does it impose one's own understanding of values on others, thereby embodying a concept of peace of a new form of human civilization and providing value guidance for advancing human civilizational development and progress. The common values of all humanity, with openness, inclusiveness, and authenticity, transcend the rigidity, closure, and falsity presented by Western “universal values.” International practice shows that the “universal values” constructed by Western states are an ideological instrument of Western hegemonic states. Western states attempt, through “universal values,” to unify the diversity of world civilizations into a single value standard, so as to facilitate ideological penetration into other states.

Based on the Five Principles of Peaceful Coexistence, the Four Global Initiatives point out that states with different civilizational backgrounds can also establish mutually trusting and friendly cooperative relations. In the context of the organizationalization of international society, common values become increasingly clear and expand through inter-civilizational interactions, and gradually consolidate as international cooperation around common interests increases. The concrete content of common values comes from the real historical process of humanity, is gradually strengthened in interactions among different civilizations, and is consolidated into a value consensus on the basis of common interests among different civilizations.[51]

As discussed above, cooperation on overseas military bases under realism is confined to the military domain, while cooperation under liberal institutionalism merely aims to reduce communication and coordination costs among military alliances. The Global Civilization Initiative offers new implications for the institutional design of overseas military base cooperation. First, cooperation on overseas military bases should abandon “zero-sum” thinking. Cooperation among parties to overseas military bases should not be premised on “jointly confronting a hypothetical enemy” through military means. Rather, cooperation should emphasize “low-politics” issues in the non-traditional security domain, such as environmental and climate protection, safeguarding maritime route security, and joint action against terrorism and piracy. Second, it proposes a new paradigm of “harmony without uniformity” for overseas military base cooperation.

Traditional overseas military base regime construction is grounded in alliance theory. As discussed above, overseas military bases constructed on the basis of alliance theory have sharply different political impacts on “great powers” and “small states.” For great powers, alliances constructed with overseas military base regimes as the linkage enable the basing state to influence, and even completely assimilate, the host society through means such as ideological penetration, thereby turning the host state into a geopolitical “puppet or chess piece” of the basing state. For small states, alliances established with overseas military base regimes as the linkage may enable host states to obtain international security public goods or economic assistance provided by the basing state, but host states are also easily forced to become involved in armed conflicts between the basing state and third states.[52] The Four Global Initiatives provide a solution to this dilemma: they abandon the traditional alliance theory. Host states and basing states need not take “having a common hypothetical enemy/enemy” as the precondition for establishing overseas military bases. Instead, as economic partners and as member states of regional international organizations, and relying upon charters of international organizations and universal instruments, they can establish an overseas military base regime consistent with the framework of sovereign equality under the United Nations Charter.

(3) Observing International Rule of Law, with International Law as the Theoretical Foundation for Constructing Overseas Military Base Regimes

When addressing security issues, the Four Global Initiatives do not emphasize confrontation, but instead advance the proposition of “dialogue rather than confrontation, partnership rather than alliance.” This narrative style highlights a posture of “facing together and solving together,” enabling the Initiatives to shape values capable of broad recognition and to be more readily accepted by states with different political systems and at different stages of development. At the same time, the Initiatives focus on criticizing erroneous ideas such as Cold War thinking and unilateralism. For example, in cultural exchanges, the Global Civilization Initiative explicitly opposes the “clash of civilizations” thesis and “civilizational superiority” thesis, and advocates exchanges and mutual learning among different civilizations. The Initiatives highlight the discursive authority of institutions and international law within the international order, strengthening the systematic expression of the idea of a community with a shared future for mankind.

At this level, the spirit of the Four Global Initiatives indicates that the establishment of overseas military base regimes should follow three layers of normative requirements of international rule of law. The first layer is the collective security mechanism established by the United Nations Charter. “Collective security” refers to a security assurance system aimed at maintaining international peace and security, grounded in the holistic security conception of “the world as one family,” centered on international legal control over the use of force, backed by collective coercive force, and existing in the form of a universal international security organization.[53] This first layer requires that parties, in constructing base regimes, rely upon

the United Nations Charter and take the collective security system as a reference, and must not use overseas military bases to engage in conduct that violates international law, such as infringing on the internal affairs or territorial integrity of other states.

The second layer is United Nations Security Council resolutions. United Nations Security Council resolutions are opinions and decisions with legally binding force, formed through collective voting by the Security Council in exercising its statutory functions of maintaining world peace and security. In essence, Security Council resolutions are also products of international organizations managing and operating international affairs in accordance with international law. As to legal effect, under Article 25 of the United Nations Charter, Member States “agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.” Accordingly, Security Council resolutions have legal binding force, and UN Members must comply with and implement them.[54] The second layer requires that the construction of overseas military base regimes comprehensively take into account states’ obligations to implement Security Council resolutions, and that institutional design should establish, or specifically reserve, “space” to respond to UN Security Council peacekeeping operations.

The third layer is the conception of the international rule of law, including principles of international law and, based on those principles, the Five Principles of Peaceful Coexistence. The elements of “sovereignty,” “non-interference in internal affairs,” “equality,” and “peace” contained in the Five Principles of Peaceful Coexistence are closely connected with relevant provisions in the United Nations Charter. The Five Principles of Peaceful Coexistence concretize and empiricize what were originally abstract basic principles of international law. They reflect the purposes and principles of the United Nations Charter and confer on those purposes and principles a content that is tangible, feasible, and followable.[55] The third layer requires that parties, in establishing overseas military base regimes, comprehensively take into account conceptions of bilateral and multilateral international legal orders.

5. Conclusion

Realism, liberalism, and constructivism have respectively responded to the development of theories regarding overseas military bases. The operation of overseas military bases nowadays requires dual recognition of “legitimacy” and “legality”. In terms of “legitimacy” recognition, the establishment and acquisition of overseas military bases need to achieve mutually beneficial cooperation at the economic level and gain recognition from the citizens of the host country. In terms of “legality” recognition, the establishment and acquisition of overseas military bases must adhere to the “principle of sovereign equality among nations” and the “principle of non-interference in the internal affairs of other countries”. At the same time, they can respond to the call of international organizations to obtain their legal recognition.

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