



Policy Brief

NUMBER 4, 2007

Overview

In this policy brief, based on the book with the same title, Ramesh Thakur argues that Iraq confirms that, as with terrorism, a war of aggression is an unacceptable tactic no matter how just the cause. What was meant as an awesome demonstration of limitless American might and willpower turned out to prove the limits of American power in defeating even a small band of insurgents fighting urban warfare with their own bodies as the primary weapon-delivery system. The fallout with respect to Iran suggests that the United Nations cannot contemptuously be brushed aside as irrelevant and disposable in one crisis, only to be lifted out of the rubbish bin of history, dusted off and put to use in another.

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ISBN 978-92-808-3039-2

ISSN 1814-8026

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War in Our Time: Reflections on Iraq, Terrorism and Weapons of Mass Destruction

'We're an empire now, and when we act we create our own reality'.¹

'... truth can be created by assertion, principle can be established by deception and democracy can be imposed through aggression'.²

WARS ARE CATAclysmic events. TAKING A COUNTRY TO WAR is among the most solemn responsibilities that a government has. It puts one's soldiers at risk of death and injury, it asks them to kill complete strangers on government orders, it kills many civilians caught in the cross-fire, and the immediate and long-term consequences are grave yet largely unpredictable.

The Iraq war proper proved to be swift and decisive, but the mission of a stable and democratic Iraq—let alone the Middle East overall—remains far from accomplished. The Iraq war, far from enhancing, has damaged the capacity of the international community to fashion a robust collective response to the challenge of international terrorism and weapons of mass destruction. It has curtailed civil liberties, hardened sectarian divides, eroded America's moral standing and made the world less safe for all of us.

The United Nations and Iraq

Iraq shows that it is easier to win a war without UN blessing than to win the peace afterwards—but victory in war is pointless without a resulting secure peace. Reasons for the failure of the world community to support the Iraq war included deep doubts over the justification for going to war; anxiety about the human toll, an uncontrollable course and incalculable consequences of war in a volatile and highly inflamed region; and profound scepticism about the US capacity to stay engaged—politically, economically and militarily—for the years of reconstruction required after a war.

The fabric of orderly relations between nations, the health of the human rights norm and the struggle for a better world are all built on respect for international law. The belligerent countries insisted that the war was both legal and legitimate; others conceded that it may have been illegal but might still be legitimate, as with Kosovo in 1999, in its largely humanitarian outcome; yet a third group insisted that the war was illegal *and* illegitimate.

There were three matching views on Iraq’s significance for UN-US relations: The first was that it had demonstrated the irrelevance, centrality or potential complicity of the UN. For some American neoconservatives, because it exists, the UN deserves to be disinvented:

tioned war, instead of UN legitimacy being stamped on military action against Iraq, that legitimacy itself would have been eroded. Arguably, the UN has already been ‘reduced to the servile function of after-sales service provider for the United States, on permanent call as the mop-up brigade’.⁴

Iraq shows that victory in war is pointless without a resulting secure peace

Saddam Hussein’s reign of terror is about to end. He will go quickly, but not alone: in a parting irony, he will take the UN down with him . . . the fantasy of the UN as the foundation of a new world order. As we sift the debris, it will be important to preserve, the better to understand, the intellectual wreckage of the liberal conceit of safety through international law administered by international institutions.³

A second point of view acknowledged the need to confront Saddam but ruled out acting without UN authorisation. From a test of UN relevance, the issue became a test of unilateral wars and what sort of world we wish to live in, who we wish to be ruled by, and if we wish to live by rules and laws or by the force of arms. Little evidence linked Saddam Hussein either to 9/11 or to Osama bin Laden. Saddam had been successfully contained and disarmed and did not pose a clear and present danger to regional, world or US security. Two things were widely believed to follow from the contrasting US policies towards Iraq and North Korea: Iraq was attacked because it did not have nuclear weapons, North Korea was spared because it does not have oil.

The third argument accepted UN authorisation as necessary, but not sufficient, and preferred UN irrelevance to complicity. Had the UN been bribed and bullied into submission and sanc-

Goals Contradicted by Means

Washington had six great claims for the war on Iraq; each was badly undermined by the means chosen. Their collective damage to the Empire Lite enterprise is greater than the sum of their separate parts.

First, Iraq’s WMD ambition had been checked and contained by UN inspectors. Its arsenal of chemical and biological weapons was negligible, its nuclear weapons program was virtually nonexistent with little capacity for revival.

Second, how is it possible to achieve victory in the war on terrorism against American targets by inciting a still deeper hatred of US policy? Iraq became a hotbed of terrorism as a result of the war: “There was no al-Qaeda in Iraq before the arrival of US and British troops. Now fundamentalists are descending like spores of anthrax on the gaping wounds torn open by the war’.⁵

Third, how does one plant democracy in an inhospitable terrain by punishing friends and allies who dared to exercise their democratic right to dissent from a war without justification, while rewarding dictators who lent ready support? Democracy cannot be imposed in Iraq by bombers, helicopter gunships and tanks, especially while

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other tyrants and dictators remain solid US allies. Madeleine Albright sadly concluded that ‘democracy is getting a bad name because it is identified with imposition and occupation’.⁶ The global expansion of democracy has not been a pillar of American foreign

legality and questionable legitimacy:⁸ and that is being charitable.

Finally, how can Britain and the US enforce UN resolutions by denying the authority of the world body, denigrating it as irrelevant and belittling its role in reconstruction efforts after the war?

There was no al-Qaeda in Iraq before the arrival of US and British troops

policy; the rhetoric of democracy is an expedient justification in support of other more traditional goals. What answer to those who claim that aggression abroad was matched by repression at home, with serious cutbacks to many liberties of citizens, residents and visitors alike? The role of business cronies in shaping public policy had a corrosive impact on public faith in the government: ‘The Russians were mocked for protecting their economic self-interest, while Halliburton positioned itself at the center of Iraqi reconstruction’.⁷

Fourth, the legal basis for going to war continues to haunt the three belligerent governments. Did it amount to a crime of aggression? After all, Germany was punished not for having lost, but for having started World War II. Nor is it possible to promote the international rule of law or act as the world’s policeman by hollowing out some of the most important parts of international law that restrict the right to go to war.

Fifth, against the backdrop of US rejection of the International Criminal Court and active efforts to undermine it, the denial of basic justice to prisoners at Guantánamo Bay and the history of supporting and arming repressive regimes in the Middle East and elsewhere, justice dispensed by such an occupying power has been ‘of dubious

Liberation as a Collateral Benefit

Saddam Hussein is gone, and the people of Iraq are freed of his tyranny—that is a decided public good. But this does not trump all other considerations. He may be gone, but the death and disappearance squads are back on the streets with grimmer viciousness. Saddam’s removal is a collateral benefit amid the carnage of destruction to the agreed principles and established institutions of world order. We cannot rejoice at the descent from the ideal of a world based on the rule of law to that of the law of the jungle—though one can see why the lion in the jungle welcomes such a change.

Iraq risked re-legitimising wars of choice as an instrument of unilateral state policy. How are we going to prevent the proliferation of the unlawful and unjustified use of force? To argue that military victory bestows legitimacy is to say that might is right, and that ends justify the means: two longstanding *Western* taboos. It also begs the question: Will others politely accept the new US imperial order, or will they begin to arm and align themselves so as not to become tomorrow’s Iraq? Few will accept the doctrine that the administration of the day in Washington can decide who is to be which country’s leader, and who is to be top-

pled. Nor is Washington famous for urging the abolition of the veto power of the P5 as an obstacle to effective UN decision-making. Since the end of the Cold War Washington has wielded the veto most frequently.

Not only were claims to justify the war false; the balance sheet also must include the damage caused by the war. First, the casualties: more than 3,500 US soldiers killed and counting. An even greater moral cost than the risks to the lives of one's own soldiers is asking them to kill large numbers of others on the basis of false claims. Is the total casualty one hundred thousand, one million, fewer, or more? What precautions should be taken to ensure that a coalition of the willing does not become the coalition of the killing?

The United Nations stands doubly damaged. Many say it failed the test of standing up to a tyrant who had brutalised his own people, terrorised his neighbours and thumbed his nose at the UN for twelve years. Many more say it failed to stand up to the superpower in defence of a country that had been defeated in war, ravaged by sanctions, disarmed and posed no threat to anyone else.

The UN-US relationship is badly frayed. Yet they need each other—in Iraq, Afghanistan, Haiti and elsewhere. A completely pliant United Nations would indeed become irrelevant, even to the US.

Trans-Atlantic relations have been damaged. When the major European nations objected that the case for war had not been proven beyond reasonable doubt, instead of dialogue they got bad-tempered insults. The neoconservative ideologues ‘regard allies not as proof of diplomatic strength but as evidence of military weakness.’⁹ If friends and allies are to be useful, they must avoid

both slavish obedience and instinctive opposition; be prepared to support Washington when right despite intense international unpopularity; but equally, be willing to say no to Washington when wrong, despite the risk of intense American irritation.

European unity itself was shaken. The characterisation of old and new Europe was, in fact, quite mistaken. Considering the past few centuries of European history, France and Germany standing together in resisting war is the new Europe of secular democracies and welfare states, built on peaceful relations embedded in continental institutions. The former Soviet satellites that sided with the US represent the continuity from the old Europe built on balance of power policies that had led to the world wars.

The US reputation as a responsible global power has suffered a startlingly precipitous decline. US soft power has been eroded. The problem of US credibility with the Islamic world is still more acute. Muslims are embittered, sullen and resentful of a perceived assault on Islam. Yet the fact, the indisputable fact, is that not all Muslims are terrorists, and not all terrorists are Muslim. After 9/11, instead of redoubling its traditional export of hope and optimism, America exported fear and anger and presented a very intense in-your-face attitude to the world. Its credibility suffered a calamitous collapse with the publication of photographs from Abu Ghraib. The abuses were not isolated incidents but reflected a systemic malaise. Washington is yet to regain the moral high ground lost with that pornography of torture.

Domestic American divisions have an edge that is disheartening for all well-wishers who recognise that the American role in world affairs as a great and virtuous power has been historically unique,

essentially beneficial, generous to a fault, and both vital and necessary.

The military has been damaged as an institution in a manner reminiscent of Vietnam. Marine Lt. Gen. Greg Newbold (ret'd) wrote that the decision to invade Iraq 'was done with a casualness and swagger that are the special province of those who have never had to execute these missions—or bury

badly demoralised and universally stigmatised after 9/11 and the internationally supported war in Afghanistan. Iraq fragmented their enemies' military and political efforts, ensnared the US in a sandy quagmire, regained sympathy to their cause and fresh recruits to their ranks, renewed their sense of mission and purpose, and generally turned a strategic setback into a fresh opportunity.

With an enemy like the US, why should Iran wish for friends?

the results . . . a fundamentally flawed plan was executed for an invented war . . . while pursuing the real enemy, al-Qaeda, became a secondary effort'.¹⁰

The credibility of the Anglo-US media suffered a slow but steady erosion on their Iraq coverage. Media critics were held accountable for minor flaws and gaps in stories, but officials whose spin, dissembling and incompetence caused large-scale deaths and killings in an unnecessary war got medals of freedom. 'Embedded journalists' and 'Judith Millered' will be among the memorable journalistic legacies of this war.

Iraq contributed to a dramatic narrowing of the humanitarian space for NGOs. When soldiers are viewed as foreign occupiers, NGOs operating under their umbrella share the opprobrium.

Finally, the net result of all this has been a distraction from the war on terror. The administration indulged its *idée fixe* on Saddam Hussein at the cost of letting many of the real 9/11 culprits get away. For months, with the focus sharply and almost solely on Iraq's Saddam Hussein, Osama bin Laden in effect became Osama bin For-gotten, while Washington was drawn into fighting a war on the terrorists' terms. Al-Qaeda and their fundamentalist fellow-travellers were on the run,

Does the Line in the Sand Run from Iraq to Iran?

Those in favour of war dismissed doubters as wimps. Curiously, their self-sketched profiles in courage fail them in a frank and honest assessment of the consequences of their past choices. Iraq's legacy includes narrower policy options in responding to the nuclear challenge from Iran and North Korea, diminished Western credibility in highlighting the Iran threat, and an Iran that is simultaneously politically stronger in Iraq, richer from high oil prices, and more emboldened and motivated on national security. Washington kindly removed both of Iran's regional rivals from power in Afghanistan and Iraq. With an enemy like the United States, why should Iran wish for friends?

With nuclear neighbours to its west, north and east, a long history of Anglo-American attacks and ongoing belligerent rhetoric, and large numbers of American military forces all around it, what is a prudent national security planner to recommend to the Iranian government: to abandon or accelerate the nuclear program? Tehran could cloak its actions in arguments since the Kosovo war that legitimacy is different from and on a higher plane than mere legality. In going to war against Iraq,

the neocons argued that in the international jungle, international law, if there is such a thing, cannot trump national security. A robust national posture is necessary because global regimes are unreliable instruments of security, international law is a fiction, and the UN is an irrelevant nuisance. Countries have to rely on their own military

ing against the nuclear weapons ceiling even while the world energy crisis is encouraging a move to nuclear power.

The NPT assumes that nuclear weapons themselves are illegitimate. Those who had them in 1968 promised to give them up in due course while others promised not to get them. The five NPT-licit nuclear

If nuclear weapons did not exist, they could not proliferate. Because they do, they will

might to avoid becoming the victims of others. The NPT was negotiated for another time and another world. In the harsh world of the international jungle, the only reliable route to ensuring national security is through national military might, including nuclear weapons.

Where we teach and lead, will others not follow? Iran’s nuclear ambitions show unbroken continuity since the Shah. It was attacked by chemical weapons—a weapon of mass destruction—by Saddam during a war in which Baghdad’s aggression remained unpunished by the West, but a commercial Iranian airliner was shot down with no penalty for the officers and country responsible. How different would have been the region’s and world history if the West had supported Iran in fighting and defeating Iraqi aggression in the early 1980s!

Tehran portrays its actions as consistent with its NPT right to acquire nuclear technology and materials for peaceful purposes. The NPT requirements reflect the technical and political world of a bygone era. Today it is possible to stockpile materiel and acquire the technology and skills to be a screwdriver away from crossing the threshold from peaceful to weaponised capability. More and more countries are bump-

ing against their Article 6 promise as rhetorical but treat nonproliferation as an enforceable obligation. The contradiction has come to a head. If any one country can justify nuclear weapons on grounds of national security, so can others. Given the spread and deployment of nuclear powers and hostile military forces all around it, and the history of belligerent statements directed at it, Iran’s pursuit of nuclear weapons as the ultimate deterrent is not beyond comprehension.

Curiously, those who worship the most devoutly at the altar of nuclear weapons are the fiercest in denouncing as heretics anyone else aspiring or applying to join their sect. If they are serious about checking nuclear threats, the nuclear powers must promise faithfully and act promptly to dismantle their nuclear stockpiles to a publicly declared timetable. If nuclear weapons did not exist, they could not proliferate. Because they do, they will.

Conclusion

The three optimistic assumptions behind Washington’s Iraq folly can be summed up as: with the ouster of Saddam, the people of Iraq will welcome and love the Americans as liberators, the UN will fall flat on its face and the countries of the world will flock to join

the coalition with the discovery and display of weapons of mass destruction, and Iraq will rebuild itself with petrodollars. All three proved to be wrong. What was meant as an awesome demonstration of limitless American might and willpower turned out to prove the limits of American power in defeating even a small band of insurgents fighting urban warfare with their own bodies as the primary weapon-delivery system. An Iraq meant to showcase the birthplace of the democratic crusade in the Middle East became its graveyard instead.

Iraq confirms that, as with terrorism, a war of aggression is an unacceptable tactic no matter how just the cause. Saddam's ouster flowed from strategic, not ethical calculations of foreign policy. The United States is a great power, and a great power has strategic imperatives, not moral ones. To accuse it of double standards and hypocrisy thus misses the point. The State Department and Pentagon are not branches of Human Rights Watch or Amnesty International. Washington is motivated to act internationally not because it cares about foreign people, but because it cares about its own interests. It is consistent in its foreign policy, remarkably so: but strategically consistent, not morally so.

Fidelity to international regimes, laws and institutions must be required of all countries. Trashing global institutions and cherry-picking norms and laws based on self-serving convenience is incompatible with using them as compliance and enforcement mechanisms on others. To those who uphold the law themselves, and only to them, shall be given the right to enforce it on others.

All of which might put the ball firmly back in the UN's court. But has its authority been enhanced or diminished by the Iraq war? What is to stop other leaders from mimicking Presi-

dent George Bush's bumper sticker argument about not needing a permission slip from the United Nations to defend his country?

Built to preserve peace, the United Nations is not a pacifist organisation. It was created on the fundamental premise that sometimes force will indeed have to be used, even to defend peace, against international outlaws. But if force is used unwisely, prematurely or recklessly, the possibility of its use plummets when it is necessary and justified. The United Nations cannot contemptuously be brushed aside as irrelevant and disposable in one crisis, only to be lifted out of the rubbish bin of history, dusted off and put to use in another.

Notes

1. Unnamed Bush administration official, quoted in Bob Herbert, 'Bush's blinkers', *New York Times*, 22 October 2004, p. A23.
2. Gary Younge, 'In a warped reality', *Guardian* (London), 21 March 2005.
3. Richard Perle, 'Thank God for the death of the UN', *Guardian*, 21 March 2003.
4. Alexander Cockburn, 'It Should Be Late, It Was Never Great', *The Nation*, 22 December 2003, p. 9.
5. George Galloway, 'These are Blair's last days', *Guardian*, 3 May 2005.
6. Deborah Solomon, 'Questions for Madeleine Albright: State of the Secretary', *New York Times*, 23 April 2006.
7. Paul Heinbecker (Canada's ambassador to the UN at the time), 'Washington's Exceptionalism and the United Nations', *Global Governance* 10:3 (July–September 2004), p. 277.
8. Hanny Megally and Paul van Zyl, 'US justice with an Iraqi face?', *International Herald Tribune*, 4 December 2003.
9. Robin Cook, 'Bush will now celebrate by putting Falluja to the torch', *Guardian*, 5 November 2004.
10. Lt. Gen. (ret'd) Greg Newbold, 'Why Iraq Was a Mistake', *Time* (Asia edition), 17 April 2006, pp. 31–31, on p. 31.



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United Nations University Press
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