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Political Language and the ICC in the Trump Era: Competing Discourses in the United States, Japan, and China

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ABSTRACT

This paper examines competing political perspectives on the International Criminal Court (ICC) in the United States, Japan, and China. Rather than focusing simply on whether political actors support or oppose the ICC, the paper analyzes how they conceptualize the Court and the principles underlying its role in international affairs. Particular attention is given to the tension between idealistic and pragmatic approaches. From an idealistic perspective, the ICC represents universal principles of international justice, accountability, and the rule of law. From a pragmatic perspective, however, its legitimacy and effectiveness are understood in relation to national sovereignty, political interests, power relations, and the realities of international politics. By comparing the discourse of political figures, international institutions, journalists, and other commentators, this study explores how different actors construct and justify their positions toward the ICC. Particular attention is given to President Donald Trump, Prime Minister Sanae Takaichi, ICC President Judge Tomoko Akane, and selected Japanese commentators. The paper argues that disagreements over the ICC reflect a broader tension between universalist conceptions of international law and state-centered approaches grounded in national interests and political realities. It further argues that political language does not merely reflect existing attitudes toward the ICC. Through rhetorical framing, political actors help construct the meaning, legitimacy, and political significance of the Court itself.

KEYWORDS

International Criminal Court (ICC); political discourse; idealism and pragmatism; U.S.–Japan–China relations; national sovereignty

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1. Introduction

The International Criminal Court (ICC) is the world's first permanent international criminal court. Established under the Rome Statute, adopted in 1998 and entering into force in 2002, the ICC is headquartered in The Hague, the Netherlands. Its mandate is to investigate and, where appropriate, prosecute individuals accused of four of the gravest crimes of concern to the international community: genocide, crimes against humanity, war crimes, and the crime of aggression.

Unlike the International Court of Justice, which primarily addresses disputes between states, the ICC prosecutes individuals. It is intended to complement rather than replace national courts through the principle of complementarity, functioning as a court of last resort when national authorities are unable or unwilling genuinely to investigate or prosecute serious international crimes. The Court therefore represents an attempt to institutionalize individual accountability for the gravest international crimes.

The creation of the ICC reflected a broader postwar effort to establish mechanisms of individual accountability under international law. The Nuremberg and Tokyo tribunals and the later tribunals for the former Yugoslavia and Rwanda demonstrated that individuals could be held responsible under international law for grave crimes. Unlike these situation-specific tribunals, however, the ICC was intended to provide a permanent institutional framework.

The Court nevertheless has an important structural limitation: it has no independent police force. It depends heavily on states for arrests, investigations, and enforcement. This dependence on sovereign states is central to both the practical effectiveness of the ICC and the controversy surrounding its authority.

The contemporary significance of the Court has become particularly visible in 2026. The ICC is now at the center of a sharp confrontation involving the United States and the international community of States Parties, including Japan. The United States is

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not a party to the Rome Statute and has consistently rejected ICC jurisdiction over American nationals without U.S. consent. Under the Trump administration, this opposition has intensified, including through sanctions directed against ICC officials.

Japan occupies a fundamentally different position. It has been a State Party since October 1, 2007, is one of the Court's major financial contributors, and is the home country of Judge Tomoko Akane, who has served as President of the ICC since March 2024. Japan has continued to express support for the Court and for the broader principle of the international rule of law (e.g., Yomiuri Shinbun, 2026).

The contrast between the United States and Japan is therefore particularly revealing. Washington emphasizes national sovereignty, jurisdictional limits, and the authority of states that have not consented to the Court's jurisdiction. Tokyo, by contrast, emphasizes international cooperation, the rule of law, and institutional accountability. Yet the two countries remain close strategic and security allies. The ICC controversy consequently places Japan in a difficult position between its alliance relationship with Washington and its institutional commitment to international criminal justice.

China adds another dimension. Like the United States, China is not a State Party to the Rome Statute and has traditionally emphasized state sovereignty and non-interference in international affairs. The comparison among the three countries therefore provides an opportunity to examine different understandings of international judicial authority.

Most importantly for the present study, however, the ICC controversy is also a question of political language. Political leaders do not describe the Court through neutral legal terminology alone. They use particular words and rhetorical frames to define what the ICC represents, whose authority it should possess, and what principles should govern international relations. Trump's language presents the Court primarily through concepts such as sovereignty, jurisdictional overreach, and the protection of American interests. Japanese political discourse, in contrast, has emphasized the rule of law, international cooperation, and institutional accountability.

These contrasting forms of political language are significant because they do more than communicate already-existing political positions. They help construct competing interpretations of the ICC and, more broadly, of the international political and legal order itself.

Accordingly, this paper examines the ICC controversy of 2026 primarily through the perspective of political language and political rhetoric. It focuses particularly on the contrasting discourses of the United States and Japan, with attention to President Donald Trump and Prime Minister Sanae Takaichi, as well as Judge Tomoko Akane, Japanese commentators, and relevant international institutions. The central question is how political actors use language to frame the legitimacy, authority, and role of the ICC, and how these rhetorical constructions reflect broader tensions between national sovereignty and international accountability.

2. Methodology

This study adopts a qualitative discourse-analytic approach to examine how the International Criminal Court is discussed and interpreted by political figures, journalists, commentators, international institutions, and other public voices in the United States, Japan, and China.

The primary sources include publicly available materials, particularly official statements, YouTube broadcasts, online commentary, interviews, and reports and opinion pieces published by major media organizations in the United States and Japan, including Reuters, Asahi Shimbun, and Yomiuri Shimbun. Statements issued by the White House, the U.S. Department of State, the International Criminal Court, the United Nations, the Chinese Ministry of Foreign Affairs, and other governmental and institutional sources are also considered.

Rather than treating these materials simply as factual sources, this study examines how speakers frame the ICC, what assumptions underlie their arguments, and how they characterize such concepts as international justice, the rule of law, national sovereignty, judicial independence, and national interest.

Particular attention is given to recurring themes and contrasting perspectives, especially the distinction between idealistic and pragmatic understandings of the ICC. The analysis therefore asks not only what political actors say about the Court, but also how their choice of vocabulary constructs particular interpretations of legitimacy and authority.

2.1 The ICC and the Positions of the United States, Japan, and China

The ICC is designed as a court of last resort. Under the principle of complementarity, it does not ordinarily replace domestic judicial systems. Instead, it becomes relevant when national authorities are unable or unwilling genuinely to investigate or prosecute serious international crimes. Its broader objective is to combat impunity, particularly when individuals accused of grave crimes are protected by political power or ineffective domestic judicial systems.

The Court's dependence on states is equally important. Because the ICC does not possess its own police force, arrests generally require cooperation from national authorities. This creates a structural paradox. The ICC was established partly to ensure that individuals cannot use state power to escape accountability, yet the Court itself depends on sovereign states to enforce its decisions.

As of 2026, there are 125 States Parties to the Rome Statute. They include 33 African states, 19 Asia-Pacific states, 20 Eastern European states, 28 Latin American and Caribbean states, and 25 Western European and other states. The Court is therefore not

financially supported by a small group of Western governments. Its regular budget is financed through an assessed-contribution system involving the States Parties, with each state's share calculated according to an agreed scale based largely on the United Nations assessment system.

Japan occupies a particularly important position within this system. Japan became a State Party on October 1, 2007, and has traditionally been the largest individual contributor to the ICC's regular budget. Its assessed share has been approximately 16–17 percent in recent years, amounting to roughly €30 million or more annually, depending on the Court's approved budget and applicable assessment rate.

Japan's support also extends beyond its assessed contribution. In July 2026, Japan made a voluntary contribution of €31,360 to the ICC Trust Fund for Victims to support efforts addressing sexual and gender-based violence. The ICC reported that Japan had contributed more than €1 million to the Trust Fund since 2014 and described Japan as "the Court's largest financial supporter" (International Criminal Court, 2026).

Japan's relationship with the ICC is consequently legal, financial, and institutional. It is a State Party, a major financial supporter, and the home country of Judge Tomoko Akane, the current President of the Court. Akane, however, is an international judge elected by her fellow judges and does not represent the Japanese government.

Japan's position is fundamentally different from that of the United States. The United States has never become a State Party to the Rome Statute and has consistently objected to the exercise of ICC jurisdiction over U.S. nationals without U.S. consent. From Washington's perspective, the issue concerns not only international criminal jurisdiction but also national sovereignty and the limits of international judicial authority.

The disagreement became particularly intense under the Trump administration (The White House, 2026). Measures directed against ICC officials transformed what had previously been primarily a dispute over jurisdiction into a broader confrontation concerning the authority and independence of an international judicial institution.

China provides a third perspective. Like the United States, China is not a State Party to the Rome Statute. China has traditionally emphasized state sovereignty and non-interference in the internal affairs of states. These principles can come into tension with an international criminal court exercising jurisdiction in circumstances that may be perceived as extending beyond the direct consent of a sovereign state.

The three countries therefore occupy different institutional positions:

Issue	United States	Japan	China
Rome Statute	Not a State Party	State Party since 2007	Not a State Party
General approach	Emphasis on sovereignty, consent, and jurisdictional limits	Support for the ICC and international rule of law	Emphasis on sovereignty and non-interference
Relationship with ICC	Challenges aspects of the Court's authority	Supports the Court institutionally and financially	Remains outside the Rome Statute system
Broader tension	National sovereignty vs. international jurisdiction	International accountability vs. alliance considerations	Sovereignty and non-interference vs. international judicial authority

This comparison does not suggest that the three countries have identical positions on all questions concerning international law. Rather, it illustrates three different relationships with the ICC and three different ways in which international judicial authority can be understood.

2.2 Japan's Financial and Institutional Role

Japan's financial contribution gives the ICC controversy an important material dimension. Japan is not merely expressing verbal support for the "rule of law." It is contributing substantial resources to an institution whose judicial and investigative activities depend on the financial commitments of its States Parties (International Criminal Court, 2026).

The Court's 2026 budget is approximately €196.85 million. Japan's assessed share of approximately 16–17 percent therefore represents a substantial annual financial commitment. In addition, Japan's voluntary contributions to the Trust Fund for Victims demonstrate that its support extends beyond the ordinary operating budget.

This financial role becomes particularly significant because Japan must simultaneously maintain its close strategic relationship with the United States. Tokyo therefore faces a difficult combination of institutional commitment and diplomatic constraint. It supports an international court to which it belongs while maintaining an alliance with a country that has increasingly challenged that court.

Judge Tomoko Akane's position adds another symbolic dimension. Akane was elected as an ICC judge in 2017 and began serving on the Court in March 2018. She was elected President of the Court in March 2024. Before joining the ICC, she served for many years as a prosecutor in Japan and worked at Japan's Ministry of Foreign Affairs as Ambassador for International Judicial Cooperation.

Her election to the ICC Presidency, however, should not be understood as a political appointment by the Japanese government. Under Article 38 of the Rome Statute, the President and two Vice-Presidents are elected by an absolute majority of the judges for a three-year renewable term. The Presidency has judicial, administrative, and external-relations responsibilities (International Criminal Court, 2026).

Akane's position is therefore an international judicial position rather than a representative position for Japan. This distinction is especially important when considering the U.S. sanctions against her. The sanctions target an individual serving in an international judicial institution, even though she is also a Japanese national.

The situation creates a particularly sensitive question for Tokyo. Japan must support the institutional independence of the ICC while avoiding a direct rupture with Washington. The issue therefore illustrates how international law, national interest, alliance politics, and political language can intersect.

2.3 The Current Confrontation in 2026

The controversy became especially visible during the September 2026 United Nations General Assembly. Prime Minister Takaichi reaffirmed Japan's commitment to the rule of law and support for international judicial institutions (e.g., Yomiuri Shinbun, 2026; Nihon Keizai Shinbun, 2026). On September 21, Foreign Minister Toshimitsu Motegi and U.S. Secretary of State Marco Rubio exchanged views on the ICC (Ministry of Foreign Affairs of Japan, 2026), and on September 22 Takaichi and President Donald Trump also discussed the issue during their summit meeting (Jiji Tsuushin, 2026).

On September 25, Takaichi stated that she had directly communicated Japan's support for the ICC to Trump during their meeting in New York (e.g., Jiji Tsuushin, 2026; Nihon Keizai Shinbun, 2026). Her position illustrates the diplomatic balancing required by Japan: support for the Court was reaffirmed without turning the issue into a broader confrontation with the United States.

The United States, meanwhile, continued to express exceptionally strong opposition to the ICC (International Criminal Court, 2026). In his September 22 address to the United Nations General Assembly, Trump described the ICC as an "out-of-control institution" and "an evil group of people." He subsequently referred to it as a "rogue institution" and urged ICC member states to withdraw from the organization (Reuters, 2026; The White House, 2026).

The confrontation therefore involves several distinct dimensions. At the legal level, it concerns jurisdiction. At the political level, it concerns sovereignty. At the institutional level, it concerns judicial independence. At the international level, it concerns the capacity of international institutions to operate when they encounter opposition from powerful states.

The ICC's dependence on state cooperation makes this problem particularly difficult. The Court can issue judicial decisions, but implementation often requires national authorities. The conflict therefore illustrates the difference between possessing legal authority and possessing the practical means to enforce that authority.

The U.S. sanctions also demonstrate the importance of material power. International institutions operate within a world of financial, technological, and political interdependence. Measures imposed by a major economic power can therefore affect an international institution even when the legal authority of that institution is not formally abolished.

This is one reason why the ICC controversy cannot be understood exclusively as a legal dispute. It is also a dispute over political power and the practical conditions under which international law operates.

2.4 Political Language: Trump, Akane, and Japan's Rule-of-Law Discourse

The contemporary controversy surrounding the ICC is not only a dispute over international law, jurisdiction, or sovereignty. It is also a contest over political language. The words used by political leaders to describe the ICC do more than communicate existing positions. They frame the institution itself, define what kind of political object it is, and influence how audiences understand its legitimacy.

Trump's September 22, 2026, United Nations speech provides a particularly clear example. By describing the ICC as "out of control," "evil," and "rogue," Trump did not primarily challenge the Court through a technical legal argument. Instead, he engaged in delegitimizing characterization (The White House, 2026).

The expression "out of control" presents the Court as an institution that has exceeded the limits of legitimate authority. The phrase "rogue institution" goes further. In political discourse, "rogue" suggests an actor that has departed from an accepted normative order. The implication is that the ICC is not functioning as a legitimate component of international law but has itself become a problem requiring political action.

The phrase "an evil group of people" is even more striking. Here, an institutional disagreement is transformed into a moral characterization of the people associated with the institution (The White House, 2026). Instead of debating the Court's jurisdiction in technical terms, the rhetoric creates a sharp moral opposition between the United States and an institution portrayed as fundamentally illegitimate and out-of-control.

This type of language may be understood as moral categorization. Complex institutional questions are compressed into a relatively simple opposition between legitimate and illegitimate actors. Political language thereby shifts the question from "Does the ICC possess legitimate jurisdiction?" to "Is the ICC itself a legitimate institution?"

The distinction is important. The first is primarily a legal question; the second concerns political legitimacy and institutional identity.

The word "rogue" deserves particular attention from a rhetorical perspective. It does not simply mean "wrong." It suggests deviation from an accepted order and therefore implies that the actor should be restrained, corrected, or removed. Trump's choice of this term consequently constitutes an attempt to establish a particular interpretive frame through which the ICC should be understood.

The U.S. administration's broader language reinforces this frame. Secretary of State Marco Rubio has described the administration's effort against the ICC in terms of dismantling the institution "brick by brick" (U.S. Department of State, 2026; Wall Street Journal, 2026). The metaphor is rhetorically significant because a complex international judicial institution is represented as a physical structure that can be dismantled piece by piece. A complicated legal and institutional disagreement is thereby transformed into a concrete political task.

The sanctions against ICC officials demonstrate how political language can become institutional action. In August 2026, the Trump administration imposed sanctions on ICC President Tomoko Akane and other officials. The ICC responded by characterizing the measures as an attack on the independence of an impartial judicial institution and reported that nine of its eighteen judges, both deputy prosecutors, its former prosecutor, and a staff member had been subjected to U.S. sanctions (International Criminal Court, 2026).

The relationship between language and action is important. Trump's characterization of the ICC as "out of control," "evil," and "rogue" constructs the institution as illegitimate. Sanctions against individuals associated with that institution then transform discursive rejection into a material form of political pressure.

Political language can therefore be understood as performative. It does not simply describe an already existing political reality. It can contribute to the production of political reality by establishing categories of legitimacy and illegitimacy and by providing a framework through which subsequent political actions are understood and justified.

The Akane case provides a particularly useful counterpoint. The ICC has emphasized judicial independence, impartiality, the rule of law, and the Court's mandate under the Rome Statute. Thus, while Trump's rhetoric constructs the ICC as an institution that has exceeded legitimate authority, the ICC's discourse constructs itself as an institution defending legal authority against political pressure.

The contrast can be summarized as follows:

U.S./Trump framing	ICC/Akane framing
"out of control"	judicial independence
"evil"	justice and accountability
"rogue institution"	international legal institution
threat to U.S. sovereignty	authority under the Rome Statute
illegitimate jurisdiction	international judicial mandate
withdrawal	institutional continuity

These are not simply different descriptions. Each vocabulary establishes a different understanding of what the ICC represents.

Trump's rhetoric places sovereignty and national protection at the center of the debate. The ICC's rhetoric places judicial independence and international accountability at the center. The political conflict is consequently also a conflict between competing legitimacy frames.

2.5 Japan's Rule-of-Law Discourse

Japan employs a substantially different rhetorical vocabulary. In her September 22 address to the United Nations General Assembly, Prime Minister Takaichi emphasized Japan's consistent support for the ICC and linked this position to Japan's commitment to the rule of law (e.g., Jiji Tsuushin, 2026; Nihon Keizai Shinbun, 2026). Japanese reporting presented support for international judicial institutions as part of Japan's broader postwar commitment to a rules-based international order.

The expression "rule of law" functions as an important legitimizing concept. Rather than describing the ICC through emotionally charged labels, Japan places the Court within a broader normative framework involving international law, multilateral institutions, peaceful dispute settlement, and international cooperation.

Japan also connects support for the ICC to its postwar national identity. The rhetorical structure can therefore be represented as:

postwar Japan → peace-oriented identity → rule of law → international institutions → support for the ICC.

Through this framework, support for the ICC can be presented not simply as a temporary foreign-policy preference but as part of a broader diplomatic identity.

At the same time, Japan's discourse contains an important degree of diplomatic restraint. Although Takaichi affirmed support for the ICC, she did not directly attack the Trump administration in her UN speech. This creates an interesting contrast between normative language and diplomatic practice.

Japan can affirm the principle of the rule of law while avoiding direct confrontation with its principal security ally. The result may be described as linguistic balancing.

Japan's discourse consequently contains two simultaneous messages:

1. **Normative message:** Japan supports the ICC and the international rule of law.
2. **Diplomatic message:** Japan seeks to maintain its relationship with the United States.

From a sociolinguistic perspective, this distinction is important. Political language does not operate in a vacuum. Meaning depends partly on what is said, what is not said, and the political circumstances in which a statement is made. The omission of direct criticism of Washington may therefore be as analytically significant as the explicit repetition of "rule of law." This observation can also be understood through the concept of framing. Tannen (1993) emphasizes that speakers do not simply present information; they frame events in ways that make certain interpretations more salient than others. In this sense, Takaichi's repeated emphasis on the "rule of law," together with the absence of direct criticism of Washington, frames Japan's position as one of institutional commitment combined with diplomatic restraint. Reyes (2011) similarly shows how political discourse can legitimize particular courses of action, while van Dijk (1998) highlights the relationship between discourse, ideology, and power. These perspectives help explain how apparently neutral political expressions such as "rule of law" can acquire different meanings depending on the political context in which they are used.

The setting of the speeches further increases their significance. Trump and Takaichi were speaking at the same international institution, the United Nations, but employed markedly different rhetorical strategies. Trump used highly evaluative and confrontational terms and issued a direct imperative to ICC member states to withdraw. Takaichi employed institutional and normative language centered on the rule of law, international institutions, and multilateral cooperation.

The contrast can therefore be understood as a difference between delegitimizing rhetoric and institutional-legitimizing rhetoric.

2.6 Japanese Commentary and the Debate over Takaichi

The interpretation of Japan's position has not been uniform. Some Japanese commentators have criticized Takaichi's approach, particularly her failure to directly criticize the U.S. sanctions against Akane during her UN speech.

One example is Miu Sakamoto, daughter of the late musician Ryuichi Sakamoto and singer-songwriter Akiko Yano. In a September 23 post on X, Sakamoto referred to reporting concerning Takaichi's first speech at the UN General Assembly and criticized the reported decision not to mention the sanctions against Akane and other ICC officials (Josei Jishin, 2026).

Her comments questioned why Takaichi did not protest what Sakamoto characterized as unlawful U.S. sanctions against Akane and questioned the meaning of invoking the "rule of law" while avoiding direct criticism of the sanctions.

Similarly, journalist Yukihiro Hasegawa has expressed critical views concerning aspects of Takaichi's position and Japan's handling of the issue (Hasegawa, 2026). These reactions demonstrate that the same political language can be interpreted differently by different audiences.

From a discourse-analytic perspective, these reactions are significant not because they necessarily represent public opinion as a whole, but because they reveal a competing interpretation of the phrase "rule of law." For Takaichi, the phrase can function as diplomatic and institutional language. For critics, the phrase may create an expectation that Japan should explicitly oppose measures perceived as threatening judicial independence.

Thus, even within Japan, the language of the rule of law is not politically neutral. Different speakers attach different expectations and implications to it.

2.7 Political Language and Competing Frames of Legitimacy

The ICC controversy illustrates how political actors construct competing social realities through language. The ICC itself is a legal institution, but its political meaning is not fixed. It can be represented as an instrument of international justice, a mechanism for combating impunity, a constraint on national sovereignty, an intrusion into domestic affairs, or a defender of victims.

These descriptions are not interchangeable labels. Each activates a different conceptual frame. In Tannen's (1993) terms, these differences can be understood as competing frames through which the same institution is made meaningful to different audiences. The political significance of the ICC therefore depends not only on its formal legal status but also on how political actors linguistically frame its role and legitimacy.

Trump's use of "evil" and "rogue" places the ICC within a moral and political frame in which opposition to the Court becomes associated with the defense of sovereignty. Japan's repeated use of "rule of law," by contrast, places the ICC within a normative frame in which support for the institution becomes associated with peaceful dispute settlement, multilateralism, and Japan's postwar international identity.

The same institution is therefore constructed through substantially different discursive frames.

This linguistic conflict also helps explain why the controversy is difficult to resolve through ordinary diplomacy. The disagreement is not simply over a technical provision of the Rome Statute. The competing sides attach different meanings to fundamental concepts such as sovereignty, jurisdiction, justice, accountability, and the rule of law.

For the United States, the central concepts emphasized in this discourse are sovereignty, jurisdiction, and consent. For the ICC and supporters such as Japan, the central concepts are rule of law, judicial independence, accountability, and international cooperation.

The conflict therefore operates on two levels. At the first level, it concerns the legal authority of an international court. At the second, deeper level, it concerns who has the authority to define the meaning and boundaries of international law.

This distinction is central to the present study. The question is not simply whether one side is correct in its legal interpretation. Political actors are also engaged in constructing legitimacy. They attempt to establish which institutions should be regarded as authoritative and which political principles should be considered fundamental.

In this sense, political language is not merely descriptive. It is constitutive.

2.8 China and the Broader International Legal Order

China provides an important additional perspective because it shares with the United States a non-party status while approaching international politics from a somewhat different rhetorical tradition.

China has traditionally emphasized state sovereignty, territorial integrity, and non-interference in the internal affairs of states. These principles can come into tension with an international criminal court exercising jurisdiction in situations that may be perceived as extending beyond the direct consent of a sovereign state.

The inclusion of China therefore broadens the ICC controversy beyond the immediate U.S.–Japan relationship. It raises a larger question concerning the structure and future of the international legal order.

The issue is not simply whether individual states support or oppose the ICC. Rather, it concerns how international criminal justice can function in a world in which major states do not share the same understanding of international judicial authority.

This question is particularly important because the international system remains structured by sovereign states with unequal military, economic, and political power. International institutions may possess legal authority, but their practical effectiveness can depend upon cooperation from states that possess very different levels of power.

The September 24, 2026, Trump–Xi summit provides a broader context for understanding this tension. The summit was marked by a cordial atmosphere and some limited economic and institutional agreements, while major disagreements concerning Taiwan, rare-earth exports, technology controls, and agricultural trade remained unresolved. Reuters characterized the meeting as emphasizing personal diplomacy while showing little progress on major contentious issues (Reuters, 2026).

Although this summit was not directly about the ICC, it illustrates a broader feature of contemporary international politics: major powers frequently combine institutional language and diplomatic symbolism with hard bargaining over national interests.

The announcement that two giant pandas would be sent to Zoo Atlanta for ten years was one of the most visible symbolic outcomes of the summit. Xi described the pandas as an "envoy of friendship" between the Chinese and American peoples (Associated Press, 2026; Iiyama, 2026). Such symbolism illustrates how political language can simultaneously construct friendship and coexist with unresolved strategic disagreements.

The comparison is useful for the ICC discussion because it reminds us that international politics involves both normative discourse and material interests. States may invoke friendship, peace, justice, or the rule of law while simultaneously pursuing national interests and exercising political and economic power.

The ICC controversy should therefore be understood within this broader international context.

2.9 Idealism, Pragmatism, and Political Reality

The conflict surrounding the ICC can be interpreted as a tension between idealism and pragmatism.

From an idealistic perspective, international criminal justice rests on the proposition that certain crimes are so serious that individuals should be held accountable regardless of their political position or national power. The rule of law, judicial independence, and accountability are therefore universal principles.

From a pragmatic perspective, however, international institutions operate within a world of sovereign states. Their effectiveness depends upon cooperation, financial resources, diplomatic support, and, ultimately, the willingness of states to accept or implement institutional decisions.

Neither perspective fully explains the controversy by itself.

The idealistic perspective helps explain why the ICC is regarded as an important institution for combating impunity. The pragmatic perspective helps explain why the Court encounters serious limitations when powerful states challenge its authority.

The ICC's lack of an independent police force illustrates this tension particularly clearly. The institution may issue arrest warrants on the basis of legal procedures, but the implementation of those warrants depends on state cooperation. Legal authority and practical capacity are therefore not identical.

The same tension appears in Japan's position. Japan's support for the ICC is expressed through legal commitment, financial contributions, and diplomatic language concerning the rule of law. Yet Japan must also consider its security alliance and diplomatic relationship with the United States.

The U.S. position illustrates the opposite side of the tension. Washington emphasizes sovereignty and national consent, while possessing considerable economic and political power with which to influence international institutions.

The controversy therefore demonstrates that international law does not operate independently of political power. At the same time, the existence of political constraints does not make international legal principles meaningless. Rather, the important analytical question is how normative principles and material power interact.

This is where political language becomes especially important.

Political leaders use language to articulate ideals, justify policies, define political identities, and establish frameworks through which actions are understood. The language of the rule of law can legitimize international institutions. The language of sovereignty can legitimize resistance to those institutions. The language of "rogue" or "evil" can delegitimize an institution altogether.

Political language consequently mediates between ideals and political action.

3. Conclusion: Political Language, Idealism, and Political Reality

Through an examination of the ICC controversy from multiple perspectives and on the basis of a range of political, media, and institutional sources, this paper has considered not only the legal and political dimensions of the issue but also the role of political language in shaping how the controversy is understood.

One point that emerges clearly is that political language requires careful attention. The ICC controversy is not simply a disagreement about a judicial institution. It involves competing understandings of sovereignty, jurisdiction, judicial independence, international justice, and national interest.

There is considerable value in continuing to articulate and defend the ideal of the rule of law. International justice, accountability, and the rule of law remain important normative principles even when their implementation is difficult. The more difficult question arises when a state, political leader, or governing authority refuses to accept or comply with those principles.

At that point, the international community faces a practical problem: How can normative principles be translated into effective political and institutional action?

Simply repeating and reaffirming ideals, however important, cannot by itself guarantee their realization. Effective international institutions require political support, financial resources, diplomatic cooperation, and mechanisms through which legal decisions can be implemented. The ICC's dependence on state cooperation illustrates the gap between legal authority and practical capacity.

This gap may be understood as the relationship between idealism and political reality. The challenge is not necessarily to choose one over the other, but to determine how normative ideals can be reconciled with the realities of international politics.

The ICC controversy therefore raises a question that extends far beyond the Court itself: How can international institutions contribute to peace, justice, and accountability when their principles come into conflict with powerful states and competing national interests?

Political language is important because it articulates ideals, legitimizes institutions, and frames political reality. Trump's descriptions of the ICC as "out of control," "evil," and "rogue" construct one interpretation of the Court: an institution whose authority threatens national sovereignty. Japan's repeated invocation of the "rule of law" constructs a substantially different interpretation: an international institution representing accountability and a rules-based international order. The ICC itself emphasizes judicial independence and the legal authority of the Rome Statute.

These competing vocabularies demonstrate that political actors do not merely describe institutional reality. They participate in constructing it.

At the same time, language alone cannot guarantee the realization of political ideals. A government may invoke the rule of law without possessing the practical means to enforce it; an international institution may possess legal authority without possessing the coercive capacity necessary to implement every decision; and a powerful state may challenge an institution through economic and political means even when that institution continues to possess formal legal authority.

The central challenge, therefore, is to understand the relationship between normative ideals and the political, legal, diplomatic, and institutional capacities necessary to put those ideals into practice (e.g., Tannen, 1993; van Dijk, 1998, Reyes, 2011). From a sociolinguistic perspective, this relationship is also a question of how political actors use language to frame, legitimize, and contest competing understandings of international norms. As Reyes (2011) argues, political discourse does not merely describe political actions; it can also legitimize particular actions by presenting them as necessary, appropriate, or morally justified. Similarly, van Dijk (1998) emphasizes the relationship between political discourse, ideology, and power, showing how linguistic choices can help construct distinctions between "us" and "them" and shape the interpretation of political events. Tannen's work on framing further suggests that the meaning of political statements depends not only on what is explicitly said but also on how an issue is framed and what interpretive perspective is made salient (Tannen, 1993). In the ICC debate, these perspectives are particularly useful because political actors may invoke the same concepts—such as justice, sovereignty, international law, and the rule of law—while assigning them substantially different meanings and political implications.

Finally, the role of the United Nations deserves brief consideration. Although the ICC is an independent institution and is not formally a United Nations court, the UN and the ICC share a broader commitment to international peace, justice, and accountability. The UN therefore represents an important institutional framework within which the tension among international law, national sovereignty, and political power can be understood.

The ICC controversy raises a broader question: how effectively can international institutions uphold legal principles when powerful states challenge their authority? The deeper issue is not simply which side invokes the language of the rule of law more convincingly. It is whether an international legal institution can maintain its authority when a major power possesses the economic and political capacity to challenge that institution directly.

The ICC controversy involving the United States, Japan, and China thus provides a particularly revealing case in which political language, international law, and material power intersect. It demonstrates that the meaning of international justice is shaped not only by treaties and institutions, but also by the words through which political actors define sovereignty, legitimacy, accountability, and political reality.

The awarding of the 2026 Nobel Peace Prize to Navi Pillay also merits consideration (e.g., CNN). Pillay is a distinguished jurist who has worked extensively on issues involving war crimes, crimes against humanity, and international justice. Of particular relevance to this discussion is her previous service as a judge of the International Criminal Court (ICC). Her selection for the Nobel Peace Prize is therefore a significant development in understanding the relationship between international justice and peace. It also highlights the broader question of how international legal institutions contribute to peace and how their role is recognized and evaluated in the international community.

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References

[1] Associated Press. (2026). Xi says 2 giant pandas from China will arrive at Atlanta's zoo in the coming days. September 24, 2026.

[2] Asahi Shimbun. (2026). Trump calls on ICC member states to withdraw at UN General Assembly; Prime Minister Takaichi also scheduled to speak. September 23, 2026.

[3] Chinese Foreign Ministry. (2026). Chinese President Xi Jinping visited the United States and held a summit meeting with the U.S. president. Ministry of Foreign Affairs of the People's Republic of China.

[4] CNN. (2026). *Navi Pillay Wins Nobel Peace Prize for Promoting International Law; Former ICC Judge Among Her Roles*. https://www.cnn.co.jp/world/35253433.html?utm_source=chatgpt.com.

[5] Hasegawa, Y. (2026). Nakami nashi datta Nichibei Shunoo Kaidan [A Japan–U.S. summit with little substance]. Hasegawa Yukihiro's News Channel.

[6] Iiyama, A. (2026). *The only outcome of the U.S. – China summit was a panda?/*. Iiyama Akari Channel. https://www.youtube.com/watch?v=fMEMVWdbHBg

[7] International Criminal Court. (2026). The ICC strongly rejects new US sanctions designations.

[8] Jiji Tsuushin. (2026). Takaichi shushoo: Nihon wa ICC shiji (Takaichi reaffirms Japan's support for the ICC).

[9] Josei Jishin. (2026). Mamorou to mo shinai, karappo na kotoba (A prime minister who does not even try to protect her, and words that ring hollow).

[10] Ministry of Foreign Affairs of Japan. (2026). Exchange of Views between Japanese Foreign Minister and U.S. Secretary of State.

[11] Nihon Keizai Shinbun. (2026). *Takaichi Sanae Shusho hoo no shihai wa choosen ni chokumen (Takaichi Sanae says "rule of law faces challenges" in UN speech, expresses support for the ICC)*. https://www.nikkei.com/article/DGXZQOUA221030S6A920C2000000/

[12] Reuters. (2025). Trump imposes sanctions on International Criminal Court.

[13] Reuters. (2026). Trump and Xi's 'stalemate' summit was a glitzy gift to China.

[14] Tannen, D. (1993). *Framing in discourse*. Oxford University Press.

[15] United Nations. (2026). World Humanitarian Day, International Criminal Court, West Bank/Settlements & other topics—Daily Press Briefing.

[16] U.S. Department of State. (2026). Why we're dismantling the ICC. July 24, 2026.

[17] The Wall Street Journal. (2026). Marco Rubio: Why we're dismantling the International Criminal Court.

[18] The White House. (2025). Imposing sanctions on the International Criminal Court (Executive Order 14203).

[19] The White House. (2026). *The President Trump at the United Nations*. https://www.whitehouse.gov/releases/2026/09/president-trump-at-the-united-nations-while-others-have-talked-i-have-acted/?utm_source=chatgpt.com

[20] Reyes, A. (2011). Strategies of legitimization in political discourse: From words to actions. *Discourse & Society*, *22*(6), 781–807.

[21] van Dijk, T. A. (1998). *Ideology: A multidisciplinary approach*. Sage.

[22] Yomiuri Shinbun. (2026). *Takaichi shshoo Kokuren enzetude ICC ikkan shita shiji hyoomei (Prime Minister Takaichi expressed Japan's consistent support for the ICC in her address to the United Nations General Assembly)*. https://www.yomiuri.co.jp/politics/20260924-