

NATIONAL DEFENSE UNIVERSITY

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**DOES AN OUNCE OF PREVENTION REALLY BRING A POUND OF CURE? THE
DEBATE OVER PREVENTIVE WAR DOCTRINE**

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The terrorist attacks perpetrated against the United States of America on September 11, 2001 were pivotal in shaping the George W. Bush administration's new National Security Strategy (NSS). The release of the NSS in September 2002 unleashed a firestorm of debate over the shift from deterrence and containment to advocacy of preventive war, as presaged in the sentence "And, as a matter of common sense and self-defense, America will act against such emerging threats before they are fully formed."¹ The February 2003 National Strategy for Combating Terrorism echoes the NSS, emphatically stating "We cannot wait for terrorists to attack and then respond. ... Preventing terrorist groups from gaining access to technology, particularly that which supports WMD, will be one of our highest priorities. ... And finally, when states prove reluctant or unwilling to meet their international obligations to deny support and sanctuary to terrorists, the United States, in cooperation with friends and allies, or if necessary, acting independently, will take appropriate steps to convince them to change their policies."² The ongoing war in Iraq, fought on the grounds of necessary prevention, brought the debate to a fever pitch. Among the main points argued were whether preventive war was an appropriate use of force, and what were the likely repercussions of such an action. In examining the many sides of the argument, the reluctant conclusion is that preventive war is necessary under extraordinary conditions.

First it is important to distinguish a preemptive war from a preventive one. The Bush Administration has labeled the war with Iraq as being preemptive, but this label is a political expediency. In reality, the war with Iraq is a war of prevention. According to the United States

Department of Defense Dictionary of Military Terms, preemptive action is “initiated on the basis of incontrovertible evidence that an enemy attack is imminent.” A preventive war is “initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk.” The Bush Administration never claimed that Iraq was poised to launch an attack against the U.S. at any moment. However, the strong argument was made that given Iraq’s supplies of Weapons of Mass Effect (WME) it was only a matter of time before these weapons were used against the U.S. or its allies by Iraq itself, or given to terrorists to use. As stated in the NSS against the backdrop of September 11, “The gravest danger to our Nation lies at the crossroads of radicalism and technology. ... History will judge harshly those who saw this coming danger but failed to act. In the new world we have entered, the only path to peace and security is the path of action.”³

Preventive war has not been a common military doctrine. German Chancellor Bismarck described preventive war as “suicide from fear of death.”⁴ President Harry Truman wrote in his Memoirs, “There is nothing more foolish than to think that war can be stopped by war. You don’t ‘prevent’ anything but peace.”⁵ President Dwight Eisenhower refused on political and moral grounds to consider preventive war against the Soviet Union before their nuclear forces gained enough strength to threaten the United States. President John F. Kennedy also refused to engage in preventive war during the Cuban Missile Crisis. As Bernard Brodie stated, “A policy of preventive war has always been unrealistic’ in the American democracy” because “war is generally unpopular, and the public mood inclines to support really bold action only in response to great anger or great fright.”⁶ The terrorist attacks of September 11 provided both the “great anger” and the “great fright.”

As Joseph Nye, dean of Harvard University's Kennedy School of Government, points out, times have changed.⁸ Technology has given terrorists the ability to be more lethal and agile. In the 20th century it took the power of a state government to kill millions of people. WME make it possible for non-state actors to inflict massive casualties. It is conceivable that rogue states, such as Iraq and North Korea, would provide WME to terrorist groups, thereby making the cost of a waiting game conceivably too high. The argument for waging a preventive war against Iraq is a strong one. Saddam Hussein has committed multiple aggressions against his neighbors and own people, actions condemned by the United Nations Security Council. He has used WME, and sponsored terrorism. The Iraqi political system has no internal restraints on Hussein's decisions and actions. U.S. military technology allows for a determination and separation of combatant and noncombatant with a high degree of accuracy, and there is every reason to anticipate success. Nye concludes that the only thing missing from the war in Iraq being the right war at the right time is a broad coalition of allies. Without it, there is a political price to pay. Given Nye's belief in the growing importance of "soft power" (getting others to want what you want) it is not surprising that he would note the importance of having broad support and consensus prior to engaging in a preventive war.

Scott Lasensky, Fellow at the Council on Foreign Relations in New York, makes a similar argument.⁹ He bases the case for war on the costs of containing Saddam Hussein, the human rights violations committed by the Iraqi regime, Iraq's aggression against its neighbors, and the continued efforts to acquire the whole array of WME. Not only has the U.S. expended large military and diplomatic resources in containing Iraq, but the presence of American military troops in the Middle East to effect containment has been a major rationale for conducting terrorist activities against the United States. In Lasensky's view, the failure to obtain a new

United Nations Security Council resolution resulted in a political crisis, but not a legal one.

Legal precedent for the use of force against Iraq was established for the first Gulf War.

Nonetheless, preventive war goes too far. By insisting on preventive war the U.S. has isolated itself and is operating outside the multilateral context, an essential ingredient in the global war on terror and for obtaining other countries' cooperation in preventing WME proliferation. While a very small coalition may be able to win the war, the U.S. will lose the peace without multinational participation.

Brink Lindsey, senior fellow at the Cato Institute, makes a strong case for preventive war in Iraq without the need for multinational consensus.¹⁰ He notes how Iraq invaded two neighboring countries, launched missiles at two other countries, fired on U.S. and coalition aircraft during the decade of Northern and Southern Watch, defied U.N resolutions calling for disarmament, and committed egregious human rights violations against Iraqi citizens, to include using chemical weapons to kill Iraqi Kurds. Lindsey also cites Iraq's sponsorship of terrorism, and the possibility that Saddam Hussein would give WME to terrorist groups such as Al-Qaeda. He argues that engaging in and winning a preventive war with Iraq would send a strong signal to all other state sponsors and terrorists groups themselves that the U.S. is determined to pursue and win the global war on terror. Such a message could serve as a deterrent. He also argues that effecting regime change in Iraq provides an opportunity to attack radical Islam by having a liberal and democratic Iraq model for the rest of the region.

John Mueller, who holds the Woody Hayes Chair of National Security Studies at Ohio State University, disagrees with Lindsey's points and presents counterarguments.¹¹ Rather than seeing Saddam Hussein as a menacing threat, Mueller characterizes Iraq's leader as a feeble and wretched tyrant with a military that he cannot trust and a regime that controls a limited portion of

the country. While Hussein has made bad decisions in the past, it was clear that his main interest was in self-preservation and therefore he would not do anything to provoke a coordinated, multilateral response. American interests in the Middle East are limited, as it is not in OPEC's interests to gouge consumers on the price of oil. With regard to Hussein's WME program, he is several years away from successfully producing atomic weapons, and there is no guarantee that his demoralized military would follow his order to launch such a weapon. Instead, he would most likely use his nuclear weapons to serve as a deterrence factor. The fear that Hussein may use chemical or biological weapons is also not valid because those weapons are so difficult to deploy effectively. In addition, the argument that Saddam Hussein must be removed because of his support of terrorism is not valid. Due to the fact that terrorists are located worldwide, removal of Saddam Hussein will not bring down all terrorist groups. Instead, it is more likely to inspire new members to join the terrorist cause, and present tempting targets in the form of civilian and military occupying forces in Iraq.

In a series of articles, Father J. Bryan Hehir, President of Catholic Charities USA and Distinguished Professor of Ethics and International Affairs, Georgetown University School of Foreign Service, makes the case that the preventive war in Iraq fails the test of moral necessity.¹² War should be waged only when it is truly the last resort, not because it displays the power of the attacker, or is faster than diplomacy. Saddam's past behavior, present behavior, and suspected future goals outline the threat posed by him and his regime. However, this threat should be addressed through multiple measures, and not by a quick resolve to go to war.

Father Hehir also argues that while the dangers posed by WME provide legitimacy to waive the norm of nonintervention, there are still the issues of proper authority and last resort. Nonproliferation efforts have been multilateral; coercive nonproliferation in the case of Iraq is

not. However, multilateral efforts take place in the context of state actors. Terrorists are non-state actors who have not signed any treaties pledging restraint or foresworn the use of any category of weapon in the fight for their cause. Because terrorists do not apply any “means” tests in their actions, it is necessary for opposing forces to be able to defend their responses under the Just Means (proportionality and discrimination) test.¹³ In addition, the U.S. must consider the issue of proportionality in its response. As the world’s superpower, the United States has both unique responsibilities and unique restraints. The U.S. is in position to be the key player in maintaining order among states, and terrorism is a direct threat to that order. However, the global war on terror should not be conducted in such a way that the United States in turn threatens the stability of world politics.

One also has to examine possible repercussions from a preventive war. Jeffrey Record, in an article for *Parameters*, outlines some possible consequences.¹⁴ He states that preventive war has no legal sanction because the threat is uncertain and not imminent. Therefore, it is not possible to distinguish preventive war from outright aggression. To gauge intent and translate it into certain threat is very difficult, resulting in the tendency to translate capabilities into intent. In addition, Record cites concerns that a preventive war with Iraq would detract from the war on terrorism, and in fact, the unpopularity of the war could reduce international cooperation with the U.S. against terrorist groups and serve as a recruiting tool for Al Qaeda. Forcible regime change in a Muslim country could lead to the conclusion that the U.S. is not fighting a war on terror as much as it is fighting a war against Islamic civilization. Engaging in preventive war with Iraq could send the message that the U.S. is turning away from and weakening the multilateral institutions that other states believe constrain the U.S. use of power. Walking away from the international community can lead to isolation and enmity. Finally, there is concern that other

countries will follow the U.S. lead and claim preventive war a legitimate recourse for their own national security concerns.

Dr. Wahid M. Abdelnasser, Deputy Chief of Mission, Egyptian Embassy, provided more specific concerns about the consequences of the preventive war with Iraq.¹⁵ First and foremost, the Egyptian government was worried about Iraqi civilian casualties, and the long-term impact such casualties would have of the image of the U.S. within the Arab world. Due to the Egyptians' continuing concern over the Israel-Palestinian issue, they question why the Iraqis were held to standards (such as leaving occupied territory during the first Gulf War) that the Israelis were not? Civilians being killed in Iraq appear to equate to civilians being killed in Palestine, and result in an increase in anti-Americanism. Leaders and citizens of other states are worried and nervous about which country will be the next target of a U.S. invasion simply because the U.S. does not approve of the country's political system.

An opposing view is the Bush Administration's contention that a successful preventive war in Iraq, resulting in a democratic government, could provide a model government for other Middle Eastern countries. Minister Counselor Hassan Hami, Deputy Chief of Mission of the Moroccan Embassy, stated that moderate members of Moroccan society anticipated that U.S. and British actions in Iraq could send the necessary message to other Middle Eastern governments that the time of dictatorships is slowly but surely coming to an end, giving hope to populations across the Middle East.¹⁶ Another benefit could be the willingness of dictators around the world to modify their behavior out of fear that they may be next on the list. Some news analysts surmise that North Korea's leader, Kim Jong-Il, is now acting out of fear in his stated willingness to engage in multilateral talks with the U.S, rather than the unilateral talks he previously demanded.

In examining all of the well-argued points and counterpoints in the debate on preventive war, this author has reached the reluctant conclusion that preventive war is appropriate under extraordinary circumstances. The combination of terrorist groups who aim for catastrophic destruction and are willing to martyr themselves to achieve such destruction, along with their documented efforts to acquire WME, makes the world a much more dangerous place. If the United States feels certain that a state either has, or is in the process of obtaining, WME, and if that state has a record of disregard for human life, to include that of its own people, then is it so unreasonable to believe that at some point the state will give a WME to a terrorist group? What is the responsibility of the United States if the waiting game is played, and catastrophe strikes? As former U.S. President Bill Clinton said in a March 18, 2003 interview, "If we leave Iraq with chemical and biological weapons, after 12 years of defiance, there is a considerable risk that one day these weapons will fall into the wrong hands and put many more lives at risk than will be lost in overthrowing Saddam."¹⁷ For those who argue that a state must wait for multinational consensus, history shows millions of lives have been lost while states debated a course of action, Nazi Germany and Rwanda being two examples. In examining the cost in human lives of a preventive war with Iraq, one also would have to examine the cost to the Iraqi people of doing nothing but maintaining sanctions that lead to a comfortable life for the government's chosen few and prolonged destitution for the majority.

The United States also must consider its own interests. The Bush Administration has stated repeatedly that it is vital to the interests of the United States to fight the global war on terror for as long as it takes to ensure the security of the US and its allies. Military resources are required, as seen in the war in Afghanistan that dislodged Al-Qaeda from its headquarters and removed the state government that gave them sanctuary. Military resources are also needed for

homeland defense, with many of those resources centered in the National Guard and Reserves in order for the states to cover their first responder commitments. Faced with significant additional requirements for military resources, there was a heightened need to resolve the twelve-year standoff in Iraq and attempt to stabilize this critical region. As long as Saddam Hussein was in power in Iraq, it was necessary to maintain Northern and Southern Watch, expending personnel, platforms and munitions that could be used in the global war on terror.

Regional stability in key parts of the world, such as those regions that have oil resources, is also vital, not only to the United States but also its allies across the world. With the globalized economies of the 21st century, the world is tied together in ways never known before. It is no longer a case of one country's interests, but a case of global interest. What would the responsibility of the United States be if Saddam Hussein used his WME to occupy the Arabian Peninsula and cut off the supply of oil? Conversely, what would the responsibility of the United States be if Saddam Hussein occupied the Arabian Peninsula, flooded the world market with oil resulting in dropped prices, and therefore adversely affecting the economies of other countries dependent on oil revenues? Would a failed economy make a country more susceptible to becoming a base for terrorist groups? Can the United States afford another Afghanistan and Al-Qaeda headquarters?

Finally, one has to consider the psychology of the leader, in this case Saddam Hussein. Hussein is a "malignant narcissist," incapable of seeing anything other than himself and his wants. He lives in a world of his own creation, never hearing unwelcome news because no one dares suffer the consequences. Hussein lacks a mature conscience, as exemplified by his extreme ruthlessness and cruelty. As with all narcissists, he is incapable of empathy as no one else matters in his world but him. His grandiosity grows with each year, resulting in a cult of

personality that miraculously places him within the family tree of Mohammed the Prophet. He sees himself as the leader of the Arab world, which implies ultimate territorial control as well as ideological control.¹⁸ Within Hussein's system, there are no checks and balances, no restraints to hold him in check. Ultimately, his total control and total ruthlessness make him so dangerous that America must act to remove him from power.

War is always a matter of choice, be it to defend the state from attack, to take preemptive action, or to engage in preventive action. A country engages in war because it is judged to be necessary. It is imperative always to examine the situation closely and determine that there is no recourse other than waging a preventive war. Every effort should be made to explain why the U.S. believes all other avenues have closed, and why preventive war must now be waged. Ultimately, the U.S. must determine what is in its vital interests, which now include the interests of the globalized world, act accordingly, and prepare for the consequences.

End Notes

¹ United States. The White House. The National Security Strategy of the United States of America. Washington, Sep. 2002, iii.

²United States. The White House. The National Strategy for Combating Terrorism. Washington, Feb. 2003. 15, 17.

³ United States. The White House. The National Security Strategy of the United States of America. Washington, Sep. 2002. iii.

⁴See Richard Betts' article, "Suicide From Fear of Death," published in the Jan/Feb 2003 issue of Foreign Affairs. Betts argues against the Bush Administration's case for a preventive war. 2.

⁵Quote taken from Mike Moore's Opinion Piece, Truman Got it Right," in the Jan/Feb 2003 issue of Bulletin of Atomic Scientists in which Moore argues against preventive war as a clear violation of international law. 3.

⁶ Brodie's quotes taken from Randall Schweller's article, "Domestic Structure and Preventive War: Are Democracies More Pacific?" published in the Jan. 1992 issue of World Politics. Schweller took the quotes from Brodie's book *Strategy in the Missile Age* (Princeton: Princeton University Press, 1965), 237, 239.

⁸ For more detail on Nye's arguments see "The Debate Over Iraq: Is Military Action Justified?; Right War, Wrong Time," originally published in the Washington Post, and republished in Newsday, March 16, 2003. 1-2.

⁹Lasensky's rationale outlined in "Right War, Wrong Doctrine," Jerusalem Post, March 28, 2003. 1, 2.

¹⁰ Lindsey's and Mueller's opposing viewpoints available in "Should We Invade Iraq?" and online debate published in the Jan. 2003 issue of Reason. 3-5.

¹¹ Ibid. 3, 6, 8.

¹²Father Hehir's arguments are outlined in three separate articles: "An Unnecessary War," Commonweal, 28 March 2003, 2, 3; "The Moral Measurement of War, A Tradition of Change and Continuity" (unpublished) 7; and "The New National Security Strategy," America, 7 April 2003, 14, 29, 30.

¹³ Father Hehir's describes Just Means principles as those of discrimination and proportionality in "The Moral Measurement of War, A Tradition of Change and Continuity." 21. The Penguin Dictionary of International Relations describes unjust means as "the indiscriminate slaughter of non-combatants."

¹⁴ For more detailed information on Jeffrey Record's arguments, see "The Bush Doctrine and War with Iraq, published in the Spring 2003 issue of Parameters. 4, 5, 7, 10, 11.

¹⁵ Information provided during a for attribution briefing to a group of National War College students at the Egyptian Embassy, Washington, DC on April 9, 2003.

¹⁶ Information provided during an April 17, 2003 for attribution brief to a group of National War College students at the College.

¹⁷ As quoted in Craig Gilbert's article "From Reputations to Security," published in the Mar 20, 2003 edition of the Milwaukee Journal-Sentinel. Gilbert obtained the quote from a Mar 18, 2003 Manchester Guardian interview with President Bill Clinton. 2.

¹⁸ An April 17, 2003 Time Online article “Inside the Secret World” detailed a letter found in a safehouse used by Saddam Hussein’s son Uday. In the 1990 letter, Uday wrote that his father “plans to create a greater Iraq that includes Kuwait, Palestine and Arabstan (a region traditionally part of Iraq but now controlled by Iran). Saddam planned to begin with the easiest target – Kuwait. 2. In Mark Bowden’s article on Saddam Hussein written for the May 2002 issue of Atlantic Monthly, Bowden describes Saddam lecturing Iraqi military leaders responsible for running terrorist training camps. “The United States, he (Saddam) said, because of its reckless treatment of Arab nations and the Arab people, was a necessary target for revenge and destruction. American aggression must be stopped in order for Iraq to rebuild and to resume leadership of the Arab world.” 6.

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