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# "THE ROLE OF WARFARE IN IR: 'JUST WAR' AND DOCTRINE OF 'PREEMPTION' AS UNITED STATES STRATEGY IN WAR ON TERROR"

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## INTRODUCTION

The post-Cold War era suddenly ended in the morning of Sept. 11, 2001. From the moment terrorists turned passenger airplanes into weapons of mass destruction, the United States was unavoidably engaged in a new 'war' against global terrorism. That effort represents the organizing principle of America's foreign and defense policy under the Bush presidency. This paper examines the U.S. 'global war on terrorism' and the strategy of preemption. Accordingly, the essay is structured in five sections: the first part focuses on the Bush Doctrine vis-à-vis the UN Charter. It examines the concept of

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preemption and analyzes the War of Aggression against the backdrop of UN definition. The second section explores the evolution of Preemptive and Preventive Warfare and establishes historical precedents of preemptive attack. It examines preemption within the context of 'just war' and the moral traditions of war and historical practice. The third part analyzes the 1967 Six-Day War and the First-Strike Mythology associated with it. It situates the roots of preemption as U.S. doctrine, and examines its Benefits. The fourth section analyzes the doctrine in broader perspectives. It assesses 'preemption' as a grand strategy or tactical tool for pursuit of 'just cause' in the 'war on terrorism' or as a pretext for consolidation of American hegemony. It argues that, preemption as articulated in the NSS is ominously and arbitrarily perilous, albeit ambitious. Section five offers an evaluation and critique and analyzes the implications. It argues that America's defeat of 'global terrorism' will neither be achieved nor celebrated in one grand moment. Preemptive war is neither just, nor is it last resort. The 'global war on terrorism' as currently conceived and waged is utopian and strategically nebulous. It promises to squander American goodwill and military power over unrealistic goals. The Bush Doctrine is inherently pernicious; it's aimed not at achieving 'just cause' but 'the pursuit of 'perpetual war' that in the long term, is neither fiscally, politically and militarily sustainable, nor in America's interest. Indeed, the Bush Doctrine poses a greater danger to the United States than do the perils it supposedly seeks to vanquish. It violates the fundamental strategic principles of international laws and instruments. Finally, it concludes that 'containment' policy worked with the Soviets for several decades.

## 1. THE WAR ON TERRORISM

The "global war on terrorism," "war against terrorism," "war on terror," "war on global terrorism," and "battle against international terrorism,"<sup>(1)</sup> is an all-inclusive term used by the Bush administration to denote the

multifarious political, military, and legal measures taken to curtail the spread of terrorism. Often used in a metaphorical sense (akin to ‘war on poverty’), the war was launched by the U.S. President, George Bush following the terrorist attacks of September 11, 2001, on New York’s World Trade Centre and the Pentagon.<sup>(2)</sup> The campaign’s stated aim is to end global terrorism, for which al-Qaeda claimed responsibility.<sup>(3)</sup> “Our war on terror begins with al Qaeda,” President Bush declared when he launched the campaign, “but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated.”<sup>(4)</sup> Assembling a global alliance, Harry Truman’s stirring call in 1947 “to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures” set the course of U.S. history for the next four decades. President Bush’s invitation to every nation to join the “United States in ‘civilization’s fight’ was phrased as expansively-and intended to be as enduring.”<sup>(5)</sup> The United States’ enunciation of the doctrines of preemption and “regime change” as a policy tool in its war on terror, combined with Bush’s rationalization for the war, are controversial. Both the perception of a ‘war on terrorism,’ and the explicit strategy used, have been exposed to pervasive criticism with the result that, “America’s global image has slipped and support for the war on terrorism has declined even among close U.S. allies” in the war effort.<sup>(6)</sup> In April 2007, a new State Department report blamed “violence in Iraq for a 25-percent-plus increase in global terrorism last year.” Attacks on troops and especially civilians in Iraq accounted for “nearly two-thirds of the terrorism fatalities worldwide.”<sup>(7)</sup>

### **(I) THE BUSH DOCTRINE**

The Bush Doctrine describes the enemy threat as an awful combination of ‘radicalism and technology’ that is invulnerable to Cold War concepts of containment and deterrence.<sup>(8)</sup> Overall the doctrine outlines a broad new phase in US policy that markedly stresses military preemption, armed superiority [‘strength beyond challenge’], unilateralism, and a commitment

to "extending democracy, liberty, and security to all regions"<sup>(9)</sup>. The doctrine was first articulated in a draft report of the internal Defense Planning guidelines by Paul Wolfowitz in 1992. Although it was condemned and rejected then, it was adopted as American policy in the 33-page National Security Strategy issued by George Bush on Sept. 21, 2002. It marked a "watershed in U.S. foreign policy" that "reverses the fundamental principles that have guided successive Presidents for more than 50 years: containment and deterrence." This doctrine provided the policy framework for preemptive attack in Iraq.<sup>(10)</sup>

## **(II) THE UNITED NATIONS CHARTER - PURPOSES AND PRINCIPLES**

The United Nations serve, among other purposes: "to maintain international peace and security, and to that end, to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace."<sup>(11)</sup> Specifically, while Article 2 of the UN Charter states that: "all members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered," Article 51 maintains that "nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a member of the UN, until the Security Council has taken measures necessary to maintain international peace and security."<sup>(12)</sup>

## **(III) AGGRESSION, AGGRESSOR AND WAR OF AGGRESSION - THE UN DEFINITION**

The UN defines 'aggression' as: "the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations."<sup>(13)</sup> Article two of the UN resolution stipulates that "the first use of armed force by a State in contravention of the Charter shall constitute prima

facie evidence of an act of aggression.”<sup>(14)</sup> The UN definition comprises of two elements; for an act to be aggression it must be: [*i*] in contravention of the UN Charter, and [*ii*] the first such use of force in a conflict.<sup>(15)</sup>

#### **IV. WAR OF AGGRESSION – RIGHT OR WRONG?**

According to the UN, “a war of aggression is a crime against international peace. Aggression gives rise to international responsibility. Nothing, whether political, economic, military or otherwise, can be a justification for aggression.” The UN also states that “territorial acquisition or special advantage resulting from aggression is always unlawful.”<sup>(16)</sup>

### **2. PREEMPTIVE AND PREVENTIVE WARFARE**

Military theorists differentiate between preventive and preemptive war. Preemption is “an attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent.”<sup>(17)</sup> Conversely, preventive war is “a war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve great risk.” While “preemptive war has legal sanction,” preventive war, conversely, has none, because the threat is neither certain nor imminent. This makes “preventive war indistinguishable from outright aggression.”<sup>(18)</sup> The Bush Doctrine has been condemned as more of a preventive than a preemptive strategy, as claimed by the Bush team.<sup>(19)</sup> International law and history disapprove of preventive war, seeing it merely as a disguise for blatant aggression.<sup>(20)</sup>

#### **I. THE EVOLUTION OF ‘PREEMPTIVE’ ATTACKS– HISTORICAL PRECEDENTS**

While certainly not the norm in history, pre-emptive attacks have been used as a military strategy dating back several centuries. As Philip II of Spain massed a formidable fleet for the invasion of England in 1587, Sir Francis Drake, launched a pre-emptive attack and destroyed the Spanish Armada

while it was still anchored in Cádiz. Partly as a result, England won a famous victory in 1588.<sup>(21)</sup> Frederick the Great struck from Saxony and Bohemia in 1756 when Austria, Russia and France plotted to crush Prussia, winning decisive victories over his far numerous foes.<sup>(22)</sup> In 1842, the U.S. accepted preemption in the Caroline case as articulated by Secretary of State, Webster. Indeed, between 1800 and 1934, US Marine corps conducted 180 landings abroad. Some were in response to attacks on US citizens, territory or property but many were launched before such attacks had occurred.\*<sup>(23)</sup>

## II. PREEMPTIVE ATTACKS IN THE 'GLOBAL WAR ON TERRORISM'

On October 9, 2001, President Bush reported to Congress, that as "part of our campaign against terrorism," US Armed Forces "began combat action in Afghanistan against al Qaeda terrorists and their Taliban supporters" in effort to "disrupt the use of Afghanistan as a terrorist base of operations." On March 21, 2003, he notified Congress, that he had "directed US Armed Forces, operating with other coalition forces, to commence operations on March 19, 2003, against Iraq."<sup>(24)</sup> Bush's new strategic doctrine of preemption facilitated the attack on Iraq. The President's radical idea was that the US had the right to use military force against any state it sees as hostile or attempts to acquire WMD-nuclear, biological or chemical. Iraq, whose government the US repeatedly threatened to depose, either on the model of the dislodgment of the Taliban in Afghanistan or by some other method was apparently the initial archetype for preemption. Washington finalized its war plans, and actualized its allusion to war - despite objections by several neighbouring states and European allies.<sup>(25)</sup> Frightening though is the new approach to the use of force on the pretext of counterterrorism and the domestic ambiance of fervent nationalism that existed in the US post 9/11. This approach repudiates the central idea of the UN Charter that's reinforced by decisions of the World Court in The Hague, which proscribes any use of force that is not in self-defense after an armed attack across an

international frontier or pursuant to a decision by the UN Security Council.<sup>(26)</sup>

### III. 'JUST WAR' OR THE MORAL TRADITIONS OF WARFARE

The just war theory is a mainly Christian philosophy that strives to reconcile three things:

- a) taking human life is seriously wrong
- b) states have a duty to defend their citizens, and defend justice
- c) protecting human life and defending key moral values sometimes requires willingness to use force

The theory stipulates conditions for judging if it is just to go to war, and conditions for waging it. Though widely developed by Christian theologians, it is universally applicable.<sup>(27)</sup>

iv Origins and Elements of 'Just War': The principles of a 'Just War' derived from classical Greek and Roman philosophers like Plato and Cicero and were augmented by Christian theologians like Augustine and Thomas Aquinas. There are two parts to 'Just War' theory:

- a) *Jus ad bellum*: denotes the conditions under which the use of military force is justified.
- b) *Jus in bello*: specifies how to conduct a war in an ethical manner.

A war is only a Just War if it is both justified, and fought in the right way. Some wars waged for good causes turned out to be unjust because of the way in which they were carried out.<sup>(28)</sup>

v. The problem: Preemptive strike can conflate with 'just war' doctrine in two ways, when:

- a) it is fought before the other side attacks with military force, and so appears to make the side carrying out the strike the aggressor
- b) it is usually carried out before a war is formally declared

vi. The Six Day War: The Six Day War of 1967, in which "Israel was the first to use military force when it attacked the Egyptians," rightly illustrates preemptive attack. "Egypt had not used force against Israel, so

Israel appeared the aggressor and in the wrong.” However, Egypt had taken the following measures before Israel preemptively attacked her:

- a) announced a policy of hostility to Israel
- b) put its military forces on maximum alert
- c) expelled the UN Emergency force from the Sinai border area
- d) strengthened its forces on the border with Israel
- e) announced the closure of the Straits of Tiran to Israeli ships
- f) formed mutual support treaties with Iraq, Jordan and Syria

While ostensibly ominous, this level of threat was hardly a moral justification for attack.<sup>(29)</sup>

vii. Probable solution: In *‘Just and Unjust Wars,’* Michael Walzer posits that we proceed on the anticipation spectrum seeking enemies: not probable or potential foes or merely present ill-wishers, but states that are already engaged in harming us. Walzer offered some conditions that he thinks must be met to justify a pre-emptive strike:

- a) an apparent intent to injure
- b) a level of participation and preparations that turn that aim into a positive danger
- c) a situation which greatly magnifies the risk if the fight is delayed, resulting in probable defeat.<sup>(30)</sup>

### 3. WE NOW KNOW - RETHINKING SIX-DAY WAR ALLEGORY

The formerly classified chronology of secret Johnson administration communiqué reveals arduous Egyptian efforts to unwind the military escalation and futile US attempts to restrain the Israeli “tiger” from a preemptive strike.<sup>(31)</sup> To deescalate the imminent conflict, Johnson administration “engaged...in diplomatic efforts...in concert with the United Kingdom” and Israeli “diplomatic representatives” to ensure a peaceful resolution. The President cautioned Israel on the need for restraint and stressed “the necessity for Israel not to make itself responsible for the

initiation of hostilities. Israel will not be alone unless it decides to go alone,”...and “we cannot imagine that it will make this decision.”<sup>(32)</sup> Despite warning, Israel believed it was “left with few options;” and while it had not been attacked by Egypt it “invoked its inherent right of self-defense,” consistent with “Article 51 of the UN Charter” and “launched a preemptive strike”<sup>(33)</sup> against the three Arab states on June 5, 1967 capturing the Sinai Peninsula, Gaza Strip, West Bank of the Jordan River, Old City of Jerusalem, and the Golan Heights.<sup>(34)</sup> The conflict altered the borders of the Middle East, military and political perceptions; and thrust the US into the mix as a permanent factor in the region. The war also profoundly changed Israel itself, and led to the emergence of a strong mythic movement that claimed the West Bank as part of Greater Israel. Israel has created the nearest thing to instant victory the modern world has ever seen.<sup>(35)</sup> Remarkably, while “Israel did attack Egyptian forces, it did so in full possession of intelligence that Egypt was attempting to wind down the crisis through shuttle diplomacy with...the United States.”<sup>(36)</sup> However, most historical accounts hail the Israeli attack as an “unavoidable and heroic response to imminent attack while discounting what was actually happening on the Arab and US diplomatic front.”<sup>(37)</sup> We now know, on the basis of the newly declassified Johnson administration records and diplomatic cables released from the US State Department, that the Six day War could have been avoided. Prior to the war, Nasser professed to backing a settlement arrangement that enables “Arabs and Israelis to live together harmoniously” so long as “Israel should allow a million refugees to come back to Palestine, which would solve the refugee problem and still the Israelis would have two million of their own citizens in the same country.” “He made it clear” that he shared the dream of “true ‘living together,’” and “he kept reassuring me that he was not going to start a war.”<sup>(38)</sup> In light of Michael Walzer’s conditions to justify a pre-emptive strike, those declassified State Department documents totally refute the ‘heroic Israeli preemption in the face of long odds and inevitable attack’ since Egypt “would not begin any fight but

would wait until the Israelis had moved.”<sup>(39)</sup>

## I. FIRST-STRIKE MYTHOLOGY OF THE SIX-DAY WAR

In the intervening years the myth of Israeli military invincibility has been made of the Six Day War that’s replicated and resonates throughout the political spectrum in the United States and the world. In 1967, purportedly, “Israel fought a desperate war of self-defense and despite dire odds, won. As a result, the Jewish State not only survived, it also came into possession of additional lands, including territory that is of vital importance to its security.”<sup>(40)</sup> The mythology of a small, vulnerable Israel surrounded and assailed by superior and hostile foes is repeated endlessly in the US news media by pundits and supporters. “Israel is the only Jewish country in the Middle East, but 99% of the Middle East is Arabs,” argues Williams, “Let’s not forget the only reason that Israel controls the Gaza Strip and the West Bank is because she was attacked by Egypt, Jordan and Syria, and confiscated the lands as spoils of the war.”<sup>(41)</sup> Feith argues that, Israel has as “legitimate a claim to the West Bank territories seized after the Six Day War as it has to the land that was part of the U.N.-mandated Israel created in 1948.”<sup>(42)</sup> Ultimately, the “boarders of virtually all countries have been set by lands either won or lost in wars....Syria, along with other Arab nations, lost land to Israel in various wars. Israel, like all other countries, has no automatic obligation to return land that it won in a conflict...”<sup>(43)</sup> The notion that Israel is justified in keeping the territorial spoils of war as compensation for a wanton and inevitable attack reaches up into the highest echelons of the Pentagon:

“...the so-called occupied territories...there was a war, [in 1967] Israel urged neighboring countries not to get involved, ....they all jumped in, and they lost a lot of real estate to Israel because Israel prevailed in that conflict. In the intervening period, they’ve made some settlements in various parts of the so-called occupied area, which was the result of a war, which they won.”<sup>(44)</sup>

Neoconservatives' enduring infatuation with, and mythology of military preemption is based on their understanding of the "success" of the 1967 Israeli first strike against the Egyptian Air Force. The Six-Day Israeli-Arab War is hailed by pundits and commentators as the heroic feat of the Israeli military, whose agility and prowess is often cited in the electronic and print media as a classic, authoritative state-of-the-art testament that preemptory military strikes can be effective: "The 1967 war was waged by powerful modern armies trained, equipped and sent into battle by sovereign states. A military victory by the Arab side would have put all of Israel at risk."<sup>(45)</sup> However, what most observers and writers account of the Six day War fail to mention is that the Israeli attack didn't prevent an attack from Israel's enemies - on the contrary, it assured a war that otherwise could have been avoided.<sup>(46)</sup>

## II. ROOTS OF PREEMPTION AS FORMAL U.S. POLICY

Preemption hasn't always been enshrined in US military strategy. Its insertion as American strategy evokes the 'hangover' syndrome from the 'first-strike' mythology of the 1967 Six-Day War. Its subsequent adoption appears to be the culmination of years of efforts by Paul Wolfowitz and a collection of other neoconservative scholars and cheerleaders to implant the first-strike mentality into formal American doctrine.<sup>(47)</sup> When the Cold War ended, these neocons began rooting for a new cause to pursue. Hints of the scheme to make 'preemption' an American strategy outdate 9/11.<sup>(48)</sup> In 1992 Wolfowitz crafted a "classified blueprint intended to help 'set the nation's direction for the next century.'" The core strategy of the Wolfowitz agenda was to "establish and protect a new order" and "to discourage" other states "from challenging our leadership," while maintaining a military capability to "deter potential competitors from even aspiring to a larger regional or global role." He promoted 'preemption' in lieu of deterrence and containment; first use of chemical, nuclear, or biological weapons against potential challengers and substituted traditional alliances for ad hoc coalitions.<sup>(49)</sup> The Wolfowitz

plan was a "blueprint for US hegemony." Clinton set it aside without really repudiating it. A decade later, as Bush moved toward war with Iraq, the ideas in the '92 document took on heightened significance.<sup>(50)</sup> As Bacevich puts it, Bush effected a "fusion of breathtaking utopianism with barely disguised *machtspolitik*. It reads as if it were the product not of sober, ostensibly conservative Republicans but of an unlikely collaboration between Woodrow Wilson and the elder Field Marshal von Moltke."<sup>(51)</sup>

Arnaud de Borchgrave argues that "Washington's 'Likudniks,' Ariel Sharon's powerful backers, 'have been in charge of U.S. policy in the Middle East since Bush was sworn into office.'" The culmination of years of their effort is the "Bush-Sharon Doctrine."<sup>(52)</sup> After the 9/11 terrorist attacks, Sharon began at once to argue that the U.S. and Israel were fighting the "same enemy, international terrorism," and over the next several months-months marked by escalating violence in Israel and the West Bank - Bush and Sharon grew closer, personally and politically. "Sharon played the president like a violin: 'I'm fighting your war, terrorism is terrorism,' and so on. Sharon did a masterful job."<sup>(53)</sup> The neocons struck gold on Sept. 11, when they sought to exploit the awful atrocity to channel America's fury into all-out war to eliminate their loathed adversaries, the Arab and Islamic "rogue states" that have long resisted US hegemony and despise Israel.<sup>(54)</sup> On Sept. 12 as Americans were still reeling from the shock of 9/11, Bill Bennett told CNN that the U.S. was engaged in "a struggle between good and evil;" he called on Congress to declare war in which "overwhelming force" must be used against "militant Islam" and listed Syria, Libya, Iraq, Lebanon, Iran, and China as "evildoers worthy of attack."<sup>(55)</sup> However, he did not name "Afghanistan, the sanctuary of Osama's terrorists;" thereby prompting questions how he knew which nations needed to be attacked before he had any idea who the perpetrators were.<sup>(56)</sup> In choreographed succession, the editorial board of Wall Street Journal, [ala Max Boot & other neocons] immediately called for air strikes on "terrorist camps in Syria, Sudan, Libya, and Algeria, and perhaps parts of Egypt," and quickly offered up an explicit

target list in these countries. Benjamin Netanyahu, erstwhile Israeli Prime Minister instantly dominated the airwaves urging Americans to squash the "Empire of Terror," including Hezbollah, Hamas, Iraq, Iran, and the Palestinian Authority. Ironically, "not one of the nations or groups listed by Wall Street Journal or Netanyahu had anything to do with the 9/11 attacks," and besides Syria, Iran Libya, and the Palestinian Authority "publicly condemned the attacks."<sup>(57)</sup> For Safire, the real terrorists the US should target were not religious fanatics "but Iraqi scientists today working feverishly in hidden biological laboratories and secretive nuclear facilities." If not interrupted, that capability enables the "hate-driven Saddam to kill millions;" and transform him from a "boxed-in bully into a rampant world power."<sup>(58)</sup> On Sept. 13, Wolfowitz's clearly argued for a broader war: I think it's not simply a matter of "capturing and holding people accountable, but removing the sanctuaries, removing the support systems, ending states who sponsor terrorism." That's why it has to be a "broad and sustained campaign." The arrests of a few criminals won't end it.<sup>(59)</sup> Evidence of the ploy to oust Saddam first emerged in a 1996 report written for then Premier, Netanyahu by three neocons - Perle, Feith and Wurmser in which "removing Saddam Hussein from power in Iraq"<sup>(60)</sup> was recommended. This stratagem would later be converted into the "Blueprint for the new Bush policy" of preemption, though it had actually been drafted five years earlier by the abovementioned three top national security advisors, future appointees to senior positions in the Bush administration.<sup>(61)</sup> In the "Perle-Feith-Wurmser strategy," argues Buchanan, "Israel's enemy remains Syria, but the road to Damascus runs through Baghdad." Their plan, which urged Israel to re-establish 'the principle of preemption,' "has now been imposed by Perle, Feith, Wurmser and Co. on the United States."<sup>(62)</sup> Thus, became 'preemption' a formal U'S policy. Neocons effectively implanted the mythologized "first strike" into the US national security strategy. The harm done to US interests is that by so doing, they profitably compelled Americans to embrace the notion that first strikes work.

### III. THE HIDDEN BENEFITS OF FIRST-STRIKE DOCTRINE:

Neocons' insertion of the 1967 mythologies does more than pull the American revolver out of its holster: the preemption doctrine installs a hair-trigger on the entire US military: "I can't tell you when we may face a similar choice with Iran. It's either take action now or lose the option of taking action,"<sup>(63)</sup> Perle told Reuters. This raises the chance of arbitrary fire on the wrong opponents. Most Americans would consider the US attack of Iraq, executed on the false pretext to disarm a hostile nation with WMD, to be a case against preemption. But taking options off the table appears to be consistent with neoconservative agenda, punditry and sloganeering as this expedites action against future foes.<sup>(64)</sup> While this is inimical to American principles of "life, liberty, and the pursuit of happiness" that is a beacon to the world, embracing such cynical and deception-prone policies, however, ensures the US is repeatedly plotting wars of aggression for neocons' benefit and couching it in "defense of American." Despite the fallacies signified by the attack of Iraq, neocons continue to ardently defend preemptive wars as "the right thing to do."<sup>(65)</sup> For example, if it becomes the popular belief that Iraq -or [potentially, next target Iran] had no offensive objective or capabilities, maintaining a preemption policy is more difficult.<sup>(66)</sup> Under the neoconservative creed of preemption, the first strike is a decision to be made based only on the counsel of their well-placed cheerleaders: and so, "ironically, one of the lessons of the inadequate intelligence of Iraq is you'd better be careful how long you choose to wait," Perle asserted. "If you want to try to wait until the very last minute, you'd better be very confident of your intelligence because if you're not, you won't know when the last minute is."<sup>(67)</sup> The US may yet attack Iran if Neocons determine that the "time has come."

#### 4. PREEMPTION – TACTICAL TOOL FOR BROADER OBJECTIVES

Once the Neocons succeeded in inserting ‘preemption’ as US strategy, they sought to plot their next agenda. While not in the long term interest of America, nevertheless, they couched it under the fervent nationalism of the post 9/11 environment. Bob Woodward argues that, "the terrorist attacks of September 11 gave the United States a new window to go after Hussein." On September 15, Wolfowitz presented military arguments to secure a US strike “on Iraq rather than Afghanistan.” He argued that while "attacking Afghanistan would be uncertain," since American forces might be "bogged down in mountain fighting....in contrast, Iraq was a brittle, oppressive regime that might break easily. It was doable."<sup>(68)</sup> Before Bush initiated the ‘global war on terror,’ neocons put him on notice: failure to attack Iraq "will constitute an early and perhaps decisive surrender in the war on international terrorism," since any strategy seeking the “eradication of terrorism and its sponsors must include a determined effort to remove Saddam Hussein from power.”<sup>(69)</sup> *The Weekly Standard’s* David Tell had even more splendid plans: the immediate destruction of not only past subsidizers of terror but, "any group or government inclined to support or sustain others like them in the future."<sup>(70)</sup> Subsequently, President Bush would be faced with the burden of making a critical decision that will be as “historically crucial as Truman's decision to let MacArthur advance to the Yalu, and FDR's decision to hold up Eisenhower's armies and let Stalin take Berlin.”<sup>(71)</sup> In his post 9/11 address to Congress, Bush asserted that, “from this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.”<sup>(72)</sup> With these words, the President declared a *fiat*.

Remarkably, however, while Bush’s "war on terrorism" would not begin with a strike on Iraq, military contingency plans were under way for just such an endeavor. On September 17, Bush signed a Top Secret document outlining the war plan for Afghanistan, which included, albeit a trifling,

authorization to the Pentagon to also start making plans for an attack on Iraq.<sup>(73)</sup> Afterwards, Bush's rhetoric and public statements evolved quickly toward expanding the war to Iraq: "Afghanistan is just the beginning of the war against terror. There are other terrorists who threaten America and our friends, and there are other nations willing to sponsor them. Across the world, and across the years, we will fight these evil ones and we will win."<sup>(74)</sup> In an act not directly linked to the 9/11 attacks, Bush added a new dimension on November 26. In response to a question whether Iraq was one of the terrorist states he had in mind, he included possession of WMD as an indicator of 'terrorism': "well, my message is, is that if you harbor a terrorist, you're a terrorist. If you feed a terrorist, you're a terrorist. If you develop weapons of mass destruction that you want to terrorize the world, you'll be held accountable."<sup>(75)</sup> Neocons consistently pushed urgency in effort to persuade Bush to move quickly against Iraq: Saddam "is busily at work on a nuclear weapon....it's simply a matter of time before he acquires nuclear weapons." The facilities are concealed, and because "you'll never find them," I believe "preemptive action" is imperative,<sup>(76)</sup> Perle wrote in an article. Hence, the 'Likudniks,' [neocon policy-makers in the Bush administration] had not only successfully integrated 'preemption' as a US military strategy, but in collusion with Evangelical Christians, and in alliance with Ariel Sharon, they created an aura of 'imminent danger' and the situation in which the 'global war on terrorism' would be expanded to topple despotic regimes with intent to "destabilize" the Middle East, so as to guarantee tranquility for Israel. Sharon himself provided the geopolitical ammo by persuading a receptive Bush that the war on Palestinian terrorism was equal to the 'global war on terror.' Next was a campaign to sway U.S. public opinion that Saddam and bin Laden were allies in their war against America. An alleged covert meeting in Prague in April 2001 between Mohamed Atta - the ringleader of the 9/11 hijackers - and an Iraqi intelligence agent got the ball rolling. Afterwards, tales about the Saddam-al Qaeda nexus became 'talk-shop'.<sup>(77)</sup>

## I. TRANSFORMATION COMPLETE:

The conversion to support a broader war was total with Bush's January 29, 2002, State of the Union address, in which he formally decoupled the "war on terrorism" from the specific events of 9/11. Bush neither referred to bin Laden nor al Qaeda. The threat now was said to come mainly from three states-Iraq, Iran and North Korea - which he dubbed an "axis of evil" that allegedly pose a "grave and growing danger" which threatened the world with their WMD.<sup>(78)</sup> Therefore: "we'll be deliberate, yet time is not on our side. I will not wait on events, while dangers gather. I will not stand by, as peril draws closer and closer. The United States of America will not permit the world's most dangerous regimes to threaten us with the world's most destructive weapons."<sup>(79)</sup> To be persuasive that Saddam was strategic threat, there were links of him to the 9/11 massacre: his "collaboration with terrorism is well documented," Perle wrote.<sup>(80)</sup> Cheney, alongside other neocons of the Defense Policy Board, *Wall Street Journal* editorial writers and *Weekly Standard*, also became the administration's biggest campaigners of the single-sourced Czech intelligence report of a meeting in Prague between a senior Iraqi intelligence official and the instigator of the 9/11 hijackers, Atta Mohammed, five months before the attacks.<sup>(81)</sup> By April 2002, the President was openly stating that US policy was to ensure "regime change" in Iraq. In June, he remarked that America would launch preemptive attacks on those nations that posed a threat to the US.<sup>(82)</sup> Within the administration, the conventional wisdom at this time was that, Iraq now represented the foremost such threat. Further, by the spring of 2002, the chief of U.S. CentCom, General Tommy R. Franks, had begun to give the President Private briefings every other week on contingency planning for a new Iraq campaign.<sup>(83)</sup> Moreover, neocons began to present the 9/11 mayhem as a lightning bolt to remind President Bush of his destiny: the destruction of the evil of global terrorism. Adopting the Christian lingo to describe a "transformed" or "more precisely, a transfigured George W. Bush," Podhoretz argued for the militarization of the clash of civilizations by the

US, as it is Bush's mission "to fight World War IV-the war against militant Islam."<sup>(84)</sup> The neocons' rush to war with Iraq, however, would be slowed by Colin Powell, who persuaded Bush that UN sanction would be essential to justify a U.S. attack. British journalist, Robert Fisk observed: the UN debated "any Iraqi non-compliance with weapons inspectors," but the US decided "whether Iraq had breached UN resolutions." Hence, America would "declare war without UN permission."<sup>(85)</sup>

## II. 'PREEMPTIVE' ATTACK – DESTINATION IRAN

While it grants greater prominence to international cooperation, the 2006 National Security Strategy retains preemptive military action justified by the "inherent right to self-defence" as one of the mainstay of US' protection. Iran is specifically targeted in the texts of the new strategy and remarks and comments by key Bush administration officials appears to suggest that Iran might be next on its list for 'preemptive' military strike: "We face no greater challenge from a single country than Iran," the script emphasizes; and since "the Iranian regime's true intentions" are unclear as exemplified by its "refusal to negotiate in good faith," the document cautions: "diplomatic efforts must succeed, if confrontation is to be avoided." The escalating rhetoric appears to suggest that the world is being prepared to anticipate an impending "preemptive attack" on Iran: "The Iranian regime supports terrorism, threatens Israel, seeks to thwart Middle East peace, disrupts democracy in Iraq, and denies the aspirations of its people to freedom,"<sup>(86)</sup> says the NSS. At a time when disputes over Iran's nuclear programme has been summoned before the UN these US charges appears to be rehashing the same accusations leveled at Iraq three years ago as the drumbeats of war were being sounded, leading up to the invasion.<sup>(87)</sup> The "greater the threat, the greater is the risk of inaction, and the more compelling the case for anticipatory action to defend ourselves, even if uncertainty remains about the time and place of an enemy attack," states NSS; which promises "to, if necessary, act preemptively," because "we cannot afford to stand idly by as

grave dangers materialize.” Yet “it is the doctrine itself that is dangerous,”<sup>(88)</sup> notes Senator Diane Feinstein.<sup>(89)</sup> In August 2006, the House Permanent Select Committee on Intelligence, Subcommittee on Intelligence Policy released a report *"Recognizing Iran as a Strategic Threat."* It draws among other conclusions that: “Iran probably has an offensive biological weapons program,” and “Iran provides funding, training, weapons, rockets, and other material support to terrorist groups in Lebanon, the Palestinian Territories, and elsewhere.”<sup>(90)</sup> Confronted by such phenomenal threats, Washington's "ultimate aim" is to act, since "We are committed to keep the most dangerous weapons out of the hands of the world's most dangerous people." Particularly worrisome is the fact that, as in 2002, the doctrine of 'preemption' in the NSS 2006 has completely supplanted decades of "deterrence" and "containment" as the main axis of US defence strategy. Further, its shortcomings in Iraq are acknowledged: "This administration inherited an unresolved Iraqi threat," but notes that ... "with the elimination of Saddam's regime, this threat has been addressed once and for all." Implicitly signaling that the precedent set by the futility of discovering WMD in Iraq will not deter the administration from taking action against the next regime on its list of targets, the 2006 NSS warns that: "There will always be uncertainty about the status of hidden programs, since proliferators are often brutal regimes that go the great lengths to conceal their activities" and "bluff, denials and deception is a dangerous game that dictators play at their peril."<sup>(91)</sup>

### III. 'PREEMPTION' IN THE GWOT: 'JUST WAR' OR PRETEXT FOR CONSOLIDATION OF U.S. POWER?

The Bush Administration insists that its 'global war on terrorism' is a new kind of "asymmetric" war and its preemption strategy is just - waged in 'self-defense' in response to willful terrorist attack: "The Americans who conduct those operations are a tough and proud bunch. Their cause is a just one. It's to stop terrorists from killing Americans and others."<sup>(92)</sup> Against the

backdrop of international law and ‘just war’, preemption as used in the ‘global war on terrorism’ appears to be unjust, perhaps, erroneous. Preemptive war is initiated in an effort to “repel or defeat an imminent offensive or invasion, or to gain a strategic advantage in an impending” war.<sup>(93)</sup> Conventionally, “self-defense is restricted to a response to an armed attack,” consistent with Article 51 of the UN Charter.<sup>(94)</sup> Some commentators argue lately, however, that the notion of self-defence has been enhanced by the transformation of warfare. The Bush doctrine on preemption cites imminent threat from ‘rogue states’ with WMD as its justification. But, the dilemma of the determination of ‘imminent threat’ remains subjective and open to debate. Many states-U.S. allies inclusive reject the notion of preemption.<sup>(95)</sup> Renowned scholar Abraham Sofaer defines four key elements for preemption to be justified: [i] the character and scale of the perceived threat; [ii] the chance that the threat will manifest unless pre-empted; [iii] accessibility to alternative to use of force, and [iv] compatibility of preemption to the terms, purposes and spirits of the UN Charter and applicable international instruments.<sup>(96)</sup> The ‘Just War’ tradition speaks to the “morality of the use of force in two parts: [a] when it is right to resort to armed force;” (*jus ad bellum*) and, [b] “what is acceptable in using such force,” (*jus in bello*).<sup>(97)</sup> The former has priority; its limit on war addresses how to evaluate whether resort to war is ‘just’. A ‘just war’ in this sense is fought in ‘self-defense,’ to advance peace, as last resort, under legitimate authority, with proportionality and a good prospect of success. The latter’s limit on conduct of war entails imbalance - limiting and avoiding harm to non-combatants - and symmetry, or certainty that the damage is proportionate to the war aims.<sup>(98)</sup> A recently added third part - *Jus post bellum* - addresses the “justice of war termination and peace agreements,” as well as the trying of “war criminals.”<sup>(99)</sup>

*iv. The status of the UN on ‘preemption’* - The UN Charter envisioned a strategy for dealing with emerging threats with a variety of options - including force. Conventionally, while international law underlines respect

for the sovereignty of the state by greatly restricting the use of force, the plain text of the UN Charter has a more moderate standard when force is used with the backing of the Security Council.<sup>(100)</sup> In instances when force is used outside the structure of the Security Council, it is not precisely clear whether or not a state retains under the UN Charter a conventional right of self-defense, including a “right of anticipatory self-defense against an imminent threat, or if that right is curtailed to not include anticipatory self-defense.”<sup>(101)</sup> But thus far, according to the UN, “it has been understood that when States go beyond that, and decide to use force to deal with broader threats to international peace and security, they need the unique legitimacy provided by the United Nations.”<sup>(102)</sup> In light of the UN Charter's approval of preemptive acts by the Security Council, ultimately the actual issue over preemption is not so much preemption itself but more the multilateral framework under which it is exercised - who holds decision-making right, and the degree to which those provision are codified and thus made more stable and predictable.<sup>(103)</sup> Traditionally, although aggression is thought to be unlawful, and self-defense lawful, more challenging is the issue of whether or not a first-strike could ever be regarded as a defensive rather than an act of aggression. By right, anticipatory self-defense presupposes that an attacker is poised to strike, and that the attacked acts defensively in anticipation of the attack instead of waiting for the aggression to take place.<sup>(104)</sup>

In the diplomatic effort to resolve the Caroline incident with the British in 1837, Secretary of State Daniel Webster established the most widely accepted standard for anticipatory self-defense. Webster's formulation, which remains at the core of international law today, had a ‘two-tier’ approach: cross-border raids were justified, [*i*] only if there was a “necessity of self-defence, instant, overwhelming, leaving no choice of means, and no moment for deliberation;” and [*ii*] if nothing “unreasonable or excessive” was done.<sup>(105)</sup> However, the impact of the UN Charter on this area of international law continues to elicit ongoing debates. For multilateral actions

and the unilateral use of force outside of the UN Security Council framework, Article 51 of the UN Charter mentions an inherent right of self-defense in response to armed attack, granting defensive action pending when the Security Council resolves the issue, and the Security Council must be advised appropriately of any defensive use of force by states or aggrieved party.<sup>(106)</sup> The explicit text of Article 51 ostensibly roll back the conventional right of self-defense, necessitating that an armed attack has taken place before the aggrieved party can exercise self-defense, and entailing that unilateral self-defense is a temporary action awaiting the Security Council resolution of the matter.<sup>(107)</sup>

On 23 September 2003, UN Secretary General proclaimed “disagree” with the use of ‘preemption’ in the ‘global war on terror’ as this “represents a fundamental challenge to the principles on which, however imperfectly, world peace and stability have rested for the last fifty-eight years.” He called on member states of the UN to find “collective answers to our common problems and challenges” and reiterated the Security Council’s “needs to consider how it will deal with the possibility that individual States may use force ‘preemptively’ against perceived threats.” Specifically with reference to the attack on Iraq, the envoy’s main disquiet had been that, “if it were to be adopted,” preemption could “set precedents that resulted in a proliferation of the unilateral and lawless use of force, with or without justification.”<sup>(108)</sup> The Secretary-General told the BBC “the US-led invasion of Iraq” was an “illegal act that contravened the UN charter.”<sup>(109)</sup> Anxiety over precedents underline the reality that international law does really mean something, and plays more than just a superficial role that provides only a rhetorical setting for measures taken for completely different motives.<sup>(110)</sup> Be it in a local domestic situation or the international context, law and security are complementary to the degree that the idea of dependable rules regulate and guide conduct, if only by enhancing the predictability of its consequences.<sup>(111)</sup> The Bush administration is thus confronted with the strategic challenge of articulating its own policies with clarity, determine the

degree to which the U.S. is willing, and able to help establish clear and credible international norms, and clarify whether and in what ways parties are to abide by international framework that are established for collective decision-making.<sup>(112)</sup> The concerns of its allies concerning forms of preemption are not manifestly proof of their disinclination to adapt mutual understandings of law and security to varying circumstances. Instead, they represent an innate appreciation of an anticipated viable, and effective global security system in which the lone superpower ideally affords leadership that is articulated with clarity, reasonably predictable, and upholds respect for international law.<sup>(113)</sup> The U.S. National Security Strategy needs clear-cut, candid, and appropriate threat-assessments and harmonization with its allies, insight reinforced and strengthened by experience from the war in Iraq.<sup>(114)</sup> Previously, President Bush himself, to some extent has been reticent with regard to his presentation of a doctrine of preemption, and his effort to lead a coalition of the willing against Saddam's regime was sold to the American and world public couched in multi-layered arguments - including references to breach of Security Council resolutions, the prevailing situation in the aftermath of the First Gulf War, Saddam's links to terrorists, and humanitarian concerns.<sup>(115)</sup> Among the key questions for which solution must be found, therefore, is whether or not today's world is a safer and more secure planet with or without reinforcing international institutions and laws as well as a restriction on the use of force. More important is whether the U.S. is not only prepared, but able to leader as it has done previously in these spheres from the post World War II inception of the UN Security Council.<sup>(116)</sup>

## V. THE 'GLOBAL WAR ON TERRORISM' – AN ALTERNATIVE ANECDOTE

Speculations are rife about the real motive behind the US-led 'global war on terrorism'. British journalist and Middle East expert Patrick Seale posits that the "real target of the war is to make US supremacy prevail on a strategic

oil-rich region, and to protect Israel's regional superiority and its monopoly over WMD in the Middle East."<sup>(117)</sup> Buchanan argues that the "neocons seek American empire, and Sharonites seek hegemony over the Middle East. The two agendas coincide precisely." And while neocons claim that it was Sept. 11 that justified war on Iraq and militant Islam, the origins of their war plans go back far before.<sup>(118)</sup> Michael Klare has argued that Bush's conflict with bin Laden's terror network is multi-layered: including struggle for control over the greater Persian Gulf region-the location of about two-thirds of the world's known oil reserves.<sup>(119)</sup> The US fight against terror is two-pronged: "first, to capture and punish" the perpetrators of the 9/11 attacks, and prevent further acts of terrorism; and second, to "consolidate American power in the Persian Gulf and Caspian Sea area and to ensure the continued flow of oil." And while the second aim may get far less publicity than the first, it is just as important.<sup>(120)</sup> Bush defends his "bombing of Afghanistan as a war against terror," argues Cohn, a twin motive, however, "is to make Afghanistan safe for United States oil interests." Just before 9/11, the U.S. Energy Information Administration cited Afghanistan's geo-strategic location as a "potential transit route for oil and natural and gas exports from Central Asia to the Arabian Sea," including pipeline construction through Afghanistan.<sup>(121)</sup> The discovery of an estimated 17 billion barrels of crude oil in the Caspian Basin valued at \$4 trillion<sup>(122)</sup> meant that Dick Cheney couldn't "think of a time when we've had a region emerge as suddenly to become as strategically significant as the Caspian."<sup>(123)</sup> The prospect of getting those "huge energy reserves to market has touched off a scramble by international oil and gas companies to get in on what may be one of the world's last great energy plays."<sup>(124)</sup> Hence "Washington is determined to dominate the world's richest new source of oil,"<sup>(125)</sup> argues Eric Margolis. The drive for "profits and power are central to the Bush Administration's so-called 'War on Terrorism,'" argues Gore Vidal in. "We need Afghanistan because it's the gateway to Central Asia, which is full of oil and natural gas...That's what it's all about. We are establishing our control over Central Asia."<sup>(126)</sup> The

“escalation of war rhetoric against Iran” from the neocons and the Bush White House is just the “latest installment of a long-term plan for another preemptive war.”<sup>(127)</sup> Iran's rich cultural heritage, proud history, immense energy reserves, and key geopolitical location-adjointing Afghanistan and Iraq, bordering the Caspian Sea and extending down into the Persian Gulf - combine to make it a formidable force in the Middle East.<sup>(128)</sup> Besides hosting the world's second largest natural gas reserves, “Iran is OPEC's second largest oil producer and holds 10 percent of the world’s proven oil reserves.”<sup>(129)</sup> Washington perceives Iran to be a threat to its drive for hegemon over the region. A nuclear armed Iran would be even more unruly in the future. Dealing with the Iran question now seems expedient.<sup>(130)</sup>

## 5. EVALUATION AND CRITIQUE

*i. ‘Preemptive’ war is not and cannot be just* - The Bush team is right when it claims this is a new kind of war. However, in light of the transformation of war and the nature of modern society, it is erroneous of the White House to insist that its preemptive attack is just. It is particularly challenging, if not impossible for any preemptive warfare to be just. Indeed, post-modern societies wrought by conurbation lack a panacea for absolutely security. The recognition that, “it is physically impossible to defend at every time in every location against every conceivable technique of terrorism,”<sup>(131)</sup> implies that modern societies will always remain vulnerable. Specifically, modern societies rely on a few critical infrastructures that are interdependent, and the pervasiveness of terrorists assures that they can strike the state’s ‘soft-underbelly’ - critical infrastructures on which it relies. Terrorists are not subject to conventional military destruction, and thus, possess certain military advantages over states in combat. Moreover, it’s uncertain who is a terrorist or when the state has defeated them. Modern terrorist groups are not only loosely structured and non hierarchical, they embrace unorthodox or unconventional asymmetric tactics against the more powerful states, whose

combat tactics are largely conventional. Thus, states are disadvantaged to effectively fight terrorists groups who neither field armed forces to be smashed nor have territorial goals.<sup>(132)</sup> Ultimately, America's campaign to restore the margin of security it enjoyed before 9/11 will be neither easy nor quick. These three conditions: the vulnerability of modern societies, the combat advantages of terrorists in those settings, combined with the pervasiveness and potential ubiquity of terrorist cells, makes it difficult to claim triumph over them. Therefore, America's defeat of 'global terrorism' will neither be achieved nor celebrated in one grand moment. There will be "no V-E or V - J Day, no ticker-tape parade along Fifth Avenue. America's victory will be piecemeal. Every day the United States goes without a terrorist attack will be a triumph."<sup>(133)</sup>

The Bush administration argue that "the only way to deal with" the terrorists "is to take the battle to where they are and to root them out and to starve them out of those countries...supporting and harboring it."<sup>(134)</sup> But the 'global war on terror' as currently constituted results in the mentality of equating preemption with prevention and self-defense.<sup>(135)</sup> Unending counter-terrorism preemptions almost certainly cannot be justified. Foremost, concerning *jus ad bellum* criterion of 'just cause,' a doctrine that relies on 'preemption' is neither 'self-defense,' nor last resort. Moreover, a strategy of counter-terror predicated largely on military power is counterproductive and unlikely to be successful.<sup>(136)</sup> Suffice to say that, conducting counter-terror campaign will doubtless be unjust since it is particularly hard to effectively differentiate between active terrorists and non-terrorists, even using 'precision-guided munitions'. In an environment where terrorists habitually collocate with the local residents, and in fact occasionally use them as human shields, one can seldom tell who is an activist and who is not.<sup>(137)</sup> Therefore, the stated aims of the global war on terrorism are unrealistic and condemn the US to a futile quest for absolute security. As such, the goals are also fiscally, politically, and militarily unsustainable.<sup>(138)</sup>

ii. *Wars Without End* - Available proof appears to suggest that the Bush administration strives to use its 'global war on terrorism' as ongoing pretext for perpetual war, via 'preemption' as tactical tool to destabilize the Middle East and consolidate its power and hegemon over the region. Critics of a wider war in the Middle East quickly recognized the neoconservative war-propaganda effort: "for the neoconservatives...bin Laden is but a sideshow...they hope to use 9/11 as pretext" for a broader Middle East war.<sup>(139)</sup> But the bin Laden - Saddam nexus was just Step One in the Bush-Sharon Doctrine. The strategic aim is the antithesis of Middle Eastern stability; the undermining of "despotic regimes" comes next. "In the Arab bowling alley," argues de Borchgrave, "one ball aimed at Saddam is designed to achieve a 10-strike that would discombobulate authoritarian and/or despotic regimes in Iran, Syria, Saudi Arabia and the other Gulf Emirates and sheikhdoms."<sup>(140)</sup> The ultimate phase would be "Israel surrounded by democratic regimes that would provide 5 million Israelis - soon to be surrounded by 300 million Arabs - with peace and security for at least a generation."<sup>(141)</sup> "We will not hesitate to, if necessary, act alone to exercise our right of self-defense by acting preemptively,"<sup>(142)</sup> states the NSS. In the long term the *Pax Americana* the neocons envisage seems set to usher America into what is precisely the psychological attitude and procedural policy described by Harry Elmer Barnes in *Perpetual War for Perpetual Peace*, as the "American formula in relation to world affairs," which dominate the permanent war economy of the United States.<sup>(143)</sup>

**Implications** - The core implication of 'preemption' is perpetual war; in turn proffering infinite opportunities for neocon power-brokering of military spending, permanent political positioning on the "high" strategic rhetorical ground of "defending America," and occasions to direct and channel American military power against Israel's rivals. All the key spending elements of the preemptive strategy, including regime change in Iraq, "more usable" nuclear arms, denial of nuclear capabilities to non-nuclear states, and deployment of costly "Star Wars" and missile

interceptors, were crafted and promoted by neoconservative think tanks such as the Project for the New American Century, the American Enterprise Institute, and the Center for Security Policy prior to Bush taking office.<sup>(144)</sup> Indeed, the US was increasingly tending toward the policies of preemption and perpetual war prior to the 9/11 attacks. Among the core reasons for this is inertia, since ‘old habits die hard’. The unwillingness to copiously effect a demobilized US military despite the end of Cold War, indeed since the Second World War meant that considerable inertia in the institutions, combined with ways of thinking associated with wars and cold war, was prevalent.<sup>(145)</sup>

The dawn of a new era, exacerbated by globalization and techno-logical revolutions sensitized increased US vulnerability to non-state actors and asymmetric warfare even in the absence of threats from large, conventional militaries. The end of the Cold War “created a unique opportunity to make profound changes in the international system” to arbitrate the “resurgence of Islamic power, the reemergence of ethno-nationalism, and the shift towards market-based democracies.”<sup>(146)</sup> With ethnic and political conflicts that smoldered during the cold war, or were fueled by it flaring up all over, a flexible and potent military was crucial to reshape the future. The tapestry of military reviews and force transformation embarked upon in the post Cold War era symbolize efforts to address these trends: The 1993 Bottom-Up Review represented a “close collaboration between the civilian and military sectors,”...to “define the strategy, force structure, modernization programs, industrial base, infrastructure needed to meet new dangers and seize new opportunities.”<sup>(147)</sup> The review “would leave U.S. military spending in the post-Cold War period at about 85 percent of average annual expenditures during the Cold War, despite the absence of a global superpower threat to America's security. Indeed, the US would spend more for national security than the rest of the world combined.”<sup>(148)</sup> The policy of maintaining substantial warhead reserves while reducing the deployed arsenal was established by the 1994 Nuclear Posture review. North Korea, Iraq, Iran,

Syria and Libya were cited in the report as nations with “long-standing hostility” toward the US and so “could be involved in immediate, potential or unexpected contingencies.”<sup>(149)</sup> The Quadrennial Defense Review for 1997 and 2001 were “congressionally mandated review of national defense strategy.... to analyze, among other things, comprehensive force structure...with a view towards establishing a roadmap for defense programs for the next 20 years.”<sup>(150)</sup> The QDR 2001, like QDR 1997, concluded that the “Chairman of the Joint Chiefs of Staff use existing processes to routinely address cross-cutting issues from a military perspective.”<sup>(151)</sup> The quest for total security culminated in the 2002 Nuclear Posture Review, where the Bush administration articulated “greater flexibility” in conventional and nuclear preemptive strike against adversaries and the United States should be prepared to use nuclear weapons against China, citing “the combination of China’s still developing strategic objectives and its ongoing modernization of its nuclear and non-nuclear forces.”<sup>(152)</sup> Among the PNAC's declared objective is a US military that would “fight and decisively win in multiple, simultaneous theater wars,” and prior to 9/11, the PNAC called for “some catastrophic and catalyzing event, like a new Pearl Harbor,” which would serve to galvanize US public opinion in support of a war agenda.<sup>(153)</sup> Accordingly, the 9/11 attacks not only fit that bill, but the Iraq war was principally “an effort to shape the security environment of the Middle East.”<sup>(154)</sup> The basic rationale behind the emerging strategy of permanent war was set out concisely by Dick Cheney: “During the Cold War we were able to manage the threats with arms control agreements and a policy of deterrence...but it's a lot tougher to deter enemies who have no country to defend. A group like al Qaeda cannot be deterred or placated or reasoned with at a conference table...and containment is not possible when dictators obtain weapons of mass destruction, and are prepared to share them with terrorists. For that reason, this struggle will not end with a treaty or accommodation.”<sup>(155)</sup> The domestic costs of permanent wars are increased military spending; exceeding all major rivals to the detriment of social

services, which fits the conservative's social agenda. National debt will soar, as will the domestic militarization.<sup>(156)</sup> Abroad, anxious leaders in countries ranging from Russia, China and Iran to many European allies share deep concerns about the emergence of America as a "benevolent hegemon" - seeing a "rogue superpower" instead. Short of joining forces formally, the outlines of a countervailing bloc are seen in the convergence of threat perceptions.<sup>(157)</sup> In Carter's words, Bush sometimes combined "peremptory rejections of nuclear arms agreements, the biological weapons convention, environmental protection, anti-torture proposals, and punishment of war criminals," with economic threats against states who might "disagree with us." Nothing isolates America from allies needed in the war on terror than "these unilateral acts and assertions"<sup>(158)</sup>

### **POSTSCRIPT:**

The global war on terrorism as currently waged is a strategic error. Its stated goals are unrealistic and condemn the United States to a hopeless quest for absolute security. Its strategies are politically, fiscally, and militarily unsustainable and its methods lacks moral justification and contravenes international laws. Containment policy worked with the Soviets for several decades. The Soviet experience holds important lessons for current U.S. foreign policy. 1967 is attestation that first strikes quickly and irrevocably remove diplomatic options off the table. An over-reliance on preemption can lead to the downplaying of diplomacy. Today, the doctrine of preemption has fallen on hard times. Far from demonstrating the principle's effectiveness, the Iraq war and its aftermath have ultimately underscored its limits. ❖

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