Preemption as an Instrument of US Foreign Policy

by

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ABSTRACT

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The future direction of American foreign policy in the post-cold war changed dramatically with September 11, 2001. The September 11 terrorist attack on U.S marked the collective conscious of the country and of its foreign policy. The neo-conservatives who for the first time in U.S history occupied the highest positions in the Bush Administration saw this catastrophe as an opportunity to achieve their long held goals and objectives. The most prominent objective was the use of preemption as a self-defense against rogue regimes. In the absence of the Soviet Union threat and in the aftermath of September 11 crisis, preemption was elevated to the status core of the security doctrine and coupled with regime change strategy, unilateralism and democratization. This doctrine was first applied in Afghanistan and then on Iraq and tend to be the 21st century American foreign policy.

This thesis concludes that the preemptive strategy on Iraq has showed that this strategy was only used to allow the U.S to intervene and spread its power abroad. Hence preemption under the power of the neoconservatives has become the raison d'etre of U.S imperialism.

To my parents

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CONTENTS

INTRODUCTION

The demise of communism in the Soviet Union and Eastern Europe along with the collapse of the Soviet Union has greatly altered the international system. The international system changed from a bipolar system to a unipolar system in which the United States emerged as the sole superpower. As a superpower, the U.S enjoys an unprecedented military, economic and culture preeminence in which no other powers can challenge. Yet, America's role in the post-cold war was not defined. Neither President Bush nor President Clinton was able to articulate a vision or a strategy of America's role in post-cold war. It was only when the U.S was attacked by a terrorists group on September 11, 2001 that America's role was defined. The attacks of September 11 prompted the Bush Administration to develop a bold and aggressive strategy that will take action to deter potential adversaries and gave the hard-liners in the Administration an opportunity to press an old agenda of using preemption as an instrument of U.S foreign policy, all with the aim to maintain military superiority and discourage the emergence of a rival superpower. Preemption which is "an attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent" became the cardinal principal of the Bush Doctrine. Preemption stresses the need for taking anticipatory action to defend the U.S before an adversary attacked and do so even if there was uncertainty about the imminence of the threat and if necessary may use preemption unilaterally in the absence of a formal alliance.

The goal of this thesis is to both comprehend the concept of preemption and explore the individuals who are behind such a foreign policy choice in an effort to stimulate the reader to form an opinion on this new and controversial topic. The importance of this research is that it sheds light on how the Bush Doctrine perceives international law after the demise of the Soviet Union and the emergence of non-state actors such as: Al-Qaeda terrorist organization that plays a disruptive role in the global system.

The thesis will be divided into six chapters.

Chapter one will critically analyze the Bush Doctrine. The merits and pitfalls of the objectives of the Bush Doctrine will be debated. Then preemption will be explored by first defining it and comparing it to prevention. Second, preemption will be examined by focusing on U.S military supremacy and international law: Is the U.S preemptive strategy acceptable under international law? Does international law and the UN Charter need revision in post-Sept 11?

Chapter two will investigate the historical records of the U.S foreign policy. The reader will perceive that the use of preemption is neither a new concept in U.S history nor used for the first time by a U.S president.

Chapter three will examine both the external and internal factor that contributed to the use of preemption in U.S foreign policy especially after September 11. Part one will deal with the impact of September 11 crisis on the use of preemption in U.S foreign policy. Part two will examine the personality traits of President Bush and its influence on the choice of U.S foreign policy instruments.

Part three will explore the role of the bureaucratic politics on the U.S foreign policy.

Chapter four will provide an explanation of how the war in Iraq was fought within the context of the Bush Doctrine. Part one will examine the U.S preemptive war on Iraq under International law. Part two will give a reflection of unilateralism on foreign policy in Iraq.

Chapter five will evaluate the U.S geopolitical and economic objectives in Iraq.

Chapter six will conclude with a prospect on U.S policy in Iraq, its future position there and in the M.E as a consequence of its preemptive strategy.

Chapter I

A Critical Analysis of the Bush Doctrine

1.1 A Critical Analysis of the Bush Doctrine

With the end of the cold war, the U.S. for the third time in the century confronted its global destiny.

The first time came in the aftermath of WWI, when the nation returned to its historic tradition of isolationism. The second time, following WWII, when it rejected isolationism in favor of global activism. It was during this period, that the U.S. evolved its grand strategy under themes of globalism, containment, deterrence, military might, interventionism ... with the aim to combat communism and deter Soviet threat.

With the end of the cold war, political analysts argued that the U.S. for the first time is free of pressures and constraints in shaping its foreign policy. As William G. Hyland have stated in 1990, "Now, for the first time in half a century, the U.S. has the opportunity to reconstruct its foreign policy free of most of the constraints and pressures of the cold war."[1] Under such circumstances, Hyland asked the following questions: "For what purpose and to what end should America commit its awesome power and resources? What will be the new priorities for a post containment foreign policy, and which instruments will be most effective?"[2] The answer came after twelve years, in the form of a National Security Strategy Document, under the presidency of George W. Bush.

Though the first post-cold war president, George H. Bush called for a new world order, one "where diverse nations are drawn together in common cause to achieve the universal aspirations of mankind – peace and security, freedom and the rule of law."[3] No strategy was outlined for realizing the neo-Wilsonian vision of a new world order.

Similarly, under the presidency of President Bill Clinton, foreign policy took a back seat. His foreign policy resonated well with the neo-isolationist mood of the American people. Even in the first Bush presidency, the President never so much hinted at the grandiosity of the vision of the world. He declared that, "we should limit our military engagement to threats to our

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[1] Wittkopf, Eugene R. "The Future of American Foreign Policy." St. Martin's Press. New York. 2nd Edition. 1994 p. 1.
[2] Ibid p. 2
[3] Ibid p. 3

vital national interest, and that we shall have a very modest set of engagements and a humble foreign policy."[4] However, less than a year and in particular after September 11 attacks Bush's humble foreign policy was replaced by a more ambitious one.

The September 11 terrorist attacks marked the collective conscious of the country and of its foreign policy. It was the second time in U.S. history, that the U.S. was attacked by surprise. The first time was in 1944, when the Japanese planes bombarded the U.S. navy in Pearl Harbor. Yet, it was for the first time that the US was attacked by a terrorist group and not a military power from a foreign state. This catastrophic event demonstrated what many analysts were suggesting through their writings, in the aftermath of the cold war. One of them is the historian John Lewis Gaddes who argued, "the end of the cold war brings not an end to threats, but the rather a diffusion of them: one can no longer plausibly point to a single source of danger, but dangers that will be."[5] September 11, terrorist attacks on the U.S. soil demonstrated not only the presence of a new and real threat but also revealed the identity of the enemy.

It was not unusual for the U.S. administration to reassess its American National Security after 9/11. The constitution of the U.S. makes it clear that one of the paramount responsibilities of the federal government is to "provide for the common defense."[6] This obliges the president to ensure the security of the American homeland and public, something that must be the primary objective of any national security strategy.[7] The terrorist attacks demonstrated also that not just new measures are needed, but new overall posture of U.S. foreign policy was needed to ensure the common defense.

Like President Truman who unveiled his post war doctrine during an address to the Congress in 1947, laying down the foundation for "an organizing principle that guided the national military procurements and deployments for almost half a century."[8] And like Reagan who articulated his aid-to-anti communist's doctrine in the early 1980s.[9] Similarly, Bush Doctrine,

[4] Pecker, George. America's Age of Empire: The Liberal Change. Mother Jones. Jan-Feb 2003 Issues p. 3. Available on: www.motherjones.com

[5] Wittkopf, Eugene R. "The Future of American Foreign Policy." St. Martin's Press. New York. 2nd Edition. 1994 p. 8.

[6] Rena, Charles V. "World or Homeland?" US National Security Strategy in the 21st Century. Opendemocracy. 29-05-2003 p. 3 Available on: www.opendemocracy.net

[7] Ibid

[8] Alan, David W. "The Causes and Costs of the Bush Doctrine". World and I. January 2003. V. 8i1 p: 2 Available on: www.web7.infotrac.galegroup.com

[9] Ibid, p:2

describes how the U.S. intends to fight terrorism in the post-September 11 and how the U.S. role will be defined in the 21st Century.

Contrary to others, the Bush Doctrine is revolutionary. Not because it commits the U.S. to global intervention: U.S. has been there before. Not because it targets terrorism and rogue states: nothing new there either. What's new in the Document is that for the first time in the U.S. history, a President elevates preemption to the status of official policy and dares to declare his intent to act alone with the instruments of war.

The objectives of the National Security Strategy have fueled a wide-ranging debate.

James M. Lindsay, a senior fellow, from the Brookings Institution, finds a number of deficiencies in the National Security Strategy. He argued "that it does not provide the kind of coherent and clear guide on how to achieve the very laudable objectives it set forth."[10]

According to Lindsay, the National Security Strategy talks at great length of promoting a balance of power in favor of freedom, but in particular what it promotes is a balance of power in favor of counter-terrorism. He illustrates his argument by giving the example that the war on terrorism, has led the U.S. to work very closely with countries like China, Uzebekistan and Saudi Arabia, whom they don't share America's commitment to freedom and liberty. "There is no criticism of China for Tibet, or the suppression of democracy activities or religious activities. There is no criticism of the shift away from constitutional rule in Pakistan."[11]

If the Document does not criticize any of the countries stated by Lindsay, President Bush however, made several remarks, at the 20th anniversary of the National Endowment for Democracy. He criticized and warned countries like Cuba, Burma, North Korea and Zimbabwe in which their "people live in captivity, and fear and silence."[12] "Communism and militarism and rule of by the capricious and corrupt are the relics of a passing era. Yet these regimes cannot hold back freedom forever, and one day from prison camps and from exile, the leaders of the democracies will arrive."[13]

Similarly Bush made some remarks on China. Though China now "has glimpse, a fragment of liberty,"[14] yet Bush wanted a more commitment to

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[10] "Brooking Scholars Evaluate and Analyze President's National Security Strategy Paper." Brooking Institution. Federal News Service. Washington DC. October 4 2002 p: 3
[11] Ibid p: 3
[12] "Remarks by the President at the 20th Anniversary of The National Endowment for Democracy" The White House. November 6, 2003. p. 2. Available on: www.whitehouse.gov.
[13] Ibid
[14] Ibid

democracy in China. He pushed for an eventual liberty which should "be pure and whole."[15] But his primary focus is on the U.S. commitment to democracy in the Middle East which "must be a focus of American policy for decades to come."[16] He encouraged nations like Morocco, Bahrain, Iran, Saudi Arabia, Oman, Yemen, Palestinian people, Egypt to reform and introduce democracy and liberty.[17]

For all that, the international community remains deeply doubtful about the American government's self-appointed role as the world's largest advocate of human rights. Many see hypocrisy in the U.S. government's reluctance to be bound by the same instruments and principles it is so ready to apply to others. In a recent Amnesty International report entitled, *USA: Human Rights Versus Public Relations*, include the list of failings in U.S. human rights policy. Under the Bush Administration, the Irish-American Italian Commission on Human Rights has criticized the Bush administration's handling of immigrants' detained in post 9/11 and has called upon the administration to "take the urgent means necessary to have the legal status of the detainees at Guatanamo Bay, determined by a competent tribunal."[18] More than 600 detainees held in U.S. naval base in Guatanamo Bay, without access to the courts or lawyers. Some have been held for almost a year, with no prospect of release or trial, making the U.S. in direct breach of Geneva Convention.[19]

Moreover, the U.S. has failed to ratify the International Covenant on Economic, Social and Cultural Rights, opposed the adoption of the Optional Protocol to the convention Against Torture and failed to ratify the convention on the Rights of the Child on May 2002. "The Bush administration's assault on the international human rights regime is a repudiation not only of international traditions, norms and values, but the subordination and repudiation of an American tradition."[20] The reason behind the administration's opposition to those conventions is that contrary to Sandy Berger and Madeline Albright who were more inclined to the human right concepts in Clinton's Administration, the key members in Bush's Administration, like the National Security Advisor, Condoleeza Rice,

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[15] "Remarks by the President at the 20th Anniversary of The National Endowment for Democracy" The White House. November 6, 2003. p. 2. Available on: www.whitehouse.gov.
[16] Ibid p. 4
[17] Ibid
[18] "Background Paper on Geneva Conventions and Persons Held by US Forces. Human Rights Watch. January 29, 2002. p. 7-8 Available on: www.globalpolicy.org
[19] Ibid, p:8
[20] Greshman, John. Human Rights: Celebration and Concern. Foreign Policy in Focus December 10, 2002. pp. 2-3. Available on: www.presentdanger.org

Vice President, Dick Cheney and other senior Bush foreign policy advisors, are viewed as Kissingerian realists, in that they will exert U.S. power to protect U.S. national interests but not for other reasons like promoting human rights.[21]Moreover, they want to avoid any international legal obligations that might limit and put constraints on U.S foreign policy behavior.

One then is expected to see self-interest behind U.S. claims to be upholding moral principles and extending democracy. Yet, the September 11 terrorist attacks has taught the U.S. that today's threats come from authoritarian and weak states rather than strong ones.

This was articulated in the National Security Strategy introduction: "The events of September 11, 2001 taught us that weak states, like Afghanistan, can pose a danger to our national interests as strong states."[22] So the objective of extending a balance of power that favors freedom, outlined in the Bush Doctrine is genuine. The U.S. today is more than ever committed to democracy in non-democratic areas. The opportunities to expand democracy to the rest of the world rest upon the solid truths of social science expressed by Tocqueville: Democracies rarely go to war on other democracies.[23] One of the reasons, it is so hard to imagine the European Union going to war with the U.S. or "Germany and Japan threatening the world."[24] This is why Bush argued that it is worth fighting, dying and standing for freedom because, "the advance for freedom leads to peace."[25] From this context, the U.S. first step after the toppling of Taliban in Afghanistan was to encourage the building of a free and stable democracy.[26] Similarly, U.S. was committed to create a Coalition Provisional Authority that would work with the Iraqi Governing Council to consolidate democracy.

The second deficiency was that the document lacks to give a clear definition of "preemption". It neither articulates a clear framework of thinking about how and where to use preemption, nor recognize the limitation of preemption. What it does say, is the U.S. will use "the options of pre-

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[21] Ibid p. 4
[22] The NSS P. 1
[23] Donelly, Thomas. The Underpinnings of Bush Doctrine American Enterprise Institute for Public Policy Research January 31, 2003 p. 5 Available on: www.aei.org
[24] Remarks by the President at the 20th Anniversary of the National Endowment for Democracy. The White House November 6, p. 2 Available on: www.whitehouse.gov
[25] Ibid p. 3
[26] Ibid p. 5

emptive actions to counter a sufficient threat to its own national security."[27] In other words, America will act against the emerging threats before they are fully formed. Furthermore, given the risk of inaction by the international community, the U.S. will not hesitate to use pre-emption, alone. "We will not hesitate to act alone, if necessary, to exercise our right of self-defense by acting preemptively against such terrorists."[28]

Bush elaborates more on the identity of the threats and classifies the enemies into three categories:

First, are the "terrorist organizations of global reach, they possess, "command, control and communications, material support, and finances."[29]

Second, are the "weak states that harbor, support and use terrorism to achieve their political goals,"[30] such as Afghanistan which harbored Al-Qaeda and "posed as a great danger to the US national interest."[31]

Third, are the rogue states. Bush's definition of the rogue states is the following: "brutalize their own people and squander their material resources, display no regard for international law, sponsor terrorism around the globe and are determined to acquire weapons of mass destruction, along with other advanced military technology."[32]

Iraq and North Korea are mentioned as rogue regimes, who have acquired chemical, biological and nuclear weapons.[33] Given the goals of rogue states and terrorists, the President argues that the U.S. can no longer rely on post-cold war strategies such as containment and deterrence. "Traditional concepts of deterrence will not work against a terrorist enemy whose avowed tactics are wanton destruction. And it is likely to work against leaders of rogue states more willing to take risks, gambling with the lives of their people and the wealth of their nations."[34]

President Bush believes that such an imminent, undeterrable and potential threat, demands an unprecedented response. "The only path to peace and security is the path of action or history will judge harsh those who saw this coming danger but failed to act."[35]

The Document justifies the use of the preemptive actions on the basis that "traditional deterrence will not work against a terrorist enemy and rogue

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[27] Ibid, p: 15
[28] Ibid p: 6
[29] Ibid p. 4
[30] The National Security Strategy, p. 5
[31] The National Security Strategy, Introduction.
[32] Ibid p. 14.
[33] Ibid
[34] Ibid p. 15
[35] The National Security Strategy, Introduction

states."[36] Among those who agree with that statement are analysts and academics who argue that the cold war concept of deterrence is outdated. According to Richard Roserance, deterrence during the bipolarity from 1945 to 1989, was more successful "through the threat of nuclear retaliation, the system constrained the behavior of the two superpowers, with forces stationed within other countries, the great power largely solved the chronic problem of credibility of engagement which had beset the 19th century balance."[37]

However, "the threat today is not other great powers that must be managed through second-strike nuclear capacity but the transnational terrorist network that have no home address"[38] argued John Ikenberry. They cannot be deterred because they either willing to die for their cause or able to escape retaliation. Hence Ikenberry agree with Bush that the "old defensive strategy of building missiles and other weapons that can survive a first strike and be used in a retaliatory strike to punish the attacker, will no longer ensure security. The only option then, is offensive."[39]

Donald Rumsfeld, Bush's Defense Secretary goes beyond Ikenberry and argued that preemption is not only an offensive policy but a defensive one too. "Between 35860 million people died needlessly," he declared, "because the world did not attack Hitler preemptively. He might have been stopped early, at minimal cost in lives – had the vast majority of the world's leaders not decided, at the time, that the risks of acting were greater than the risks of not acting."[40]

So, the proponent of the preemptive strike policy contend that the U.S. could not take the chance of letting such threats developed and see if it ripened into an imminent threat. By their thinking, the nature of terrorists was such that one would never see the threat ripen because they are in the shadows, elusive and clandestine. On the other hand, there are the opponents of the Bush Doctrine of Preemption. They argue that the preferred approach against terrorism is containment. By launching a preemptive war, will expand the numbers, presence and zone of terrorist support. Perceived as an attack on sovereign countries will anger a sufficient number of the attacked country's citizens to join in the terrorist actions. "The war on terrorism will

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[36] The NSS pp. 14-15
[37] Wittkopf, Eugene R. "The Future of American Foreign Policy." St. Martin's Press. New York. 2nd Edition. 1994 p. p. 61/
[38] Ikenberry, John. "American's Imperial Ambition" Foreign Affairs September/October 2002. p. 51.
[39] Ibid p. 51.
[40] Snyder, jack, Imperial Temptations, The National Interest Spring 2003 p. 7. Available on: www.web7infotrac.galegroup.com

become endless and America will be doomed to an eternity of provocations."[41]

As to the rogue states acquiring weapons of mass destruction, it is argued that they can be controlled by treaties and not by preemptive strikes. Obtaining and enforcing international agreements that will back existing nuclear weapons and preventing additional nuclear weapons developments. However if rogue states break their non-proliferation treaties, U.S. and its allies can detain and restrain rogue states by threatening with economic sanctions or diplomatic isolation. Where as the use of preemption will only trigger armaments preparations in other nations. This was illustrated by the leading candidate for Brazil's presidency Luiz da Silva. Past Brazilian governments eased development of nuclear weapons, after the release of the National Security Strategy Document. Luiz da Silva has indicated he may reverse the previous policy and produce a nuclear arsenal.[42] It is argued that the U.S. preemptive strike will provoke an armament race that will threaten many regions and eventually the U.S. itself.

What is to prevent this Doctrine from being universally applicable by other states? If the U.S. can take such a course, why not India and Pakistan, China and Taiwan, Russia and Georgia, Israel and Syria? Note that five of these 8 countries are publicly known to have nuclear weapons. This was also expressed by prominent figures such as, Zbigniew Brezenski, Jimmy's Carter National Security Advisor, worried about the spread of the Bush Doctrine: "The obvious risks are preemption which entails unilateral engagements could be infectious. Should India consider that as a model for dealing with Pakistan?"[43]

Similarly Al Gore, cautioned on September 23, 2002 in his speech in San Francisco that, "the administration is simultaneously creating the precedent for preemptive action, anywhere, anytime this or any future president so decides. And that is why it was such a big mistake for Congress to allow the President to set this dangerous precedent."[44] Although President Bush stated in the National Security Strategy introduction, that such a policy will make a better and safer world, many see it as a dangerous policy, which expands U.S. security problems instead of ameliorating them.

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[41] "The Preemptive Strike Strategy" Alternative Insight October 1, 2002 p. 2 Available on: www.alternativeinsight.com
[42] Ibid p. 1
[43] Harding. James. Gulf War, the Sequel. _The Financial Times_ March 21, 2003 p: 2 Available on:web6.infotrac.galegroup.com
[44] Dean Howard, It's Not Just His Doctrine That's Wrong. Common Dreams News Center April 17, 2003 p: 1 Available on: www.commondreams.org

Preemption and Prevention

It is important to note that Bush Doctrine does not only expand the security problem, but it also appeared to expand the meaning of preemption to include prevention. Preemption and prevention have two different meanings and should be differentiated.

The Pentagon's official definition of preemption is "an attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent."[45] In contrast preventive war is "a war in the belief that military conflict, while not imminent, is inevitable and to delay would involve great risk."[46] Harvard's Graham Allison has captured the logic of preventive war: "I may some day have the war with you and right now I am strong and you are not, so I am going to have the war now."[47] Allison pointed out, that this logic was very much behind the Japanese attack on Pearl Harbor, and "in candid moments, same Japanese scholars say ... off the records ... that Japan's big mistake was waiting too long."[48]

Many argued that Bush has broadened the meaning of preemption to include prevention. The Document misses to mention the importance of obtaining evidence as a prerequisite for the U.S. to use the option of preemption. However, the Document justifies preemption on the mere fact that rogue states and terrorists, "rely on acts of terror, and potentially the use of weapons of mass destruction-weapons that can be easily concealed, delivered covertly and used without warning."[49] Hence, "we will not wait for threats to materialize, we will have waited too long."[50]

According to Michael O'Hanlon, Suzan Rice and James B. Steinberg, "the National Security Strategy threatens to attack rogue states whether or not they are demonstrably linked to terrorist organizations of global reach. The administration argues that the continued spread of WMD technology to states with a history of aggression, even if uncertainty remains as to the time and place of the enemy's attack."[51]

Condoleeza Rice, expressed a similar view in an interview for *News Perspective Quarterly*, she argued that there is no need of evidence to

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[45] The Bush Doctrine and War with Iraq. Parameters Spring 2003 v. 33 i1 pp.3-4 Available on: web7.infotrac.galegroup.com
[46] Ibid
[47] Ibid
[48] Ibid
[49] The NSS p. 15
[50] The NSS, Introduction
[51] "Preemption: A Bush Doctrine that Harms the Children of this Nation" *Gibbs Editorial* February 24, 2003 p. 2 Available on: www.gibbsmagazine.com

preempt a rogue states, acquiring a WMD, as long there is their history of aggression. "We must consider a danger because we know their history. The history is extremely important."[52] According to Senator Byrd. "the Doctrine of Preemption – the idea that the U.S. or any other nation can legitimize attack a nation that is not imminent threat but may be threatening in the future is a rational new twist on the transitional idea of self-defense."[53]

This was observed too by Michael Walzer from *The New Republic*. He argued that the National Security Strategy is right in insisting on the need to revisit the traditional distinction in the face of undeterrable non-state enemies armed with WMD. "Perhaps the gulf between preemption and prevention has now narrowed so there is little strategic difference between them."[54]

The U.S. war on Iraq is considered by many observers as an evidence that the U.S. strategy is based on preventive rather than on preemption, and that the National Security Strategy makes no distinction between the two. Iraq denies that it has WMD and that it might use them against the U.S. or its allies. So, Iraqi threat is not imminent, making the U.S. attack on Iraq, a preventive attack. The Bush Administration actions with respect to Iraq point strongly to a conviction that war is inevitable and its declared willingness to start a war with Iraq is based on the fact that time is not on the American side.

In his address to the nation from Cincinnati (Fall 02) Bush stated that: "if Saddam Hussein has dangerous weapons today, and we do, does it make any sense for the world to wait to confront him as he grows stronger and develops even more dangerous weapons?"[55]

The President went on to assert that Iraq could be "less than a year away from building a nuclear weapon, and that if allowed to do so, a terrible line would be crossed. Saddam Hussein would be in a position to blackmail anyone who opposes his aggression ...to dominate the Middle East ... and to threaten America by passing nuclear technology to terrorist."[56]

Note has been made of the Bush Administration's equation of Iraqi's capabilities and Iraqi intentions. But intentions to do what? There are no

[52] "Anticipatory Defense in the War on Terror. The New Perspectives Quarterly Vol. 9 # 4 Fall 02 p: 1 Available on: www.digitalnpq.org
[53] "Preemption: A failed Doctrine" *Gibbs Editorial* March 24, 2003 p. 2 Available on: www.gibbsmagazine.com
[54] Walzer, Michael "No Strikes" New Republic 30 September 2002 p. 20 Available on: web7.infotrac.galegroup.com
[55] "President Speech on the Use of Force , *New York Times* , 8 October 2002 Available on: www/nytimes.com
[56] Ibid.

questions that Saddam had chemical and biological weapons and would be glad to have nuclear weapons. But for what purpose? The Bush Administration argues that he might use them against the U.S. and its allies. But could he not be seeking his own destruction? According to Stephen Zunes, a Middle East expert, in Israel and the U.S. , Iraq faces two nuclear-armed adversaries, "would not having his own nuclear weapons make his enemies think twice before attacking him ... as well as offset Iraq's greatly weakened conventional forces? And can we speculate that this is the real reason why the Bush Administration wishes to attack him before he gets nuclear weapons?" [57] Zunes contends that, "any Iraqi WMD's that may exist are under the control of a highly centralized regime more interested in deterring a U.S. attack than in provoking one." [58]

This leads the observer to the certainty that the Bush Doctrine does not allow any nation to challenge the US militarily. Whatever the reasons behind the US preemptive attacks on Iraq, one thing the Doctrine makes it clear is that it does not allow any nation to develop WMD on its land or on the land of another state, neither for defense nor offense. Furthermore, if the U.S. decides that a certain state is a rogue state and at some point in the future, it might threaten the U.S., the US allowed itself to weaken it .Hence the U.S. have determined the criteria by itself and based that criteria and the doctrine of preemption solely on U.S. military supremacy.

The U.S. military supremacy is well articulated in Chapter I in the National Security Strategy and in the President's speech at West Point. "The U.S. possesses unprecedented and unequaled strength and influence in the world." [59]

"The military must be ready to strike at a moment's notice in any dark corner of the world. All nations that decide for aggression and terrorism will pay a price." [60] The fact that a nation as the U.S. has an unprecedented military power, it follows that it would have an unprecedented influence on the world.

Henry Kissinger in his book elaborates more on this issue. Kissinger argues that "during the last decade of the 20th century the U.S. preponderance has assumed an irreplaceable role to the stability of the world." [61]

[57] Zunes, Stephen "The Case Against Iraq" , _The Nation_ , 30 September 2002 pp 11-16
[58] Ibid
[59] The NSS p: 1
[60] "President's Speech at the War Point" The White House January 2002 Available on: www.whitehouse.gov
[61] Kissinger Henry, Does America Need a Foreign Policy? Towards a Diplomacy of 21st Century Simon & Schuster. New York 2002 p. 13-14

They have arbitrated conflicts in different parts of the globe, to the extent that in the Middle East, they found an integral part to peace process. Moreover, "U.S. troops are dispersed in the four corners of the planet, from the plains of North Europe to the conflict lines of Asia. Their successive deployment that to be transformed to permanent military presence."[62]

Similarly, Thomas Donnelly from *American Enterprise Institute*, points out that the U.S. possesses the means and economic, military, diplomatic – to realize its national security strategy. He points out that "With less than 5% of the world population, the U.S. generates about 30% of the total world economic product, a percentage that has increased in recent years."[63] Indeed, Paul Kennedy wrote, "Even more remarkable is the size of the American military preeminence."[64] This was reflected in its war on Afghanistan and in Iraq. Besides its military preeminence in influencing the policies of the states, the U.S. has diplomatic and economic means too.

According to James Roche and George Pickett, the U.S. today has various capabilities to intervene and influence rogue states. Diplomatic and economic pressure have been used to suppress or slow down the sale of missile technology, air and naval forces have reinforced diplomatic initiatives to control the behavior of these countries, and missile defenses have been deployed.[65]

As to the choice of preemption, both authors argue that, no matter how urgent it may be "preemptive attack is a politically difficult action for the U.S., as well as ideologically."[66] Yet they admit that with modern technology and terrorism, preemption is a real possibility.[67] Aware of this possibility, the Bush Administration have raised its annual defense budget by $60bn to about $360bn, making the U.S. military budget larger than the budget of Russia and China.[68]

Moreover, the U.S. is now spending 45% more on nuclear weapons than at the end of the cold war. One key part of the Pentagon's limited nuclear options capability, programmers is the "robust nuclear earth penetrator"[69] for

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[62] Ibid

[63] Donelly, Thomas "The Underpinnings of the Bush Doctrine" *AEI* January 2003 p. 3 Available on: www.aei.org

[64] Ibid

[65] Kanter, Arnold . US Intervention for the Post-Cold War World , Norton & Company 1994 p. 200

[66] Ibid

[67] Ibid

[68] Kaufman, Richard . The Military Budget Under Bush: Early Warning Signs , Foreign Policy in Focus January 2001 p. 2 Available on: www.fpif.org

[69] Madness in the Making *The Guardian* January 11, 2003 p. 2 Available on: www.guardian.co.uk

destroying under ground targets. Other projects in the pipeline include an "enhanced radiation weapon"[70] that supposedly incinerates toxic agents.[71]

This was expressed more clearly by the Secretary of Defense, Rumsfeld before the U.S. Korean Business Council in Washington (September 23, 03). He said that, "capability-based strategy is what the U.S. is applying to its won military, as well as its alliance. It enables swift decisive combat in today's world."[72] He noted that precision-guided weapons currently being used in Iraq are many times more lethal than the weapons used in Operation Desert Storm a decade ago, and declared that the U.S. will strengthen more than 150 of its various military capabilities.

Finally, he concluded that, "Quality and not quantity makes for military superiority in the 21rst century and that is just what the U.S. is focusing on around the world."[73] From this logic, the U.S. saw itself having the right and the might to use preemption as an instrument of foreign policy.

U.S. justified that right, however by referring to the international law.

"For centuries, international law recognized that nations need not suffer an attack before they can lawfully take action to defend themselves against forces that present an imminent danger of attack. Legal scholars and international jurists often conditioned the legitimacy of preemption on the existence of an imminent threat."[74]

Indeed, traditional international law requires that to be an "imminent danger of attack"[75] before preemption would be permissible. However, the U.S. acted beyond the traditional international law by stating in the National Security Strategy that, "we must adopt the concept of imminent threat to the capabilities and objectives of today's adversaries. Rogue states, rely on acts of terror, potentially, the use of weapons of mass destruction – weapons that can be easily concealed, delivered covertly and used without warning."[76]

Is this permissive approach, for preemption acceptable under current International law?

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[70] Madness in the Making *The Guardian* January 11, 2003 p. 2 Available on: www.guardian.co.uk
[71] Ibid
[72] Rumsfeld Superior Capabilities Make for Military Might , US Info State Government . 24 September 2003 p: 12 Available on: www.usinfo.state.gov
[73] Ibid
[74] The NSS p. 15
[75] Eden. Anthony "International Law & the Preemptive Use of Military Force" *The Washington Quarterly* Spring 2003 p. 1
[76] The NSS p. 15

Hugo Grotius, the father of international law, stated in the 17th century that, "it is lawful to kill him who is preparing to kill."[77] Emmerich de Vattel a century later similarly asserted, "A nation has the right to resist the injury another seeks to inflict upon it, and to use force ... against the aggressor. It may even anticipate the other's design, being careful however, not to act upon vague and doubtful suspicions, lest it should run the risk of becoming itself the aggressor."[78]

Within that framework, customary international law also consistently recognized self-defense as a legitimate basis for the use of force.
"An act of self-defense is that form of self-protection which is directed against an aggressor. No act can be so described which is not occasioned by attack or fear of attack. When acts of self-preservation on the part of a state are strictly acts of self-defense, they are permitted by the law of nations and are justified on principle, even though they may conflict with the ... rights of other states."[79]
The classical case that articulated this doctrine is the *Caroline incident.* "During the first part of the 19th century, an anti-British insurrection was taking place in Canada. At the time, Canada was under British rule while the United States and Great Britain were in a state of peace. There was, however, a ship owned by U.S. nationals, the *Caroline* that was allegedly providing assistance to the rebels in Canada. On the night of December 29, 1837, while the ship was moored on the U.S. side of the Niagara River, British troops crossed the river, boarded the ship, killed several U.S. nationals, set the ship on fire, and sent the vessel lover Niagara Falls. The British claimed that they were acting in self-defense, but after some heated exchanges with Secretary of State Daniel Webster, the British government ultimately apologized. Nonetheless, over the course of diplomatic communications between the Americans and the British, two criteria for permissible self-defense – including preemptive self-defense – were articulated: necessity and proportionality."[80]
Webster elaborated more in a letter to Lord Ashburlun, a special British representative to Washington (1842). First the state would have to demonstrate that the "necessity of that self-defense is instant, overwhelming, and leaving no choice of means, and no moment of deliberation. Second, the

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[77] Ackerman, David "International Law & the Preemptive use of Force Against Iraq" Congressional Research Service The Library of Congress September 23, 2002 p. 2
[78] Ibid
[79] Currie, Duncan "Preemptive War and International Law After Iraq" *Global Law* 22 May 2003 p. 1 Available on: www.globelaw.com
[80] Ibid

state using force in self-defense would be obliged to respond in a manner proportionate to the threat. It would be necessary to prove that 'the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the United States at all, did nothing unreasonable or excessive; since the act, justified by the necessity of self-defense, must be limited by that necessity, and kept clearly within it.'[81]

Hence, through the pre-United Nations Charter period, scholars generally held that the two criteria for permissible preemption action. In other words, if a state could demonstrate necessity, that another state was about to engage in an armed attack, and act proportionately, preemptive self-defense would be legal.

Following World War I, sixty-three nations renounced war as an instrument of foreign policy in the Kellogg-Briand Pact of 1928. The United States, Australia, Great Britain, Italy and Japan were among the countries that signed that treaty, which provided that the Parties "solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another."[82] That Pact failed to prevent World War II, but in condemning recourse to war and renouncing war as an instrument of national policy it formed the basis for 'crimes against peace,' which were described in the Charter of the Nuremberg tribunal as those crimes aimed at the planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties. The Nuremberg Tribunal observed that "[w]ar is essentially an evil thing. Its consequences are not confined to the belligerent states alone, but affect he whole world. The crime against peace under international common law was recognized by the Nuremberg Tribunal following World War II, noting that the Pact was evidence of a sufficient crystallization of world opinion to authorize a judicial finding in favor of the existence of a crime against peace"[83]

Moreover, the end of World War II, gave birth to a new global organization, the United Nations. The delegated from 51 states assembled in San Francisco (1945) to draft the United Nations Charter pledging to "save succeeding generations from the scourge of war."[84]

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[81] Arend, Clark Anthony "International Law and the Preemptive Use of Military Force" *The Washington Quarterly* 2003 p: 90-91

[82] Currie Ducan. "Preemptive War and International Law After Iraq" *Globelaw* 22 May 2003 p. 2

[83] Ibid

[84] Le Roy, Bennet *International Organiztions* 6th Edition 1995 p. 446

This implied that the United Nations severely restricted the use of force. This was too reflected in Article 2(3) and 2(4). Article 2(3) requires 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"[85] and Article 2(4) requires that "all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."[86]

However, in the Charter, there are only two explicit exceptions for the use of force: Force authorized by the Security Council and force of self-defense. Under article 39, the Security Council is to determine if there is a "threat to peace, breach of the peace or act of aggression."[87] If the Security Council so determines, it can authorize the use of force against the offending state under article 42.[88] As to the use of force in self-defense, it is articulated in article 51. "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by the Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security".[89]

This article however, sparks controversy because many scholars argue that its effect on customary international law of anticipatory self-defense is unclear. If one reviews the scholarly literature on this provision, writers seem to be divided into two camps. On one hand, some commentators – "restrictionists" claim that the intent of Article 51 explicitly limit the use of force in self-defense to those circumstances in which an armed attack has actually occurred. Under this logic, it would be unlawful to engage in any kind of preemption actions. Even though Article 51 refers to an "inherent right" of self-defense, restrictionists would argue that, under the charter, that inherent right could now be exercised only following a clear, armed attack.

Other scholars, however, would reject this interpretation. These "counter-restrictionists" would claim that the intent of the charter was not to restrict

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[85] Ibid p. 468
[86] Ibid
[87] Ibid p. 497
[88] Ibid p. 488
[89] Ibid p. 480-481

the preexisting customary right of anticipatory self-defense. A typical counter-restrictionist claim would be that the reference in Article 51 to an "inherent right" indicated that the charter's framers intended for a continuation of the broad pre-UN Charter customary right of anticipatory self-defense. The occurrence of an "armed attack" was just one circumstance that would empower the aggrieved state to act in self-defense. As the U.S. judge on the International Court of Justice (ICJ), Stephen Schwebel, noted in his dissent in *Nicargua v. U.S.*, Article 51 does not say "if, and only if, an armed attack occurs. It does not explicitly limit the exercise of self-defense to only the circumstance in which an armed attack has occurred."[90]

Anthony Arend believes that it would be "difficult to conclude that there is an established rule of customary international law prohibiting the preemptive use of force when undertaken in anticipatory self-defense"[91] even in post-UN charter. In all the Security Council debates, however, those who supported the doctrine of anticipatory self-defense continued to claim that the right is linked by the requirements of necessity and proportionality set out in the Caroline case.[92]

State Sovereignty and International Law

In the light of Arden's examination of international law what makes Bush Doctrine of preemption difficult is that it seeks to relax the traditional requirement of necessity. As noted earlier, the 2002 NSS specifically claims that "[w]e must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries."[93] It argues that "[t]he greater the threat, the greater is the risk of inaction – and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack."[94]

Rumsfeld articulated this new reality. He said that "there could exist groups of terrorists that no one knows about. They may have nuclear, chemical, or biological weapons that the U.S. did not know they could get, and they might be willing and able to attack without warning."[95]

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[90] Arend. Clark Anthony "International Law and the Preemptive Use of Military Force" *The Washington Quarterly* 2003 p: 94.
[91] Ibid p. 93.
[92] Ibid p. 96
[93] The NSS p. 15
[94] The NSS
[95] Ikenberry, John "America's Imperial Ambition" *Foreign Affairs* September-October 2002 p. 50

Similarly in his speech to the State Union, the President argued that, "some have said we must not act unless the threat is imminent. Since when have terrorists and tyrants announced their intentions politely putting us on notice before they strike? If this threat is permitted to fully and suddenly emerge, all actions, all words and all recriminations would come too late."[96]

In other words, the administration is contending that, because of the new threat posed by weapons of mass destruction (WMD) use has been established, it may be too late to take any kind of successful preemptive action. "Although traditional international law would not require certainty regarding time and place, it would suggest near certainty. If an attack is imminent, it is nearly certain that the attack will occur."[97]

Given this conclusion, many scholars would be tempted to say that the Bush doctrine is clearly at discord with international law.

There are the realists, perhaps best represented by a professor of international law at Tufts, Fletcher School of Law and Diplomacy, Michael Glennon, who argues that, "states no longer respect the UN framework of restraint, that the nature of international conflicts has fundamentally changed, and that we might as well acknowledge the collapse of the international law enterprise in war/peace settings."[98] While Henry Kissinger, stated in the *Chicago Tribune*, that attack in the absence of imminent threat "runs counter to international law which sanctions the use of force against actual not potential threat."[99]

Moreover, Immanuel Wallerstein, argues that the only way the law recognizes defense is after an act occurs, "Intent to engage in an act does not constitute an act, since one never knows if the intent will be carried through."[100] In criminal law, he argues, "I'm not legally authorized to shoot someone because I have heard him say nasty things about me, I think one day soon he may try to shoot me. If, however, this other person points a gun at me, I may shoot him in self-defense. Without this elementary distinction, we are in a lawless world."[101] If Wallerstein believes that the U.S. is heading the world towards a 'lawless' one, Kissinger believes that the fundamental

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[96] "President's Speech to the State of the Union" The White House 2002 p. 6

[97] Arend, Clark Anthony "International Law and the Preemptive Use of Military Force" *The Washington Quarterly* 2003 p: 96.

[98] Falk, Richard "Why International Law Matters Transnational Foundation for Peace and Future Research 2003 p. 8 Available on: www.transnational.org

[99] Kissinger, Henry "More on What is the Bush Doctrine" *Chicago Tribune* April 2003 Available on: www.chicagotribune.com

[100] Wallerstein, Emanuel, "Preemption: The Politics and Moral Stakes" Gerand Braudel Center Binghamton University. Commentary no. 92 July 2002 p: 3 Available on: fbc.binghamton.edu

[101] Ibid

principle of the sovereign states is in challenge ... this implies that the Westphalia order is in crisis today.[102]

The treaty of Westphalia (1648) which ended the thirty years war, has established the doctrine of sovereignty on modern state. The Westphalia treaty stipulated that neither a state can interfere in the internal affairs of another state, nor try to influence its institutions.[103] Hence the non-intervention doctrine became the principle key of the international system, at the same time, the ideas of sovereignty and international law regulated the conducts of states in their mutual relations. Though the doctrine was not enough to prevent wars, Kissinger remarked, it has limited its scope.[104]

With the Bush doctrine of preemption, the administration has demonstrated that it has a far different concept of the role of America in the world. According to Al Gore, "this concept involves imposing our will on sovereign nations. This concept involves dismantling the multilateral institutions that we have spent decades building. And this concept involves distorting the rule of law to suit their narrow purposes. When did we become a nation of fear and anxiety when we were once known the world around as a land of hope and liberty?"[105]

However, one may argue, that since September 11, the world entered a new period in which private, non-state organizations have proved capable of threatening national and international security by unexpected attacks. For example, Oussama bin Laden's base was on the territory of a national state. They enjoyed financial and organizational support from a number of countries-most frequently from private individuals not under the control of their governments. Hence unlike the Westphalia period, when the movement of armies foreshadowed threat, modern technology in the service of terror gives no warning. Hence countries that harbor terrorist organization or terrorist training centers cannot take refuge behind traditional notions of sovereignty. "If there is a serious prospect of a terrorist threat from the soil of a sovereign country, some preemptive action – including military action – is inherent in the definition of the challenge."[106]

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[102] Kissinger, Henry Does America Need a Foreign Policy? Simon & Schuster. New York 2002 p. 17
[103] Ibid
[104] Ibid p. 263
[105] Dean, Howard, "Its Not Just His Doctrine That's Wrong" Common Dreams News Center April 17, 2003 p. 3 commondreams.org
[106] Kissinger, Henry "Preemption and the End of Westphalia" NPQ Vol. 19 # 4 Fall 2002 p. 2 Available on: www.digitalnpq.org

Nevertheless, the reasserting of sovereignty is paradoxical, in Ickenberry's view. He argues that on one hand, the new grand strategy reaffirms the importance of the territorial nation-state. "If all governments were accountable and capable of enforcing law within their sovereign territory, terrorists would find it very difficult to operate."[107] On the other hand, the Bush administration, threatens the governments that fail to act like respectable, law-abiding states, and affirms that they will be held responsible for what goes inside their borders.[108]

Such conditional sovereignty is not new. The U.S. never perfectly respected the principle of non-intervention since the 19th century.[109] Not only the U.S., but also "great powers have willfully transgressed the norms of state sovereignty as far back as such norms have existed, especially, within their traditional spheres of influence, whenever, the national interest dictated."[110]

But what is new and provocative in this notion, Ickenberry, argues is the Bush administration's inclination to apply it on a global scale, leaving to itself the authority to determine when sovereign rights have been damaged and doing so preemptively.[111]

Aware of this new reality, legal schools, international jurists, academics, ministers... have called for the revision of international law and the UN Charter. The Australian Defense Minister, Robert Hill, told the audience at the University of Adelaide that the "international legal machinery is slow to adapt to changing circumstances – but it is important that it does."[112]

He argued that "sovereignty is not a blank cheque"[113] and that the doctrine of self-defense should be redefined. Echoing the Bush Administration, he argued that "it is time for a new and distinct doctrine of pre-emptive action to avert a threat."[114]

Whereas Anthony Arend, believes that not only international law should evolve to serve and meet the changing needs of global order and justice, but also the UN Charter framework. He argues that the fact the UN Charter framework has failed to control the use of force throughout history, it cannot be considered to reflect existing international law.

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[107] Ickenberry, John "America's Imperial Ambition" *Foreign Affairs* September-October 2002 p. 53.
[108] Ibid.
[109] Kissinger, Henry *Does America Need a Foreign Policy?* Simon & Schuster 2002 p. 264
[110] Ikenberry, John "America's Imperial Ambition" *Foreign Affairs* September-October 2002 Vol. 81 N. 5 p. 53
[111] Ibid
[112] Rues, Chris "A Preemptive Strike Policy: Fighting War Destroying Order" *Sydney Morning Herald* 4/12/2002 p. 1 Available on: smh.com.au
[113] Ibid
[114] Ibid

"Almost since the moment that the Charter was adopted, states have used force in circumstances that simply cannot be squared with the Charter paradigm, such as, the North Korean invasion of South Korea (1950); the North Vietnamese actions against South Vietnam (1960-1975); the U.S. invasion of Grenada (1983); the Iraqi attack on Kuwait (1990)..."[115]

Professor Mark Weisburd has concluded, "State practice simply does not support the proposition that the rule of the UN Charter can be said to be a rule of customary international law. So many states have used force with such regularity in so wide a variety of situations."[116]

Professor Michael Glennon echoes that the UN historical record of infringement may include that international law is become a less potent force is preventing global conflicts, and "that it cannot longer be said that any customary norm of state practice constraints the use of force."[117]

If this is indeed the case, the Bush Doctrine of preemption does not violate international law because the Charter frame is no longer reflecting the state practice. The danger in this statement is that, if the UN Charter and the international law are not anymore considered viable in the new international order, many states would rejoice and take advantage of such lawless world and a host of preemptive measures would be promoted from a variety of states.

To prevent this from happening, it is of urgency to create a clear ground, to build a new international law and amends some of the UN article to meet the new challenges of the 21st century. Though the task would be challenging and slow, it is worth trying.

Unilateralism vs. Multilateralism

If the National Security Strategy did not acknowledge that the existing international law relative to the use of force is highly problematic, it did, however, make it clear that the U.S. will not hesitate to use preemption alone, if necessary.[118]

Similarly, in his speech to the State of Union, the President was determined to confront the threat posed on the U.S., even if other nation decides, otherwise. "Yet the course of this notion does not depend on the decisions of

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[115] Arend, Anthony "International Law & the Preemptive Use of Military Force" *The Washington Quarterly* Spring 2003 p. 100.
[116] Ibid p. 110
[117] "the Legality of war" *Tufts University* 2001 p. 1 Available on: enews.tufts.edu
[118] The NNS p. 6

others."[119] Secretary of Defense, Rumsfeld, elaborated more in his famous statement that "the mission will define the coalition, rather than the coalition defines the mission."[120] In this formulation, "the nature of the challenge was such that we could not let other people's judgments about the nature of the threat sway or deflect us form dealing with the threat as we saw it."[121]

There is no question that the underlying theme of the U.S. foreign policy is unilateralism. Although Washington's tendency toward unilateralism was already growing under former President Bill Clinton, the pace accelerated dramatically since George W. Bush took office in the White House. The policy planning director of the State Department, Richard Haas, believes that the National Security Strategy reflects not "pure unilateralism but "multilateralism a la carte. That is to say, "you want to have people with you when you act, but you don't want to be bound by their disagreement."[122]
Closely related to this, "a la carte multilateralism" is the approach of the alliance and coalitions. The National Security Strategy will continue to encourage partners and alliances in their fight against terrorism. "We will continue to encourage our regular partners to take up a coordinated effort that isolates the terrorists. We will continue to work with our allies to disrupt the financing of terrorism."[123] But U.S. also made it clear that it will not hesitate to go alone, if it is necessary. This is what Haas meant by "a la carte multilateralism", "we will consult, but at the end of the day, we will do what we have to do."[124]

As to the international institutions, what is interesting is that the U.S. talks about NATO, ANZUS and the EU and it talks about the importance of strengthening alliances and expanding NATO.
"To enhance our Asian alliance ..."
"To create NATO-Russia council ..."
"To expand NATO's membership..."
"To transform NATO's military forces..."[125]
Yet it does not mention the UN's role in the post-September 11. It only mentions briefly, at the end of Chapter 3, that the U.S. will continue to work

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[119] "President's Speech to the State of Union White House p. 5
[120] Bush's Foreign policy Revolution The NPQ Summer 2003 p. 5
[121] Ibid
[122] Ibid p. 7
[123] The NSS p. 6
[124] "Bush's Foreign Policy Revolution" The NPQ Summer 2002 p. 7
[125] The NSS p. 25-26

with UN and non-governmental organization to rebuild Afghanistan and provides humanitarian, economic and security assistance.[126]

This reveals that the Bush administration has no plan to strengthen the role of the UN and to improve its institutions, in order to meet the new challenges of the 21st century. The U.S. only wants the UN role to be limited to post-work reconstruction which was the case in Afghanistan and in Iraq.

The U.S. preemptive strategy backed by unilateralism is the result of America's military preeminence. It matters little for the U.S. to consult or wait for the support of other in pursuing their objectives.

While reading the National Security Document, one senses the feeling of going back to the past. In the sense, that the document incarnates all the values accumulated by the Americans through its history. One cannot but recognize the fusion of Wilson's idealism with Roosevelt's realpolitik. "It reads as if, it were the product of an unlikely collaboration between Woodrow Wilson and Theodore Roosevelt."[127]

As President Bush calls it, the guiding line of the U.S. foreign policy is that of the "mission". In order to lead such a mission, the U.S. adopted the real politic in which not only the end justifies the means, but where all the attacks are almost permitted. In that logic, the U.S. adheres to the preemptive strategy, and it is expected that this strategy will be the 21st century foreign policy instrument.

This phenomenon, is not new, but has reached a degree of legitimacy higher than the past years. The U.S. war on Iraq is the first experiment of the preemptive strategy. But the American "mission" is very old.

Chapter II provides an examination of preemption in a historical context in U.S. foreign policy.

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[126] The NSS p. 7
[127] Chaliand, Gerard & Blair Arnaud. _America is Back: The New Hawks of the Pentagon_. Bayard. 2003 p: 10

Chapter 2

Preemption in a Historical Context in U.S. Foreign Policy

During the cold war, when searching for the underlying roots of American foreign policy, political scientists and foreign policy theorists largely ignored historical events before 1945. American foreign policy was viewed simply as the sum of its cold war components. Elements before WWI were reserved for specialists and historians, without relevance to the modern era.[128]

American foreign policy did not start in 1945 or 1917. The U.S. had always a foreign policy with underlying themes and motives that grew originally out of the domestic American experience. The most ancient and famous motive underlying the traditional and the present-day U.S. foreign policy is the *Manifest Destiny*. When one wants to examine the U.S. foreign policy, it is of urgency to shed lights on the *Manifest Destiny*, which is the fuel that makes the U.S. foreign policy works till now.

It was and still is the philosophy that embraces American history and powered American culture and foreign policy.

In its simplest form, *Manifest Destiny* can be defined as "A Movement"[129] or a "Mission" with the principle aim to push away as far as possible the frontiers of liberty.[130] In 1945, democratic leader and an influential editor by the name of John L. O'Sullivan gave the movement its name, in an attempt to explain America's thirst for expansion, and to present a defense for America's claim to new territories. He wrote:

"...the right of our manifest destiny to over spread and to possess whole of the continent which providence has given us for the development of great experiment of liberty and federative development of self-government entrusted to us. It is right such as of the tree to the space of air and the earth suitable for the full expansion of its principle and destiny of growth."[131]

It is argued that *Manifest Destiny*, existed before it was named in 1845. It is as old as America itself. "The philosophy sailed with Christopher Columbus

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[128] Holbrooke, Richard "A Fresh Look at the Early Years of American Empire" *Foreign Affairs* Nov/Dec 2002 p: 12 Available on: www.foreignaffairs.org

[129] Lubbrage, Michael T. "The Philosophy That Created A Nation" From Revolution to Reconstruction April 2003 p: 1 Available on: www.odur.let.rug.nl

[130] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 2

[131] Lubbrage, Michael: "The Philosophy that Created a Nation" From Revolution to Reconstruction April 2003 p: 1 Available on: www.odur.let.rug.nl

across the Atlantic. It resided in the spirits of the James town colonist and it landed at Plymouth Rock with the Pilgrims. It also traveled with fire and brimstone preachers during the Great Awakening and built the fire road."[132]

The "American Mission" took its roots from two elements:

The first is religious. It is concerned with the will to engage a crusade against the evil. This will is coupled with an ethical worry, which is found in the Christian doctrine of the Just war.[133] One can perceive this religious and moral dimension, in the speeches of today's American government to justify a war or an intervention. George W. Bush told the West Point graduates in a speech last year, "We are in a conflict between good and evil. And America will call the evil by its name."[134]

The second element is outside the sphere of religion. It is the power politics of Machiavelli. "The Mack politics"[135] is the realism inherited by the modern Europe of Richelieu, Metternich and Bismarck and practiced with eloquence by Thomas Jefferson, Teddy Roosevelt, Henry Kissinger, Ronald Reagan and George W. Bush.

Hence *Manifest Destiny* never ceased to have different forms, with different presidents throughout the century. The president that held the torch of *Manifest Destiny* and lit the way to build the first principle of U.S. foreign policy and American expansion was Thomas Jefferson.

The most notable deed in the Jeffersonian period is the marriage between realism and idealism which defined the foreign politics of the U.S. Thomas Jefferson, presented in his *Declaration of Independence*, which is the most important of all American historical documents, that men are "endowed by the creator, with inalienable rights, that among these are, life, liberty and the pursuit of happiness. To secure these rights, the governments are instituted among men, deriving their Just powers form the consent of the governed."[136]

Through that period, Jefferson revealed a new dimension for democracy, independent from the political system. It is that dimension, which defined the modern democracy.[137]

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[132] Ibid p: 2

[133] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 21

[134] Carver, Tom "Bush Puts God on His Side" *BBC News* April 6, 2003 p: 1 Available on: www.news.bbc.co.uk

[135] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 21

[136] "The Papers of Thomas Jefferson" The Avalon Project at Yale Law School Available on: www.yale.edu

[137] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 30

Jefferson, even went beyond that and affirmed his objectives: To provoke a feeling of envy and admiration for the U.S. values abroad, while at the same time, keep the U.S. growing and defend itself, in order for it to be an empire and a symbol. To reach these objectives, Jefferson resorted to the use of force, directly or indirectly. He developed the indirect force: the carrot and the stick. For the (carrot) the U.S. used money, which still is the case today. For the stick, the solution resided either in the use of force, or in the use of threat. The use of commercial threat, constituted one of the instruments of choice in the diplomatic luggage of Washington throughout history.[138] The embargo of Cuba (1961) and that of Baghdad (1991) are illustrations of the importance of this mean in the strategic culture of America. As to the military force, Jefferson used the preemption strategy against his enemy who threatened the US interests.

Jefferson who could not afford anymore that his commercial ships suffer from the exploitation of the maritime piracy, which controlled back then, the coast of North Africa, had organized a preemptive attack on Tripoli; while in parallel the U.S. carried a coup d'etat on Tripoli. This action became an integral part of the foreign policy strategy, throughout the U.S. history.[139] The regime change strategy, have marked the 20th and 21st century, in particular during the cold war and the post cold war period.

More recently, the U.S. invasion of Afghanistan (2001) was depended on the commanding forces of Massoud. Its objective was to topple the Taliban regime. Similarly in 2002, George W. Bush declared out his objective to change Saddam Hussein's regime by a less hostile government.

Another historical evidence that the U.S. has engaged in a preemptive attack against another nation is during the 25th president, William McKinley, the successor of Grover Cleveland, had a goal in 1895; "the disappearance of the terrible uncertainty in American political and economic life, and a solid basis from which to resume the building of a new American commercial empire."[140] Spain at that time had Cuba as a colony, and hence was a threat to the U.S. political and economic life. An incident happened which the U.S. took advantage from to achieve its goal.

An American vessel, "the Maine," anchored in the port of "La Havane", was destroyed by a fire. The New York press at that time exploited the event and

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[138] Chaland, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 pp: 62-63

[139] "The Tripolian War 1801-1805" African History Available on: www.africanhistory.about.com

[140] LaFeber, Walter, "The American New Empire" Perspectives on American Foreign Policy. Norton & CO New York 2000 p: 90.

accused the Spanish torpedo-boat flotilla, of hitting the American vessel.[141] Though there was no evidence pointing that it was the Spanish torpedo, McKinley saw the incident as on opportunity to achieve his goal by resorting to the use of force, and more specifically, he used a preemptive attack on Cuba. On April 25, 1898, with the support of the Congress, the U.S. declared war on Spain.[142]

2.2 The Offensive Strategy and the War Culture

Preemptive war notion is the expression of the offensive strategy. The offensive strategy is similarly the expression of the "war culture." The U.S. has developed throughout the decades a strategic culture that embodied all their political culture.

What is a strategic culture?

"They are the choices and preferences of a state, which were developed through philosophy, culture and in particular, war time experience."[143]

It is already mentioned the themes which are a part of the American strategic culture: the Mission Spirit or the American Will. There are also other strategies that formed the U.S. "war culture," they are summarized as the following:

- The direct approach of the war with the application of an annihilation strategy.
- The offensive nature of the army.
- The general perception that military victory lead to political victory.
- A detailed logistical preparation.
- Once hostilities start, physical violence is pushed to its paroxysm, but for a limited time and space.
- Tendency to perceive the keys to military success in the military superiority and technology.
- Strategic vision, more often, determined by budgetary considerations.
- Difficulty to adapt to certain conflicts, in particular, when the political and geographical conditions, prevent the projection of military power.[144]

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[141] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 33
[142] Ibid p. 34
[143] Ibid p. 150
[144] Ibid pp. 151-152

The origin of the American war culture goes back to the war of Independence. The American victory over England paved the way for the first president George Washington to construct their state.

So, American war culture was born with the republic. The army and the defense system of the U.S. are an integral part of their history, their culture, their liberty, their prosperity and their superiority.[145] Since the last attempt of invasion of their territories (1812-1814), the U.S. based its strategic culture on two objectives: Politics held on the protection of the territory, in other words, on the defensive. On the other hand, an offensive approach of war from the military perspective against the adversary's capacity.[146] As it is noted earlier, the American strategy, privileged war experience. American society in particular, was highly dependant on war experience with respect to the theory. The two theories which were presented by Carl von Clausewitz and Henry Jomini in the 19th century and the 20th century, where the principal strategies of the U.S. foreign policy. Carl Clausewitz (1780 – 1831), most important thesis was: "War is merely the continuation of policy by other means."[147]

Moreover, Clausewitz, believed in "an absolute war, that is absolute violence ending in the total destruction of one side by the other."[148] In the 19th century and early 20th century the working of Clausewitz was rivaled by the writing of Henri Jomini, who served at the highest levels of the French armies under Napoleon. He contributed in the creation of a set of principles of war, which advocated that war be conducted in a manner that maximized the use of offensive and decisive military action, if strategy is to lead to victory.[149] Jomini theories seduced the American military thinking; however, Clausewitz theories imposed itself after 1918 and in particular after 1945.[150]

The offensive strategy carried since Thomas Jefferson who was also the first U.S. president to project U.S. power beyond U.S. boundaries, was guided by the Jomini doctrine of war, and also by the "Limited War" school. The latter argues, "That various constraints on the use of force may be desirable or

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[145] Jentleson, Bruce The Dynamics of Choice in the 21st Century American Foreign Policy Norton & Company New York 2000 p: 72

[146] Leffler, Melvyn The American Conception of National Security, Perspective American Foreign Policy Norton & Company New York 2000 p. 107

[147] Gacek, Christopher The Logic of Force, the Dilemma of Limited War in American Foreign Policy Columbia University Press. New York. 1994

[148] Ibid p: 7

[149] Ibid p: 10

[150] Bassford, Christopher; Jomini & Clausewitz: Their Interaction 1993 p: 8 Available on: www.clausewitz.com

necessary depending on one's political objectives."[151] The most famous "Limited War" was the American war with France (1798-1801), the U.S. war with Mexico (1846-1848) and the Boxer rebellion in China (1900).[152] Similarly under Theodore Roosevelt presidency, the Jomini doctrine of war was the underlying theme of the U.S. foreign policy strategies.

Machiavelli in Washington: Theodore Roosevelt

Contrary to Thomas Jefferson belief that his country should be a missionary cause for others, Theodore Roosevelt considered his country, a great power – the greatest potentially.[153] Roosevelt was an advocate of interventionism, or what was used to be called "Roosevelt corollary."[154] Roosevelt proclaimed the right for the U.S. to intervene on the American continent in order to put an end to the chronic unrest and wrongdoing on the Western Hemisphere. Hence, foreign intervention resurfaced in the US foreign policy: Roosevelt intervened in Haiti, held a coup d'etat in Panama and send U.S. troops to occupy Cuba. [155]
These "preventive intervention" as historians and analysts describe, were guided by the Jomini doctrine (offensive strategy) and by the Limited War school.[156] The aim through these offensive intervention and territorial expansion was to boost U.S. power (economically and militarily) and transform it into a great power in order to defend its national interests.

Woodrow Wilson Idealism

American culture expressed itself, mainly by a will to control the nature, to overcome with success all the obstacles. In other words, America is the country of "problem-solving". In their spirits, everything can be defined in terms of problem-solving. To solve a problem, all the resources are exploited, till the problem is solved. In foreign politics, problem-solving is the base of the interior and exterior politics of the U.S.[157] The pursuit of Al-

[151] Gacek, Christopher The Logic of Force, the Dilemma of Limited War in American Foreign Policy Columbia University Press New York 1994 p: 5
[152] Ibid pp 27, 29-30
[153] Kissinger, Henry Does America Need a Foreign Policy? Fayard 2002 p: 268
[154] Ibid
[155] Ibid
[156] The Logic of War p: 60
[157] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 99

Qaida and Saddam Hussein problem is an illustration of the problem-solving strategy.

Law is the second important cement for American problem-solving. With a limited success, Wilson tried what Thomas Jefferson dreamt about, to impose on the world the American creed of liberty and democracy.

The only justification for the U.S. intervention in WWI was to remodel the world at the U.S. image. This explains the eloquent words employed by Wilson:

"We are happy ... to combat for ultimate peace in the world. We have to create a safe world for democracy. Peace should be set up on the foundations of political liberty."[158] This message transformed the nature of American politics in two things:
1) The diffusion of democracy in the world is a factor for peace.
2) The diffusion of democracy in the world is a factor of security to the U.S.[159]

The grand strategy of George W. Bush in the Middle East is nothing but the actualization of this politics. The propagation of democracy in the Middle East, permit to harvest the fruits of peace and prosperity. "Our commitment to democracy is also tested in the Middle East, which is my focus today, and must be a focus of American policy for decades to come."[160]

According to Henry Kissinger, the applicability of American model democracy, to the rest of the world was the American fundamental theme since the creation of the republic. "Wilson did not innovate only in the sense that he transformed the image of the glittering city on the hill, inspiring others by its moral example, in a crusade desired to diffuse its values by an active foreign politics."[161]

Following the limited war waged by the U.S. on Korea (1950) and on Vietnam (1964), widespread reaction, demanded that U.S. should refrain from becoming involved in limited wars in the future. The most important reason was that the Limited War policy has a destructive impact on the moral, "the soldier, restricted by the constraints of the limited war, feels this intuitively. The soldier senses, as many did in Korea, that he is not being

[158] Kissinger, Henry Does America Need a Foreign Policy? Fayard 2002 p: 81

[159] Chaliand, Gerard and Arnaud Blin America is Back: The New Hawks of the Pentagon Bayard, 2003 p: 115

[160] "The Advance of Freedom Leads to Peace" Remarks by the President at the 20th Anniversary of the National Endowment for Democracy White House November 6, 2003 Available on: www.whitehouse.gov

[161] Kissinger, Henry Does America Need a Foreign Policy? Fayard 2001/2002 p: 278.

allowed to fulfill his purpose and function as part of the military instrument"[162].

The proponents of this school argued that the future military interventions must be guided by the willingness to one's enemy with the goal of seeking decisive military victory; otherwise "the employment of forces would lead to ineffective wars of attrition."[163]

Though the all-out-war has its members and supporters in the early days of the cold war, the U.S. dedicated itself to the strategy of deterrence and containment which successfully kept the peace during the long and difficult years of the cold war.

Still some U.S. military and civilian experts advocated preventive war against the Soviet Union. They proposed a devastating first strike to prevent the Soviet Union from developing a threatening nuclear capability. At that time, the commandant of the Air Force's new Air War College publicly asked to be given the order to conduct a nuclear strike against fledging Soviet atomic capabilities. "And when I went to Christ" said the commandant, "I think I could explain to Him that I had saved civilization. With it (the A-bomb) used in time, we can immobilize a foe and reduce his crimes before it happened."[164] However, President Truman ruled out a preventive strike, by firing the commandant[165] and stating that "such actions are inconsistent with our American tradition." He added "you don't prevent anything by war ... except peace."[166] Hence, Truman preferred instead, a hard but in the end, a successful policy of containment and deterrence.

Arguments for preventive war resurfaced again, when the Eisenhower Administration took power in 1953. General Curtis McLemay and others presented to the president plans to wage a preventive war to disarm the Soviet Union. But the President and the Secretary of State, John Foster Dulles, decided firmly against it. In his famous statement, Eisenhower said, "the fact is that war begets conditions that beget further war... when people speak to you about a preventive war, you tell them to go and fight it."[167]

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[162] Ibid p: 93
[163] Ibid p: 93
[164] "The Bush Doctrine & War With Iraq" *Parameter* Spring 2003 Vol 33 il p: 14 Available on: web7.infotrac.galegroup.com
[165] Ibid
[166] Kennedy, Edward "Statement on the Bush Doctrine of Preemption" March 7, 2002 p: 2 Available on: www.truthout.org
[167] Harding, James "Gulf War: The Sequel" *The Financial Times* March 21 2003 p: 4 Available on: web6.infotrac.galegroup.com

They also argued that under the United Nations charter, a preventive action could not be justified unless an act was imminent and that no such case could be made against the USSR. Moreover the administration suggested that Stalin, above all, wanted to survive and that he was cautious and not reckless.[168]

The argument that the U.S. should take preventive military action, in the absence of an imminent military attack, surfaced in 1962. The U.S. learned that the Soviet Union has the ability to launch missiles form Cuba against the U.S. Many military officers urged President Kennedy to approve a preventive attack to destroy this capability before it became operational.
Robert Kennedy, like Henry Truman, felt that this kind of first strike against Cuba would be a "Pearl Harbor in reverse."[169] "For 175 years," he said, "we would not been that kind of country."[170] Similarly, President Kennedy, recalled on the day the crises ended, "An invasion would have been a mistake, a wrong use of our power."[171]
As these earlier cases show, American strategic thinkers have long debated the relative merits of preventive and preemptive war, but disagreed about the right to preventively engage in war.

Reagan Fusion between Realism and Idealism

The most important characteristic in Reagan's period was the fusion of the two politics: the realism and idealism. The realist face of Ronald Reagan was that he preferred to attack directly the Soviet Union by pushing the "evil empire" to an arm race that later on, contributed to its demise. To weaken the adversary more quickly, he engaged in an indirect war in third world countries. The most prominent example was sending arms to fighters in Afghanistan during 1980. Moreover, in several years, Reagan doubled the defense budget of the U.S. like never before, The observer can not but see the similarities between Reagan politics and that of George W. Bush, in particular in the naming of the "Evil" countries that are a threat to the U.S. interests. Bush designated the "Axis of Evil", Iraq, Iran and Northern Korea. Similarly, he raised the defense budget in order to boost the U.S. military power and achieve the U.S. foreign policy objectives.

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[168] Halperin, Morton "Deter & Contain Iraq" Open Society Institute & Soros Foundation Network Washington D.C September 1, 2001 pp: 1-2 Available on: www.soros.org
[169] Kennedy, Edward "Statement on the Bush Doctrine of Preemption" March 7, 2002 p: 3 Available on :www.truthout.org
[170] Ibid
[171] Viotti, Kauppi International Relations Theory Longman Publishers 3rd Edition p: 293

These similarities have one root. The think tanks or the intellectuals that were in charge of formulating policies in the Reagan Administration were the same ones that took also position in George W. Bush Administration. They are the neoconservatives that believed in the Wilsonian doctrine under the traits of power politics.[172] It is best described during Reagan's period, when he adopted the classical method of the real politic such as military force, persuasion, covert actions ... and at the same time combating communism by calling for democratization. The free people , he used to say, "don't wage war on their neighbors."[173]

Through the marriage of the two trends, America under Reagan was proud to win over the cold war and hence U.S emerged as a sole super power of the world. Its superiority touched not only the military domain, but also the economic and cultural one. The new President, George H. Bush, declared his intention to create a "New World Order". Behind this concept, one detected the principle bases of the ideology of Wilson: The leadership of the U.S., Disarmament politics, Collective security, Rule of law and freedom, Economic values, a will to reconstruct the victim nations from war, (whether victims from communism or from the cold war.)[174] However, the use of force by the U.S. did not fade with the end of the cold war, or with the new World Order.

The offensive strategy was still the guiding line in the Bush foreign policy. The invasion of Panama, the Gulf War and the war on Bosnia are illustrations of this strategy. In all the three cases, the U.S. adopted the all-out-war which was called the Powell Doctrine. The Powell Doctrine dictated that the U.S. wages war only in the aim to use all its capabilities (militarily and politically) to win a decisive victory. [175] Within this framework, the U.S. waged war on Iraq (1991) and on Afghanistan (2001).

Bill Clinton and the use of preemption

Bill Clinton was the first post-cold war president, and the first of his predecessors to favor an economic dimension to his foreign politics. This was clearly observed in Clinton's creation of a National Economic Council, equivalent to the National Security Council. In his view, the U.S. engagement in the enlargement of the democratic world, must serve the

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[172] Kissinger, Henry Does America Need a Foreign Policy Fayard p: 277
[173] Ibid p: 137
[174] "President George H. Bush's Speech to Congress" March 6, 1991 White House Available on: www.whitehouse.org
[175] Gacek, Christopher The Logic of Force Colombia University New York 1994 p: 284

national economic interests. This principle emanates from the belief that the development of democracy and economic liberalism are inextricably linked.[176] As it was noted earlier, the principle is anchored in the political culture of America.

The most striking during Clinton's presidency was the use of preemptive strikes on Sudan. In 1998, after bomb attacks on U.S. embassies in Kenya and Tanzania, Clinton fired cruise missiles on the AL-Shifa pharmaceutical plant in Sudan. Clinton argued that it was making chemical and biological weapons for Ousama bin Laden, who was assumed (now proven) to be behind the Embassy bombing. He also said there was "compelling evidence" that bin Laden network was planning to mount further attacks against the Americans; he was therefore entitled to act.[177]

Many observers and analysts argued that President Clinton used the principles of pre-emptive war to justify the U.S./NATO bombardment on Slobodan Milosevic in 1999:

"We act to prevent a wider war" he explained, "a war we would be forced to confront later ... only at far greater cost."[178] In June 1994, the Pentagon developed plans for a pre-emptive strike against North Korea's Yongbyon nuclear facility. "We were within a day of making major additions to our troop deployments in Korea"[179] recalls Clinton Defense Secretary, William Perry. Fortunately, Jimmy Carter visited Pyongyang and gained a commitment to a total freeze of North Korean reactor.[180]

Though, today's world is new and different; nothing has changed, power never ceased to be the guideline of the U.S. foreign policy strategy. Under George W. Bush the logic of power has been based on the pre-emptive war and U.S. military supremacy. As the U.S. historical record indicated, the U.S. has engaged in the past in a "pre-emptive" military attack against other countries. Though the use of preemption was limited in number, this instrument of foreign policy was always on the mind of generals and advisors, and they never hesitated in presenting "preemption" among the different choices to the president in critical situations.

Hence the concept is neither new nor used for the first time by an American President, yet it is wise to acknowledge that it is the first time in American

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[176] Halberstam, David War in a Time of Peace Bloomsbury 2001 p: 193

[177] Steele, Jonathan "The Bush Doctrine Makes Nonsense of the UN Charter" *Guardian Unlimited* June 7, 2002 p: 2 Available on: www.guardian.co.uk

[178] Cunnings, Bruce, "Growing Danger on the Korean Peninsula", *The Korean Times*. February 24, 2003. Available on: www.hankook.times.com

[179] Ibid p: 2

[180] Ibid

history that a U.S. President elevated "preemption" to the status of a core security doctrine. For the first time, a U.S. administration has contemplated preemptive attacks against groups and states, in the absence of imminent attack or threat and legitimized this kind of first strike options.

What is the situation today, which brought "preemption" at the top of the U.S. foreign policy agenda?
Does it truly represent the personality of the George W. Bush or Bush's ideological counselor?

Those questions are to be analyzed and examined in Chapter III.

Chapter III

September 11, Crisis Management, and Preemption in U.S Foreign Policy

Foreign Policy decisions do not work in a vacuum. In making foreign policy, decisions makers continuously respond to situations created by stimuli in the international environment.[181]

September 11, terrorist attacks were perceived by the Bush Administration as a crisis. A crisis is "a situation that threatens high-priority goals of the decision-making unit, restricts the amount of time available for response before the decision is transformed, and surprises the member of the decision-making unit by its occurrence."[182] Upon the administration's definition of September 11, as a crisis, the U.S decision-makers chose preemption as an instrument of U.S foreign policy.

3.1 The September 11 crisis and U.S Preemptive Foreign Policy Strategy

Three things have to occur before a situation exists for a policy decision-maker. There has to be a stimulus, a perception that the stimulus creates a problem and the definition of the situation. "The stimulus may involve the behavior of another or an international entity."[183] The terrorist attacks on the World Trade Center and the Pentagon provided a stimulus for American decision makers, and this has created a problem because the Bush Administration could not accept that terrorism threatens its homeland and interests abroad. On this basis, the U.S. decision makers formulated their definition of the situation or problem. Some of the questions decision makers may pose in defining the situation are: Who is the source of the problem? What are our previous relations with the source? What kind of skills and strategies are required to deal with the problem?[184] These typical questions had been asked in the first meeting of the National Security Council, convened by Bush, few hours after the Boeing 757, slammed into the Pentagon. George Tenet, the CIA Director was the one who answered those questions. He repeated with near certainty that Bin Laden was behind

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[181] Brandy. Linda P. "The Situation & Foreign Policy", Maurice East, ed . Why Nations Act _p: 173_
[182] Charles F. Hermann, "International Crisis as a Situation Variable". In James Roseneau ed. Op. cit., pp.414
[183] Ibid p: 174
[184] Ibid p: 175

the attacks. Tenet argued that the passenger manifest showed three known Al-Qaeda operatives have been on American Airlines flights.

"Al-Qaeda was the only terrorist organization capable of such spectacular, well-coordinated attacks. Intelligence monitoring had overheard a number of known Bin Laden operatives congratulating each other after the attacks."[185] Tenet said. Hence, Bush and his advisors defined the September 11, as a crisis that threatened U.S. security and defense. Bush concluded that, "this is not just an act of terrorism. This is an act of war,"[186] and on this basis preemption became forceful only after 9/11.

It is important to note that "fundamental to the relationship between the situation and foreign policy, is how the government defines the situation or the problem."[187] Policy makers formulate a definition of the situation, ascertaining two characteristics of the problem: the impact of goals and skills required.[188]

"The impact that the stimulus is perceived to have on the actor's goal is one of the more significant elements of the definition of the situation."[189] The terrorist attacks were perceived to have an impact on the Bush administration's policy. The impact was that Bush altered the U.S. foreign policy from a "humble foreign policy" to a preemptive foreign policy. The preemption foreign policy is the result of Bush's definition of the situation as threatening and "decision makers who ought to define the situation as threatening are more likely to engage in hostile response."[190] Since Bush saw September 11 as a threat to U.S security and interest, it has used preemption against Afghanistan and Iraq. Yet Bush preemptive policy did not emerge full-blown in reaction to the terrorism of September 11. Long before 9/11, the neo-conservatives carried with them this policy into the White House, waiting for the right moment to deliver it. That catastrophe was perceived by many neo-conservatives in key positions in the administration as an opportunity to achieve their long held goals and objectives. "Many neo-conservatives saw the events of 9/11 as a tragic confirmation of their warnings and of the urgency of using military clout and anticipatory self-

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[185] Woodward Bob, Bush at War, Simon & Schuster 2002 pp:26-27
[186] Ibid p: 30
[187] Brandy, Linda P. The Situation & Foreign Policy, Why Nations Act p: 179
[188] Brandy, Linda P. The Situation & Foreign Policy, Why Nations Act p: 179
[189] Ibid p: 180
[190] Ibid p: 181

defense against the enemy."[191] This proves the validity of the proposition that "stimuli can be perceived as facilitating goal achievement."[192]

The other characteristic of the problem that influence the situation is skills required. "It indicates whether the problem requires creative planning or routine operations processes in its solution."[193] The Bush administration saw the terrorist threat as a new nature of threat, one that needs novel and creative foreign policy strategies. This was reflected in the Bush doctrine in which it articulated the overthrow of old and traditional concepts, such as deterrence and containment. "Traditional concepts of deterrence will not work against a terrorist enemy whose avowed tactics are wanton destruction,"[194] and the adoption of new concepts such as: preemption strategy. "The U.S. must adopt the concept of preemption to the capabilities and objectives to today's adversaries."[195]

Moreover, the document articulates the introduction of innovation within the army and military equipment. The two wars in Afghanistan and Iraq marked the development of innovation and decisive war fighting strategies.

September 11 crisis, hence, was served by Bush's decision-maker as a catalyst for adopting this new strategy of rapid militarization at home, global projection of U.S. military power abroad and the use of preemption against rogue regimes. September 11 crisis also was served as a justification for U.S. to topple the Taliban in Afghanistan and Saddam Hussein in Iraq in the name of peace and democracy. But above all, September 11, revealed how important is the personality of President Bush and the ideology of his advisors in altering foreign policy decisions and adopting one of the most revolutionary foreign policy instruments, preemption.

3.2 The Role of President Bush Personality on Preemption

The central figure in American foreign policy is the President. The final responsibility for that policy is his. Preservation of the security of the U.S. is the gravest of the President's responsibilities, as well as, the primary objectives of the U.S. foreign policy and of the U.S. Armed Forces whose Commander in Chief is the President. It is not only during crisis that the President's role is central. He has at all times, the supreme responsibility for

[191] "The Neoconservative Movement" *National Journal* May 17, 2003 p: 5 Available on: www1.colombia.edu
[192] Brandy, Linda P. The Situation & Foreign Policy , Why Nations Act p: 180
[193] Ibid p: 181
[194] The NSS p: 15
[195] Ibid

determining and directing U.S. foreign policy. This responsibility derives originally from the constitution, which empowers the President to negotiate treaties and agreements, to recognize new states and governments, to declare policy, to nominate or appoint diplomatic officials and to exercise other authority granted him in various statues...[196]

The U.S. President unlimited initiatives and influence in foreign affairs was illustrated through out U.S. history and successive presidents. President Henry Truman sent troops to Korea, President Dwight Eisenhower sent troops to Lebanon, President John F. Kennedy dispatched a naval blockade around Cuba, President Ronald Reagan invaded Grenada, President George H. Bush sent troops to Panama, President Clinton declared war on Kosovo and President George W. Bush declared war on Afghanistan and preemptively waged war on Iraq.

Behind these foreign policy strategies are the characteristics of the President as an individual. No president came to the job 'tabula rasa'. "His mind contains complex and intricately related information and patterns such as beliefs, attitudes, values, experiences, emotions and conceptions of nation and self."[197]

According to Holsti, the decision-maker gets information about a particular situation. He interprets the information according to his belief system, plus he takes into consideration his perception of reality in order to make up his final decision.[198] Hence there is a vital relationship between belief system, perception and decision making.

In the light of this examination, one would expect the influence of the President's Bush personality on the U.S. foreign policy decisions and strategies.

The psychological portrait of George W. Bush is examined to understand his choices in the decisions of the US foreign policy.

The year 1986 was a changing year for George W. Bush. Bush considered himself a born-again Christian, where "faith in Jesus becomes an integral part of my whole being. I don't think you can separate your faith from who you are."[199]

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[196] Rogers. William "How Foreign Policy is Made" Conflict in American Foreign Policy Mansfield & Buckley. 1985. p: 167

[197] Hudson. Valerie & Christopher Vore "Foreign Policy Analysis, Yesterday, Today and Tomorrow" Mershon International Studies Review .1995. p: 217.

[198] Ibid p: 33

[199] "George W. Bush on Faith," The Crosswalk.com .Editorial Team. p: 1 Available on: www.crosswalk.com

Bush did not only like the idea of being a faithful Christian yet he made sure that he is well surrounded with people of the same faith.

In 1987 Bush was in charge of a religious right movements and organizations who were preparing for his father presidential election. The most prominent, The Christian Coalition, created by Pat Robertson, a televangelist, whose personal fortune is estimated at $150 million.

During the whole campaign, George W. Bush multiplied the initiative to include as much as possible biblical citations in the electoral speeches, pronounced by his father. When Bush decided in 1993, to present for the job of Governor of Texas, he granted an interview to a journalist from Austin, "Only the believers in Jesus go to Heaven,"[200] Bush told him. He used this phrase to win the voices of the Christian conservative electorate, living in the rural zones of East Texas. Immediately, after his victory, he confessed, "I would not have been a governor if I did not believe in a divine plan that replaces all the human plans."[201] One could affirm that a certainty of being invested in a divine mission haunted Bush.

During his two first mandates as a governor, he appeared regularly on television shows animated by preaches. Moreover, Bush used to invite regularly priests and heads of the Christian right to his residence. When George W. Bush started to think of presenting to the presidency, he told them that, "I am called to the pursuit of the highest function."[202]

Howard Fineman described the way Bush used to maneuver in order to win the election, "the other candidates tried to seduce the public by manifesting a strict allegiance to their positions on subjects of abortion or homosexuality. Bush only talks about his faith."[203] By only examining the Presidential debate of 2000, it would be hard not to imagine that his faith would not also be an integral part of his policies. In an interview with the *Baptist Press*, the National News Service of the Southern Baptist Convention (August 31, 2000), Bush believed that, "one of the admonitions in the Bible is haughtiness, a sin by itself."[204] This phrase was reflected in Bush's speech at Wake Forest University (October 11, 2000). "If we are an arrogant nation, they will resent us," but if we are a humble nation, they will respect us."[205]

[200] Laurent, Eric The Secret World of Bush .Plon. 2003 pp: 16-17

[201] Iibid pp: 16-17

[202] Romano, Lois & George Lardner "Bush's Life-Changing Year" *Washington Post* July 25, 1999 p: 20 Available on: www.washingtonpost.com

[203] Ibid.

[204] "A Library of Quotations on Religion & Politics by George W. Bush" Available on: www.beliefnet.com p: 3

[205] "George W. Bush on Foreign Policy" *On the Issue* 2003 Available on: issue2000.org p: 7

Moreover, when asked what the most important verse in the Bible is, Bush replied, "don't try to take a speck out of your neighbor's eyes when you've got a log in your own." [206] This verse is understood by Bush as a reminder that no one is perfect. "One should admit that he is a sinner and be humble in how to treat the other." [207] This belief was reflected too through his speeches, in particular at the christening of USS Ronald Reagan where Bush declared his concern for religious freedom abroad, but also declared his reluctance to criticize religious persecutors. He thought it is immodest to lecture the world, but "we should be humble in how we treat nations that are figuring out how to chart their own course." [208]

In the light of this belief, Bush recognized that U.S. intervention abroad should be limited; he was tentative about committing American troops and ruled out their use for what he dismissed as nation building. [209] U.S. power should be used only to protect, "the story of a power that went into the world to protect but not possess and democratic values should be carried not owned; Our democratic faith that is inborn hopes of our humanity, an ideal we carry but do not own." [210]

His outspoken religious faith was among the decisive factor in securing Bush presidency; Since 1985, the South profoundly conservative and religious never ceased to support the Republican Party. Once he entered the White House, Bush surrounded himself by people of extreme Christian right. The wife of the Secretary General of the Presidency Andrew Card, is minister of the Methodist cult, the father of Condoleezza Rice, the National Security Adviser, preaches in Alabama, Michael Geerson, who writes the presidential speeches, is nicknamed 'the Harvard Evangelic.' Geerson, adhered to the extreme Christian right prophesies, that believes in an imminent Armageddon, the return of antichrist and the apparition of the new Messiah. [211]

According to David Frum, (the editor of Bush's speeches), "Bush comes and speaks of a very different culture from that of the individualist Ronald Reagan. His culture is that of a modern Evangelist." [212] To understand the

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[206] Romano, Lois & George Lardner "Bush's Life-Changing Year" *Washington Post* July 25, 1999 p: 20 Available on: www.washingtonpost.com

[207] Ibid

[208] Carnes, Tony "Faith & War" *Christian Today* .May 2003. v.47 i5 p: 2 Available on: web7.infotrac.galegroup.com

[209] "George W. Bush on Foreign Policy" *On the Issue*. 2003 Available on: issue2000.org p: 8

[210] Carnes, Tony "Faith & War" *Christian Today* May 2003 v. 47 i. 5 p: 2 Available on: web7.infotrac.galegroup.com

[211] Laurent, Eric "The Secret World of Bush" *Plan* 2003 pp: 19-20

[212] Ibid

White House, you have to understand the predominance of that faith. Ironically, the presidency resembles a vast room of prayers and collective lectures of the Old and the New Testament.[213]

After the events of September 11, Bush's vision of the U.S. foreign policy became coherent and deeply linked to his Christian convictions. He declared during the Washington National Cathedral's 9/11 memorial service, "our responsibility to history is already clear: to answer these attacks and rid the world of evil. The service ended with a powerful rendition of the abolitionist war song, The Battle Hymn of the Republic."[214]

Since that day, President Bush discovered his life's mission. He became convinced that God was calling him to engage the forces of evil in a battle. "History has called America and our allies to action,"[215] said Bush in his 2002 State of the Union Address. In other speeches, Bush allowed himself to point out what is right and wrong and who is good and evil. It is clear that religion has soaked up his ideas, his actions, and his vision of the world. This was summarized in Bush's message to the world, first delivered on September 20, 2001, "Either you are with us, or you are with the terrorists. Either you stand with civilization and good (U.S.) or with barbarism and evil, then, choose. And to those nations that choose wrongly beware."[216] Similarly, Bush reflected the same idea, in a speech to the West Point graduates in 2002, "we are in a conflict between good and evil. And America will call evil by its name."[217]

In fact, Bush rushed to call and designate the evil by name. According to him, Ousama Bin Laden and his group incarnated the 'evil'. In November 2002, in an interview for the *Newsweek*, Bush declared for the first time that Saddam Hussein is also 'the evil'. The 'axis of evil', qualifying Iraq, Iran and North Korea did not emerge by accident.[218]

In his battle, Bush placed his country firmly on the side of the angles. "There is wonder-working power in the goodness and idealism of the American people,"[219] he said in the State of the Union Address. President Bush is

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[213] Ibid.

[214] Carnes. Tony "Faith & War" *Christian Today* May 2003 v. 47 i. 5 p: 2 Available on: web7.infotrac.galegroup.com

[215] President Delivers :State of Union" *The White House* January 22, 2002 Available on: www.whitehouse.gov

[216] Hirsh, Michael Bush & the World *Foreign Affairs*. A Council on Foreign Relations Book. New York 2003 pp: 166-167

[217] "President Bush Delivers Graduation Speech at West Point" *The White House* .2002. Available on: www.whitehouse.gov

[218] Laurent. Eric The Secret World of Bush Plon 2003 p: 20

[219] President Delivers :State of Union" *The White House* p: 3 Available on: www.whitehouse.gov

certainly not the first president to involve God in time of war, but his approach is markedly different from his predecessors.

During America's civil war, Abraham Lincoln did not claim that God was on his side. In fact, in his famous second inaugural address, he said the war was a curse on both armies: "He gives to both the North and the South this terrible war as the woe due to those by whom the offence came."[220] Yet, President Bush's rhetoric does have huge supporters. "One in three American Christians call themselves Evangelicals, and 95% of all Americans believe that what is written in the Bible's book of Revelations will come to pass."[221] This belief is at the heart of the American spiritual tradition, as referred to in chapter 2.

After September 11 and in particular after Bush declared war on Saddam Hussein, many observers and analysts argued that the President has considered himself playing a part in the final events of Armageddon. Paul S. Boyer, a History professor in the University of Wisconsin, have analyzed the State of the Union speech where the President declared that Saddam Hussein can "unleashed a day of horror like none have ever known."[222] Expressing in such a way, Professor Boyer argued, "the President have played on the memories of September 11 with an ancient apocalyptic vocabulary, and for the millions of believers in the Christian prophesies, this holds a specific message, that announces that the end is near, not only that of Saddam Hussein, but also to the human history."[223] Similarly, Chip Bertly, an expert in the ultra-conservative religious movements, believed that, "Bush is very close to the messianic thinking and apocalyptic Evangelic military. It seems that Bush adhered to their vision of the world, where there is a gigantic combat between the good and the evil which will culminate into a final confrontation."[224] According to Bertly, those types of persons who adhere to such visions, often take inappropriate risks because they consider that it is coming from a divine will.[225]

It is clear to the observer's eye, that President Bush defined the September 11 situation upon his belief system, "that may or may not be accurate representation of reality."[226] And upon his definition of the situation and his

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[220] Carver, Tom "Bush Puts God on His Side" *BBC News* April 6, 2003 p: 2 Available on: news.bbc.co
[221] Ibid p: 2
[222] Laurent, Eric The Secret World of Bush Plon 2003 p: 21
[223] Ibid
[224] Ibid
[225] Ibid
[226] Holsti, The Belief System & National Images p: 32.

belief system, he chose the U.S. foreign policy strategy. It is summarized as the following: preemption and unilateralism as an instrument of the U.S. foreign policy in order to maintain an unchallenged military supremacy.

The very aspect of Bush's personality – the nervous energy and the impulsiveness – coupled with his religious belief, that he has a mission to combat and defeat the evil –determined Bush's choice for preemption as an instrument of U.S. foreign policy. His impulsive and nervous energy were translated into the following concept: "American will act against such emerging threats before they are fully formed."[227]
His impatience and preference for activity, led him to wage war on Afghanistan, only one month after September 11, while his preemptive war on Iraq, in the absence of evidence that Saddam Hussein has weapons of mass destruction, and in the absence of support from the international community is understood from the same perspective that he is an impatient, impulsive and extremely active person; "The only path to peace and security is the path of action."[228]
Through the use of preemption on Afghanistan and Iraq in less than a year, and Bush's ongoing threats to the 'axis of evil,' a new aspect of his personality was brought to light; the 'war leader," aspect. By just examining his speech delivered at Joint Forces Command Headquarters (February 14, 2001), one cannot but recognize the very aspect of this personality.
"We have to redefine war on our terms. We have begun a comprehensive review of the U.S. military, the state of our strategy, the structure of our forces, the priorities of our budget. I have given a broad mandate to challenge the status quo as we design a new architecture for the defense of America."[229]
This decision shows that Bush not only is increasing the U.S. military power throughout the 21rst century, but also is prepared to lead the U.S., at any price, in any war. It is also argued that war leaders are often dogmatic, "they have fairly rigid and inflexible set of ideas or thoughts that will probably affect a political leader's personal political style and policy."[230]
Bush's choice to act unilaterally in arms control negotiations and reject the 1972 anti-ballistic missile treaty, the Kyoto agreement, the comprehensive Test Bar Treaty, the International Criminal Court and the Landmine Treaty –

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[227] "The National Security Strategy Document" p: 2
[228] The NSS p: 2
[229] "Speech at Joint Forces Command Headquarters" Norfolk. On *the Issues.* February 14. 2001 Available on: www.issues2002.org
[230] Hermann, Margaret G Effects of Personal Characteristics of Political Leaders on Foreign Policy p: 66

revealed Bush dogmatic views and unilateralist instincts. It can only be understood from the perspective that he views the world as most conservatives do, that the world can be a very dangerous place. "They distrust institutions and treaties that bind the U.S. and might endanger U.S. interests and security."[231]

Soon after taking office on March 27, 2001, Bush declared that he has no interes in implementing the Kyoto Treaty – under which the U.S. would have to reduce the emission of greenhouse gases such as Carbon dioxide and methane by 7% below 1990 levels, by 2012 – because it exempted developing countries and would harm the U.S. economy. Hence, he withdrew the U.S. signature on the accord which was signed by President Clinton in 1998.[232]

Though Christine Todd Whiteman, head of the Environmental Protection Agency (EPA), attempted to persuade Bush to support an international agreement on global warming, Bush was rigid on his position[233] which proved the validity of the proposition that "the more dogmatic the head of state, the less likely his government is to change its position on a well-established policy."[234]

His dogmatism was illustrated three months later, (July 8, 2001) when Bush opposed the UN conference plan on "the restriction on the legal trade and manufacture of small arms and light weapons, and on the restriction on the sale of small arms and light weapons to entities other than governments."[235]

The UN wanted a legally binding agreement to reduce the small arms available world wide, but Bush refused.[236] Seventeen days later, (July 25) Bush stood alone in opposition to a draft protocol for verification of the 1972 Biological and Toxin Weapons Convention. According to the BTWC article, state parties should not, "develop, produce, stockpile and retain: microbial or other biological agents or toxins whatever their origin or method in quantities for hostile purposes."[237] Moreover, the BTWC forbids

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[231] Kraus, Don "America's Global Leadership Measured by International Law" *Foreign Policy In Focus* July 17, 2002 p: 2 Available on: www.fpif.org/commentary

[232] Borger, Julian "Bush Kills Global Warning Treaty" *The Guardian Unlimited* March 29. 2001 p: 1-2 Available on: www.guardian.co.uk

[233] Ibid p: 2

[234] Hermann Margaret Effects of Personal Characteristics of Political Leaders on Foreign Policy p: 66

[235] "The Bush Administration's Record on International Treaties and Cooperation: A Present Danger" Chronology *Foreign Policy In Focus*. Available on: www.presentdanger.org

[236] "George Bush's Foreign Policy Record" .*The Guardian-Special Report*. July 24, 2002 p: 2 Available on: www.guardian.co.uk

[237] "Biological Weapons Threat". *Amnesty International.* July 2002 p: 2 Available on: web.amnesty.org

the use in war of asphyxiating, poisonous or bacteriological methods of warfare.[238]

Bush's opposition to the BTWC revealed that the U.S. might in the future develop biological weapons or use them in warfare. Similarly, on December 13, 2001, following months of negotiations and discussions with Russia, the U.S. provided a formal six month notice that it was withdrawing from the 1972 Anti-Ballistic Missile Treaty (ABM) that it had signed with the former Soviet Union.[239]

Bush has been clear from the 2000 campaign that he has every intention of not letting the outdated treaty stand in the way of its ability to develop a national missile defense system.[240]

From this perspective, Bush refused to support the Comprehensive Test Ban Treaty (CTCT) which was designed to prevent testing nuclear weapons, and reduce the chance of a nuclear arm race.[241] He has also announced that the U.S. intends to withhold $800,000 in contributions to the CTBT organization (CTBTO), which is establishing the monitoring system to verify compliance with the treaty. More recently, in the fourth quarter budget, President Bush has planned for a renewed testing to develop new nuclear weapons on the grounds that the CTBT "offers only words and false hopes and high intentions – with no guarantee whatever. We can fight the spread of nuclear weapons, but we cannot wish them away with unwise treaties."[242]

Bush's position against these treaties revealed another aspect of his personality, a suspicious character. This also has its roots in his conservative background or principles: A total distrust of institutions and treaties that cannot deter and defend existing and unforeseen threats, including those from what he calls the axis of evil. Bush is only convinced in the U.S. military power that has the power to defeat the evil in the world.

Bush's distrust of treaties was viewed by critics as an undermining to the nuclear-nonproliferation treaty (NPT), which the U.S. and 187 states adhered to since 1970. The NPT's objective is to prevent the spread of

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[238] "Biological Weapons Threat". *Amnesty International.* July 2002 p: 2 Available on: web.amnesty.org

[239] "George W. Bush on Homeland Security" *On the Issue* 2000 p: 7 Available on: www.issues2000.org

[240] Schmitt. Gary "Defense Project for the New American Century" December 13, 2001 p: 1 Available o: www.newamericancentury.org

[241] Shah. Anup "US and the CTBT Arms Control" *Global Issues* August 17,2000 p: 1 Available on: www.globalissues.org

[242] "A Return to Nuclear Testing by Washington?" *Verification Issues* May 1, 2003 pp: 1-2 Available on: www.legal.net

nuclear weapons in peaceful ways and to further the goal of achieving nuclear disarmament and then general and complete disarmament.

Moreover, leaks from the administration's Nuclear Posture Review, demonstrated that Bush administration has authorized the Defense Department to develop plans for using nuclear weapons on 7 countries – 5 of which are non-nuclear nations. Significantly those five nations are Iran, Iraq, Syria and North Korea – are parties to the Nuclear Nonproliferation Treaty (NPT) that took effect in 1970. [243]

As a result of Bush's approach, North Korea declared its intent to withdraw from the NPT. Pyongyang's ambassador to the UN said the decision to withdraw was an act of 'self-defense' in the face of "U.S. hostile policy towards the DPRK (North Korea)"[244]

Nevertheless, Bush declared his intent of not reversing his position vis-à-vis the treaties by stating that September 11 indicated that the U.S. is vulnerable and "counting on cold war theories of deterrence is a risk that no prudent statesmen can justify any longer."[245]

"Now is the time not to defend outdated treaties but to defend the American interest."[246] The American interest today is linked with the American security. As the speeches of President Bush and the National Security Document indicated, the U.S. objective is to rebuild the strongest military by defending the U.S. and its allies against any attack. Followed by building and developing biological, chemical and even nuclear weapons for the same objective. Hence one can understand Bush unilateralist policy vis-à-vis these treaties that could in any way constrain the pursuit of U.S. national interests and security, or hold the U.S. accountable in its development of biological, chemical and nuclear weapons.

Behind Bush rejection of the treaties and the use of preemption lie his beliefs in the three core components. The first component is the conception of international system; Bush surely views the international system as a unipolar system, in which the U.S. has the free reign to conduct its foreign policy. The second and third component is the national interest hierarchy and the strategy; Bush puts his priority on the objective of power which is

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[243] Difillippo. Anthony "Bush's Nuclear Weapons Policy: Where the Role of Law Doesn't Matter" *Foreign Policy In Focus* June 26, 2002 p: 1 Available on: www.fpif.org

[244] "North Korea Blames US for Treaty Withdrawal" *BBC News* Asia-Pacific January 10. 2003 pp: 1-3 Available: www.news.bbc.co.uk

[245] Shmitt, Gary Project for the New American Country" December 13, 2001 p: 2 Available on: www.newamericancountry.org

[246] "President Delivers Speech to Republican National Convention" *On the Issue* August 3, 2000 p: 4 Available on: www.issues2000.org

translated in a unilateralist and preemptive strategy. Given the three cores of the belief system, one would expect that Bush resorts to any action or policy, with the aim to serve the U.S. interests, regardless if it undermines the law and alienates U.S. friends and allies.

The importance of this part of the chapter is that it proves the validity of the proposition that, "political leaders' personal characteristics can influence their governments' foreign policy behavior."[247] As it was examined, President Bush's belief system, views of the world, and personal characteristics were brought with him into his office and greatly influenced his choice of foreign policy strategies. The use of preemption as an instrument of U.S. foreign policy bears the stamp of Bush's personality. Has another personality as Al Gore been elected as a president, probably, "preemption" and "unilateralism" would not have been adopted as instruments of U.S. foreign policy.

Although the president is the principal decision maker in foreign policy, he neither act alone, nor is the strength of the president personality enough to influence the use of preemption.

3.2 The Role of the Bureaucratic Policies on the U.S. Foreign Policy

"The purpose of bureaucracy is to devise a standard operating procedure that can cope effectively with most problems".[248] Three organizations dominate the foreign affairs Department: The State Department, The Defense Department and The Central Intelligence Agency (CIA). While under Presidential bureaucracy, the National Security Council is the central foreign policy structure that presidents rely on.[249]

The principle actor in the State Department is the President's advisor, the Secretary of State. His role is either, "to become advocate of the State Department perspective, or serve as the loyal ally of the President."[250] Which one of those roles is the Bush Secretary of State, Colin Powell playing and to what extent he influences the U.S. foreign policy, is what will be examined.

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[247] Hermann. Margaret. Effects of Personal Characteristics of Political Leaders on Foreign Policy p: 64.
[248] Hastedt, Glenn American Foreign Policy: Past, Present Future 5th Edition. Prentice Hall. 2003 p: 218
[249] Ibid. p. 219
[250] Ibid p: 222

The Defense Department is the U.S. military. The Presidential advisor is the Secretary of Defense. Secretaries of Defense generally have adopted one of the two roles: the generalist "recognizes and defers to military expertise and sees himself as being the Defense Department's representative in the policy process."[251] In contrast, the "functionalist" is concerned with consolidating management and policy control and seeks to efficiently manage the system in accordance with presidential policy objectives.[252] As the reader will see, Donald Rumsfeld, Bush's Secretary of Defense, is a functionalist who changed the fundamental direction of American military policy and organization.

The Central Intelligence Agency (CIA) has been created to centralize intelligence within the government. "It is charged with maintaining the security of U.S. message traffic and interpreting traffic, analyzing and crypt analyzing the messages of all other states."[253] The Director of Central Intelligence, George Tenet expanded the role of the CIA's foreign policy. Finally the National Security Council (NSC) has been the top-level-interdepartmental committee since it was created under Truman in 1947. Its importance as the actual device for the coordination and unification of domestic, foreign and military politics relating to national security, however, has fluctuated greatly with every coming president into office. President Eisenhower raised it to its highest levels of responsibility which involved making policies.[254] Where as President Kennedy, personalized the NSC. He preferred to use the presidency itself as the center of coordination and unification.[255] Under George W. Bush, however, the National Security Advisor, Condoleezza Rice, emerged as the decisive policy force.

Since Bush's advisers occupy a critical position in the administration, these individuals became players in the national security policy game and their influence on the President and on the foreign policy decisions is expected to be felt. There are a number of factors that help to understand their influence on the president. The most important factors that should be discovered are the following: The participants' perceptions, motivations, positions, power and maneuvers.[256] The second factor are the positions of the participant they are occupying; "The higher the participant's position in the bureaucracy, the

[251] Ibid p: 228
[252] Ibid
[253] Ibid p: 236
[254] Cohen, Bernard Foreign Policy in American Government Little, Brown & Company. 1965 p: 88
[255] Hastedt, Glenn American Foreign Policy: Past, Present Future 5th Edition .Prentice Hall .2003 p: 191.
[256] Mansfield, Don, Buckley and Gray Conflicts in American Foreign Policy .Prentice Hall .1985 p: 205

more likely will behave like a player in foreign policy decisions"[257]. The third factors involve the respective relationships of these advisors with the president and whether consensus or conflict prevails among the senior advisors, contribute also to their influence on the President[258]

Those who questioned Bush's preparation and readiness for the presidency, his right to lead the sole superpower and who were also critical of Bush' limited experience in foreign policy, were reassured by that if, "he was not exactly a big boy himself, he was surrounded by the big boys from his father's administration."[259]

Indeed, there is Dick Cheney, then Secretary of Defense, now Vice President, and Colin Powell, then Chairman of the Joint Chiefs, was now Secretary of State. Both were the leading figures of the Desert Storm, arguable Bush's father most dramatic accomplishment.[260] Donald Rumsfeld had been a political opponent of the senior Bush. But Rumsfeld was the original sponsor of some of the key Bush people; he discovered Cheney and in return, reached down for Colin Powell. Condoleezza Rice, the National Security Advisor, was a "Brent Scowcroft protégé, the dean of the realist establishment going back all the way to Gerald Ford, for whom he served as National Security Advisor."[261]

Those "big four" also surrounded themselves with former top officials of the George.H.Bush Administration. Dick Cheney appointed Paul Wolfowitz, who was a senior official of the former Bush administration, as a deputy Defense Secretary while, Lewis Libby, also a former official, became Cheney's Chief of Staff[262].Similarly, Richard Hass, another veteran of the first Bush administration is now Director of policy planning for the State Department – in effect, Collin Powell's big-think guy.[263]

It is expected that as the President Bush came into the office with his belief system, perceptions... His advisors and their officials would bring too their

[257] Halperin. Morton. Kanter. Arnold. The Bureaucratic Perspective. In Robert J.Art and Robert Jervis ed. Op.ci., p: 297.
[258] Ibid
[259] Halberstam. David War in a Time of Peace. Bush, Clinton and the Generals Bloomsbury 2001 p: 491
[260] Lobe, Jim "Debating Post-Saddam Policy: Headlines vs. Realpolitkers" Foreign Policy In Focus December 20, 2002 p: 1 Available on: www.presentdanger.org
[261] Halberstam, David War in a Time of Peace. Bush, Clinton and the Generals Bloomsbury 2001 p: 493
[262] Barry, Tom "The Men Who Stole the Show" Foreign Policy in Focus October 2002 p: 2 Available on: www.foreignpolicy-infocus.org
[263] Leman. Nicholas "The Next World Order" The New Yorker March 25, 2002 p: 8 Available on: www.newyorker.com

own beliefs system, perceptions, motivations, maneuvers ... which contributes in their choices and decisions in foreign policies.

The dominant foreign policy voice in the President's early days was that of Condoleezza Rice, who came across as a classic realist, putting forth, "the notions of power politics, improving America's ties with great powers and power balances,"[264]. Her politics was expressed, in the President Bush's first major foreign policy speech, delivered in November 1999, Bush declared that "a president must be a clear-eyed realist"[265] who should pursue a "humble" but "strong" policy.[266]

Many analysts saw a likely return to the cautious balance of power realism that characterized his father's tenure.[267] However, soon those assumptions proved dead wrong, particularly in the aftermath of the September 11, attacks. In the nineteen months from 9/11 to the U.S. invasion of Iraq, there was a radical break in U.S. foreign policy. U.S. foreign policy became transformed into a strategy focused on preventing terror strikes.

The September 11 attacks, sparked a realization, that U.S. foreign policy should be clarified and sharpen. Rice declared, that "events are in much sharper relief."[268] Like Bush, she said that opposing terrorism and preventing the accumulation of weapons of mass destruction "in the hands of irresponsible state"[269] now define the national interest. The latter goal was expressed later in Bush's speech to Congress on September 20th, 2001: America's grand purpose was ending terrorism.[270]

Twenty months into his presidency, George W. Bush releases his administration's National Security Strategy (NSS). The thirty-three page document presents a bold reformulation of U.S. foreign policy. Without question, the Bush Doctrine has its roots in the ideas of world views of the neo-conservatives who were placed in high ranks in Bush administration.

The Vice President, Dick Cheney; the Secretary of Defense, Donald Rumsfeld; the Deputy Secretary of Defense, Paul Wolfowitz; under Secretary of Defense, Douglas Feith; Deputy of the Minister of Justice, John

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[264] Ibid p: 5
[265] Ibid p: 4
[266] "The Shadow Men" *The Economist* April 24, 2003 p: 3 Available on: www1.colombia.edu
[267] Barry, Tom "The Men who Stole the Show" *Foreign Policy in Focus* October 2002 p: 2 Available on: www.foreignpolicyinfocus.org

[270] "Address to a Joint Session of Congress & the American People" White House September 20, 2001 Available on: www.whitehouse.gov

Ashcroft; Chairman of Defense Policy Board, Richard Perle. All shared origins in the right-wing and neoconservative organizations. They are the men that steer the ship of state on its radical new course.[271]

So how did the neo-conservatives occupy the positions of influence they now held?

The split in American liberalism has lead to the emergence of a new group of liberals. They were first called, 'new conservatives". By about 1975, the label had enlarged to 'neoconservative', a term conceived by Michael Harrington, to describe right-wing socialist, but now meaning one who had been a liberal but had since moved to the right.[272] The leading neo-conservatives - Irving Kristol, Norman Podhoretz, Daniel Patrick Moynihan and Nathan Glazer, were veterans of the vital center and initially remained committed to its combination of reform at home and anti-communism abroad.

The end of the cold war brought changes within the neo-conservatives movement. Younger neo-conservatives such as, Elliot Abraham, William Kristol, the son of Irving Kristol, Charles Krauthammer, Paul Wolfowitz (professor), Douglas feith (lawyer) began to assume the leadership positions long held by Irving Kristol, Norman Podhoretz and Jeanne Kirkpatrick. They formed a clique intellectually and socially, but not politically. They join the same think-tanks, such as the American Enterprise Institute (AEI), where Richard Perle, their most influential spokesman is a fellow. They wrote for and read the same magazine, the Weekly Standard, edited by William Kristol. [273]

These neo-conservatives foreign policy writers were forced to face a question they had not seen in four years: What should be the focus of America's efforts abroad?

The debate revolved around the issue of whether the U.S. should pursue a Wilsonian foreign policy, dedicated to spreading democracy throughout the world, or policy should be based on the narrower foundation of national self-interest.[274]

Kirkpatrick, Kristol ... were advocate of the Wilsonian foreign policy, whereas Krauthammer supported the identification of U.S. interest, unilateralism in American foreign policy and the U.S. preparedness to

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[271] Barry, Tom "The Men Who Stole the Show" *Foreign Policy in Focus* October 2002 p: 2
[272] Ehrman. John The Rise of Neo-conservatism Yale University 1995 p: 45.
[273]Ibid
[274] Ibid p: 180

change many of the rules of national sovereignty to accommodate the rise of 'aggressive nationalism'.[275]

Under George H. Bush administration all the neoconservatives supported Bush's war on Iraq, but were unhappy with Bush's strategy. Bush's strategy was based on containment towards Iraq: tough UN inspection, economic sanctions and no fly zones to protect the Kurds in the north and south of the country.[276] While the neo-conservatives, the Defense Secretary, Dick Cheney, Paul Wolfowitz, who was at the center of Pentagon Strategic Planning, Richard Perle and William Kristol opposed the embrace of Saddam Hussein in favor of a combat operations to overthrow him. However, they lost the battle to officials from the State Department and Joint Chief of Staff; Colin Powell, who advocated economic sanctions.[277] Nevertheless, Paul Wolfowitz did not lose hope; he took the lead in drafting an internal set of military guidelines called a 'Defense Planning Guidance' in 1991 which is routinely prepared every few years by the Defense Department.Wolfowitz draft argued for a new military and political strategy in a post-Cold War world. Containment, it said is a relic of the Cold War. It advocated that America should maintain military strength beyond challenge and use it to preempt provocations from rogue states with weapons of mass destruction. And it stated, if necessary, the U.S. should be prepared to act alone. Controversy erupted after the draft leaked to the press. The White House ordered the Defense Secretary, Cheney to rewrite it. In the new draft, there was no mention of preemption or U.S. willingness to act alone.[278]
However, as it was known, the first Bush administration rejected the Wolfowitz draft. According to the Professor of Political Science, Yale University, John Lewis Gaddis, the reason behind Bush rejection is that after the Gulf War, "the administration recognized the remarkable coalition effort carried out with UN support in the Gulf War, and close cooperation among all the great powers. So, it was simply considered a little too sensitive for the U.S. to be saying in that context that it wanted to be the unchallenged greatest power. In that context too, it was still a very new idea and considered pretty shocking."[279]
Similarly, in an interview with William Kristol, he argued that Bush rejected the draft because it was ahead of time. "Wolfowitz saw early that the

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[275] Ibid p: 182-183
[276] "Chronology: The Evolution of the Bush Doctrine" *Frontline* 2003 Available on: www.pbs.org
[277] Tanter, Raymond *Rogue, Regimes, Terrorism & Proliferation* Library of Congress 1999 p:111
[278] "Chronology: The Evolution of the Bush Doctrine" *Frontline* 2003 Available on: www.pbs.org
[279] "Analysis 1992: First Draft of a Grand Strategy" *Frontline* p: 2 Available on: www.pbs.org

fundamental choice was American leadership or increasing chaos and danger. And the first Bush administration did not want to think about that. In 1992, there was a certain view of the world that we had won the Cold War and the Gulf war, but now it was time to come back to normalcy and to retrench quite a bit."[280]

To the unhappy neo-conservatives, Bill Clinton appeared to be the type of democrat that they has long hope would rise. In office however, Clinton disappointed his neo-conservative supporters.

First, the neo-conservative did not receive any significant appointments in the new administration. Second, Clinton's indecision to use force in Bosnia and Somalia led the neo-conservatives to worry that foreign governments might perceive the U.S. as turning isolationist and weakening militarily.[281]

It became apparent that with the end of the cold war, the neo-conservatives made their points in harsher tones and were driven further in the direction of regional thinking. A group of neo-conservatives established in the spring 1997, the Project for the New American Century (PNAC), which is a non-profit, educational organization whose goal is to promote American global leadership.[282] William Kristol, the chairman Project and Robert Kagan and John Bolton serves as directors. Other PNAC principles were Paul Wolfowitz whose 1992 ideas were incorporated in this project, Donald Rumsfeld, (1997-1999) – chairman of the U.S. government Commission to assess the Ballistic Missile threat to the U.S.), Richard Perle, Elliott Abrahams, Dick Cheney (1993 – Secretary of Defense).[283]

Hence, in 1998, the PNAC published an open letter to Clinton, asking him to engage in a unilateral military action against Baghdad, without passing through the Security Council of the UN, on the basis that "the American policy cannot continue to be crippled by the misguided insistence of Security Council unanimity."[284] A summary of what the letter contained is the following: the only acceptable strategy to eliminate the possibility that Iraq will be able to use or threaten to use weapons of mass destruction is through military action because diplomacy is clearly failing. The ultimate aim of

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[280] Ibid p: 1
[281] Ehrman. John *The Rise of Neo-Conservatism* Yale University 1995 pp: 193, 205-206
[282] "Rebuilding America's Defenses: Strategy, Forces, & Resources for a New Century" The Project for the New American Century September 2000 p: 1
[283] Barry. Tom "The US Foreign Policy-Attention, Right Force, Forward, March" *Foreign Policy-Infocus* April 2002 p: 2-5 Available on: eee.fpif.org
[284] "Project for the New American Century" January 26, 1998 p: 2 Available on: www.newamericancentury.org

American foreign policy should be the overthrow of Saddam Hussein and his regime from power.[285]

Several months later, another think tank, a committee for the Peace and Security in the Gulf (CPSG), have asked Clinton this time to recognize the Iraqi provisional Government in exile. This recognition could have constituted, according to the CPSG, the first step of "political and militant strategy, aiming at provoking the downfall of Saddam and his regime."[286] The Iraqi provisional government has to attack from the "liberated zones", while the American air force would destroy the military infrastructure.[287]

It is interesting to note that those PNAC principles envisioned regime change in Iraq as part of a fundamental transformation of the entire Middle East. In 1996, Perle and seven other neo-conservatives drafted a white paper, 'Clean Break' for Benjamin Netanyahu who was the incoming prime minister of Israel and leader of its Likud Party. The 'Clean Break' made a connection between Arafat and terrorism. It urged Israel to take a more aggressive posture – shifting to a "principle of preemption, rather than retaliation alone."[288]

Moreover the report called on Israel to work with moderate Arab regimes to 'contain', destabilize and roll back some of its most dangerous threats. Its goals, included removing Saddam Hussein from power, and "if possible rolling back Syria – in part by drawing attention to Syria's weapons of mass destruction program" and its support for terrorists."[289]

Again the time was inappropriate for Clinton to accept these ideas. So the letter was dismissed and put at the back of the drawer. Finally in 1999 and 2000, those same neo-conservatives of the 90's, found finally a presidential candidate, who would make their voice heard. It was George W. Bush.

What many ignore, is that behind Bush presidential election, were neo-conservative writers, Judges, economists, senior officials and neo-conservatives institutions, which worked hard for him during the presidential campaign. Through their organizations and institutions, they mobilized enormous resources in favor of George W. Bush's election.[290]

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[285] "Chronology: The Evolution of the Bush Doctrine" *Frontline* 2003 Available on: www.pbs.org

[286] Laurent. Eric The Secret World of Bush *Plan* 2003 p: 130

[287] Ibid

[288] Kosterlitz. Julie. "The neo-Conservative Movement" *The National Journal* May 17. 2003 p: 5 Available on: www1.colombia.edu

[289] Ibid.

[290] Laurent. Eric The Secret World of Bush *Plan* 2003 p: 77

The Texas Governor possessed in the rich neo-conservatives' eyes two essential qualities: Considerable financial means and close relations with all the Christian fundamentalists groups.[291]

Besides the support of the religious neo-conservatives, George W. Bush had also a big support from intellectuals, economists, writers and senior officials from previous administrations such as, Paul Wolfowitz, Richard Perle, Robert Kagan, Douglas Feith, and Dick Cheney. Those same players of 1992 and 1998 had a certain confidence that their voices will be heard this time by the new president. On September 2000, the same group form the Project of New American Century, presented a document to George W. Bush. The document, entitled 'Rebuilding America's Defenses: Strategies, Forces and Resources for a New Century'. The document "proceeds from the belief that America should seek to preserve and extend its position of global leadership by maintaining the preeminence of U.S. military forces."[292]

Though, Bush did not adopt the goals and objectives of the PNAC document in his foreign policy, during the first presidency, however he did make sure that some of the PNAC principles of 1997 and 2000 have significant roles in his administration. The Bush's National Security Advisor, Condoleezza Rice, the Minister of Commerce, Bob Evans; the official advisor, David Horowitz, undersecretary for Arms control and International Strategy, John Bolton... were not part of the PNAC report, yet they share with the PNAC principles a common background and a common view. They are either from the extreme Christian Right, or extreme Jewish Right, members of neo-conservative movements and foundations or both. Condoleezza Rice, Richard Perle and Lynn Cheney, the wife of the American Vice President were responsible in extreme conservative institutions. Such as:The Hoover Institute', in Stanford University, whom Condoleezza Rice was the responsible, American Enterprise Institute, whom Richard Perle and Lynn Cheney are too responsible.[293]

Besides their adherence to the neoconservatives' organizations, most of them are popularly called 'Chicken Hawks'. According to the New Hampshire Gazette, which maintains a database on the subject, this "is a term often applied to public persons – generally male ... who (1) tend to advocate ... military solutions to political problems and who have personally (2) declined

[291] Ibid p: 83
[292] "Rebuilding America's Defenses" A Report of the Project for the New American Century September 2000 p: 4
[293] Laurent. Eric The Secret World of Bush Plan 2003 p: 31-32

to take advantage of a significant opportunity to serve in uniform during wartime."[294]

That description applies to most senior administration officials in their fifties who were subject to the military draft during the Vietnam War. George W. Bush himself, instead of being drafted for the war, received a posting to the Texas National Guard. "It was the kind of dodge from military service that, according to former Joint Chief of Staff Chairman Colin Powell, was generally reserved for "the sons of the most powerful."[295]

Cheney, however, avoided the uniform altogether, insisting to one inquiring reporter that he 'had other priorities in the 1960's than military service." Rumsfeld, flew Navy jets between the Korean and Vietnam wars, but saw no combat.

The record at the sub-cabinet level is similar. Cheney's Chief of Staff, Lewis Libby spent the Vietnam War at Yale and Columbia Universities. Rumsfeld deputies – Paul Wolfowitz and Peter Rodman ... were similarly engaged while Douglas Feith, turned eighteen only after the draft ended but then opted for law school. Elliot Abrams and John Bolton also avoided military service during the height of Vietnam War, reportedly due to medical problems. Indeed, Richard Perle spent Vietnam at the University of Chicago and later joined the Staff of Senator Henry Jackson.[296]

It should be of no surprise that Bush's advisers have similar background as the president. It is argued that leaders like Bush, who has a certain ideology and hold a strong view of the world "tend to choose advisors who define problems as they do and who are generally enthusiastic about the leader's ideas."[297] Beside that a certain unbreakable bond united the members of the neo-conservative. Such bond created cohesion within the administration, never seen before, in previous administrations. Such a "cohesion is likely to prompt group consensus,"[298] and thus contribute to the influence of the President.

The President's endorsement of the neo-conservatives' ideas started not only after 9/11, as it was argued, but long before. America's disengagement from earlier international treaties assigned the ascendancy of the neo-

[294] Chickenhawk. Database The New Hampshire Gazette www.nhgazette.com pp: 4-5
[295] Ibid p: 5
[296] Lobe. Jim "Chicken hawks or Cheerleaders" Foreign Policy In Focus September 6. 2002 p: 2 Available on: www.presentdanger.org
[297] Margaret. Hermann & Charles Hermann "Who Makes Foreign Policy Decision & How: An Empirical Inquiry", International Studies Quaterly, Vol.33, No.4, Dec. 1989, p: 367
[298] Ibid

Anti Ballistic Missile (ABM) Treaty with the Soviet Union that has frustrated the development of useful ballistic missiles defenses"[302] and "it virtually ceased development of safer and more effective nuclear weapons; brought underground testing to a complete halt, cut back on regular, non-nuclear flight system tests of the weapons themselves, and put its fault in signing the CTBT which constrain America's empire role in providing the global nuclear umbrella and U.S. nuclear superiority."[303] Yet, September 11, only added a new layer of assertiveness to Bush's foreign policy – Bush began borrowing wholesale from the neo-conservatives advisors arguments about how the U.S. should reposition itself in the world and use its unprecedented power.

"Rather than treat terrorism as a matter of policing renegade organizations and lobbying the occasional retaliatory missile ...as past administrations had done"[304] Bush adopted his advisors' neo-conservative view that countering terrorism meant waging war against governments that allowed it to flourish.

In the early stage of the Afghanistan war, Rumsfeld's influence on President Bush appears minimal, due to both military basing difficulties in Asia and an early presidential decision not to commit large numbers of soldier to the fight.[305]

It was George Tenet, the Director of the CIA, whose firm recommendations were listened to by the President in the National Security Council meeting. He proposed the number one goal was to destroy Al-Qaeda and topple over Taliban regime. This could be done, he argued, "through the auspices of the CIA working with the northern Afghan rebels who would sweep across the country under the wings of U.S. bombers, with no "boots on the ground."[306] Bush was convinced. In late September, he was prepared to move ahead with Tenet's plan[307], when Rumsfeld, known for his bold, impatient and aggressive character, started to push his views on the President and played a key part in the internal debates over military transformations.

He saw in the war on Afghanistan, an opportunity to achieve his objectives which is to reshape the U.S. military along the lines, he has talked about

[302] Rebuilding America's Defenses: Strategy, Forces. & Resources for a New Century p: 52.
[303] Ibid p: 7-8
[304] Sick. Gary G. "The Neoconservative Movement" *National Journal* May 17, 2003 p: 5 Available on: www1.columbia.edu
[305] Snyder. Charles "US Military Presence in Asia to Grow" *Taipei Times* October 3, 2001 p: 4 Available on: taipeitimes.com
[306] Smucker. Philip "A History of the Afghan War, Ten Minutes Later" *The Christian Science Monitor* December 12. 2002 p: 2 Available on: www.csmonitor.com
[307] Ibid p: 3

conservatives in the first Bush's presidency, before September 11, 2001. Behind Bush's refusal to ratify the Kyoto treaty, ABM and CTBT treaty, stood his hard liners advisors firmly against such treaties. Among them was the most influential, regarding his position in the administration, the Vice President Dick Cheney. By looking at his past decisions in the 1980's, one would imagine his directions in foreign policy decisions.

Cheney voted in the past, against several laws for the protection of water, air ...the most prominent was the vote against the Clean Water Act which required industries to release publicly their records on toxic emissions.

As it was referred earlier, his choices were not dictated by his political convictions but by his interest for oil.[299] Hence, once he occupied his post, the first thing he did was to despise the Kyoto agreement on the reduction of gas. The truth behind his refusal was that the Kyoto principles are in contradiction with the interests of several oil companies; he presided and still has connection with, such as Halliburton Company in Dallas, Texas, which is listed at the top of the energy companies in the world.[300] This reveals also how often participants in the administration make their personal interest synonymous with the National Security interest.

Other participants such as Donald Rumsfeld put his organizational affiliation, synonymous with the U.S. National Security interest. He established himself in the first months back in the Pentagon as a 'functionalist' who has a major theme to alter the fundamental direction of American military policy and raise the prestige of his organization. "Rumsfeld wanted to cut the B-1 bomber force by one-third and close military bases as a cost-saving device in order to invest funds in the next generation weapons."[301] One of those weapons is the national ballistic missile defense system. From this perspective, Rumsfeld pushed Bush to withdraw from the ABM treaty and the Comprehensive Test BAN Treaty. And behind Rumsfeld, are his neo-conservative deputies and advisors, Rumsfeld Secretary of Defense Paul Wolfowitz, Under Secretary of Defense Douglas Feith, Chairman of Rumsfeld Defense Policy Board, Richard Perle and Defense Analyst Elliot Cohen, who were a long time staunch advocate of U.S. rejection of those treaties. Their opposition was of no surprise, since the 1990's they revealed their goals through their writings. In the PNAC report in the year 2000, they openly criticized Clinton's devotion to the 1972

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[299] Laurent, Eric The Secret World of Bush Plan 2003 p: 170

[300] Rothstein, John, "Dick Cheney's oil connections", US Politics Today, January 14, 2001 pp;1-4 available on: www.uspoliticstoday.com

[301] Hastedt, Glenn, American Foreign Policy: Past, Present, Future 5th Edition 2003 p: 229

since taking office; transforming it into a more agile and precise force built not around firepower but around high-technology. To achieve his objectives, he first pressured the President, to demand an increase in the defense budget by almost fifty billion dollars for its defense budget.[308] "Congress passed a $343.3 billions defense bill that gave the President much of what he asked for, including $8.3 billions for missile defense."[309]

Furthermore, Rumsfeld started to overhaul the Pentagon personnel rules and gave the Defense Secretary wide latitude in personnel decisions. This was reflected in the following:

Normally, the field commander, in this case, Central Command's General Tommy Franks – presents a military pan to the Joint Chiefs, who work it over and present it to the Secretary of Defense, for his yes or no authorization. However Rumsfeld enlarged the rules and invited himself in the planning. Moreover, rather than planning the war of Afghanistan in the Tanks (The Sanctorum of the Pentagon where the Joint Chiefs meet to discuss strategy and decide which weapons to buy). It was planned in Rumsfeld's office under his order.[310] Then he influenced the President to apply, one of his favorite expressions, 'Leaning Forward' during the times of war. It meant willingness to be aggressive, to take risks.

From this context, Bush added on Tenet's war plan, a new element recommended by Rumsfeld, to get "boots on the ground as fast as possible."[311] Rumsfeld argued that aircraft "cannot really do sufficient damage, they can not crawl around on the ground and find people."[312] Only twelve days passed before the first Special Forces slipped into Afghanistan, that Bush ordered 1000 soldiers to be sent to Afghanistan.[313]

If Rumsfeld recommendations were taken into consideration, then his revolution in military affairs strategy was enforced and applied in Afghanistan. It was reflected in the speeches of Air Force General Richard Myers, Chairman of the Joint Chief of Staff. He said, "We are prepared to use the full spectrum of our military capabilities. That's not just bombers and carrier-based aircraft there are other assets as well."[314] The other assets

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[308] Zakaria, Fareed "The Arrogant Empire" *Newsweek* March 24, 2003 p: 4 Available on: www1.colombia.edu

[309] Hastedt, Glenn American Foreign Policy: Past, Present, Future Prentice Hall 5th Edition 2003 p: 229

[310] Thomas, Evan "Rumsfeld's War" *Newsweek* September 16, 2001 p: 7 Available on: www.geocities.com

[311] Rick, Thomas, Loeb Vernon "US Special Forces Begin War on Terrorism in Afghanistan" *The Washington Post* vol. 121 no. 52 October 20, 2001 p: 2 Available on: www.tech.mit.edu

[312] Ibid

[313] Thomas, Evan "Rumsfeld's War" *Newsweek* September 16, 2001 p: 7 Available on: www.geocities.com

[314] Ricks, Thomas, Loeb Vernon "US Special Forces Begin War on Terrorism in Afghanistan" *The Washington Post* vol. 121 no. 52 October 20, 2001 p: 2 Available on: www.tech.mit.edu

s was referring to, were the high-tech bombs used in Afghanistan, such
e laser-guided bomb, the EC-130 'commondo solo', psychological
tions aircraft filled the airwaves of Afghanistan with instructions to
ans to follow when U.S. troops arrive.[315]

he whole, Operation Enduring Freedom has been masterful in both
n and execution. "It may wind up being more notable in the annals of
rican military history than anything since Douglas MacArthur's
sion at Inchon in North Korea half a century ago. Even Norman
varzkopf's famous 'left hook' around Iraqi forces in Operation Desert
less bold."[316]

as an important success, especially to Rumsfeld who believed that he
phed in his bid to revolutionize the U.S. military capabilities through
thinking' on the battlefield such as coupling the latest high-tech
onry with psychological warfare and traditional means of fighting.[317]

above all, he saw this success as a diving board in getting ahead and
ming more powerful and influential in the administration. He emerged
e hero of the war and among the heavy weights of the Bush's Cabinet.
sfeld's influence began to increase on the President, after the war in
anistan. He was behind the President's adoption of the' two major
.' Before, the war on Afghanistan was completed, Bush started to
aten Iraq with the use of force. Rumsfeld justified his 'two wars' strategy
"the department should anticipate multiple military operations in
tiple theaters."[318] Similarly, Rumsfeld pressured Bush to create a
artment of Homeland Security.

new Department's first priority is to protect the nation against futile
rist attacks. "Component agencies will analyze threats and intelligence,
rd borders, airports, protects our critical infrastructure and coordinates
response of our nation for future emergencies."[319] Rumsfeld's
ification was "to win the war on terrorism, will require a genuine
sformation of the U.S. government."[320] It was not until the US victory in
that Rumsfeld had a free reign in maneuvering for that aim. But before
, Rumsfeld was preoccupied with an internal debate between his group

id p: 3
hanlan, Michael A Flawed Masterpiece. The War on Terror *Foreign Affairs* New York 2002 pp 59-60
onovan, Jeffrey, "A Showcase for Rumsfeld's Vision of Warfare" *Asia Times* March 27, 2002 p: 2
lable on: www.atimes.com
Bush at War" p: 189
Building A Secure Homeland" US Department of Homeland Security Organizations p: 1 Available on:
.rwb.gov.edgesuite.net
avid, Alan "Rumsfeld's Rules" *American Outlook Today* October 24, 2003 p: 6 Available on:
.aot.com/articles

led by Vice President ,Dick Cheney and Condoleezza Rice on one hand, while on the other, a group led by Secretary of State, Colin Powell over whether to go to war in Iraq.

Powell and Rumsfeld represent two prevalent Washington types, and two deeply held world views rooted in their respective experiences and background. Powell, patient and prudent, represents continuity of policy with both Bush's father and Clinton. He is an advocate of multilateralism and the Powel Doctrine,[321] while Rumsfeld and the others, has radical ideas on U.S. foreign policy and the global order. At their core, those ideas call for a world order based on U.S. supremacy and enforced by military power. "A unipolar world in which the U.S. imposes the rules and act unilaterally when it feels it is necessary."[322]

Since the two factions have an opposing views, interests, priorities ... it is expected that both groups would haul and pull in order to have a bargaining advantage in decision making. Noting that political battle go on daily on every level of the bureaucracy.

The internal battle between the hard-liners led by Rumsfeld, Cheney, Condoleezza Rice and the moderator led by Colin Powell started long ago before the U.S. war on Iraq. It started with the debate on the U.S. withdrawal from ABM treaty. Powell opposed the withdrawal of U.S. from the ABM treaty on the basis that it will hurt U.S. relation with Russia, while the hardliners successfully persuaded Bush to formally withdraw from the 1972 ABM treaty.[323] Similarly, Powell was with the ratification of ICC, but the hardliners again, pushed the President to oppose ratification.[324]

The political battle continued with the war on Iraq. Powell was determined to internationalize the crisis, he persuaded Bush to go to the UN to urge for a new Security Council resolution to disarm Saddam Hussein. When Bush saw that the Security Council was an endless argument about weapons inspections, Bush started to think about another option. Powell, who was a strong proponent of giving sanctions on Iraq, proposed the use of 'smart sanctions'. He took his go-slow argument to President Bush in his oval office. However Bush was always convinced by his hardliners to pursue a preemptive attack. Powell argued that such a difficult policy strategy needs

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[321] 'Reluctant Warriors" *Guardian Unlimited* September 30, 2001 p: 2 Available on: www.observer.guardian.co.uk

[322] Barry, Tom "US Foreign Policy-Attention, Right Face, Forward March" *Foreign Policy In Focus* April 2002 p: 2 Available on: www.fpif.org

[323] Lobe, Jim "The Bush Administration: Power to the Hawks" *Asia Times* February 5, 2002 p: 3 Available on: www.atimes.com

[324] Funtes, Carlos "The US vs. The Empire of Law" *The New Perspectives Quarterly* Vol. 9 No. 4 Fall 2002 p: 3 Available on: www.digitalnpq.org

out sending U.S. forces to help enforce a ceasefire. He went to accuse Iran, Iraq and Syria of "inspiring and financing a culture of political murder and suicide bombing"[332] in Israel, while Powell was trying to sustain a dialogue with Damascus.

Especially after the September 11 attacks, the Administration led by Cheney, Rumsfeld, Karl Rove, Bush's advisor, aligned with the hard-line Likud Party in Israel. "They called for the outset of Palestine Authority President Yassir Arafat literally days after Powell told reporters that Washington had to work with Arafat as "the only elected leader of the Palestinian people, though he may not be the most trustworthy negotiating partner."[333]

President Bush seemed to be aligned with the pro-Israeli hardliners among his top advisors by calling for a new and different Palestinian leadership and endorsing a new approach to peace.[334] More recently, as American troops mass outside Baghdad, a battle of ideas took place again between the two factions over who will run Iraq and how.

Powell toll CNN's 'Late Edition with Wolf Blitzer' "We always knew the UN would play a vital role in post-Iraq reconstruction."[335] Powell, who sees the world through the lens of interlocking interests that need to be protected by alliances, wanted the participation of the UN and U.S's allies with the aim to repair damaged alliances. But the hardliners are adamantly opposed saying the UN will only make things more expensive and complicated. They also ruled out the involvement of U.S. allies such as France and Germany saying, "If you aren't with us on the takeoff, you don't deserve to be there for the landing."[336]

The next day, Bush exposed his plan: he does not want the UN to play a role in shaping the new government, especially at what the President and his advisors call the 'power ministries' – defense and internal security – or in the critical decisions about when Iraq is ready to be turned back to Iraqis.[337] However, Bush wants the U.N. role to be limited with humanitarian efforts such as: food, water, textbooks[338]...

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[332] Lobe, Jim "The Emperor Within the Empire" *Asia Times* October 8, 2002 p: 2 Available on: www.atimes.com

[333] Lobe, Jim "The Bush Administration: Power to the Hawks" *Asia Times* February 5, 2002 pp: 2-3 Available on: www.atimes/com

[334] President Speech on US Policy in Middle East. Rose Garden. White House.June 24, 2002. Av: www.whitehouse.gov

[335] "Powell: US Had Planned to Include UN on Iraq Strategy" *CNN.com* September 14, 2002 p: 1 Available on: cnn.worldviews.com

[336] Duffy, Michael "Clash of the Administration Titans" *CNN.com* April 7, 2003 p: 3 Available on: cnn.allpolitics.com

[337] Sanger, David, "Who Will Run Iraq and How?" *New York Times* April 8, 2003 p: 1 Available on: www.nytimes.com

[338] "Companies Battle to Rebuild Iraq" *CNN.com* January 14, 2004 p: 1 Available on: editor.cnn.com

he other hand, a heated fight between Rumsfeld and Powell took place
ho will be appointed to the Iraqi Interim government.

April 2003, Powell sent Rumsfeld a list of prominent Americans who
d help the hand-off from the military to the Interim authority, but most
rejected as unsuitable for the job by the Defense Department. Instead
sfeld nominated a notable hardliners group, including a former CIA
tor, James Woosley to be Minister of Information.[339]

ell's advisors view that nomination as dangerously unwise. "How better
eepen Arab resentment about the war," they ask, "than to put a well-
vn spy in charge of public information?"[340] There appears to be a deep
between Powell's moderate views and the more hard-edge policies led
Rumsfeld, Cheney and Rice. Critics have wondered how Bush, after
ng office, named a foreign policy team reflecting contrary and opposite
ical views, and which led often to clashes on major policies. Bush
onse was that he would run the government like a corporate CEO, eager
ave his talented, experienced team argue their views to him strenuously,
then he would decide.[341]

is obvious, that Bush's decisions are in conformity with the
ommendations and decisions of his hard line advisors, while making
vell, the moderate, look irrelevant on U.S. foreign policy subjects.

isolating Powell and rendering him the 'soldier' who obeys the President,
nsfeld has emerged as the most powerful cabinet member in recent times
particular from the Iraq war.

e U.S. military strategy on Iraq, once more, bearded all hallmarks of U.S.
retary of State. It proved the validity of the statement of U.S. Tommy
nks during a briefing at his base in Qatar (March 22, 2003) that the U.S.
s waging a brand new kind of war. "This will be a campaign unlike any
er in history, a campaign characterized by shock, surprise, by flexibility,
the employment of precise munitions on a scale never before seen and by
application of overwhelming force."[342]

Duffy, Michael "Clash of the Administration Titans" *CNN.com* April 7, 2003 pp: 2-3 Available on:
allpolitics.com
Ibid
"State Department Slapped Down" *China Daily* June 27, 2002 p: 3 Available on:
w.chinadaily.com.cn
Donovan, Jeffery "A Showcase for Rumsfeld's Vision of Warfare" *Asia Times* March 27, 2002 p: 1
ailable on: www.atimes.com

similar fashion, Rumsfeld moved the 'smart bombs' to center stage in
S. arsenal and "laid out the direction of American nuclear forces over the
xt five or ten years."[343]
one looks back to the military equipments of the 1990's, one
knowledges a tremendous advance in accuracy – particularly over the past
1 years. During the 1990's, "smart bombs were only about a tenth of the
unitions used – but they accounted for nearly 75% of the targets that were
ccessfully hit"[344] says Air force historian, Richard Hallion . Eight years
er, in the Kosovo campaign of 1999, "98% of munitions dropped by
merican planes during air attacks on Serbian forces were precision
unitions. U.S. air units can now achieve the same results in three days as
uring the entire forty-four day Desert Storm air campaign"[345] says retired
ear Admin. Stephen Baker, the one who commanded air operations for the
rcraft carrier USS Theodore Roosevelt during Desert Storm. In the current
onflict "70% of the bombs are likely to be precision-guided munitions. That
gure rises to 90% in targeting Baghdad."[346]

umsfeld also soared large outside the Pentagon injecting himself far more
nto other major national security bureaucracies than his predecessors. He
lanned to give the Pentagon wide latitude of control over intelligence
natters. Under Rumsfeld's authority, Richard Perle chairman of the Defense
olicy Board (DPB) sent the former CIA chief James Woosley to Europe to
nvestigate links between Saddam Hussein and Al-Qaeda. Rumsfeld has
nsisted that Washington has "bullet-proof evidence"[347] of links between
Baghdad and Al-Qaeda extending back several years. "Solid evidence of the
presence in Iraq of Al-Qaeda members, including some that have been in
Baghdad"[348] and testimony – admittedly from only one source – that Iraq
provided – "possible chemical and biological-agent training"[349] to Al-Qaeda.
This has led to a clash between the Pentagon and the CIA. Bush's foreign
intelligence Advisory Board, chaired by Brent Scowcroft, has called for the

[343] Nuclear Posture Review Report January 8, 2002 p: 1 Available on: www.globalsecurity.org
[344] Rick, Thomas, Loeb Vernon "US Special Forces Begin War on Terrorism in Afghanistan" The
Washington Post vol. 121 no. 52 October 20, 2001 p: 2 Available on: www.tech.mit.edu
[345] Ibid
[346] Stern, Seth "Smart Bombs Move to Center Stage in US Arsenal" The Christian Science Monitor March
20, 2003 pp: 1-2 Available on: www.csmonitor.com
[347] Lobe, Jim "The Emperor Within the Empire" Asia Times October 8, 2002 p: 3 Available on:
www.atimes.com
[348] Ibid
[349] Ibid

Pentagon to surrender the control of intelligence issues to the CIA director – who can better set priorities for intelligence collections.[350]

Moreover, rather than working with the State Department's Bureau of Intelligence and Research, they preferred to work through Undersecretary of State for Arms Control and International Security, John Bolton, Michael Wurmer (another Perle protégé at AEI) and Deputy Assistant Secretary of State, Elizabeth Cheney, the daughter of U.S. Vice President Dick Cheney. Hence they rarely communicate with the CIA and "some key personnel have made several visits to the CIA headquarters to pressure on them to tailor their analyses more to the linking of administration hawks."[351]

The aim behind Rumsfeld's maneuvering bureaucratic operation was to enhance and cement the Pentagon's influence and control the intelligence with the aim to alter the decision marking to his own benefit and interest. By increasing the power of the Pentagon, Rumsfeld would appear in the President's and public eyes the most powerful and influential.

Rumsfeld belongs to the 'climbers' group. Anthony Downs' definition of this group is the following, "The climbers are interested mainly in getting ahead and becoming more powerful or increase their prestige."[352]

Rumsfeld indeed enjoys this characteristic. Few Defense Secretaries ever had so much influence as Rumsfeld does. "The most ruthless"[353] man, whom Kissinger once called him, appears to enjoy the unconditional backing of two prominent figures: President Bush and the most powerful Vice President in U.S. history, Dick Cheney.

Besides the high-ranking position which Rumsfeld enjoys and enables him to have a significant influence on decision-making and on the President himself, the President relied heavily on the advice and counsel of Rumsfeld because Rumsfeld has a military experience. Bush acknowledged that in private: "I was not a military tactician. I recognize that. I was going to rely on the advice and counsel of Rumsfeld."[354]

In addition to that, Rumsfeld has an unconditional backing of his long time friend, Dick Cheney. Their mutual admiration dates almost forty years old, when they used to work for Presidents Richard Nixon and Gerald Ford. Cheney's support is an important factor to take into consideration because he

[350] Ibid

[351] Lobe Jim "Pentagon Office Base for Neoconservative Network Manipulating Iraq Intelligence" *Foreign Policy In Focus* September 15, 2003 pp: 1-4 Available on: www.fpif.org

[352] Halperin, Morton and Kanter Arnold "The Bureaucratic Perspective" p: 406

[353] Lobe, Jim "The Emperor Within the Empire" *Asia Times* p: 1 Available on: www.atimes.com

[354] Woodward, Bob Bush At War Simon & Schuster 2002 p: 37

has a strong relationship with the President which also dates forty years old and enjoys the President's trust and confidence.

What is surprising however is unlike any other U.S. Vice President in history; Dick Cheney has the single dominant foreign policy influence on the President. Under the U.S. constitution, the Vice President of the United States has no prescribed duties except the largely formal one of presiding over the Senate, where he exercises only the power of to cast a deciding vote in the event of a deadlock. Otherwise, the Vice President is held in reserve, to succeed to the presidency in the event of death or incapacity of the President. The other functions are as a spokesperson for the administration policy, as an advisor to the President and as a symbol of American concern or support.[355]

However under the Bush Presidency, the Vice President, has emerged as the most influential Vice President in recent history.

After taking office, Dick Cheney assembled a staff of fourteen foreign policy specialists, creating what officials say amounts a mini-National Security Council. While Vice President Al Gore had a staff roughly the same size, Gore more often focused on specific issues such as, global warming or commission's involving Russian or South African policy. However, "Cheney deliberately involved himself in any direct operational responsibility in the foreign policy realm, giving him the freedom to roam across the policy landscape and exert a powerful impact on Bush's decisions."[356]

This was illustrated in the following: In the days after September 11, Cheney and Wolfowitz were the first to mount an attempt to include Iraq in the war against terror. The Vice President expressed deep concern about Saddam and said, "He was not going to rule out going after Iraq at some point."[357]

Cheney's impact on the Iraq debate or his influence on the President cannot be ignored. Cheney involved himself in key aspect of the planning for Iraq, from the working of the administration's draft UN resolution on resumed weapons inspections, to what to do with Iraq if President Saddam Hussein is toppled. In Intra-agency councils, Cheney has been interested in Iraq's possible use of chemical and biological weapons.[358] He did not even hesitate to involve himself with the CIA. He made several trips to the CIA in

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[355] "Vice President of the United States" *Wikipedia* p: 2 Available on: en.wikipedia.org
[356] Kessler, Glenn "Cheney is Fulcrum of Foreign Policy" *Washington Post* October 13, 2002 pp: 4-5 Available on: www.washingtonpost.com
[357] Woodrow, Bob <u>Bush at War</u> Simon & Schuster 2002 p: 91
[358] Kessler, Glenn "Cheney is Fulcrum of Foreign Policy" *Washington Post* October 13, 2002 p: 7 Available on: www.washingtonpost.com

Virginia, to demonstrate 'forward-leaning' interpretation of the threat posed by Saddam. When he was not there, he made his influence felt, he would sent his Chief of Staff, Lewis Libby. Such involvement in the processing of intelligence data was unprecedented for a Vice President in recent times.[359]
It is interesting to note that the Office of Special Forces (OPS) which was set by Rumsfeld to second-guess the CIA information and deliver a justification for toppling Saddam Hussein by force was under the patronage of hard line conservatives in the top positions of the administration, the Pentagon and at the White House including the Vice President Dick Cheney.[360]
By early summer 2002, the administration decided to roll out its Iraq policy in the autumn. But as the administration debated the best way to challenge Iraq, Senate hearings and previous Republican administrations, threatened to weaken the case for action against Iraq.[361] Cheney decided to end this long debate by influencing Bush's decision, Cheney argued that "a return of inspectors would provide no assurance whatsoever of Saddam Hussein compliance with UN resolutions, on the contrary, there is a great danger that it would provide false comfort that Saddam was somehow back in his box."[362] Moreover, he warned that "to ask for a new resolution would put back US in the UN process, hopeless, endless and irresolute."[363] While mentioning that "U.S. must consult with allies that he did not invite other countries to join a coalition."[364] From this perspective, Bush adopted his recommendation and preferred to act rather than wait for a UN resolution or consult U.S. allies.
In other issues, Cheney's influence on the President was felt too. As violence erupted in the Middle East in spring 2002, Cheney according to sources, concluded after a trip to the region that peace could never be achieved as long as Palestinian leader Yasser Arafat was in power.[365] It was a position the President adopted publicly in a speech on June 24, 2002.
In similar fashion, Cheney who is inclined to see China as a strategic competitor was backing Rumsfeld to hold up resumption of military-to-military ties between U.S. and China that were cut off more than one year during the spring 2001 crisis. Cheney's influence is felt once again when

[359] Borgen, Julian "The Spies Who Pushed for War" *Guardian Unlimited* 17, July 2003 p: 3 Available on: www.guardian.co.uk
[360] Ibid p: 2
[361] Kessler, Glenn "Cheney is Fulcrum of Foreign Policy" *Washington Post* October 13, 2002 p: 8 Available on: www.washingtonpost.com
[362] Woodrow Bob Bush at War Simon & Schuster 2002 pp: 344-345
[363] Ibid
[364] Ibid
[365] Kessler, Glenn "Cheney is Fulcrum of Foreign Policy" *Washington Post* October 13, 2002 p: 6 Available on: www.washigtonpost.com

...hington was offering to Taiwan its most advanced anti-missile system, ...atriotic 3, a sale, if consummated is almost certain to result in a Chinese ...st, according to May 9, 2002 Edition of the Wall Street Journal. More ...ntly, the Vice President hired Aaron Friedberg, a prominent hawk on ...a policy as deputy national security advisor and director of policy ...ning on Cheney's foreign policy staff.

...dberg's appointment is significant because his views reflect those of ...ney's. Friedberg has depicted China as "strategic competitor" to the U.S. ... will almost inevitably challenge Washington's own political and ...tary preeminence in the region. He concluded that the "U.S. priority ...ld be to strengthen our alliances, improve our military capabilities and ...ntain a balance of power in Asia that is favorable to our interests."[366] ... latest addition is David Wurmer, a neo-conservative strategist who has ... called for the U.S. and Israel to work together to 'roll back' the Ba'ath ...government in Syria. Cheney's appointed him as his new foreign advisor ...he Middle East.[367]

...e appointments are significant, not only because Cheney is seen ...reasingly as the dominant foreign policy influence on Bush, but also ...cause it adds a new victory for the neo-conservative hawks in the Bush ...ministration, and they tend to remain a formidable force.

...nce, behind the major foreign policy strategies are the Vice President and ...s small but powerful group who are the fulcrum of Bush's foreign policy. ...e intriguing question is what is Cheney's bargaining advantage on the ...esident?

... major set of bargaining advantages comes from personal attributes of ...rticular 'participants'.[368] Cheney has all the qualities a President admires. ...e is tough, discreet, trustful, and secure in his judgment,[369] and above all, ...vns a deep experience in government and international affairs, which Bush ...cked. Ivo Daadler, a senior fellow of the Brookings Institutions and a ...ading Washington think tank, believed that because of these qualities that ...heney was appointed as a Vice President.[370]

Lobe, Jim "China Hawk Settles in Neo-conservatism Nest" *Foreign Policy in Focus* May 12, 2003 pp:
2 Available on: www.fpif.org
Lobe, Jim "New Cheney Foreign Policy Advisor Sites on Syria" *Foreign Policy In Focus* October 22,
003 p: 1 Available on: www.fpif.org
Halpern, Morton & Kanter Arnold Bureaucratic Perspectives p: 417
Klein, Joe "Dick Cheney, Hard-Liner in Chief" *Time* October 11, 2003 p: 2 Available on:
ww.time.com
Donavan, Jeffrey "US: As Vice President Cheney's Star Rises, Where is Colin Powell?" *Radio Free*
urope March 27, 2002 p: 2 Available on: www.rferl.org

But Cheney's key bargaining advantage was that he has the confidence of the President. He has been Bush's chosen foreign policy confident, the most trusted person in the administration. He appeared to assume the role that powerful National Security Advisors like Henry Kissinger and Zbigniew Brezenski played in the past.

That confidence in Cheney has its roots in their forty years of friendship and close ties with the Bush family. Their relationship resembles that of the Secretary State, Dean Acheson's and President Truman. "Secretary State Dean Acheson's principal advantage during the Truman administration was the knowledge that he had Truman's confidence, and that the President was almost certain to support him on any issue. This resulted, in part, from Truman's perception that in order to enable his Secretary of State to operate effectively, he had to support him and in part, from the fact that Acheson was likely to be persuasive with the president on the merits of the issue."[371]

If it is the first time that the Vice President's office has played a major role in foreign policy yet it is not the first time that the President's advisors played too a major role in U.S. foreign policy. Condoleezza Rice is not the first National Security Advisor to exercise an influence on a President. Henry Kissinger, Nixon's National Security Advisor, "became so well known as to take on celebrity status, is everyone's major example."[372] But Rice's widely acknowledged role as closest confident to Bush, is particularly striking given the stature of her colleagues. Dick Cheney, Donald Rumsfeld and others are critical members of the inner circle, but it is Rice who tends to get the last confidential word.

As Bob Woodward has reported, Bush would often ask Rice during the tensest moments of the post-September 11 crisis, to attend meetings but not to speak. This was not because he did not want her advice. It was because he wanted her to be a silent arbiter of the discussion. "He wanted her to act as an alternate set of eyes and ears to check her gut against his in weighing the options."[373]

Rice began her relationship with Bush with the campaign when she was appointed as Bush's National Security Advisor. The relationship with Bush has developed into a partnership that has shaped one of the most assertive foreign policies in recent American history.

[371] Halpern, Morton & Kanter Arnold The Bureaucratic Perspective p. 417.
[372] Jentlesson, Bruce American Foreign Policy The Dynamics of Choice in the 21st Century Norton & Company 2002 p. 40.
[373] "Bush-Rice 2004" The Sunday Times March 24, 2002 p. 1 Available on: www.sunday-times.co.uk

In short, "Rice has become a germination point for Bush foreign policy,"[374] from the war in Iraq to sidelining Yasser Arafat to the policy of pre-emption. She said she had melded her realism, with what she called Bush's idealism. Moreover, she said that she saw her job as translating the President's instincts into policy and that he now influenced her as much as she influenced him. Though, she has no trouble making her views known to the President, yet she is the first to say that the President does not always take her advice.[375] This is due to the fact that Rice is hardly the only important foreign policy advisor to Bush in a close inner circle that includes, Vice President Cheney, Rumsfeld, Wolfowitz, Feith, and Perle.

The Deputy Secretary of Defense, Paul Wolfowitz, Under Secretary of Defense, Douglas Feith and Chairman of the Defense Policy Board, Richard Perle; are the ones that exercised the most decisive influence among the neo-conservatives in the administration. They managed to secure nearly total control of all aspects of the U.S. foreign policy, in particular surrounding the use of preemption as an instrument of U.S foreign policy.

Paul Wolfowitz was the intellectual architect of the White House's preemptive security strategy that shaped the U.S. foreign policy. While Perle and Feith were behind Bush's naming of the 'axis of evil'. Only hours after 9/11 attacks, Pentagon hardliners Paul Wolfowitz, Richard Perle and Douglas Feith were the first ones to vow that U.S. would not only pressure terrorists, but "end states sponsoring or harboring militant. "This could not have been done without help one or more governments,"[376] Perle told the Washington Post on Sept 11, 2001. "Someone taught these suicide bombers how to fly large planes. I don't think it can be done without assistance of large governments."[377] Two days later (September 13, 2001), Wolfowitz signaled that the U.S. will enlarge its campaign against terror to include Iraq "I think one has to say it's just simply a matter of capturing people and holding them accountable, but removing the sanctuaries, removing the support systems, ending states who sponsor terrorism. And that's why it has to be abroad and sustained campaign."[378] On this basis, Wolfowitz argued at the administration War Council at Camp David, "that the real source of all

[374] Bumiller, Elizabeth "The Strong Partnership Between Rice & Bush" *International Herald Tribune* January 7, 2004 pp:1-3 Available on: www.in.com
[375] Ibid
[376] "Wolfowitz: Key US Hawks" *BBC News* Available on: news.bbc.co.uk
[377] Lobe, Jim "Key Officials Used as p/11 as Pretext for Iraq War" *News Center* July 16, 2003 p: 2 Available on: www.commondreams.com
[378] "The Evolution of the Bush Doctrine" *Frontline* 2003 p: 4 Available on: www.pbs.org

he trouble and terrorism was probably Hussein. He estimated 10 to 15% hance Saddam was involved in the September 11 terrorist attack. The U.S. vould have to go after Hussein at some point if the war on terrorism was to be taken seriously."[379] He expressed this view in private and public discussions. He was an especially forceful advocate for tackling Iraq at the same time as Ousama bin Laden. "It was another effort to put the President o include Iraq in his first round of targets."[380] His view was then adopted by Condoleezza Rice who began to council the President that he needed to go after all rogue nations harboring weapons of mass destruction.[381] But these concerns were submerged by the imperative of dealing first with Afghanistan. The Pentagon led by Wolfowitz and Feith, "had continued to percolate in the war cabinet,"[382] plans for Iraq, while it was fighting the war on Afghanistan. Similarly, on September 17,19,20, an advisory group known as the Defense Policy Board met at the Pentagon, with Rumsfeld and Perle attendance, animatedly discussed the importance of ousting Hussein.[383] They signed a letter to the President, which argued that, "even if evidence does not link Iraq directly to the attack, any strategy aiming at the eradication of terrorism and its sponsors must include a determined effort to remove Saddam Hussein from power in Iraq. Failure to undertake such an effort will constitute an early and perhaps decisive surrender in the war on international terrorism."[384]

The anthrax attack which came soon after September 11 further strengthened the determination of Wolfowitz, Feith, Perle and others to deal with Iraq. Wolfowitz, in particular, became consumed with the possibility that Iraq could distribute biological or chemical weapons to terrorists, officials said.[385] In April, the President began publicly declaring a policy of change. In June 1, Bush made another speech, this time at West point, arguing for a preemption policy against countries believed to be a potential threat to the U.S. Only later did it become clear that the President already made up his mind to launch a preemptive attack on Iraq.[386]

[379] Lobe, Jim "Key Officials Used as p/11 as Pretext for Iraq War" *News Center* July 16, 2003 p: 3 Available on: www.commondreams.com
[380] Bush at War p: 60.
[381] Kessler, Glenn "US Decision on Iraq Has Puzzling Past" *Washington Post* January 12, 2003 p: 5 Available on: www.washingtonpost.com
[382] Thompson, Mark "Paul Wolfowitz The Godfather of the Iraq War" *Time* December 21, 2003 p: 3 Available on: www.time.com
[383] Ibid.
[384] Flynn, Michael "Why Are We Silent on Liberia?" *Global Beat Syndicate* August 4, 2003 p: 2 Available on: www.nyu.edu
[385] Kessler, Glenn "US Decision on Iraq Has Puzzling Past" *Washington Post* January 12, 2003 p: 6
[386] Bush at War

The Bush plan was identical to that of the plan recommended by the same neo-conservatives in the Bush administration, in a letter to Clinton in 1997: to engage in a unilateral military attacks on Baghdad with the aim to topple the Iraq regime, without passing through the UN. With Baghdad still burning, Paul Wolfowitz popped up to say that "there has got be change in Syria",[387] while U.S. Under Secretary of State, John Bolton recommended the expansion of the axis of evil to add Cuba, Libya and Syria to the nations it claims are deliberately seeking to obtain chemical or biological weapons.[388]

Those comments ushered in two weeks of harsh diplomatic pressure from Bush to Syria. On October 15, 2003, the Senate passed a draft bill to impose economic and diplomatic measures against Syria accusing it of supporting terrorism and trying to develop weapons of mass destruction.[389] This vote was not disapproved by the White House or the State Department, which marks once again Bush's adoption of the hardliners position against Syria.

Bush did not only embrace his hard position toward Syria, but also towards Iran and North Korea. Perle was amongst the first to push Bush against Iran, Syria and Saudi Arabia. He called Bush to threaten Syria and Iran on their chemical weapons, while attracting his attention on Saudi Arabia, which Perle believed that "it never ceased from supporting terrorism."[390] From this context, Bush anger towards these countries have increased in recent months and it warned Iran that he expects that country to abide by nuclear non-proliferation treaty and to turn over any Al-Qaeda suspects it may be holding.[391]

Similarly, Bush adopted the hard position of his hawkish advisers by sending strong words to the North Korean leader. "The world at large will not let your evil deeds go unchallenged. Somebody should take decisive action against this, just as the U.S. did in stopping the Taliban and will soon do in ousting Saddam Hussein,"[392] Bush said. In other words, Bush was warning "the axis of evil" that U.S. will not be conciliatory but rather coercive and probably will use military action.

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[387] "The Shadow Men" *The Economist* April 24, 2003 p: 1 Available on: www1.colombia.edu

[388] "US Expands 'Axis of Evil' " *BBC News* May 6, 2002 p: 1 Available on: news.bbc.co.uk

[389] "Le Senat Vote a Une Large Majorite des Sanctions Contre Damas" *L'Orient Le Jour* November 12, 2003

[390] Laurent, Eric The Secret World of Bush *Plan* 2003 p:153

[391] Keb, Alex "Bush Warns Iran to Adhere to Non-Proliferation Treaty" *Iran Expert* 21 November 2003 p: 1 Available on: www.iranexpert.com

[392] Chiang-Kie, John "Bush & North Korea" *The Korean Times* 11 November 2002 pp:2-3 Available on: times.hankooki.com

On the other hand, Bush embraced the neo-conservatives' main ideas that the U.S. has a duty to expand the "democratic zone of peace." This was articulated on November 6, 2003, Bush gave a speech to the American Enterprise Institute (AEI) about building democracy in Iraq and encouraging political reform in the Middle East.[393]

No doubt that Bush doctrine and its aggressive foreign policy, "sounds as if it could have come straight from the pages of Commentary magazine, the neocon bible",[394] which leads the reader to fully agree with Lord Joppling, a former British Cabinet minister argument, that "neo-conservatives ...now have a stronghold on the Pentagon and seem, as well, to have a compliant arm lock on the President himself."[395] Some Europeans seem to think the neo-conservatives' influence is a direct result of Mr. Bush's inability to grasp basic foreign policy ideas.[396] This may be one of the reasons, yet the least important.

To understand the reasons behind their influence on the President, one has to examine several factors such as: The ranking of the participant position in the administration. A good indication of Bush's administration's direction in foreign policy would be who got a higher rank. "The higher the formal position occupied by the participants, the more likely it is that he will be classified as a senior participant and that he will behave like a player in decision making."[397] Those who got a high-ranking position and behaved like players are the neo-conservatives like Paul Wolfowitz who got a higher-ranking job than Richard Haas; Wolfowitz is the number two in the Pentagon, while Haas is the Director of policy planning for the State Department.

Hass is an intellectual like Wolfowitz, but much more moderate.[398] However, because of Wolfowitz position, the President was influenced by his suggestions, and embraced one of his favorite recommendation; the use of preemption as an instrument of U.S. foreign policy.

In addition to the importance of the ranking position in the administration, one has to take into consideration "the particular preferences of the

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[393] "Remarks By the President at the 20th Anniversary of the National Endowment for Democracy" White House 6 November 2003 p: 5 Available on: www.whitchouse.gov

[394] Kosteriltz, Julie "The NeoConservative Movement" *National Journal* 17 May 2003 p: 2 Available on: www1.colombia.edu

[395] "The Shadow Men" *The Economist* April 24, 2003 p: 1 Available on: www1.colombia.edu

[396] Ibid p: 4

[397] Halpern, Morton & Kanter Arnold, The Bureaucratic Perspective. p: 401

[398] Lemann, Nicholas "The Next World Order" January 4, 2002 *The new Yorker* pp: 7-8 Available on: www.newyorker.com

incumbent President in consulting members in the administration".[399] President Bush appeared highly attentive to his close advisers. He preferred to consult, Rumsfeld, Cheney, Wolfowitz, Rice, Perle, Feith. Regardless of their prominent positions, they are the "senior participants" of the administration, because "they are regularly consulted,"[400] and their advices are always taken into consideration by the President.

Yet, the most important factor that contributed to the influence of the President is the prevailing consensus among senior advisers on the requirements of American security. "Consensus does not necessarily mean a prevailing sense of team work and collegiality."[401] Group consensus is affected by "a share of a common ideology or regime orientation."[402]

President Bush's team is a good example of consensus: National Security Adviser Rice, Defense Secretary Rumsfeld, Vice President Cheney, Deputy Defense Secretary Wolfowitz... knew each other well and shared a common ideology. The widely set of shared images of the functioning of the international system and the U.S role in the world shaped the prevailing consensus on U.S foreign policy in the 21st century. In the aftermath of September 11, there was a set of shared images among the senior advisors about the need for the U.S to maintain military superiority, the need to spread democracy in the Middle East and the need to use preemptive policy. This has contributed to a cohesive foreign policy and shaped the decisions made by the president. Rarely in American history has such a cohesive and distinctive group managed to exert so decisive an influence on such a critical issues as the neo-conservatives did from the collapse of the twin towers through the early stages of the occupation of Baghdad almost two years ago.[403] No need to stress that they are powerful in so far as the President listens to them and shares with them a similar background and same ideology. The result then, is that the U.S. foreign policy is becoming a mixture of neo-conservatives ideas, the President's instincts and power politics.

Chapter IV provides an explanation of how the war in Iraq was fought within the context of the Bush Doctrine.

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[399] Halpien, Morton & Kanter Arnold, The Bureaucratic Perspective p: 399
[400] Ibid p: 400
[401] Jentleson, Brice American Foreign Policy The Dynamics of Choice in the 21dst Century Norton & Company New York 2000 p: 40
[402] Harman, Margaret and Charles, Who Makes Foreign Policy Decisions and How: An Empirical Inquiry p: 367
[403] Marchall, Joshua "Remaking the World: Bush & the Neocons" *Foreign Affairs* Nov/Dec 2003 p: 5 Available on: www.foreignaffairs.org

Chapter IV

Iraq Preemptive War within the Context of the Bush Doctrine

It was only few months after the U.S. war on Afghanistan was completed, that President Bush elevated for the first time in American history, the policy of preemption to the status of official policy outlined in the 21rst century National Security Strategy document.

The Iraq war is the real and perhaps the greatest test of Bush's preemptive strategy. It was waged not only with the aim of changing a region, but with the ambition of converting a region to democratic values.

Unlike the war on Afghanistan, it was a fight that inflicted huge damage before the first bullets were fired: the United Nations and NATO appeared to be weakened and allied governments from London to Ankara destabilized.

The U.S. – a nation that sacrificed blood and wealth in the wars of the 20th century and invested huge energy in constructing institutions of the post war world order, now finds itself feared in large parts of the globe as a headstrong, even "bellicose" empirial power. It is, says Henry Kissinger, the former Secretary of State, "a defining juncture in American foreign policy ... a historic turning-point."[404] Indeed, by turning the doctrine of preemptive military action against rogue regimes acquiring weapons of mass destruction, into the rational for America's latest war, is a defining moment in U.S. foreign policy.

The intriguing question is why Bush adopted preemption as an instrument of U.S. foreign policy to combat rogue regimes, and not other instruments?

First, one has to take into consideration, the perceived characteristics of the international system by the decision-makers. Among the emerging characteristics of the post-cold war world, two realities were highly perceived by Bush and his neoconservatives and hard liners adviser: The proliferation of weapons of mass destruction and terrorism.

As was mentioned before, prevention of the proliferation of WMD was long an objective of U.S. foreign policy in particular in the depths of the cold war. During the forty years of the cold war, from the late 1940's to the fall of the

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[404] Harding, James "Gulf War, the Sequel" *The Financial Times* March 21, 2003 p: 1 Available on: web6.infotrac.galegroup.com

Berlin Wall in 1989, the twin pillars of deterrence and containment provided the foundation for U.S. nuclear strategy. At various times the U.S. and the USSR pursued arm control proposals designed to improve stability of the balance of power and to prevent nuclear proliferation such as: nuclear non-proliferation treaty (NPT), Strategic Arms Limitation Talks (SALT). Anti-Ballistic Missiles (AMBS) Treaty, Intermediate-range Nuclear Forces (INF)[405] ...

Similarly, combating terrorism was also a long objective of U.S. foreign policy. The U.S. has employed a variety of policy instruments to deal with terrorism. They include prosecution, disruption of activities, economic sanctions, defense and negotiations. Military force has also been used. For example, on April 15, 1989 American planes attacked targets in Libya in retaliation for a terrorist attack on a Berlin discothèque and other acts of terrorism.[406]

Today, in the post-September 11 era, the Pentagon, nevertheless, underestimated the nonproliferation regime efficiency, on the basis that even though existing arms control and disarmament programs may have prevented the use of nuclear weapons during the cold war; they may no longer be able to do so. Cold war arms control and disarmaments, as well as the first steps toward defensive systems, were engineered largely with one enemy; the Pentagon, estimated that today more than 25 countries many of which are hostile to the U.S. or are bent to acquire WMD.[407]

Hence the principle threats in the post-cold war era stem from the rise of rogue regimes. The Bush administration saw Saddam, Khamenei and Rafsanjani and Kim Jong II, as rogue leaders that have large conventional military forces and that turn a blind eye on terrorism and, or seek weapons of mass destruction, including nuclear, biological and chemical weapons.

However, this definition of rogue states seemed to be modeled first on Iraq. Although Iran is a much greater 'purveyor' of international terrorism and North Korea, is believed to have already acquired nuclear weapons capacity. North Korea has, however pursued a foreign policy of moderation in recent years, at least until its October 2002 confession that it had resumed its nuclear weapons program. The Bush administration has nonetheless sought a

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[405] Arms Control Association: Fact Sheet Available on: www.armscontrol.org/treaties
[406] Hastedt, Glenn P. American Foreign Policy: Past, Present, Future 5th Edition Prentice Hall 2003 p: 382
[407] Jentleson, Brice American Foreign Policy: The Dynamics of Choice in the 21st Century Norton & Company New York p: 292

diplomatic solution via its demand of pressure from Tokyo and Beijing on Pyongyang.[408]

The Bush Administration apparently credits North Korea with relatively benign intentions.[409] In the case of Iraq, however, it has come very close to equating capabilities and intentions. This was articulated by several senior officials such as, Deputy Secretary of State Richard Armitrage, who declared that the "unrelenting drive to possess weapons of mass destruction brings about the inevitability that they will be used against us or our allies."[410]

Because of American ideals, interests and prior commitments, a large conventional force, terrorism and proliferation are unacceptable and hence deserving of punishment.[411] The U.S. has a history of using coercive means against Iraqi regime, from imposing sanctions to the use of military force. To understand Bush's preemptive strategy against Iraq today, one has to go back in time and examine the previous U.S. administration policies and strategies vis-à-vis the Iraqi regime.

American-Iraqi relations have been on a roller coaster of ups and downs. The U.S. was always on a heated debate over whether to contain or embrace Saddam Hussein. The Iran-Iraq war highlighted a split between domestic and political group versus economic associations and the national security bureaucracy over whether to contain or accommodate Baghdad. The Pro-Israel community favored containment, but the Business and bureaucratic communities' preference was for accommodation.[412]

In the 1980's Reagan pursued a policy of accommodation with Iraq. This was due to the American business interest that dominated policy making process regarding Iraq. "Business associations with economic interests in a region tend to underestimate the threat in order to do business there."[413]

Indeed the profit motive from the sale of grain and dual-use of technology provided incentives for a policy of accommodation with Iraq, while American Israel Public Affairs Committee (AIPAC), the pro-Israel community favored Iraq's containment.[414] Similarly, at the beginning of the

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[408] Gordon, Michael "In Bush's Axis of Evil Why Iraq Stands Out" *New York Times* September 9, 2002 Available on:www.nytimes.com

[409] "The Bush Doctrine & War With Iraq" *Parameters* Spring 2003 v.33 il p: 4 Available on: web7.infotrac.galegroup.com

[410] Ibid p: 2

[411] Tanter, Raymond Rogue Regimes. Terrorism & Proliferation St. Martin Griffin New York 1999 p: 38

[412] Ibid p: 101

[413] Ibid

[414] Ibid p: 103

Bush term in office, the U.S. maintained its accommodation policy with Iraq.

The tilt toward Iraq was due to the bureaucratic politics that preferred such a policy. The reasons were the following: First, they preferred a conciliatory American policy toward Iraq as a part of their probusiness perspective; second, they will use the good offices of Baghdad to mover the Arab-Israel peace process forward and finally a U.S. lean toward Baghdad would prohibit Tehran or Moscow from reigning in the Gulf area.[415]

This does not mean that the Pentagon and the office of Joint Chief had agreed with their positions. However, they favored containment of Iraq in order to prevent Saddam Hussein from using military power to coerce moderate Arab nations such as Kuwait and Saudi Arabia. Iraqi control of Arab Gulf states would have placed too much power into Saddam's hands.[416] Once Baghdad ordered the invasion of Kuwait in August 1990, there was no doubt that Iraq constituted a threat to American interests. American leaders believed that Iraq threatens both "intrinsic and strategic interests which are two sides of the same coin under assault."[417] The intrinsic interests are the Iraqi menace endangers American civilians and military personnel in the Gulf,[418] while the strategic interests were related to objectives for the Gulf as a whole. "Washington has an interest in continuing the flow of oil to the world market at prices that are consistent with the economic growth of the industrialized democracies."[419]

Still, there was a debate within the bureaucracy over how to meet that threat. The Bush administration split into two camps: one proposed the use of airpower even before there was a ground war capacity in place. The Chairman of the Joint Chiefs of Staff during the Gulf war, General Colin Powell, represented the second camp. He advocated economic sanctions while building up for possible offensive action and his position became American foreign policy.[420] Yet what is remarkable is that unlike his son, George H. Bush, conducted a major diplomatic campaign to put together a global coalition and make sure that Iraq withdraws from Kuwait in accordance with the SC resolution 687(1990).[421]

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[415] Ibid p: 84-113
[416] Ibid p: 105
[417] Ibid p: 115
[418] Ibid p
[419] Ibid p: 116
[420] Ibid p: 117
[421] UNSC Resolution Since Iraq's 1990 Invasion of Kuwait *Agence France-Press* 2002 p: 1 Available on: www.grassrootsvoices.org

Iraq accepted the resolution 687 on June 9, 1991, UNSCOM conducted its first chemical weapons inspections in Iraq in accordance with the resolution 687.[422] Since 1991, UNSCOM have destroyed or made unusable 48 long-range missiles, 14 conventional warheads, 30 missile chemical warheads and about 500 tons of mustard and nerve agents; while Iraq declared a unilateral destruction of its weapons.

However, since 1997, Iraq failed to comply with the UN inspections. In a 14-month period, Iraq took the world community to the edge of war four times. The explanation was, "when he is in a domain of deprivation, he is risk-acceptant and creates a crisis. When Saddam is in a domain of gain, he is risk-averse and deescalates the crisis."[423] This was illustrated in the following: On October 29, 1997, Iraq declared that it would only continue to allow inspections to perform their work if the UN special commission (UNSCOM) excluded Americans from the group and if talks began about lifting economic sanctions on Iraq.[424]

Saddam was clearly trying to use the treat to delay access as a bargaining tool to affect repeal of UN economic sanctions on Iraq. As a result, U.S. began to build up its military presence in the region after one month. In the face of this decision, Iraq backed down and announced that UNSCOM inspectors, including Americans, could return. Iraq said that it would unconditionally cooperate.

But this was never the case. Again in 1998, Saddam decided to block the weapons inspection team four times and has failed to comply with chief UN weapons inspector Butler. Butler, had reported that Iraq has not met promises made a month ago to cooperate fully with UN inspectors, and that Baghdad has imposed new restrictions on the inspection process.[425] As a result, on December 16, 1998 President Clinton and British Prime Minister Blair ordered four-day air strikes against Iraq.[426]

It took the U.S. four years to focus all its attention and mobilize all its resources towards Iraq. Unlike previous U.S. policies and strategies, Bush explicit objectives in Iraq were to wage a preemptive war with the aim to

[422] Baker, Stephen "Weapons of Mass Destruction in Iraq" *Center fro Defense Information* May 6, 2002 p: 1 Available on: www.cdi.org

[423] Tanter, Raymond Rogue Regimes: Terrorism and Proliferation St. Martin's Griffin New York 1999, p: 90.

[424] "Clinton: Iraq Expulsion Order Unacceptable" *CNN News* November 13, 1997 p: 4 Available on: www.edition.cnn.com

[425] "Weapons Chief Says Iraqi Inspection Rebuff 'Very Serious' *CNN News* December 9, 1998 Available on: www.edition.cnn.com

[426] "US Launches Strike Against Iraq" *Associated Press* December17, 1998 p: 1 Available on: www.dailyprincetonian.com

change Saddam Hussein regime that might be a threat to U.S. security and interests.

No need to repeat that these objectives were highlighted in the President's State of the Union address and in his speech at West Point. Though Bush was pressured by his closed neoconservatives and hardliners advisers to move quickly on Iraq, in mid 2002 he appeared to be siding with Powell in consulting with the UN and calling for a new UN resolution on Iraq. But this tilt towards multilaterals was just temporary. At a private dinner with Bush on August 5, 2002, Powell warned the President that the U.S. should not act unilaterally, and that the U.S. must think about getting a coalition for action against Iraq, "some kind of international cover at least. The Brits were with us,"[427] he noted, "but their support was fragile in the absence of some international coalition or cover."[428]

Powell's views were championed by Brent Scowcroft, former National Security Adviser in the first Bush administration, who published an op-ed in the Wall Street Journal on August 15, in which he argued that Bush was moving too quickly on Iraq and advocates pressing for the return of UN inspectors.[429] As a result, on September 12, 2002 Bush delivered a speech to the UN calling the organization to enforce its resolutions on disarming Iraq. The President also warned that "The purposes of the United States should not be doubled. The Security Council resolutions will be enforced … the just demands of peace and security will be met … or action will be unavoidable. And a region that has lost its legitimacy will also lose its power."[430]

A message that U.S. officials made more explicit the following week. Saddam Hussein, as in the past, from the fear-based explanation announced that Iraq will allow arms inspectors to return "without conditions." Still the U.S. contended there was nothing to talk about and warned that the Iraqis were simply stalling. So the Bush administration continued to press the Security Council to approve a new UN resolution calling for Iraq to give weapons inspectors access and authorizing the use of force if Iraq does not comply.[431]

Finally, on November 8, after seven weeks of arguing over language and ultimate purposes, the UN Security Council passed resolution 1441,

[427] Woodrow, Bob Bush at War Simon and Schuster 2002 p: 335
[428] Ibid
[429] Scowcroft, Brent "Don't Attack Saddam" Wall Street Journal August 15, 2002 The Forum for International Policy Available on: www.ffip.com
[430] "President's Remarks at the United Nation's General Assembly" White House September 12, 2002 Available on: www.whitehouse.gov
[431] "Disarming Saddam-A Chronology of Iraq and UN Weapons Inspections" Arms Control Association January 2002-May2003 p: 1 Available on: www.armscontrol.org

unanimously. The resolution declared that Iraq, "remains in material breach" of post resolutions and gave Iraq a final opportunity to comply with its disarmament obligations, set out by the Security Council resolutions of 1991. It also strengthened UNMOVIC's and IAEA powers to conduct inspections throughout Iraq, specifying that Iraq must allow "immediate, unimpeded, unconditional and unrestricted access to facilities, buildings, equipment, inspectors and means of transport which they wish to inspect."[432] Additionally, the resolution warned that Iraq will face, "serious consequences if it fails to comply with its disarmament obligations."[433]

It was of no surprise that Saddam Hussein agreed to accept the resolution and maintained he would cooperate with the weapons inspectors. He submitted a 12,000 page report on Iraqi WMD programs to the UN, in conformity with resolution 1441. The document stated that Iraq had no weapons of mass destruction, though Dr. Hans Blix, the UN chief inspector said the report had a "lack of supporting evidence to back that claim."[434] Similarly, Powell said the report "totally fails,"[435] to meet UN demands for full disclosure and hence was "another material breach,"[436] of existing resolutions.

In Blix's first report to the UN Security Council on December 19, 2002 he said Iraq's actions so far were "not enough to create confidence."[437] The inspections process continued, with Bush and other U.S. officials continuing to voice doubts and warnings about Iraq's compliance. "Time is running out,"[438] Bush said on January 4, 2003 but some, including Powell, were still hopeful that diplomatic pressure and the threat of force would make Saddam do something to avert a war.[439]

In the meantime, antiwar protest increased at home and abroad. Millions marched in European, Asian and Arab capitals. France and Germany were leading the cause for a larger inspection timetable and opposed military action without the United Nations. The French President, Jack Chirac said that an attack "would only be justified if it were decided only by the Security

[432] "Security Council Holds Iraq in "Material Breach" of Disarmament Obligations, Unanimously Adopting Resolution 1441 (2002)" *Untied Nations* 8/11/202 p: 1 Available on: www.un.org/news/press
[433] Ibid
[434] "Disarming Saddam-A Chronology of Iraq and UN Weapons Inspections" *Arms Control Association* January 2002-May2003 p: 2 Available on: www.armscontrol.org
[435] Ibid
[436] Ibid
[437] Ibid
[438] Usborne, David and Grace Andrew "Bush Presses UN to Speed Pace of Inspections" *Independent* January 17, 2003 pp: 1-2 Available on: www.independent.co.uk
[439]Ibid

Council,"[440] and German Chancellor Gerhard Schroeder said there would be no support in Germany for a strike without the approval of the United Nations.[441]

In any case, the Bush administration has prepared a clear and decisive case for removing Saddam. On January 27, 2003 Dr. Blix and Team Director General Dr. El Baradei submitted their inspection report, calling for more time for inspections as well as more active cooperation from Iraq.[442] Whereas the next day, January 28, President Bush spent the second half of his State of the Union address laying out a case against Saddam, alleging that he had weapons of mass destruction and connections to Al-Qaeda terrorists, "it would take one vial, one canister, one crate slipped into this country to bring a day of horror like none have ever known," Bush said.[443] But the main push for the U.S. position came one week later on February 5, at the UN when Colin Powell presented new allegations, including intercepted conversations and satellite photography, of Iraqi's secret weapons programs and cover-ups,[444] which later turned out to be inconclusive. In fact, Powell was mislead by the CIA which in their turn where put under pressure to tailor their analyses more to the liking of administration hawks.[445] All with the aim to conduct a preemptive attack on Iraq and change the regime.

Yet the timing of Powell's presentation, seemed more to do with political effect than with intelligence concerns. It was a show to strengthen American public support for the war.

Powell made a strong case for declaring Iraq to be in "material breach" of its commitments under resolution 1441. However, France and China and Russia submitted a memorandum stating that military force should be a "last resort" and that force should not yet be used because there is "no evidence" that Iraq possesses weapons of mass destruction. The memorandum also says, however, that "inspections ... cannot continue indefinitely. Iraq must

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[440] Dworkin, Anthony "Iraq and the Bush Doctrine of Preemptive Self-Defense" *Crimes of War Project* August 20, 2002 p: 2 Available on: www.crimesofwar.org

[441] Ibid

[442] "Inspections Report: Key Point" *BBC News* January 27, 2003 pp: 1-2 Available on: www.bbc.co.uk

[443] "President Bush Delivers State of Union Address" *The White House* January 28, 2003 p: 2 Available on: www.whitehouse.gov

[444] "Secretary Colin Powell Remarks to the UNSC" *Department of State* February 5, 2003 pp: 1-2 Available on: www.state.gov

[445] Lobe Jim, "Pentagon Office Base for Neoconservatives Network Manipulating Iraq Intelligence", *Foreign Policy In Focus.* September 15, 2003.

disarm. It further adds that Baghdad's cooperation, although improving, is not yet fully satisfactory."[446]

In the meantime, President Bush appeared to be moving away from the first track, which was a shallow nod to multilateralism, to a second track. The second track was meant to ensure that the prime option for dealing with Iraqi non-compliance would be a U.S.-led war. This track led to unilateral preparations for war. The U.S. openly proceeded to build up its American troops in the Persian Gulf. Britain, Spain, Australia publicly backed a military campaign against Saddam, and 7 Arab countries, Kuwait, Jordan, Qatar, Bahrain, the UAE, Saudi Arabia and Oman quietly agreed to offer overt or covert assistance.[447]

These new deployments have represented a serious commitment to manpower and resources and American "unstoppable momentum"[448] towards war with Iraq. Nevertheless, the U.S. agreed to support a second UN Security Council resolution, only with the aim to store up domestic support for Bush's closest ally, the British Prime Minister, Tony Blair. At a prime-time news conference on March 6, Bush said member nations of the Security Council would be asked to "show their cards"[449] the following week and vote on the resolution. The next day, Dr. Blix, submitted an inspection report to the Security Council, saying that Iraq's cooperation with the inspectors in providing information about past weapons activities has improved, although Baghdad has not yet complied with its disarmament obligations. Plus, the inspection staff has not found evidence that Iraq is producing or hiding biochemical or nuclear weapons.

The UN, the United Kingdom and Spain co-sponsor another resolution that Iraq "will have failed" to comply with resolution 1441 unless Baghdad cooperates with its disarmament obligations by March 17. The draft resolution implied that the Council members would take military action if Iraq failed to meet the deadline.[450]

On March 17, when the representatives of the three nations appeared at the UN to announce that they would let the second resolution die without a vote

[446] "Disarming Saddam-A Chronology of Iraq's UN Weapons Inspections" *Arms Control Association* January2002-May2003 p: 2 Available on: www.armscontrol.com

[447] "Nineteen Countries, Including Seven Arab States Pledged Military Support for the US War in Iraq *Khaleej Times* March 8, 2003 p: 12 Available on: www.aljazeera.info

[448] Borjer, Julian "Pentagon Build-up Reaches Unstoppable Momentum" *The Guardian* December 31, 2002 p: 1 Available on: www.guardian.co.uk

[449] Woodward, Bob Bush At War Simon & Schuster 2002 p: 355

[450] "Disarming Saddam-A Chronology of Iraq's UN Weapons Inspections" *Arms Control Association* January2002-May2003 p: 2 Available on: www.armscontrol.com

(U.S.-led diplomatic efforts to build support for the new resolution failed), war seemed imminent. That night, President Bush went on national television and set a forty-eight hour ultimatum for Saddam and his sons to leave Iraq. Bush again spelled out Iraq's alleged weapons violations and terrorist connections. "The United Nations Security Council has not lived up to its responsibilities" he said, "so we'll rise to ours."[451] The UN Secretary General Kofi Anan said that the war against Iraq is not approved by most countries. He also ordered all UN staff to withdraw from Iraq and suspended the "oil for food plan."[452] Two days later, at about 1P.M. Washington time, the war began with what military planners called S-day, when hundreds of Special Operations Forces, the commandos in the military services, entered Iraq to protect oil fields in the West and the South, while attempting to stop any Iraqi missile launches, especially into Israel.[453]

The major military action lasted three weeks and on April 9, resistance collapsed in Baghdad. In its lighting speed and focused violence, the Iraq invasion, similar to that of Afghanistan, was being hailed as a revolutionary show of futuristic warfare. Vice President, Dick Cheney has proclaimed "one of the most extraordinary military campaigns ever conducted."[454] There has been "dazzling displays of future warfare, precision bombs, instant targeting, special operations and sharp reminders of old truths such as; infantry tanks and supply lines."[455]

4.2 The U.S Preemptive War on Iraq under International Law

If there was no doubt of the success of U.S. preemptive war and fundamental regime change in Iraq, yet there were questions whether U.S. preemptive war on Iraq was largely justified under international law.

A number of international lawyers have written opinions stating that it was a violation of international law, for the U.S., Britain and other states to use military force against Iraq without new Security Council authorization. The International Commission of Jurists denounced the attack as an illegal invasion of Iraq which amounts to a war of aggression, "a war waged

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[451] "President Says Saddam Hussein Must Leave Iraq Within 48-Hours" *The White House* March 17, 2003 pp: 2-3 Available on: www.whitehouse.gov

[452] "UN Completes Iraq Evacuation" *BBC News* March 18, 2003 p: 3 Available on: news.bbc.co.uk

[453] Woodward, Bob Bush At War Simon & Schuster 2002 p: 356

[454] Craig, Gilbert "Revolutionary Show of Futuristic Warfare" *Milwaukee Journal Sentinel* April 14, 2003 p: 1 Available on: www.jsonline.com

[455] Ibid

without a clear mandate by the Security Council would constitute a flagrant violation of the prohibition of the use of force."[456] Canadian law professors said that the U.S. attack "would be a fundamental breach of international law and would seriously threaten the integrity of the international legal order that has been in place since the end of the Second World War."[457] And forty-three Australian legal experts said, "that the initiation of a war against Iraq by the self-styled 'coalition of the willing,' would be a fundamental violation of international law and that the U.S. doctrine of preemptive self-defense contradicts legal order and the primary rationale for the founding of the UN – the prohibition of the unilateral force to settle dispute."[458]

Moreover, on March 11, 2003 the UN General Secretary, Kofi Anan said that "if the U.S. and others were to go outside the Council and take military action, it would not be in conformity with the Charter."[459] Those who argued that the U.S. preemptive war on Iraq was illegal have based their arguments on the interpretation of Article 2(4), Article 42, and Article 52 of the UN Charter. Article 2(4), states that, "all members shall refrain in their international relations from the threat or use of threat of force against the territorial integrity or political independence of any state or any other manner inconsistent with the purposes of the United Nations."[460] The effect of Article 2(4) is that the use of force can only be justified as expressly provided by under the Charter and only in situations where it is consistent with the UN's purposes.[461]

Article 42, states that if peaceful means have not succeeded in attaining adherence to Security Council decisions, it "may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security."[462] This means, that states require a UN Security Council resolution in order to use force against another state. According to the opinion of Rabinder Singh and Alison McDonald of Matrix Chambers, "where members believe that another state has breached a resolution of the

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[456] "Iraq-ICJ Deplores Moves Toward a War of Aggression on Iraq" International Commission of Jurists *ICJ Legal Resource Center* 18 March 2003 p: 1 Available on: www.icj.org/news
[457] "Attack Illegal, Experts Say" *Sydney Morning Herald* March 20, 2003 p: 1 Available on: www.smh.com
[458] "Coalition of the Willing? Make That War Animals" *Sydney Morning Herald* February 26, 2003 pp: 1-2 Available on: www.smh.com
[459] "Annan Targets Us Stance" *CNN* March 11, 2003 p: 2 Available on: www.cnn.com
[460] Bennet, Leroy A. International Organizations 6th Edition Prentice Hall p: 468
[461] Rabinder, Singh & Allison McDonald "Legality of Use of Force Against Iraq" International Conference on Network Protocols September 10, 2002 p: 6 Available on: www.icnp.org/global
[462] Bennet, Leroy A. International Organizations 6th Edition Prentice Hall p: 478

Security Council, they do not have a unilateral right under Article 42 to use force: what action should be taken is a matter for the Security Council."[463]

As to Article 51, "nothing in the present Charter shall impair the inherent right of individual or collective right self-defense 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. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council."[464] It implies that it gives states' right for self-defense, but still the use of force is reserved exclusively to the Security Council. "Measures in self-defense, in this understanding, are legitimized, only after an armed attack occurred."[465] According to the Charter, therefore, there are two situations in which one state can lawfully use force:

1) Individual or collective self-defense which is expressly preserved by Article (51) of the Charter.
2) In conformity with a UN Security Council resolution.

As to whether self-defense includes preemptive use of force, the Charter remains silent. International lawyers, however, have argued that state practice and the works of learned writers on international lawyers must be used.

State practice, tends to suggest that the anticipatory use of force is not generally considered lawful, or only in very pressing circumstances. While Oppenheim states that, "while anticipatory action in self-defense is normally unlawful, it is not necessarily unlawful in all circumstances, the matter depending on the facts of the situation, including in particular the seriousness of the threat and the degree to which preemptive action is really necessary, and is the only way of avoiding that serious threat; the requirements of necessity and proportionality are probably even more pressing in relation to anticipatory self-defense than they are in other circumstances."[466]

Similarly, Professor Antonio Cassese, former President of International Criminal Tribunal for the former Yugoslavia, considers that, "in the case of anticipatory self-defense, it is more judicious to consider such actions as legally prohibited while admittedly knowing that there may be cases where

[463] Rabinder, Singh & Allison McDonald "Legality of Use of Force Against Iraq" International Conference on Network Protocols September 10, 2002 p: 7 Available on: www.icnp.org/global
[464] Bennet, Leroy A. International Organizations 6th Edition Prentice Hall pp: 480-481
[465] Rabinder, Singh & Allison McDonald "Legality of Use of Force Against Iraq" International Conference on Network Protocols September 10, 2002 p: 7 Available on: www.icnp.org/global
[466] Ibid pp: 10-11

breaches of the prohibition may be justified on moral and political grounds."[467]

Although it is not clear that international law recognizes the right to use anticipatory force in self-defense, international lawyers, such as Rabinder Singh and Alison MacDonald, concluded that states may have the right to defend themselves by use of preemptive force, when the threat is imminent and serious, and when there is no practicable alternative to action in self-defense; and in particular other authority which has the legal power to stop or prevent the infringement, does not or cannot use them to that effect. However, they insisted, that such use of force would have to be in accordance with general rules and principles.[468]

The Legal point of view of the U.S

The U.S. preemptive policy against Iraq had two aims: first, to destroy the Iraqi nuclear, biological and chemical weapons; and second, bring about a regime change.

The Bush administration has developed set of legal justifications; some are radical in their concepts and some are traditional. The most radical of the U.S. justifications was announced officially in the President speech at West Point; the right of preemption in self-defense.

The tradition legal justification was the U.S. argument that a series of Security Council resolutions, adopted over the last twelve years, has been breached by Iraqi regime, and hence could be read to allow individual nations to pre-empt Iraq in order to destroy its stocks of WMD. This argument was first expressed by the President himself at Cincinnati, Ohio, "Eleven years ago, the Iraqi regime was required to destroy its weapons of mass destruction, to cease all development of such weapons and to stop all support fro terrorist groups. The Iraqi regime has violated all of those obligations."[469]

The argument was then elaborated by several U.S. officials. The formal statement setting out the administration's official legal position was read by the White House Press spokesman, Ari Fleischer, "The United Nations Security Council resolution 678 authorized the use of all necessary means to uphold United Nations Security resolutions and to restore international peace and security in the area. That was the basis for the use of force against Iraq

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[467] Ibid p: 11
[468] Ibid
[469] "President Bush Outlines Iraqi Threat" *The White House* October 7, 2002 p: 1 Available on: www.whitehouse.gov

during the Gulf war. Therefore, United Nations Security Council Resolution 687 declared a cease-fire, but imposed several conditions, including extensive WMD related conditions. Those conditions provided the conditions essential to the restoration of peace and security in the area. Another breach of these conditions removes the basis for the cease-fire and provides legal grounds for the use of force."[470]

At the legal level, there has been a hot debate, whether the Security Council resolutions authorize the use of force against Iraq. The debate was around the UN Security Council resolutions 678 (1990) and 687 (1991). The U.S. and the U.K. have argued that Security Council resolution 678 and 687 implicitly authorizes the use of force by member states in the event of Iraq's persistent non-compliance.
They argued that since 1991 and particular in 1998, Saddam Hussein appeared to have failed to cooperate with UN weapons inspectors, violating a large number of resolutions of the UN Security Council. Hence, the Bush administration suspected that Iraq's NBC programs have remained intact and hidden from the UN inspectors. However, the former UNSCOM inspector, Scott Ritter insisted that UNSCOM have destroyed large number of NBC weapons and Iraq was left with no capabilities to resume NBC programs or weaponize any hidden stock.[471]
The Bush administration refused to accept this, on the basis that with no reliable monitoring since 1998, there is no way of knowing if Saddam Hussein still has WMD. Even more recently, after UNMOVIC resumed its inspections in Iraq in 2002 and declared that they did not find any nuclear weapons, President Bush and his senior officials were still convinced that Saddam is cheating on the UN inspectors.

Why Washington failed to accept Iraq's claims that are in cooperation with UN inspectors? The simple answer is that the Bush administration saw Saddam Hussein as an 'evil' man, who has a history of lies, cheating and defiance. Hence they were not ready to put their trust in him anymore. It was best illustrated in a hard-line speech, on August 27, 2002 by the U.S. Vice President who warned that the 'murderous dictator,' will not comply with UN resolutions. He said, "A return of inspectors would provide no assurance whatsoever of his compliance with UN resolutions. On the contrary, there is

[470] "Press Briefing by Ari Fleisher" *The White House* March 13, 2003 pp: 1-2 Available on: www.whitehouse.gov
[471] "UN Weapons Inspectors" *The Guardian* December 9, 2002 p: 3 Available on: www.guardian.co.uk

a great danger that it would provide false comfort that Saddam was somehow 'back in his box'."[472]

To prove that Saddam Hussein was lying and deceiving the international community, the Bush administration prior to its war on Iraq, claimed that Iraqi nuclear program has been revived. This was the centerpiece of U.S. accusations that Iraq was violating these resolutions, "the assertion that new construction at the Tuweitha complex proved a revived nuclear program and the assertion that Iraqi purchases of 81 mm aluminum tubes were meant to support its effort to produce weapon grade material." Moreover, the most serious claim, presented by the U.S. was that Iraq had attempted to import Uranium ore from Niger and that it has 'smoking gun,' and other special weapons.[473] This claim turned out to be inconclusive and was denied by Dr.Blix.[474]

Hence, given these data, the U.S argued that Saddam Hussein has committed a 'material breach' of resolutions 678 and 687, and thus it has the legal right to use force. Many leaders of nations, political analysts, economists ... and in particular international lawyers have disagreed with the U.S.

According to the opinions of Rabinder Singh and Alison Macdonald, resolutions 678 and 687, do not allow the use of force. They based their argument on the legal fact that, "when the Security Council intends to authorize the use of force, it does so in clear terms."[475] Resolution 678 paragraph 2 authorizes, "member states of the United Nations to use all necessary means" to evict Iraqi troops from Kuwait and "to restore international peace and security in the area." [476]

Resolution 678 referred to the use of "all necessary means," phrasing which does not appear in any subsequent resolutions relating to Iraq."[477] They continued to emphasize that resolution 686 paragraph 4, which marked the provisional cessation of hostilities expressly, preserved the right to use force under resolution 678. "However, resolution 687 which marked the permanent ceasefire, use no such terms. This demonstrates a clear recognition that the right to use force requires express terms if it is to be

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[472] Woodward, Bob Bush at War Simon & Schuster 2002 p: 344

[473] "The End of Arm of Control & the Norm of War" Project of Defense *Alternatives Commonwealth Institute* Brief Report No. 4 May 5, 2003 p: 6 Available on: www.comw.org

[474]

[475] "Rabinder, Singh, and Alison McDonald "Legality of Use of Force Against Iraq" International Conference on Network Protocols September 2002 p: 23

[476] Ibid

[477] Ibid

continued. The absence of any clear terms in any resolution after 686 leads to the conclusion that no such use of force was authorized."[478]

Even if Iraq had committed a material breach of the ceasefire resolution 687, as the U.K. and the U.S. have been claiming, it doesn't follow that a member state such as the U.S. or the U.K. was authorized to use force; the authorization to use all necessary means was made in resolution 678(1990) and not 687 (1991). According to Rabinder Singh and Alison Macdonald, Iraq has accepted the terms of resolution 687 which is to bring the Gulf war to a permanent end.[479]

Moreover, as has been noted by Professor Vaugham Lowe, when resolution 687 was passed on April 1991, the force that the Security Council had earlier authorized in resolution 687 (1990) to restore the borders of Kuwait had effectively expired as the matter was back into the hands of the council.[480] Loeb and Ratner gave an example, "no one would seriously claim tat member states of the UN command would have the authority to bomb North Korea pursuant to 1950 authorization to use force if in 1999 North Korea flagrantly violated the 1953 armistice."[481]

It is of extreme relevance to take into consideration the following point:
Even if resolution 687 authorizes the use of force, as the U.S. has claimed, such use of force must be taken by the Security Council alone. It is clear from resolution 687 that it is the Security Council and not individual member states that were to take such a step. Even the recent and most important resolution 1441 (2002) which was passed by the Security Council and specifically decided that Iraq was in material breach of its obligations under resolution 687, granted Iraq a final opportunity to comply and set up the inspection regime; and declared that only the weapons inspectors, not the UN member states, have the authority to report Iraqi violations.[482] Although Dr. Blix said the UNMOVIC inspectors have seen 'no evidence' of mobile labs, and no evidence of Iraq hiding and moving material use of WMD either outside or inside Iraq;[483] the U.S. sought a further resolution. It is significant that the U.S. administration in its formal position statement did

[478] Ibid p: 24

[479] Ibid p: 33

[480] Duncan E. J. & Currie L.B. "Preemptive War & International Law After Iraq" *Globe Law* 22 May 2003 p: 6 Available on: www.globelaw.com

[481] "Rabinder, Singh, and Alison McDonald "Legality of Use of Force Against Iraq" International Conference on Network Protocols September 2002 p: 34

[482] "Security Council Holds Iraq in 'Material Breach' " *The United Nations* Press Release SC/7564 8/11/2002 p: 1 Available on: www.un.org

[483] Phyllis, Bennis "Powell's Dubious Case for War" *Foreign Policy in Focus* September 2003 p: 1 Available on: www.fpif.org

not refer to resolution 1441 (2002). "The U.S. cannot ignore that resolution (1441) and return to earlier resolutions 687 and 678 to justify its own case against Iraq.[484]

Therefore, according to a number of international lawyers' opinions, the Security Council resolutions relating to Iraq do not authorize the use of force and hence they agree that the argument used by the Bush administration does not stand and the preemptive attack on Iraq without the Security Council constituted an unlawful use of force under international law.

In addition to the justification that Iraq has violated its obligations to destroy its WMD, the Bush administration has argued that Iraq has also violated its obligation to stop terrorism. But this argument was never as prominent in the White House's case for war as Iraq's alleged stocks of WMD. Nevertheless, it was used as another justification for the use of force against Iraq.

The President invoked the terrorism theme reportedly in his speech to the nation, portraying the invasion of Iraq as part of U.S. response to the attacks of the World Trade Center and the Pentagon. "We have carried the fight to the enemy," Bush said, "We are rolling back the terrorist threat to civilization, not on fringes of its influence but at the heart of its power."[485]

It was clear the President meant Iraq was within that 'heart' of power. The President based his case on the claims that there was a link between Saddam Hussein's regime and AL-Qaeda. In his speech at Cincinnati, Ohio, the President has illustrated this point, "we know that Iraq and AL-Qaeda terrorist network share a common enemy – the United States. We know that Iraq and AL-Qaeda have had high level contacts that go back a decade. AL-Qaeda leaders who fled Afghanistan went to Iraq. These include one very senior AL-Qaeda received medical treatment in Baghdad this year and who has associated with planning for chemical and biological attacks."[486]

Initially, the administration's claims of a link between Saddam's regime and AL-Qaeda rested heavily on a Jordanian man, Al-Zarqawi, a member of AL-Qaeda leadership. He was the person who the President referred in the Cincinnati speech.

In late 2001, according to U.S. intelligence sources, Al-Zarqawi after being wounded in a U.S. led bombing of Afghanistan, has fled to Baghdad. And according to Jordanian intelligence, Zarqawi left Baghdad to northern Iraq,

[484] Duncan E. J. & Currie L.B. "Preemptive War & International Law After Iraq" *Globe Law* 22 May 2003 p: 6 Available on: www.globelaw.com

[485] Miller, Greg "Iraq-Terrorism Link Continues to be Problematic" *Los Angeles Times* September 9, 2003 p: 1 Available on: www.latimes.com

[486] 'President Bush Outlines Iraqi Threat" *The White House* October 7, 2002 p: 2 Available on: www.whitehouse.gov

where he joined up with Ansar Al-Islam, a militant Islamist group harbors up to 120 AL-Qaeda members and is fighting a turf war with the Patriotic Union of Kurdistan.[487]

This claim was then taken by the U.S. Secretary of State Powell to the UN Security Council. He told them that Iraq harbors a deadly terrorist network headed by Al-Zarqawi, an associate and collaborator of Bin Laden and his AL-Qaeda lieutenants. The danger of this network is that it "helped establish other poison and explosive training camps in northern Iraq." He added that senior Iraqi officials and Al-Qaeda leaders had met at least eight times since the early 90's in the Czech Republic.[488]

Furthermore, the administration backed its claim on the fact that Saddam's regime has had links with terrorist groups in the past. The fact is that Saddam has aided the Iranian dissident group 'Mujahedeen al-Khalq'. Moreover, Iraq has hosted several Palestinian leader groups such as Abu Nidal. Iraq has also supported the Islamist Hamas movement and reportedly channeled money to the families of Palestinian suicide bombers.[489] This was also reflected in the President's speech, "Over the years, Iraq has provided safe haven to terrorists such as, Abu Nidal, who carried out more than 30 terrorist attacks in 20 countries and killed 12 Americans. Iraq has provided safe haven to Abu Abbas, who was responsible for seizing the Achille Lauro and killing an American passenger."[490] Similarly, in his remarks to the UN Security Council, Powell mentioned that "Saddam was willing to assist AL-Qaeda after the 1988 bombings of our embassies in Kenya and Tanzania. Saddam was also impressed by Al-Qaeda's attacks on the USS Cole in Yemen in October 2000."[491] Paul Wolfowitz went further than that, and argued that the "killings of 19 Air Force personnel in the 1996 Khobar Tower in Saudi Arabia and the 17 Navy Sailors on the USS Cole in Yemen in 2000 would not have happened if the U.S. had not engaged against Iraq."[492]

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[487] Borger, Julian "AL-Qaeda & Iraq: How Strong is the Evidence?" *The Guardian* January 30,2003 pp: 2-3 Available on: www.guardian.co.uk

[488] "Secretary of Sate Colin Powell Excerpts Remarks to the UNSC" *US Department of State* February 5, 2003 pp: 1-2 Available on: www.state.gov

[489] "Terrorism: Questions & Answers-Iraq" *Council on Foreign Relations* 2004 p: 3 Available on: www.terrorismanswers.com

[490] "President Bush Outlines Iraqi Threat" *The White House* October 7, 2002 p: 2 Available on: www.whitehouse.gov

[491] "Secretary of Sate Colin Powell Excerpts Remarks to the UNSC" *US Department of State* February 5, 2003 p: 4 .Available on: www.state.gov

[492] Pinctus, Walter "Wolfwitz: Iraq Key to War on Terrorism" *Washington Post* July 28, 2003 p: 3 Available on: www.washingtonpost.com

While there was strong evidence that Iraq supported terrorism in the past, the CIA and the FBI and UNMOVIC have downplayed the Iraq-AL-Qaeda link, they argued that there was no solid and conclusive evidence. The CIA Director, George Tenet could see only contacts and not cooperation between the two. On May 2002, Tenet said that "their ties may be linked by divergence of ideologies, the two minds mutual antipathies toward the U.S. and the Saudi Royal family suggests that tactical cooperation between the two is possible."[493]

In several occasions, the CIA officials have insisted that there was no intelligence suggesting a link between Iraq and AL-Qaeda. "While we have said there may possibly be individuals in Iraq, we have never said anything to suggest specific link between AL-Qaeda and Saddam Hussein."[494] And when asked whether the Bush administration's case is solid, the FBI and the CIA described it as 'soft" and 'squishy'.[495] This was best illustrated by the CIA Director, George Tenet who told the Congress on October 2003, that the CIA has no evidence that a meeting between AL-Qaeda and Iraqi regime took place in the Czech Republic.[496] Similarly, the Czech President, Vaclav Hume told the White House that the U.S. allegation would not be 'substantiated'.[497]

Moreover, Dr. Blix denied key components of Powell's claims to the UN Security Council. Blix said the UNMOVIC inspectors have seen "no persuasive indications" of Iraq-AL-Qaeda links.[498] This revealed a division between, on one side the Pentagon and National Security Council which has become a 'cleansing house'[499] for the evidence being prepared for Powell, and on the other side the CIA and the FBI. The President, the Vice President Cheney, and the Secretary of Defense, Rumsfeld, have variously described Iraq as "unique and urgent threat' and "a threat of unique urgency and a grave threat"[500]. While Tenet insisted that the CIA never saw there was as an "imminent" threat from Iraq.[501] Furthermore, the CIA publicly revealed a

[493] Borger, Julian "Tenet Denies CIA Exaggerated Warnings on Iraq Arms" *The Guardian* February 6, 2004 p: 2 Available on: www.guardian.co.uk

[494] Borger, Julian "Al-Qaeda & Iraq: How Strong is the Evidence" *The Guardian* January 30,2003 p: 1 Available on: www.guardian.co.uk

[495] Ibid p: 2

[496] Connetter, Carl "The End of Arm Control & the Norm of War" Project of Defense Alternatives Common Wealth Institute Brief Review No. 4 May5, 2003 p: 6 Available on: www.comw.org

[497] Ibid p: 7

[498] Phyllis, Bennis "Powell's Dubious Case for War" *Foreign Policy in Focus* February 5, 2003 p: 1 Available on: www.fpif.org

[499] Borger, Julian "Tenet Denies CIA Exaggerated Warnings" *The Guardian*. February 6, 2004.p:2

[500] Ibid

[501] ibid

report "painting a murkier view of Iraq's links to AL-Qaeda, its WMD and the likelihood that Hussein would use them unless attacked."[502]

There was not only a persistent difference between the Pentagon and the CIA, but also there was pressure on the CIA and the FBI to find links. At the FBI, some investigators said they were "baffled by the Bush administration's insistence on a solid link between Iraq's and Bin Laden's network. We've been looking at this hard for more than a year, we don't think there is a link,"[503] an FBI official said. While some analysts at the CIA have complained that senior administration officials have exaggerated the significance of some intelligence reports about Iraq, particularly its possible links to Al-Qaeda.[504]

This leads the observer to question the validity of the administration's case against Iraq. Many political analysts argued that this insistence on finding a link between Iraq and AL-Qaeda was just for public support to go to war. Establishing the link between Iraq and Al-Qaeda was essential for President Bush to persuade the American public that Iraq represented an imminent threat. In other words, President Bush used that claim only to strengthen the political argument for using force against Iraq. In doing so, the New York Times/CBS News Poll on April 15, 2003 found that the majority of Americans believe that Saddam Hussein played a role behind September 11 attacks, and 79% of respondents approve of President Bush's handling of Iraq, the most support Bush has received on his Iraq policy.[505]

However, if Bush was able to mislead the American public, international lawyers such as Rabinder Singh and Alison Macdonald were not duped by U.S. claims. They argued that in order to justify the use of force against Iraq on the basis of collective self-defense with the U.S., there must be credible evidence that Iraq has carried out, or intends to carry out, an armed attack on the U.S. "We are not aware of any proof that Iraq has provided weapons or 'logistical or other support' to AL-Qaeda."[506] Furthermore, they argued that even if it could be shown that Iraq had funded or assisted AL-Qaeda, "this

[502] "FBI, CIA Both Reject Iraq-Al Qaeda Link" *Sunday Herald* February 2, 2003 p: 2 Available on: www.sundayherald.com
[503] Ibid p: 1
[504] Ibid
[505] Elder, Janet "Americans See Clear Victory in Iraq, Poll Finds" *The New York Times* April 15, 2003 p: 2 Available on: web6.infotrac.galegroup.com
[506] Rabinder, Singh, Rabinder & Alison McDonald "Legality of Use of Force Against Iraq" *International Conference on Network Protocols* September 10, 2002 pp: 14-15 Available on: www.icnp.org

does not necessarily justify the use of force in self-defense."[507] They based their argument on the Nicaragua case.

According to the ICJ in the Nicaragua case, "in the case of individual self-defense, the exercise of this right is subject to the state concerned having been the victim of an armed attack. Reliance on collective self-defense of course does not remove the need for this ... the court does not believe that the concept of an 'armed attack' includes not only acts by armed bands where such acts occur on a significant scale, but also assistance to rebels in the form of the provision of weapons or logistical or other support."[508] Hence, under international law, the attacks of September 11 in themselves do not justify the use of force against Iraq, unless Iraqi involvement in the September 11 attacks, could meet the standard set out in the Nicaragua case, namely more than the provisions of weapons, logistical or other support. Since there was no proven link between Iraq and AL-Qaeda, the use of force by Iraq are not justified.

The third and final legal justification for the use of preemption against Iraq was the U.S argument that the international legal community had a duty to intervene in Iraq in order to save the people of Iraq from the terrible dictator Saddam Hussein.

President Bush has spoken in his speech to the UN General Assembly of the atrocities of Saddam's regime. "Tens of thousands of political opponents and ordinary citizens have been subjected to arbitrary arrest and imprisonment, execution and torture ... all of these horrors concealed from the world by the apparatus of a totalitarian state."[509]

Indeed the President's speech reflected the real image of the human rights abuse in Iraq. Human Rights Watch, Amnesty International and others have repeatedly over many years reported Iraqi government perpetuated widespread and gross human rights violations, including arbitrary arrests of suspected political opponents, routine torture, ill treatment of detainees.[510] Although the UN Security Council and the UN commission on human rights have repeatedly over many years condemned Iraq's human rights record, Iraq continued to flout UN resolutions and to ignore its international human rights commitments.[511]

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[507] Rabinder, Singh, Rabinder & Alison McDonald "Legality of Use of Force Against Iraq" *International Conference on Network Protocols* September 10, 2002 pp: 14-15 Available on: www.icnp.org
[508] ibid
[509] "President's Remarks at the UN General Assembly" *The White House* September 12, 2003 p: 2 Available on: www.whitehouse.gov
[510] "Iraq & Iraqi Kurdistan" *Human Rights Watch* 2004 p: 1 Available on: www.nrw.org
[511] Ibid p: 2

Upon this fact, the U.S. has told the international community that the U.S. is fighting a just cause to save the people of Iraq from a brutal dictator. "Liberty for the Iraq people is a great moral cause: the people of Iraq deserve it and the U.S. supports political and economic liberty in a unified Iraq."[512] This type of argument is known by the international lawyers as the doctrine of humanitarian intervention. Given the well-documented serious human rights violation of Saddam Hussein's rule, is there not right, or duty for other nations to intervene, in order to remove the source of the violation? Many commentators have pointed out that the 'coalition of the willing' concern for the welfare of the Iraqi people was a very recent development, and that the West in particular the U.S. had sat by in the 1980's when Saddam engaged in massacres of his own people. Politically at least, it seemed inconsistent to be suddenly developing a deep concern about human rights of the Iraqis.[513]

Legally, the right of humanitarian intervention has been a challenge to the basic principles of state sovereignty and non-intervention in the affairs of other countries, so cherished by the UN Charter and international law. So what are the conditions required for humanitarian intervention?
It has been suggested by an independent commission established by Canadian government, the International Commission on Intervention and State Sovereignty, that the concept of 'humanitarian intervention' should be redefined as a 'responsibility to protect'. It implies that "sovereign states have a responsibility to protect their own citizens from available catastrophe, but, that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states."[514]
The commission presented three guiding principles for a military intervention:
First, there must be a just cause. As the commission said, "military intervention for human protection proposes is an exceptional and extraordinary measure. To be warranted, there must be serious and irreparable harm occurring to human beings or imminently likely to occur." The commission identified two types of such harm as a large scale loss of life or a large scale ethnic cleansing.

[512] "President's Remarks at the United Nations General Assembly" *The White House* September 12, 2002 p: 4 Available on: www.whitehouse.org
[513] Charlesworth, Hilary "Is International Law Relevant to the War in Iraq & its Aftermath?" *National Press Club* Canberra October 29, 2003 p: 4
[514] "The Responsibility to Protect" *Department of Foreign Affairs and International Trade* June 2, 2002 p: 1 Available on: www.dfait-maeci.gc.ca

Second, the commission stated that the primary purpose of the intervention must be to avert human suffering: that intervention can be justified only when every other non-military option has been explored; that the scale, duration, and intensity of the military intervention should be the minimum necessary to protect and there must be a reasonable chance of averting the suffering that has justified the intervention.

The third principle, identified by the commission is that of 'right authority'. It argued that the UN Security Council was the most appropriate body in the first instance to authorize military intervention. If the Security Council were to reject a proposal for intervention, the commission proposed that the UN General Assembly consider the matter under the 1950 Uniting for Peace Resolution; or that action be taken by a regional organization.[515]

Measured against these three criteria, the humanitarian intervention argument in the case of Iraq appears shaky.

First, there was no public evidence of an actual or imminent large scale loss of life caused by the Iraqi government. Yet, there was much evidence of atrocities that occurred some time ago, where 3000 to 3200 Kurds were gazed to the ground by Iraqi troops.[516]

Second, there was little evidence to suggest that the intention behind the coalition's intervention was to halt or avert the suffering of Iraqis. If the human rights of the Iraqis were the primary motive for the invasion, given the destruction of civilian life and infrastructure that it caused, questions can be raised about whether the means used to protect Iraqi human rights were proportionate.[517]

Third and finally, the 'right authority' requirement proposed by the international commission was not met because the U.S. failed to cooperate with the Security Council.

Similarly, Henry Kissinger argued that for humanitarian intervention to be justified, it must meet four conditions; one of which is to get the approval of the international community, or "the rest of the world will see the arbitrary exercise as an American domination and with time, an act of egoism and hypocrisy."[518]

Since the U.S failed to get the approval from the international community, its preemptive war on Iraq was perceived as an American domination.

[515] Ibid pp: 2-3

[516] "Iraq & Iraqi Kurdistan *Human Rights Watch* 2004 p: 10 Available on: www.hrw.org

[517] Charlesworth, Hilary "Is International Law Relevant to the War in Iraq & its Aftermath?" *National Press Club* Canberra, October 29, 2003 p: 5

[518] Kissinger, Henry Does America Need a Foreign Policy? Toward a Diplomacy for the 21st Century Simon & Schuster: New York 2001/2002 pp: 285-286

4.3 The Reflection of Unilateralism on Foreign Policy in Iraq

It appeared that the Bush doctrine of preemption was less troublesome than its unilateral application on Iraq. The U.S. unilateral preemptive attacks on Iraq marked a temporary rupture with the United Nations and the U.S. allies and friends, in particular France and Germany.

As it was mentioned before, U.S predisposition to act alone in addressing foreign policy problems had its roots back to the 18th century from George Washington through Woodrow Wilson to George W. Bush. The history of American Foreign Policy was characterized by periods of unilateralism, as well as multilateralism. The best known statement of the unilateralist position is the Monroe Doctrine, the United States would neither allow itself to intervene in European affairs nor tolerate European intervention in the Western Hemisphere. Similarly from 1904 to 1934, the U.S. sent eight expeditionary forces to Latin America, conducts five military occupations.[519]

Unilateralism continues to characterize U.S foreign policy in the post-September 11. For the Bush administration, U.S. unilateralism came to be defined as "a conscious decision to put America first, even if there is a diplomatic price to be paid."[520] This was identified throughout the foreign policy initiatives of the administration, both before and after September 11. Consequently, as a BBC commentator declared, "Whereas Mr. Clinton became known as a determined consensus and alliance builder, Mr. Bush has signaled on a number of occasions that the U.S. is prepared to go it alone, even if it puts noses out of joint in other countries, friend or foe."[521]

This implies that the administration would use multilateralism to pursue U.S. interests, but if the international community did not support or endorse U.S. actions, then the U.S. would go it alone in what many academics have described it as neo-unilateralism. Once in office, it was evident that the Bush administration preferred unilateralism over multilateralism. President Bush and his advisers tended to be distrustful of international institutions, believing they encroached on American sovereignty. This was expressed by U.S. refusal to ratify or has withdrawn from an increasing number of international agreements as it was stated before.

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[519] Halstedt, Glenn <u>American Foreign Policy: Past, Present Future</u>5th Edition 2003 p: 36

[520] Watson, Robert, Tom Lansford & Hilliard Watson "Foreign Policy in the Bush Administration" *Special Conference Report* October 2003 p: 4 Available on: www.americandiplomacy.org

[521] Lister, Richard "Analysis: Bush's Foreign Policy" *BBC News* April 1, 2001 p: 1 Available on: www.bbcnews.co.uk

In giving life to Bush's doctrine of preemptive war, the war on Iraq represents the first time a U.S. president has claimed, even boasted that he had the right to launch such a unilateral attack against a country. The U.S. effort to undermine and render irrelevant the United Nations, clearly demonstrated the longstanding disdain for and hostility towards international organizations on the part of neoconservatives who are well represented and influential in the Bush administration.

The hardliner Dick Cheney summarized the views of key Bush administration ideologues in the following private discussion with Bush's National Security Adviser, Rice. He warned that U.S. would face an endless process of debate and compromise and delay once they started down the UN road – words and actions. "I think the speech at the UN ought to be about Iraq,"[522] Cheney agreed. "But the UN ought to be made the issue. It should be challenged and criticized. Go tell them it's not about us. It's about you. You're not important. The UN was running the risk of becoming irrelevant and would be the loser if it did not do what was necessary."[523] Furthermore, Cheney argued that to ask for a new resolution would put them back in the soup of the UN process, hopeless, endless and irresolute."[524] Rice agreed; "the UN had become too much like the post-WWI League of Nations, a debating society with no teeth."[525] On this basis, the Bush administration agreed that the President should not go to the UN to ask for a declaration of war.

The story of U.S. disenchantment with the UN has been frequent during the first four decades after WWII. The relationship between the UN and the U.S. had its ups and downs, and the trend line was generally negative.[526] It is ironic that the U.S. officials who were antipathetic to the UN in the Reagan administration are now holding key positions in the Bush administration. They argued back in the 1980's, that the "UN was created to assume peace; peace has not been assured; therefore the UN has failed."[527] Though 24 years passed, it would be naïve to believe that the U.S. is ready to accord the UN a more central place in its foreign policy. This simply reflects a fact, that great power as the U.S., has less need to make use of the UN than do the many smaller states that make up its membership; in particular that the neo-

[522] Woodward, Bob Bush at War Simon & Schuster 2002 p: 335
[523] Ibid
[524] Ibid pp: 345-346
[525] Ibid p: 336
[526] Wittkopf, Eugene The Future of American Foreign Policy 2nd Edition St. Martin Press: New York 1994 pp: 260-263
[527] Has the UN Failed? p: 2

conservatives in the administration are well aware that the major problems to be confronted in post September 11 are no longer only those of peace and war. New international issues such as terrorism and proliferation of WMD have emerged and according to the neo-conservatives to confront such threats the U.S rather than the UN will hold governments responsible for what goes on inside their borders. This implies that the U.S. will not hesitate to transcend the norms of state sovereignty. As George Monbiot recently wrote, "the U.S. seems to be ripping up the global rulebook."[528]
But for the first time since the end of the cold war, there is a serious competitor challenging U.S. unilateralism, a global public opinion.

In his speech to the UN General Assembly, Kofi Anan firmly attacked the administration's doctrine of preemptive and unilateral challenges under which "states are not obliged to wait until there is agreement in the Security Council, instead they reserve the right to act unilaterally or in ad hoc coalition.[529] While the European governments were outraged at the Defense Secretary Donald Rumsfeld description of France and Germany as 'old Europe', that have little relevance to the world's future.[530] They recognized the urgent need to constrain the U.S. Empire for influence and authority and stand up to American unilateralism.
As a result, tensions between the U.S. and its Western allies were heightened during the Iraqi war. According to one poll, 30% of the French people regard the U.S. as France's chief enemy.[531]
The issues raised in the U.S. European disputes since the 'axis of evil' speech for the most part revolve around American unilateralism and international law. Even in the first Bush's presidency, the European complaints about American policy were numerous; they include the Kyoto Treaty, the ABM Treaty, The Landmines Treaty, its treatment of Al-Qaeda prisoners at Guatanemo Bay, The ICC Treaty ... however, the most serious act of U.S. unilateralism in European eyes concerned the Bush administration's announced intention to bring about regime change in Iraq, without the approval of the UN and U.S. allies.

[528] Bennis, Phyllis "Building a Movement Against Empire" *Foreign Policy In Focus* May 2003 p: 4 Available on: www.fpif.org
[529] William, Ian "A Story of Two Speeches: Kofi Anan & George W. Bush" *Foreign Policy in Focus* October 3, 2003 p: 3 Available on: www.fpif.org
[530] Parry, Net "Bush's Flowderind Doctrine" *Consortium News* September 3, 2003 p: 5 Available on: www.consortiumnews.com
[531] "Most French Against War in Iraq: Poll" *ABC News* p: 1 Available on: www.abc.net

The U.S.-European disputes had its roots in their current differences. Robert Kagan, in a recent article in *Policy Review*, provided an explanation of U.S.-European differences. Europeans are the ones who actually believe they are living at the end of history, that is, in "largely peaceful world that to an increasing degree can be governed by law, norms and international agreements."[532] The reason why they like international law and norms, according to Kagan, is because they are weaker than the U.S.; Americans by contrast, think they are still living in history, "exercising power in the anarchic Hobbesian world where international laws and rules are unreliable, and where true security and the defense and promotion of a liberal order still depend on the use of force."[533] The reason why the U.S. depends on this argument is because it is significantly more powerful than any other country or group of countries (like the EU).

Francis Fukuyama, in a very interesting article titled 'The U.S. vs. the Rest', argues that a great deal of European irritation with the U.S. arises from stylistic matters rather than substance. He gave the following example:

The Europeans were irritated from the Bush administration's strange failure to consult, explain, and justify in the manner of previous administration. "The Bush administration could have let the ratification of the Kyoto languish in Congress as the Clinton administration did, rather than casually announcing withdrawal from the pact. Europeans did not like the religious language of the 'axis of evil' nor the fact that this major policy shift was announced as it were on the fly without prior notification or explanation."[534]

Moreover, Fukuyama adds that the Europeans and the Americans differ in their perceptions of danger and how to deal with it. The U.S. clearly thinks that once a leader like Saddam Hussein possess nuclear weapons, he might pass them to other rogue states, and hence might endanger U.S. interests and security, as well as, that of Western civilization as a whole. On this basis, the U.S. adopted preemption and unilateralism as an instrument of U.S. foreign policy. The Europeans, by contrast, believe that the attacks of September 11 were, "one-off-kind of event, where Ousama bin Laden got lucky and scored big."[535] But the likelihood that Al-Qaeda will achieve similar success in the future is small.[536]

Similarly, they believe that Saddam Hussein likelihood to pass nuclear weapons to the terrorists is small and that he remains deterrable. They prefer

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[532] Kagan, Robert "Power & Weakness" *Policy Review* No. 113 p: 1 Available on: www.policyreview.org
[533] Ibid
[534] Ibid p: 5
[535] Fukuyama Francis "The US vs. Rest" *The New Perspectives Quarterly* Vol. 19 No. 4 Fall 2002 p: 11 Available on: www.figitalnpq.org
[536] Ibid

containment rather than an invasion of Iraq. According to Raymond Tanter, the reason behind "Europe's propensity for appeasement and engagement over antagonism and confrontation is that European nations would rather buy off and engage potential rogues with goods and services, instead of confronting them with threats and coercion." [537] Even in extreme cases, they prefer to use multilateralism sanctions. [538]

A rift in threat and perceptions and policies between Americans and Europeans is a problem facing the alliance, in post September 11. In the absence of the Soviet threat and in the presence of the U.S as the sole superpower, consensus is problematic on the selection of measures to address threats. The Bush administration was well aware of this reality when they saw that there is not going to be an accord on the use of force against Iraq. The U.S. decided unilaterally to use preemption to achieve its goals and objectives.

[537] Tanter, Raymond Rogue Regimes: Terrorism & Proliferation St. Martin's Griffin New York 1999 pp: 18-19
[538] Ibid

Chapter V

Evaluation of the U.S Objectives in Iraq

"It is ...important to keep strong ties in the Middle East, with credible ties, because of the energy crisis we're now in ...I-I hope to get a sense of, should I be fortunate enough to be president, how my administration will react to the Middle East." – George Bush.

Massive attention has been given, on questions of legality concerning U.S. preemptive attacks on Iraq. But far too little attention has been focused on the true motives of the U.S. war on Iraq. The conventional explanation was given by President Bush on several occasions:
"Our goal is to prevent regimes that sponsor terror from threatening American or our allies with weapons of mass destruction." [539] And since Iraq constituted an 'axis of evil', the U.S. "must take the battle to the enemy and be ready to preempt."[540]

This argument however, does not fit all the fact. There is much more to this argument. The Bush administration real goal in the Iraq is to refashion the Middle East to suit U.S own interests. But why should the U.S. involve itself in Middle East politics? After all, the region is thousands of miles away, and Iraq for the most part cannot threaten the American homeland militarily.
To understand the U.S. interests and involvement in the Middle East, and in particular in Iraq, one has to examine first the U.S interest in the region.
The U.S. active involvement in the Middle East began with the end of WWII. Since Truman administration, the U.S. has pursued three basic objectives in Middle East policy: containment of communism, securing oil resources in the Gulf region and supporting Israel and ensuring its security.
With the end of the cold war and the disintegration of the Soviet Union, these interests have not changed but it has radically changed the threat to them. Several factors had led to an increase in U.S. involvement in the Middle East such as; the Iran-Iraq war, in which one could have posed a future threat to Saudi Arabia and the smaller oil-exporting Gulf states. The Gulf war, in which Iraq emerged as the most powerful regional military player in the Persian Gulf, plus many states in the area have acquired

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[539] President Delivers State of Union Address, The White House pp:2-3 Available on: www.whitehouse.gov
[540] Ibid

impressive arsenals of both land and air combat materials, and have or are attempting to develop nuclear weapons. The U.S. has identified them as Libya, Iraq, and Iran. Since the 1990's, the U.S. has increased its military troops in the Gulf area and pursued the following objectives; containing 'radical' regimes (Libya, Iran and Iraq), supporting 'moderate' Arab regimes (Saudi Arabia, Kuwait, Jordan ..), stopping the proliferation of weapons of mass destruction, protecting oil production in the Gulf, responding to Islamic Fundamentalism, supporting Israel and resolving the Arab Israeli conflict.[541]

Following the September 11 terrorist attack, the Middle East region has become a crucial battle ground in the U.S.-led war against terror, where the U.S. neo-conservatives believe they could finally implement their geo-strategic goals.

"The U.S. geopolitical strategy is a model for foreign policy that seeks to pursue U.S. 'national' interests by controlling certain regions whose significance is determined by its geography, economic and political characteristics. The factors that determine the importance of a region are the presence of resources, proximity to trade routes or emerging markets, or the magnitude of power that nearby states may yield. The pursuit of these interests usually involves the manipulation of foreign powers and the constant forging and dissolving alliances. It is essentially competitive and pragmatic."[542]

The U.S. geo-strategic goals in the Middle East had earlier been outlined in the neo-conservatives writing and publications. Among the most impressive ones were the 'Clean Break' and the 1998 letter to Clinton. The 'Clean Break' report of Richard Perle and Douglas Feith was given to the Israeli Prime Minister Netanyahu in 1990. It articulated two principle objectives: the overthrow of Iraq and the neutralization of Syria.[543] Similarly the 1998 PNAC letter to Clinton urged the administration to implement a strategy for removing Saddam's regime from power in order to stabilize the entire Middle East.[544]

Furthermore, the neoconservative think tank, PNAC, wrote in September 2000, a document entitled Rebuilding America's Defenses. The plan shows Bush's cabinet intent to take military control of the Gulf region, whether or

[541] Ibid pp: 210-213
[542] "Geopolitical Objectives", *Center for Cooperative Research*, 2002 p: 1 Available on: www.cooperativeresearch.org
[543] Laurent, Eric The Secret World of Bush plon. 2003 p: 121
[544] "Letter to President Clinton on Iraq" *The New American Century* , January 26, 1998 pp: 1-2 Available on: www.newamericancentury.org

not Saddam Hussein was in power. In addition to that it says, "even should Saddam pass from the scene"[545], U.S. bases in Saudi Arabia and Kuwait will remain permanently ... as "Iran may well prove as large a threat to U.S. interests as Iraq. Moreover, it pinpoints North Korea, Syria and Iran as dangerous regimes and says their existence justifies the creation of a "world wide command and control system."[546]

The war on Iraq therefore, is neither a new decision for the hawks of the administration, nor the consequences of the terrorist attacks on September 11. Contrary to what has been argued September 11 did not transform the politics of the Bush administration. It did, however, accelerate a process which was already at work. The war on Iraq, constituted the concretization of the neoconservatives' strategies, destined to remodel the balance of power in the Middle East. For the U.S. neoconservatives in the Bush administration, a successful U.S. war on Iraq would serve first as a warning to others: if overwhelming U.S. force can remove the defiant dictator of Iraq, then U.S. potential peer competitors in the region had better watch their steps. In other words, the Bush administration wanted to send a strong message to the enemies of the U.S. that the administration was willing to destroy any threat before it materialized. And it has the means to do so. This is called the 'demonstration effect' of a military success.[547]
Secondly, an American military presence in the heart of the Middle East, would allow the U.S. to successfully oppose the emergence of any potential alliance between the two members of the 'axis of evil', Iran and Syria or defer any threats coming from either of them.

Iran

Iran, Iraq's neighbor to the East, is the country of most consequence in the region, in the eyes of the Bush's hardliners advisers.
The US-Iran past relation is worth examining in light of the recent events.
Washington and Tehran broke off bilateral relations during the U.S. embassy hostage crisis in 1980 and hence Iran shifted in America's eyes from an ally to an adversary.[548] The reasons behind that shift were the following: American leaders believed that Iran threatens both intrinsic and strategic

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[545] Rebuilding America's Defenses." The Project for the New American Century September 2000 Available on: www.newamericancentury.org
[546] Ibid
[547] "Iraq War Provides Opportunity for the US to Reshape Mideast" *People's Daily*, May 3, 2003 p: 1 Available on: www.english.people.com.cn
[548] "What Next?" *New Internationalist* May 2003 p: 2 Available on: web3.infotrac.galegroup.com

interests. The intrinsic interests are that the Iranian menace threatens American civilians and military personnel in the Gulf. "Iran also is a risk to other inherently valuable targets like Western petroleum products transiting the Gulf and other sea lanes of communications."[549] Since the U.S. strategic interests in the Gulf is about preserving the uninterrupted flow of petroleum to the world market at prices that are compatible with the economic growth of the industrialized democracies.[550] There was danger from the Iranians on U.S. strategic interests.

One means by which Tehran confronts Washington is through state-sponsored terrorism. Iran directed terrorism against political opposition at home and abroad. Iran was accused of sponsoring operations by other militant organizations such as the Argentinean bombings of 1992 and 1994 and 1996 Khobar Towers bombings, attributed to Hezbollah organizations in Saudi Arabia. Moreover, Iran is currently suspected of carrying terrorist act against Israel through its radical Palestinian factors; such as the Popular Front for the Liberation of Palestine – General Command (PFLP-GC).[551]

As a result, occupants of the oval office perceived Iran as an 'evil' nation of International terrorists, and its name was put on the annual Department of State list of nations that sponsor global terrorism.[552] In addition to its support for terrorism, Iran was accused by the U.S. of developing weapons of mass destruction, including nuclear, biological or chemical weapons.

Tehran was accused by the U.S. of importing sophisticated weapons systems and expanding its own internal capabilities. "Iran has the ability to obtain a nuclear device from a former Soviet Republic such as Kazakhstan which possessed nuclear weapons."[553] Moreover, Iran has a huge stockpile of chemical weapons such as: nerve agents, mustard gas…regarding Ballistic Missiles. Beijing and Pyongyang have sold Ballistic Missiles to Tehran; such as 450 scud B and Scud missiles with 300 to 500 km. Range. This range coupled with the capacity to deliver WMD will enable Tehran to emerge as a world-class strategic threat to the U.S.[554]

According to Gary Sick, the direction in which the Iranian policy on terrorism is heading today, behaves differently than it did nearly a quarter

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[549] Tanter, Raymond Rogue Regimes: Terrorism & Proliferation St. Martin's Griffin: New York 1999 p: 64
[550] Ibid p: 65
[551] Sick, Gary, Iran: Confronting Terrorism, *The Washington Quarterly* Autumn 2003 p: 83 Available on: www.washingtonquarterly.com
[552] Tanter, Raymond Rogue Regimes: Terrorism & Proliferation St. Martin's Griffin: New York 1999 p: 66
[553] Ibid p: 69
[554] "Weapons for Mass Destruction in the Middle East" *Monetary Institute of International Studies*, May 1999 pp: 1-2 Available on: www.cns.miis.edu

century ago. "Iran's post revolutionary policies of hostage-taking and rebellion promotion among its neighbors have been abandoned as have its wartime shipping attacks and targeted assassinations of enemies."[555]

The only source of violence seems to be increasingly focused on support for radical anti-Israeli groups in Palestine.[556]

After September 11, some were wondering whether Iran and the U.S. might be heading for a diplomatic rapprochement; Iran responded to the September 11 terrorist attack with official statements of condolences. Although Iran officially opposed the U.S. attack on Afghanistan, it made no effort to intervene yet it cooperated quietly on certain issues such as: humanitarian relief, search and rescue and other practical matters. After the overthrow of Taliban, Iran participated positively in the Bonn talks with the aim to establish a new interim government in Afghanistan. At the Tokyo donors' conference in January 2002, Iran pledged a total of $560 million for the reconstruction of Afghanistan, the largest donation of any developing country.[557]

Speculation emerged among observers that this could be the beginning of a new U.S. Iranian relationship. However, in his 2002 State of the Union address, President George W. Bush identified Iran as the third member of an 'axis of evil', stating that terrorism and WMD were major concern.[558]

Why did the Bush administration go from praising to condemning Iran in only few weeks?

The U.S. harsh attacks on Iran started prior to Karine-A incident. The Israeli intercepted and captured in January 2002, Karine-A, a ship secretly carrying some 50 tons of weapons and explosives from Iran's Kish Island to Palestine. Israel arrested the ship's captain, Omar Akawi, who later spoke to the press from his prison cell and identified himself as a member of Arafat's Fatah movement and a lieutenant colonel in the Palestinian naval police.[559] Though the Palestinians and Iranians denounced the event as an Israeli set up; President Bush, Vice President Cheney and Secretary of State Powell condemned Arafat. A senior administration official told the New York

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[555] Sick, Gary, Iran: Confronting Terrorism, *The Washington Quarterly*, Autumn 2003 p. 84 Available on: www.washingtonquarterly.com

[556] Ibid

[557] Haas, Richard "The US Coordinator for Afghanistan Complemented Iran's Constructive Role in Talks on the Future of Afghanistan & Providing the Afghan People with Humanitarian Aid", *Agence France Press*, December 6, 2001 Available on: www.afp.com

[558] "President Delivers State of Union Address" *The White House* January 2002 p. 2 Available on: www.whitehouse.gov

[559] Whitaker, Brian "Voyage of the Arms Ship" *Guardian Unlimited* January 14, 2002 pp. 2-4 Available on: www.guardian.co.uk

Times that the incident was "a sign to the President that the Iranians weren't serious."[560]

Moreover, the U.S. also began asserting publicly that members of AL-Qaeda were taking refuge in Iran across the border from Western Afghanistan. Zalmay Khalizad, the administration's special envoy to Afghanistan summarized the U.S. case: "hard line, unaccountable elements of the Iranian regime facilitated the movement of AL-Qaeda terrorists escaping from Afghanistan."[561] The government in Tehran denied the U.S. accusations, and confirmed that it is holding only three AL-Qaeda leaders. According to the Iranian Foreign Ministry spokesman Hamid Reza Asefi in a statement on August 11, Iran plans to try any AL-Qaeda members it cannot extradite.[562]

The issue of potential Iranian ties with AL-Qaeda took on much greater significance in May 2003 when three suicide car bombs exploded in Riyadh, Saudi Arabia. The attack was carried out by a group of Saudi militants, who had previously been identified by Saudi security forces and were on the run, operating under AL-Qaeda's direction. U.S. officials were convinced that the suicide bomb attacks were carried out in co-ordination with AL-Qaeda leaders located inside Iran. Iran however, denied involvement and insisted that it had expelled more than five hundred AL-Qaeda suspects over the year.[563] The U.S. responded harshly, calling the action taken by the Iranian government insufficient and suspended the informal American-Iranian talks that were being held in Geneva, to try to iron out differences over Iraq.[564]

In addition to that, the U.S. strongly suspected that Iran has a clandestine program in place to build nuclear weapons. The International Atomic Energy Agency has found traces of highly enriched uranium and plutonium in Iran, but says it sees no evidence of a weapons program. On the other hand, the IAEA has also said it doesn't have enough evidence to prove Iran doesn't have a nuclear weapons program in place. As a result, Bush warned Iran to adhere to the Non-Proliferation Treaty.[565] However, Iranian officials denied claims that Iran was hiding nuclear site from the UN's nuclear inspectors,

[560] Sanger, David "Bush Aides Say Tough Tones Put Foes on Notice" *New York Times* January 31, 2002 Available on: www.nytimes.com

[561] Lobe, Jim "Bush Administration Divided Over the Road to Tehran" *Foreign Policy in Focus* August 11, 2003 p: 1 Available on: www.fpif.org

[562] Ibid

[563] Muir, Jim "Analysis: Iran-US Rift Widens" *BBC News* May 25, 2003 p: 2 Available on: newsbbc.co.uk

[564] Ibid p: 3

[565] Keto, Alex, "Bush Warns Iran to Adhere to NPT" *Iran Expert* November 21, 2003 p: 1 Available on: www.iranexpert.com

while insisting that its nuclear program is purely aimed at generating electricity, not making bombs.[566]

It is important to note that those events did not transform the Bush's politics towards Iran, it only seem to be playing in the favor of the Bush's neoconservatives advisers' plans. The hard line neoconservatives in the Bush administration were preoccupied with Iran ever since President Bush entered the White House yet following the September 11 attacks, waging war on Afghanistan and then on Iraq delayed their plan towards Iran. Indeed, once the U.S. secured its victory in Iraq, the U.S. hardliners saw it as an opportunity to carry on "their strategy as they did in Iraq: the overthrow of theocratic state in Iran and its replacement by a moderate or secular government."[567]

Iran's backing of Hezbollah in Lebanon, the Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine and others ...are reasons for the U.S. neoconservatives to maintain a policy of confrontation towards Iran. They argue that Iran continues to work and provide support to organizations that are committed to the destruction of Israel. The Party of God has a long relationship with Iran and depends upon the Islamic Republic for material support, expertise, training and safe haven. While Hezbollah claims that it seeks only "to resist the occupation of Lebanese national soil"[568], the U.S. neoconservatives argue that its goals are much greater: "By colluding in the attempted import into the Gaza strip and the West Bank of missiles capable of bringing down civilian jetliners or striking at the heart of Israeli cities, Hezbollah has demonstrated that it is a terrorist group, undermining the Peace Process."[569]

Similarly, the Palestinian Islamic Jihad (PLJ) has the closest ties with Iran. The PLJ became active in the West Bank and Gaza in 1979, and the U.S. neoconservatives argue that it seeks to eradicate Israel. "The PLJ was behind a rash of suicide attacks in the mid 90's that derailed the peace process and contributed to Benjamin Netanyahu's victory over Shimon Perez in Israel's 1996 elections."[570] Judging from the harsh anti-Israeli rhetoric of many

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[566] "Iran Denies Having Secret Nuclear Facilities" *Reuters* October 14, 2003 p: 1 Available on: www.reuters.com

[567] Faruqui, Ahmad "The Apocalyptic Vision of the Neo-Conservative Ideologies" *Counter Punch* November 26, 2002 p: 2

[568] Robin, Michael "Iran & the Palestinian War Against Israel" *The Washington Institute for Near East Policy* February 26, 2002 p: 4 Available on: www.washingtoninstitute.org

[569] Ibid

[570] Ibid p: 5

Iranian leaders and their support to organizations such as Islamic Jihad, PLJ, Hamas; the hard line conservatives who appear to be in ascendant in Washington, considered Iran as a potential threat to Israel security and the Middle East peace process. In order to deter Iran's threats from Israel and the U.S. strategic interests, the U.S. objectives in Iraq were articulated in the New American Century Project; the overthrow of Khatami and installing a moderate democratic regime. This was also outlined in Zalmay Khalizad speech, "the U.S. wants to see a democratic and prosperous Iran, integrated into the global economy."[571]

Moreover, the Pentagon's hawks, particularly Deputy Secretary Paul Wolfowitz and Under Secretary for Policy Douglas Feith, reportedly favor using the heavily armed, Iraq-based Iranian rebel group, the Mujaheedin-el-Khalq (MGK) as the core of a possible opposition military force. They are also pursuing links with the Iranian exile community centered in southern California that has rallied increasingly around Reza Pahlavi, the son of the former Shah, who was overthrown by the Islamic Revolution in 1979.[572]

What is intriguing is that the neoconservatives' aim behind the overthrow of Iran's regime is to preserve the Israeli's interests and security. This leads the observer to ask the following question, are the U.S. hardliners using the Israeli plans to promote their ideas of an overstretched America? Or are they using their actual positions to support the Likud party of Ariel Sharon?

Israel

This strange alliance between Israel and the Christian conservatives came into existence in 1977 when Menaheim Begin and the Likud, the right Israeli party, came for the first time in power. For Begin, it was of extreme urgency to hamper the initiatives of President Carter who hoped to resume negotiations, for the recognition of the Palestinians' rights. The Likud was forced to rally its extreme Christian conservatives to support the Israeli opposition to Carter's initiatives. Hence Carter was deprived from an important electoral base, leaving the Presidency for Reagan.[573] The U.S. Christian conservatives' support for Israel had theological reasons. This is

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[571] Senior US Official Spells Out Dual Track US Policy Toward Iran" *US Department of State* August 2, 2002 p: 1 Available on: www.usinfo.state.gov

[572] Lobe, Jim "Is Tehran Back in the Crosshairs of the Neocon Crusade?" *Foreign Policy In Focus* May 28, 2003 p: 1 Available on: www.fpif.org

[573] Laurent, Eric The Secret World of Bush Plon 2003 p: 91

based on the literal interpretations of the Bible. They affirmed that they believe in the prophecy and the divine right of Israel to its land.[574]

No need to repeat how the neoconservatives took key positions in the Bush administration, but what is important to stress on is that all the Bush neoconservative advisers from Paul Wolfowitz, Richard Perle, Douglas Feith, Eliot Cohen, and Elliott Abrams... are staunch defenders of Israel. Their affiliation with Israel is best described in one of their documents, "The U.S. must ensure Israel technological superiority for the interest of America as well as that of Israel. The interests of both countries are linked with the fact that Israel is the most important democracy in a region of volatile dictators and unstable governments. Moreover, the U.S. must concentrate first on its security and that of Israel before getting engaged in selling sophisticated arms system to the Arab world."[575]

Today, with such persons in the administration, their recommendations and plans tend to be heard and applied. The answer to the previous questions is by now clear; the neoconservatives want to restore the Pax Americana or the American Peace, while serving at the same time the Israeli interests. For the U.S neocons, the balance of power in the region is defined by numbers. It is mathematical: put down Saddam, weaken Syria and Iran and in this way, you put the Palestinians on their knees.[576] Indeed, this is what the Prime Minister Ariel Sharon believes in. Like the U.S. hawks, Sharon considers that a liberated Iraq would open the door for a liberated Iran and hence negotiations for peace will be facilitated.[577] Hence all what is decided in Washington regarding the Middle East is synonymous with the politics of Ariel Sharon and more specifically to the politics of the Likud party.

Uri Avery, founder of 'Gush Shalom' an organization that calls for a dialogue between the Israelis and the Palestinians, summarized best the Israeli objectives in the region, "Ariel Sharon's grand design was to reconstruct the Middle East, creating an Israeli Security zone, stretching from Pakistan to Central Africa, by overthrowing regimes and installing new ones. The winds that are blowing today in Washington remind me of Sharon."[578] warned Uri Avery. Those winds seemed to blow against Syria too.

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[574] Ibid p: 93
[575] Ibid p: 110
[576] Ibid p: 131
[577] "Israel Sees Opportunity on Possible US Strikes on Iraq" *Christian Science Monitor* August 30, 2002
[578] Laurent, Eric The Secret World of Bush Plon 2003 p: 135

Syria

Syria is the next target in the U.S. geo-strategic policy in the Middle East. The U.S. military presence in Iraq, would allow the U.S. to pile up serious pressures on Syria. The first pressure came on October 15, 2003, when the U.S. House of Representative, with an overwhelming bipartisan majority, passed the Syrian Accountability and Lebanese Sovereign Restoration Act of 2003, which imposes strict sanctions against the Syrian government. This resolution marked a major shift away from previous U.S. policy that stressed engagement with Damascus.[579] Ironically, both politically and economically, Syria has liberalized significantly over the past decade or so. The level of repression is far less than it was during its peak in the 1970's. Similarly, it was argued, that the size and power of Syria's military has been reduced dramatically from its apex in the 1980's as a result of the dissolution of its Patron. Syria's links to international terrorism have also declined markedly.[580]

More recently, in the immediate aftermath of September 11, President Assad cooperated with the U.S. by arresting a few members of AL-Qaeda affiliate terror groups and provided the U.S. with what one administration official describes as 'treasure trove', of intelligence on AL-Qaeda activities among Syrian nationals. Assad even sent President Bush a letter proposing that the two countries, "establish sound bases of world wide cooperation ...to uproot terrorism in all its forms." [581] Against all expectations, Damascus even voted for UN Security Council Resolution 1441.[582] As a result, the Bush administration excluded Syria from the axis of evil and didn't oppose the election of Syria to the UN Security Council.

This raises the question, as to why the Syrian Accountability Act was passed after the U.S. invasion of Iraq. The answer resides in the U.S. grand strategy in the Middle East. The resolution is a leverage to affect changes in Syria's policies, which appear to be its refusal to support the Bush administration's foreign policy agenda in the Middle East.

The resolution against Syria aims at the regime alleged support for international terrorism and developing biological and chemical weapons, its

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[579] "Syrian Accountability Act 2003" *The Orator* p: 1 Available on: www.theorator.com
[580] Zunes, Stephen "The Syrian Accountability Act & the Triumph of Hegemony" *Foreign Policy in Focus* October 2003 p: 2 Available on: www.fpif.org
[581] Kaplan, Laurence "Why Syria Isn't Next" *The New Republic* April 21, 2003 p: 2 Available on: web7.infotrac.galegroup.com
[582]Ibid

ongoing presence in Lebanon, its hostility towards Israel, its alleged support for Iraqi regime of Saddam Hussein and those Iraqis resisting the U.S. occupation.[583] According to the State Department's most recent report on Global Terrorism, "The Syrian government has not been implicated directly in an act of terrorism since 1989."[584] Moreover, the report states that the Syrian government has repeatedly assured the U.S. that it will take every possible measure to protect U.S. citizens and facilities from terrorists in Syria.

During the past five years, there have been no acts of terrorism against U.S. citizens in Syria.[585] However, according to the U.S. Undersecretary of State, John Bolton who outlined the Bush administration's position regarding Syria, "Syria ties with Hezbollah underlie the reason, we classed Syria as a sponsor for terrorism,"[586] Bolton said. According to Stephen Zunes, Syria's role in promoting international terrorism is not as extensive as U.S. claims make it appear.

Zunes illustrates his point by saying that the Popular Front for the Liberation of Palestine (PFLP) military activities have been launched from within the West Bank and Gaza strip in areas controlled by Israeli occupation forces, and the Palestine Authority; yet no military operations appear to have come from Syria. Similarly, Zunes argues that Hamas and the Islamic Jihad, the only two groups mentioned in the resolution that do engage in major ongoing terrorist activities are based in the West Bank and Gaza Strip in areas controlled by Israeli occupation forces and the Palestine Authority. "It appears that all of their terrorist attacks have originated from the areas under Palestine Authority and none from areas of Syrian control."[587]

The only group mentioned in the resolution that has received significant Syrian support for its operations is the extremist Lebanese Shiite group, Hezbollah. Most of Hezbollah's support comes from Iran and Syria. It is noteworthy that, during 1982-4, Hezbollah became a legally recognized Lebanese Political party and serves in the Lebanese Parliament. And since the withdrawal of Israeli troops from southern Lebanon, Hezbollah armed components largely been restricted. Moreover, Syria have replied to the U.S.

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[583] Syrian Accountability Act of 2003, *The Orator.*

[584] Zunes, Stephen "US Policy toward Syria: Contending with the post-Assad Era", Center for Policy Analysis on Palestine. 13 July 2000. p.2-3.

[585] Ibid

[586] Gardner, Frank "Who's Who in the Axis of Evil" *BBC News* October 2002 p. 2 Available on: bbc.co.uk

[587] Zunes, Stephen "The Syrian Accountability Act & the Triumph of Hegemony" *Foreign Policy in Focus* October 2003 pp: 2-4 Available on: www.fpif.org

accusations that Syria considers Hezbollah, not a terrorist group, and "alleged its support as a Lebanese national resistance."[588]

On the other hand, among the findings, the resolution includes:
The government of Syria continues to develop and deploy short and medium range ballistic missiles.
The government of Syria is pursuing the development and production of biological and chemical weapons.[589]
While it is widely acknowledged that Syria, like several other countries in the region has a chemical weapons program, there is no evidence that Syria currently has any biological weapons. Furthermore, "it is unclear why Syria's civilian nuclear program is of such 'concern' for Congress; Syria is a signatory of the Nuclear Non-Proliferation Treaty, and has accepted the full scope safeguards of the International Atomic Energy Agency to detect diversions weapons or other nuclear explosive devices."[590] Furthermore, there is no evidence to suggest that they have any kind of nuclear weapons program. The only evidence the U.S. has, is that Syria has over 300 ballistic missiles, including the Scud C; whose range is more than 500 km. Syria manufactures these missiles with the assistance of China, Iran and North Korea.[591]

Given the U.S. accusations, one would wonder how these claims, could be a threat to U.S. security. The threat to American strategic interest from Damascus is not as great as Iran. As it was referred to earlier, not only does Iran target American citizens, it also directs terrorism against the Iranian political opposition at home and abroad. While there is no conclusive evidence that Syria conducted terrorist attacks on the U.S. civilians or supported terrorist organizations; except its support to Hezbollah, which considers itself a Lebanese national resistance.
Even if one would consider Hezbollah a terrorist organization, the country which is supposed to be threatened is Israel and not the U.S. Similarly, Syrian ballistic missile can never be a threat to the U.S. security (given its geographical location). However, the area in which Syria has the capability

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[588] Kaplan, Lawrence "Why Syria Isn't Next" *The New Republic* April 21, 2003 p: 2 Available on: web7.infotrac.galegroup.com
[589] Syrian Accountability Act 2003 *The Orator* p: 3 Available on: www.theorator.com
[590] Zunes, Stephen "US Policy Toward Syria: Contending With the Post-Assad Era" Center for Policy Analysis on Palestine 13 July 2000 p: 13
[591] Tanter, Raymond Rogue Regimes: Terrorism & Proliferation St. Martin's Griffin :New York 1999 p: 203

of causing damage is to attack the heartland of Israel with its missiles. Hence, Syria's threat on Israel security is far greater than the U.S. security.

This leads the observer to acknowledge the fact, that the neoconservatives in the Bush administration are influenced and backed by the Likud party. The Likud party sees Syria as a potential threat to Israel. Besides Syria's military capability to attack Israel, the Likud party main concern is the Middle East peace process, in which it sees Damascus a potential player in the hampering of the Arab-Israeli peaces process. They argue that by supporting terrorist groups such as Hezbollah, Syria is enhancing its bargaining position vis-à-vis Israel. "Also, attacks against Israel by Syrian surrogates help keep the Golan Heights item on the agenda of the peace process."[592] So, it is in the Israeli interest to see Syria pressured on to change its policies such as, to stop supporting Hezbollah and other terrorist organizations, and hence Syria's bargaining position would be weakened in the Arab-Israeli peace process.

Syria today is on the black list of Washington, because the U.S. neoconservatives who are backed by the Likud party, wants it to be. The influence of the Likud party was revealed most recently when the Israeli Prime Minister convinced the Bush administration that Iraq weapons had been smuggled into Syria and it is harboring former members of ousted Iraqi President Saddam Hussein's regime during the Iraqi conflict.[593] Moreover, the U.S. officials accelerated their pressure on Syria by accusing it of transferring night-vision goggles, engines suitable for tanks, pontoons bridges ...Similarly, on April 13, 2003 Donald Rumsfeld charged that 'bus loads' of Syrian fighters entered Iraq to fight against U.S. troops.[594] As a result, Rumsfeld declared that the U.S. "considers such trafficking as hostile acts and will hold the Syrian government accountable for such shipments."[595]

According to Stephen Zunes, there has been absolutely no independent confirmation of either of these charges. He argues that, "despite being ruled by the Baath party, Syria has historically been a major rival of Iraq's Baath regime. Syria broke diplomatic relations with Baghdad in the 1970's and never renewed them, and it voted in favor of the U.S.-backed resolution

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[592] Ibid p: 201

[593] Borgen, Julian "The Spies Who Pushed for War" *The Guardian* July 17, 2003 p: 6 Available on: www.guardian.co.uk

[594] Omestad Thomas "The Syrian Factor" *US New & World Report* April 21, 2003 p: 1 Available on: web7.infotrac.galegroup.com

[595] "Syria's Partnership With Evil" *Insight on the News* May 27, 2003 p: 3 Available on: web7.infotrac.galgegroup.com

1441 that demanded full cooperation by the Baghdad government with the UN inspectors."[596]

In reality, the Bush administration is holding to any claim or charges they could find against Syria for two possibilities. The possibility is that the U.S. wants only to pile up pressure on Syria to change its policies in the Middle East, especially regarding its support to terrorist organizations. The second possibility is that the administration wants to follow the regime change strategy in the Middle East and invade Syria eventually and is simply setting the public and international relations groundwork for that invasion.

This was reflected by Richard Perle in an interview to 'Hadath' on LBC (December 13, 2003). He stated that the U.S. is not ruling out military action against Syria to achieve U.S objectives. U.S objectives are summarized as the following: (a) moving Syria into a democratic system, (b) disarming Hezbollah and all the Palestinian guerilla groups that are based in Syria, in order to facilitate the Arab-Israeli peace process.[597] As the neoconservatives have overthrown Saddam's regime and expect that Iraq will be added in the near future to the growing list of Arab countries to make peace and normalize relations with the Jewish state, they intended too to add on the list Syria and Iran. By doing so, no Arab country would challenge the Israeli military and its strategic supremacy.

This was best outlined too by Dick Cheney in his 'Nashville Speech' to the veterans of foreign wars: "regime change in Iraq would bring about a number of benefits to the region. When the gravest of threats are eliminated, the freedom-loving peoples of the region will have a chance to promote the values that can bring lasting peace. Extremists in the region would have to rethink this strategy of Jihad. Moderates throughout the region would take heart. And our ability to advance the Israeli-Palestinian peace process would be enhanced just as it was following the liberation of Kuwait in 1991."[598]

At this point, there are several factors holding the Bush Administration from using their preemptive and regime change strategy on Iran and Syria. First there isn't yet a coherent policy towards the two countries within the administration. This is due to the ongoing debate between the Secretary of Defense/ hawks and the State Department/doves over whether to adopt a

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[596] Zunes, Stephen "US Policy Toward Syria: Contending With the Post-Assad Era" Center for Policy Analysis on Palestine 13 July 2000 p: 13

[597] An interview with Richard Perle on LBC. December 13,2003.

[598] "The US Vice President, Dick Cheney's Speech to the Veterans of Foreign Wars" *The Guardian*, August 27, 2002 Available on: www.guardian.co.uk

tougher line over the two countries in particular regarding Iran. The Washington's hawks, the so called 'neoconservatives', clearly feel that the administration has not gone nearly far enough with Iran. They favor a robust action including an escalation of diplomatic pressure, economic sanctions and support for Iranian opposition groups to achieve 'regime change', in Iran. While the doves share the overall feeling that the Iranian people deserve a better regime, but favor different means and less combative approach, they prefer multilateral diplomacy and where necessary, direct dialogue with Iranian officials, with the aim of changing Iran's behavior.[599]

Today the administration appears more inclined towards using non-military means. President Bush expressed his view in an interview to NBC News aboard Air Force One, "we expect Iran and Syria to cooperate and we will work with the world to encourage them to cooperate. We had no military plans about Syria and Iran."[600] Indeed, following this interview on November 2003, a U.S. congressman leading a delegation on a visit to Damascus called for 'dialogue', to improve ties between the two countries, despite the threat of American sanctions hanging over Syria. "We had a very good discussion with President Bashar Al-Assad. We understand there are still major differences between the U.S. and Syria. We believe that dialogue is the way in which we can hope to repair that relationship,"[601] said Jim Kolbe, a Republican from Arizona.

Similarly, the Bush administration is using, at this stage, pressures on Iran through Russia, the UN inspectors and the IAEA led by El-Baradei, in the aim to cooperate with them concerning questions on its nuclear programs and the signing of Iran of the Additional Protocol to the Nuclear Non-Proliferation Treaty.[602]

The second reason that is holding the U.S. back from applying the Iraqi model on Syria and Iran is the fact that it's an election year. President Bush is well aware that the extended preemptive war and unilateralism doesn't have profound support in the American public. The U.S. polls indicated that "50% of registered U.S. voters do not want President George W. Bush re-

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[599] Hardy, Roger "What is US Iran Policy" *BBC News* June 16, 2003 pp: 3-4 Available on: www.bbc.co.uk

[600] "An Interview With President Bush by Tom Brokaw of NBC" News *New York Times* April 25, 2003 p: 10

[601] US Congressman Calls for Dialogue with Syria Despite Sanction Bill" *L'Orient le Jour* November 13, 2003

[602] "Iran Denies Having Secret Nuclear Facilities" *Reuters* October 14, 2003 pp:1-2 Available on: www.reuters.com

elected to a second term, and 44% do,"[603] according to CNN-USA Gallop Poll, on November 2003. An ABC News-Washington Post Poll taken in late October 2003 pinpointed one of the reasons for Bush's sliding poll numbers: 62% of respondents said the level of U.S. casualties in Iraq was 'unacceptable'.[604] In addition to the fact that President Bush does not have enough public support to expand his preemptive strategy, he has not yet accumulated enough evidence against Syria and Iran to justify his action. NATO's Secretary General, Lord Robertson has warned the U.S. that it will have to provide evidence to justify any action against Iran and North Korea. Similarly, the European Union expressed its unease at expanding the war on terror, in particular on Iran. "The EU has a policy of engagement with Tehran which they have no intention of abandoning,"[605] said the BBC's Middle East analyst Roger Hardy.

The third reason that is impeding the U.S from expanding its preemptive strategy on Iran and Syria is the fact that till this day the U.S is unable to find either WMD in Iraq or any link with Al-Qaeda. In addition to that, the U.S is still overwhelmed trying to control the situation in Iraq that is getting worse day after day.

Hence, Bush appears to be siding with the Washington doves. But it is expected that once situation in Iraq gets under the control of the U.S and a new Iraqi government, could very well perceive a steady escalation conflict with either Syria or Iran.

The U.S Control of the Middle East oil

Oil is the strategic material of paramount importance and the Middle East is a decisive strategic region. The world's largest-oil producing area is in the Middle East, which accounts for two thirds of the world oil reserves.[606] In the Middle East, protection of petroleum production has been a top priority in American foreign policy. Ever since Franklin D. Roosevelt established contacts with Ibn Saud in the mid 1930's, the U.S. sought to ensure the flow

[603] "Support for Bush Declines as Casualties Mount in Iraq" *Washington Post* July 12, 2003 pp: 1-2 Available on: www.washingtonpost.com
[604] "Support for Bush Declines as Casualties Mount in Iraq" *Washington Post* July 12, 2003 pp: 1-2 Available on: www.washingtonpost.com
[605] "Bush 'Evil Axis' Comment Stirs Critics" *BBC News* February 7, 2002 pp: 2-3 Available on: news.bbc.co.uk
[606] "Bush Strategy Seen Through the Iraq War" *People's Daily* 2003 pp: 1-2 Available on: www.people.com.cn

of oil.[607] Similarly, the Gulf War was fought to prevent a hostile power such as Iraq from gaining control of the region's oil reserves.

Today the same scenario is unfolding in the U.S. preemption war on Iraq. Though it is argued that the U.S. also produces a lot of oil itself, and its oil consumption also ranks first in the world, still it relies on 55% oil import, most of which comes from the Middle East.[608]
It is also argued that, "if you want to rule the world, you need to control oil. All the oil. Anywhere."[609] Current U.S. foreign policy is governed by this doctrine, which is called 'full-spectrum dominance'; the U.S. must control military, economic and political developments everywhere."[610]

The first concrete step towards achieving this goal was the U.S. invasion of Iraq and its control of oil. Iraq's oil reserves rank second in the world, second only to Saudi Arabia. Saudi's proven oil reserves are about 250 billion barrels, making up one-fourth of the world total, the proven oil reserves of Iraq are around 112 billion barrels. Experts analyze that actually it may reach 200-300 billion barrels, capable of advancing at equal pace with Saudi Arabia.[611] Moreover, it is argued that by 2010, the Muslim world will control as much as 60% of the word's oil production, and even more importantly, 95% of the remaining global oil export capacity.[612]
Hence, a U.S. control of oil in Iraq would give the U.S. a control over the world's second largest oil reserves. Not only would this ease concerns about the U.S. long term access to oil, it would also increase U.S. leverage over allies and rivals; that is it could manipulate and even strangle the economic lifelines of some countries in the Middle East. By doing so, the U.S. would be free from its ongoing dependence on the Persian Gulf states, and deter any threats on U.S. interests in the region. However, there are those who assert that American interests are not threatened by growing dependence on Persian Gulf States, arguing that whoever owns the petroleum must sell it to reap the benefits, "because the Persian Gulf States cannot threaten the West's supply of oil without damaging their own interests even more, the

[607] Rai Kul, David Walsh, & Paul Best American in the 21st Century: Challenges & Opportunities in Foreign Policy Prentice Hall 1997 p: 214
[608] "Bush's Strategy Seen Through the Iraq War" People's Daily 2003 p: 2 Available on: www.peoplw.com.cn
[609] Garamone, Jim "Joint Vision 2020Emphasizes Fuel Spectrum Dominance" US Department of Defense June 2, 2000 pp: 2-3 Available on: www.defense.link.mil
[610] Ibid
[611] "Bush's Strategy Seen Through the Iraq War" People's Daily November 2003 p: 3 Available on: www.people.com.cn
[612] "This War on Terrorism is Bogus" The Guardian September 6, 2003 p: 7

West need not fear that its vital interests would be endangered by developments in the Gulf."[613]

In his article 'Why the Third World Still Matters' David Steven refutes these views. He argues that conflict within and among Persian Gulf States may prevent the production of oil regardless of the economic costs. He presents illustrations by this argument. "Saudi Arabia, faces a multiplicity of domestic threats, any one of which could disrupt production for long periods of time, including a potential revolt by the 400.000 Shiites, who have already engaged in major riots in 1979; a takeover of the government by Muslim zealots similar to the 1979 effort that resulted in the seizure of the Grand Mosque of Mecca; or a civil war between rival Saudi clans."[614] Similar vulnerabilities exist with the other Gulf States as well. The Iraqi invasion of Iran and Kuwait, the Arab Israeli war are examples of the role played by interstate conflict within the region. Hence any war between them could destroy pumping station, pipelines and refineries.

The U.S which is well aware of this threat adhered to the 'strategy of global oil acquisition.'[615] This strategy had its roots from the neoconservatives handbooks and in particular, that of Dick Cheney, the so called man of oil. In May 2001, Washington released the National Energy Plan, drafted by a team headed by Dick Cheney, in which Cheney devised a plan for U.S. long term access to energy and supplies. In essence, the Cheney report makes two points: "the U.S. must share an ever-increasing share of its oil demand imported supplies. At present, the U.S. imports about 10 million barrels of oil a day, representing 53% of its total consumption; by 2020 daily U.S. imports will total nearly 17 million barrels or 65% of consumption. The U.S. cannot depend exclusively on transitional sources of supply like Saudi Arabia, Venezuela and Canada to provide this additional oil. It will also have to obtain additional supplies from new sources such as: the Caspian states, Russia, the Middle East and Africa."[616] By 2020, the report concludes, "America will import nearly two of every three barrels of oil it consumes, a condition of increased dependency on foreign powers that do not always have America's interest at heart."[617]

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[613] Wittkopf, Eugene The Future of American Foreign Policy 2nd Edition, St. Martin's Press: New York p: 239
[614] Ibid
[615] Klane, MT "Bush 's Master Oil Plan" ALTERNET, April 23, 2002 Available on: www.alternet.org
[616] Callinicos, Alex "The Grand Strategy of the American Empire" The International Socialism Journal Winter 2002pp: 21-22 Available on: socialistreviewindex.com
[617] Ibid

From this perspective, it seems that the so-called 'war on terrorism', is being used as cover for wider U.S. strategic geopolitical and economic objectives. Indeed Tony Blair himself hinted at this when he said to the commons liaison committee, "to be truthful about it, there was no way we could have got the public consent to have suddenly launched a campaign on Afghanistan, but for what happened on September 11."[618] Similarly, Rumsfeld was so determined to obtain a rationale for an attack on Iraq that on ten separate occasions he asked the CIA to find evidence linking Iraq to September 11.[619] Mr. Tenet, the CIA Director, had officially taken responsibility for the President unsubstantiated claim in January 2002 that Saddam Hussein's regime had been trying to buy uranium in Africa, but he also said his agency was under pressure to justify a war that the administration had already decided on.[620]

It is noteworthy, that almost one year has passed since the U.S. preemptive strategy and regime change in Iraq, and still the U.S. forces have discovered no stock piles of WMD. This helps to explain that the U.S. neoconservatives' real objectives have less to do with weapons of mass destruction, and more with the neoconservatives' vision of a new Middle East. That vision became clearer and sharper on June 2004. The U.S presented to the G-8 countries a new set of proposals for a Greater Middle East Initiative. The initiative is part of President Bush's "forward strategy of freedom" [621], by which the expansion of political rights and political participation in the Muslim world is meant to combat the appeal of Islamist extremism.[622]

Yet the intriguing question is why the Bush Administration focuses its policy on committing democracy in the Middle East, after it was long forgotten by previous presidents?

U.S. presidents did not always profess belief in the region's democratic potential, nor did the intellectuals who served them. In the 1990, democracy reigned triumphant, but not in the Arab world. The first Gulf war was fought with no sense of democratic missions. The U.S. interests however continued

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[618] Borger, Julian "The Spies Who Pushed for War" *The Guardian*, July 17. 2003 p: 2 Available on: www.guardian.co.uk
[619] Ibid
[620] Ibid
[621] Wittes Tamara, "The New Proposal for a Greater Middle East Initiative", The Brookings Institution. May 10, 2004. p:1
[622] Ibid

to be served by cold war strategy in the post-Gulf war Middle East. Containment targeted Iran and Iraq. Stability was provided by Egypt, Israel, Turkey and Saudi Arabia.

The Middle East, it seemed had been left out of the democratization. Bernard Lewis, the famous orientalist, rallied in 1990 against the prospect of the U.S bringing democracy to the Middle East, "there will be a hard struggle, if the U.S. impose democracy, even the attempt might do harm, for there are issues that Muslims must decide among themselves."[623] Because he believed that the "Arabs are incapable to install democratic government ...the Arabs are different than we are, and we have to be more reasonable in what we expect from them ...whatever we do, these countries are ruled by corrupt tyrants."[624]

A decade later, much has changed. The murder of 3000 civilians on September 11, gave renewed impetus to project U.S. forces around the globe in the name of peace and freedom. To achieve this objective, the U.S. has chosen two instruments of foreign policy: (1) the power instrument, the use of preemption, "the only peace and security is a path of action."[625] (2) the principle instrument, propagating democracy abroad; "we will extend peace by encouraging free and open societies on every continent."[626]

Surprisingly, this time the Bush administration focused on imposing democracy in the Middle East. The first step towards this aim was Iraq. As the Bush administration struggled to find a justification for launching an attack on Iraq, sketchy intelligence reports about Iraq's weapons of mass destruction and links with AL-Qaeda, the administration introduced a third element: the prospect of a democratic 'Pax Americana' in the Middle East. The importance of the neoconservatives' contribution to the latter objective should not be underestimated. The neoconservatives' ideology is linked to the Wilsonian vision of democracy, that is, "make democracy a fighting faith," [627] and "the duty to defend and where feasible, to advance democratic principles in the world at large."[628]

What is surprising is that the same neocons thinkers and pundits, who served in the first Bush administration, have now reoriented their policy. Richard Pipes, member of the board of the U.S Institute of Peace (USIP) changed his

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[623] Lewis, Bernard "The Roots of Muslim Rage" *Atlantic Monthly* September 1990
[624] Laurent, Eric The Secret World of Bush Pion p: 128
[625] The NSS, Introduction
[626] Ibid
[627] Ehrman, John The Rise of Neo-Conservatism Yale University Press_1995 p: 101-102
[628] Ibid

tune, after 1991 Gulf war, abandoning his previous concerns about the complications that would arise from a U.S. occupation of Iraq, he urged George W. Bush to move on Baghdad. "It's in our interests that they modernize and it's in our interests to help them modernize and I think we know how. We are very modern and we can help them. Look, we've done that elsewhere. Look, for example, at Japan. We guided them towards a democracy. We did the same with Germany. The U.S. occupation of Iraq might not be so bad, since the U.S. now has the opportunity to 'modernize' the Middle East."[629]

What were the reasons that made them reverse their position of 1991?
In the early 1990's, the U.S. administration believed that democracy could be achieved only through mass popular action. President Bush senior, called the Iraqis to, "take matters into their own hands,"[630] encouraging them to do what peoples across Eastern Europe had don to topple their own undemocratic regimes. Prior to April 1991, even hawkish groups such as the Committee for Security and Progress in the Gulf ... a forerunner to the group of the same name formed in 1998 ...limited their agendas to reversing the Iraqi invasion of Kuwait. Then the brutal repression of Kurdish and Shiite rebellions convinced the neo-conservative wing of the Republican Party of the necessity of overthrowing Saddam Hussein. In April 1991, a spate of editorials and op-eds in the Wall Street Journal urged the U.S. to intervene to protect the Shi'a and Kurds. The importance of regime change was articulated as a moral necessity."[631]

Moreover, the Bush's neocons advisers in the White House saw that the U.S. today is powerful enough to break the autocratic rule and create a real change in the Middle East. President Bush, greatly influenced by his close neoconservatives, endorsed their strategy in the following speech, "there are hopeful signs of the desire for freedom in the Middle East. Arab intellectuals have called on Arab governments to address the freedom gap, so their peoples can full share in the progress of our time. A new regime in Iraq would serve as a dramatic and inspiring example of freedom for other nations in the region. It is presumptuous and insulting to suggest that a whole region of the world, or the one-fifth of humanity that is Muslim, is

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[629] Lewis, Bernard "Rethinking the Middle East" *Foreign Affairs* Fall 1992 p: 2
[630] Blecher, Robert "Free People Will Set the Course of History" *Middle East Report Online* March 2003 p: 10
[631] Ibid

somehow untouched by the most basic aspirations of life."[632] Bush backed this strategy by presenting three arguments:

The first argument states that the Muslim World has demonstrated that democracy and Islam are compatible. "Democratic progress is found in many predominantly Muslim countries ...in Turkey and Indonesia......More than half of all the Muslims in the world live in freedom under democratically constituted governments. They succeed in democratic societies, not in spite of their faith, but because of it."[633]

The second argument is that democracy in Iraq will create a broad democracy change in the region. Sandy Berger, the former National Security Adviser of President Bill Clinton calls it the 'dominoes rising theory,' "if you get the Iraqi domino set up straight, it will help set up the other dominos in the region."[634] President Eisenhower was the one who mentioned the 'falling domino' principle in 1960. "You have a row of dominoes set up, you knock over the first one, and what will happen to the last one is the certainty that it will go over very quickly. So you could have a beginning of a disintegration that would have the most profound influences."[635] Now the Bush administration, is at it again, using the domino concept in the Middle East. William Kristol and Robert Kagan argued in Spring 2002, that overthrowing Saddam would be the beginning of a process of 'roll-back', like U.S. engineered counter-revolutions in Central America and the collapse of communism in Eastern Europe during the 1890's, that would spread democracy throughout the Arab World in particular, Syria, Iran and Libya. According to the Wall Street Journal, "Liberating Iraq from Saddam and sponsoring democracy would not only rid the region of a major military threat, it would also send a message to the Arab World that self determination as part of the modern world is possible."[636] Condoleezza Rice has expressed a similar sense that Washington can use its military power to extend the boundaries of liberal capitalism, "if the collapse of the Soviet Union and 9/11 bookend a major shift in international politics, then this is a period not just of grave danger, but of enormous opportunity. This is, then, a period akin to 1945 to 1947, when American leadership expanded the

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[632] "Democracy in Iraq?" *Frontline* February 27, 2003 p: 2 Available on: www.pbs.org

[633] "Remarks by the President at the 20th Anniversary of the National Endowment for Democracy" *The White House* November 6, 2003 pp: 3-4

[634] Harding, James "The Gulf Sequel" *The Financial Times* March 21, 2003 p: 6 Available on: web6.infotrac.galegroup.com

[635] "Eisenhower Explains the Domino Theory" p: 1 Available on: www.uruch.edu

[636] Lobe, Jim " A Right-Wing Blue Print for the Middle East" , ALTERNET, April 4, 2002 Available on: www.alternet.org

number of democratic states...Japan and Germany, among the great powers ...to create new balance of power that favored freedom."[637]

Today, the U.S. wants to create a balance of power that favors freedom in the Muslim World. Paul Wolfowitz, Rumsfeld Deputy Defense Secretary, is seen as the intellectual champion of those conservatives who want to use American power as a moral force to spread democracy in the Middle East. He has said that Iraq as the "first Arab democracy would cast a very large shadow, starting with Syria and Iran, across the whole Arab world."[638] The U.S. Undersecretary for International Security John Bolton has already said: "We are hopeful that a number of regimes will draw the appropriate lesson from Iraq that the pursuit of weapons of mass destruction is not in their national interest."[639]

The Bush's neoconservatives also argued that democracy in the Middle East is the antidote of terrorism, "To prevent more Arabs from becoming terrorists, Arab states must become functional states."[640]

If the Bush administration supported the democratic domino theory in the Middle East, some political analysts, on the other hand, do not find the theory credible in that region. According to Morhaf Joueiyati, a resident scholar in the Middle East Institute in Washington, the democratic domino theory is overly optimistic. He does not believe that there will be a sudden spill over to the rest of the Middle East, because the regimes are autocratic and the elites are very entrenched in their power. There will be "certain moves to liberalize and democratize but this is going to be top down, it is going to be more cosmetic than anything else, that Iraq suddenly becomes a democracy."[641] Whereas, according to Stephen Richter, the "Bush administration's high-risk strategy is that – the maneuver could backfire for Jordan, Egypt and Saudi Arabia." Richter presented the following argument, "All three countries are ruled (more or less) pre-Western autocrats. An invasion of Iraq will surely put pressure on those autocrats, but the pressures will not be what U.S. boosters of the 'Democracy Now' movement seem to expect. An invasion of Iraq will provide substantial arguments to those

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[637] "Remark by the National Security Advisor Condoleezza Rice on Terrorism & Foreign Policy" April 29, 2002 *White House*

[638] Ibid

[639] "The Democratic Domino Theory" *BBC News* April 2003 p: 2 Available on: www.news.bbc.co.uk

[640] "First, Democracy For Iraq, Then the Rest of the Middle East" *The Christian Science Monitor* January 28, 2003 p: 2 Available on: www.csmonitor.com

[641] Ibid p: 6

people in the three countries that argue the west – and its political system, democracy – is a disguise for colonialism" [642]

In the case of Egypt's President Moubarak, Jordan's King Abdullah and Saudi Arabia's Crown Prince Abdullah, a democratic reform in their countries would allow anti-American fundamentalist Muslim politicians and mullahs to win the elections and accede to power. The U.S. will be faced by a body politics of fundamentalists, a scenario, long opposed by the U.S.

Similarly, Eric Hamilton, see the democratic domino theory dangerous, because it will lead to anti-Americanism rather than pro-Americanism. He gives two examples to make his point, "December 1991 in Algeria, a radical Islamic political party, (the Islamic Salvation Front) was prevented by a military coup from the general elections; its program was one religious extremism, anti-Americanism, and opposite to democracy. Also, in March 2003 in Turkey, the moderate Islamic government of Recep Tayyip Erdogan acted in accord to the wishes of 90% of its electorate ... and refused American pleas to open a second, northern front in the Iraqi war." [643] Moreover, according to Research Center report in June 2003, the Arab states are far more radical and anti-American than the corrupt, repressive tyrannical rulers of countries such as, Saudi Arabia, Morocco and Egypt. Hence, Hamilton concluded, "it simply doesn't follow that building a security strategy around the seemingly laudable goal of expanding the zone of democracy will lead to more pro-American outcomes in certain regions in the world." [644]

As to the third argument given by the President is that democracy in Iraq could bring progress in the Arab-Israeli peaces process; Patrick Clawson, a Deputy Director of the Washington Institute for Near East Policy agrees with Bush's agreement. "A democratic reform in the Palestinian Authority is the key to restoring trust among Palestinians and in their own government and among Israelis in the actions of the Palestinians. So democratization of the Palestinian Authority would be a big step forward. And if there is progress towards democracy in Iraq, a lot of Palestinians are going to say we wanted that too." [645] Whereas, Murhaf Jouejati disagrees with Clawson on the idea that, "the key to peace in the Middle East is the end of occupation and occupation that engenders and triggers terrorism. If we want to defeat

[642] Richter, Stephen "Reverse Domino Theory" *The Globalist* February 20, 2003 pp: 5-7
[643] Hamilton, Eric "A Realist Security Strategy for the US" *Open Democracy* July 9, 2003 p: 5 Available on: www.opendemocracy.net
[644] Ibid
[645] "Democracy in Iraq" *Frontline* February 27, 2003 p: 9 Available on: www.pbs.org

terrorism we are going to have to take away its causes which, is the end of Israeli occupation."[646]

Unless the U.S modifies its approach to the region and stop its double standards in the Arab-Israeli conflict, rising violence and growing hostility towards its policies are likely to overwhelm the initiative for reform and democratization in the Middle East.

Before jumping into conclusions, whether democratization in Iraq will lead to a broad democracy in the region and facilitate an Arab-Israeli peace accord; it is wise to examine first whether democracy is viable in Iraq, given its history. According to Henry Kissinger, a successful U.S. intervention depends on the consideration of the history of culture of the particular country before U.S. imposes democracy.[647]

In evaluating prospects for post conflict reconstruction and 'nascent' democracy, the "intractability of culture should not be overestimated for the long run, nor its influence underestimated in the short run."[648] This brings the following question: What does Iraqi culture and history tells us about the prospects of democracy taking root in Iraq?

It is argued, that the Pentagon Hawks and their neoconservatives' advisers, who preached the necessity for toppling Saddam Hussein and building democracy, never referred much to Iraqi history and culture, and they seem to have known little on any.

President Bush presented his argument that Iraq has a history of democracy, "The nation of Iraq, with its proud heritage, abundant resources and skilled and educated people, is fully capable of moving toward democracy and living in freedom."[649] However, there is a counter argument, which states that it will be very difficult to spread democracy in Iraq that had never experienced the values of democracy.

"Iraq was created as a country by the victorious World War One allies at the 1919 Versailles peace conference."[650] Margaret Macmillan puts it bluntly in Paris 1919, her new, prize-winning book on the conference: " In 1919 there was no Iraqi people; history, religion, geography pulled the people apart, not together...There was no Iraqi nationalism, only Arabs."[651] And "between

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[646] Ibid p: 10

[647] Kissinger, Henry Does America Need a Foreign Policy? Simon & Schuster: New York 2002 p: 295

[648] Barnes, Samuel "The Contribution of Democracy to Rebuilding Post-Conflict Societies" American Journal of International Law Vol. 95 October 2001 p: 90 Available on: www.asil.org

[649] "Democracy in Iraq?" Frontline February 27, 2003 p: 1 Available on: www.pbs.org

[650] Ibid p: 2

[651] Ibid

1958 and 1968 there were more than 10 coups and attempted coups, two armed rebellions and a semi continuous civil war against the Kurds."[652] Though Saddam Hussein have managed to hold the country together, but for most Iraqis there has been little or no experience with democracy, in which the law rules, not tribal chiefs and dictators, and citizens are equal before the law, with basic rights that no government can take away. "Brief as it is, the record of the kingdom of Iraq is full of bloodshed, treason and rapine and, however pitiful its end, we may now say this was implicit in its beginning."[653]

On the other hand, there are those who disagree with the argument that Iraq has no experience with democracy, and believe that Iraq had a democratic tradition in politics. One of them is Eric Davis who argued that Iraqi nationalist movement, which developed following the Ottoman collapse in World War I, exhibited a tradition advocating cultural pluralism, political participation, and social justice. "In the 1920's a flourishing civil society began with the formation of numerous professional associations, including a highly respected legal profession, a vibrant press, political parties, artiest ateliers, writers' associations, labor unions, and an extensive coffeehouse culture. This nascent civil society expanded greatly after the end of World War II. During the 1950's, large numbers of Iraqis participated in Iraqi politics through the many new political parties, such as the National Democratic and independence parties formed after the war. In 1954, with the temporary relaxation of state control, a coalition of Iraqi nationalists and moderate Pan-Arabists competed in the June elections, running a highly professional campaign and scoring impressive victories in 13 of the country's most important electoral districts in 2 of Iraq's main cities, Baghdad and Mosul. Efforts by sectarian elements, during the electoral campaign, particularly those from the Ba'ath Party, first formed in Iraq in 1952, to separate Arab nationalists from Iraqi nationalists, were unsuccessful and t he electoral coalition retained its cohesion.
During the 1950's, Iraqi poets developed the Free Verse Movement, one of the most important innovations in modern Arabic poetry."[654]

According to Davis, Iraq nationalist movement and its democratic spirit did not die with the Saddam Hussein's iron grip. It reemerged with the 1991

[652] Sief, Martin "Iraq: History is Back" *United Press International* September 8, 2003 p: 2
[653] Westell, Anthony "Democracy's Difficulties" *CBS News* March 14, 2003 p: 3
[654] Davis Eric, "Why Iraq could be a better candidate for democracy". Center for History & New Media. George Mason University. p: 2-3.

Intifada that almost led to the collapse of the Ba'athist regime. "Suddenly the historic memory of the Iraqi nationalist movement reinserted itself into Iraqi political discourse. For the first time in modern Iraqi history, Iraqis openly discussed sectarianism. Opposition groups met to develop ways of promoting civil society in a post-Ba'athist Iraq. One of the results was Charter 91, produced at a conference in liberated Kurdistan in 1991 and which called for a federated, democratic, and culturally pluralistic Iraq. The huge exodus of Iraq's middle and upper middle classes, which has been estimated to comprise as much as 15 percent of the populace, one of the largest expatriate communities in the world, began producing some of the most important works on the need to confront sectarianism, to develop political institutions that would control would-be authoritarian rulers, and to be tolerant of cultural diversity. The rule of Abd al-Karim Qassim was reexamined because of its lack of corruption and anti-sectarianism. Still Qassim was criticized for not allowing free, democratic elections. Even Iraqi Jewish community had contributed much to Iraqi society in all walks of life. While some Iraqi Jews had been sympathetic to Zionism, the vast majority considered themselves Iraqi citizens and fully integrated members of Iraqi society." [655]

This effort had a powerful impact on Saddam and the Ba'ath. A long series of articles attributed to Saddam and published in the Ba'ath newspaper, al-Thawra, in April 1991, demonstrated the impact of the Intifada and the democratic opposition. For the first time, Saddam himself publicly discussed sectarian differences in Iraq and the role of the Shi'a in the 1991 uprising. "While Saddam tried to tar the Shi'a, Kurds, and other opposition forces, what was noteworthy was that he did not blame Western imperialism or Zionism for the Intifada but recognized that it represented an internally generated movement. [656]

At the same time, a democracy, although not perfect, developed in liberated Kurdistan in Iraq's Northern provinces. The Kurdish regional government established a parliament, held free elections, allowed radio and television stations and an ideologically diverse press to develop, and built new schools and hospitals. Infant mortality declined and educational levels rose while, in Ba'athist-controlled areas, the opposite trends were the case. [657]

Hence, Eric Davis concluded that, "Iraq has the capability to become one of the most advanced countries of the Middle East. It has a large and highly educated middle class, a tradition of a flourishing civil society, an

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[655] Ibid

[656] Ibid p: 4

[657] "Democracy in Iraq?" *Frontline* p: 3

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agricultural sector whose potential is greatly underutilized, one of t he world's great civilization heritages (after al, history as we understand it began in ancient Mesopotamia), and a rich base of oil wealth, which can provide the resources fro ambitious development projects"[658]

Given Iraqi historical record, one cannot but acknowledge that there are some foundations to build democracy upon. The most important foundation is that Iraq had a civil society and a democratic one. Though Saddam Hussein has driven Iraqi civil society underground, yet it was not destroyed. This implies that there is a big chance that "civil organizations including opposition parties, can reemerge with the liberalized new regime."[659] This happened in most Latin America. No Latin American dictatorship lasted more than twenty-one years, and Barbara Geddes argues that the critical question for the revival of civil society is lapse of time. In contrast to Latin America, Franco's regime lasted almost forty years, and the lack of democracy in Communist Europe persisted even longer. "The passage of time and generation replacement shows the labile aspects of culture."[660]

However, Iraq alone cannot build its institutions; it needs the real commitment of the U.S. in helping the country pave its way into a consolidating democracy. Is there, any evidence that the U.S. action would lead to an improvement for the people of Iraq?

According to Abunimah, even if the United States were motivated by sincere intentions to bring democracy to Iraq, recent history serves as a warning. "To this poor record, and America's historic support for the most undemocratic regimes in the world, including Israel's military dictatorship over the Palestinians, and undemocratic regimes in Turkey and Saudi Arabia, must now be added a third factor."[661] Noam Chomsky, reflected similar views in an interview. He argued that the Arab people are not convinced that the U.S. will be committed in establishing full democracy in Iraq, "in a Maryland study covering from Morocco to the Gulf to Lebanon, the entire area believes that the sole U.S. interest in the region is taking its

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[658] Davis, Eric "Why Iraq Might be a Better Candidate for Democracy" Center for History & Media Studies p: 4 Available on: www.hnn.us
[659] Woodward, Bob Bush at War Simon & Schuster 2002 p: 335
[660] Barnes, Samuel "The Contribution of Democracy to Rebuilding Post-Conflict Societies" American Journal of International Law Vol. 95 October 2001 p: 100 Available on: www.asil.org
[661] Ibid p: 3

oil, strengthening Israel and humiliating the Arabs."[662] However, one may argue, that this time the U.S. led by President Bush has changed. September 11 has taught the U.S. an unforgettable lesson that, "weak states like Afghanistan can pose a great danger to our national interests as strong states. Poverty does not make poor people into terrorists and murderers; yet poverty, weak institutions and corruption can make weak states vulnerable to terrorist network and within their borders."[663]

Faced by this new reality, President Bush and his neoconservatives have elevated the spread of democracy in the Middle East at the top level of the U.S. foreign policy. The U.S. is now, more than ever committed in helping other countries realize their full potential.

According to Dobriansky, it is also a matter of record that this administration, "whenever it encounters evidence of serious human rights violations or antidemocratic practices in specific countries, has raised a voice of opposition to such violations and sought to address these problems. This is certainly the case with such countries as Pakistan, Indonesia, and Malaysia, as well as Russia, Uzbekistan and China."[664]

Moreover she argues that the administration has also launched a high-level initiative to improve political, economic, and cultural participation by women and combat discrimination against them. This effort began in Afghanistan, where the Taliban regime practices what amounted to gender apartheid, and grew into a broad, sustained campaign focused on those governments that deprive women of political and economic opportunity.[665]

Overall, the position of democracy is a key foreign policy goal of the Bush administration. One cannot compare the previous record of the U.S. military intervention in Somalia, Haiti, and Kosovo ...and then conclude that the U.S. action will be similar in Iraq; for the failure of the U.S. in those countries was because the U.S. did not take into consideration the historical context in which the U.S. foreign policy must be applied. In Somalia, the U.S. objectives were humanitarian; to relieve the human pain. Yet the U.S. did not take into consideration the historical reality of Somalia; the tribal conflicts and the insecurity problems. Similarly in Haiti, the objectives were limited to maintaining peace and the U.S. did not try to weigh on the

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[662] Chomsky, Noam & Boron Atilio, "What's Happening?" *Global Policy Forum* June 14, 2003 p: 5 Available on: www.globalpolicy.org
[663] The NSS, Introduction
[664] Dobriansky Paula. "Democracy Promotion." Foreign Affairs. May/June 03. p: 1-2. Av: www.foreignaffairs.org
[665] Ibid

political evolution. Furthermore, in the Balkans the U.S. failed to understand the historical context of those countries.[666]

Today, however, the Bush administration appears to adopt what Kissinger has been calling for since the 1990's: for a successful foreign policy, the U.S. must depend on the historical context of the country in which it intends to intervene.[667] Contrary to the past, the U.S. after achieving its objective which was the overthrow of the Ba'ath regime and the capture of Saddam Hussein, did neither withdraw its troops nor left the country in chaos. This is something worth applauding for. "For all the wars which the U.S. has led throughout the 10 previous years rested on the following argument: whenever the life of U.S. soldiers is in danger, the U.S. is not ready to accept this and hence withdraw from that country."[668]

In the Iraqi case, however, though the Americans and British are being killed every day, city by city by insurgents, guerilla attacks, and suicide bombers… the Bush administration stated, in several occasions, that the U.S. is more than ever committed in the post-recovery of Iraq. The U.S. will not leave Iraq unless there will be an Iraqi constitution and a viable elected government.

"We are not in a rush to leave. We will stay as long as we need to ensure that Iraq is secure, that the hand-over makes sense and that a moderate Iraqi government emerges. And we're very capable of doing that," [669] affirmed, Army Gen. John Abizaid, the U.S. commander for Iraq and the Middle East at a news conference in Tampa.

This was also followed by statement issued by Paul Bremer in an address to the Iraqi people. "You, the people of Iraq will rule through those you elect to represent you. And those elections will be fair, open and honest. And the coalition will stay with you. We will shed our blood with yours until Iraq has its own Army, and its own government – a government by, of and for Iraqis."[670]

Surprisingly, faithful to its rhetoric, the Bush administration backed the UN Security Council resolution 1551, which sets the framework for security, political and economic progress. It calls for "Iraqi leadership and the transfer of power from the Coalition Provisional Authority (CPA) to the Iraqi

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[666] Kissinger, Henry Does America Need a Foreign Policy? P: 257
[667] Ibid p: 294
[668] Ibid p: 303
[669] Wright, Robin "New Risks in Iraqification" The Washington Post October 2003 p: 2
[670] Bremer, Paul "Address to the Iraqi People" October 31, 2003 pp: 2-3 Coalition Provisional Authority Available on: www.cpa-iraq.org

people."[671] Combined security provided by multinational force under unified command, and gives the Iraqi government council two months until December 15, 2003 to present a timetable to the Security Council for drafting a new constitution and hold democratic elections.[672]

This does not mean that the security problem in Iraq will not persist; security will not reign in Iraq until an elected government with a strong army will come into existence, in order to get a strong hold on all the country. The Bush administration is well aware of this reality, as a result, the U.S. acted swiftly in helping the Iraqi, draft a provisional constitution for the transitional period (June 30, 2004). The constitution adopts most essential features of democracy and the U.S. is credited for this remarkable achievement.

Here are the essential features of the Iraqi constitution. It gives the Iraqi people full sovereignty over Iraq. The Interim government will take power on June 30, 2004. The system of government in Iraq shall be republican, federal, democratic, and pluralistic, and powers shall be shared between the federal government and the regional governments, governorates, municipalities, and local administrations. The federal system shall be based upon geographic and historical realities and the separation of powers, and not upon origin, race, ethnicity, nationality, or confession.[673] Because Iraq is a heterogeneous society divided along ethnic groups (60-65% Shiites, 32-37% Sunnis, 15-20% Kurdish, 5% Turkumistanis, 3% Christians);[674] federalism is the best solution for dispensing power, "in the sense of placing power over the center hands of local entities, can thwart the concentration of power and the U.S. aid democratization in post-conflict situations."[675] In addition, the constitution stipulates that Islam is the official religion of the state but also provides freedom of worship for all religions.[676] It further guarantees the "freedom of expression, of movement, of opinion, liberty of publication, peaceful assembly, forming associations."[677] It is important to

[671] "UNSC Resolution 1511 on Iraq" *US Department of State* October 16, 2003 p: 1
[672] Ibid
[673] "Iraq Interim Constitution" *FindLaw* p: 4 Available on: www.findlaw.com
[674] Cordesman, Anthony "Iraq After Saddam" *Center for Strategic & International Studies*, Washington 1998 p: 4 Available on: www.csis.org
[675] Barnes, Samuel "The Contribution of Democracy to Rebuilding Post-Conflict Societies" *American Journal of International Law* Vol. 95 October 2001 p: 96 Available on: www.asil.org
[676] "Iraq Interim Constitution" *FindLaw* p: 5
[677] Ibid p: 4

note that in addition to the Arabic language, the Kurdish language is considered too as the official language of Iraq.[678]

The constitution is the step in the right direction. It paves the way for 'nation-building' where a wide range of local ethnic groups and minorities whose voices have been totally crushed under Saddam, now for the first time participate and have a role in the government. Yet a new constitution alone doesn't lead to the democracy of Iraq. Democracy can succeed as a cooperative form of governance if enough people in a country want to make it work, especially people with human, social, and economic capital. "Democracy's premise, that power can be shared in a mutually constructive arrangement, is itself the political keystone of resolving bitter conflicts. Politics that increase economic resources, human and social capital, and experience with modern organizational life can increase the portion of the population – at both the elite and the mass public levels – willing to make democracy work."[679] It also depends on other actors such as, "international assistance in post conflict reconstruction should seek to support civic associations undertaking activities on a crosscutting basis – so that civil society does not server to ratify ethnic and factional identifications."[680]
The UN must have a role too such as: to advance the establishment of national and local institutions for representative governance to facilitate a free and representative government of the Iraqi choice, so that they could regain their national sovereignty and build a stable and prosperous Iraq at peace with its neighbors.[681] At the same time, the international donors, the UN, and the World Bank would fund Iraqi reconstructions. On October 2003, the U.S. contributed towards total cost of reconstruction. Japan announced that it plans to provide $ 1.5 billion in Iraq in 2004, Spain $300 million, Canada and South Korea $200 million each.[682]

Above all, the U.S. must be extremely cautious in the supervision of the elections, because there is a risk that "regression to autocracy"[683] will occur if democracy is not gradually consolidated in Iraq. Regression to autocracy

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[678] Ibid p: 3
[679] Barnes, Samuel "The Contribution of Democracy to Rebuilding Post-Conflict Societies" *American Journal of International Law* Vol. 95 October 2001 p: 101 Available on: www.asil.org
[680] Ibid p: 99
[681] "Security Council Lifts Sanctions on Iraq, Approves UN Role" *The United Nations* May 2003 p: 2 Available on: www.un.org
[682] Gardner, Nile "Recommendations for the Madrid Donor Conference on Iraqi Reconstruction" *The Heritage Foundation* October 2003 p: 1 Available on: www.heritage.org
[683] Diamond Larry & Marc Plattner. The Global Resurgence of Democracy. John Hopkins University Press,

is where they appear to democratize, but do not liberalize (where elections are held, but under condition that guarantee the victory of the governing party, that exclude specific sociopolitical groups from participation, or that deprive those elected of the effective capacity to govern.)

The choices involved in consolidation usually "require protracted and explicit negotiations among actors who not only have much greater information of one another's intentions, but are fully aware that the outcome will have a lasting impact on how they cooperate and compete in the future."[684] Consolidation is the process by which "democracy becomes so broadly and profoundly legitimate among its citizens that is very likely to break down."[685]

Historically, very few countries have ever consolidated democracy on their first try,[686] and surely Iraq is not going to be the exception. The U.S. may not succeed is turning Iraq into a "beacon of democracy"[687] in the short term, but it will succeed, in turning Iraq into a society of laws and institutions, where citizens; the Sunnis and Shiites, the Kurds and the other minorities can feel that their traditions and rights are respected and protected against repression, arrest, torture and executions and in which economic development assures every citizen a decent standard of living. Yet, "with the passage of time, democratic practices may become firmly rooted,"[688] in Iraq. Fortunately if the Iraq transition goes well, this could bring hope and peace to millions of Arabs in the region.

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[684] Ibid

[685] Ibid p: 238

[686] Ibid p: 91

[687] Turki, Fawaz "Revisionist Thoughts on the War" *The Washington Post* 2003 p: 3 Available on: www.washtimes.com

[688] Diamond, Larry & Marc Plattner The Global Resurgence of Democracy John Hopkins University Press 1996 p 289

Conclusion

The U.S. is an Imperial Power

The Bush Doctrine and its U.S. led war on Iraq revealed the emergence of an implicit alliance in the White House: "internationalist liberals, anxious to defend American influence and to federate the world's democracies, and unilateralist neoconservatives, who believe in aggressive American leadership for the world's own good."[689] This union has been called the New Wilsonian or "Muscular Democracy,"[690] that is imposing democracy through the use of force. According to Professor Andrew Bacevich, from Boston University the realities and consequences of U.S. diplomacy is more than a post-cold war development for the United States. "It is the continuation of America's century-long pursuit of openness."[691] Since Woodrow Wilson, Bacevich writes, "American foreign policy has aimed at knocking down barriers to foster an integrated international order conducive to American interests, governed by American norms, regulated by American power, and, above all, satisfying the expectations of the American people for ever-greater abundance."[692] This openness is called by the neoconservatives, the Pax Americana. Since 1992, through the neoconservatives writing, they called for a Pax Americana or "American Peace"[693]. To preserve and enhance the American Peace, they stated that the U.S. must defend its homeland security, win multiple wars, permanent deployment of U.S. forces abroad and revolutionize the U.S. armed forces.[694] Today everything indicates that the President, is influenced by the neoconservatives' views, and is imposing "Pax Americana". Iraq was the first stage of "Pax Americana". The preemptive strategy on Iraq has showed that this strategy was only used to allow the U.S. to intervene, spread its power in the region and guarantee its supremacy.

Preemption under the power of the neoconservatives has become the raison d'etre of U.S. imperialism. Paul Schroeder argues that there is a critical distinction between hegemony and empire. Hegemony, he writes, "means clear, acknowledged leadership and dominant influence by one unit within a

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[689] Pfaff, William "The Question of Hegemony" *Foreign Affairs* January-February 2001 p: 1
[690] Ibid
[691] Barry, Tom "Hegemony to Imperium" Foreign Policy In Focus, September 26, 2002 p.2
[692] Ibid
[693] "Rebuilding America's Defenses" *PNAC*, September 2000, Available on: www.newamericancentury.com
[694] Pfaff, William "The Question of Hegemony" *Foreign Affairs* January-February 2001 p: 1

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community of units not under a single authority. A hegemon is first among equals; an imperial power rules over subordinates. A hegemonic power is the one without whom no final decision can be reached within a given system; its responsibility is essentially managerial, to see that a decision is reached. An imperial power rules the system, imposes its decision when it wishes."[695]

Today, the characteristic of an imperial power apply more to the U.S. than the characteristics of a hegemon. Claiming the right of preemption would not in itself be proof of an empire. But the eagerness of the U.S. to wage a preemptive war on Iraq without the authorization of the UN and the allies' consultation, and with expressed aim of toppling the Ba'ath regime and other regimes in the region, may represent just such a proof. Schroeder argues that the U.S. is not yet an empire; it is in the phase of being one. Schroeder describes the U.S. as "at this moment a winnable empire, poised on the brink."[696] "The Bush doctrine proclaims unquestionably imperialistic ambitions and goals and its armed forces are poised for war, for empire ...formal empire in Iraq through conquest, occupation and indefinite political control and informal empire over the whole Middle East through exclusive paramountcy."[697]

Such thoughts are still too controversial for senior members of the administration to say it aloud. "America has no empire to extend or utopia to establish;"[698] said President Bush in June 2002 at West Point. Similarly, Rumsfeld insists, "we're not imperialists."[699] If President Bush and the Pentagon hawks do not state these aims explicitly, Bush neoconservatives' advisers have said it publicly through their writings.

We are living in a "unipolar moment"[700] declared the neoconservative columnist Charles Krauthammer. He pointed out that "rather than contain American power within a vast web of constraining international agreements, the new unilateralism seeks to strengthen American power and unashamedly deploy it on behalf of self-defined global ends."[701]

That's the dominant agenda in Washington -especially after September 11- and in practice it means that the U.S no longer considers international rules

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[695] Phyllis, Bennis "Building a Movement Against Empire" *Foreign Policy in Focus* May 2003 p: 1

[696] Ibid p: 2

[697] Ibid

[698] President Bush remarks at West Point, *The White House* June 2002 p: 2

[699] "Is America a New Imperialist Power?" *The Economist* August 16, 2003 Vol. 368 i. 18337 p: 3 Available on: web7.infotrac.galegroup.com

[700] Raimondo Justin "The New Unilateralism" *Ether Zone* June 20, 2001, p.1

[701] Ibid

and norms a helpful framework for managing global relations. Instead it prefers a world where its unchallenged military power can be used at will to guarantee its supremacy. The U.S preemptive war on Iraq is nothing but the actualization of this strategy. However, the U.S is paying a high price in Iraq as a consequence of its preemptive policies. There has been an overwhelming pool of new recruits to the jihadi and fundamentalist groups through out the Middle East. American soldiers and Iraqi civilians are being killed daily in Iraq by these fundamentalist groups who perceive U.S presence in Iraq as an occupation of their country and a domination of the whole region. Most probably the U.S with the help of the new Iraqi government will succeed in controlling the chaos in Iraq; however, the consequences of U.S preemptive policy in Iraq tend to be much dangerous in the long run. Young extremists Arabs will still perceive the new Iraqi government as a pro-American government who will work for the American interests rather than for the Iraqi or Arab interests. As the result, the U.S will witness vast uprising of extremism in the Middle East and attacks from terrorists groups will continue to touch its American interests. Hence, the future of preemption in U.S foreign policy will usher in a more hostile international system, making it far harder for U.S to feel safe and lead a peaceful world. But the U.S still has some cards to play. Its policies vis-à-vis Israel and Iraq need to be reviewed and changed. The U.S should adopt a set of policies that ensure that a "significant numbers of Muslims, not Muslim regimes but Muslims, identify their own interests with those of the United States, so that agitators like bin Laden cannot aspire to speak in the name of the entire umma."[702] More important, it would be more prudent for the U.S to recognize and accept that even a country as powerful as the U.S cannot dictate outcomes everywhere and control what happens everywhere in the world.

In many ways, the future of the Bush Doctrine will depend on the outcome of November presidential elections. A Democratic victory in 2004 would certainly mean a shift in direction on the Bush Doctrine. The Democrats are more likely to seek a more multilateral strategy for waging war on terrorism. If Bush wins a second term, however, he will almost certainly push the Bush Doctrine as aggressively as he can. Likely more wars will follow.

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[702] Doran Michael, Somebody Else's Civil War, <u>Foreign Policy</u>. New York.p.50

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