

# The Bush Doctrine and War with Iraq

JEFFREY RECORD

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The Bush Administration issued its first *National Security Strategy* in September 2002, a year after the 9/11 terrorist attacks on the United States by al Qaeda. The document's Chapter V summarizes the Administration's approach to using force, known as the Bush Doctrine. It essentially reiterates, in four pages, presidential statements made over the months following 9/11, including the President's speeches before a Joint Session of Congress on 20 September 2001, before the Warsaw Conference on Combating Terrorism on 6 November, his State of the Union Address on 29 January 2002, his remarks before the student body of the Virginia Military Institute on 17 April, and his address to the graduating class at the US Military Academy at West Point on 1 June. The Bush Administration now has in place a clear, declaratory use-of-force policy whose objective is stated in Chapter V's title: "Prevent Our Enemies from Threatening Us, Our Allies, and Our Friends with Weapons of Mass Destruction."

This article identifies and examines the Bush Doctrine's major tenets, and then assesses the doctrine's strengths and weaknesses within the context of the Administration's prospective attack on Iraq.

## *The Threat*

The Bush Doctrine rests on a definition of the threat based upon what it sees as the combination of "radicalism and technology"—specifically, political and religious extremism joined by the availability of weapons of mass destruction (WMD). In his West Point speech, President Bush declared:

The gravest danger to freedom lies at the crossroads of radicalism and technology. When the spread of chemical and biological and nuclear weapons, along with ballistic missile technology—when that occurs, even weak states and small groups

could attain a catastrophic power to strike great nations. Our enemies have declared this very intention, and have been caught seeking these terrible weapons.<sup>1</sup>

Secretary of Defense Donald Rumsfeld has subsequently and repeatedly spoken of the emergence of a “nexus between terrorist networks, terrorist states, and weapons of mass destruction . . . that can make mighty adversaries of small or impoverished states and even relatively small groups of individuals.”<sup>2</sup>

The Bush Doctrine identifies three threat agents: terrorist organizations with global reach, weak states that harbor and assist such terrorist organizations, and rogue states. Al Qaeda and the Taliban’s Afghanistan embody the first two agents. Rogue states are defined as states that:

. . . brutalize their own people and squander their national resources for the personal gain of the rulers; display no regard for international law, threaten their neighbors, and callously violate international treaties to which they are party; 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 human values and hate the United States and everything it stands for.<sup>3</sup>

The key attributes are regime aggressiveness and the search for WMD, especially nuclear weapons, which are far more efficient engines of mass slaughter than chemical and biological weapons.<sup>4</sup>

This definition of rogue states seems to be modeled on Iraq, although Iran is a much greater purveyor of international terrorism, and North Korea, the third “axis of evil” state, 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 in contravention of a 1994 agreement to suspend it. The Bush Administration has nonetheless sought a diplomatic solution via the enlistment of pressure from Tokyo and Beijing on Pyongyang. There has been no talk of war against North Korea, even though Pyongyang has a far more advanced nuclear program than Iraq’s, and even though Kim Jong Il is, if anything, more unpredictable than Saddam Hussein.<sup>5</sup> The Bush Administration apparently credits North Korea with relatively benign intentions; in the case of Iraq, however, it has come very close to equating capabilities and intentions—i.e., inferring intent to use WMD offensively by virtue of their very existence in Iraq. For example, Deputy Secretary of State Richard Armitage has declared that the “unrelenting drive to possess weapons of mass destruction brings about the *inevitability* that they will be used against us or our interests.”<sup>6</sup>

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Jeffrey Record is a former professional staff member of the Senate Armed Services Committee and senior fellow at the Institute for Foreign Policy Analysis. His latest book, *Making War, Thinking History: Munich, Vietnam, and Presidential Uses of Force from Korea to Kosovo*, was published in March 2002 by the Naval Institute Press.

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A key feature of the Bush Doctrine's postulation of the threat is its conclusion that Cold War concepts of deterrence and containment do not necessarily work against WMD-seeking rogues states and are irrelevant against terrorist organizations. "In the Cold War," states the *National Security Strategy*, "we faced a generally status quo, risk-averse adversary. . . . But deterrence based only on the threat of retaliation is less 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. . . . Traditional concepts of deterrence will not work against a terrorist enemy."<sup>7</sup> This judgment echoes President Bush's earlier remarks in his West Point speech: "Deterrence, the promise of massive retaliation against nations, means nothing against shadowy terrorist networks with no nation or citizens to defend." And, "Containment is not possible when unbalanced dictators with weapons of mass destruction can deliver those weapons on missiles or secretly provide them to terrorist allies."<sup>8</sup> (In contrast to containment of communism, which was aimed at its territorial expansion, containment of Iraq since 1991 has targeted Saddam's territorial *and* nuclear ambitions. It is therefore "vertical" as well as "horizontal.") Thus, according to the Bush Doctrine, rogue states are a double threat; they not only seek to acquire WMD for themselves but also could transfer them to terrorist "allies."

Making matters worse, argues the White House, the threat is not just undeterrable—it is also imminent, requiring urgent responses. Less than two months after the 9/11 attacks, President Bush declared, "We will not wait for the authors of mass murder to gain weapons of mass destruction."<sup>9</sup> In his subsequent State of the Union Address, he further stated that "time is not on our side. I will not wait on events, while dangers gather. I will not stand by, as peril draws closer and closer."<sup>10</sup> At West Point, he warned, "If we wait for threats to materialize, we will have waited too long."<sup>11</sup> His *National Security Strategy* declares simply, "We cannot let our enemies strike first."<sup>12</sup> National Security Advisor Condoleezza Rice underscored the Administration's sense of imminent danger, telling CNN on 8 September 2002 that the risk of waiting for conclusive proof of Saddam Hussein's determination to acquire nuclear weapons was too great because "we don't want the smoking gun to become a mushroom cloud,"<sup>13</sup> a metaphor President Bush subsequently repeated.

In summary, the Bush Doctrine postulates an imminent, multifaceted, undeterrable, and potentially calamitous threat to the United States—a threat that, by virtue of the combination of its destructiveness and invulnerability to deterrence, has no precedent in American history. By implication, such a threat demands an unprecedented response.

### ***The Response***

The judgment that we are dealing with enemies who are prepared to "strike first," "to threaten or use weapons of mass destruction against the United States,"<sup>14</sup> who "would [not] hesitate to use weapons of mass destruction if they be-

lieved it would serve their purposes,<sup>15</sup> inevitably dictates a policy of what the Bush Administration has chosen to call “anticipatory self-defense.”<sup>16</sup> The policy is billed as a strategy of preemption. In his West Point speech, President Bush announced that the “war on terror will not be won on the defensive. We must take the battle to the enemy, disrupt his plans and confront the worst threats before they emerge. In the world we have entered the only path to safety is the path of action. And this nation will act.”<sup>17</sup> The *National Security Strategy* declares that the “United States has long maintained the option of preemptive actions to counter a sufficient threat to our national security,” and given the risk of inaction against enemies prepared to strike first, “the United States will, if necessary, act preemptively.”<sup>18</sup> The *National Security Strategy* goes on to say, “Legal scholars and international jurists often conditioned the legitimacy of preemption on the existence of an imminent threat—most often a visible mobilization of armies, navies, and air forces preparing for attack.” However, “We must adapt the concept of imminent threat to the capabilities and objectives of today’s adversaries.” Because rogue states know they can’t win with conventional weapons, “they [will] 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.”<sup>19</sup>

The Bush Administration does not regard preemption as a substitute for traditional nonmilitary measures such as sanctions and coercive diplomacy or for proactive counterproliferation and strengthened nonproliferation efforts. Preemption is an “add-on” tailored to deal with the new, non-deterrable threat. But the question does arise as to whether “preemption” best characterizes the new policy. The Pentagon’s official definition of preemption is “an attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent.”<sup>20</sup> In contrast, preventive war is “a war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve great risk.”<sup>21</sup> Harvard’s Graham Allison has captured the logic of preventive war: “I may some day have a war with you, and right now I’m strong and you’re not. So I’m going to have the war now.” Allison went on to point out that this logic was very much behind the Japanese attack on Pearl Harbor, “and in candid moments some Japanese scholars say—off the record—that [Japan’s] big mistake was waiting too long.”<sup>22</sup>

The difference between preemption and preventive war is important. As defined above, preemptive attack is justifiable if it meets Secretary of State Daniel Webster’s strict criteria, enunciated in 1837 and still the legal standard, that the threat be “instant, overwhelming, leaving no choice of means and no moment for deliberation.”<sup>23</sup> Preemptive war has legal sanction.<sup>24</sup> Preventive war, on the other hand, has none, because the threat is neither certain nor imminent. This makes preventive war indistinguishable from outright aggression, which may explain why the Bush Administration insists that its strategy is preemptive, although some Cabinet officials have used the terms interchangeably.

The problem, at least with respect to Iraq, is the lack of convincing evidence, at least publicly available evidence, that an Iraqi WMD attack on the United

States, its allies, or its friends, is imminent. Such an attack seems inherently implausible because it would invite, via devastating retaliation, the destruction of Saddam Hussein, his regime, and even Iraq itself. And, ironically, notwithstanding the White House's dismissal of deterrence as insufficient against rogue states, the Administration has reportedly warned the Iraqi dictator that he and his country face "annihilation" if he uses his WMD against another country.<sup>25</sup> The threat was generically repeated in the Administration's December 2002 *National Strategy to Combat Weapons of Mass Destruction*, which declared that the United States "reserves the right to respond with overwhelming force—including through resort to all our options—to the use of WMD against the United States, our forces abroad, and friends and allies."<sup>26</sup> Presumably, these threats would not have been made absent some level of confidence in deterrence. Perhaps the Administration's very campaign of threatening an attack on Iraq is designed to reinforce deterrence. Yet deterrence requires the deterree to believe that he will not be attacked if he does not commit the act to be deterred. If he is convinced that we are coming anyway, is not deterrence undermined?

If an Iraqi attack is not imminent, and indeed is deterrable in any event, then does not a US attack on Iraq become a preventive war based on an assumption of the inevitability of hostilities and the desire to strike before the military balance becomes less favorable (i.e., before Saddam gets nuclear weapons)? The Bush Administration's statements and 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 Administration's stated judgment that time is not on the American side. In his address to the nation from Cincinnati on 7 October 2002, Bush asked the question, "If we know 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?" 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 "pass[ing] nuclear technology to terrorists."<sup>27</sup>

There may indeed be a case for starting a war, even a preventive war, with Iraq, but we should be clear on the traditional distinction between preemptive attack and preventive war. On the other hand, perhaps the *National Security Strategy* is right in insisting on the need to revisit that traditional distinction in the face of undeterrable non-state enemies armed with WMD. "Perhaps the gulf between preemption and prevention," observes Michael Walzer, "has now narrowed so that there is little strategic (and therefore little moral) difference between them."<sup>28</sup> Moreover, against Iraq at least, the United States has an established record of preventive military operations. As noted in 1994 by Richard Haass, who is now head of the State Department's Policy Planning Staff, the "Desert Storm coalition's attacks against Iraqi unconventional warfare capabili-

ties inside Iraq involved preventive employment of force; the capabilities targeted were not yet in a state of development to affect the course of [the Gulf War].”<sup>29</sup> Indeed, by the time Desert Storm was launched, Kuwait’s liberation—a certainty—had become incidental to the larger aim of preventing future Iraqi aggression by destroying Iraqi WMD capacity and gutting Iraq’s conventional military capabilities. Kuwait could have been liberated without striking targets in Iraq, albeit at probably significantly greater cost.<sup>30</sup>

But assume, for the moment, that the traditional distinction between preemption and preventive war does apply, and that Iraq does pose a threat that justifies preemptive attack. Any preemptive attacker must have overwhelming evidence of the enemy’s intention of imminent attack as well as a capacity to launch swift and decisive strikes—strikes that quickly and conclusively preempt the expected offensive military actions. Intentions, of course, are notoriously difficult to gauge, and precisely because of this reality there is an innate tendency to ascribe intentions from capabilities. Note has been made of the Bush Administration’s equation of Iraqi capabilities and Iraqi intentions. But intentions to do what? There is no question that Saddam Hussein has chemical and biological weapons and would love to have nuclear weapons. But for what purpose? The Bush Administration argues that he is itching to use them against the United States and its allies and friends. But could he not be seeking his own deterrent? In Israel and the United States he 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? Middle East expert Stephen Zunes contends that “any Iraqi WMDs that may exist are under the control of a highly centralized regime more interested in deterring a US attack than in provoking one.”<sup>31</sup>

### ***The Bush Doctrine: Five Observations***

The Bush Doctrine has sparked great controversy at home and abroad. Some critics see it as further testimony to American unilateralism and arrogance; as the triumph within the Bush Administration of a neo-conservative agenda aimed at ensuring a permanent American primacy in the world. Others regard it as a reckless setting of a dangerous precedent that other states will exploit to mask aggression. Still others see the doctrine as simply a construct to justify an attack on Iraq. Proponents of the Bush Doctrine contend that a threat revolution is under way which requires new approaches to using force. The 9/11 tragedy, they argue, was a warning of worse—much worse—things to come if the United States remains in the reactive posture it assumed during the Cold War. The stakes, they claim, are as high as they were during the Cold War, but we are now dealing with enemies who do not care whether they live or die. As with many controversial topics, both supporters and critics exhibit strengths and weaknesses in their arguments.



What follows is an examination of their argumentation via five observations pertaining to the Bush Doctrine and the threatened American attack on Iraq.

- *The threat of WMD proliferated among suicidal or otherwise undeterrable terrorist groups is new, real, and potentially catastrophic, but the Bush Administration's primary focus on regime change in Iraq may be a focus on the periphery rather than the heart of the threat.*

The Bush Administration is absolutely right in identifying the possibility of a 9/11 with nuclear weapons as the gravest threat to American security today. Every possible effort, including preemptive attack, should be made to forestall this threat's materialization. Al Qaeda seeks our destruction and is inherently undeterrable. We have been at war with al Qaeda since 9/11 (which renders preemption moot), and we are committed to continued military operations against that enemy and its Taliban allies in Afghanistan until we are satisfied that we can leave that country strong enough to prevent its relapse into a haven for al Qaeda.

Why, then, does the Bush Administration seek to start a second war against Iraq? Why, reportedly, just one day after 9/11, did Secretary of Defense Rumsfeld and his deputy, Paul Wolfowitz, suggest in a National Security Council meeting that the al Qaeda attacks be used as a pretext for a US attack on Iraq?<sup>32</sup> Many commentators have observed that Saddam Hussein represents unfinished business of the first Bush Administration, and that Saddam Hussein did sponsor a plot to assassinate President George W. Bush's father. But what is the connection between Iraq and al Qaeda? President Bush declared in late September 2002 that "you can't distinguish between al Qaeda and Saddam when you talk about the war on terrorism. They're both equally as bad, and equally as evil, and equally as destructive." He added that the "danger is that al Qaeda becomes an extension of Saddam's madness and his hatred and his capacity to extend weapons of mass destruction around the world."<sup>33</sup>

But the Administration has presented no evidence linking Saddam Hussein to 9/11 and no convincing evidence of an operational relationship between Iraq and al Qaeda. Both Saddam Hussein and Osama bin Laden may hate the United States, but the former is a secular dictator on the Stalinist model who has never hesitated to butcher Muslim clerics, whereas the latter is a religious fanatic who regards secular Arab regimes as blasphemous. Other than hatred of the United States, they do not have a common agenda,<sup>34</sup> though the history of international politics is replete with very strange bedfellows (e.g., Hitler and Stalin, and then Stalin, Churchill, and Roosevelt).

As for the Administration's asserted threat of a revenge-motivated Saddam Hussein's transfer of WMD to al Qaeda, there is no evidence that such a transfer has been made, even though Hussein has had chemical and biological weapons for years. Moreover, the Administration has not addressed the question of whether the Iraqi dictator could ever be certain that he could make such a transfer without a trace of evidence. And even if he could be certain on that score, would he not also have to worry that the Bush Administration would consider an al Qaeda

WMD attack to be prima facie evidence that such a transfer had been made? There is also the issue of control. Saddam Hussein and his regime are about absolute political control because control means survival. How likely is it, therefore, that Saddam, a Stalin-like paranoid and megalomaniac who has a long record of repressing radical Islamists in his own country, would transfer his own hard-earned WMD to an Islamist terrorist group beyond his control?<sup>35</sup>

If there is a plausible scenario of Iraqi first use of WMD, including indirectly via transfer to a terrorist group, is it not in response to an American attack on Iraq that placed Saddam in the position of certain doom, thereby removing any “deterrent” obstacles to taking down as many of his enemies as possible on the way to his own extinction? During the Gulf War, Saddam pre-delegated orders to Iraqi Scud batteries to launch biological- and chemical-armed missiles at Tel Aviv if the coalition forces advanced on Baghdad.<sup>36</sup> President Bush himself has acknowledged that an “Iraqi regime faced with its own demise may attempt cruel and desperate measures.”<sup>37</sup> A CIA assessment concluded that Saddam, if convinced that a US attack could not be deterred, might “decide that the extreme step of assisting Islamist terrorists in conducting a WMD attack against the United States would be his last chance to exact vengeance by taking large numbers of victims with him.”<sup>38</sup> At a minimum, Saddam would target Israel and thereby guarantee his posthumous fame among many in the Arab world. Thus, would not a US attack on Iraq make Saddam’s first use of WMD a self-fulfilling prophecy? (All of this assumes, of course, both a US decision for war and the survival, despite UN reinspection efforts that began in December 2002, of deliverable Iraqi WMD.)

And if the aim of the Bush Doctrine is to prevent the marriage of terrorism and WMD, should it not concentrate first and foremost on destroying the vast and poorly secured stocks of WMD in the countries of the former Soviet Union? Unlike Iraq, al Qaeda is a truly transnational organization with cells in at least 60 countries. As such, and given its impressive financial resources, al Qaeda seems well positioned to exploit opportunities posed by the presence of so much loosely protected WMD, to say nothing of securing the services of impoverished former Soviet WMD scientists. Yet, inexplicably, the Bush Administration has sought to cut the very Nunn-Lugar funding designed to enable Russia to destroy its great stocks of WMD.

The heart of the threat is al Qaeda, not Iraq, and a US war against Iraq inevitably will divert strategic attention and military resources away not only from the deteriorating situation in Afghanistan and the destruction of al Qaeda, but also from America’s still unacceptably weak homeland defenses. It was precisely for this reason that former National Security Advisor Brent Scowcroft warned against an American attack on Iraq. “Our pre-eminent security priority . . . is the war on terrorism,” he declared in August 2002. An attack on Iraq “would seriously jeopardize, if not destroy, the global counterterrorist campaign we have undertaken,” in part because the international unpopularity of a US attack on Iraq would result in a “serious degradation in international cooperation with us



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against terrorism.”<sup>39</sup> In that same month, *The New York Times*’ Frank Rich commented that in Iraq “we have chosen a first-strike target, however thuggish, that may be tangential to the stateless, itinerant Islamic terrorism of the youthful Mohamed Atta generation.” *The Wall Street Journal*’s Gerry Seib agreed: “Saddam Hussein is 65 years old . . . and represents the threat of yesterday and today. These young terrorists [of al Qaeda] are the threat of today and tomorrow. And we shouldn’t fool ourselves: By itself, taking out the Iraqi leader will do little to eliminate them as a threat. In the short term, in fact, going after Iraq may stir them up further.” For former Secretary of State Madeleine Albright, “It makes little sense now to focus the world’s attention and our own military, intelligence, diplomatic, and financial resources on a plan to invade Iraq instead of on al Qaeda’s ongoing plans to murder innocent people. We cannot fight a second monumental struggle without detracting from the first one.”<sup>40</sup>

Indeed, because virtually the entire Muslim world strongly opposes an American attack on Iraq, the Bush Administration risks turning action against Iraq into a powerful recruiting tool for al Qaeda which, by October 2002, had displayed clear signs of recovery via the apparent survival of Osama bin Laden, bombings in Indonesia and the Philippines, and its reconstitution of small training camps along the Pakistani-Afghan border.<sup>41</sup> Unexpected Islamist electoral victories in Pakistan’s Afghan border provinces in that same month were attributed in part to popular backlash against threatened American military action against Iraq.<sup>42</sup>

Sound strategy involves differentiation of threats and prioritizing of enemies. Lumping terrorist organizations, weak states that harbor and assist them, and rogue states together into a monolithic threat impairs the ability to discriminate and risks diversionary applications of attention and resources. During the first two decades of the Cold War, the United States treated communism as a centrally directed international monolith. In so doing, it failed not only to discern critical national antagonisms within the communist world, but also failed to recognize that communist insurgencies in the decolonizing Third World were first and foremost the product of unique local circumstances, requiring tailored rather than one-size-fits-all responses. The result of this strategic myopia was intervention and defeat in Vietnam. Failure to differentiate the threats posed by Saddam Hussein and al Qaeda is, likewise, a recipe for policy failure. Indeed, two former NSC staff members responsible for counterterrorism issues recently concluded that the Bush Administration’s “confusion about these matters and the ease with

which the war on al Qaeda has blurred into a move against Iraq suggest that America's leaders may not yet have taken al Qaeda's full measure."<sup>43</sup>

• *The Bush Doctrine correctly dismisses the effectiveness of deterrence against suicidal terrorist organizations, but it may be mistaken in dismissing its effectiveness against rogue states.*

Like other states, rogue states have "return addresses" in the form of attackable assets, including leaders who, unlike suicide bombers, value their lives. In the case of Iraq, these assets include the person of Saddam Hussein, his internal security services, the Special Republican Guard, the Republican Guard, the Ba'ath Party leadership, and Saddam's palaces. The United States could destroy all of these targets with nuclear weapons in a matter of minutes.

The Bush Administration nonetheless has asserted that Iraq, and by implication the other "axis of evil" states, Iran and North Korea, are not—or at least may not be—detractable. The argument is twofold: Saddam has used WMD twice before, against his own people and Iranian troops; and he is "unbalanced," even "mad."<sup>44</sup> Yet the fact that Saddam has already used WMD does not prove an immunity to deterrence because his helpless victims were in no position to retaliate. (Saddam has always done well against enemies that can't fight back.) Is it not significant that he refrained from using WMD during the Gulf War against the United States and Israel—enemies that *were* in a position to launch devastating retaliation? And how does one explain the absence of war on the Korean Peninsula for the last 50 years? North Korea is the longest-running rogue state in the world today, and it is far better armed with WMD and means of delivering them than is Iraq. Has not North Korea been effectively deterred for half a century?

Philip Bobbitt, in his magisterial *The Shield of Achilles: War, Peace, and the Course of History*, has questioned the argument that rogue states are not deterrable. Discussing the advisability of ballistic missile defenses, which have been sold, like preemption, on the grounds of rogue state undeterrability, Bobbitt asks:

Is it really sensible to think that providing the great states of the West with ballistic missile defenses would actually discourage a "rogue state" to a greater degree than the assurance of nuclear annihilation that would surely follow such an attack [which] already deters them today? To believe this assumes a psychological hypersensitivity to the mere possibility of failure on the part of the leaderships of Iraq, Iran, and North Korea that seems incompatible with their characters . . . and an indifference to survival that these leaders, though they may seek it in their recruits, do not prominently display themselves.<sup>45</sup>

On the matter of sanity, can Saddam really be compared to the suicide bombers of al Qaeda, who value a cause more than their own lives? Is Saddam eager to throw away his own life and regime for the sake of injuring the United States? Whatever the Iraqi dictator is or is not, is he not above all a survivor who values his own life and position to the point of willingness to massacre suspected

internal enemies and to personally murder his own colleagues? Saddam “is a rational and political calculator who can reverse himself on a dime if his regime is threatened,” says Jerrold Post, former CIA profiler of Saddam Hussein. “But he can become extremely dangerous when he is backed into a corner.”<sup>46</sup>

If there is an argument to be made on behalf of Saddam’s undeterrability, it is his demonstrated capacity for catastrophic miscalculation.<sup>47</sup> He has plunged his country into three disastrous wars,<sup>48</sup> completely misjudging the strength and will of his adversaries; and he may well have dangerously convinced himself, as a result of the Gulf War, that the acquisition of nuclear weapons will provide him immunity from American military responses to future Iraqi aggression.

Personality cult dictatorships are prone to strategic misjudgment. “Mr. Hussein is often unintentionally suicidal,” contends Kenneth Pollack, former CIA analyst of the Iraqi military and author of *The Threatening Storm: The Case for Invading Iraq*. He “is a risk-taker who plays dangerous games without realizing how dangerous they truly are,” because he “is deeply ignorant of the outside world and surrounded by sycophants who tell him what he wants to hear.”<sup>49</sup> As such, he is very unlike Stalin, to whom he has been compared by believers in the efficacy of traditional deterrence against Saddam. Though cruel and ruthless, Stalin was also cautious and patient. “That Saddam [is] an admirer [of Stalin] and perhaps an intentional imitator I do not doubt,” observed 98-year-old George Kennan in late 2002. “But the streak of adventurism that has marked Saddam’s behavior was quite foreign to Stalin.”<sup>50</sup> Richard K. Betts believes that “reckless as [Saddam] has been, he has never yet done something Washington told him would be suicidal.”<sup>51</sup> To be sure, his invasion of Kuwait turned out to be a disastrous miscalculation, but in August 1990 Saddam had little reason to believe the United States would react the way it did; indeed, far from attempting to deter the Iraqi dictator, the first Bush Administration unwittingly gave him a green light. And there is no question that Saddam’s invasion of Iran a decade earlier was also a profound misjudgment. But it also was understandable: the Ayatollah Khomeini was openly attempting to subvert Saddam’s regime.

- *The Bush Doctrine rightly focuses on the principle of regime change as the most effective means of defeating threats posed by rogue and terrorist-hosting weak states, but actual regime change can entail considerable, even unacceptable, military and political risk, depending upon local, regional, and international circumstances.*

Doctrinal prescription, if insensitive to the uniqueness and dominance of circumstance, is a recipe for disaster. Again, George Kennan: “I deplore doctrines. They purport to define one’s behavior in future situations where it may or may not be suitable.”<sup>52</sup> As noted, US intervention in the Vietnam War was the product of dogmatic, indiscriminate anti-communism.

The issue is not the desirability of regime change, but rather, in each specific case, its feasibility, costs, risks, and potentially unintended consequences as weighed against the magnitude and imminence of the threat. Pre-

ceding administrations were content to treat symptoms of aggression; offenders were driven back to their own borders or subjected to coercive diplomacy, but they were left intact, free to fight another day. The first Bush Administration restricted its main Gulf War objective to the expulsion of Iraqi forces from Kuwait; it failed to inflict a military defeat on Iraq of sufficient magnitude to bring down Saddam Hussein, though at the moment of victory Administration officials believed otherwise. The Clinton Administration recoiled from initiating a decisive use of force in the Balkans against the Bosnian Serbs and later Serbia, and countered al Qaeda attacks on American interests in Africa, the Middle East, and Persian Gulf with ineffectual punitive missile strikes.

In contrast, the current Bush Administration is prepared to go to the source of aggression, although with respect to Iraq it has waffled on the scope of regime change.<sup>53</sup> It toppled the Taliban regime in Afghanistan and seeks Saddam Hussein's destruction. In so doing, it extends to the 21st century an established American practice of the 20th, in which the United States repeatedly overthrew regimes it did not like in its own hemisphere and occasionally elsewhere.

But the rogue states we face today are not banana republic weaklings, and terrorist-hosting weak states beckon as strategic quagmires. Moreover, forcible regime change in the Islamic world, especially given the American position in the Israeli-Palestinian war, risks converting the war on terror into a "clash of civilizations." The risk of sparking such a clash would be particularly acute in the event that Saddam Hussein responded to an American attack by launching WMD against Israel, which almost certainly would provoke Israeli retaliation in kind. In the case of both Afghanistan and Iraq, furthermore, the Bush Administration has focused almost all of its attention and resources on the first—and arguably the easier—half of the regime change challenge: getting rid of the old.

The more daunting task is creating a new, enduring, and nonthreatening political order. What is the Bush Administration's vision of a post-Saddam Iraq, and how much political energy and military and financial clout is it prepared to expend on a new Iraq, and for how long? Or is it sufficient simply to overthrow Saddam Hussein and then let Iraq's political chips fall where they may? There has been a flood of Administration analyses and statements on the necessity and means of toppling Saddam Hussein, but barely a trickle of testimony on its post-Saddam preferences. Indeed, President Bush's first public reference to America's possible role in a post-Saddam Iraq came in a speech he delivered on 5 October 2002, a full year after his Administration began talking of war with Iraq.<sup>54</sup> In that same month, Newt Gingrich, referring to the "mistake we made in Afghanistan," warned, with respect to Iraq, "You shouldn't go into a country militarily without having thought through what it should look like afterward."<sup>55</sup>

Terminating wars in a manner that produces a better and enduring peace is an inherently difficult task, and the United States has a track record of botching war termination (e.g., World War I, the Vietnam War, the Gulf War). There is certainly no encouragement in the Bush Administration's visceral aversion to direct

participation in “nation-building,” an aversion whose price is evident in the deteriorating security situation in Afghanistan. Yet regime change imposes post-regime military, political, and economic responsibilities. Failure to step up to those responsibilities not only betrays those liberated by regime change but also invites a “worse peace” that will incubate future threats.

Perhaps, however, the Administration *will* make a serious effort to rebuild Iraq as a democratic market state. Notwithstanding Iraq’s terrible ethnic and religious cleavages, the country is, after all, far more strategically important to the United States than is Afghanistan, and the combination of a relatively well-educated population, huge proven oil reserves, and a secular history offers a possible foundation upon which to build such a state, which in turn could serve in the region as an alternative model to the authoritarian and often economically discredited regimes that dominate the Middle East.<sup>56</sup>

• *In transforming an implicit policy option—striking first—into a declaratory doctrine, the Bush Administration has reinforced an image of America, widely held among friends and adversaries alike, of a unilateralist, overbearing “hyperpower” insensitive to the concerns of others.*

During the 2000 presidential campaign, candidate Bush declared, “Our nation stands alone right now in the world in terms of power. And that’s why we’ve got to be humble and project strength in a way that promotes freedom. . . . If we are an arrogant nation, they’ll view us that way, but if we’re a humble nation, they’ll respect us.”<sup>57</sup> Yet preemption, and certainly preventive war, have never been associated with humility. For a great power, the option of striking first is always available in a crisis, and against a genuine threat justifying preemption, such as that posed to the United States by the Soviet Union’s clandestine deployment of nuclear missiles in Cuba in 1962, the United States could expect to carry world opinion, as it did then. But by elevating preemption into an explicit doctrine, and by threatening Iraq with what smacks of preventive war, the United States seems to be deliberately walking away from over a half-century’s effort to embed its security in a web of multilateral institutions that reassure others that American power will be used with restraint.

Pursuit of the neo-conservative agenda of permanent American primacy via perpetual military supremacy, and, as a matter of doctrine, an aggressive willingness to use force preemptively, even preventively, to dispatch threatening regimes and promote the spread of American political and economic institutions, invites perpetual isolation and enmity. As John Ikenberry comments:

America’s nascent neoimperial grand strategy threatens to rend the fabric of the international community and political partnerships precisely at a time when that community and those partnerships are urgently needed [to wage war against terrorist threats]. It is an approach fraught with peril and likely to fail. It is not only politically unsustainable but diplomatically harmful. And if history is any guide, it will trigger antagonism and resistance that will leave America in a more hostile and divided world.<sup>58</sup>

The influence of neo-conservative ideologues on the Bush White House has been much remarked upon.<sup>59</sup> That influence has been evident in the Administration's disdain for treaties and coalitions that in any way limit American freedom of action, its pronounced one-sidedness on the Israeli-Palestinian struggle, its preoccupation with regime change in Iraq, its proclamation of the use-of-force doctrine that is the subject of this essay, and its confidence in the self-evident virtue of the United States and its political and economic values as the agents of global transformation.<sup>60</sup> Long before 9/11, the neo-conservatives were committed to a hyper-activist foreign policy based on large increases in defense spending and a commitment "to challenge regimes hostile to our interests and values" and "to accept responsibility for America's unique role in preserving and extending an international order friendly to our security, our prosperity, and our principles."<sup>61</sup> In Iraq, they see an opportunity not only to destroy a tyrant but also to demonstrate America's will to use its unprecedented power and to create a model state in Iraq for others in the region to follow. Beyond that, they seek to prevent the emergence of any military rival. The *National Security Strategy* not only declares the American objective of "dissuad[ing] potential adversaries from pursuing a military build-up in the hopes of surpassing, or equaling, the power of the United States," but also lectures China, thought to be the coming challenger, against "pursuing advanced military capabilities . . . an outdated path that, in the end, will hamper its pursuit of national greatness."<sup>62</sup> Thus military supremacy is legitimate for the United States, but military modernization by relatively weak China is not.

Pursuit of a unilateralist, primacist agenda risks long-run insecurity for the United States. "An explicit American hegemony may appear [to the Administration] preferable to the messy compromises of the existing order, but if it is nakedly based on commercial interests and military power it will lack all legitimacy. Terror will continue, and worse, widespread sympathy with terror." So warns Sir Michael Howard. He continues:

But American power placed at the service of an international community legitimized by representative institutions and the rule of law, accepting its constraints and inadequacies but continually working to improve them: that is a very different matter. . . . [The United States] must cease to think of itself as a heroic lone protagonist in a cosmic war against "evil," and reconcile itself to a less spectacular and more humdrum role: that of the leading participant in a flawed but still indispensable system of cooperative global governance.<sup>63</sup>

In fairness to proponents of preemption, however, it should be pointed out that neither preemption nor, certainly, regime change are new to American statecraft. Before the War of 1812, James Madison authorized military operations in Spanish Florida in an attempt to preempt the British from using it as a base from which to attack the United States. Indeed, the subsequently proclaimed Monroe Doctrine was aimed at preempting renewed European military intervention in the Western Hemisphere. The post-Civil War US winter campaigns



against the Western Indians were preemptive in nature. In 1898, the United States launched a preemptive attack on a Spanish fleet in the Philippines even though that target and locus had nothing to do with the origins of the Spanish-American War. NSC-68 (1950) explicitly accepted the idea of a preemptive nuclear attack if a Soviet attack was known to be on its way or about to be launched.<sup>64</sup> During the Cold War, the United States engineered the covert (e.g., Guatemala, Iran) and overt (e.g., Grenada) overthrow of regimes it believed were precursors to the establishment of expanded Soviet power and influence. US intervention in Vietnam was justified as a means of preventing the other Asian “dominoes” from falling to communism. And US action during the Cuban Missile Crisis of 1962 was preemptive to the extent that the US naval “quarantine” of Cuba and threat of nuclear retaliation against the Soviet Union were aimed at forestalling the establishment on the island of a permanent force of Soviet medium-range nuclear ballistic missiles. To be sure, President Kennedy found a way out of the crisis short of war, but he did warn that “we no longer live in a world where only the actual firing of weapons represents a sufficient challenge to a nation’s security to constitute maximum peril.”<sup>65</sup> Great powers have a habit of intervening to forestall smaller problems from becoming larger problems.

- *The Bush Doctrine invites abuse and establishes a dangerous precedent for others to follow.*

For the United States, the risk is doctrinal degeneration into an excuse for attacking regimes we simply don’t like versus regimes that pose genuine “preemptive” threats. The doctrine invites abuse because it offers no criteria by which to judge a threat justifying a preemptive strike. A rogue state is not automatically a target for preemption; if it were, the Bush Administration would be talking about a war with Iran and not talking at all to North Korea. Indeed, what justifies an attack on Iraq but not on Iran or North Korea, which, like Iraq, the Administration has identified as “axis of evil” states? Had the Bush Doctrine been in place after World War II, could it have been invoked against the Soviet Union and Communist China, both of which met the new *National Security Strategy* definition of a rogue state and were pursuing the acquisition of nuclear weapons until 1949 and 1964, respectively? “Because the doctrine sets no bounds,” argues an analysis of the *National Security Strategy*, “might the US again choose preemption even though deterrence would this time be appropriate? And knowing this, might others be more likely to strike even earlier—requiring the US to improve its first strike capabilities in return? The logic of offense and defense could make a world of unbounded preemption very ugly indeed.”<sup>66</sup>

A Brookings Institution critique concludes that the Bush Doctrine’s “silence on the circumstances that justify preemption” raises the danger that other countries “will embrace the preemption argument as a cover for settling their own national security scores. . . . [U]ntil the Administration can define the line separating justifiable preemption from unlawful aggression in ways that will gain widespread adherence abroad, it risks seeing its words used to justify ends

it opposes.”<sup>67</sup> Russia has already invoked American endorsement of preemption as justifying possible military action against Georgia, from which Chechen separatists (or terrorists, if you prefer) conduct operations in Chechnya. India could attack Pakistan, happily invoking the Bush Doctrine on the charge of Pakistan’s sponsorship of terrorism in Kashmir. And China could justify a preventive war against Taiwan as a means of forestalling its threatened independence or unfavorable (to China) alteration of the military balance across the Taiwan Strait. “It cannot be in either the American national interest or the world’s interest,” argues Henry Kissinger, “to develop principles that grant every nation an unfettered right of preemption against its own definition of threats to its security.”<sup>68</sup>

However convincing the case for an attack on Iraq, preemption as a declaratory doctrine lacking criteria but applicable to a generic category of states invites real trouble after Iraq, and for that reason could turn out to be a poor, even impossible basis for America’s relations with the rest of the world.

### *Coda*

In the earliest years of the Cold War, before the Soviet Union exploded its first atomic bomb, there were calls in the United States for preventive war against another evil dictator. The calls continued even after the Soviets detonated their first bomb in 1949. Indeed, in the following year, the Commandant of the Air Force’s new Air War College publicly asked to be given the order to conduct a nuclear strike against fledgling Soviet atomic capabilities. “And when I went to Christ,” said the Commandant, “I think I could explain to Him why I wanted to do it now before it’s too late. 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 crime before it happened.”<sup>69</sup>

President Truman fired the Commandant, preferring instead a long, hard, and, in the end, stunningly successful policy of containment and deterrence.

### NOTES

1. Restated in *The National Security Strategy of the United States of America* (Washington: White House, September 2002), p. 13. Hereinafter referred to as *National Security Strategy*.

2. Donald Rumsfeld, “The Price of Inaction Can Be Truly Catastrophic,” *Asahi Shimbun* (Japan), 10 September 2002, <http://ebird.dtic.mil/Sep2002/e20020910price.htm>.

3. *National Security Strategy*, p. 14.

4. For a comparison of various WMD, see Gregg Easterbrook, “Term Limits, The Meaninglessness of WMD,” *New Republic*, 7 October 2002, pp. 22-25.

5. See Michael R. Gordon, “In Bush’s ‘Axis of Evil,’ Why Iraq Stands Out,” *The New York Times*, 9 September 2002.

6. Quoted in Kevin Whitelaw and Mark Mazzetti, “Why War?” *U.S. News and World Report*, 14 October 2002, <http://ebird.dtic.mil/Oct2002/e20021007whywar.htm>, emphasis added.

7. *National Security Strategy*, p. 15.

8. Text of President Bush’s Speech at West Point, <http://www.nytimes.com/2002/06/01/international/02PTX-WEB.html>. Hereinafter “Speech at West Point.”

9. Quoted in William Kristol, “Taking the War Beyond Terrorism,” *The Washington Post*, 31 January 2002.

10. The President’s State of the Union Address, Washington, 29 January 2002, <http://www.whitehouse.gov/news/releases/2002/01/20020129-11.html>.

11. Speech at West Point.

12. *National Security Strategy*, p. 15.
13. Quoted in Scott Peterson, "Can Hussein Be Deterred?" *Christian Science Monitor*, 10 September 2002.
14. *National Security Strategy*, p. 14.
15. Donald Rumsfeld, "We Must Act to Prevent a Greater Evil, Even if that Act Means War," *London Independent*, 8 September 2002.
16. Rumsfeld, "The Price of Inaction."
17. Speech at West Point.
18. *National Security Strategy*, p. 15.
19. *Ibid.*
20. US Department of Defense, *DOD Dictionary of Military and Associated Terms*, Joint Publication 1-02 (Washington: Department of Defense, 12 April 2001), p. 333.
21. *Ibid.*, p. 336.
22. Quoted in David E. Sanger, "Beating Them to the Prewar," *The New York Times*, 28 September 2002.
23. Quoted in Michael Elliot, "Strike First, Explain Yourself Later," *Time*, 24 June 2002, <http://www.time.com/columnist/elliott/article/0,9565,265536,00.html>. Webster was referring to an incident in 1837 in which Canadian forces attacked a US ship, the *Caroline*, above Niagara Falls, believed to be conveying supporters of a rebellion against British rule in Canada. The British claimed to have acted in self-defense, a claim that Webster rejected with his dictum on preemption.
24. See William W. Bishop, Jr., *International Law, Cases and Materials* (2d ed.; Boston: Little, Brown, 1962), pp. 776-79.
25. On 8 September 2002, Senator Bob Graham, Chairman of the Senate Select Committee on Intelligence, stated that Administration officials "have recently let Saddam Hussein know what the consequences of his use of a weapon of mass destruction . . . against any of his neighbors [would be], and that would be annihilation." Senator Richard C. Shelby, Vice Chairman of the Committee, also stated that Saddam Hussein had been formally warned of "extinction" if he used such a weapon. Joyce Howard Price, "U.S. Reprisal to Be 'Annihilation,'" *Washington Times*, 9 September 2002.
26. *National Strategy to Combat Weapons of Mass Destruction* (Washington: White House, December 2002), p. 3.
27. "President Bush's Speech on the Use of Force," *The New York Times*, 8 October 2002, <http://www.nytimes.com/2002/10/08/national/08BTEX.html>. Hereinafter, "Speech on the Use of Force."
28. Michael Walzer, "No Strikes," *New Republic*, 30 September 2002, p. 20.
29. Richard N. Haass, *Intervention, The Use of American Military Force in the Post-Cold War Era* (Washington: Carnegie Endowment for World Peace, 1994), p. 51.
30. For an assessment of explicit and implicit US political objectives in the Gulf War, see Jeffrey Record, *Hollow Victory, A Contrary View of the Gulf War* (McLean, Va.: Brassey's [US], 1993), pp. 50-56.
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32. Bob Woodward, *Bush at War* (New York: Simon and Schuster, 2002), pp. 48-49.
33. Quoted in Mike Allen, "Bush: Hussein, Al Qaeda Linked," *The Washington Post*, 26 September 2002.
34. See David Benjamin, "Saddam Hussein and Al Qaeda Are Not Allies," *The New York Times*, 30 September 2002, <http://ebird.dtic.mil/Sep2002/e20020930saddam.htm>.
35. See Daniel Benjamin and Steven Simon, *The Age of Sacred Terror* (New York: Random House, 2002), p. 254.
36. Kenneth M. Pollack, *The Threatening Storm, The Case for Invading Iraq* (New York: Random House, 2002), pp. 151, 266.
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38. Cited in Alison Mitchell and Carl Hulse, "C.I.A. Warns that a U.S. Attack May Ignite Terror," *The New York Times*, 9 October 2002. Also see Dana Priest, "Analysts Discount Attack by Iraq," *The Washington Post*, 9 October 2002.
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41. Michael Elliot, "How Al-Qaeda Got Back on the Attack," *Time*, 28 October 2002, <http://ebird.dtic.mil/Oct2002/e20021021howal.htm>.
42. Georgie Anne Geyer, "Backlash Against Going After Iraq," *Chicago Tribune*, 18 October 2002.
43. Benjamin and Simon, p. 385. Also see Tony Judt, "The Wrong War at the Wrong Time," *The New York Times*, 20 October 2002.
44. In his West Point speech, President Bush referred to the threat of "unbalanced dictators with weapons of mass destruction" (Speech at West Point). Subsequently, he spoke of "Saddam's madness" (Allen).
45. Philip Bobbitt, *The Shield of Achilles: War, Peace, and the Course of History* (New York: Alfred A. Knopf, 2002), p. 685.

46. Whitelaw and Mazzetti, p. 5.
47. For an excellent presentation of this argument, see Kenneth M. Pollack, "Why Iraq Can't Be Deterred," *The New York Times*, 26 September 2002.
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49. Pollack, "Why Iraq Can't Be Deterred." For a rejoinder, see Steve Chapman, "Is Hussein Too Crazy for Us to Control?" *Chicago Tribune*, 3 October 2002. Also see Jack F. Matlock, Jr., "Deterring the Undeterrable," *New York Times Book Review*, 20 October 2002, p. 47.
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63. Sir Michael Howard, "Smoke on the Horizon," *Financial Times*, 8 September 2002.
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