

Some Aspects of Contemporary Inter-State Behaviour in the Context of Combating Terrorism*

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ABSTRAK

Insiden kejam yang berlaku pada 9/11 telah bentuk persepsi pentadbir Amerika Syarikat (AS) mengenai bentuk baru cabaran terhadap nilai yang dipegang oleh masyarakatnya. AS telah terlibat dalam peperangan menentang keganasan yang bermula di Afghanistan, dan yang kini telah merebak ke Iraq. Namun, serangan terhadap Iraq berdasarkan alasan weapons of mass destruction (WMD) telah disangkal atas prinsip 'preemption', 'unilateralism' dan perubahan rejim. Dalam kes ini doktrin konvensional berkaitan 'preemption' telah diperluaskan untuk menghalang sebarang bentuk ancaman yang mungkin timbul dalam jangka masa panjang. Dengan bertindak secara unilateral AS telah mengenyepikan arahan imperative (imperative authorisation) Bangsa-Bangsa Bersatu (BBB). Prinsip perubahan rejim telah digunakan untuk melantik sebuah rejim yang taat. Serangan yang dilakukan AS telah mengenyepikan amalan hukuman kolektif yang selalunya dikenakan terhadap perosak keamanan antarabangsa. Selain itu, serangan tersebut telah menimbulkan soalan tentang keberkesanan BBB dalam usaha memelihara keamanan dan keselamatan antarabangsa. Namun demikian, memerangi keganasan secara ketenteraan belum berjaya membendungnya.

ABSTRACT

The brutal incidents occurring on 9/11 shaped the American administration's perception of new forms of challenges to American values. The US is engaged in the war against terrorism that beginning in Afghanistan had been extended further to Iraq. But the invasion of Iraq based on so-called weapons of mass destruction (WMD) had also been prosecuted on the principles of "preemption", "unilateralism", and "regime change". In this case the conventional doctrine of preemption has been broadened to check even a long term threat developing. By unilaterally acting the US has disregarded the imperative of the United Nations (UN) authorisation. The principle of regime change was used to install a loyal regime. The American invasion has disregarded the hitherto practice of collective punishment to offender of international peace. Moreover it has questioned UN effectiveness in maintaining international peace and security. However the military means of fighting against terrorism has not contained its surge.

INTRODUCTION

Terrorism as an issue of importance for global peace and security has received the highest priority since 9/11. The terrorist attack on the World Trade Centre and Pentagon has sensitized the international community about terrorism in such a way that has not been noted before. Currently the anti-terrorist campaign, focused on prevention of these activities has been an international agenda. The Americans have extended their war on terrorism from Afghanistan to Iraq and kept the option open to extend it further. In doing so the US administration has introduced some new concepts in international relations vocabulary like 'pre-emption', 'unilateralism' and 'regime change'. Of these though preemption is not wholly new but it contains some new elements. President Bush Junior has outlined the US policy and actions to combat terrorism, which have been labeled together as Bush Doctrine.

In the post-cold war period the US administration have become doubly concerned about preventing new source of threat to the American values like more economic openness, free trade, free market, democracy and individual liberty. Their nuclear non-proliferation goal is strengthened by the desire to eliminate the weapons of mass destruction (WMD) from undesirable hands. However, they feel that some political forces still hope to find a way to decouple democracy and economic progress. So in their view, the American foreign policy should among other goals, stress on dealing with the ... threat of rogue regimes and hostile powers, which is increasingly taking the forms of the potential for terrorism and the development of WMD (Rice, 2000:46-7)¹.

The Soviet disintegration has paved the way for treating rising Islamic militancy as a new destabilizing factor. Although the Islamic militants were once receiving the American patronization in different context but in the changed international situation they have now become a target. The brutal incidents occurring on 9/11 had contributed to the American perception of new forms of terror that can pose serious challenge to American values. The Taliban regime and its cohort Al Qaeda had the first test of American iron fist. And the Americans did not end their campaign in Afghanistan but continued further in Iraq. President Bush very clearly underlined the US goals when he spoke in joint session of Congress immediately after 9/11 incidents.

Our war on terror begins with Al Qaeda, but does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated. ... They want to drive Israel out of the Middle East. They want to drive Christians and Jews out of the vast regions of Asia and Africa.²

However the American administration by their actions and pronouncements has created some serious implications for civilised conduct of international relations. Along with the weak foundation built on the so-called WMD for invading Iraq, their advocacy for "preemption, "unilateralism" and "regime change" has placed contemporary international relations on a very fragile foundation.

The aim of this paper is to make an analysis of the US foreign policy principles after 9/11 and their impact on contemporary inter-state relations and the United Nations. The paper would make the following conclusions: the US conduct has made international relations hostage to arrogance of any expansionist power; the principles of regime change is ominous for stability of any international actor including small states; if the replacement of an incumbent regime becomes the target of external intervention it could create anarchy in the world; the principles of preemption and unilateralism have made the UN ineffective for any collective action against an offender. The paper will review previous US foreign policy principles and doctrines and their linkage with the present Bush Doctrine to understand if they are a continuation of previous interventionist approach under neo-conservative influences of American foreign policy establishment. While doing so the Project for New American Century will be examined to see how Bush Doctrine reflects the thoughts and ideas of the neo-conservatives school assembled under this project.

THE PSYCHOLOGY OF SUPERPOWER'S CONDUCT

The United States totally came out of its isolationist image in the new international situation created at the demise of World War II. The American strength, prestige and influence in the early fifties reached such a proportion that it assumed the leadership role of the western world and unleashed the cold war competition with the Soviet Union. The western values hitherto propagated by European powers had now been forcefully pursued by the US in the face of emerging socialist power. Though Winston Churchill coined the "iron curtain" as the new political terminology, the "peril of communism", "free world", "containment," "Alliance for Progress" etc. were introduced by the Americans. In giving a perspective to these new concepts they had pointed to the "menace of totalitarian communism" and its contribution to de-stability of international order. Its international role as seen from a third world perspective is as that of "waging permanent war, killing people, rendering millions of invalid, launching operations, assassinating "undesirable" leaders and weakening the UN agencies by using blackmail, threats and withdrawal" (Gupta, 1986:314).

Because of its strategic location the Middle East has been the vital geographic regions to the Americans since the end of World War II. The petroleum resources of Middle East attracted US attention for mainly industrial and military purposes. And the region's proximity to the Soviet Union had always been the influential factor for US foreign policy. President Truman enunciated the Truman Doctrine (1947) to underscore the imperative of protecting the region from "communist subversion". Subsequently President Eisenhower (1957) and President Carter (1980) had their own doctrines, which treated the Middle East as vital for US security (Nakhle, 1982:4-8).

It is obvious for the US to treat its own security and survival as the goal of its foreign policy. And it would protect its physical, political, and cultural identity against encroachment by other states (Morgenthau, 1981(1952):47). From a third world critical view, Americans think that their national interest must be pursued by ingenious use of moral values, organised Christian religion, abstract principles and cliches such as “fighting aggression”, “practising non-intervention”, “respecting self-determination”, “helping poorer people through benevolently conceived economic aid”, “providing military aid to those threatened by communist totalitarianism”, “working for collective security through effective international organisations”, “striving for four freedoms”, “making the world safe for democracy” (Gupta, 1986:315).

It is no exaggeration to say that the American world-view was conditioned by a feeling among its ruling elites that the US is the *number one* power and therefore it must have allegiance of other nations. The psychology of the powers like the US had been aptly explained by Senator J. William Fulbright, once the Chairman of the Senate Foreign Relations Committee.

The more I puzzle over the great wars of history, the more I am inclined to the view that the causes attributed to them- territory, markets, resources, the defense or perpetuation of great principles- were not the root causes at all but rather explanations or excuses for certain unfathomable drives of human nature. For lack of a clear and precise understanding of exactly what these motives are, I refer to them as the ‘arrogance of power’- as a psychological need that nations seem to have in order to prove that they are bigger, better, or stronger than other nations. Implicit in this assumption ... that force is the ultimate proof of superiority- that when a nation shows that it has the stronger army it is also proving that it has better people, better institutions, better principles, and, in general, a better civilization (Fulbright, 1967:17).

The US as the preeminent western power began to consider the protection of the “Free World” from communist encroachment as their mission since end of World War II. The strategy and the tactics they employed had centred on the idea of containment. Accordingly they had to paint the adversary as black as possible and understand that a high-risk foreign policy required selling the threat (Freedman, 2004:7). However, the threat of Islamic militancy seized the western attention even before the 9/11 incidents. After the advent of an Islamic regime in Iran and the resultant strained relations that began between Iran and the western countries, there has been a profound academic and political interest in Islam. The triumph of Islamic Salvation Front in Algerian elections, the activities of Egyptian and Sudanese Islamic forces and Al Qaeda attack on US missions were regarded as threats to liberal values and interests. Although President Bush had repeatedly stressed that his war on terrorism was not directed against Islamic religion, but there is a view in the west that Islam and politics are intricately intertwined (Fuller, 2002:48-60).

THE NEO-CONSERVATIVE INFLUENCES IN US FOREIGN POLICY

In immediate post-cold war days there had been a euphoric vision about a new world in which the arms race will be reduced, war will be less frequent and peace will pave the way for more economic progress. In the absence of superpowers competition, it was believed that, their regional surrogates would be less prone to military spending. Even within the American administration there were people who opted for reduced military spending and smaller size armed forces. However, as the new vision was not translated into reality the idea of a reduced defense spending was not shared by the neo-conservatives. Persons like Donald Rumsfeld, Dick Cheney, Paul Wolfowitz, Jeb Bush, Francis Fukuyama, Zalmay Khalilzad and others grouped together and formulated what came to be known as Project for New American Century (June 3, 1997). In their words:

As the 20th Century draws to a close, the United States stands as the World's preeminent power. Having led the West to victory in the Cold War, America faces as opportunity and challenge: Does the United States have the vision to build upon the achievements of past decades? Does the United States have the resolve to shape a new century favorable to American principles and interests?

We are in danger of squandering the opportunity and failing the challenge. We are living off the capital- both the military investments and foreign policy achievements- built up by the past administration. Cuts in foreign affairs and defense spending, inattention to the tools of statecraft, and inconstant leadership are making it increasingly difficult to sustain American influence around the world But we cannot safely avoid the responsibilities of global leadership or the costs that are associated with its exercise.³

The project planners laid importance four goals that had to be undertaken by future American leadership:

- (i) to increase defense spending significantly to carry out global responsibilities today and modernise US armed forces for the future;
- (ii) to strengthen ties to democratic allies and to challenge regimes hostile to US interests and values;
- (iii) to promote the causes of political and economic freedom abroad; and
- (iv) to accept responsibility of America's unique role in preserving and extending an international order to "our security, our prosperity, and our principles".

To the neo-conservatives the defence budget of the Clinton administration was unacceptable and they called for an enhanced military budget, which should be commensurate with the stronger role of the country. Secondly, their standard of treating an ally or a foe was based on a simple principle of assessing who is for and against the American interests and values, not on the nature of the regime itself. Judging on this criterion a dictatorial or despotic regime may be regarded as a US ally, which supports its interventionist role in world affairs. The third goal

could be defined as an attempt to underscore the need for a globalised world where attempts to protect ones own economy from big economies encroachment would be regarded as offence. And lastly the unique American role in creating the favourable global order creates the scope for intervention in any part of the world (Mita Dutta, 2003:37-39).

The neo-conservative ideas surrounding US foreign policy had been formulated in the academic writings of Condoleezza Rice, Robert B. Zoellick and Kenneth M. Pollack in *Foreign Affairs* journal (2000 and 2002). Rice was very forthright in her disposition. She held that the next administration's foreign policies must help attain the American values that the Clinton administration avoided implementation. Writing on the eve of presidential election, Rice argued for a strong military so that it can deter war, project power and fight in defence of American interests if deterrence fails. After criticising Clinton's defence policy about military expenses and deployment of forces she advocated for building the military of the 21st century rather than continuing to build the same on the structures of cold war. Secondly, the US military must be able to meet decisively the emergence of any hostile power in Asia-Pacific region, the Middle East, and the Persian Gulf, and Europe. The third concern of future foreign policy should be American readiness for "humanitarian intervention." Rice was unambiguous in her advocacy for how to deal with the "rogue regimes" like Saddam's by pointing that he (Saddam) has no "useful role in international politics, nothing will change until Saddam is gone, so the United States must mobilize whatever resources it can, including support from his opposition to remove him" (Rice, 2000:45-61).

Zoellick (2000:63) started his article stressing on next president's primary task as building public support for the strategy that could shape the world so as "to protect and promote American interests and values for next 50 years." In similar vein like Rice he made critical comments about Clinton's foreign policy and opined that latter failed to define a new internationalism for the US and let historical opportunities slip away. The five principles he suggested for the future Republican foreign policy were: matching America's power to its interests; building and sustaining coalitions and alliances; judging international agreements and institutions as means to achieve ends, not as forms of political therapy; linking the US to communications, technology, commerce and finance sectors around the world through new networks of free trade, information and investment and finally, facing enemies who develop the WMDs and missiles (*ibid*:64-70).

Pollack seems more outspoken among the three. He was for invading Iraq and thus replacing Saddam regime with successor prepared to abide by its international commitments and live in peace with regional neighbours (Pollack, 2002:33). To his opinion the strategy of containing Saddam regime from destabilising the Persian Gulf region had started to unravel. Even the strategy of deterrence relying on the threat of US intervention to dissuade Saddam from future aggression would not be a viable alternative. Arguing that Afghan style

regime change was not suitable for Iraq, he however argued for straightforward American invasion of Iraq (*ibid*: 33-39).

NEW PRINCIPLES IN US FOREIGN POLICY

The thoughts around contemporary American security concerns could be visualised in the first national security strategy drawn up by the Bush administration in September 2002. This strategy is the basis on which the present approach of American foreign policy is shaped. But even before it Bush had been talking about the emerging threats and the means to combat those. He said:

... new deadly challenges have emerged from rogue states and terrorists. None of these contemporary threats rival the sheer destructive power that was arrayed against us by the Soviet Union. However, the nature and motivations of these new adversaries, their determination to obtain destructive powers hitherto available only to the world's strongest states, and the greater likelihood that they will use weapons of mass destruction against us, make today's security environment more complex and dangerous These states ... are determined to acquire weapons of mass destruction, along with other advanced military technology, to be used as threats or offensively to achieve the aggressive designs of these regimes; sponsor terrorism around the globe; and reject basic human values and hate the United States and everything for which it stands We must be prepared to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends ... the United States can no longer solely rely on a reactive posture as we have in the past. The inability to deter a potential attacker, the immediacy of today's threats, and the magnitude of potential harm that could be caused by our adversaries' choice of weapons, do not permit that option. We cannot let our enemies strike first.⁴

The US administration was very emphatic to continue war on terrorism for an uncertain duration. It was mentioned that the US would cooperate with other nations to deny, contain, and curtail "our enemies" efforts to acquire dangerous technologies (White House, 2002, <http://www.whitehouse.gov/nsc/nss.html>).

It should be noted here that the American leadership has expanded the conventional doctrine of preemption- striking first against an imminent, specific, near certain attack into a broader concept of striking first to prevent the possibility of a longer term threat even developing. However, this argument is not shared by all. According to one opinion, as the US was the terrorist target even before the September 2001, it is no longer preemption for the victim to seek to destroy the source of attack (Slocombe, 2003:123). Nevertheless preemption as a means was believed to be supplanting the cold war concepts of deterrence and containment. Remarkably though the proponents of preemption ignored the basic questions of its justification based on intelligence knowledge and timing. The decision to initiate offensive war, in the absence of any conclusive intelligence knowledge, depended on questionable assessment of threats by political leaders. The US government applied the new concept in Iraq with an ostensible purpose

of eliminating the WMDs on the basis of flawed intelligence. Neither the UN inspectors nor the American experts could locate the trace of any such weapons before or after the invasion. Besides, another aspect of preemption is related to its use by other international actors. Realistically speaking this prerogative could not be treated as the US monopoly and in appropriate moment other interested parties may also use it against their adversaries.

The principle of unilateralism is sequentially connected with the idea of preemption. Before invading Iraq the US expressed its resolve to attack unilaterally if the Security Council failed to extend its appropriate support to disarming Iraq. Although the Security Council resolution 1441 (8 November, 2002) provided for collective initiative in this regard, the US president declared within minutes after the adoption of the resolution that Iraq would face the “severest” consequences if it did not comply.⁵ By taking the responsibility of punishing Iraq solely on its own shoulder the American administration underscored US supremacy in policing the world.

Even the American people see their country’s military power as so overwhelming that it does not need the assistance of others. Equally they see the American purposes as so noble and that of others as so narrow that the US could ignore their views. They, therefore, hold that involving other nations is pointless because they can add nothing significant to American capabilities (Slocombe, 2003:118-119). By its emphasis on unilateralism the present US administration has in fact restated the previous administration’s goal to protect vital American interests and to act alone if they are at stake. In deciding any unilateral move the US considered it as the protection of interests of all the countries. The president held that, “To-day, the world’s great powers find ourselves on the same side- united by common dangers of terrorist violence and chaos. The United States will build on these common interests to promote global security. We are also increasingly united by common values” (White House, 2002, [http:// www. whitehouse.gov/nsc/nss.html](http://www.whitehouse.gov/nsc/nss.html)).

The third principle, regime change has been used by the US administration as the means to achieve non-proliferation ends in Iraq. The Americans have time and again been pointing to Iraqi regime as the stumbling- block to Iraq’s disarmament mandated by the Security Council since the Persian Gulf War in 1991. Moreover, as the Americans believed that Saddam was not a democratically elected leader, his removal would remove all obstacles to implementation of relevant UN resolutions. So, the US administration undertook the responsibility by itself to realise the UN mandated job even to the extent of acting unilaterally.

The issue of regime change came into agenda after the Gulf War in 1991. The US government then had to decide either on regime change or policy change in its strategy. The Security Council in its resolution 687 called for a mandated WMD disarmament but did not say anything about changing the Iraqi regime, which continued to stay in office. Both Clinton and Bush administrations believed that a change in regime in Iraq as not only desirable but specifically necessary to

achieve disarmament provision of that resolution (Litwak, 2003-2004:13-14). In all probability the US by its emphasis on regime change wanted to gain politically by having an amenable regime in Iraq. Although its purpose was to replace the incumbent for disarmament excuse but its attempt could be more political than militarily oriented. This has been proved after the defeat of Saddam's army and installation of pro-US government in Iraq.

IMPLICATIONS OF THE NEW APPROACH

The invasion in Iraq was neither the first such military action nor the only one when invasion was carried by questionable reasons. However, the US actions questioned very strongly the efficacy of the principle of non-intervention in international relations. Although non-intervention has long been a basic rule to international conduct yet its observance has always been imperfect. Another very significant but imperfectly applied rule in international conduct has been the principle of sovereign equality of states. But in practice both these principles have been applied to smaller states differently by the major powers. They have found different pretexts on different occasions to ignore these. Conspicuously the Iraq crisis has violated two fundamentally accepted legal norms for the use of force: self-defence, as recognised in Article 51 of the UN Charter and the Security Council's authorisation of use of force. It has been observed that two already known doctrines, humanitarian intervention and right to act preemptively against emerging threats have been applied in present contexts in Iraq to bypass these two legal requirements (Roberts, 2003:31-32). One may take recourse to international legal norms in judging the American conduct, but the US administration has interpreted it in terms of international peace and stability. The basic argument for invading Iraq was constructed on the nature of the regime (rogue) and its stockpiling of WMDs (security against terrorism).

By and large the American actions have had negative reactions internationally. The worldwide protest against the war had expressed world public opinion. And there was no consensus among the members of the Security Council including the P-5 about military options. Neither the reports of weapons inspectors of UNMOVIC nor IAEA had mentioned any Iraqi violations. Therefore, the onus of invading Iraq rests with the US and UK. And the invasion had been carried on unsubstantiated allegations of stockpiling of weapons. Although initially Saddam was linked with Al Qaeda to justify military actions the allegation too was found concocted.

However, the US has left some serious implications by its actions for civilised conduct of international relations. Apart from the weak foundation built on so called WMD to attack Iraq its advocacy for preemptive strike has made inter-state relations hostage to arrogance of a big power in any part of the world. As the preemption has had a specific meaning for Iraq issue- striking first to prevent

the possibility of longer term threat even developing- there is a scope to assess the threat arbitrarily. This has already been demonstrated by Israel when the country attacked the Palestinians refugee camps indiscriminately killing innocent people. To punish Saddam, the Bush administration has relied on offensive tactics instead of defensive tactics. It resorted to preemptive strike replacing containment and deterrence tactics. The comments of an American analyst are very pertinent to describe the contradiction inherent in preemption as a policy:

The Bush national security strategy fails to address the second-order effects of the U.S. policy- what will the boomerang effect be if other nations adopt this policy too? Would Iraq have a justification now to strike the U.S. "preemptively"? Could India be justified in striking Pakistan? What will Russia justify doing? China?⁶

By attacking Iraq unilaterally the US administration had disregarded the hitherto practice of collective punishment to offender of international peace. Collective action has been a cardinal feature of international relations since the foundation of the League. The concept of collective security although could not be translated into action yet collective action has always been a desirable option in inter-state relations. However, the U.S. stubbornly defied the wisdom of collective initiative on Iraq issue and thus set a bad precedent in global relations. Besides, with the American example in hand there is now a risk for its repetition by any regional bully to offend its small adversary any time it likes.

The logic for regime change claimed to have been built on the necessity of eliminating a rogue regime to achieve the disarmament goal. However, it is already pointed out that change was much desired by the US administration to replace the incumbent regime with a loyal one. As no report till now could establish any links of Saddam government with the stockpiling of WMDs, the arguments for change have become elusive. Moreover, this sort of logic is ominous for international stability. If the replacement of an incumbent regime becomes the target of external intervention it could create anarchy in the world. Any regional power would find it convenient to foist a puppet regime in its own neighbourhood.

The US conduct has seriously undermined the authority of the United Nations. In the present context the United Nations has gone through the most difficult situation that has ever been created in almost six decades of its history. The unilateral attack on Iraq by the US and Britain had questioned its effectiveness in the maintenance of international peace and security. Moreover, the UN system had not witnessed such a moral and legal crisis before since its inception. The Security Council having the primary responsibility for the maintenance of international peace and security has lost its credibility. The UN has to share the burden for pushing the international system into an anarchic situation by tolerating the unilateral action of America. The US could not so blatantly ever use the UN in post-cold war period. The Security Council's role in this respect was that of surrendering to arrogance of US administration. The Secretary General had failed to act from his conscience and in accordance with the responsibility enshrined in the Charter (vide, Article 99 and 100[1]).

The significance of this unilateral attack for international order is to be seen from different angles. First, the aggression contravened both Chapters VI (peaceful settlement of all international disputes) and VII (collective preventive action) of UN Charter. Second, admitting that any unilateral US step would weaken the organisation's authority but ordering the UNMOVIC to leave Iraq immediately before the aggression the Secretary General ironically reconciled the UN machinery with the war design of the US. Third, the status of UNMOVIC was not that of a peacekeeping force that needs approval of the receiving state. It was sent to Iraq under the resolution of the Security Council and should have been withdrawn by the council itself. Fourth, there was a double standard in application of council's authority. The US administration had put pressure on the Council to send UNMOVIC to search for WMDs but violated its authority by invading Iraq without its approval.

CONCLUSION

The prosecution of Iraq issue has given birth to a risky conduct of international relations. The conservatives in American administration have been successful in imposing the American way on the world. Thus they have contravened all legal and moral orders of interstate relations. They could remodel the principles of unilateralism, preemption and regime change to suit their grand design in the name of combating terrorism. The world is now a witness to the hegemony or monopoly of a single power that renders the world unstable and unsafe. There is no denying the fact that the cold war international system was largely a balanced one. It has been established by now that the menace of terrorism of all types has not been decreasing rather increasing. In spite of US actions terrorism has become a worldwide phenomenon.

NOTES

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¹ According to American classification the contemporary states are grouped into four categories: advanced industrial democracies; emerging democracies with market economies that aspired to enter the advanced tier; 'failed states'; and 'rogue states' which rejects international norms and seeks weapons of mass destruction.

² Address to a Joint Session of Congress and the American People after 9/11

³ Project For New American Century

⁴ Address in West Point, New York, June 1, 2002

⁵ *The Daily Star*, November 9, 2002

⁶ Marcus Corbin, CDI Senior Analyst, mcorbin@cdi.org

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