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Testing the limits of international society?

Trust, AUKUS and Indo-Pacific security

JAMAL BARNES AND SAMUEL M. MAKINDA*

When US President Joe Biden, UK Prime Minister Boris Johnson and Australian Prime Minister Scott Morrison announced a new trilateral military partnership called AUKUS on 15 September 2021, they claimed that their main goal was to protect a rules-based international order and ‘preserve security and stability in the Indo-Pacific’.¹ As part of the agreement, the AUKUS partners will share ‘military capabilities and critical technologies, such as cyber, artificial intelligence, quantum technologies, and undersea domains’.² Although no connection with China was mentioned in the announcement, AUKUS has widely been interpreted as a response to recent activity by Beijing,³ which has engaged in substantial naval developments in the disputed South China Sea in the past few decades and increased its influence in areas bordering the Indian Ocean, including south Asia, the Middle East and Africa.⁴ Given that China already sees the concept of the ‘Indo-Pacific’ as a tool designed to contain its rise,⁵ there is a risk that this new partnership will create further geopolitical tensions in the region.⁶

* We are enormously grateful to the journal editors and the two anonymous referees for their constructive feedback and the speed with which they reviewed this article.

¹ The White House, ‘Remarks by President Biden, Prime Minister Morrison of Australia, and Prime Minister Johnson of the United Kingdom announcing the creation of AUKUS’, 15 Sept. 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/09/15/remarks-by-president-biden-prime-minister-morrison-of-australia-and-prime-minister-johnson-of-the-united-kingdom-announcing-the-creation-of-aukus/>. (Unless otherwise noted at point of citation, all URLs cited in this article were accessible on 4 May 2022.)

² The White House, ‘Remarks by President Biden’.

³ *Is the AUKUS alliance meaningful or merely provocation?*, expert comment, Chatham House, 16 Sept. 2021, <https://www.chathamhouse.org/2021/09/aukus-alliance-meaningful-or-merely-provocation>.

⁴ On how the US, UK and Australia frame the rise of China, see David M. McCourt, ‘Framing China’s rise in the United States, Australia and the United Kingdom’, *International Affairs* 97: 3, 2021, pp. 643–65.

⁵ Kai He and Huiyun Feng, ‘The institutionalization of the Indo-Pacific: problems and prospects’, *International Affairs* 96: 1, 2020, pp. 149–68; see also Feng Liu, ‘The recalibration of Chinese assertiveness: China’s responses to the Indo-Pacific challenge’, *International Affairs* 96: 1, 2020, pp. 9–27.

⁶ ‘China renews attack on AUKUS, says the three countries are pursuing “the rule of the jungle”’, ABC News, 22 Oct. 2021, <https://www.abc.net.au/news/2021-10-23/china-aukus-pact-nuclear-proliferation-regional-stability/100562476>. On geopolitical tensions between the US and China, see Hoo Tiang Boon and Hannah Elyse Sworn, ‘Strategic ambiguity and the Trumpian approach to China–Taiwan relations’, *International Affairs* 96: 6, 2020, pp. 1487–508; John M. Owen, ‘Two emerging international orders? China and the United States’, *International Affairs* 97: 5, 2020, pp. 1415–31; Christopher Layne, ‘The US–Chinese power shift and the end of the Pax Americana’, *International Affairs* 94: 1, 2018, pp. 89–111; Naná de Graaff and Bastiaan van Apeldoorn, ‘US–China relations and the liberal world order: contending elites, colliding visions?’, *International Affairs* 94: 1, 2018, pp. 113–31; Xiangfeng Yang, ‘The great Chinese surprise: the rupture with the United States is real and is happening’, *International Affairs* 96: 2, 2020, pp. 419–37.

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Although the impact of AUKUS remains unclear in early 2022, what is known is that China is not the only country that has been frustrated by this announcement. The way AUKUS members went about constructing the agreement suggests that France, a member of NATO, has been the first casualty of the new partnership. Despite President Biden recognizing the desire of AUKUS partners to work with European allies in the region,⁷ in the process of creating AUKUS, Australia reneged on an A\$90 billion contract it had signed with France in 2016 to acquire twelve diesel-propelled submarines. Instead, under the AUKUS agreement, Australia is to receive nuclear-powered submarines from the United States or United Kingdom, with the manufacturing to be done in Australia.⁸ With France not having been told prior to the announcement of AUKUS that its contract with Australia would be scrapped,⁹ and the EU having been kept in the dark about the new partnership,¹⁰ there were immediate accusations of betrayal and a violation of trust. The creation of AUKUS effectively meant that France, and by implication the EU, would not be able to pursue their strategies in the Indo-Pacific with the means they had anticipated. Not only did France temporarily withdraw its ambassadors from Australia and the United States; the EU also signalled that this abuse of trust would alter how it implements its new Indo-Pacific engagement strategy into the future.¹¹

The fallout from the AUKUS agreement brings to the fore the relationship between trust and the norms, rules and institutions of international society. The concept of trust has received increasing attention in International Relations scholarship in recent years, with a focus on how to identify trust and trusting relationships,¹² how trust shapes international conventions,¹³ how interpersonal bonding between political leaders, including enemies, can facilitate the growth of trust,¹⁴ how to build trust between states,¹⁵ and how some actors are disposed to

⁷ The White House, 'Remarks by President Biden'.

⁸ Tory Shepherd, 'Australia's Aukus nuclear submarines could cost as much as \$171bn, report finds', *Guardian*, 14 Dec. 2021, <https://www.theguardian.com/world/2021/dec/14/australias-aukus-nuclear-submarines-estimated-to-cost-at-least-70bn>.

⁹ Andrew Probyn, 'French ambassador says Australia's decision to scrap submarine deal was a breach of trust', ABC News, 17 Sept. 2021, <https://www.abc.net.au/news/2021-09-17/french-ambassador-australia-decision-nuclear-submarine-aukus/100472704>.

¹⁰ Alexandra Brzozowski, 'EU aims for bigger diplomatic weight on Indo-Pacific matters', EURACTIV, 16 Sept. 2021, <https://www.euractiv.com/section/global-europe/news/eu-aims-for-bigger-diplomatic-weight-on-indo-pacific-matters/>.

¹¹ David M. Herszenhorn, 'EU leaders accuse Biden of disloyalty to allies', *Politico*, 21 Sept. 2021, <https://www.politico.eu/article/eu-charles-michel-biden-disloyalty-allies-aukus/>.

¹² Aaron M. Hoffman, 'A conceptualization of trust in international relations', *European Journal of International Relations* 8: 3, 2002, pp. 375–401; Laura Considine, "'Back to the rough ground!" A grammatical approach to trust in international relations', *Millennium: Journal of International Studies* 44: 1, 2015, pp. 109–27; Torsten Michel, 'Time to get emotional: phonetic reflections on the concept of trust in International Relations', *European Journal of International Relations* 19: 4, 2012, pp. 869–90; Vincent Charles Keating and Jan Ruzicka, 'Trusting relationships in international politics: no need to hedge', *Review of International Studies* 40: 4, 2014, pp. 753–70.

¹³ Jan Ruzicka and Nicholas J. Wheeler, 'The puzzle of trusting relationships in the Nuclear Non-Proliferation Treaty', *International Affairs* 86: 1, 2010, pp. 69–85.

¹⁴ Nicholas J. Wheeler, 'Investigating diplomatic transformations', *International Affairs* 89: 2, 2013, pp. 477–96; Ken Booth and Nicholas J. Wheeler, *The security dilemma: fear, cooperation and trust in world politics* (Basingstoke: Palgrave Macmillan, 2008).

¹⁵ Nicholas J. Wheeler, 'Beyond Waltz's nuclear world: more trust may be better', *International Relations* 23: 3, 2009, pp. 428–45.

be more trustworthy than others on the basis of their ideological preferences.¹⁶ However, the understanding of how adherence to norms builds trust, and how violations of norms undermine trust, remains underdeveloped.¹⁷ This article focuses on how Australia's violation of the norm of *pacta sunt servanda* (agreements must be kept) undermined what Rengger has called the 'presumption of trust' within international society.¹⁸ Australia set a dangerous precedent, whereby a breach of *pacta sunt servanda* was considered appropriate if done in the 'national interest'. Australia's willingness to break its promises to France not only undermined the rules-based international order that AUKUS members proclaimed to be defending, but also harmed diplomatic relationships. The sense of betrayal felt by French officials led France and the EU to question the trustworthiness of AUKUS partners, leading to divisions between these traditional allies. Focusing on the violation of the norm not only shows how international norms, rules and institutions help to develop habits of trust within international society, but it also shows how a violation of these same norms can undermine that trust, and international society more broadly.

This article begins by outlining the announcement of AUKUS and French and EU engagement in the Indo-Pacific region. The second section examines the concept of trust and its relationship with the norms and institutions of international society. The article then turns to the divisions between allies and partners arising from the violation of trust by AUKUS members and the consequent shift in how EU members are choosing to engage in the Indo-Pacific. The fourth section reaffirms the importance of *pacta sunt servanda*. It argues that adherence to the norm can help socialize states to develop habits of trust in international society and, in doing so, develop practices to facilitate international cooperation in a culturally diverse and politically tense global environment.

AUKUS and EU engagement in the Indo-Pacific

In 2016, the former Australian prime minister Malcolm Turnbull stated that the Australia–France submarine 'agreement will further strengthen the long and proud Australia–France defence relationship' and be a significant part of Australia's defence 'capability well into the second half of this century'.¹⁹ An information-sharing agreement was also signed between the two countries that year, which related to 'defense programs, including sensitive defense technologies related to Australia's

¹⁶ Brian C. Rathbun, 'The "magnificent fraud": trust, international cooperation, and the hidden domestic politics of American multilateralism after World War II', *International Studies Quarterly* 55: 1, 2011, pp. 1–21; Brian C. Rathbun, 'Before hegemony: generalized trust and the creation and design of international security organizations', *International Organization* 65: 2, 2011, pp. 243–73.

¹⁷ Vincent Charles Keating and Lucy M. Abbott, 'Entrusted norms: security, trust, and betrayal in the Gulf Cooperation Council crisis', *European Journal of International Relations* 27: 4, 2021, pp. 1090–1113.

¹⁸ Nicholas Rengger, 'The ethics of trust in world politics', *International Affairs* 73: 3, 1997, pp. 469–87; see also Nicholas J. Wheeler, '"A presumption of trust" in international society', *International Relations* 34: 4, 2020, pp. 634–41.

¹⁹ Malcolm Turnbull, 'Australia and France sign future submarine inter-governmental agreement', media release, 20 Dec. 2016, <https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:%22media/press-rel/5005951%22>.

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new submarine fleet'.²⁰ It is important to recognize that this agreement was more than simply a business contract. France's submarine contract with Australia was part of a long-term strategic partnership designed to facilitate security collaboration between Australia and France in the Indo-Pacific. Although EU states had engaged with the Indo-Pacific over the previous two decades in a number of areas, including anti-piracy operations off the Somali coast,²¹ establishing trade agreements with regional countries,²² and participating in regional forums, such as the Shangri-La Dialogue and the Indian Ocean Rim Association,²³ the EU, as an organization, lacked a common approach to the region. It was in 2018 that France became the first EU member to develop an Indo-Pacific strategy, following President Emmanuel Macron's visit to Australia, where, at Garden Island naval base, he declared that France was an 'Indo-Pacific' power.²⁴ France's Indo-Pacific strategy is based on its political presence in the region, a residue of its colonial past. It has 1.6 million citizens, 7,000 soldiers and an exclusive economic zone in the region.²⁵ The French Ministry for Europe and Foreign Affairs published its Indo-Pacific strategy in 2019, with Germany and the Netherlands both publishing their Indo-Pacific strategies the following year.²⁶

In August 2021, prompted by pressure from these three member states, the EU released a common approach to the Indo-Pacific.²⁷ The EU's High Representative for Foreign and Security Affairs, Josep Borrell, suggested that this was "maybe one of the most important geopolitical documents" of the EU thus far.²⁸ It outlines a broad, sweeping and long-term strategy that aims to shape the region to better reflect EU interests. It does not take sides between the United States and China. Rather, the EU, along with countries such as France, Germany and the Netherlands,²⁹ sees its role in the region as being that of a third major player that can offer a counterweight to the power struggle between the US and China.

²⁰ Franz-Stefan Gady, 'Australia, France sign deal to build 12 submarines', *Diplomat*, 21 Dec. 2016, <https://thediplomat.com/2016/12/australia-france-sign-deal-to-build-12-submarines/>.

²¹ CTF [Combined Task Force] 150: Maritime Security, Combined Maritime Forces (CMF), n.d., <https://combinedmaritimeforces.com/ctf-150-maritime-security/>.

²² European Commission, *Negotiations and agreements*, n.d., https://ec.europa.eu/trade/policy/countries-and-regions/negotiations-and-agreements/#_in-place.

²³ Luis Simón, 'Europe, the rise of Asia and the future of the transatlantic partnership', *International Affairs* 91: 5, 2015, p. 985; Member States, Indian Ocean Rim Association, 2017, <https://www.iora.int/en/about/member-states>; Dialogue Partners, Indian Ocean Rim Association, 2017, <https://www.iora.int/en/about/dialogue-partners>.

²⁴ Emmanuel Macron, 'Discours à Garden Island, base navale de Sydney', *Élysée*, 3 May 2018, <https://www.elysee.fr/emmanuel-macron/2018/05/03/discours-a-garden-island-base-navale-de-sydney>.

²⁵ Government of France, *France's Indo-Pacific Strategy* (Paris: Ministry for Europe and Foreign Affairs, 2019), p. 3.

²⁶ Federal Government of Germany, *Policy guidelines for the Indo-Pacific: shaping the 21st century together* (Berlin: Federal Foreign Office, 2020); Government of the Netherlands, *Indo-Pacific: guidelines for strengthening Dutch and EU cooperation with partners in Asia*, 13 Nov. 2020, <https://www.government.nl/documents/publications/2020/11/13/indo-pacific-guidelines>.

²⁷ European Commission, *Joint communication to the European Parliament and the Council: the EU strategy for cooperation in the Indo-Pacific*, JOIN (2021) 24 final (Brussels, 16 Sept. 2021).

²⁸ Quoted in Brzozowski, 'EU aims for bigger diplomatic weight' (2021).

²⁹ Government of France, *France's Indo-Pacific strategy*; Sebastian Biba, 'Germany's relations with the United States and China from a strategic triangle perspective', *International Affairs* 97: 6, 2021, pp. 1905–24; Government of the Netherlands, *Indo-Pacific: guidelines*, p. 4.

The strategy aims to ‘solidify and defend the rules-based international order’,³⁰ engage with partners in bilateral, regional and multilateral forums, promote free trade, tackle climate change, promote the UN Sustainable Development Goals, human rights and democracy, and develop and strengthen security partnerships in the region. In working with ‘like-minded’ partners, and recognizing ASEAN’s centrality in developing a regional institutional architecture, the EU’s engagement with the Indo-Pacific reflects a recognition that its trade and security interests are interdependent with those of countries within the region, and as such, can no longer be ignored.

Australia has been identified as playing an important role in the French, German, Dutch and EU Indo-Pacific strategies.³¹ However, in 2021 Australia scrapped its submarine contract with France and opted for nuclear-fuelled submarines to be supplied by either the United States or the United Kingdom. Australia had concerns over delays with the French contract and came to believe that the French submarines were no longer suitable for its purposes; as a result, Australia approached the US to gain access to sensitive nuclear military technology.³² However, Australia’s decision was also shaped by geopolitical concerns regarding China, with the Australian High Commissioner to India stating that it was China’s ‘military buildup’ in the region that led to Australia’s decision to purchase US/UK nuclear submarines.³³

Australia’s decision, and the announcement of AUKUS more broadly, has complicated the EU’s efforts to engage with the ‘Indo-Pacific’. There have been many criticisms of AUKUS. China has accused AUKUS partners of sabre-rattling,³⁴ and the director-general of the International Atomic Energy Agency has raised concerns that it could lead to nuclear proliferation.³⁵ Moreover, although it appears that Australia’s commitment to acquire nuclear-powered submarines does not violate the Southeast Asia Nuclear Weapons Free Zone Treaty,³⁶ Indonesia and Malaysia are concerned that the agreement could lead to a regional arms race.³⁷ However, for the EU and its member states, it was the breach of trust shown by AUKUS partners that triggered serious concern. France and the EU were not informed in advance of the AUKUS announcement, or that the

³⁰ European Commission, *Joint communication*, p. 3.

³¹ See Government of France, *France’s Indo-Pacific strategy*; Government of the Netherlands, *Indo-Pacific: guidelines*; Federal Government of Germany, *Policy guidelines*; European Commission, *Joint communication*.

³² Daniel Hurst, ‘The nuclear option: why has Australia ditched the French submarine plan for the AUKUS pact?’, *Guardian*, 18 Sept. 2021, <https://www.theguardian.com/australia-news/2021/sep/18/the-nuclear-option-why-has-australia-ditched-the-french-submarine-plan-for-the-aukus-pact>.

³³ Srinjoy Chowdhury, ‘Australia plans to build nuclear-powered submarines due to unprecedented military buildup by China’, *Times Now News*, 17 Sept. 2021, <https://www.timesnownews.com/international/article/australia-plans-to-build-nuclear-powered-submarines-due-to-unprecedented-military-buildup-by-china/813481>.

³⁴ Daniel Hurst, ‘“Naughty guy”: top Chinese diplomat accuses Australia of “sabre wielding” with nuclear submarine deal’, *Guardian*, 19 Nov. 2021, <https://www.theguardian.com/world/2021/nov/19/naughty-guy-top-chinese-diplomat-accuses-australia-of-sabre-wielding-with-nuclear-submarine-deal>.

³⁵ Julian Borger, ‘IAEA chief: Aukus could set precedent for pursuit of nuclear submarines’, *Guardian*, 20 Oct. 2021, <https://www.theguardian.com/world/2021/oct/19/iaea-aukus-deal-nuclear-submarines>.

³⁶ Dino Patti Djalal, ‘There is no ASEAN consensus on AUKUS’, *Australian Financial Review*, 29 Nov. 2021, <https://www.afr.com/policy/foreign-affairs/there-is-no-asean-consensus-on-aukus-20211128-p59csh>.

³⁷ ‘Malaysia, Indonesia “worried and concerned” AUKUS could lead to Asia regional arms race’, *ABC News*, 18 Oct. 2021, <https://www.abc.net.au/news/2021-10-18/indonesia-malaysia-express-aukus-concern/100549172>.

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Australian–French contract would be scrapped. Australia’s conduct breached international norms and, in doing so, set a dangerous precedent that could undermine the presumption of trust between states. In order to understand why this is the case, the next section of this article explores the concept of trust and its relationship to norms, rules and institutions in international society.

Trust and the norm of *pacta sunt servanda*

Trust has come to be seen as an important practice and concept in international society. However, despite the emerging literature on the concept, there is no agreement on a definition of trust, with psychological, rationalist and sociological approaches differing in their understanding of the term.³⁸ Given the contestation surrounding the concept, this article, inspired by Wittgenstein’s claim that ‘the meaning of a word is its use in the language’, argues that, like most social science terms, trust has no fixed meaning and is understood through practice.³⁹ Scholars have argued that trust can be seen in cooperation, the use of trust language, and refraining from hedging against others.⁴⁰ Moreover, in trusting relationships, states may make themselves vulnerable to one another with the expectation that all parties can be relied upon not to exploit each other’s vulnerability for their own benefit.⁴¹ However, caution should be exercised in identifying these practices by themselves as evidence of trust. For example, stating that reciprocal cooperation is a sign of trust⁴² may ignore the fact that although trust can help build cooperation in some situations,⁴³ states also cooperate on the basis of cost calculations,⁴⁴ experience, research or ideology, rather than trust.

Even though cooperation between international actors can occur without trust, interstate interactions involve transactions in so many areas of activity that it is difficult to imagine the total absence of trust between states. States may comply with promises, norms and laws on the basis of self-interest; but, as Rengger has argued, there exists a ‘presumption of trust’ in international society whereby trust also plays an important role in international legal compliance and cooperation between states.⁴⁵ Even when there is distrust between states in some areas of policy, there may be trust in others. For example, between close allies such as Australia and the United States, which share intelligence through the Five Eyes intelligence agreement, there is a mix of trust and mistrust—as reflected in the suicide of an Australian intelligence official based at the Australian Embassy in Washington DC in 1999, when the Australian government started to investigate

³⁸ Jan Ruzicka and Vincent Charles Keating, ‘Going global: trust research and international relations’, *Journal of Trust Research* 5: 1, 2015, pp. 8–26.

³⁹ Ludwig Wittgenstein, *Philosophical investigations* (Oxford: Blackwell, 1968), 2nd edn, p. 20; Considine, “‘Back to the rough ground’”.

⁴⁰ Keating and Ruzicka, ‘Trusting relationships’, p. 758.

⁴¹ Hoffman, ‘A conceptualization’.

⁴² Andrew H. Kydd, *Trust and mistrust in international relations* (Princeton: Princeton University Press, 2005), p. 3.

⁴³ Rathbun, ‘Before hegemony’.

⁴⁴ Hoffman, ‘A conceptualization’; Keating and Ruzicka, ‘Trusting relationships’.

⁴⁵ Rengger, ‘The ethics of trust’.

him for allegedly sharing intelligence with the United States without authorization.⁴⁶ Moreover, revelations by a former US intelligence official in 2013 showed that the US National Security Agency gathered intelligence on allies, including the then German Chancellor Angela Merkel.⁴⁷ It could be construed that this happened because the United States and its allies still distrusted each other in some respects.

Moreover, it should not be assumed that trust occurs exclusively between allies and friends. It can also occur on an interpersonal level between individuals from enemy states.⁴⁸ For example, in April 1972 Henry Kissinger, then President Nixon's National Security Advisor, arrived in Moscow on Air Force One, accompanied by the Soviet Ambassador to the United States Anatoly Dobrynin, and spent four days in talks with Soviet leaders, without the US Secretary of State William Rogers or US Ambassador to Moscow Jacob Beam knowing anything about it. Kissinger's and Nixon's interest was to find a face-saving formula for extricating the US from Vietnam and reaching accommodation with the USSR on several global issues, including arms competition, while the Soviet interest was to receive recognition from the US of the equal stature of the two superpowers.⁴⁹ Kissinger trusted Soviet officials to keep his visit secret, but he had no trust in the US ambassador to do so.⁵⁰ Commenting on this incident, Hersh argued that former US president Jimmy Carter 'was chagrined to learn that Kissinger had flown to Moscow with Anatoly Dobrynin aboard Air Force 1; ... Kissinger trusted the Soviet ambassador more ... than his own staff'.⁵¹

Although the understanding of trust and trusting relationships is still contested, there is agreement that violations of trust can be harmful to interstate relationships. This is because trust, unlike cost-benefit calculations, tends to involve an emotional and normative element. This includes interpersonal bonding between state leaders,⁵² but also feelings of betrayal when trust is violated. Michel argues that the sense of betrayal can help distinguish trust from other forms of cooperation, such as reliability, where the feeling is commonly disappointment when reliability is undermined.⁵³ Betrayal is seen as the deliberate abuse of trust. The party that claims to have been betrayed believes that the betrayer violated trust to pursue selfish gains. As Michel argues: 'Whereas reliability is based on instrumental rationality and concomitant action guided by self-interest, trustworthiness is a moral judgement grounded in the belief that the other side has normative (rather

⁴⁶ Sarah Smiles, 'Spy suicide: mother seeks royal commission', *The Age*, 29 May 2007, <https://www.theage.com.au/national/spy-suicide-mother-seeks-royal-commission-20070529-ge504d.html>.

⁴⁷ Pierre-Paul Bermingham, 'Danish secret service helped NSA spy on Merkel, EU officials: report', *Politico*, 31 May 2021, <https://www.politico.eu/article/press-report-merkel-and-eu-leaders-spied-on-by-nsa-via-denmark/#>.

⁴⁸ Wheeler, 'Investigating diplomatic transformations'.

⁴⁹ Raymond L. Garthoff, *Détente and confrontation: American-Soviet relations from Nixon to Reagan* (Washington DC: Brookings Institution, 1985).

⁵⁰ Henry Kissinger, *White House years* (New York: Simon & Schuster, 1979), p. 1153; Garthoff, *Détente and confrontation*, p. 94.

⁵¹ Seymour M. Hersh, *Kissinger: the price of power* (New York: Summit, 1983), p. 539.

⁵² Booth and Wheeler, *The security dilemma*; Wheeler, 'Investigating diplomatic transformations'.

⁵³ Michel, 'Time to get emotional'.

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than strategic) reasons to cooperate.’⁵⁴ Because of this moralistic element attached to trust, when it is breached ‘in cases of betrayal, the form of harm we suffer exceeds disappointment qualitatively as it involves a deeper emotional as well as existential challenge’.⁵⁵ We trust others because we believe they are “‘upright”, “honorable”, “truthful”, “loyal” and “scrupulous””.⁵⁶ As a result, re-establishing trust after betrayal in a particular aspect of the relationship can be challenging because betrayal involves not only the breaking of promises, but also changes in the perception of the actor’s character as trustworthy or not.⁵⁷

The elements of a relationship identified with trust can be seen in the Australia–France partnership. The arrangement encompassed the French desire for long-term cooperation and willingness to render itself vulnerable by sharing sensitive information. Moreover, trust was present within the agreement, evident by France’s sense of betrayal when Australia reneged on its commitments. To try to understand this arrangement, and the response to Australia’s actions, through a narrow cost–benefit analysis would be inadequate. For example, this is not the first time that France’s efforts to strengthen ties in the Indo-Pacific have been blocked. In 2017, France made a failed attempt to join the Five Power Defence Arrangement between Australia, the UK, Malaysia, Singapore and New Zealand, as it wanted to strengthen its presence in south-east Asia and keep close security ties with the UK after Brexit.⁵⁸ A key difference between this episode and the fallout over the Australian–French agreement was that trust was present in the latter agreement, and the ugly consequences that resulted were the result of its breakdown.

However, breaches of trust not only have an impact on relationships between the actors immediately concerned; they also have the potential to undermine international society more broadly. The impact of Australia’s cancellation of the French submarine contract becomes clear when looked at from the perspective of international society, which Bull defined in terms of universally accepted norms, rules and institutions. Bull observed that such a society ‘exists when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another’.⁵⁹ In addition, Bull emphasized that one of the four primary goals of a rules-based international order was the keeping of promises. He claimed:

The goal of the keeping of promises is represented in the principle *pacta sunt servanda*. Among states as among individuals, cooperation can take place only on the basis of agreements, and agreements can fulfil their function in social life only on the basis of a presumption that once entered into they will be upheld.⁶⁰

⁵⁴ Michel, ‘Time to get emotional’, pp. 881–2.

⁵⁵ Michel, ‘Time to get emotional’, p. 882.

⁵⁶ Hoffman, ‘A conceptualization’, p. 381.

⁵⁷ Michel, ‘Time to get emotional’.

⁵⁸ Richard Lloyd Parry, ‘France seeks defence pact with Commonwealth over Brexit fears’, *The Times*, 5 June 2017, <https://www.thetimes.co.uk/article/france-seeks-defence-pact-with-commonwealth-over-brexit-fears-gtb35rhmj>.

⁵⁹ Hedley Bull, *The anarchical society* (London: Macmillan, 1977), p. 13.

⁶⁰ Bull, *The anarchical society*, p. 18.

Kant also recognized the importance of keeping promises as an integral part of his concept of international right. Kant argued that breaking promises 'can be assumed to affect the interests of all nations',⁶¹ as it not only leads to tensions between states,⁶² but sets a poor example for other states to follow. Kant argued that if states wanted to work towards perpetual peace, they should conduct themselves in a manner whereby their conduct could be applied universally. He argued against 'someone whose publicly expressed will, whether expressed in word or in deed, displays a maxim which would make peace among nations impossible and would lead to a perpetual state of nature if it were made into a general rule'.⁶³ If Australia's conduct of breaking promises in the 'national interest' were applied as an international rule, words would be cheap, and states would be hesitant to sign agreements with one another. Kant demonstrated how the individual actions of nations, and the examples they set for one another, have an impact not just on one another, but on international society more broadly.

Adherence to *pacta sunt servanda* may not be the same as the concept of trust, but it does have an affinity with the concept. States may keep their promises on a basis of cost–benefit calculations, but they may also do so because they are trustworthy. Because the principle of *pacta sunt servanda* is associated with trust, it constitutes what is called an 'entrusted' norm. For Keating and Abbott, an entrusted norm 'involves the building of a trusting relationship with respect to the norm that results in the actors cognitively ignoring the risk that others could defect from the norm'.⁶⁴ An integral feature of these norms is that because they are linked with trust, when there is a violation, the result is not disappointment on the part of the entity that has experienced the consequences of the violation, but rather betrayal. This is because there may also be feelings of humiliation and disrespect that accompany the betrayal.⁶⁵ This can not only exacerbate the severity of the reaction to the violation, but may also mean the damage that has resulted from a violation may be longer-lasting, as it is difficult to re-establish trust after it has been broken.⁶⁶

Breaking entrusted norms therefore has serious implications for international society. A breach of *pacta sunt servanda* not only harms the rules-based order by raising doubts about whether actors will adhere to prior agreements; in creating mistrust, breaking promises also undermines diplomacy, which Martin Wight considered to be 'the master-institution of international relations'.⁶⁷ And as the breach involves the emotional response of betrayal, the damage caused can persist long after the breach of the norm. As discussed in the next section, since Australia's violation of *pacta sunt servanda*, France is sceptical about trusting Australia again any time soon, and the EU has lost trust in the Anglophone countries in the area of

⁶¹ Immanuel Kant, *Kant: political writings*, ed. Hans Reiss, 2nd edn (Cambridge: Cambridge University Press, 1991), p. 170.

⁶² Kant, *Kant*, p. 128.

⁶³ Kant, *Kant*, p. 170.

⁶⁴ Keating and Abbott, 'Entrusted norms', p. 1094.

⁶⁵ Keating and Abbott, 'Entrusted norms', p. 1094.

⁶⁶ Keating and Abbott, 'Entrusted norms', pp. 1094–95.

⁶⁷ Cited in Wheeler, 'Investigating diplomatic transformations', p. 495.

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Indo-Pacific engagement. Australia's actions towards France, and the announcement of AUKUS without prior consultation with the EU, led to the generation of a 'we-feeling' among EU members that not only supported France's response to Australia, but led to renewed calls for the EU's strategic autonomy separate from the United States. While the distrust unified EU members,⁶⁸ it not only changed the nature of the diplomatic partnership by weakening the presumption of trust between the EU member states and AUKUS members, but also set a dangerous precedent that threatens the international rules-based order more broadly.

Violating trust and undermining international society

AUKUS and Australia's betrayal

During an official visit to France in June 2021, Morrison assured Macron that all arrangements concerning the purchase of the French-made submarines remained intact. Moreover, two weeks before the revelation of AUKUS, Australian Foreign Minister Marise Payne and Defence Minister Peter Dutton had been to Paris to meet their French counterparts, respectively Jean-Yves Le Drian and Florence Parly, after which they confirmed that the submarine deal was on track.⁶⁹ This was despite the fact that Australia had asked the UK in March 2021 'for help in persuading the US to hand over technology it had only ever shared with the UK'.⁷⁰ Morrison, Payne and Dutton were members of the cabinet security committee that approved the French bid ahead of two competitors from Japan and Germany in 2016. It was these three who, with former prime minister Malcolm Turnbull, had requested the Naval Group to design diesel-propelled, rather than nuclear-powered, submarines for Australia.⁷¹ At the time, the chief executive of the Naval Group is reported to have indicated that if Australia wanted nuclear submarines, it could get them.⁷²

Predictably, when Australia announced it was reneging on the French submarine deal in favour of nuclear-powered submarines, French political leaders reacted like anyone who had been betrayed by a trusted friend. Le Drian compared Australia's action to a 'stab in the back'.⁷³ One newspaper quoted him saying: 'We had established a relationship of trust with Australia, and that trust has been betrayed

⁶⁸ Michal Natorki and Karolina Pomorska, 'Trust and decision-making in times of crisis: the EU's response to the events in Ukraine', *Journal of Common Market Studies* 55: 1, 2017, pp. 54–70.

⁶⁹ Kim Willsher, 'France recalls ambassadors to US and Australia after AUKUS pact', *Guardian* (Australian edition), 18 Sept. 2021, <https://www.theguardian.com/world/2021/sep/17/france-recalls-ambassadors-to-us-and-australia-after-aukus-pact>; and Hurst, 'The nuclear option'.

⁷⁰ Tom Wheeldon, 'Perception that France is "too soft" on China fed Australia submarine dispute', *France 24*, 21 Sept. 2021, <https://www.france24.com/en/asia-pacific/20210921-perception-that-france-is-too-soft-on-china-fed-australia-submarine-dispute>.

⁷¹ Aaron Patrick and Phillip Coorey, 'Coalition plans nuclear-powered submarine fleet over long term', *Australian Financial Review*, 1 May 2016, <https://www.afr.com/companies/manufacturing/coalition-plans-nuclear-powered-submarine-fleet-over-long-term-20160429-goieal>.

⁷² Max Blenkin, 'France pitches nuke sub option for Australia', *IN Daily*, 24 March 2016, <https://indaily.com.au/news/2016/03/24/france-pitches-nuke-sub-option-for-australia/>.

⁷³ 'PM Morrison rejects French accusation that Australia lied over cancelled submarine deal', *France 24 News*, 19 Sept. 2021, <https://www.france24.com/en/europe/20210919-france-accuses-australia-and-us-of-lying-over-cancelled-submarine-contract>.

... This is not something allies do to each other.’⁷⁴ Le Drian, who was the French defence minister when the submarine agreement was signed in 2016, complained that allies did not treat each other with the brutality and unpredictability that Australia had displayed. In an interview on France 2 TV, Le Drian said: ‘There has been lying, duplicity, a major breach of trust and contempt.’⁷⁵ The French government recalled its ambassadors to the US and Australia for consultations on 17 September 2021. A former senior British foreign policy official tweeted: ‘Don’t underestimate reaction in Paris. It’s not just anger but a real sense of betrayal that UK as well as US and Aus negotiated behind their backs for 6 months.’⁷⁶ The theme running through France’s complaints about AUKUS is that the manner in which it was conceived and executed smacked of betrayal.

Negotiated between 2014 and 2016, the French submarine deal was more than just a defence contract. It was part of an arrangement expected to sustain a 50-year strategic partnership between Australia and France. Following Macron’s visit to Australia in 2018, the submarine project became an integral element of a trilateral arrangement between Australia, France and India to help maintain what they saw as regional order in the Indo-Pacific. The submarine deal was designed to serve as a powerful symbol that France was a credible actor in Indo-Pacific security, and for the most part Australia gave the impression that this was its understanding of the arrangement. Although this submarine project was bogged down in cost overruns, design changes and delays, these could be blamed on both parties.⁷⁷ The French had left themselves vulnerable to their allies in that not only was France willing to share sensitive technology with Australia, it was also banking on the latter to support its interests in its wider geostrategic goals. Australia’s actions were therefore more than just a violation of a business contract. A former official in the French Ministry for Europe and Foreign Affairs, Frédéric Grare, stated of the contract cancellation that it was ‘clearly a blow to the kind of strategic relationship that the French have been trying to set up in the region’ and that ‘this contract being scrapped means that a whole set of other relationships are somehow in danger because the political trust between the two countries has been shattered’.⁷⁸

The fact that Australia chose its US ally over France should come as no surprise. Prior to AUKUS, Australia’s closest security relations were with the United Kingdom and the United States. In the past 70 years, no country has had closer security relations with Australia than the US, to the point where maintaining the alliance has formed a key part of Australia’s foreign policy thinking, including in

⁷⁴ Hans van Leeuwen, ‘“Brutal” subs decision is “like Trump”, French foreign minister says’, *Australian Financial Review*, 16 Sept. 2021, <https://www.afr.com/world/europe/brutal-subs-decision-is-like-trump-french-foreign-minister-says-20210916-p58sfi>.

⁷⁵ Tara Varma, *After AUKUS: the uncertain future of American and European cooperation in the Indo-Pacific*, European Council on Foreign Relations, 22 Sept. 2021, <https://ecfr.eu/article/after-aukus-the-uncertain-future-of-american-and-european-cooperation-in-the-indo-pacific/>.

⁷⁶ Willsher, ‘France recalls ambassadors’.

⁷⁷ Hurst, ‘The nuclear option’.

⁷⁸ Jorge Liboreiro, ‘“We were not informed”: new US–Australia defence pact eclipses EU’s Indo-Pacific pivot’, *Euronews*, 24 Sept. 2021, <https://www.euronews.com/2021/09/17/we-were-not-informed-new-us-australia-defence-pact-eclipses-eu-s-indo-pacific-pivot>.

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the Indo-Pacific.⁷⁹ Most of the two countries' joint activities have been carried out through the ANZUS alliance, which has enabled Australia to obtain sophisticated defence technology, share intelligence and stage joint military exercises. Apart from ANZUS, Australia and the US share intelligence through the Five Eyes network (comprising the US, Australia, Canada, New Zealand and the UK) and are partners in the Quad, which includes India and Japan. Privileging the United States over France simply represents a continuation of Australian foreign policy since the Second World War.

One interesting element of this crisis is that, publicly, the two sides have been talking about two different things: substance and process. Australia has emphasized the diesel-propelled submarines, with Morrison defending his actions by claiming that his government acted in the national interest.⁸⁰ Morrison claimed that on the basis of 'intelligence and defence advice' the nuclear submarines are superior to the French ones in meeting Australia's defence needs.⁸¹ He did not, however, dismiss the important role that trust plays in diplomatic relationships. During the AUKUS announcement, he stated: 'Today, we join our nations in a next-generation partnership built on a strong foundation of proven trust,'⁸² recognizing the important role that trust can play in helping to establish diplomatic partnerships. However, the announcement also demonstrated that Morrison was willing to breach trust if in doing so he felt he was advancing Australia's interests.

France, on the other hand, has emphasized the process, specifically the conduct of Australian representatives. France's sense of betrayal came from how Australia decided to inform it about scrapping the deal, with the French finding out about the deal after it was announced.⁸³ France trusted Australia to treat it with respect and transparency. The French Ambassador to Australia, Jean-Pierre Thébault, stated: 'The relationship between France and Australia was built on trust. Everything was supposed to be done in full transparency between the two partners.'⁸⁴ Instead, according to the ambassador, 'We were deliberately kept in the black' and 'we were deliberately ignored'.⁸⁵ At the G20 conference in Rome in November 2021, Macron also publicly criticized Australia's conduct, stating: 'I do respect sovereign choices, but you have to respect allies and partners and it was not the case with this deal.'⁸⁶

⁷⁹ On Australia's alliance with the US in the Indo-Pacific region, see Brendan Taylor, 'Is Australia's Indo-Pacific strategy an illusion?', *International Affairs* 96: 1, 2020, pp. 95–109; Joanne Wallis and Anna Powles, 'Burden-sharing: the US, Australia and New Zealand alliances in the Pacific islands', *International Affairs* 97: 4, 2021, pp. 1045–65.

⁸⁰ Claudia Farhart, 'Scott Morrison says he doesn't regret scrapping French submarine deal', SBS News, 19 Sept. 2021, <https://www.sbs.com.au/news/scott-morrison-says-he-doesn-t-regret-scrapping-french-submarine-deal/a1d31f02-75e4-446c-bdf4-a73b230770a0>.

⁸¹ Jack Mahony, 'Prime Minister defends Australia's decision to pull out of France submarine deal after French condemn AUKUS', Sky News Australia, 20 Sept. 2021, <https://www.skynews.com.au/australia-news/defence-and-foreign-affairs/prime-minister-defends-australias-despite-to-pull-out-of-france-submarine-deal-after-french-condemn-aukus/news-story/43666e7085b5e0a60a4da575c8c688d4>.

⁸² The White House, 'Remarks by President Biden'.

⁸³ Probyn, 'French ambassador'.

⁸⁴ Probyn, 'French ambassador'.

⁸⁵ Probyn, 'French ambassador'.

⁸⁶ Pablo Viñales, "'I don't think, I know': Emmanuel Macron accuses Scott Morrison of lying about submarine contract", SBS News, 1 Nov. 2021, <https://www.sbs.com.au/news/i-don-t-think-i-know-emmanuel-macron-accuses-scott-morrison-of-lying-about-submarine-contract/e452fb46-f5c9-4825-891b-2dfoc46dcbeb>.

In addition, France's criticisms also targeted the reputation of both Australia and Morrison. Macron told Australian reporters: 'I think this is detrimental to the reputation of your country and your Prime Minister';⁸⁷ and, when asked whether he thought that Morrison had lied to him, Macron replied: 'I don't think, I know.'⁸⁸ This criticism goes beyond disappointment or condemnation for breaching a legal contract. The breach had moral and personal baggage attached. The moral dimension related partly to the fact that France is a Great Power that was treated with disrespect by Australia, which is a self-identified middle power.⁸⁹ Bull posited that Great Powers constitute one of the principal institutions of international society and have a moral responsibility to provide order not just for themselves, but for international society as a whole.⁹⁰ But the moralistic element is also linked with the concept of trust, and hits at the heart of Australia's reputation and identity as a 'trustworthy' partner. If the French–Australian relationship was merely based on rational cost–benefit analysis, it would have been hard to explain France's claim of betrayal and the diplomatic bombshell of publicly calling another national leader a liar.

Australia publicly justified breaching the principle of *pacta sunt servanda* on the basis of a narrow definition of 'national interest'. If Australia's behaviour were applied universally, the rules-based order, and the institution of diplomacy, would cease to function. Australia's conduct undermined not only its relationship with France, but its identity as a trustworthy nation. Two of Morrison's predecessors, Kevin Rudd and Malcolm Turnbull, strongly differed with him on the interpretation of the 'national interest'. Rudd argued that 'Morrison's determination to put political spin over national security substance in welcoming a new era of nuclear submarines ... has undermined one of [Australia's] most enduring and important global relationships'.⁹¹ Similarly, Turnbull described Morrison's action as 'an appalling episode in Australia's international affairs and the consequences of it will endure to our disadvantage for a very long time'.⁹² The crisis over AUKUS created tensions between allies and harmed efforts to develop cooperation. As Heisbourg has concluded: 'Trust, especially among allies, is ... paramount. The AUKUS affair may have the saving virtue of reminding us of the volatile and fragile nature of that quality, hard to build and easy to lose.'⁹³

⁸⁷ Viñales, "I don't think, I know".

⁸⁸ Viñales, "I don't think, I know".

⁸⁹ Gareth Evans, 'Australia's middle power diplomacy', inaugural Zelman Cowen annual address, Australian Institute for Jewish Affairs, Melbourne, 10 Nov. 1993, http://www.gevans.org/speeches/old/1993/101193_fm_austaliasmiddlepowerdipl.pdf; Malcolm Davis, *Australia as a rising middle power*, working paper no. 328, Rajaratnam School of International Studies (RSIS), 2020, <https://dr.ntu.edu.sg/bitstream/10356/143603/2/WP328.pdf>.

⁹⁰ Hedley Bull, 'The great irresponsibles? The United States, the Soviet Union and world order', *International Journal* 35: 3, 1980, pp. 437–47.

⁹¹ Kevin Rudd, 'Paris has a long memory—Scott Morrison's cavalier treatment of France will hurt Australia', *Guardian*, 22 Sept. 2021, <https://www.theguardian.com/commentisfree/2021/sep/22/paris-has-a-long-memory-scott-morrison-cavalier-treatment-of-france-will-hurt-australia>.

⁹² Henry Belot, 'Turnbull accuses Morrison of damaging Australia's national security with submarine deal', ABC News, 29 Sept. 2021, <https://www.abc.net.au/news/2021-09-29/turnbull-french-submarine-deal-damaged-national-security/100500862>.

⁹³ François Heisbourg, 'Euro-Atlantic security and the China nexus', *Survival* 63: 6, 2021/22, p. 58.

Undermining the presumption of trust in diplomatic partnerships

The falling out between Australia and France complicated the EU's and member states' Indo-Pacific engagement strategies. The dispute did not mean that the relationship between France and Australia was broken: Macron said that Australia 'had broken the relation of trust between our two countries' but that it was 'now up to the Australian government to propose concrete actions that could embody the will of Australian authorities to redefine the bases of our relationship and pursue joint action in the Indo-Pacific region'.⁹⁴ Ambassador Thébault also returned to Australia with the role of 'redefining the relationship' between that country and France.⁹⁵ Speaking at the Australian National Press Club in November 2021, Thébault said the submarine agreement was a 50-year commitment that involved not only building submarines but sharing highly classified and sensitive technology and information. This was the first time that France had undertaken such an arrangement. It had made itself vulnerable because it trusted Australia. However, Australia's betrayal made it unlikely a similar relationship could be rebuilt soon. Thébault stated: 'With solemn promises and acts, we were supposed to develop a joint approach in the region for the next 50 years. What, after such events, can any partner of Australia now think . . .?'⁹⁶

What this 'redefined' French–Australian relationship looks like can be seen in an updated version of the French Indo-Pacific Strategy, released in early 2022. Making specific mention of both the AUKUS partnership and Australia's breach of trust, it downgrades Australia's role in France's Indo-Pacific Strategy, stating:

Australia's decision in September 2021, without prior consultation or warning, to break off the partnership of trust with France that included the Future Submarine Program (FSP), has led to a re-evaluation of the past strategic partnership [between] the two countries. France will pursue bilateral cooperation with Australia on a case-by-case basis, according to its national interests and those of regional partners. France intends to maintain close relations with the United States, an ally and major player in the Indo-Pacific, and to strengthen coordination, including on issues raised by the announcement of the AUKUS agreement.⁹⁷

AUKUS looks likely also to have wider implications for EU engagement in the region. It was announced on the day that the EU unveiled its common Indo-Pacific strategy, with the EU apparently knowing nothing about this new venture.⁹⁸ The

⁹⁴ 'Australia must "redefine" relations after submarine spat "broke" trust, Macron says', France 24 News, 28 Oct. 2021, <https://www.france24.com/en/europe/20211028-australia-must-redefine-relations-after-submarine-spat-broke-trust-macron-says>.

⁹⁵ 'French ambassador to return to Canberra to "redefine" relations with Australia after submarine deal fallout', ABC News, 7 Oct. 2021, <https://www.abc.net.au/news/2021-10-07/french-ambassador-return-canberra-submarine-aukus-row/100519858>.

⁹⁶ Cited in Timothy Moore, Natasha Rudra and Natasha Gillezeau, "'Get on with it": PM on fallen France deal', *Australian Financial Review*, 3 Nov. 2021, <https://www.afr.com/politics/federal/pfizer-raises-vaccine-revenue-forecast-to-48b-20211103-p595fz>.

⁹⁷ Government of France, *France's Indo-Pacific strategy* (Paris: Ministry for Europe and Foreign Affairs, Feb. 2022), p. 41, https://www.diplomatie.gouv.fr/IMG/pdf/en_dcp_a4_indopacifique_022022_v1-4_web_cle878143.pdf.

⁹⁸ Brzozowski, 'EU aims for bigger diplomatic weight'.

response from EU officials, as well as European leaders, was that Australia's betrayal of France, and the fact that the EU was kept in the dark about AUKUS, pointed to the need for a more autonomous and assertive EU Indo-Pacific strategy. This included renewed calls for 'strategic autonomy', which involves more EU independence from the United States and a unified EU approach to foreign and security affairs.⁹⁹ While mentioned in the 2016 EU Global Strategy,¹⁰⁰ and advocated by Macron, the concept has not gained much traction among EU states. However, after the fallout from AUKUS, there appears to be renewed interest in the idea. EU High Representative for Foreign and Security Affairs, Josep Borrell, stated that being kept in the dark about AUKUS shows that 'we must survive on our own, as others do'.¹⁰¹ The president of the European Council, Charles Michel, also reaffirmed the need for EU autonomy, echoing calls for a 'common EU approach' to the Indo-Pacific in response to AUKUS.¹⁰²

Strategic autonomy was justified as a response to broader tensions within the US–EU relationship. EU officials and member states claimed that AUKUS was just one more example of the failure of successive US presidents to inform them of important policy decisions that affect them, ranging from George W. Bush's invasion of Iraq, Barack Obama's policies on Syria and Donald Trump's criticism of Europe to Biden's withdrawal from Afghanistan in August 2021.¹⁰³ Michel stated: 'The elementary principles for an alliance are loyalty and transparency', and argued that both principles were lacking.¹⁰⁴

French Foreign Minister Le Drian also stated that 'this move is unacceptable between allies who want to develop a structured Indo-Pacific partnership', and that such a decision by the United States looked remarkably similar to former US President Trump's treatment of Europe.¹⁰⁵ Manfred Weber of the European People's Party reiterated Europe's discontent, stating: 'I think all Europeans should stand next to France because the main problem in this regard is whether we can really have with America a partnership-oriented, a trustful relationship.'¹⁰⁶ It was betrayal, not disappointment, that shaped these interstate relationships.

The EU members' response to AUKUS shows the presence of a 'we-feeling' among EU states as they unified behind France. One EU diplomat stated that 'Australia will pay a hefty price in terms of its relationship with the EU', and that 'France will act in areas like trade, regulation ... and the Commission will not stand against France on an external matter.'¹⁰⁷ Whether these threats will be borne out in reality is yet to be seen at the time of writing. However, this sense of unity has provided an opportunity for Macron to promote the idea of

⁹⁹ Herszenhorn, 'EU leaders accuse Biden'.

¹⁰⁰ EU, *Shared vision, common action: a stronger Europe. A global strategy for the European Union's foreign and security policy*, June 2016, https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf.

¹⁰¹ 'EU unveils Indo-Pacific strategy in response to US-led pact', DW News, 16 Sept. 2021, <https://www.dw.com/en/eu-unveils-indo-pacific-strategy-in-response-to-us-led-pact/a-59203426>.

¹⁰² 'EU unveils Indo-Pacific strategy'.

¹⁰³ Herszenhorn, 'EU leaders accuse Biden'.

¹⁰⁴ Herszenhorn, 'EU leaders accuse Biden'.

¹⁰⁵ Brzozowski, 'EU aims for bigger diplomatic weight'.

¹⁰⁶ Herszenhorn, 'EU leaders accuse Biden'.

¹⁰⁷ Herszenhorn, 'EU leaders accuse Biden'.

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strategic autonomy more aggressively. Not long after the AUKUS announcement, France signed an agreement with Greece that involves Greece buying ships from the Naval Group. This was pitched as part of ‘the first step towards a European strategic autonomy’.¹⁰⁸

The fallout from AUKUS, and the mistrust it has generated, could have long-term consequences for how the EU and member states interact with AUKUS partners in the Indo-Pacific. As European Council President Michel stated: ‘It’s difficult to see [the AUKUS] announcement as a sign of unity.’¹⁰⁹ Despite the EU affirming that it would continue to have a relationship with the United States and Australia in the future, with Borrell stating that the US–European ‘partnership is vital and irreplaceable’,¹¹⁰ and the EU proceeding with the EU–Australia free trade negotiations,¹¹¹ the level of trust between these allies is likely to be different into the future unless efforts are made to re-establish it.

Time for repair? Rebuilding trust with *pacta sunt servanda*

The way Australia, the United Kingdom and the United States went about establishing AUKUS not only undermined key relationships with EU allies, but also put the rules-based international order under stress. By ignoring the importance of *pacta sunt servanda* in arguing that agreements could be breached in the ‘national interest’, Australia’s actions weakened the importance of this norm. The danger of renegeing on promises is that it sets an example for others to follow, and chips away at the rules-based international order that AUKUS partners are claiming to defend.¹¹² It also undermines the institution of diplomacy by making it harder for states to cooperate with one another, as it becomes uncertain whether agreements made will be agreements kept.

The breaking of promises weakens the claims made by AUKUS partners that they are defenders of the rules-based order and exposes them as hypocritical actors who abide by international norms only when it suits them. This should come as no surprise. Nineteen years earlier, it was the AUKUS partners that invaded Iraq in March 2003 in violation of international law (with China and France among their strongest critics).¹¹³ President Trump’s transactional foreign policy, as reflected in

¹⁰⁸ Katerina Sokou, ‘Greece and France give European strategic autonomy a shot’, *New Atlanticist*, 7 Oct. 2021, <https://www.atlanticcouncil.org/blogs/new-atlanticist/greece-and-france-give-european-strategic-autonomy-a-shot/>.

¹⁰⁹ Herszenhorn, ‘EU leaders accuse Biden’.

¹¹⁰ EU External Action Service, ‘EU–US relations: speech by High Representative/Vice-President Josep Borrell at the EP plenary’, 5 Oct. 2021, https://eeas.europa.eu/headquarters/headquarters-homepage/105110/eu-us-relations-speech-high-representative-vice-president-josep-borrell-ep-plenary_en.

¹¹¹ Hans van Leeuwen, ‘Subs snub won’t sink Australia–EU trade deal, Brussels says’, *Financial Review*, 17 Sept. 2021, <https://www.afr.com/world/europe/subs-snob-won-t-sink-australia-eu-trade-deal-brussels-says-20210916-p58sfs>.

¹¹² The White House, ‘Remarks by President Biden’.

¹¹³ People’s Republic of China, ‘China’s position on the US war in Iraq’, <https://www.mfa.gov.cn/ce/ceun/eng/chinaandun/securitycouncil/regionalhotspots/mideast/yjk/t537117.htm>; Charles Cogan, ‘The Iraq crisis and France: heaven-sent opportunity or problem from hell?’, *French Politics, Culture and Society* 22: 3, 2004, pp. 120–34.

the US withdrawals from the Joint Comprehensive Plan of Action (Iran nuclear agreement), the Intermediate-Range Nuclear Forces Treaty and the UN Paris Agreement on climate change, further reinforces disregard for *pacta sunt servanda*. Australia has fared no better, promoting a ‘me-first’ mentality in foreign affairs in recent years. In 2019, Morrison argued against what he called ‘negative globalism’, which includes calls for actions to mitigate global warming and for greater respect for refugee and asylum-seeker rights. He claimed that it ‘does not serve [Australia’s] national interests when international institutions demand conformity’.¹¹⁴ Such attitudes weaken the credibility of AUKUS partners’ criticisms of other states, making it harder to hold violators of international law, such as China, to account.

If AUKUS partners have harmed the rules-based order by violating promises and breaching trust, measures need to be taken to rebuild that trust. Rengger argues that trust is not based on cost calculations, but is a habit, something observed as a matter of course.¹¹⁵ How, then, can these habits be built? Wheeler argues that trust can be built by taking the risk of being vulnerable to betrayal, taking ‘leaps of faith’, implementing small low-risk collaborations to build confidence, and developing shared interests.¹¹⁶ Face-to-face diplomacy also acts as a trust-building practice. Although diplomacy may not always succeed, Wheeler argues that these types of encounters embody ‘the qualities of empathy, mutuality and mutual respect’ towards others, including enemies,¹¹⁷ and this can help build trust, avert war, and establish cooperation between actors.¹¹⁸

Upholding *pacta sunt servanda* complements Wheeler’s emphasis on diplomatic practices, as it would compel states to adopt a wider conception of the ‘national interest’ that would incorporate international norms as well as the interests of others. States would no longer think in narrow ‘me-first’ terms if they were concerned with upholding prior commitments to others. Although the keeping of promises might, at first, occur for cost–benefit reasons, as international norms socialize states, it could lead to norm internalization and create new practices whereby conformity becomes automatic.¹¹⁹ Not only could adherence to the *pacta sunt servanda* norm help transform a state’s identity as ‘trustworthy’; it could also generate trust between states by rendering the keeping of promises a habit. In such a situation, the keeping of promises would be seen as an integral aspect of the ‘national interest’. The Morrison government’s refusal to recognize this has, as noted above, been criticized by his predecessors. At the height of international tensions over AUKUS in 2021, former prime minister Turnbull observed: ‘What seems to have been overlooked is that one of our national security assets is

¹¹⁴ Michelle Grattan, ‘Scott Morrison warns against “negative globalism”’, *Conversation*, 3 Nov. 2019, <https://theconversation.com/scott-morrison-warns-against-negative-globalism-124651>.

¹¹⁵ Rengger, ‘The ethics of trust’.

¹¹⁶ Wheeler, ‘Beyond Waltz’s nuclear world’.

¹¹⁷ Wheeler, ‘Investigating diplomatic transformations’, p. 496.

¹¹⁸ Wheeler, ‘Investigating diplomatic transformations’.

¹¹⁹ Ryan Goodman and Derek Jinks, *Socializing states: promoting human rights through international law* (New York: Oxford University Press, 2013).

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trustworthiness.¹²⁰ In keeping promises, and developing trustworthiness, states not only uphold international norms, rules and principles of international society, but also generate practices that Kant argued could be applied universally at an international level.

Keeping promises can also help to build a ‘presumption of trust’ by helping states to cooperate with one another despite competing interests. Hurrell has argued that modern international society is characterized by a plurality of ideas, views and values that need to be considered in devising strategies to address threats to international order.¹²¹ In a global environment where states from different cultural, religious and ideological backgrounds, as well as different levels of economic development, need to figure out how to cooperate on a variety of complex issues, keeping one’s promises provides a necessary foundation to build confidence, and perhaps, one day, trust between certain states. Defending *pacta sunt servanda* does not call for all states to unify their differing perspectives and interests. Rather, it sets a minimum standard for how states are to behave, enabling cooperation to take place.

Conclusion

Australia’s cancellation of the 2016 contract to purchase French-built diesel-powered submarines, and its 2021 decision to go for US/UK nuclear-powered submarines as part of the AUKUS partnership, represented more than simply a country renegeing on contractual obligations. The breach of trust with France, and the way that AUKUS was announced, undermined the diplomatic relationship between Australia and France and prompted the EU to consider taking a more autonomous approach to its Indo-Pacific strategy. Australia’s conduct sets a dangerous precedent for interstate cooperation. As a sovereign state, Australia has the right to select the type of submarine it requires for its projected defence policies. However, it undermines mutual trust when it deliberately ignores the promises it has made to other countries. Trust is fragile and, as this article has shown, it is ‘hard to rebuild once it is lost’.¹²²

The breach of trust also has broader implications for the international rules-based order. Despite AUKUS partners claiming that this partnership was needed to maintain security and stability in the Indo-Pacific region, it was a violation of the rules-based order that opened the way for the creation of AUKUS, and this in turn caused a breakdown in relations between Australia and France. Focusing on a violation of the norm of *pacta sunt servanda* helps to advance research on trust by showing the relationship between trust and the norms, rules and institutions of international society. Not only can norms help socialize states into trusting relationships, but a violation of norms, including entrusted norms, can generate mistrust and feelings of betrayal, and undermine the presumption of trust in

¹²⁰ Belot, ‘Turnbull accuses Morrison’.

¹²¹ Andrew Hurrell, *On global order: power, values, and the constitution of international society* (Oxford: Oxford University Press, 2007).

¹²² Rengger, ‘The ethics of trust’, p. 472.

international society. A deeper focus on the relationship between trust and international norms is needed, principally to gain a better understanding of the consequences that norm violations have for trust and trusting relationships. It is also critical for grasping how norms can help cultivate habits of trust between states.

States ignore the importance of trust and its relationship with international norms, rules and institutions at their peril. This observation is particularly relevant to the changing geopolitical climate in the Indo-Pacific region. As more states seek to engage in the Indo-Pacific, it is important that they desist from privileging a 'me-first' foreign policy, which risks creating mistrust. With increased competition in the region, mistrust might tempt more states to ignore international norms and laws in pursuit of their respective 'national interest'. Adherence to the norms, rules and institutions of international society is therefore crucial, not only to encourage states to incorporate the interests of others into their own policy calculations, but to help enhance cooperation and build habits of trust in a volatile and complex region and beyond.