MEDITATIONS ON THE ABYSS:
AMERICAN SECURITY, THE GLOBAL "WAR ON TERROR," AND THE RISE OF
ISIS

by

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ABSTRACT OF THE DISSERTATION

Meditations on the Abyss:

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American foreign policy has lacked a coherent strategic framework since the Cold War ended. This lack of vision is confirmed by the regional chaos that continues to plague the Middle East fifteen years after a bid to assert American hegemony in the Middle East failed in Iraq. This study contests reductionist interpretations of global insecurity in favor of what can best be understood as an ideological framework for understanding modern insecurity. It thus provides an immanent critique of American security thinking while offering suggestions for a soluble link between the theory and practice of modern security in an age mired by geostrategic challenges to state and regional powers and fractured international institutions and alliances. A critical historical and political approach is taken to determine the preconditions for today's security failures. Unencumbered by cold war constraints from the Soviet Union, the US took on numerous unilateral and multilateral interventions

throughout the world in the nineties and, in so doing, not only created new enemies but also set the preconditions for how America would respond when transnational terrorism touched her shores on 9/11. Operating under what I term "reified realism," whereby power is exercised in the breach, American security practices have tended to be counterproductive: producing further insecurity through the original act of securitization—or what I deem an "in/security matrix." This dynamic relationship becomes apparent from the standpoint of the "war on terror" presidents' practices. Be it the unilateral preemption of Bush's neo-conservatives or the multilateral engagement of Obama's neo-liberals, these foreign policy models are ultimately distinguished by the means they employ to arrive at shared ends. In each instance, however, a similar phenomenon drives American security practices in this epoch of terror. "Post strategic warfare," as I determine it, whereby ethically spurious isolated tactics replace and masquerade as strategy to fight a transnational enemy, has intensified attempts to quell security failures. Short-term exigency, which is often readily associated with security, is challenged not only in terms of ethics but also in terms of strategic utility and long-term stability—the cornerstone of the realist enterprise since its inception. Recovering realism from its usurpation will, as I argue, go a long way in reorienting American security practices today while also anticipating future ones as well.

ACKNOWLEDGMENTS

DEDICATION

For my mother, for everything.

TABLE OF CONTENTS

I

EMPIRE OF DREAMS:

America's Imperial Illusions

"Whoever fights monsters should see to it that in the process he does not become a monster. And when you look long into an abyss, the abyss also looks into you."[1]

—Friedrich Nietzsche

Global security stands on a precipice. War continues to engulf the Middle East and North Africa, even after ISIS' strongholds in the failed and failing states of Iraq, Libya, and Syria from 2014 to 2017 have been decimated. ISIS' loss of Mosul[2] and Raqqa,[3] its veritable home-bases of operations in Iraq and Syria, in July and October of 2017 signaled the looming defeat of ISIS, which came to fruition when its remaining holdouts in Syria, Deir ez-Zor, and Iraq, Rawa, fell in November 2017. Despite its recent defeats in Iraq and Syria, ISIS' impact on today's global insecurity should not be discounted. At its zenith, ISIS raised its black flags over newly conquered lands and orchestrated coordinated attacks against its near enemies in the region while inspired lone wolf attacks rocked the West. New geopolitical alignments from Turkey and Jordan to Iran and Russia formed to push back ISIS in Syria alone. And a refugee crisis of unprecedented levels—which led to a cultural backlash against political and economic globalization as exemplified by UK's

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[1] Friedrich Nietzsche, *Beyond Good and Evil: Prelude to a Philosophy of the Future*, trans. Walter Kaufmann (New York: Vintage Books, 1966), 89.

[2] Tim Arango, "Iraq Celebrates Victory Over ISIS in Mosul, but Risks Remain," *The New York Times*, July 10, 2017, https://www.nytimes.com/2017/07/10/world/middleeast/iraq-mosul-celebration.html.

[3] Hamdi Alkhshali, Frederik Pleitgen, and Laura Smith-Spark, "ISIS Ousted from Last Major City in Syria, State Media Reports," *CNN*, November 3, 2017, https://edition.cnn.com/2017/11/03/middleeast/syria-isis-deir-ezzor/index.html.

Brexit, Trump's victory, and the elections of numerous "strongmen" from Hungary to Poland[4]—continues to sweep Europe.

Few historical landscapes of such magnitude are born out of one event or another. But it can be argued that such here is the case. That America's reaction to 9/11 is the *sin qua non* of contemporary global security challenges will become readily apparent in the following work. Failed attempts by two administrations to state-build after sovereignty was compromised in Iraq, Libya, and Syria—from Bush's invasion and occupation of the first to Obama's response to the Arab Spring in the latter instances—set the table for a geographic routing of the region by ISIS, the most ideologically coherent and operationally disciplined terrorist group since al-Qaeda.

This year marks the first time in American history wherein a graduating high school class will have been born after 9/11. Absent in their memories are not only the events of that day but also the immediate, and not so immediate, after-effects of America's twenty-first-century Pearl Harbor. Indeed, no event in recent history has shaped America's domestic, international, and global security horizon more than 9/11. It provided conditions not only for a seismic shift in American foreign policy, but also for the severing of the longstanding divide between homeland security and foreign policy in terms of fighting a transnational terrorist threat. Terrorism, hyper-securitization, and global instability, for the class of 2020, are the norm rather than the exception.

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[4] "The trend toward authoritarianism, while specific to each country's history, is rooted in insecurities and fears afflicting the world today: globalization and rising inequality, the stunning and scary advances in technology, the disorienting chaos and extreme violence of civil wars like Syria's, separatism and terror." Steven Lee Myers, "With Xi's Power Grab, China Joins New Era of Strongmen," *The New York Times*, February 26, 2018, https://www.nytimes.com/2018/02/26/world/asia/china-xi-jinping-authoritarianism.html.

Lost in an age marred by global terror, geopolitical realignments, and cultural schisms are the categories by which to judge America's security thought and practice in a manner that is both critical and historically attendant. Developing categories of this sort is the immediate task of this project. Traditional approaches to security remain trapped in petrified notions of a bygone world order defined by the relative strength of one state as against another.[5] It should come as no surprise, then, that counterterrorism practices to fight a non-state threat are problematic from the start. For the better part of the twentieth century, security was conceived, and maintained, in state-centric terms; the purpose of security, prior to the rise of transnational threats, was to protect the state (the guarantor of security) from other states that could *potentially* cause harm.

Numerous strategies, from containment to *détente,* were developed in accord with the world order shaped by the ongoing bipolar struggle for global dominance.[6] These policies, in the main, were guided by an overall strategy. Sadly, the same cannot be said for America in her present "war on terrorism." Tactics predicated on purely instrumental thinking have been divorced from an overarching strategy. This lack of vision has led to conceptual confusions in thinking about security, and exhibits itself in practice under what I term "post-strategic warfare." Bush's preemptive war in Iraq, Obama's reliance on drone warfare, and both leaders' shared use of black sites for terrorist interrogation are but the starkest examples of this phenomenon wherein short-term tactics to quell terrorism at home and abroad are preferred over long-term stability. These approaches to securitization

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[5] Both realism and liberalism—the two dominant (traditional) international relations' paradigms—regard the state as the main unit of analysis in the study of global politics.

[6] Ebbs and flows of Cold War tensions accompanied hawkish (rollback) and dovish (*détente*) Cold War security strategies. Whereas containment, the practice of preventing government expansion (a la the prevalence of Domino Theory of Soviet growth across southeast Asia) can be viewed as an indirect or passive form of maintaining a status quo balance of power between global poles, it can quickly get out of hand. Such was the case in Vietnam and Afghanistan by the US and USSR respectively.

generated further insecurity as they fostered further disdain toward the US in what I label the "in/security matrix." America, in a concrete sense, contra John Quincy Adams' dictum,[7] created the very monsters she sought to slay.

History, it would seem, is getting away from us. But now is not the first time, nor will it be the last, that great power politics appeared as entering a new phase. Such was also the case when the Soviet Union collapsed, leaving America, its bipolar foil during their nearly fifty-year-long Cold War, the world's lone superpower. Could history get past cold warrior ideologues whose *raison d'etre* was shattered as the Iron Curtain was finally lifted across Europe decades after its descent? Would a new enemy, or host of enemies, be able to fill the (in)security void left by the Soviets? Should the US—and her regional, international, and global security partners—modify her worldview of security to meet the new situation?

Francis Fukuyama and Samuel Huntington published their "end of history" and "clash of civilizations" theses in the immediate aftermath of the Soviet Union's collapse. Their post-Cold War geopolitical forecasts garnered instant, if not over exaggerated, attention and remain two of the most widely cited political science articles of the past thirty years. At issue was not only how the collapse of bipolarity would come to shape global

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[7] "America, in the assembly of nations, since her admission among them, has invariably, though often fruitlessly, held forth to them the hand of honest friendship, of equal freedom, of generous reciprocity. She has uniformly spoken among them, though often to heedless and often to disdainful ears, the language of equal liberty, equal justice, and equal rights. She has, in the lapse of nearly half a century, without a single exception, respected the independence of other nations, while asserting and maintaining her own. She has abstained from interference in the concerns of others, even when the conflict has been for principles to which she clings, as to the last vital drop that visits the heart. She has seen that probably for centuries to come, all the contests of that Aceldama, the European World, will be contests between inveterate power, and emerging right. Wherever the standard of freedom and independence has been or shall be unfurled, there will her heart, her benedictions and her prayers be. But she goes not abroad in search of monsters to destroy." John Quincy Adams, "The Mission of America [Fourth of July Address at Washington, 1891]," in *A Library of American Literature: From the Earliest Settlement to the Present Time*, ed. Edmund Clarence Stedman and Ellen Mackay Hutchinson, vol. IV (New York: Charles L. Webster & Company, 1888), 239.

security under a newly accelerated process of globalization but also how the so-called "first-" and "third-worlds" would interact with one another in the new millennium. Would they come together (for the most part) on political and ideological grounds? Or, would culture replace ideology as the foundation for strife in the new millennium?

Choosing between history's end and the looming clash of civilizations proved to be a Hobson's choice. For although Fukuyama's and Huntington's theses are seen as antithetical to one another, they can be seen as flip sides of the same coin. Fukuyama's convergence theorem,[8] which conflated capitalism with the modern (liberal) state,[9] spoke to neo-liberal interventionism as surely as Huntington's divergence argument (wrongly understood![10]) grounded neo-conservative thought on exporting democracy—American style, of course—to intransient "third-world" lands.

Thinking of this sort was put into practice in numerous military adventures and alliances of convenience in the Global South generally and the Middle East particularly under the four successive administrations that carried through on what Charles

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[8] Fukuyama, who was employed by RAND and the State Department during the eighties, used a Hegelian (via Kojeve) understanding of history to make sense of the Cold War's end: the realization of universal freedom through ideological coherence around political liberalism and market capitalism as epitomized by the West. His "end of history," though, did not portend an end to all warfare. A marked decrease in hostility would supposedly produce a "very sad time." Francis Fukuyama, "The End of History?" *The National Interest*, no. 16 (Summer 1989): 18.

[9] "This liberal teleology rested on shaky assumption. It presumed that economic integration would spur political convergence, alleviate security dilemmas, and mute geopolitical competition. But its biggest flaw was the notion that economic and political liberalism were inextricably linked." Stewart Patrick, "Global Democracy Retreats as Authoritarianism Marches Forth," *The Hill*, March 4, 2018, http://thehill.com/opinion/international/376629-global-democracy-retreats-as-authoritarianism-marches-forth.

[10] Huntington's argument was not a normative one. Indeed, he does not "advocate the desirability of conflicts between civilizations." Rather, Huntington offers short-term Western actions that include preventing "escalation of local inter-civilization conflicts into major inter-civilization wars" and limiting "the expansion of the military strength of Confucian and Islamic states." He does, however, favor exploiting "differences and conflicts among Confucian and Islamic states," before conceding accommodating non-western civilizations in the long run. Samuel P. Huntington, "The Clash of Civilizations?" *Foreign Affairs* 72, no. 3 (Summer 1993): 48-9.

Krauthammer called the "unipolar moment"[11] that accompanied the rearrangement of the well-ensconced bipolar world order. This was evidenced in Bush Sr.'s solidification with Saudi Arabia as a regional partner in the Middle East following Saddam's US-led removal from his neighboring Kuwait; Clinton's meandering about in the Balkans and Kosovo; Bush Jr.'s debacles in Afghanistan and Iraq; and Obama's divergent reactions to the Arab Spring in Libya and Syria.

Crosscutting all these approaches, whether taken upon using unilateral or multilateral means, is not only an increasingly post-strategic character of contemporary American warfare, but also the development of what I consider the "moral cognition of modern war." This outlook may have been born out of an inflated post-Cold War hubris, but it gained increasing traction in the global "war on terror," where the line between "friend and enemy" is distinguishable to the extent that it serves whatever expedient ends are deemed sellable at a particular moment.[12] An invigorated imperial policy and regional hegemony in the Middle East was the US' strategic vision after winning the Cold War. But exerting military might has steadily become less of a means towards that end than an end in and of itself. This has especially been the case since these misguided policies failed to pan out in practice. Arbitrary determinations are thus taken up in pursuit of upholding what serves the "national interest." Worse yet, various security policies acted upon under this veneer have yielded further insecurity, which then leads to further securitization, and so on it goes again.

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[11] Charles Krauthammer, "The Unipolar Moment," *Foreign Affairs* 70, no. 1 (1990/1991).
[12] Carl Schmitt saw the "friend-enemy distinction" as the ontological foundation of the political. The extent to which the "other" (enemy) can be defined in terms of the concrete and/or existential threat it poses to the self (friend) is the extent to which a situation is, by Schmittian nature, political. Carl Schmitt, *Concept of the Political*, trans. George Schwab (Chicago: University of Chicago Press, 2007).

Al-Qaeda's attack on 9/11 not only coalesced a nation but also the Western world. *Le Monde* declared its solidarity when it proclaimed "*Nous sommes tous Américains* [We are all Americans]" on its front page the day following the attacks.[13] Bush's ensuing crusade against terrorism, however, did much to sully world opinion against the tremendous sympathetic political capital America received on that fall morning. Taking out Iraq to (finally) capitalize on America's supposed "unipolar moment" speaks all too well to the increasingly familiar rationale of justifying horrors against horrors. Preemptively attacking a supposedly al-Qaeda- friendly Iraq after 9/11 only makes sense when thought of in terms of the broader agenda it sought to serve: taking out the weakest state in an already fragile region to use it as a base of operations for a broader reordering of the Middle East as a new sphere of influence (another anachronism!) developed in America's image.

America's reaction against 9/11 at home and abroad was imbued with an unwarranted sense of divine legitimacy whose roots predated the founding of the republic.[14] Anti-terror fervor took on the very radical theological zeal that inspired the attack in the first instance. Invasions and occupations in Afghanistan and Iraq attempted to

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[13] "Nous Sommes Tous Américains," *Le Monde*, September 12, 2001, https://www.lemonde.fr/idees/article/2007/05/23/nous-sommes-tous-americains_913706_3232.html.

[14] John Winthrop reflected this sensibility well, in 1630, when he proclaimed: "The Lord will be our God, and delight to dwell among us, as His own people, and will command a blessing upon us in all our ways, so that we shall see much more of His wisdom, power, goodness and truth, than formerly we have been acquainted with. We shall find that the God of Israel is among us, when ten of us shall be able to resist a thousand of our enemies; when He shall make us a praise and glory that men shall say of succeeding plantations, 'may the Lord make it like that of New England.' For we must consider that we shall be as a city upon a hill. The eyes of all people are upon us. So that if we shall deal falsely with our God in this work we have undertaken, and so cause Him to withdraw His present help from us, we shall be made a story and a by-word through the world. We shall open the mouths of enemies to speak evil of the ways of God, and all professors for God's sake. We shall shame the faces of many of God's worthy servants, and cause their prayers to be turned into curses upon us till we be consumed out of the good land whither we are going." John Winthrop, "A Model of Christian Charity," in *American Political Thought: A Norton Anthology*, ed. Isaac Kramnick and Theodor Lowi (New York: W. W. Norton & Company, 2008), 16.

bring about a redemptive quality to 9/11, thereby giving meaning to the seeming meaninglessness of the attack.[15] Lacking from the public outcry, policy debates, and handwringing from armchair generals in the media was a reference to the structural dynamics that brought al-Qaeda and like-minded groups to a dominant position to effect policy of the American hegemon in the first place.

Those who do not know history, so warned Santayana, are condemned to repeat it. Unfortunately, those that are in a position to know "their" history continually repeat it, presumably expecting different results. In the two administrations that have thus far prosecuted the "war on terror," direct forms of homeland security and foreign policy measures of Bush's reign gave way to more discreet, albeit equally lethal, practices under Obama. Yet America remains stuck in a seemingly unwinnable position against the concrete threat of global terrorism. This situation did not arise from the way in which American security is practiced from a liberal or conservative approach. Rather, it is the foundational elements American security thought rests upon that undermine her modern security practices. Ideology, in the main, accounts for America's contemporary security disasters.

More than a quarter of a century has passed since the fall of the Soviet Union and the rise of ISIS. But America's foreign policy continues to be informed by ahistorical realist assumptions, divorced from evolving material interests, about how today's geopolitics *should* operate. It is this carry-over Cold War logic or what I will be calling "reified realism"—seeking American hegemony in far off regions of the globe to counterbalance a now anachronistic threat—that has frustrated the US' global security concerns in this war

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[15] For an extended discussion of redemptive violence, see Walter Wink, *The Powers That Be: Theology for a New Millennium* (New York: Doubleday, 1999), 42-62.

against a host of non-state actors. Renewed tensions with Russia and a pivot towards Asia in America's "grand strategy"—if there is, in fact, such a thing—only reaffirm all but throwing in the towel in the Middle East.

Applying outmoded notions of security in fighting the global "war on terror" was stunted from the start and proved costly. An entrenched assortment of neo-conservatives in Bush's White House, the Pentagon, and the State Department finally had an event to capitalize on in its long-planned strategy to remake the Middle East in its own image. It became readily apparent that the two longest wars in American history were launched not so much on the basis of countering a transnational threat to American security but rather to seek global dominance in the aftermath of 9/11. The same discredited neo-cons who planned and prosecuted Bush's debacle in the Middle East rebranded themselves as "liberal interventionists" when the Arab Spring marched across continents. Labels change: ideology does not. Robert Kagan, a Bush-era neo-con cum "liberal interventionist" under Obama's watch, is a case in point.

American foreign policy has long exhibited an imperialist impulse. Veiled as twenty-first-century imperialist policies may be in noble principles, the results of these "noble lies" seem to remain the same. Worse yet, those pushing these programs often buy into their talking points when they collapse the split between essences (how the world actually is) and appearances (how the statesman pitches policy to match his ideology). Whether or not this collapsing is conscious or not makes little difference. But, to be sure, failing to remain vigilant on this split has produced some of the most misguided foreign policy decisions of the last century.

Buying into one's own ideology is always risky. All sides appeal to universal ends that are, in fact, grounded in particular interests. Using catchalls, like human rights, for instance, illustrates this point well. Prior to the collapse of the Soviet Union, human rights (when spoken of at all during the Cold War) were used as a rhetorical reinforcement of the virtues of liberal democracy over the Soviet Marxism of the "evil empire." Following the Cold War, however, human rights have taken on new life, moving from word to deed as tackling human rights abuses has become an increasingly used justification to provide humanitarian relief to wayward states at the barrel of a gun.

Sovereignty is an evolving category. No longer an autonomous given in the global order, save for an act of aggression against another state, sovereignty has become a conditional category open to (collective) international judgment. Whereas sovereign breaches were, at least in theory, once reserved to counter aggression by revisionist states, today's intervention is couched in international law in terms of disrupting sovereignty in order to redeem it. Mechanisms like the Responsibility to Protect (R2P) are usually critiqued (rightly so) from the standpoint of the "other," namely, the state (or non-state) whose sovereignty is called into question from the outside. Inverting this level of analysis—critiquing R2P from the vantage of the state or states seeking to reassert sovereign power in failed and failing states—sheds light on the twenty-first-century variant of old fashioned imperial practice in the form of so-called state building.

Structural imbalances of power within the United Nations naturally favor the strongest states within the international order at the expense of the least powerful. That has simply been the way it is since the UN started its mandate to prevent another great power war after Europe was decimated at war's end. What is new, however, is the policy ends

(security) that inform ignoble means (intervention) here. Moreover, R2P's institutional mandate—its "license to liberate,"[16] as I have referred to it elsewhere and will refer to it herein—has revealed the extent to which sovereignty is indelibly linked with security.[17] The degree to which one of these categories is diminished is the degree to which the other follows suit.

Human rights have been co-opted and used as veils for imperialist aims of so-called "first-world" powers. Protecting Iraqis from human rights abuses was, after all, one of the many rationales used for the military invasion of Iraq. Interventions to ameliorate human rights abuses frustrated the matter: the means furthered the very thing they supposedly sought to remedy. Deposing Saddam from power, in the end, cost over half a million Iraqis their lives.[18]

There is nothing new in justifying imperialism under seemingly self-sacrificing principles. Presidential doctrines, from James Monroe and Teddy Roosevelt, to Cold War counterparts under seven administrations, from Truman to Reagan, speak equally true to an undergirding expansionism of a republic cum empire under the three US executives that stewarded the state from the Cold War to the global "war on terror." In short, contemporary American foreign policy—marked by what I called "selective interventionism" elsewhere[19] and will be reevaluating here—did not come out of a vacuum. Nor has it arisen

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[16] Edwin Daniel Jacob, "The Ethics of (Selective) Intervention: Why Libya and Not Syria?" (paper presented at Global Ethics Conference, Newark, New Jersey, October 24, 2013).

[17] Edwin Daniel Jacob, "Sovereignty and Security: 9/11, the Arab Spring, and ISIS," in *Rethinking Security in the Twenty-First Century*, ed. Edwin Daniel Jacob (New York: Palgrave Macmillan, 2016), 93-104.

[18] Eline Gordts, "Iraq Death Toll Reaches 500,000 Since Start Of US-Led Invasion, New Study Says," *Huffington Post*, October 15, 2013, http://www.huffingtonpost.com/2013/10/15/iraq-death-toll_n_4102855.html.

[19] Jacob, "The Ethics of (Selective) Intervention."

out of a Cold War logic following the first "shots" of the Cold War, in the unprecedented and, as of yet, unrepeated dropping of nuclear bombs on the island of Japan by Truman.

Extending the American empire has deep roots that were planted in the early days of her republic, against Washington's warning of staying out of foreign entanglements in his prophetic farewell address to the nation. To be sure, there have been ebbs and flows in extending America's sphere of influence beyond her shores. But calls for isolationism—from World Wars I and II to the Cold War and the past and current prosecution of the "war on terror"—do not negate the fact that America has been involved in one war or another for almost every year she has been in existence. Indeed, in all of America's 242 years, she has only seen peace for twenty-one years.[20]

Confronting emergent threats to the individual, the state, and the international order calls for developing new categories that speak to the evolving influence of globalization, international institutions, and transnational threats. This work seeks to develop these categories by constructing a heuristic framework of America's global security theories and practices in the global "war on terror." Spanning the hot wars in Afghanistan, Iraq, and Libya, as well as the virtual wars brought about by Obama's patent increase in drone warfare and his choice to "lead from behind" on the field in Syria, this work addresses the dire consequences of favoring general tactics over precise strategies against non-state threats to security.

America, and the Soviet Union, bracketed ideological considerations when it came to aligning with states (and sub-state actors) that opposed the other pole. Expediency in the

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[20] "America Has Been At War 93% of the Time—222 Out of 239 Years—Since 1776," *Washington's Blog*, February 20, 2015, http://www.washingtonsblog.com/2015/02/america-war-93-time-222-239-years-since-1776.html.

name of spurious short-term relative gains during the Cold War led the US to make common practice of propping up regimes across the globe. Many of these strategic alliances, of course, proved costly in the end. Uneven support for Israel (the "only democracy in the Middle East") and the House of Saud were, after all, listed in Osama Bin Laden's 1998 Fatwa against the US.[21] To rephrase the proverb, The enemy of my enemy *may be* my friend. But this adage holds only so long as there remains a mutual threat that binds these "friends."

One would think America would have learned her lesson. But what is past is, indeed, prologue. Instead of sticking with the proverbial devil you know, the US, following the outbreak of the Arab Spring, took it upon herself to "lead from behind" by selectively engaging in multilateral interventions in Libya and Syria on the brink of state failure. It was only after Gaddafi's fall that the UN Security Council put the brakes on a joint US/NATO intervention against Assad, perhaps fearing a return to the sort of regime change evidenced in the Bush era. Support was then given to inchoate sectarian rebel groups fighting against former US ally despots in their strongholds. The resulting state failures across swaths of the Middle East and Northern Africa in Iraq, Libya, Syria, and elsewhere have been necessary and sufficient conditions for the rise of ISIS.

Geopolitics in this young century continues to be characterized by chaos, miscalculation, and surprise. Far from the halcyon order that Fukuyama foresaw following the collapse of the Soviet Union, today's global politics has seen less an "end of history" than the looming "clash of civilizations" Huntington predicted. Existing economic,

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[21] Bin Laden, and his four fellow signatories, also condemned the US for her role in the Iraqi "sanction's regime" of the nineties following the First Gulf War. See Bernard Lewis, "License to Kill: Usama bin Ladin's Declaration of Jihad," *Foreign Affairs* 77, no. 6 (November/December 1998).

cultural, and political fault-lines were further sharpened by fiscal collapse, an unprecedented refugee crisis that continues to sweep much of Europe, and a host of counterrevolutionary forces that seized upon the state failures that befell the Middle East and North Africa following the Arab Spring's early successes. More often than not, these interrelated facets are examined in isolation from one another. Atomization of this sort, though, perpetuates the very misunderstandings that run deep in American security thought and are carried over in its current anachronistic practices. Providing socio-political ruminations on the interplay among these key insecurity factors will provide a clearer understanding of modern insecurity than a reductionist analysis wherein the whole is subsumed by the parts.

Security practices from both administrations in the global "war on terror" have left few hands clean. Dubious domestic and quasi-domestic policies, from "enhanced interrogation" (i.e., torture) to mass surveillance, were matched by unwise foreign policies of preemptive war and targeted killing by way of the drone. What is worse, most counterterrorism practices have not only failed to successfully defeat terrorism (if that even is a realistic goal), they have gone on to exacerbate the threat. "Blowback," as identified by Chalmers Johnson, has changed in a meaningful way.[22] No longer are countervailing security practices undertaken exclusively under the cloak of secrecy, thus producing the epistemic shock of "blowback"; some are now undertaken in the most public of ways. Drone warfare is surely the most prominent example.[23] "Collateral damage," a euphemism

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[22] Chalmers Johnson, *Blowback: The Costs and Consequences of American Empire* (New York: Henry Holt and Company: 2000).

[23] "Faisal Shahzad blamed America's drone attacks, as well as America's occupation of Afghanistan and Iraq, as the motive in his failed bombing effort in Times Square in December 2009." Edwin Daniel Jacob, "Killing at a Distance," in *Homeland and Philosophy*, ed. Robert Arp (Chicago: Open Court Press, 2014), 114.

Orwell would have been proud of, from drone warfare has generated a new wave of jihadists as surely as the torture and preemptive strikes of the previous administration succeeded in creating preconditions anti-American zeal.

Explaining modern conflict, as well as the prospects for renewed global order, requires shedding light on the underlying driver of national security as conceived in thought and carried through in practice. For as long as the US continues to frame and fight terrorism like any other traditional war, she will be destined to further setbacks on the battlefield, suspicion by the international community, and a crisis of legitimacy from the American citizenry. A heuristic framework of 9/11 and its aftermath will culminate here in the formation of political, ethical, and legal judgments that relate to American homeland security, foreign policy, and global security practices in general and with regards to terrorism in particular.

Contemporary American security is consumed by fears of global terrorism.[24] This transnational threat is for the twenty-first century what Soviet Marxism was for the twentieth century. Whereas this past ideological threat was ultimately bound in a state referent in the Soviet Union, however, modern terrorism knows no prime geographic hold. An elective affinity exists between the non-state actor and/or transnational movement and the failed state. Marked by the degree to which sovereign structures are non-functional, the failed state is the natural haven for terrorist groups. Even ISIS—the terror group with the most geographically coherent base of operations that spans swaths of Iraq, Libya, and

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[24] Lifetime odds invalidate this fear: One in 45,808 Americans will die as a result of foreign terrorists as against the one in 358 who will die from gun violence. Cited in Dave Mosher and Skye Gould, "How Likely Are Foreign Terrorists to Kill Americans? The Odds May Surprise You," *Business Insider*, January 31, 2017. https://www.businessinsider.com/death-risk-statistics-terrorism-disease-accidents-2017-1.

Syria—is able to strike its targets in evolving ways that frustrate Western state security apparatuses.

A meditative approach that bridges disciplinary boundaries is thus called for in order to develop categories that speak to America's present and future security concerns. Uncovering the past is not an end unto itself. Rather, it is a means toward another end, namely, constructing categories by which history can be judged, alternatives can be evaluated, and meaningful progress can be brought about. The following work employs an interconnected dual methodological and explanatory purpose throughout: It not only illuminates the link between security thought and practice, but it also shows how the latter is doomed to fail when it is untethered from the former. Counterproductive security policies of the past were, as a consequence, both necessary and sufficient, given the deficiencies of the theories that informed them. In this sense, this work integrates explanation with the much more taxing matter of understanding. As such, structural illuminations on the inherent dynamism between the "war on terror," the Arab Spring, and the rise of ISIS are developed. Moreover, this work is not limited to the mere utility of American security practices from a pragmatic politic alone. Ethical and legal judgments that not only meet today's security needs but also intuit future geopolitical concerns inform the policy prescriptions developed herein. They can—and should—serve the US well in facing the abyss without becoming that monster herself in this century going forward.

II

PAST PROLOGUE

Understanding Security in an Age of Terror

International relations and its chief paradigmatic approaches arose from the ashes of a world transformed twice by world wars. As a discipline, international relations grew out of imperial understandings and diplomatic approaches to world affairs, namely, race studies that informed colonial projects of the past.[1] With the collapse of empires of old, however, international relations morphed into a newly coherent "science" that sought to break the monopoly "professional diplomats" held prior to what E.H. Carr called the "twenty years' crisis," the short peace between World Wars I and II.[2] Yet translating disciplinary security theories into political practice has been frustrated by overly developed attempts to justify the scientific character of international relations. Paradigmatic proliferation, the endless initiative to reinvent the wheel by introducing a new sub-tradition after sub-tradition to account for new "variables," highlights its nominalist character. Realism can be broken down into classical realism, neo-realism (and, of course, its defensive and offensive offshoots), neo-classical realism, and so on. Whether or not these reconsiderations make for a more robust political analysis, beyond the conference circuit, without losing the forest

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[1] For a penetrating study of IR's "noble beginnings," see Robert Vitalis, *White World Order, Black Power Politics: The Birth of American International Relations* (New York: Cornell University Press, 2015), 29ff.
[2] "[N]owhere, whether in universities or in wider intellectual circles, was there organized study of current international affairs. War was still regarded mainly as the business of the soldiers; and the corollary of this was that international politics were the business of diplomats. There was no general desire to take the conduct of international affairs out of the hands of the professionals or even pay serious and systemic attention to what they were doing… The war of 1914-18 made an end of the view that war is a matter which affects only professional soldiers and, in so doing, dissipated the corresponding impression that international politics could safely be left in the hands of professional diplomats." E.H. Carr, *The Twenty Years' Crisis, 1919-1939* (New York: Harper Perennial, 1964), 1-2.

for the trees is what demands attention. How, in other words, do theoretical approaches to international relations comport with real-world geopolitical practice?

This trend, of course, is not limited to realist figures inside the academy. Today's neo-conservatives can appeal to their Hobbesian roots as surely as their neo-liberal hawk (or, the more palatable, liberal interventionist) counterparts can to their interpretations of democratic peace theory.[3] But it is hard to imagine these self-styled realists and liberal hawks—when in positions of political power—spending more time studying the latest rational choice scheme or game theory model in the pages of *International Organization* or *International Security* than in the more palatable *Foreign Affairs*, *Foreign Policy*, or policy publication from their preferred think tank. These publications hawk spurious security policies based on appealing to the interests of their parent groups. Epistemic communities in the US, from the Council on Foreign Relations (CFR) and the Ford Foundation to RAND Corporation and the American Enterprise Institute (AEI), amplify an already pernicious groupthink, wherein faulty assumptions on modern security, and how best America can intercede on such matters, are reinforced. Ten years after the failed Iraq War, the AEI published a piece entitled "Overthrowing Saddam Hussein was the Right Move for the US and its Allies" by its then Senior Fellow John Bolton, the former UN Ambassador to the UN under George W. Bush and Trump's current Secretary of State. He attempted to dispel what he identified as the five mythical criticisms of the Iraq War: Iraq is worse off due to American intervention, wars to export democracy do not work, Bush

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[3] "Europe is turning away from power… It is entering a post-historical paradise of peace and relative prosperity, the realization of Kant's 'Perpetual Peace.' The United States, meanwhile, remains mired in history, exercising power in the anarchic Hobbesian world where international laws and rules are unreliable and where true security and the defense and promotion of a liberal order still depend on the possession and use of military might." Robert Kagan, *Of Paradise and Power: America and Europe in the New World Order* (New York: Vintage, 2004), 3.

misled the public in claiming that Saddam possessed weapons of mass destruction, the American intervention was disproportionate, and Iran came out the winner of the Iraq War.[4] Such claims would be laughable if they were not so deadly serious, especially given Bolton's position in the Trump Administration—for the moment, at least.

Confronting new threats requires new thinking. Anachronistic understandings of security primarily arise from ideological suppositions that not only continue to frustrate prudent policy but also create increased insecurity. State failures, and the geopolitical disorder that followed, were born out of policies generated by reified thinking as to what constitutes material threats in a world order transfigured by the end of the Cold War. Yet Cold War cognition remains the guiding principle when approaching contemporaneous threats to state and international security alike.[5] Interrogating ideology—a category that begs attention in international relations—helps account for counterproductive security practices. Fighting a transnational enemy has been undertaken in terms of reified notions of past state-based threats to security. American security strategy has, furthermore, devolved into a generalizable set of tactics. As a result, tactical decisions have been undertaken without reference to a broader strategic vision to manage terrorism in a way that transcends traditional reference points of the past. An examination of Cold War theories, global "war on terror" practices, and the passé interplay between the two illuminates the ideological and structural checks that vex geopolitical order in this new century.

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[4] John R. Bolton, "Was the Iraq War Worth Fighting?" The American Enterprise Institute, March 19, 2013, http://www.aei.org/wp-content/uploads/2013/03/-was-the-iraq-war-worth-fighting_100647327789.pdf. This piece was distilled from a larger discussion Bolton provided in John Bolton, "Overthrowing Saddam Hussein was the Right Move for the US and its Allies," *The Guardian*, February 26, 2013, https://www.theguardian.com/commentisfree/2013/feb/26/iraq-war-was-justified.
[5] Edwin Daniel Jacob, "Security Matters: Reflections on the Power of Prudence," in *Rethinking Security in the Twenty-First Century*, ed. Edwin Daniel Jacob (New York: Palgrave Macmillan, 2017), xviii.

I. The Vagaries of Power: Cold War Theory, War on Terror Practice

Realist understandings of security reflected America's geopolitical position during the Cold War and continue to serve as an untrustworthy guide towards contemporary security matters. As surely as World War I produced the conditions for a discipline to take shape, World War II culminated in a new understanding of a centuries-old view of human nature, under the banner of political realism, when extrapolated to international actors and the structural configurations of power that constrain them from acting with license. This state-centric approach to international affairs sees a Hobbesian "state of nature" underlying the anarchical structure of the global system. For Hobbes, this pre-political state is marked by a lack of constraint. Without a sovereign in place to command collective awe, humanity remains trapped in a war "all against all."[6] Lacking an arbitrating force to mediate warring parties, the only way to ensure state survival is through the maximization of power—the ability to coerce states into making decisions they would not otherwise make—at the expense of other states in a zero-sum universe. The last shots of World War II, the nuclear bombings of Hiroshima and Nagasaki, can thus be interpreted as the opening salvos of the Cold War: a warning to the US's then-allied Soviet Union that America was in a new global power position and, more importantly, had the will to impose itself on the world stage.

Nation states are the principal domain of international relations broadly and security studies principally. But not all states carry the same weight. In theory, as well as in practice, it is the most powerful states within the international system that are scrutinized.

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[6] Thomas Hobbes, *De Cive: Philosophical Rudiments Concerning Government and Society*, ed. Howard Warrender (New York: Oxford University Press, 1983), 34.

Traditional paradigmatic approaches to these studies, in both realism and liberalism,[7] view the survival of the nation state as the driving force behind what Morgenthau appropriately called a "politics among nations" in 1948.[8] State centrism of this variety, as opposed to mid-range analyses of domestic structures and the like as they relate to international relations, made sense insofar as the "state" Morgenthau and his contemporaries were examining encapsulated the primary concern humanity faced for the better part of the twentieth-century: annihilation of the planet through a mutually assured destruction brought about by the West and/or Soviet Union. Transnational threats to security, as a consequence, took a back seat to this primary (international) concern.

Today's most pressing threats to American security do not conform to yesterday's. New threats to security trump conceptual reference points of old. Transnational terrorism, for example, operates beyond the scope of the modern state. Its strongholds are, of course, bound to geographic locales. But its ideology does not arise from a primary landmass, unlike other geopolitical threats. Nevertheless, meaningful security practices to combat terrorism continue to be frustrated by anachronistic thinking. Security practices operate under a Cold War mindset where threats arise from nation states qua nation states and must, as a consequence, be fought in accord. Ideology is immediately bracketed by positivist security thinkers and practitioners in favor of the particular terrorist group's capacity to wage war, with the enemy being reduced to numbers and equations that can supposedly determine the extent to which victory can be achieved. Instrumental rationality of this sort,

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[7] Whereas the former, realism, is guided by a power politics operating between states, the latter, liberalism, considers the efficacy international institutions have in shaping state decisions. Eric B. Shiraev, *International Relations* (New York: Oxford University Press, 2014), 78.

[8] Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace* (New York: Alfred A. Knopf, 1948).

which fails to consider ideology as a material interest itself, has generated numerous security failures from Vietnam to Iraq. Comparisons between the two, however, also fell prey to ideology of another sort: economic reductionism, which translated into Iraq being about oil.[9]

Realists of all stripes have recognized the accumulation and maximization of interests—always defined in terms of "power"—as the central aim of the state to preserve its very survival since modern realism's inception. Hans Morgenthau, the German exile who developed the modern variant of realism in America, put this matter well when he suggested that the "main signpost that helps political realism to find its way through the landscape of international politics is the concept of interest defined in terms of power."[10] The theory and practice of politics in general and international relations in particular—or, a "sphere of action and understanding," as Morgenthau conceived it—are thus separate from other such spheres, like economics.[11] Yet the political power exercised by the US after the Cold War manifested itself not in terms of a means to an end so much as a motivating factor, or, more precisely, an end in itself. An operative "reified realism," as I consider it, becomes readily apparent. Maximizing American power no longer comes at the expense of lessening Soviet power—it comes at the cost of exerting power in the breach. This is not, of course, to suggest that there are no concrete state-based threats in

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[9] "Calculating the gains and losses of a political policy is not merely a mathematical but a normative endeavor. Both at home and abroad there is a growing belief that justifications for American foreign policy in terms of spreading democracy or human rights merely serve as cover for 'oil' and other powerful lobbies (Bechtel, Halliburton, XE) and political interests. Costs and benefits cannot simply be calculated from the perspective of the United States or in relation to its policy aims. Little wonder that American concern over human rights abuses is greeted with cynicism, especially by those who suffer from them." Stephen Eric Bronner, *The Bitter Taste of Hope: Ideals, Ideologies, and Interests in the Age of Obama* (Albany, SUNY Press, 2017), 173.

[10] Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, Fifth ed. (New York: Alfred A. Knopf, 1973), 5.

[11] Ibid.

the twenty-first century. North Korea and Iran, for example, have proved to be the two major irritants facing the Trump Administration in its first year in office. But it does suggest that surely lacking in today's geopolitical security environment is an existential threat to America as there was for the better part of the twentieth century. Yet the concrete threat of terrorism was immediately pitched in existential terms when it touched America's shores on 9/11.

Despite its transnational character, terrorism was immediately linked with state referents—namely, Iran, Iraq, and North Korea, or, collectively, Bush's "Axis of Evil"[12]— in prefabricated imperial agendas that had been in the works when America's Cold War foil was crumbling. Throughout the nineties, for example, neo-conservative thinkers out of the halls of political power were hard at work developing stratagems to justify an increased military budget while accelerating an American presence throughout multiple spheres of influence in a now "unipolar" world. The specter of terrorism, a transnational ideology, thus allowed for a newly emboldened foreign policy agenda to take shape. Old imperial aims, which manifested most severely in Iraq, were sold in terms of preserving American security interests at home and abroad, yet they translated into further insecurity. But such counter-productive security measures did not start on Bush's watch, nor would they end there. American foreign policy in the Middle East, the most fragile geopolitical flashpoint of the day, dates back to the Cold War.

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[12] This turn of phrase that highlighted Bush's first State of the Union Address, which was delivered four months after 9/11, was penned by David Frum, who now resides on MSNBC as one of its "never Trump" loyalists. This domestication of the Bush regime in the era of Trump, wherein yesterday's enemy is today's friend based on the ever-shifting point of departure between politically-expedient friends and foes alike, will be further developed in the succeeding chapter.

Cold War thinking has carried over and clouded America's contemporary global "war on terror" practices. Brands of realism, the oldest paradigmatic approach to international relations, drove American foreign policy debates during her fifty-year-long Cold War with the Soviets. Its theoretical elegance spoke well to a global order where power was incarnated between two relatively equal poles. But translating realism's theoretical tenets into political practice revealed an increasingly expedient character as the Cold War raged, thus providing conditions for a historically unmoored form of realism— a "hyper-realism" (or, more accurately, a pseudo-realism) adopted primarily by neo-conservative and liberal hawks—to develop ever more after war's end.

Amoral attitudes towards power, and its distribution among other states, manifested in a litany of US incursions into the "third world" during the Cold War. Active military campaigns in Vietnam and Latin America were matched by clandestine interferences in sovereign elections in Guatemala and Iran in order to hedge power against a (sometimes) over-exaggerated Soviet threat. During the Cuban Missile Crisis, for example, the US had 159 intercontinental ballistic missiles (ICBM) and 2,500 strategic bombers at her disposal as against the USSR's two dozen ICBMs even as Kennedy projected the supposed "missile gap" the US needed to close with the Soviets.[13] Seeds were, as a consequence, planted for various regional disorders that befell these parts of the globe after bipolarity was shattered without a direct shot having been fired between America and the Soviet menace. Without

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[13] "The missile gap *was* a myth. What has proved to be a myth for historians, however, was nonetheless very real for people living in the late 1950s. Despite Eisenhower's repeated protestations to the contrary, millions of Americans believed in the missile gap. In this respect, John Kennedy's experience with the missile gap issue serves as a useful metaphor for the larger society. By understanding how someone as well-informed and well-connected as Kennedy came to believe in the missile gap, scholars can better understand how millions of less well-informed Americans came to believe the myth." Christopher A. Preble, "Who Ever Believed in the 'Missile Gap'?: John F. Kennedy and the Politics of National Security," *Presidential Studies Quarterly* 33, no. 4 (December 2003): 826.

a check in the USSR following its collapse, US hegemony—underpinned by the logic of power—drove American foreign policy to expand mandates, grow anachronistic Cold War bureaucracies, and sidestep international institutions in favor of expanding political and economic influence throughout the globe.

This brash approach first manifested from the right. Left over Reaganite cold warriors in the George H. W. Bush Administration urged for a reinvigoration of American foreign policy rather than a skillful retrenchment, which would have primarily involved restructuring Cold War security organizations like NATO instead of moving it to the front door of the new Russian Federation. An adapted form of the devastating Versailles Treaty, the punitive accord that John Maynard Keynes labeled a "Carthaginian peace,"[14] which caused (rightful) resentment and provided the preconditions for Hitler to re-litigate the First World War by engaging in another,[15] is eerily striking. "A true victory," in the words of the fictional Cardassian sovereign, Gal Dukat, from *Star Trek: Deep Space Nine*, "is to make your enemy see they were wrong to oppose you in the first place, to force them to acknowledge your greatness."[16] But modern hegemonic gambles would not be restricted to America's Cold War nemesis.

Suspicion over a reunified Germany, the veritable head of today's EU under Merkel's adept governance, coupled with the "miracle" in Japan—the massive economic boon in the Japanese economy during the eighties that elevated her to "superpower"

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[14] John Maynard Keynes, *The Economic Consequences of the Peace* (New York: Management Laboratory Press, 2009), 43.

[15] Hitler used the same train car, and location, that was used to sign the Armistice of Compiègne when the Armistice of 22 June 1940—the French declaration of surrender to Germany—was signed before Hitler had the train car taken back to Germany as a war trophy. William L. Shirer, *The Rise and Fall of the Third Reich: A History of Nazi Germany* (New York: Simon and Shuster, 1960), 741-746.

[16] Ira Steven Behr and Hans Beimler, writers, "Sacrifice of Angels," in *Star Trek: Deep Space Nine*, dir. Allan Kroeker, Columbia Broadcasting System, November 3, 1997.

status—shifted American foreign policy determinations to face old threats in new power positions.[17] With the political stabilization of the former and an economic slump in the latter, which produced the "lost decade," however, her foreign policy was at a stalemate. With no great-power threat on the horizon, succeeding these events, the US shifted towards a humanitarian-oriented approach to global security. Such an approach involved intervening in regional disputes, from Iraq to Somalia under Bush, and Bosnia to Kosovo under Clinton. "Selective interventions," as I call them, were taken up by international organizations and ad-hoc "coalitions of the willing" after the Berlin Wall fell and new transnational terrorist networks were on the rise. Responding to collapsed states, looming state failures, and active civil wars while abstaining from others, namely, the Rwandan "crisis," spoke to this selectivity.[18]

This arbitrary constabulary stance to provincial disorders during what I deem the "interregnum," the period between the end of the Cold War and the start of the global "war on terror," informed imperial attitudes that underpinned America's response to 9/11 and serve as a focal point for today's geopolitical disorder.[19] Other (anachronistic) spheres of influence—beyond America's traditional regional hegemony of the Western hemisphere, which can be dated back to the Monroe Doctrine of 1823—would be sought to dissuade

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[17] James M. Scott and A. Lane Crothers, "Out of the Cold: The Post-Cold War Context of the U.S.," in *After the End Making U.S. Foreign Policy in the Post-Cold War World*, ed. James M. Scott (Durham: Duke University Press, 1998), 17.

[18] "Crisis" was, of course, used publicly instead of the more appropriate "genocide," which was "used privately … within 16 days of the start of the killings," because invocation of the latter would have carried a formal response through the UN's Convention on the Prevention and Punishment of the Crime of Genocide (1951). Rory Carroll, "US Chose to Ignore Rwandan Genocide: Classified Papers Show Clinton was Aware of 'Final Solution' to Eliminate Tutsis," *The Guardian*, March 31, 2004, https://www.theguardian.com/world/2004/mar/31/usa.rwanda.

[19] The irony of this category is somewhat self-evident and purposeful insofar as the interregnum connotes the decade between Charles I execution in 1649 and his son's ascendency to the throne, culminating in the Restoration in 1650.

supposed rising hegemons in other segments of the world. Dominance over one of the seven billion peoples of the world, though, was apparently not enough for what Raymond Aron deemed the "imperial republic" when describing American foreign policy from the end of World War II to the waning years of Vietnam in 1973.[20]

What started in Afghanistan and Iraq and, later, Libya crippled America's legitimacy at home and abroad.[21] More than that, these actions readily kneecapped a meaningful political response[22] to the Syrian Civil War in favor of symbolic "red lines" to persuade Assad to stop using chemical weapons. Operating on what John Dewey would call a "warranted assumption," Russia and China vetoed a half-dozen UN Security Council measures related to the beleaguered Civil War. Their shared military and economic ties with Assad perhaps spoke less to their decisions than did their mutual distrust not only of the structural imbalance of power within the Security Council but also to the US' proclivity to over-engage themselves in humanitarian interventions.

American imperialism is as old as America herself. Continental conquest went in tandem with foreign policies from the Monroe Doctrine (1823), which former Secretary of State Rex Tillerson called a "success," to the Roosevelt Corollary to it in 1904.[23] Whereas

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[20] Raymond Aron, *The Imperial Republic: The United States and the World 1945-1973* (Upper Saddle River, NJ: Prentice Hall, 1974).

[21] Stephen M. Walt, *Taming American Power: The Global Response to U.S. Primacy* (New York: W. W. Norton & Company, 2006), 62ff.

[22] "By October 2013, without a bomb being dropped, the Bashar Assad regime had admitted having a massive chemical weapons program it had never before acknowledged, agreed to give it up and submitted to a multinational coalition that removed and destroyed the deadly trove. From my perspective at the Pentagon, this seemed like an incontrovertible, if inelegant, example of what academics call 'coercive diplomacy,' using the threat of force to achieve an outcome military power itself could not even accomplish." Derek Chollet, "Obama's Red Line, Revisited," *Politico*, July 19, 2016, https://www.politico.com/magazine/story/2016/07/obama-syria-foreign-policy-red-line-revisited-214059.

[23] Cited in Robbie Gramer and Kieth Johnson, "Tillerson Praises Monroe Doctrine, Warns Latin America of 'Imperial' Chinese Ambitions," *Foreign Policy*, February 2, 2018, http://foreignpolicy.com/2018/02/02/tillerson-praises-monroe-doctrine-warns-latin-america-off-imperial-chinese-ambitions-mexico-south-america-nafta-diplomacy-trump-trade-venezuela-maduro/.

the former established the Western hemisphere as America's exclusive sphere of influence, the latter weaponized it. Monroe forbade Europe from colonizing in the New World: "The American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers."[24] Informed by a "big stick" approach to foreign affairs, Teddy Roosevelt proclaimed America could "exercise international police power in 'flagrant cases of such wrongdoing or impotence.'"[25]

Dusted off imperial policies like these markedly coalesced under the banners of neo-conservatism and neo-liberalism in a global landscape absent an equal power, or sets of allied powers, to dissuade such offshore adventures after the end of the Cold War in general and the start of the global "war on terror" in particular. How such extensions serve American interests—in a world short on peer competitors, revisionist states, and rising powers—remains an open question. Operating under a reified realist doxy, whereby the US asserts itself internationally in terms of balancing power, has been done so in the breach. America has unwittingly become a revisionist state herself, the type of which is verbosely chastised from the DC establishment and the halls of the academy alike. Along with that always comes the threat of American action to dissuade such moves—from the left as well as the right.

Neo-conservatism and liberalism-interventionism, the two predominant foreign policy models, are ultimately distinguished by the means they take to arrive at their desired ends. Skeptical of supranational institutions like the UN and NATO, neo-conservatives

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[24] James Monroe, "Monroe Doctrine, 1823," US Department of State, https://history.state.gov/milestones/1801-1829/monroe.
[25] Theodore Roosevelt, "Roosevelt Corollary to the Monroe Doctrine, 1904," US Department of State, https://history.state.gov/milestones/1899-1913/roosevelt-and-monroe-doctrine.

prefer unilateral force and have no qualms about preemptive wars, even though they worked with autocratic regimes and supported inchoate anti-communist guerilla groups when liberalization was deemed unrealistic during the Cold War.[26] That attitude changed, of course, when Bush—unfettered by Cold War constraints—put forth his "freedom agenda."[27] Liberal-interventionists, by contrast, seek to encourage liberalization of sovereign states through multilateral interventions. This penchant arises from neo-liberalism's emphasis on economics, multilateral engagement in an interdependent world, and a reactive foreign policy that is marked by a defensive posture. Both approaches, which, to different extents, betray the traditions they signify,[28] attempt to bring about the same ends: export ideology abroad through martial means. Distinctions with minimal differences thus separate these two camps, with the manner in which force is being used—America alone or an equal among partners—as the determining factor.

Yet both camps (continually) fail to appreciate how their illiberal means are seen through the eyes of the "other" in question. Nor is it apparent whether or not they understand the degree to which their actions have engendered new threats in their attempts to export their brands of democracy on the ends of bayonets. Failed attempts to quell transnational terrorist networks bemuse these ideologues because of the state-centrism informing their respective approaches to foreign affairs. Deep-rooted presuppositions of

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[26] "The foreign policy of the Carter administration fails not for lack of good intentions but for lack of realism about the nature of traditional versus revolutionary autocracies and the relation of each to the American national interest. Only intellectual fashion and the tyranny of Right/Left thinking prevent intelligent men of good will from perceiving the *facts* that traditional authoritarian governments are less repressive than revolutionary autocracies, that they are more susceptible of liberalization, and that they are more compatible with U.S. interests. The evidence on all these points is clear enough." Jeane Kirkpatrick, "Dictatorships and Double Standards," *Commentary* 68, no. 5 (1979): 44.

[27] George W. Bush, "President Bush's Second Inaugural Address," *NPR*, January 20, 2005, https://www.npr.org/templates/story/story.php?storyId=4460172.

[28] The discontinuity between conservatism and neo-conservatism and liberalism and neo-liberalism are taken up in chapters two and three, respectively.

American exceptionalism bred the mistaken assumption that terrorism (a transnational threat) could be fought like any other traditional state-based rival, with primacy given to military responses as a panacea for global order through extended spheres of influence. These spheres need not be competitive in nature, though, inasmuch as they simply co-exist in a state of equilibrium that Kautsky identified as "ultra-imperialism"[29] a hundred years before ISIS controlled more than 30,000 square miles of land in Iraq and Syria alone.[30]

Cold War stratagems were developed in accord with defeating—or, at the very least, mitigating—a specific threat to America's national interests. Retarding the regional and global spread of Soviet Marxism, without running the risk of a direct engagement, was the consummate aim of US policy throughout the Cold War. Whether this meant preventing Soviet expansion through policies of containment or appeasing the Soviets and thawing out tensions through *détente* was subject to the particular geopolitical situation at hand. Yet with the fall of the Soviet Union in 1991 and a growing threat in transnational terrorism, which festered for decades before reaching its apex on 9/11, American security has increasingly lacked specificity.

America's security strategy has devolved into a generalizable set of tactics masquerading as a strategy and culminates in what I consider "post-strategic warfare." This situation has arisen out of mistaken understandings of contemporary security threats. Fighting transnational terrorism, for example, has been undertaken in terms of reified

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[29] "What Marx said of capitalism can also be applied to imperialism: monopoly creates competition and competition monopoly. The frantic competition of giant firms, giant banks and multi-millionaires obliged the great financial groups, who were absorbing the small ones, to think up the notion of the cartel. In the same way, the result of the World War between the great imperialist powers may be a federation of the strongest, who renounce their arms race." Karl Kautsky, "Ultra-imperialism," *New Left Review* 59 (January-February 1970): 46.

[30] Kathy Gilsinan, "The Many Ways to Map the Islamic 'State,'" *The Atlantic*, August 27, 2014, https://www.theatlantic.com/international/archive/2014/08/the-many-ways-to-map-the-islamic-state/379196/

notions of past threats to her security, namely, insecurity produced by state-based entities. As a result, tactical decisions have been undertaken without reference to a broader strategic vision to manage non-traditional threats in a way that transcends typical reference points of the past, particularly, the nation state. At the same time, sovereignty has undergone significant revisions since bipolarity gave way to new reconfigurations of power in an increasingly globalized world.

American security practices in the global "war on terror" have been informed by old assumptions that prevent historically contingent security policies from taking shape. Imperial policies that started in Iraq and carried through in Libya followed the same pattern: rapidly bolstering spheres of influence to thwart revisionist states from challenging US hegemony a quarter of a century following the formal end of the Cold War. Never mind that Russia and China are decades away from (conventional) military parity with the US. Simply put, American foreign policy has failed to catch up with history's march. Modern security failures can be best understood as relying on Cold War exigencies of the past to inform modern practice. Threats of old, as a consequence, have been reified in thought and translated into failed practices. Establishing and maintaining anachronistic spheres of influence in the Middle East to balance against anachronistic threats to American security have only created increased insecurity in the region and have stoked geopolitical friction on a scale not seen since the iciest days of the Cold War.

Strategic determinations to defeat terrorism, as a consequence, have been developed in accord with a geopolitical landscape that no longer exists. The same pseudo-realist policies that guided America's grand strategy against the USSR (particularly, leveraging American power to contain Soviet Russia) are still being operationalized. But

little reference is given to the structural reconfiguration the international order underwent after bipolarity was shattered and American preeminence was all but guaranteed following the Cold War. It is as if the Cold War never ended. Operating under such logic, new spheres of influence must be exploited to counter would-be rival hegemonic state threats that simply do not exist, despite Putin's desire to reconstitute former Soviet lands. Irrational calls to reengage Russia, beyond the counterproductive[31] sanctions already levied against it by the US after its annexation of Crimea in 2014 and alleged collusion with the Trump campaign in 2016, typify the disoriented priorities shared by both sides in Washington.[32]

Paramount moments have a unique logic all their own. Strategic determinations designed to face old enemies when used in the breach to fight new ones always end in security failures. Yet this practice has gained increasing traction since the Cold War epoch ended and our epoch of terror began. Transnational threats to American security have been treated in anachronistic state-centric terms that attempt to conceal the ideological component that undergirds a host of modern security failures. Bush's decision to link bin Laden's (transnational) al-Qaeda with Saddam's Iraq, for instance, had less to do with countering terrorism than it did with providing an "interim goal" in America's desired

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[31] "Just as the Jackson-Vanik amendment poisoned U.S.-Russian relations long after the Cold War ended, this sanctions bill reduces future flexibility in negotiations with Russia and inhibits the ability to cooperate in key areas, whether on arms control or conflicts in Syria, Ukraine, and elsewhere." Emma Ashford, "Why New Russia Sanctions Won't Change Moscow's Behavior," *Foreign Affairs*, November 22, 2017, https://www.foreignaffairs.com/articles/russia-fsu/2017-11-22/why-new-russia-sanctions-wont-change-moscows-behavior.

[32] Senators McCain (R-AZ) and Graham (R-SC) exemplify the Cold War redux vigor on the right. Not to be outdone, though, segments of the left have joined the game as a response to "Russia Gate." Cas Mudde, "Democrats Beware: The Trump-Russia Inquiry isn't the Path to Power," *The Guardian*, February 21, 2018, https://www.theguardian.com/commentisfree/2018/feb/21/trump-russia-mueller-investigation-democrats. So too has the US military amped up its posture toward Putin's Russia. Tom O'Connor, "U.S. Military Wants World War Games to Compete with Russia," *Newsweek*, August 4, 2017, http://www.newsweek.com/us-military-wants-world-war-games-compete-russia-646636.

agenda concerning a "Greater Middle East."[33] That Iran emerged from the Iraq War not as America's next target but as a bolstered regional power when power shifted from a tripolar arrangement between Iraq, Iran, and Saudi Arabia into a bipolar one between (Shia) Iran and (Sunni) Saudi Arabia confirms the law of unintended consequences. This law, however, is not confined to neo-conservatives. Such was the also the case with Obama's expanded drone program. While it surely effected a veritable collapse of al-Qaeda and associated terrorist groups, it also provided preconditions for radicalization as a result of extreme civilian casualties and culminated in the formation of elective affinities between moderates and militant Islamists. More problematic, perhaps, were the calls for imposing "no-fly" zones a la Iraq circa the nineties to tamper fighting in the Syrian Civil War. Had they gone into force, the prospects for war between proxy forces aiding Assad and those of his rivals would have surely turned this geopolitical flashpoint into an uncontrollable international crisis. Ill-guided policies like these not only fail to mitigate the insecurity they seek to address but also tend to exacerbate and intensify it in the process by creating new enemies and, as a consequence, further insecurity.

Geopolitical analysis is not reducible to conjuring particular sets of constants or variables over and against one another. If it were, the predictive character of the discipline—and, by extension, those associated with it—might be a bit better than its spotty record suggests. An utter lack by political scientists, Middle Eastern scholars,[34] and historians of the modern Middle East to anticipate the transnational outbreak of the Arab Spring should render questions about why there has yet to be a structural account of the

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[33] Andrew J. Bacevich, *America's War for the Greater Middle East: A Military History* (New York: Random House, 2016), 243.
[34] See, for instance, F. Gregory Gause, "Why Middle East Studies Missed the Arab Spring," *Foreign Affairs* 90, no. 4 (July/August 2011): 81-90.

now six-year-old phenomenon irrelevant.[35] This lack of foresight, of course, was not an isolated incident. Consider the eerily similar failures to anticipate the Revolutions of 1989 that foreshadowed the collapse of the USSR twenty-plus years ago when Soviet Studies programs marked political science departments across the academy before Middle Eastern Studies replaced those now anachronistic voids.[36]

American foreign policy in the epoch of terror has been undertaken without reference to a theory, or policy framework, that accounts for non-state threats to security.[37] Academically, this epistemic dearth is a product of the instrumentality of a discipline that markets itself a "science." Such a descriptive renders undue legitimacy to what Machiavelli understood as an art from the beginning. Narrow-mindedness and miscalculation, however, are not exclusive to the ivory tower. Not to be outdone by parochial disciplinarians of the academy, security practitioners exhibited a "failure of imagination,"

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[35] Stephen Eric Bronner, though, attempts to circumvent the explanatory reduction of the Arab Spring to the roles relative deprivation, illiberal regimes, and the Internet played in manifesting the largest transnational revolution since those of 1989. He does so by offering an interpretative analysis of the Arab Spring that highlights *political* agency by way of Luxemburg's "The Mass Strike, the Political Party, and the Trade Unions" (1906). "The mass strike would first express itself locally in the towns and cities through the actions of workers and then spread to the countryside; bourgeois liberal aims would unify the masses with liberal elements of the elite and, ultimately, bring about regime change; afterwards, of course, new political and economic class conflicts would arise over questions of governmental structure, leadership and policy." Stephen Eric Bronner, *The Bitter Taste of Hope: Ideals, Ideologies, and Interests in the Age of Obama* (Albany, SUNY Press, 2017), 25.

[36] Richard Pipes, then-Chair of Harvard's Soviet Studies Program and father of Daniel Pipes, was among those who conceded the fall of the Soviet Union was "unexpected." Quoted in Leon Aron, "Everything You Think You Know About the Collapse of the Soviet Union Is Wrong," *Foreign Policy*, June 20, 2011, http://foreignpolicy.com/2011/06/20/everything-you-think-you-know-about-the-collapse-of-the-soviet-union-is-wrong/.

[37] Widened and deepened notions of security, for example, were already in place prior to the Cold War's end. But these non-traditional approaches were not taken seriously by the denizens of the discipline whose concerns lay in instrumental calculus over political analysis. See Barry Buzan, *People, States, and Fear: The National Security Problem in International Relations* (Chapel Hill: University of North Carolina Press, 1983) for the former category, and, for the latter see Ken Booth, "Security and Emancipation," *Review of International Studies* 17, no. 4 (1991): 313-326.

an inability to "connect the dots," and a mind-set that "dismissed possibilities" to thwart 9/11.[38]

Given this historical miasma, it is little wonder that prudent responses to countering ISIS' rise were so sorely absent from most quarters. Attempts to combat ISIS wavered between using unilateral strikes and cooperating in multilateral engagements from the start. But a sense of urgency was, naturally, added when the barbarous al-Qaeda outgrowth hit the West—from the 2015 attacks in Paris and San Bernardino to the 2016 Brussels bombing and Orlando nightclub shooting—in numerous lone wolf attacks. Appeals for the US to declare war on ISIS (as it supposedly should have against its predecessor, al-Qaeda, following 9/11) were equally matched by calls for NATO to invoke Article Five of its charter (the collective security provision that treats an attack upon one member state as an attack against all) to counter the group. Each approach mischaracterized the transnational threat it sought to fight, and, worse yet, had either been implemented, the result would have been an intensification of the very situation it sought to remedy.

A destabilized Middle East continues to serve as a geopolitical flashpoint for assorted world powers that have been drawn into a fight not of their own making but integral to their particular national security agendas nonetheless. Historical parallels between our present state of international affairs and that of post-World War I Europe are inescapable. Russia's protection of an ISIS-embattled Assad follows the standard logic of strategic alliance based on state interests. It was, after all, Russia's alliance with Assad's father in 1971 that gave it a foothold in the region with access to the Port of Tartus. It was little wonder that Russia should have blocked sanctions against Syria, which, had they

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[38] National Commission on Terrorist Attacks, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: Norton, 2004), 336.

passed, would have surely got the ball rolling on a Libyan-like NATO action against Assad's Syria. One state failure in the region post-Iraq, it seemed, was enough for the old Russian bear. Its backing of Assad's regime as against America's evolving stance on the matter may have proved to be the difference between a semblance of Assad's sovereign control of his failing state and a complete state failure that would surely have guaranteed a geographical routing by ISIS.

America's incompetent reactions to 9/11 and the Arab Spring may lie at the heart of this geopolitical instability and regional insecurity. But the thinking that generated these failed security practices under Presidents Bush and Obama, with their neo-conservative and neo-liberal coteries, was a shared ideological vision. Policy ends, to be sure, were undertaken by different means: Obama's preference for international cooperation replaced his predecessor's zeal for unilateralism and preemption. Yet the same practice remained through different forms. Obama was able to resist the more vociferous foreign policy voices within his administration from Secretaries of State Hillary Clinton and John Kerry and US Ambassadors to the UN Susan Rice and Samantha Power. But underlying these figures' thinking was an American hegemonic presence to adjudicate any and all geopolitical crises from Libya and Syria in North Africa and the Middle East to reinvigorating tensions with Russia over its invasion of Crimea despite the lessons they should have learned from Bush's failed crusade in Iraq.

Numerous "war on terror" policies were adopted to fight terrorism since 9/11. Bush's unilateralism and preemption—the pillars of his Bush Doctrine—translated into a policy of regime change. Rather than continuing to contain Saddam, as well as other "rogue states" in the region, Bush and his neo-conservative cadre and liberal hawk travelers sought

to use 9/11 as a pretext to assert direct hegemony in the Middle East. Attacking Iraq, the weakest state in that region, would thus only serve as an initial step in a much larger agenda. One need only recall the rhetoric that presaged 9/11 to get a flavor for what this group had in store if the Iraq invasion proved successful. Iraq was but the first of seven other states—Syria, Somalia, Libya, Sudan, Lebanon, and Iran—the US sought to conquer in five years.[39]

For all their differences, liberal interventionists and neo-conservatives share a key assumption: sovereignty is conditional to the whims of "first-world" powers and institutions. Westphalian Peace brought with it new, and long lasting, understandings of the internal and external modern nation state. States were, in principle, autonomous units free to conduct their internal affairs as they best saw fit. Self-regulation and autonomy thus served to legitimate sovereign territories to militate against the religious wars that ravaged seventeenth-century Europe and a third of its population. But once the state goes, so too go the conditions for security. Sovereignty and security are linked insofar as the absence of the former precludes the existence of the latter.[40]

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[39] Former NATO General Wesley Clark, in his memoir, recounted learning about the US' decision to go to war with Iraq a week after 9/11. "When airline service resumed, I flew to Washington to check with my Pentagon friends. To that end, I dropped in on the Joint Staff. There a senior general relayed some disturbing news: 'We're going to attack Iraq. The decision has basically been made.' … 'Did they discover a linkage, I asked?' 'No, nothing like that. It's just they don't know what else to do.' When I returned to the Pentagon six weeks later, as we were striking Afghanistan and chasing off the Taliban, I asked the same general if there was still a plan to go after Iraq. 'Oh, it's worse than that,' he said, and held up a memo on his desk. 'Here's the paper from the Office of the Secretary of Defense outlining the strategy. We're going to take out seven countries in five years!' And he named them, starting with Iraq and Syria and ending with Iran. It was straight out of Paul Wolfowitz's 1991 playbook, dressed up as the search for weapons of mass destruction and the global war on terror." Wesley Clark, *A Time to Lead: For Duty, Honor and Country* (New York: St. Martin's Press, 2007), 230-231.
[40] For an extension of this argument, see Edwin Daniel Jacob, "Sovereignty and Security: 9/11, the Arab Spring, and ISIS," in *Rethinking Security in the Twenty-First Century*, ed. Edwin Daniel Jacob (New York: Palgrave Macmillan, 2017), 93-104.

II. Interpreting Sovereignty: Evolution of an Idea

Security is the precondition of and for the political, but it, too, rests upon another foundation: Its foundation is sovereignty. These two concepts are so intertwined with politics at the most fundamental level that it is easy—or, more cynically, convenient—to dismiss them when considering how best to interpret today's geopolitical stratagems to confront a world riven by state collapses, indeterminate power vacuums, and shifting geopolitical alignments to face these disasters. Every modern geopolitical flashpoint, from the ongoing civil wars in Syria and Yemen (which, themselves, are a part of a much broader twenty-first-century Cold War that continues to fester in the Middle East and is being fought among sectarian lines as stark as the ideological ones between the US and the Soviet Union of yesteryear) to the nuclear threats (whether previewed or projected) of North Korea and Iran, is marked by a sovereign crisis of one form or another. That the legitimacy of a state's sovereignty should be called into question is a natural, yet tiresomely confounding, feature of global politics since any intra- or inter-state war is, by definition, an organic contestation of the sovereign's legitimacy. Yet it is in the latter instance, that of inter-state wars (packaged, more often than not, by the more palatable term "intervention"), wherein this organic challenge to power is tainted by ideology. Such was the case with Bush's unilateral Iraq War, Obama's multilateral incursion into the Libyan Civil War, and Trump's escalation of troops in Afghanistan—with the first and last standing as America's two longest wars, beating out Vietnam for the ignoble honor. Each of these security failures, in its own fashion, undercuts the most basic feature of the political and, by extension, security: sovereignty.

No longer the self-evidentiary category it was following the devastating religious wars of the seventeenth century, sovereignty has swelled to include units that transcend and complicate the traditional nation state model. Supra-sovereign institutions, from multinational corporations (like ExxonMobil, which has its own state and intelligence departments) and international organizations (such as the UN, NATO, and the EU, with each having recourses to military actions via its member states), are matched by transnational security threats from terrorist groups and criminal networks (who adroitly exploit the internet and global media to ply their trade) to global climate change, which stands next to nuclear proliferation as the twin existential threats facing humanity. Bypassing the confines of the quaint nation state has proven to be a major burden to traditional security concerns and responses. A state's sovereignty can, for instance, be nullified not only by other nation states but also by the international organizations to which they may belong. Modernity may have shrunk the world in economic and political terms, but cultural schisms from within and without remain. This dual side of globalization— sovereign interconnectedness (in political and economic terms) as against cultural backlash, as exemplified by Brexit in Europe, Trumpism in the US, and a reaction to taking Syrian refugees into Western Europe—invalidates the linear character with which progress is typically assigned.

The modern interconnection of the world, or the latest historical evolution of globalization[41] that was spurred in the nineties, can be traced back to the United Nations

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[41] Engels and Marx already anticipated the ability of capital to globalize as early as 1848. "The bourgeoisie, by the rapid improvement of all instruments of production, by the immensely facilitated means of communication, draws all, even the most barbarian, nations into civilisation. The cheap prices of commodities are the heavy artillery with which it batters down all Chinese walls, with which it forces the barbarians' intensely obstinate hatred of foreigners to capitulate. It compels all nations, on pain of extinction, to adopt the bourgeois mode of production; it compels them to introduce what it calls civilisation into their midst, i.e., to become bourgeois themselves. In one word, it creates a world after its

Monetary and Financial Conference (or, as it is more commonly known, the Bretton Woods Conference). Based on creating institutions that would prevent the preconditions for another great power war of the types that wrecked Europe twice in two decades required developing a host of international institutions. This was done not only in political terms, with the UN serving as an international security political focal point, but also in economic terms: The International Monetary Fund oversaw the international monetary system; the International Bank for Reconstruction and Development (now the World Bank) gave loans to rebuild Europe before being refashioned to fund developing states; and the General Agreement on Tariffs and Trade (now the World Trade Organization) established and enforced multilateral trade agreements.[42] This global model was historically contingent insofar as it was designed to militate aggression between great powers (that is, those that have the means to upend the current balance of power among the world's superpowers). Yet in an age marked by asymmetric security threats, like terrorism, global warming, and financial collapse, cracks have appeared in the international edifice with sovereign interests beating out collective goods.

Nationalism, of a particular variety, asserted itself with a fury in 2016. This was evidenced by Brexit, the resurgence of right-wing movements across Europe, and the rise of Trumpism.[43] Economic uncertainty (following the economic collapse of 2008, increased

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own image." Karl Marx and Frederick Engels, *The Communist Manifesto* (New York, NY: International Publishers Co, 2014), 8.

[42] Manfred B. Steger, *Globalism: The New Market Ideology* (Lahman, MD: Rowman & Littlefield, 2002), 25.

[43] This transnational appeal to nationalism—which manifested in Britain's exit from the EU Brexit and Trump's victory—was perhaps best encapsulated by then-candidate Trump's address to the Republican National Convention: "Americanism, not globalism, will be our credo." Aaron Blake, "Donald Trump's Strategy in Three Words: 'Americanism, Not Globalism,'" *The Washington Post*, July 22, 2016, https://www.washingtonpost.com/news/the-fix/wp/2016/07/22/donald-trump-just-put-his-border-wall-around-the-entire-united-states/.

outsourcing, and the need for increased specialization) and cultural suspicion (in the face of the greatest refugee explosion seen since World War II) combined to form a climate in which premodern elements, like Trump, could seize upon for their political purposes. Xenophobic, isolationist, and populist rhetoric punctuated his nationalist, "America First!" policy commitments, from building the "wall" on the southern border—despite the fact that every terrorist who has illegally entered the US has made their route from her northern border—to employing an unprecedented Muslim travel ban.[44] In each instance, Trump's bombast seemed to confirm Samuel Johnson's insight that "patriotism is the last refuge of a scoundrel."[45]

Populism, it seemed, had apparently checked a veritably unchecked globalism that gained steam after bipolarity gave way to enhanced globalization as 2017 began to unfold. Yet this was not the first time that globalization's trajectory in the post-Cold War world was called into question. *Foreign Policy*, in an attempt to take stock of the nineties, dedicated its Summer 2000 edition to "naming a new era." Figures from George Soros to Francis Fukuyama weighed in and issues from the environment to the market were explored. Jessica Matthews, however, explored the role information played as a driver of globalization.

> Decades hence, the phenomena [sic] we call globalization will be seen as consequence, not cause, of the immense changes the world is undergoing. Historians will instead call this era—dating roughly from 1990—the Information Revolution. By 'information' they will mean not only computing and communications technologies but closely related and equally revolutionary advances in biotechnology. They will see that like its technological forebear, the

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[44] Note the spottiness of the Mexican border security issue vis-à-vis terrorism in Amanda Erickson, "Trump Says Mosque Attack in Egypt Proves U.S. Needs Border Wall with Mexico. Is He Right?" *The Washington Post*, November 25, 2017, https://www.washingtonpost.com/news/worldviews/wp/2017/11/25/trump-says-mosque-attack-in-egypt-proves-u-s-needs-border-wall-with-mexico-is-he-right/.

[45] Quoted in James Boswell, *The Life of Samuel Johnson*, ed. Christopher Hibbert (New York: Penguin Classics, 1986), 182.

Industrial Revolution, this revolution also led to fundamental changes in governance, economics, and society; but much, much faster.[46]

That the essential feature of this epoch is its "capacity to alter relationships and to blur, redraw, or erase boundaries in both time and space" has proven true in the decade and a half that eclipsed since Matthews named our new era.[47] This erasure has resulted in new modes of (global) economic production processes that resulted in outsourcing labor to cheaper markets. Globalization's positive effects—cheaper products for the consumer and increased profits for the corporations—have, however, affected swaths of national industries, particularly manufacturing. The trillion dollars' wars of the last fifteen years combined with the economic collapse of the last decade produced a populist uprising. No wonder, then, that the American populace would vote for a candidate that knew as much about the modern production process as they themselves did. He provides easy answers even as he frames complex domestic and international issues in self-evidentiary terms that only require a belief in his histrionic cult of personality.

As President Trump learned, however, the institution has a way of constraining aspirations of would-be mavericks and dealmakers alike. Rather than disengaging from NATO or pulling the US out of NAFTA, for example, Trump now prefers to negotiate these arrangements. Trump, moreover, now likes to (anachronistically) think of himself as both a "nationalist and a globalist."[48] Meanwhile, running the roost of the West Wing now is an assortment of swamp creatures that then-candidate Trump promised to drain from the Capitol. Chief among these, perhaps, was his National Security Advisor, H. R. McMaster,

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[46] Jessica T. Matthews, "The Information Revolution," *Foreign Policy*, no. 119 (Summer 2000): 63.
[47] Ibid.
[48] Peter Nicholas, Paul Vieira, and José de Córdoba, "Why Donald Trump Decided to Back Off NAFTA Threat," *The Wall Street Journal*, April 27, 2017, https://www.wsj.com/articles/trump-says-nafta-partners-persuaded-him-to-keep-u-s-in-trade-pact-1493320127.

the replacement of disgraced General Michael Flynn, who was tasked with drafting Trump's 2017 National Security Strategy.

There was a bit of irony in the timing of the 2017 National Security Strategy, particularly as it speaks to security, strategy, and the interplay between the two under Trump. The White House released its (congressionally mandated) National Security Strategy in the wake of Trump's disastrous decision to move the US embassy in Israel from Tel Aviv to Jerusalem. This unilateral move sidestepped international law, namely, UN Resolution 181, which not only created the modern Israel and Palestine states in 1947 but also deemed Jerusalem a *corpus separatum* (separate space) to be internationally governed. It also unified every Arab state (both Sunni and Shia alike) to condemn the action in the UN by a final vote of 128 to 9.[49] And, perhaps most of all, it dashed any remaining inane hope that Trump's boy(-in-law) wonder, Jared Kushner, could singlehandedly broker a peace deal (which eluded his far more seasoned predecessors for longer than Kushner has been alive!) between Israel and Palestine.[50]

Violence (naturally) erupted and another intifada, which would serve to validate Trump's bellicose rhetoric concerning the supposed barbarity of the Muslim world among his base, loyalists, and reactionary counterpart heads of state in Europe, looms in a region already fraught with geopolitical disorder and intensified insecurity as a byproduct of

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[49] Rick Gladstone and Mark Landler, "Defying Trump, U.N. General Assembly Condemns U.S. Decree on Jerusalem," *The New York Times*, December 21, 2017, https://www.nytimes.com/2017/12/21/world/middleeast/trump-jerusalem-united-nations.html.

[50] "Details," on Kushner's plan, "have come only from leaks and, apparently, the approach of the team led by the president's son-in-law comes down to 'take it or leave it.' Palestinians will supposedly receive a state without contiguous borders, control over air space and water, recognition of the right of return, or plans for the withdrawal of Israeli settlers living in the West Bank. Hamas will remain excluded as Fatah is turned into the sole representative of Gaza over which it lacks control." Stephen Eric Bronner, "Next Year in Jerusalem," *Reader Supported News*, December 20, 2017, http://rsnorg.org/opinion2/277-75/47478-focus-next-year-in-jerusalem.

American action in Iraq, Libya, and Syria. Trump's gambit simultaneously provided the preconditions for further insecurity while also acting as a fulcrum for garnering popular support at home among the "Israeli lobby," "the loose coalition of individuals and organizations that actively work to shape U.S. foreign policy in a pro-Israeli direction."[51]

Trump's geostrategic determinations—from his missile strike in Syria and his tit-for-tat provocation with Kim's nuclear armed North Korean regime to his repeated calls for scrapping the landmark Iran nuke deal to his latest decision to arm Ukraine in its ongoing skirmish with Russia over the 2014 annexation of the Crimea—have been considered anti-strategic.[52] Some prognosticators[53] have inaccurately claimed Trump's strategy, transactional in character and seemingly isolated from any broader strategic vision, is little more than a repackaging of Nixon's old "madman theory," wherein hostile states (in Nixon's case, Vietnam) would avoid goading the US for fear that its sovereign is insane and, with his hand on the nuclear trigger, could "do anything."[54]

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[51] John J. Mearsheimer and Stephen M. Walt, *The Israel Lobby and U.S. Foreign Policy* (New York: Farrar, Straus and Giroux, 2008), 112.

[52] See, for instance, Micah Zenko and Rebecca Friedman Lissner's initial assessment of then-President-elect Trump's anti-strategic mindset in Micah Zenko and Rebecca Friedman Lissner, "Trump Is Going to Regret Not Having a Grand Strategy," *Foreign Policy*, January 13, 2017, http://foreignpolicy.com/2017/01/13/trump-is-going-to-regret-not-having-a-grand-strategy/. A fine mid-first year report of Trump's anti-strategic foreign policies can be also be found in Micah Zenko and Rebecca Friedman Lissner, "There Is No Trump Doctrine, and There Will Never Be One, *Foreign Policy*, July 21, 2017, http://foreignpolicy.com/2017/07/21/there-is-no-trump-doctrine-and-there-will-never-be-one-grand-strategy/. Note, however, the rejoinder by Ionut Popescu's "Grand Strategy is Overrated," *Foreign Policy*, December 11, 2017, http://foreignpolicy.com/2017/12/11/grand-strategy-is-overrated-trump-national-security-strategy-nss/.

[53] Aaron Blake, "Trump Goes Full 'Madman,'" *The Washington Post*, August 9, 2017, https://www.washingtonpost.com/news/the-fix/wp/2017/08/09/trump-goes-full-madman-theory-on-north-korea/; Hal Brands, "Trump's Madman Theory Is Simply Mad," *Bloomberg*, October 10, 2017, https://www.bloomberg.com/view/articles/2017-10-10/trump-s-madman-theory-is-simply-crazy; Steve Coll, "The Madman Theory of North Korea," *The New Yorker*, October 2, 2017, https://www.newyorker.com/magazine/2017/10/02/the-madman-theory-of-north-korea; Dani Nedal and Daniel Nexon, "Trump's 'Madman Theory' Isn't Strategic Unpredictability. It's Just Crazy.," *Foreign Policy*, April 18, 2017, http://foreignpolicy.com/2017/04/18/trumps-madman-theory-isnt-strategic-unpredictability-its-just-crazy/.

[54] H. R. Haldeman, *The Ends of Power* (New York: Dell Publishing, 1978), 122.

Granted, Trump does not have a hot war on the scale of Nixon's Vietnam, yet his decisions may, in fact, be calculated not only with regards to matters of international security but also with regards to responding to his ever-dwindling popularity at home. Trump's strategy may, in other words, not be one of security but of purposeful insecurity. Businessman Trump was fond of playing his underlings off against one another. President Trump, a creature of habit, is doing the same in his new role: playing states off against one another without reference to geopolitical distributions of power, of course, or congruity. His decision to side with (Sunni) Saudi Arabia against (Shia) Iran in their ongoing sectarian twenty-first-century Cold War—where proxy wars from the Civil Wars in Syria and Yemen are but the starkest examples—even though the most virulent forms of radical jihad emanate from the Sunni branch of Islam, from al-Qaeda to ISIS, is irrelevant to the self-proclaimed master of the deal.

Trump's continued bashing of his global "war on terror" predecessor's foreign policy approaches—from Bush's neo-conservatives to Obama's neo-liberal hawks—despite his own administration's perverted branding of so-called "principled realism," which is neither principled nor realist in character, matter just as little.[55] What is important is the practical impact insecurity has on the psyche of a nation. Rallying around the flag of a nation under siege (whether the threat is projected or not) is real. Even though insecurity generates this phenomenon, it can be radically exacerbated by the process of what I call "selling security."[56] While security is the mitigation of risk from threats in the first instance,

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[55] Ishaan Tharoor, "Trump's Principled Realism is a Mess," *The Washington Post*, September 20, 2017, https://www.washingtonpost.com/news/worldviews/wp/2017/09/20/trumps-principled-realism-is-an-incoherent-mess/; Peter Beinart, "Trump Doesn't Seem to Buy His Own National Security Strategy," *The Atlantic*, December 19, 2017, https://www.theatlantic.com/international/archive/2017/12/nss-trump-principled-realism/548741/.
[56] This category is detailed further in the succeeding chapter.

it can also serve as an ideological veil for effecting ulterior policies that predate and extend beyond any particular "state of emergency."

Security and insecurity rely on one another and can (in the most radical instance) form, as I identify it, an "in/security matrix." Security, by definition, responds to insecurity. But when security practices fail to address insecurity, and produce further insecurity in its wake, the dynamism between the two becomes readily apparent in the sustained dynamism that is unchained following the logic of power. One can consider Bush 43's decision to fight transnational terrorism by invading, and then occupying, Iraq in 2003 as a case study for the in/security matrix. In an attempt to claim the Middle East as a (direct) sphere of American influence, Bush's neo-cons developed the tautological idea of preemptive war. If a seemingly hostile state may harm the US at some indeterminate date, the best course of action would be to do in practice what the enemy may potentially do in theory. Preemptive war, undergirded by crude realism of this sort, not only evinces an arbitrary character from the outset, but also illuminates the hallmark of American foreign policy: the double standard.[57]

Five odd trillion dollars and millions of lives later, there is little doubt left as to the utility of fulfilling imperial projects off the back of blowback,[58] however tragic.[59] While Bush couched his crude realism under the ideological veneer of conspicuous principle—namely, his "freedom agenda," whereby freedom would be spread to the Middle East on

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[57] Bronner, *The Bitter Taste of Hope*, 174.

[58] Chalmers Johnson's timely 2000 work, *Blowback*, articulated the once-guarded term well. "It [blowback] refers to the unintended consequences of policies that were kept secret from the American people. What the daily press reports as the malign acts of 'terrorists' or 'drug lords' or 'rogue states' or 'illegal arms merchants' often turn out to be blowback from earlier American operations." Chalmers Johnson, *Blowback: The Costs and Consequences of American Empire* (New York: Henry Holt and Company, 2000), 8.

[59] Jack Moore, "The Cost of War for the U.S. Taxpayer Since 9/11 is Actually Three Times the Pentagon's Estimate, *Newsweek*, November 11, 2017, http://www.newsweek.com/how-many-trillions-war-has-cost-us-taxpayer-911-attacks-705041.

the end of bayonets—his successor chose a path of multilateral engagement. Obama's internationalist pragmatism manifested in his infamous "leading from behind" approach to foreign affairs, with the US guiding NATO in its UN-mandated incursion into Libya as its prime example.[60] Just as surely, however, Obama's "first among equals" attitude towards US power gave way to the neo-liberal power structure within his administration, particularly his Valkyries in the State Department (Secretary of State Clinton) and at the UN (US Ambassadors to the UN Susan Rice and Samantha Power). Intervention for these figures substituted the means employed by Bush's neo-cons, with the substitution of unilateralism with multilateralism, but the end remained the same: asserting American hegemony by supposedly exporting American-style liberal democracy the world over.

What makes Trump's approach to international affairs unique is not its appropriation of policy ends prescribed by his predecessors, but the exclusion of principles upon which material interests can be judged when evaluating which foreign policy decisions should be employed—or, equally important, not—by America. Trump's brand of realism is far from the principled realism he is fond of invoking and is, in fact, worse than Bush's crude realism. Indeed, Trump's realism is better understood as what I would prefer to call "vulgar realism." Vulgar realism, based solely on the indiscriminate use of coercive power as both a means and an end unto itself, serves as a legitimating principle precisely because it cannot be judged using its own terms. Justice (if it is taken up at all) becomes reducible to the type of sophistry fitting of Thrasymachus because might and right are one and the same.[61]

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[60] Ryan Lizza, "Leading from Behind," *The New Yorker*, April 26, 2011, https://www.newyorker.com/news/news-desk/leading-from-behind.

[61] "…the man who reasons rightly concludes that everywhere justice is the same thing, the advantage of the stronger." Plato, *The Republic of Plato*, trans. Allan Bloom (New York: Basic Books, 1991), 16.

This operative power principle denies deliberation or persuasion in favor of immediate action, invites open-ended commitments to constrain new actors from filling sovereign vacuums left in its wake, and will undoubtedly create new enemies in the process. A twenty-first-century version of Albert Memmi's "Nero Complex" becomes only too appropriate, with the US playing the role of the confused emperor who fails to understand why his subjects (ungratefully) deny his will and thus decides to inflict further punishment to assuage his bewilderment in this self-fulfilling prophecy.[62] Little doubt remains as to Trump's strategy of insecurity to legitimate his sovereignty. He alone incarnates the historically flexible "national interest." Or, to use one of his slogans, Trump—not institutions that were designed to frustrate a structural imbalance of power in Washington—is *the* one that must "keep America safe" from his deliberate insecurity. Yet power politics, with its own (natural) structural imbalances, continue to serve at the most fundamental level of the supposed global order.

Sovereignty has lost the self-evidentiary status it once held. States are no longer recognized, in principle, as having autonomy to determine their internal affairs without fear or (rightful) suspicion of outside intervention. States have, to be sure, come and gone through the ages through individual or collective conquest. Yet today's attitudes towards sovereignty reveal increasing capriciousness based less on international norms, processes,

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[62] "How can usurpation try to pass for legitimacy? One attempt can be made by demonstrating the usurper's eminent merits, so eminent that they deserve such compensation. Another is to harp on the usurped's demerits, so deep that they cannot help leading to misfortune. His disquiet and resulting thirst for justification require the usurper to extol himself to the skies and to drive the usurped below the ground at the same time. In effect, these two attempts at legitimacy are actually inseparable. Moreover, the more the usurped is downtrodden, the more the usurper triumphs and, therefore, confirms his guilt and establishes his self-condemnation. Thus, the momentum of this mechanism for defense propels itself and worsens as it continues to move. This self-defeating process pushes the usurper to go one step further; to wish the disappearance of the usurped, whose very existence causes him to take the role of usurper, and whose heavier and heavier oppression makes him more and more an oppressor himself." Albert Memmi, *The Colonizer and the Colonized* (Boston: Beacon Press, 1991), 53-54.

and legitimacy than on shortsighted geopolitical exigency. Understanding sovereignty today thus requires grasping the (legitimated) conditionality that marks it, namely, the ability of powerful states to respect or ignore the sovereign status of subordinate states within the international system. Determinations of this sort become all the more arbitrary when they are made without reference to how they serve concrete national interests—or collective security concerns of international institutions—beyond a mere power political consideration of the moment.[63] Such was surely the case with Bush's Iraq War following 9/11. But conditional sovereignty of this sort has also been exhibited since Bush's failed presidency ended in 2009.

Conditional sovereignty became the *cause célèbre* as an international response to the Arab Spring despite the disastrous effects the Iraq War had the last time regime change was given a try. But the logic undergirding these feckless ventures was presaged, albeit in an inverse relationship between national interests as against universal principles,[64] in an assortment of international interventions that took place in the decade preceding and the decade succeeding the 2003 invasion of Iraq. If we are to take their word, liberal hawks supported the Iraq War from the standpoint of emergent international norms that spoke to principles rather than interests, as opposed to their (equally cold warrior type) neo-cons and their coterie who championed outright American dominance in invading and occupying the region.[65]

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[63] "Any politics predicated purely on immediate and instrumental interest generates precisely the kind of instability—and potential for 'blowback'—that genuine realism should supposedly inhibit." Stephen Eric Bronner, "On Judging American Foreign Policy: Human Rights, Political Realism, and the Arrogance of Power," *Logos* 10, no. 3 (Summer 2011), http://logosjournal.com/2011/summer_bronner/.

[64] "In order to be worthy of our lasting sympathy, a nation must pursue its interests for the sake of a transcendent purpose that gives meaning to the day-to-day operations in its foreign policy." Hans J. Morgenthau, *The Purpose of American Politics* (New York: Vintage Books, 1964), 8.

[65] See Stephen Eric Bronner and Kurt Jacobsen, "Dubya's Fellow Travelers: Left Intellectuals and Mr. Bush's War," *Logos* 3, no. 4 (Fall 2004), http://www.logosjournal.com/bronner_jacobsen_election.htm.

Human rights, when spoken of at all, during the Cold War were used as rhetorical reinforcements of the virtues of American exceptionalism as against the "evil empire" of the Soviet Union. Once the USSR fell, however, human rights took on a new life in terms of policy. Bush grounded his interventions in Iraq[66] and Somalia[67] as surely as Clinton did in Haiti (with Operation Uphold Democracy being the first UN-sanctioned mission to overthrow a military coup)[68] and Kosovo[69] on the basis on upholding human rights and promoting democracy. Failure to act, though, in every humanitarian crisis gave rise to the critique of selective interventions in favor of unlimited interventions. R2P, the Responsibility to Protect, took shape in the penumbra of non-interventions, particularly in Rwanda.

Sovereign ventures, from the standpoint of W's neo-conservatives, Obama's neo-liberal hawks, and Trump's (misappropriated) realist variants alike, have been undertaken without reference to the interests such actions supposedly serve. Unprovoked interventions, which follow the logic that the best defense is a good offense, that compromise sovereignty evince the same arbitrary character: intervention becomes a cure worse than the disease it seeks to remedy. Rash interventions packaged in terms of security have, for example,

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[66] Geoff Simmons, *Future Iraq: US Policy in Reshaping the Middle East* (London: Saqi Books, 2003), 336.

[67] United Nations Security Council Resolution 794 established the US-led Unified Task Force (UNITAF). The UNITAF served as a base of operations for the humanitarian intervention into the Somalian Civil War: a threat, the UN deemed, international peace and security. Danesh Sarooshi, *The United Nations and the Development of Collective Security: The Delegation by the UN Security Council of its Chapter VII Powers* (New York: Oxford University Press, 2000), 212.

[68] United Nations Security Council Resolution 940 allowed the US to lead a force to reinstall the pre-coup government of Haiti and restore humanitarian conditions on the island. UN Security Council, Resolution 940, S/RES/940 (July 31, 1994), http://unscr.com/en/resolutions/doc/940.

[69] Clinton, in Executive Order 13088, went so far as to deem the "actions and policies of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia with respect to Kosovo, by promoting ethnic conflict and human suffering, threaten to destabilize countries of the region and to disrupt progress in Bosnia and Herzegovina in implementing the Dayton peace agreement, and therefore constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and hereby declare a national emergency to deal with that threat." Exec. Order No. 13088, 3 C.F.R. 32109 (1998).

yielded more insecurity as a result. American blood and treasure have cost 7,000 souls and nearly $5 trillion[70] in Afghanistan and Iraq. This is, of course, to say nothing of the other side. In Iraq alone, half a million lives were lost as a result of America's eight-year-long war there[71] and, before that, 576,000 Iraqi children died as a result of the devastating sanctions imposed on Iraq after the end of the Persian Gulf War.[72] Eric Hobsbawm, three months into the Iraq War, put the matter well when he said "Few things are more dangerous than empires pursuing their own interest in the belief that they are doing humanity a favour."[73]

III. Situating Security: Considerations of a Concept

Carl Schmitt once noted how the "concept of the state presupposes the concept of the political."[74] Just as surely, however, security presupposes the sovereign as its precondition for order and stability. Any discussion of security that evades sovereignty thus sidesteps political discussion in favor of entertaining metaphysical speculation. Security rests upon a sovereign authority to provide for itself at all levels of the political precisely because it

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[70] Neta C. Crawford, "US Budgetary Costs of Wars through 2016: $4.79 Trillion and Counting," Costs of War, September 2016, http://watson.brown.edu/costsofwar/files/cow/imce/papers/2016/Costs%20of%20War%20through%202016%20FINAL%20final%20v2.pdf.

[71] Amy Hagopian, Abraham D. Flaxman, Tim K. Takaro, Sahar A. Esa Al Shatari, Julie Rajaratnam, et al., "Mortality in Iraq Associated with the 2003–2011 War and Occupation: Findings from a National Cluster Sample Survey by the University Collaborative Iraq Mortality Study," *PLoS Med* 10, no. 10: e1001533 (October 2013), http://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1001533.

[72] "The deadlock between the UN Security Council and Iraq over acceptance of various UN resolutions demonstrates a continued disregard for the deteriorating health of the Iraqi people, especially children. The UN's humanitarian arm offers palliatives for the suffering while the Security Council is intent on continuing the sanctions. The moral, financial, and political standing of an international community intent on maintaining economic sanctions is challenged by the estimate that since August, 1990, 567 000 children in Iraq have died as a consequence." Sarah Zaidi and Mary C. Smith Fawzi, "Health of Baghdad's Children," *The Lancet* 346, no. 8988 (December 2, 1995): 1485.

[73] Eric Hobsbawm, "America's imperial delusion: The US drive for world domination has no historical precedent," *The Guardian*, June 13, 2003, https://www.theguardian.com/world/2003/jun/14/usa.comment.

[74] Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago: University of Chicago Press, 2007), 19.

is the sovereign who mediates competing (private) interests that would otherwise manifest in chaos and violence which emanate from a disordered state where power is not centralized. Weber could thus correctly identify the (modern) sovereign state as a "human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory."[75]

Sovereignty may come in many forms, from the religious to the secular and those in between the margins, but its primary charge—to provide security—remains the same. It is no wonder, then, that every geopolitical flashpoint today is tinged by a sovereign crisis of one form or another. Kim's reactive ICBM-rattling to a looming preemptive strike by the US, Trump's obsession with scrapping the (supposedly bad) Iran nuclear deal, and the continued erosion of ISIS in their base of operations in Raqqa all in their own fashion shed light on the degree to which subordinate states within the international system exist at the mercy of others.

R2P began with a much broader mandate when The International Commission on Intervention and State Sovereignty released its 2001 report. It determined six instances in which R2P should be acted upon.[76] These precepts were unifying by a broad understanding

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[75] Max Weber, "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 78.

[76] "[1] those actions defined by the framework of the 1948 Genocide Convention that involve large scale threatened or actual loss of life; [2] the threat or occurrence of large scale loss of life, whether the product of genocidal intent or not, and whether or not involving state action; [3] different manifestations of 'ethnic cleansing,' including the systematic killing of members of a particular group in order to diminish or eliminate their presence in a particular area; the systematic physical removal of members of a particular group from a particular geographical area; acts of terror designed to force people to flee; and the systematic rape for political purposes of women of a particular group (either as another form of terrorism, or as a means of changing the ethnic composition of that group); [4] those crimes against humanity and violations of the laws of war, as defined in the Geneva Conventions and Additional Protocols and elsewhere, which involve large scale killing or ethnic cleansing; [5] situations of state collapse and the resultant exposure of the population to mass starvation and/or civil war; [6] and overwhelming natural or environmental catastrophes, where the state concerned is either unwilling or unable to cope, or call for assistance, and significant loss of life is occurring or threatened." International Commission on Intervention and State

of translating human rights into a political practice. When R2P was adopted at the UN's 2005 World Summit, however, this list was whittled down to include only genocide, war crimes, ethnic cleansing, and crimes against humanity.[77] Noticeably absent, for our purposes, was the provision that deemed "situations of state collapse" a factor that would initiate R2P. Nonetheless, it was assumed that this policy prescription, whereby sovereignty is deemed moot if a sovereign proves unable to provide its subjects security, lined up with the new geopolitical power position the US inherited after bipolarity came to an end. It was up to the leading superpower(s), it seemed, to provide security to lands whose sovereigns were incapable or unwilling to do so. Early policy formations, to be fair, were drafted before the US was embroiled in Iraq. Nevertheless, when the UN adopted R2P, in 2005, an inflamed insurgency had already been raging for a year. How the US (the primary fighting force of the UN and other international security organizations) would be in a

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Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa, ON: International Development Research Centre, 2001), 33.

[77] "Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out." UN General Assembly, Resolution 60/1, 2005 World Summit Outcome, A/RES/60/1 (September 16, 2005), http://undocs.org/en/A/RES/60/1.

position to engage in a third front (beyond Afghanistan and Iraq) remained an open question.

Despite R2P's noble precepts, it fails to put forth an overarching criterion for carrying out such seemingly selfless endeavors. Worse still is the same conflation of military prowess with political stability that rarely accompanies such imperial, as seen by the "other," ventures. Also absent in the minds of those in favor of R2P, such as former US Ambassadors to the UN Samantha Power[78] and Susan Rice[79] and former Secretary of State Hilary Clinton,[80] is the structural imbalance of power in the international institution where the mechanism resides. Members of the UN Security Council proved to be more (correctly) wary of intervening than others. Early international action in Syria may have been tenable had the Libyan intervention, whose UN Security Council Resolution 1973 cited R2P, not turned into a readily apparent Iraq-type regime change as exemplified by then-Secretary of State Clinton's "We came, we saw, he died" response to learning of Gaddafi's brutal killing at the hands of a street mob.[81]

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[78] Samantha Power's Pulitzer Prize winner, *A Problem from Hell*, provided a thoughtful sketch of America's reluctance to acknowledge genocidal acts, from Cambodia and Bosnia to Rwanda and Kosovo, in fear of having to follow through on what such an intonation could (or, in Powers' thinking, should) entail: military intervention. The book, which was published three years prior to the 2005 World Summit, served as a moral groundwork for R2P. Power identified two reasons for intervening in genocides: moral and what she calls "enlightened self-interest." While the former involves intervening when "innocent life is being taken on such a scale and the United States has the power to stop the killing at *reasonable risk*," the latter justification is framed in terms of regional stability that appear outside today's American spheres of influence. This logic, of course, produces a condition whereby intervention is demanded in every instance. Samantha Power, *A Problem from Hell: America and the Age of Genocide* (New York: Basic Books, 2013), 513.

[79] Susan E. Rice and Andrew J. Loomis, "The Evolution of Humanitarian Intervention and the Responsibility to Protect," in *Beyond Preemption: Force and Legitimacy in a Changing World*, ed. Ivo. H. Daalder (Washington DC: Brookings Institution Press, 2007), 59-95.

[80] Kim Ghattas, "Hillary Clinton Has No Regrets About Libya," *Foreign Policy*, April 14, 2016, http://foreignpolicy.com/2016/04/14/hillary-clinton-has-no-regrets-about-libya/.

[81] Hillary Clinton, "Clinton sees Gaddafi news on Blackberry," *The Washington Post*, October 20, 2011, https://www.washingtonpost.com/video/politics/clinton-sees-gaddafi-news-on-blackberry/2011/10/20/gIQARfLa0L_video.html?utm_term=.fd24849fb74c.

Power, understood in terms of its ability to coerce and persuade, remains the essential feature of politics whose focal point of reference is the sovereign. Insecurity can accordingly be measured by the lack of effective sovereignty or, worse, its complete absence. This socio-historical relationship, wherein security arises from sovereignty, holds at the most fundamental level from the local to the global. From time immemorial, survival was based on the dynamism of power. Domestic security is based on hierarchical power arrangements whose legitimating character can be grounded in arbitrary metaphysical schemes like the divine right of kings or more modern secular notions of democracy of one form or another. But each in its own fashion evinces the same model: arms are consolidated by the state, not the masses. International security, of course, has no such sovereign point of reference or hierarchy as such. Given this anarchical structure, each state in the international system is, in principle, sovereign among other sovereigns with no arbitrating figure to animate the overall system. Security at the international level is thus judged in terms of a state's ability to survive and maintain its sovereign character against competing blocks of political power from both within (rebellion) and without (outside intervention) or a combination thereof (outside states arming local militias). Complicating this otherwise straightforward sketch, however, are flawed assumptions of sovereignty that generate and, naturally, reinforce continued security failures. It should come as no surprise, then, that the last meaningful political peace the US was involved in constructing came by way of appreciating the role sovereignty played in maintaining local order and, by extension, a (plausible, but never guaranteed) global order following the ashes of World War II and the laudable Marshall Plan.

But gone are the days of the "greatest generation" that bled for the prospects of retarding the global spread of fascism and communism half a world away; gone also are the minds that honed the international organizations to address a world whose balance of power was transfigured with the fall of Hitler and the rise of Stalin. Today's global disorder—or what the CFR's Richard Haass prefers to call a "world in disarray" in his latest work—is misleading insofar as world "order" is based on the assumption that Cold War institutions and alliances would somehow naturally hold after a transfiguration of political power on the global stage. Contemporary discussions of world "order" thus ring especially hollow. Such talk immediately recognizes the whole (the global system) as something more than the sum of its parts, namely, a collection of sovereign states as such. Fetishized notions of this variety, whereby world order takes on a life of its own, are dangerous insofar as they misidentify political dynamics and only serve to encourage more security failures. Conflating military acumen with political stability has marked an entire host of post-Cold War interventions where political power was misunderstood from the start, with the guiding belief being that outside pressure can make up for effective sovereign rule in the first and last instance. Policies that are developed under such circumstances are destined—or, worse, designed—to fail the moment troops finish liberating one despot's subjects without setting the preconditions for their exit and a new sovereign's rule. The start and end of the Cold War were watershed events in global politics of the twentieth century. Both marked a structural shift in power throughout the international system and each created new understandings of security as well as sovereignty. But the same was also the case when the modern nation came into being on the back of modernity.

Terrorist groups are, by definition, non-state actors. ISIS is no exception. Though it holds swaths of territory, ISIS is better understood as just another set of terrorist brigands. Declaring war against ISIS would effectively give the US license to abrogate sovereign integrity in any and all lands this transnational group resides. Similarly, initiating NATO's Article Five would only provide an international veneer to an otherwise arbitrary adventure like another Iraq or Libya, where more thought is given to going in than in creating the political preconditions—effective sovereignty—for getting out.[82] Confusion between the means and ends of security policy thus becomes readily apparent. Rather than martial acumen being used as a tactical tool in a broader strategic mission, military might has become an isolated counterterror remedy as such in the global "war on terror." Conflating isolated tactics, be they boots on the ground or drones in the sky or the firing off of a few dozen tomahawks, with an overarching strategy does not make for a set of strategic policy choices to judge against others.

America's global "war on terrorism" was tainted by a post-strategic mindset since its inception. Strategic determinations to fight al-Qaeda and other jihadist groups were bound up with other priorities, namely, exploiting 9/11 to follow through on predetermined schemes. Establishing and maintaining hegemony in the Middle East to prevent rising powers from challenging American supremacy was in the works while the dust was still

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[82] Like Article 51 of the UN Charter, NATO's Article 5 informs its collective international security mandate. "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area. Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security." United Nations, *Charter of the United Nations*, October 24 1945, http://www.un.org/en/charter-united-nations/.

settling from the fall of the Berlin Wall. The Wolfowitz Doctrine, which would later morph into the Bush Doctrine, emerged in the original Defense Planning Guidance. It called for preventing the "re-emergence of a new [sic!] rival" by maintaining an aggressive attitude where foreign policy in the post-Cold War era was concerned. The perennial cold warrior, Wolfowitz, went so far as to claim that only Russia could wipe the US off the map, despite the fact that Russia was in veritable tatters throughout the nineties.[83] Operating under a set of imperial assumptions and mistaken judgments on how the post-Cold War geopolitical order *should* operate in a structurally upended world order, wherein the US stood as the world's lone superpower, led to numerous security failures in both the short- and long-term.

Cultivating what George H. W. Bush dubbed a "new world order" before a joint session of Congress, literally a decade to the day before 9/11, demanded American intervention across the globe. Missing in the interventions that followed, however, was an articulation of America's national interest in a post-Cold War world beyond repackaged Wilsonian aspirations of a world "safe for democracy."[84] Without such a guiding principle, actions could thus be undertaken with caprice despite the liberal rhetoric grounding their imperious actions.[85]

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[83] Patrick E. Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop," *The New York Times*, March 8, 1992, http://www.nytimes.com/1992/03/08/world/us-strategy-plan-calls-for-insuring-no-rivals-develop.html.

[84] An insightful new text suggests that Wilson, far from the starry-eyed utopian as he is usually portrayed, was acutely aware of the socio-political preconditions for democratic transitions. "The result of a mature organic consciousness is the ability of the citizens to control the state; it is the highest form of democracy, 'self-government,' 'government based on the consent of the governed.'" Tony Smith, *Why Wilson Matters: The Origins of American Liberal Internationalism and Its Crisis Today* (Princeton: Princeton University Press, 2017), 49.

[85] Joseph Nye put the matter well when he reflected on Bush Sr.'s Doctrine a year on. "Like Woodrow Wilson's fourteen points or Franklin Roosevelt's four freedoms, George Bush's grand rhetoric expressed the larger goals important for public support when a liberal democratic state goes to war. But after the war, when reality intruded, grand schemes turned into a liability. People were led to compare the war's

A quick unilateral engagement in Panama gave way to a protracted, yet focused, multilateral mission to remove Iraq from neighboring Kuwait at the urging of the Saudis who understood Saddam's invasion as an attempt to become the dominant power in the Persian Gulf. Bush Sr. resisted going all the way in Iraq after expelling his army from Kuwait. Reagan's former VP, whose credentials included Director of the CIA, US Ambassador to the UN, and a meritorious service record in World War II, knew what such a move would have entailed:

> Trying to eliminate Saddam, extending the ground war into an occupation of Iraq, would have violated our guideline about not changing objectives in midstream, engaging in 'mission creep,' and would have incurred incalculable human and political costs. Apprehending him was probably impossible. We had been unable to find Noriega in Panama, which we knew intimately. We would have been forced to occupy Baghdad and, in effect, rule Iraq. The coalition would instantly have collapsed, the Arabs deserting it in anger and other allies pulling out as well. Under those circumstances, there was no viable 'exit strategy' we could see, violating another of our principles. Furthermore, we had been self-consciously trying to set a pattern for handling aggression in the post-Cold War world. Going in and occupying Iraq, thus unilaterally exceeding the United Nations' mandate, would have destroyed the precedent of international response to aggression that we hoped to establish. Had we gone the invasion route, the United States could conceivably still be an occupying power in a bitterly hostile land. It would have been a dramatically different—and perhaps barren—outcome.[86]

Yet his next foreign policy decision would pave the way for "mission creep," whereby the original intentions of an undertaking are frustrated by unforeseen demands that manifest in the process.[87]

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imperfect outcome with an impossible ideal." Joseph S. Nye, Jr., "What New World Order?" *Foreign Affairs* 71, no. 2 (Spring 1992): 83.

[86] George H.W. Bush and Brent Scowcroft, *A World Transformed* (New York: Alfred A. Knopf, 1998), 489-90.

[87] Ironically enough Jim Hoagland, who coined the term "mission creep," praised the Defense Department for avoiding its temptation. "In Somalia, the Pentagon has resisted the dangers of mission creep—of getting pulled into local quarrels and taking on expanding, unfulfillable responsibilities. It is a success that deserves recognition, and encouragement." Jim Hoagland, "Prepared for Non-Combat," *The Washington Post*, April 15, 1993, https://www.washingtonpost.com/archive/opinions/1993/04/15/prepared-for-non-combat/36160125-2420-47ca-9a79-01b2016d7ee5/. Three months on, however, "The mission in Somalia [was] no longer to protect relief agencies as they distribute food. [It was] a test case for the rest of Africa, a

Mission creep need not be restricted to the battlefield. It also extends to bureaucratic apparatuses. Instead of disbanding or recasting its institutional mandate to frustrate Soviet expansion during the Cold War, NATO expanded its membership when the USSR collapsed in 1991. Former Warsaw Pact members, from Poland and Romania to Bulgaria and Hungary, were free agents that engaged in trade deals with the West. Matters only got worse by the end of the decade when eleven former Soviet satellite states gained their independence while, in 2004, former Eastern Bloc countries joined NATO. From Russia's standpoint, or any otherwise rational perspective, this institutional arrangement of the West's international organizations suggests a strategy of permanent containment of yesterday's Cold War enemy employed through the logic of reified realism.

Soviet Marxism[88] or, more broadly, communism was an ideologically transnational threat to the West and the US. Despite its third pillar characters, like the infamous Rosenbergs and the Soviet plants in the State Department, it was ultimately bound in clearly defined nation states: the USSR, and its various strategic allies throughout Latin America, and China with its satellite to the South in North Korea. Today's terrorist threat, on the other hand, knows no single geographical locus. Cold War categories and structures of power, like *détente* and bipolarity, thus cannot be used against such an enemy. Old habits, though, die hard. Fears of the Russians getting one over on us held a decade after the Soviet Union's collapse. Then-Major Dean Eckmann assumed as much on the morning of 9/11: "I reverted to the Russian threat. ... I'm thinking cruise missile threat from the sea.

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place to use U.S. firepower to establish U.N. credibility and effectiveness against two-bit rogues like Aideed, whose forces … butchered U.N. peacekeepers. Aideed's guerrillas [stood] in the way of a larger success for U.S. firepower." Jim Hoagland, "Beware 'Mission Creep' in Somalia," *The Washington Post*, July 20, 1993, https://www.washingtonpost.com/archive/opinions/1993/07/20/beware-mission-creep-in-somalia/fe98b9e2-9ceb-45c3-babf-844a8a2671e9/.

[88] For a penetrating ideological critique of the USSR's brand of Marxism, see Herbert Marcuse, *Soviet Marxism: A Critical Analysis* (New York: Columbia University Press, 1958).

You know, you look down and see the Pentagon burning, and I thought the bastards snuck one by us."[89] His honest admission to the 9/11 Commission typified the collective mindset of a generation who cut their teeth as cold warriors. Similar ideological attitudes still continue to persist over a quarter of a century since the Berlin Wall fell. Today's US-Russia relations reflect less of a "reset" then-Secretary of State Clinton offered Lavrov a month into Obama's first administration than an intensification of what many have determined to be a "new cold war," which might prove to be more catastrophic than the original.[90] The contours that distinguish this "new cold war" from the original range from the role cyberwarfare plays in it to the additional challenge the ongoing proxy wars between Iran and Saudi Arabia provide.[91] George Kennan, however, anticipated this phase in US-Russia relations, wherein the Russians would "gradually react quite adversely" to the expansion of NATO to include Hungary, Poland, and the Czech Republic in 1998.[92]

This renewed tension is felt most acutely in Syria where an assortment of great powers has been brought to the brink. What started as a proxy war may end in a war.[93]

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[89] National Commission on Terrorist Attacks, 45.

[90] Andrew C. Kuchins, "Elevation and Calibration: A New Russia Policy for America," Center on Global Interests, December 2016, http://globalinterests.org/wp-content/uploads/2016/12/CGI_A-New-Russia-Policy-for-America_Andy-Kuchins.pdf. Cf. Michael McFaul, *From Cold War to Hot Peace* (Boston: Houghton Mifflin Harcourt), 426-428.

[91] Philip N. Howard, "Social Media and the New Cold War," *Reuters*, August 1, 2012, http://blogs.reuters.com/great-debate/2012/08/01/social-media-and-the-new-cold-war/ and Michael Klare, "Welcome to Cold War II," *Real Clear World*, June 1, 2013, https://www.realclearworld.com/articles/2013/06/01/welcome_to_cold_war_ii_105205-3.html, respectfully. Cf. Ian Bremmer, "This Isn't A Cold War. And That's Not Necessarily Good," *Time*, May 30, 2014, http://time.com/139128/this-isnt-a-cold-war-and-thats-not-necessarily-good/ and Stephen M. Walt, "I Knew the Cold War. This Is No Cold War," *Foreign Policy*, March 22, 2018, https://foreignpolicy.com/2018/03/12/i-knew-the-cold-war-this-is-no-cold-war/.

[92] Quoted in Thomas L. Friedman, "Foreign Affairs; Now a Word from X," *The New York Times*, May 2, 1998. https://www.nytimes.com/1998/05/02/opinion/foreign-affairs-now-a-word-from-x.html.

[93] "The new contests in Syria derive not from internal Syrian dynamics, but from the rival interests of outside powers pursued over the ruins of Syria: Turks against Kurds, Israel against Iran and its proxies, the United States against Iran, and now, potentially, Ankara against Washington. These external forces are all determined to gain advantage over one another in Syria. And so, even as Syria's two longstanding conflicts [Sunni rebels fighting to take down Assad and ISIS' reign of terror that operated in Syria as a base of operations] wind down, war and strife are not departing the area. Welcome to Syria 2.0." Jonathan Spyer,

Russia and Iran, the external powers backing Assad, understood the power dynamics involved in this civil war from the start: The most ideologically coherent of the opposition forces—from al-Qaeda to its al-Nusra outgrowth to their common enemy of ISIS—would benefit from state failure. ISIS proved itself two years into the conflict when it took Azza from the Free Syrian Army, the unorganized confederation of anti-Assad Syrian military forces. America, nevertheless, funded the "moderate" anti-Assad forces, even as she armed the Kurds in the North to take on ISIS in its stronghold in Raqqa.[94] This two-track approach crystalized the confused priorities Washington held during the beginning of the Syrian Civil War when America, hot off the Libyan Civil War, sought another regime change. When the severity of ISIS became apparent, however, she chose to prioritize defeating them before openly moving against Assad whose regime was far stronger than Gaddafi's Libya. By wanting both, though, the US may end up getting neither. Vacillating between opposing Assad on the one hand and the reality of an ISIS routing on the other should his regime fall has frustrated a prudent policy from taking shape. America could, for instance, have focused solely on defeating ISIS in conjunction with Assad to create the preconditions for a diplomatic solution after ISIS' defeat. Instead, however, we are now in a position of mutual exclusivity: fighting both sides of a civil war at the same time. Moreover, the US' longstanding ally, Egypt, supports Assad's regime while Turkey, the latest member of NATO, allowed ISIS to flow into Syria by way of the "jihadist highway."[95]

"Welcome to Syria 2.0," *Foreign Policy*, January 25, 2018, http://foreignpolicy.com/2018/01/25/welcome-to-syria-2-0/.

[94] Michael R. Gordon and Eric Schmitt, "Trump to Arm Syrian Kurds, Even as Turkey Strongly Objects," *The New York Times*, May 9, 2017, https://www.nytimes.com/2017/05/09/us/politics/trump-kurds-syria-army.html.

[95] Patrick Cockburn, "An Obvious First Step—Close the Jihadis' Highway," *The Independent*, August 23, 2014, http://www.independent.co.uk/voices/comment/an-obvious-first-step-close-the-jihadis-highway-9687899.html.

Security misjudgments can transform political orders from the local to the global. Using past as prologue to inform ongoing policy models tempts political paralysis that gives rise to unintended (but avoidable) disorder, violence, and suffering. This was highlighted by arbitrary strategic determinations mixed with opportunism that took America to war with Iraq. Attempts to remake the Middle East in a decade-old prefigured war, when Bush's father chose prudence over pride in keeping Saddam in place, culminated in a regional disorder that continues to serve as a flashpoint for a type of global disorder not seen in generations. Bush's inability to pacify Iraq may have halted further Americanizing of the Middle East. But the attitude that underpinned this security failure—assuming that military power is synonymous with political stability—continued to inform how security thinkers and policy makers approached security after Bush's tenure ended. Framing ISIS as an existential threat to American security, for example, exaggerated the group's capacity to inflict harm on a scale that would rival state powers *tout court*. Worse, it contributed to discursive misappropriations that frustrate prudent security practices from being developed. Sketching America's reaction to 9/11, an ignoble chapter in American foreign policy, through the lens of domestic and international security not only illuminates the practical impact ideology has on security practices, but also provides an understanding for modern geopolitical disorder, which is primarily informed by the logical extension of post-strategic warfare.

III

A TRAGEDY OF ERRORS

Neo-conservatism, 9/11, and Iraq

If the end of the Cold War culminated in an "end of history," with the ideological battle-lines of the twentieth-century being obliterated in favor of an American-style understanding of liberal democracy, history surely reawakened on the morning of September 11, 2001.[1] Nine months and eleven days from its official start, the twenty-first century was born when the Twin Towers and the Pentagon—the incarnations of global capital and US militarism—were struck by an underappreciated enemy that gained strength and ideological coherence during the interregnum between the end of the Cold War and the start of the global "war on terror." In a matter of hours, nineteen non-state actors, operating on a relatively shoestring budget,[2] were able to transform the foreign policy of the world's lone superpower whose defense budget, which eclipses half a trillion dollars, totals more than the next eight countries combined.[3] And, in so doing, bin Laden's strategic vision against the "Great Satan," namely, to bleed America on the battlefield and economically devastate her at home, was initiated.

Rather than reorienting security thought and practice to address the transnational terrorism, old imperial plans were dusted off and conveniently packaged in terms of state

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[1] "[T]he century that began full of self-confidence in the ultimate triumph of Western liberal democracy seems at its close to be returning full circle to where it started: not to an 'end of ideology' or a convergence between capitalism and socialism… but to an unabashed victory of economic and political liberalism." Francis Fukuyama, "The End of History?" *The National Interest*, no. 16 (Summer 1989): 3.

[2] "Bin Ladin and his aides did not need a very large sum to finance their planned attack on America. The 9/11 plotters eventually spent somewhere between $400,000 and $500,000 to plan and conduct their attack." National Commission on Terrorist Attacks, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: Norton, 2004), 169.

[3] John W. Schoen, "Here's How the US Defense Spending Stacks Up Against the Rest of the World," *CNBC*, May 2, 2017, https://www.cnbc.com/2017/05/02/how-us-defense-spending-stacks-up-against-the-rest-of-the-world.html.

security. An increasingly hyperbolic and disorienting policy formation immediately took shape. Security would be sold to America and the world under the veneer of protecting the homeland while also making the world safe from agents of evil incarnate. Bush, underpinned by his brand of "frontier justice," could thus say "whether we bring our enemies to justice or bring justice to our enemies, justice will be done" during his first congressional address following 9/11.[4] An assortment of hawkish figures in key positions, from his VP (Dick Cheney) and his National Security Advisor (Condoleezza Rice) in the White House to his Secretary and Deputy Secretary of Defense (Donald Rumsfeld and Paul Wolfowitz, respectively) in the Pentagon, directed Bush towards serving their shared foreign policy agenda. This is, of course, to say nothing of the lapdog right-wing media ideologues, a supine liberal Congress, and segments of the left-wing literati who united behind the war president and, in so doing, provided cover for his troubling securitization at home and crusades abroad.

Selling security on the back of 9/11 demanded redirecting the fears of an amorphous transnational terrorist network towards sets of state referents (which were already in America's crosshairs for over a decade), while offering binary alternatives—crystalized by Bush's "you are with us or you are with the terrorists"—to judge security policies unevenly against one another.[5] Policy alternatives and categorical specificity gave way to arbitrary determinations as a result of a newly fashioned terror discourse with an internal logic of its own. Antiwar sentiments were called into question as idealistic, unrealistic, and, of course, unpatriotic. The march to a prefigured war was on—America would finally make good on

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[4] George W. Bush, "President Bush's Address to a Joint Session of Congress and the Nation," *The Washington Post*, September 20, 2001, http://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress_092001.html.
[5] Ibid.

her "unipolar moment." Theory, practice, and their effect upon one another come into focus when considered from the standpoint of the ideology that generated the interpretation of 9/11 and, consequently, the reaction America should embrace.

I. Cold Warriors without a War: Neo-conservatism in the Interregnum, 1991-2001

America's preeminent global power position was unquestionable following the collapse of the Soviet Union in 1991. What was in question, however, was the manner in which America would use her newfound role as the world's "lone superpower" to confront global threats in a new geopolitical world short on competition. Imposing a no-fly zone in Iraq (after a quick routing of Saddam's forces from Kuwait) as a response to Saddam's treatment of the Kurds in northern Iraq signaled a tectonic shift in how sovereignty would be understood and treated by the world's "indispensable nation," as Madeline Albright would later characterize America.[6] Westphalian sovereignty—the recognition of a state to manage its internal affairs without risk of outside interference—gave way to a new foreign policy paradigm: humanitarian intervention. Nevertheless, this post-Cold War approach to international affairs, however noble in intent and limited in scope, provided the preconditions for new threats to emerge while simultaneously affording precedent to future imprudent administrations.

President George H. W. Bush bandied the supposed "peace dividend" the end of the Cold War would provide—namely, an economic shift toward domestic social programs from a reduced defense budget—just as surely as President Clinton did. But it was the latter

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[6] "Only the United States had the power to guarantee global security: without our presence or support, multilateral endeavors would fail." Sidney Blumenthal, *The Clinton Wars* (New York: Farrar, Straus and Giroux, 2003), 155.

who would propose adding an additional $112 billion over six years to the Department of Defense to meet the demands his "democratic enlargement" required.[7] H. W., no doubt concerned with the entanglement in Somalia his successor, Clinton, would be inheriting, possessed an understanding of the exigencies as well as the limits of power. During his farewell address to the military, the former CIA head and US Ambassador to China warned the US "should not seek to be the world's policeman."[8] This prophetic advice surely rubbed off on his son.

In his presidential run of 2000, Texas Governor George W. Bush characterized his anticipatory executive approach to international affairs as "humble."[9] His campaign rhetoric where global matters were concerned evinced a clear repudiation of Clinton's efforts to promote democracy under the auspices of his "democratic enlargement" strategy, whereby selective interventions would be undertaken to ensure geopolitical stability,[10] during his tenure in office.[11] Bush, the naïf, also liked to tout his foreign advisors—one of the "finest foreign policy teams ever assembled"—to make up for his lack of geopolitical experience.[12] Recycled figures from his father's administration—Dick Cheney (Secretary of Defense), Colin Powell (Chairman of the Joint Chiefs of Staff), Paul Wolfowitz (Undersecretary of Defense for Policy), and Condoleezza Rice (senior director of Soviet

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[7] Michael T. Klare, "The Clinton Doctrine," *The Nation*, April 1, 1999, https://www.thenation.com/article/clinton-doctrine/.

[8] Paul F. Horvitz, "U.S. Should Lead, Not Police, Bush Says," *The New York Times*, January 6, 1993.

[9] George W. Bush, "October 11, 2000 Debate Transcript," Commission on Presidential Debates, October 11, 2000, http://www.debates.org/?page=october-11-2000-debate-transcript.

[10] This strategy will be taken up, from the standpoint of its utility and ethical purpose, in the succeeding chapter.

[11] Anthony Lake, Clinton's National Security Advisor, ultimately chose "enlargement" over the more accurate "engagement" and the more precise "expansionism." Douglas Brinkley, "Democratic Enlargement: The Clinton Doctrine," *Foreign Policy*, no. 106 (Spring 1997): 115.

[12] Frank Bruni, "Bush Questions Gore's Fitness for Commander in Chief," *The New York Times*, May 31, 2000, http://www.nytimes.com/2000/05/31/us/bush-questions-gore-s-fitness-for-commander-in-chief.html.

and East European Affairs at the National Security Center)—as well as Richard Armitage (Assistant Secretary of Defense for International Security Affairs under Reagan) and Donald Rumsfeld (Gerald Ford's Chief of Staff) comprised the core of W's foreign policy advisors. Despite the academic pedigree that marks most neo-conservative "thinkers," their collective approach to international security has little to offer when their sound and fury is analyzed. Rather than being the tough-minded Hobbesian realists they claim to be, their crude realism discounts Hobbes' insight into the centrality of the sovereign as a precondition for security.[13] Robert Kagan could thus chastise those Kantian Europeans that supposedly want to break down the "brutal laws of an anarchic, Hobbesian world where power is the ultimate determinant of national security and success," without noting how Hobbes' tract was an insight into internal politics, not international ones.[14] It is easy to speak of a power politic from an American standpoint, especially when you are not geographically rooted in a region marked by a *necessary* balance of power. At the end of the day neoconservatives, like their neo-liberal counterparts, refuse to admit when their wrong or, worse, they simply do not know they were wrong.

Unlike foreign policy teams of old, like Truman's "wise men" (who came from Wall Street) or Kennedy's "best and brightest" (who came from the ivory towers), W's polygonal assortment's point of unity was their shared work at the Pentagon and, in the

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[13] "Hobbes' classic work of political theory privileges the nation-state and popular sovereignty as its source of legitimacy. Witnessing the English civil war and the 'long parliament' (1640-1648), which he described in his other great work, *Behemoth* (1681), he was appalled by the barbaric clash of uncontrolled private interests. This he described as a 'state of nature' marked by the 'war of each against all' and lives that are 'poor, nasty, solitary, brutish and short.' Alleviating that condition according to Hobbes requires a sovereign power." Stephen Eric Bronner, The Sovereign" *Logos* 12, no. 3 (Fall 2013), http://logosjournal.com/2013/bronner_sovereign/.

[14] Robert Kagan, "Power and Weakness," *Policy Review*, no. 113 (June/July 2002): 3-28. Cf. Etienne Balibar, "Which Power? Whose Weakness? On Robert Kagan's Critique of European Ideology," *Theory & Event* 6, no. 4 (2003).

case of Powell and Armitage, in the fields of Vietnam.[15] These perennial cold warriors without a war fancied themselves the Vulcans after the Roman god of fire. It projected "a sense of power, toughness, resilience, and durability" and incarnated the ideological vision each held above all: US dominance on the world stage *tout court*.[16] H. W.'s "new world order" gave way to American prerogative. This unilateral impulse would exhibit itself in marked ways, from abandoning international treaties and jettisoning itself from multilateral agreements in the first months of his son's administration to its logical conclusion: preemptive war.

Candidate W did not believe in nation building, preferring instead to "rebuild" his father's coalition to keep pressure on Saddam, while developing a foreign policy based in terms of serving the "best interests of the United States."[17] Yet it was President Bush that presided over regime change after his choice to "go it alone" (with a meager coalition of the "willing") in Iraq failed. So much for the "humble" foreign policy then-candidate Bush ran on in the 2000 presidential campaign. 9/11 provided the preconditions for a veritably unchecked domestic defense and foreign policy to metastasize. Underpinned by a nebulous institutional reconfiguration of traditional intelligence agencies' roles and the formation of new ones, US security was transformed without measure. Reoriented mandates like the military's torture practice, the CIA's use of drones, and the NSA's global data mining operations curtailed civil liberties at home even as arbitrary foreign policy determinations were undertaken to take the fight to the terrorists and those that harbored them. Institutional

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[15] James Mann, *The Rise of the Vulcans: The History of Bush's War Cabinet* (New York: Penguin, 2004), xiii.
[16] Ibid., x.
[17] Bush, "October 11, 2000 Debate Transcript."

precedent was thus set whereby future executives could employ extra-judicial counter-terrorism practices by appealing to national security and American interests.

This paradigmatic shift in American security thought and practice was generated by a relatively young, yet markedly coherent, ideology in neo-conservatism. Notwithstanding its appropriation of the conservative banner, however, there was nothing particularly new nor conservative with neo-conservatism. Noam Chomsky was quite correct when he insisted neo-conservatives were "not conservatives," but rather "an extremely arrogant, dangerous group of reactionary statists."[18] Despite their shared reactionary origins and outlooks, conservatism and neo-conservatism are discrete worldviews whose assumptions can be independently judged against one another.

Modern conservatism has its roots in the Counter-Enlightenment.[19] As with other modern political ideologies, conservatism responded to this historical rupture that bridged feudalism with modernity. It was against the French Revolution that Edmund Burke, the Dubliner-turned-British MP from 1766 to 1794, could first articulate what fellow Englishman and philosopher Michael Oakeshott would ultimately call the "conservative disposition."[20] Burke, of whom "the principal conservatives in the Western world have

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[18] Quoted in Jeremy Earp and Sut Jhally, dirs., "Hijacking Catastrophe: 9/11, Fear & the Selling of American Empire," (US: Immediate Pictures, 2004).

[19] Isaiah Berlin popularized this important concept whose roots predated his 1973 dictionary entry on the subject. "The term Gegen-Aufklärung was probably invented by Nietzsche, and was in common usage in Germany at the turn of the twentieth century. It was no accident that Nietzsche invented this term in order to define the thought of Arthur Schopenhauer and Richard Wagner, for its creation reflected not only his understanding of the intellectual trends of his time but also the fact that it was in the 'Nietzsche years' that the Anti-Enlightenment gained momentum and became a veritable intellectual torrent." Zeev Sternhell, *The Anti-Enlightenment Tradition* (New Haven: Yale University Press, 2010), 3. A reprinted edition of Berlin's "Counter-Enlightenment" can be found in Isaiah Berlin, *Against the Current: Essays in the History of Ideas* (New York: Viking, 1980), 1ff. For a biographical sketch on the movement from the standpoint of a hallmark figure, see Isaiah Berlin, *The Magus of the North: J.G. Hamann and the Origins of Modern Irrationalism* (New York: Farrar Straus & Giroux, 1994).

[20] Michael Oakeshott, "On Being Conservative," in *The Portable Conservative Reader*, ed. Russell Kirk (New York: Penguin, 1982), 567.

been conscious or unconscious disciples,"[21] interpreted the French Revolution and its "spirit of innovation" as the "result of a selfish temper and confined views."[22] For Burke, as surely as for his intellectual progenitors, society is a "contract," a "partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born."[23]

      The animating feature of conservatism is, ironically, a lack of animation. Oakeshott, who was responding to G. K. Chesterton's observation that tradition was a "democracy of the dead,"[24] put the matter well when he noted to be conservative is to "prefer the familiar to the unknown, to prefer the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the superabundant, the convenient to the perfect, present laughter to utopian bliss."[25] William F. Buckley could thus claim the mission of his seminal conservative magazine, *National Review*, was to "stand athwart history, yelling stop"[26] just as surely as Antonin Scalia, Associate Justice of the Supreme Court from Reagan to Obama, could prefer a "dead constitution" over a living one based on his brand of judicial "originalism." Conservatives, in the main, were concerned with maintaining socio-political order through the continuity tradition provides. This sentiment was personified by Burke's observation: "People will not look forward to posterity, who never look backward to their ancestors."[27]

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[21] Russell Kirk, *The Portable Conservative Reader* (New York: Penguin, 1982), xiii.
[22] Edmund Burke, *Reflections on the Revolution in France* (Mineola: NY: Dover Publications, 2006), 31.
[23] Ibid., 96.
[24] Cited in Kirk, op. cit., 565.
[25] Oakeshott, 569.
[26] William F. Buckley, "Our Mission Statement," *National Review*, November 19, 1955, https://www.nationalreview.com/1955/11/our-mission-statement-william-f-buckley-jr/.
[27] Burke, 31.

Neo-conservatives are actually pragmatic opportunists. They have historically gravitated towards ideologically disparate figures, from Senator Henry "Scoop" Jackson to Governor (and then President) Ronald Reagan to George W. Bush and Hillary Clinton, in positions to put their ideas into action. Richard Perle, who would later serve as Chairman of the Defense Policy Board Advisory Committee for President George W. Bush, was an aide to Jackson, the "blue-dog" Democrat that unsuccessfully ran against Humphrey and Carter in 1972 and 1976. Other staff members to this liberal hawk from the state of Washington included Doug Feith, Elliott Abrams, and Paul Wolfowitz. Jeane Kirkpatrick served as the US Ambassador to the UN while Paul Wolfowitz held numerous positions—Director of Policy Planning (1981-1982), Assistant Secretary of State for East Asian and Pacific Affairs (1982-1986), and US Ambassador to Indonesia (1986-1989)—under Reagan. Donald Rumsfeld, who was Gerald Ford's Chief of Staff before becoming the youngest Secretary of Defense under the "accidental president," served a bevy of roles during Reagan's tenure in office, including Special Envoy to the Middle East, Special Envoy for the Law of the Sea Treaty, and senior advisor to the President's Panel on Strategic Systems.

A well-placed cadre of neo-conservatives ruled W's roost when Bush was sworn into office. From the Oval Office and the Pentagon, neo-conservative figures from Vice President Dick Cheney (and his (criminal) Chief of Staff "Scooter" Libby) and Secretary of Defense Donald Rumsfeld were afforded a Republican majority Congress, which included neo-conservative Senators John McCain (R-AZ), Lindsey Graham (R-SC), and Joe Lieberman (D-CT), to work with on foreign policy matters from day one. Deputy Secretary of Defense Paul Wolfowitz, Deputy Secretary of State Richard Armitage, and

Under Secretary of Defense for Policy Douglas Feith would join the neo-conservative flock after they were officially sworn in on March 2, March 26, and July 16, 2001, respectively. Another luminary, who has recently gained undue cult-like status among the mainstream liberal media for his "Never Trumper" credentials, is David Frum. A speechwriter for W., Frum's most ignoble contribution was perhaps his penning of Bush's "Axis of Evil" speech which was delivered to Congress in the immediate aftermath of 9/11 and can be seen as a preamble for the preemptive war in Iraq.

Neo-conservatives are far less concerned with tradition than they are with shaping a "new American century." The imperial character of this proposed epoch was well encapsulated in an inappropriately titled talk, "Democratic Realism," Charles Krauthammer gave at the American Enterprise Institute's 2004 Irving Kristol lecture. "On December 26, 1991, the Soviet Union died and something new was born, something utterly new—a unipolar world dominated by a single superpower unchecked by any rival and with decisive reach in every corner of the globe. This is a staggering new development in history, not seen since the fall of Rome."[28] Comprised of pseudo-intellectuals that emerged from the discord and cleavages that marked the American political scene of the sixties, this inchoate camp's representatives got their first shots of political power when serving in the Reagan and H. W. Bush administrations before being in the wilderness for the first post-Cold War decade when Clinton took office. Despite being out of positions of power during the nineties, neo-conservative theory—which would later be put into practice—would develop during the interregnum between 41 and 43.

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[28] Charles Krauthammer, "Democratic Realism," The American Enterprise Institute, February 10, 2004, https://www.aei.org/publication/democratic-realism/.

Cold War constraints kept some of the more brazen neo-conservative policies from becoming reality. Norman Podhoretz, who, along with Irving Kristol,[29] can be regarded as the foundational figure of neo-conservatism, charged Reagan with "following a strategy of helping the Soviet Union stabilize its empire, rather than a strategy aimed at encouraging the breakup of that empire from within."[30] But when the US' Cold War rival collapsed, America found herself in a position to carry out imperial plans without limit. Strategic visions of a post-Cold War world were crafted by intellectuals less interested in peace than in domination. Written in the immediate aftermath of the dissolution of the Soviet Union, the Defense Planning Guidance—which can be seen as a precursor to the Project for a New American Century's infamous *Rebuilding America's Defenses* report and, later, a groundwork for the Bush Doctrine of unilateralism and preemptive war—articulated a bold post-Cold War vision of American foreign policy.

Every two years, the Defense Planning Guidance is drafted. These reports, which are written by the policy wing of the Pentagon, determine threats to American security and thus serve to justify the Pentagon's budget. Undersecretary of Defense for Policy Paul Wolfowitz assigned the first post-Cold War Defense Planning Guidance to his chief aide, "Scooter" Libby, who then handed the task over to his aide and fellow Wolfowitz aide, Zalmay Khalilzad,[31] another Wolfowitz acolyte.[32] Khalilzad's forty-six-page draft report highlighted an attitudinal shift in American foreign policy. Coming off the heels of the

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[29] Irving Kristol was dubbed the "godfather of neo-conservatism" and was the father of neo-conservative William "Bill" Kristol, the founder and editor of *The Weekly Standard*, a neo-conservative magazine, and co-founder of the Project for a New American Century, the most preeminent neo-conservative think tank, with Robert Kagan.

[30] Cited in John Ehrman, *Neoconservatism: Intellectuals and Foreign Affairs 1945-1994* (New Haven: Yale University Press, 1995), 146.

[31] Khalilzad would later serve as W's US Ambassador to Afghanistan (2003-05), Iraq (2005-07), and the UN (2007-09).

[32] Mann, 209.

collapse of the Soviet Union and the success of the Persian Gulf War, the draft highlighted the roguish mania of neo-conservatives to not only accumulate power as a means for state survival but also to employ it in the breach as an end in itself.

Preventing other states from revising the unwritten terms that came along with her "lone superpower" status translated into a policy prescription of unrestrained preemption in sovereign matters. It deemed Russia, for instance, as the US' principal threat insofar as the former Soviet Union still possessed its cache of nuclear weapons. Of greater significance, however, was the recommended treatment of other powers, great (that is, states that can wield power beyond their own regions) and regional alike. Limiting great powers to their current military strengths would supposedly avert a confrontation with a reunified Germany, a booming Japan, and a rising China from competing with American power.[33] Meanwhile, preventing other states from exercising regional hegemony, especially in regions with key resources, informed how US-Gulf relations would work after Saddam's ouster from Kuwait. America would serve as principal external power through direct and indirect means in the fraught region by leading ad-hoc coalitions to confront revisionist states there while backing and enforcing internationally imposed sanctions to thwart would-be rivals from attempting to challenge US hegemony in the region.[34] This arbitrary conception of power from the world's "lone superpower" naturally translated into a policy of preemption reserved, of course, for America. Interventions would be undertaken when the adventures were related to serving American interests, the interests of her allies, or when the stability of the (unipolar) international system was called into question.

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[33] Ibid., 210.
[34] This method would be carried through under the successive Clinton administration with the Kosovo intervention and the onerous sanctions regime imposed upon Iraq, respectively.

Khalilzad's initial draft was leaked to the press and drew instantaneous criticism for its imperial overtones.[35] The draft may have been too radical for President Bush, but it apparently did not go far enough for Wolfowitz and Libby.[36] Dick Cheney, then-Secretary of Defense, thought the "brilliant" draft "discovered a new rationale for our role in the world."[37] Nevertheless, under the direction of Cheney and Chair of the Joint Chiefs of Staff Colin Powell, the document was rewritten by Libby to soften its controversial tone. "Our first objective is to prevent the re-emergence of a new rival"[38] became "Our most fundamental goal is to deter or defeat attack from whatever source."[39] "The U.S. must show the leadership necessary to establish and protect a new order that holds the promise of convincing potential competitors that they need not aspire to a greater role or pursue a more aggressive posture to protect their legitimate interests"[40] was changed to "One of the primary tasks we face today in shaping the future is carrying long standing alliances into the new era, and turning old enmities into new cooperative relationships."[41] "Like the coalition that opposed Iraqi aggression, we should expect future coalitions to be ad hoc assemblies, often not lasting beyond the crisis being confronted, and in many cases carrying only general agreement over the objectives to be accomplished…"[42] morphed into "Certain situations like the crisis leading to the Gulf War are likely to engender ad hoc coalitions.

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[35] Mann, 211.

[36] Ibid. and 209.

[37] Zalmay Khalilzad, "Was the Iraq War Conceived in a Secret 1992 Document?" *The National Interest,* April 18, 2016, http://nationalinterest.org/feature/was-the-iraq-war-conceived-secret-1992-document-15811.

[38] Patrick E. Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop," *The New York Times*, March 8, 1992, http://www.nytimes.com/1992/03/08/world/us-strategy-plan-calls-for-insuring-no-rivals-develop.html.

[39] Patrick E. Tyler, "Pentagon Drops Goal of Blocking New Superpowers," *The New York Times*, May 24, 1992, http://www.nytimes.com/1992/05/24/world/pentagon-drops-goal-of-blocking-new-superpowers.html.

[40] Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop."

[41] Tyler, "Pentagon Drops Goal of Blocking New Superpowers."

[42] Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop."

We should plan to maximize the value of such coalitions. This may include specialized roles for our forces as well as developing cooperative practices with others."[43] "While the U.S. cannot become the world's policeman, by assuming responsibility for righting every wrong, we will retain the preeminent responsibility for addressing selectively those wrongs which threaten not only our interests, but those of our allies or friends, or which could seriously unsettle international relations…"[44] was reworded to "Where our allies interests are directly affected, we must expect them to take an appropriate share of the responsibility, and in some cases play the leading role; but we maintain the capabilities for addressing selectively those security problems that threaten our own interests."[45] With regards to Russia, the concession that "democratic change in Russia is not irreversible, and that despite its current travails, Russia will remain the strongest military power in Eurasia and the only power in the world with the capability of destroying the United States…"[46] was ideologically manipulated by the insertion of democratic principles in the rewording: "The U.S. has a significant stake in promoting democratic consolidation and peaceful relations between Russia, Ukraine and the other republics of the former Soviet Union."[47] And concerning the Middle East, "our overall objective is to remain the predominant outside power in the region and preserve U.S. and Western access to the region's oil…"[48] was converted to seeking to "foster regional stability, deter aggression against our friends and interests in the region, protect U.S. nationals and property, and safeguard our access to international air and seaways and to the region's oil."[49] On the last point, the revision

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[43] Tyler, "Pentagon Drops Goal of Blocking New Superpowers."
[44] Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop."
[45] Tyler, "Pentagon Drops Goal of Blocking New Superpowers."
[46] Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop."
[47] Tyler, "Pentagon Drops Goal of Blocking New Superpowers."
[48] Tyler, "U.S. Strategy Plan Calls for Insuring No Rivals Develop."
[49] Tyler, "Pentagon Drops Goal of Blocking New Superpowers."

included language that would reassure Israel (the chief benefactor of US foreign aid by six-fold compared to the next highest recipient (Egypt)): "The United States is committed to the security of Israel and to maintaining the qualitative edge that is critical to Israel's security. Israel's confidence in its security and U.S.-Israel strategic cooperation contribute to the stability of the entire region, as demonstrated once again during the Persian Gulf War. At the same time, our assistance to our Arab friends to defend themselves against aggression also strengthens security throughout the region, including for Israel."[50] With regards to Israel, there is more going on than the simple defense of an anachronistic "land without a people for a people without a land." An ideological point can be made that ever-expanding settlements in Palestine confirm that the matter is not the necessity of state security vis-à-vis maintaining the security of the Israeli state but rather dashing the ever-dwindling prospects for a "two-state solution" in favor of a homogenous Jewish state from Gaza to the West Bank, which already mark the noncontiguous Palestine.

President George H. W. Bush's loss to Arkansas Governor Bill Clinton in the 1992 presidential election portended a death knell to the neo-conservatives who had been honing their post-Cold War foreign policy architecture since the dust was still settling in the Berlin Wall's crater. Out of the halls of power, they associated themselves with a number of think tanks, from the American Enterprise Institute and the Heritage Foundation to the Cato Institute and the Hoover Institution. These epistemic clearinghouses served as bases of operation for policies to be developed and refined during their decade in the shadows. Yet the most notable of these think tanks was the now-disbanded Project for a New American Century (PNAC).

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[50] Ibid.

Founded by Robert Kagan and William Kristol in 1997, PNAC "quickly emerged as the most influential foreign-policy organization of neoconservative values."[51] After a decade in business, however, it closed shop shortly after the US-service body count in Iraq reached the 3,000 milestone in 2006.[52] After Bush's tenure in office ended, moreover, neo-conservatives—whose strategic vision manifested in failed wars abroad, a wrecked economy at home, and a discredited American legitimacy the world over—would find themselves back in the wilderness. But that did not stop them from making the media rounds to eschew Obama's supposedly tepid foreign policy platform, which included rebuilding strategic alliances, shoring up ties with international institutions, and making deals with states hostile to American interests—or, in other words, attempting to repair eight years of a disastrous American foreign policy.

Their rehabilitated status, however, has been evidenced by the mainstream liberal media and the Democratic Party's modern marriage of convenience with neo-conservative elements of the "never Trump" movement.[53] Sharing a collective enemy in President Trump has effectively domesticated the strategically failed and morally bankrupted Bush regime whose neo-conservative luminaries are now held up as exemplars of democratic

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[51] Project for a New American Century, "Statement of Principles," in *The Iraq Papers*, ed. John Ehrenberg, J. Patrice McSherry, José Ramón Sánchez, and Caroleen Marji Sayej (New York: Oxford University Press, 2017), 19.

[52] As a result of this closure, some of the PNAC documents cited herein are taken from "PNAC.info— Exposing the Project for a New American Century," a digital repository that freely hosts its archival material and, in so doing, keeps its dubious reports readily available for scrutiny.

[53] Also note the formation of the Alliance for Securing America. This new organization, composed of an assortment of neo-conservative and liberal Democrats alike, fancies itself a "a bipartisan, transatlantic initiative" that "will develop comprehensive strategies to defend against, deter, and raise the costs on Russian and other state actors' efforts to undermine democracy and democratic institutions." Cited in Glenn Greenwald, "With New D.C. Policy Group, Dems Continue to Rehabilitate and Unify With Bush-Era Neocons," *The Intercept*, July 17, 2017, https://theintercept.com/2017/07/17/with-new-d-c-policy-group-dems-continue-to-rehabilitate-and-unify-with-bush-era-neocons/.

virtue in the age of Trump.[54] The rightward shift of popular political discourse is evidenced by tuning into Lawrence O'Donnell on MSNBC, Bill Maher on HBO, or any other progressive voice of one's choosing to see the likes of a Bill Kristol, David Frum, or Max Boot being legitimated by their former political rivals in terms of (rightly) vilifying Trump. Unprincipled decisions to give voice to these disgraced figures of US security only serve to further disorient an already bemused American populace trying to interpret political events under the ever-chaotic Trump's strategy of distraction.[55]

Faulty theories, and the assumptions that generate them, have a way of translating into broken policies. PNAC, chaired by William Kristol and directed (in part) by Robert Kagan and John Bolton, who would go on to serve as US Ambassador to the UN under W, was seminal for three now infamous documents: *Statement of Principles* (1997), *Letter to President Clinton on Iraq* (1998), and, most importantly, *Rebuilding America's Defenses: Strategies, Forces, and Resources For a New Century* (2000). Each of these documents encapsulated an emboldened foreign policy that relied, in the main, on pushing American interests throughout the international order without the need for multilateral arrangements, agreements, or long-term allegiances. These documents in their own fashion, however, were little more than footnotes to the 1992 Defense Policy Guidance.

PNAC released its *Statement of Principles* on June 3, 1997. Eleven of the statement's twenty-five signatories would later go on to serve in W's administration.[56] The

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[54] Cf. Curt Mills, "Are the Neocons Finally with Trump?" *The National Interest*, October 17, 2017, http://nationalinterest.org/feature/after-the-neocons-finally-trump-22767.

[55] "The chaos is purposeful and the frenzied activity of the new administration seeks to throw opponents off balance." Stephen Eric Bronner, "Back to Basics: Trump's Counter-Revolution, Resistance, and Solidarity," *Logos* 16, no.'s 1-2 (2017), http://logosjournal.com/2017/back-to-basics-trumps-counter-revolution-resistance-and-solidarity/.

[56] Elliott Abrams (Deputy National Security Advisor for Global Democracy Strategy); Dick Cheney (Vice President); Eliot A. Cohen (Counselor of the State Department, appointed by Rice); Paula Dobriansky (Under Secretary of State for Democracy and Global Affairs); Aaron Friedberg (deputy assistant for

document argued that the US, the world's lone superpower, was in a position to "shape a new century favorable to American principles and interests."[57] Towards this end, PNAC suggested major increases in defense spending to ensure American interests were ensured in a new Pax Americana. Shoring up ties with allies, when needed, was but a means to another end, namely, take out "regimes hostile to our interests and values."[58] Legitimating itself by way of evoking its supposed "Reaganite" character of "military strength and moral clarity," the statement linked American fortune—"winning" the Cold War—with opportunity in being in a situation wherein the twenty-first century could be shaped as the neo-conservatives saw fit.[59]

A tactic in their overarching strategy to assert American hegemony in the new American century involved employing Cold War-style regime change of old that served America not so well in Vietnam and a host of countries in Latin America. Nonetheless, this model was surely generated by Kristol and Kagan's disgust that Saddam was not removed from power in 1991 under the establishment-oriented conservative Bush. Just as surely, they interpreted Clinton's draconian imposition of "dual use" sanctions against Iraq throughout his tenure too tepid a response. These "dual use" sanctions, it should be noted, forbade Iraq from receiving material that could potentially be used by the Iraqi military. Numerous necessities, from medical to humanitarian aid packages, were prevented from reaching Iraq because they could, in principle, have been used by Saddam's military. In the

national-security affairs and director of policy planning, under Cheney); Zalmay Khalilzad (US Ambassador to Afghanistan, Iraq, and the UN); I. Lewis "Scooter" Libby (Chief of Staff to the Vice President); Peter Rodman (Assistant Secretary of Defense for International Security Affairs); Henry Rowen ("WMD Commission"); Donald Rumsfeld (Secretary of Defense); and Paul Wolfowitz (Deputy Secretary of Defense).
[57] Project for a New American Century, "Statement of Principles," 19.
[58] Ibid., 20.
[59] Ibid.

end, an estimated half a million Iraqis died as a result of the sanctions regime, a price that then-Secretary of State Madeline Albright deemed "worth it."[60]

PNAC drafted a letter to President Clinton in 1998 to air its grievance of US foreign policy towards Saddam's Iraq. In this letter, in which twelve of the eighteen signatories would serve in the Bush 43 administration, PNAC implored Clinton to oust Saddam from power.[61] Because the US could "no longer depend on our partners in the Gulf War to continue to uphold the sanctions or to punish Saddam when he blocks or evades UN inspections" nor "continue to be crippled by a misguided insistence on unanimity in the UN Security Council," so they argued, "the U.S. has the authority under existing UN resolutions to take the necessary steps, including military steps, to protect our vital interests in the Gulf."[62] PNAC roundly supported the Iraq Liberation Act of 1998 (House Resolution 4655), the congressional bill that shifted America's position on Iraq from a multilateral one to a unilateral one: "It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq."[63]

PNAC published its most comprehensive and impactful report during Clinton's lame-duck session. Six of the thirty participants of the report would go on to play key

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[60] Madeline Albright, interview by Lesley Stahl, *60 Minutes*, Columbia Broadcast Network, May 12, 1996.
[61] Elliott Abrams (Deputy National Security Adviser for Global Democracy Strategy); Richard Armitage (Deputy Secretary of State); Jeffrey Bergner (Assistant Secretary of State); John Bolton (Ambassador to the UN); Paula Dobriansky (Under Secretary of State for Democracy and Global Affairs); Zalmay Khalilzad (US Ambassador to Afghanistan, Iraq, and the UN); Richard Perle (Chairman of the Defense Policy Board Advisory Committee); Peter Rodman (Assistant Secretary of Defense for International Security Affairs); Donald Rumsfeld (Secretary of Defense); William Schneider, Jr. (Defense Science Board); Paul Wolfowitz (Deputy Secretary of Defense); Robert Zoellick (US Trade Representative and Deputy Secretary of State).
[62] Project for A New American Century "Letter to President Clinton," in *The Iraq Papers*, ed. John Ehrenberg, J. Patrice McSherry, José Ramón Sánchez, and Caroleen Marji Sayej (New York: Oxford University Press, 2017), 24-25.
[63] Iraq Liberation Act of 1998, H.R. Res. 4655, 105th Cong. (1998).

defense and foreign policy roles in the Bush 43 administration.[64] Released in September of 2000, *Rebuilding America's Defenses: Strategies, Forces, and Resources for a New Century* served as an extension of the Wolfowitz Doctrine, as articulated in the 1992 Defense Policy Guidance, and presaged the Bush Doctrine insofar as America should "seek to preserve and extend its position of global leadership" by "maintaining the preeminence of U.S. military forces."[65]

Conceding that the nineties decade was tranquil insofar as it created "the geopolitical framework for widespread economic growth" and afforded "the spread of American principles of liberty and democracy," the report echoed Fukuyama's forecast that the "end of history" would be a most "sad time" for global politics.[66] Progress by way of the supposed ideological acceptance of market capitalism and liberal democracy, large scale ideological battles of the past—liberalism, fascism, communism—were settled. So too was the potential for another great power war that would shift the structural alignment of the international system. Small-scale engagements would mark international security after history's end. Getting history back on the march by actively ensuring and spreading American interest drove the neoconservative pursuit of power in a unipolar world.

Despite the relative peace and steadiness of international relations among "first-world" powers since the fall of the Soviet Union, the report cautioned that "no moment in international politics can be frozen in time; even a global Pax Americana will not preserve

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[64] John Bolton (Ambassador to the UN); Stephen Cambone (head of the Office of Program, Analysis, and Evaluation at the Defense Department); Eliot A. Cohen (Counselor of the State Department, appointed by Rice); I. Lewis "Scooter" Libby (Chief of Staff to the Vice President); Paul Wolfowitz (Deputy Secretary of Defense); and Dov Zakheim (undersecretary of defense (comptroller) and chief financial officer for the Pentagon).

[65] Project for a New American Century, "Rebuilding America's Defenses: Strategy, Forces and Resources For a New Century," PNAC.info – Exposing the Project for the New American Century, http://www.pnac.info/RebuildingAmericasDefenses.pdf.

[66] Fukuyama, 18.

itself.""[67] Massive increases in defense spending and a reallocation from mundane constabulary missions were thus suggested in order to sustain military capability for large-scale wars of the past, even though there were no concrete or upcoming state-based rivals to call US security into question. But defending against a commensurate threat was never in their stratagem. Extending America's military presence across the globe unfettered by an equally powerful state was. They could thus say that the "true cost of not meeting our defense requirements," as the report argued, "will be a lessened capacity for American global leadership and, ultimately, the loss of a global security order that is uniquely friendly to American principles and prosperity."[68]

PNAC recommended realigning the American military along four core missions: (1) defend the homeland; (2) fight and win "multiple, simultaneous major theatre wars;"[69] (3) act as a constabulary force in key regions; and (4) transform American forces "to exploit the 'revolution in military affairs.'"[70] Maintaining nuclear superiority while increasing the military by fifteen percent, reassigning US forces to Southeast Europe and Asia, and selectively modernizing American forces required, according to PNAC, increasing military spending "to a minimum level of 3.5 to 3.8 percent of gross domestic product, adding $15 billion to $20 billion to total defense spending annually."[71] In the end, PNAC admitted its plan would take time to implement "absent some catastrophic and catalyzing event—like a new Pearl Harbor."[72]

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[67] Ibid.
[68] Ibid.
[69] Ibid.
[70] Ibid.
[71] Ibid.
[72] Ibid.

9/11 would surely fit the bill as America's twenty-first-century Pearl Harbor. It served to justify these neo-conservative security prescriptions. Manifesting them, however, would require articulating a counter-terror discourse to generate new norms of acceptance for a new security paradigm in a world now embroiled with the threat of transnational terrorism. Invoking rehashed Vietnam lingo, such as "we have to fight them over there," would thus animate the neo-conservative drive to (finally!) remove Saddam from power while also crafting domestic security policies to defend the homeland from the nebulous threat of terrorism. Ideological manipulation to bring about these ends was readily apparent in the ways in which security was sold to an American public thirsting for revenge. Yet the same ideological zeal that propelled these neo-conservatives ultimately led to their agenda's apogee insofar as they disobeyed Machiavelli's ideological imperative: they themselves believed their own ideology when justifying Iraq and other security practices.[73]

II. Selling Security: Developing a (Counter) Terror Culture

Security is not a self-evident category. Nor is its practice a simple matter of choosing between freedom and coercion—or, in Benjamin Franklin's (misunderstood) terms, "liberty" and "safety"[74]—in a mutually exclusive fashion. Instrumental reductionism of

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[73] Distinguishing between appearances and essences—or, to put it another way, understanding the world as it appears versus how it is *actually* constituted—may have Platonic roots. But it was Machiavelli's categorical contribution (the inevitable failure of those who buy their own ideology) that speaks to the matter at hand. "A prince, therefore, need not necessarily have all the good qualities I mentioned above, but he should certainly appear to have them… But his disposition should be such that, if he needs to be the opposite, he knows how… Men in general judge by their eyes rather than their hands; because everyone is in a position to watch, few are in a position to come in close touch with you. Everyone sees what you appear to be, few experience who you really are… The common people are always impressed by appearances and results." Niccolò Machiavelli, *The Prince*, trans. George Bull (New York: Penguin Books, 2009), 57-58.

[74] "'Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.' Very few people who quote these words, however, have any idea where they come from or what Franklin was really saying when he wrote them. The 'essential liberty' to which Franklin referred was not what we would think of today as civil liberties but, rather, the right of self-governance of a

this sort not only renders security ahistorical but also opens it up to ideological manipulation. Security may be the mitigation of risk from threats in the first instance. But, at the same time, it is also a powerful veil for effecting ulterior policy concerns that transcend any particular "state of emergency." Once enacted, extraordinary measures have a tendency to become incorporated into the natural order of things. Losing sight—or, more precisely, the reflexive capacity—to judge routinized security practices becomes ever more apparent when considering how security was sold to America and, by extension, the world in the immediate aftermath of 9/11.

Post-9/11 domestic and foreign security policies were packaged in such a way as not only to take the moral sting off highly suspicious practices but also to help pass legalistic muster. Constructing ethical and legal categories to fight terror also served to legitimize security practices in the global "war on terror" to a broader domestic and international audience. Selling security on these two fronts entailed developing a counter-terror culture grounded in Orwellian wordplay. Morally suspect policies like wars of aggression, political assassinations, and torture were thus turned into "preemptive strikes," "targeted killings," and "enhanced interrogation techniques," respectively, for American political purposes.

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legislature in the interests of collective security. And the 'purchase [of] a little temporary safety' of which Franklin complained was not the ceding of power to some government Leviathan in exchange for a promise of protection from external threat; for in Franklin's letter, the word 'purchase' does not appear to have been a metaphor. In short, Franklin was not describing a tension between government power and individual liberty. He was describing, rather, effective self-government in the service of security as the very liberty it would be contemptible to trade. Notwithstanding the way the quotation has come down to us, Franklin saw the liberty and security interests of Pennsylvanians as aligned. The difference between what he meant and what we remember him as saying perfectly encapsulates our tendency to mangle intellectually the true relationship between liberty and security." Benjamin Wittes, "Against a Crude Balance: Platform Security and the Hostile Symbiosis Between Liberty and Security," The Brookings Institution, September 21, 2011, https://www.brookings.edu/research/against-a-crude-balance-platform-security-and-the-hostile-symbiosis-between-liberty-and-security/.

The Authorization for Use of Military Force (AUMF) legally grounded these practices, and also support new ones being executed by President Trump. This seminal legislation of the global "war on terror," which remains in force to this day, passed both houses of Congress with only one dissenting vote (Barbara Lee, D-CA) three days after 9/11. It permits the President to use "all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons."[75]

This far-reaching authorization went far beyond its original intent. Both Bush and Obama invoked it in over three dozen separate actions during their tenures. Bush used the AUMF to justify military actions in sixteen states beyond his hot wars in Afghanistan and Iraq, from arming and training embattled Yemenis, Georgians, and Filipinos to deploying US forces in northeastern segments of Africa to counter terrorist activities. Obama relied on the AUMF nineteen times to continue his predecessors' use of housing terrorists, picked up on the battlefields, in Guantanamo Bay and to wage existing fights against the Taliban and al-Qaeda in Afghanistan, Iraq, and Yemen. He also employed the AUMF to combat new terrorist threats, from al-Shabaab in Somalia and Khorasan in Syria to ISIS in Iraq, Libya, and Syria.

Sweeping in scope, noticeably lacking in specificity, and absent constraining elements, the AUMF allowed Bush and his departments to place themselves outside the law when prosecuting an enemy that was equally outside of legal considerations, given its

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[75] Authorization for Use of Military Force, *U.S. Code* 50 (2001), §1541.

transnational character. Apologists for Bush defended his administration's arbitrary prosecution of the "war" by claiming that sub-state terrorist networks were not protected members of international treaties concerning warfare, namely, the Geneva Convention of 1929, the Universal Declaration of Human Rights (1948), and the United Nations Convention against Torture (1984). You are thus left with "*unlawful* enemy combatants."

This argument was hardly original. Carl Schmitt, the "crown jurist of the Third Reich," made the very same argument in two lectures he delivered in Generalísimo Franco's Spain in 1962. These lectures, published as *The Theory of the Partisan*, served as an "intermediate commentary" on his infamous *Concept of the Political* (1932), wherein Schmitt developed his ontological foundation of the political: the "friend-enemy distinction."[76] Effective political calculus involves identifying a (malleable) enemy as both a concrete and existential threat to the state at one and the same time. This binary "us versus them" mentality was readily apparent from the standpoint of Bush's dictum that you are either "with us or against us" in the global "war on terror."

A staunch critic of liberalism and democracy, Schmitt understood the degree to which particular interests, with ever shifting coalitions, naturally frustrate a fixed national interest.[77] This dilution hinders the sovereign, defined by Schmitt as he who "decides on the exception," from meeting the moment of crisis or "state of emergency," when the existence of the state is called into question.[78] The sovereign must, as a consequence, stand outside the legal order—during the state of exception only he himself can determine—to

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[76] Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago: University of Chicago Press, 2007), 26ff.

[77] Carl Schmitt, *The Crisis of Parliamentary Democracy*, trans. Ellen Kennedy (Cambridge, MA: MIT Press, 1988), 25-32.

[78] Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (University of Chicago Press, 2006), 5 and n1.

restore order. Schmitt was a legal positivist: law is useful only to the degree to which it can be enforced. But the sovereign, in a very real sense, is beyond the constraints of the legal order, even though he himself is a part of it. Both the sovereign and the partisan—the "irregular" (guerilla) fighters who took on Franco's regime—share residence in this legal penumbra.[79] It is precisely because terrorists are outside the law from the start that they can be countered by any means necessary. Extrajudicial concerns are thus of no concern, nor are appeals to non-existent norms for Schmitt or, for that matter, terror warriors of the American variety from Bush to Trump.

Obama also relied on the legislative sidestep to a formal declaration of war, in the AUMF, when his burgeoning drone warfare program took flight against transnational terrorist networks not only in states the US was actively fighting in, namely, Afghanistan, but also in Pakistan, Somalia, and Yemen. John Brennan, Obama's then-head of the Central Intelligence Agency, the institutional referent of the drone program, legitimized the fights by flight by appealing to the merits of the AUMF when he noted that "The Authorization for Use of Military Force, the AUMF, passed by Congress after the September 11th attacks authorized the president 'to use all necessary and appropriate forces' against those nations, organizations, and individuals responsible for 9/11. There is nothing in the AUMF that restricts the use of military force against al-Qaida to Afghanistan."[80]

At the crossroads of domestic and foreign securitization lay the legalistically and morally nebulous matter of deeming individuals (American citizens and otherwise) enemy

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[79] "Accordingly, the distinction of partisans—in the sense of irregular fighters, *not* equated with regular troops—even today remains fundamentally true. The partisan in this sense does *not* have the rights and privileges of combatants; he is a criminal according to ordinary law, and should be made harmless with summary punishment and repressive measures." Carl Schmitt, *Theory of the Partisan: Intermediate Commentary on the Concept of the Political*, trans. G. L. Ulmen (New York, Telos Press, 2007), 25.
[80] John O. Brennan, "The Efficacy and Ethics of U.S. Counterterrorism Strategy," Wilson Center, April 30, 2012, https://www.wilsoncenter.org/event/the-efficacy-and-ethics-us-counterterrorism-strategy.

combatants and, as a result, subject to intelligence collection through torture. More focused than the broadly constructed AUMF, the Military Order of November 13, 2001 (MO) established precedent for detention of "unlawful combatants" and their justice through military tribunal as against civil court systems that ensure due process. Combining the AUMF with the MO resulted in the formation of legal gaps where torture practices could be carried out in the dark, echoing Vice President Cheney's candid response in the immediate days following 9/11 that the US must work "the dark side" in combatting terrorism.[81]

Effecting counter-terrorism policies that transcend multiple layers of jurisdiction (from domestic and national law to bilateral and multilateral agreements at the international level) requires bureaucratic expertise. Bush's Justice Department's Office of Legal Counsel (OLC)—or, what Alan Clarke rightly dubbed, the "torture lawyers"—was tapped to formulate legal opinions on rendition, an old practice that was reformulated to serve America post-9/11. Before 9/11, rendition involved two states. One state would extradite a criminal to the state in which the crime was committed. After 9/11, however, rendition was reconfigured so that suspects would no longer be returned to the state where their crimes were committed but to a third state where anti-torture legislation was not on the books. Terror suspects would, under this new paradigm, be transferred to "black sites"—CIA administered facilities that dot the globe from Afghanistan and Thailand to Poland and Lithuania—to face "enhanced interrogation." Intelligence gained from induced duress would then be ferreted back to the US.

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[81] Alan W. Clarke, *Rendition to Torture* (Piscataway, NJ: Rutgers University Press, 2012), 93.

A consequentialist ethic, where ends take primacy over the means taken thereto, informed the exigency of this spurious security practice, despite the reality that, according to Kant, "whoever wills the end also wills the necessary means to it."[82] Linking Eichmann and the "Jackal" to this new wave of monsters that had to be dealt with before they could harm the US was purposeful insofar as it presented the American electorate and the international community with a legitimate mandate for this type of rendition. Condoleezza Rice, Bush's then-National Security Advisor, actually used the "Jackal" example to defend the administration's case for the practice. It also did not hurt matters that those subjected to torture at US hands are easily forgettable figures. The first victim of the practice, Jamil Qasim Saeed Mohammed (a Yemini microbiology student suspected of taking part in the al-Qaeda bombing of the USS Cole), disappeared in Jordan shortly after being picked up in Karachi six weeks after 9/11. Reminiscent of a Kafkaesque landscape, suspects rendered are "picked up" to face torture in a legal process resting in the shadow between domestic and international law.

Compartmentalization and institutional insulation were a hallmark of the torture program. A Nuremburg-style rationale—"I was just following orders"—allowed torturers to be institutionally covered from criminal prosecution insofar as the program lacked established legal categories to judge unlawful actions. True responsibility, however, lay in those who were in the position to determine those who were protected by the law and those who were not. The torture lawyers, an integral part to be sure, were but a single part of a much larger web designed to sell security.

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[82] Immanuel Kant, *Groundwork of the Metaphysics of Morals,* trans. Mary Gregor (Cambridge University Press, 2011), 63.

Housing what the administration's legal counselors determined to be "enemy combatants" in Guantanamo Bay was the logical move in importing black sites closer to home. Though located in another sovereign state, the US military base in Gitmo acted as a clearinghouse for numerous terror suspects in the immediate aftermath of 9/11. By skillfully avoiding laws that forbade numerous facets of torture—packaged as they were in rendition—such as the War Crimes Act, Anti Torture Legislation, and the Foreign Affairs and Restructuring Act of 1998, the base was turned into a veritable no-man's land, a "law free" zone where habeas corpus did not apply to its prisoners because it was technically not on America's shores. Nevertheless, neither the Convention Against Torture nor the International Covenant on Civil and Political Rights qualifies proscriptions against torture in times of peace or war, which invalidates the exceptional character of the global "war on terror" where combatants are non-state actors fighting on behalf of a transnationally inspired political ideology grounded in a particular interpretation of jihad. Nonetheless, each of these international laws prohibits rendition that is conducted on the basis of acquiring intel through torture. Decisions in cases like Rumsfeld v. Padilla, Hamdi v. Rumsfeld, and Rasul vs. Rumsfeld yielded a veritable tit for tat between the judiciary and legislative branches. Courts would take up anti-terror legislation only to be rebuffed by a Congress loyal to the President.

Further, legislation was drafted to circumvent court decisions so as to avoid scrutiny during reelection.

Max Weber understood bureaucracy as the determining factor for the function of the modern nation state. Bureaucracy is marked by hierarchy, expertise, and routine to maximize predictability and, thus, the reliability of the state's operation. It is bureaucracy

itself, guided by "rationalization and intellectualization and, above all, by the 'disenchantment of the world,'"[83] that Weber saw as the tool by which the "iron cage" of modernity is built upon.[84] Latent in bureaucratic systems is its propensity to grow in both size and scope; thus, the expansion of operational mandates is a hallmark of bureaucracy.[85] Consider how the US Department of Homeland Security (DHS) evolved since it was established in the wake of 9/11. Created to protect the homeland—a term Bush himself coined to further erode the old division between domestic (civil) and foreign (military) concerns in a hyper-securitized landscape where the war is ever present in all locales— against terrorism, the DHS now oversees America's borders, patrols cyberspace, and responds to natural disasters. Torture programs (as with the CIA's drone program) depend on a similarly well-ensconced bureaucratic operation to properly function. Gathering additional power to more "effectively" administer the program necessitated using Bush's political capital, which he was awash in early on, following the attacks of 9/11.

Torture advocates defend the program by pointing to the exceptional quality that the global "war on terror" thrives on, hence the appeal to the ticking time bomb scenario that made its way into the Hollywood's post-9/11 security tropes in shows like *24* and *Homeland*. Worse yet, when the 2008 field of Republican presidential hopefuls were asked

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[83] Max Weber, "Science as a Vocation," in *From Max Weber: Essays in Sociology*, ed.'s H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 155.

[84] Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (New York: Routledge, 2001), 123.

[85] "Once it is fully established, bureaucracy is among those social structures which are the hardest to destroy. Bureaucracy is *the* means of carrying 'community action' over into rationally ordered 'societal action.' Therefore, as an instrument for 'societalizing' relations of power, bureaucracy has been and is a power instrument of the first order—for the one who controls the bureaucratic apparatus. Under otherwise equal conditions, a 'societal action,' which is methodically ordered and led, is superior to every resistance of 'mass' or even of 'communal action.' And where the bureaucratization of administration has been completely carried through, a form of power relation is established that is practically unshatterable." Max Weber, "Bureaucracy," in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 228.

how they would handle such a situation, all with the exception of John McCain (R-AZ) gave the practice a resounding endorsement. Representative Tom Tancredo (R-CO) even went so far as to proclaim he would seek his own Jack Bauer, the fictional hero (?) of Fox's hit show *24*, if a nuke strike were ever to loom in the States. But what of the utility of "intelligence" gleaned from the torture sessions?

Saddam's refusal to let UN inspectors in Iraq and to abide by UN resolutions gave way to clearing Iraq's supposed stockpile of weapons of mass destruction (WMD). When WMDs were not found post-invasion, the last pivot involved justifying the war in terms of providing humanitarian relief to a state wrecked by a genocidal tyrant. No matter, of course, that the two genocides Saddam effected were a result of US munitions in the first instance and American agitation of Shias in the South in the second instance. Nevertheless, it was always the existentially tinged WMD narrative that highlighted the selling of the Iraq War. Part of the selective intelligence in the WMD narrative was a false confession on the part of Ibn al-Shaykh al-Libi. An associate of the shoe bomber, Richard Reid, and the suspected "twenty-first hijacker," Zacarias Moussaoui, al-Libi was caught in Pakistan and sent to the US. He was then sent to Kandahar where the CIA rendered him to Egypt after FBI interrogation in Afghanistan failed to gain what they deemed credible intel.[86] While in Egypt, al-Libi falsely confessed that Iraq had an active WMD program. Colin Powell, then-Secretary of State, used al-Libi's torture-extracted intel when he tried to sell the Iraq War before the United Nations.

A new study has determined that the cost of the global "war on terror" eclipses the official Department of Defense's 1.5 trillion-dollar mark by three plus times over, putting

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[86] Clarke, 153-4.

the true total at 5.6 trillion dollars, or approximately $23,000 per US taxpayer.[87] This is to say nothing of the lives lost and shattered, on both sides[88] in America's longest running war, as well as the devastation wrought in Iraq,[89] whose state collapse served as a fulcrum for geopolitical disorder throughout the broader Middle East. All roads, in a real sense, lead back to the ignoble lies that served to legitimate the Iraq War—a decade-old prefabricated imperial venture to impose American hegemony in a sphere of influence ripe for control in a geopolitical landscape absent a superpower to meaningfully confront the US' gamble. Crisis, born out of what Chalmers Johnson called "blowback," created the conditions for the development of a counterterror culture that would allow security to be sold to a captive audience seeking revenge for an event of whose structural dynamics they had little to no understanding.[90]

Security is a necessary function of the state. But it should not be confused or imbued with virtue. In theory as surely as in practice, security measures always congeal at the expense of an "other." Energies are directed against the "other" to intensify and reinforce

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[87] Jack Moore, "The Cost of War for the U.S. Taxpayer Since 9/11 Is Actually Three Times the Pentagon's Estimate," *Newsweek*, November 8, 2017, http://www.newsweek.com/how-many-trillions-war-has-cost-us-taxpayer-911-attacks-705041.

[88] While US servicepersons' deaths in Iraq stand at just over 4,500 through 2017, the authoritative 2013 report conducted by Amy Hagopian, Abraham D. Flaxman, Tim K. Takaro, Sahar A. Esa Al Shatari, Julie Rajaratnam, et al., "Mortality in Iraq Associated with the 2003–2011 War and Occupation: Findings from a National Cluster Sample Survey by the University Collaborative Iraq Mortality Study," *PLoS Med* 10, no. 10: e1001533 (October 2013).
http://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1001533.

[89] Stephen Eric Bronner, *Peace Out of Reach: Middle Eastern Travels and the Search for Reconciliation* (Lexington, KY: University Press of Kentucky, 2007), 10.

[90] "If drug blowback is hard to trace to its source, bomb attacks, whether on U.S. embassies in Africa, the World Trade Center in New York City, or an apartment complex in Saudi Arabia that housed U.S. servicemen, are another matter. One man's terrorist is, of course, another man's freedom fighter, and what the U.S. officials denounce as unprovoked terrorist attacks on its innocent citizens are often meant as retaliation for previous American imperial actions. Terrorists attack innocent and undefended American targets precisely because American soldiers and sailors firing cruise missiles from ships at sea or sitting in B-52 bombers at extremely high altitudes or supporting brutal and repressive regimes from Washington seem invulnerable" Chalmers Johnson, *Blowback: The Costs and Consequences of American Empire* (New York: Henry Holt and Company, 2000), 8-9.

the need—whether real or perceived—for security. One can thus consider Trump's bombastic rhetoric against immigrants from Mexico and refugees from "shit hole" countries to justify his border wall and Muslim travel ban in terms of security. That terrorists have historically crossed from the US' northern border and that those states targeted by the ban have not seen an influx of terrorists into the US are of little consequence. What counts is the symbolism that such security practices reflect, namely, offering a pretense of security that serves to deflect from a not-so-thinly veiled racist and xenophobic agenda shared by Trump and his committed base.

Alleviating the ideological manipulation of state security entails a precarious balancing act of individual and group rights as against exigencies of the state. Security practices must, as a consequence, seek to privilege liberty in the first instance. Otherwise, you are left with an appeal to rights, which can easily be curtailed in terms of nebulous threats to order. Security is, more often than not, a third rail of politics insofar as its seemingly self-evidentiary status makes its practice seemingly immune to critique. A basic set of modest proposals, however, can be articulated to prevent abuse. Security measures must operate under the rule of law, be recognized as temporary, and remain open to institutional accountability. These checks, which are the animating features of democracy, must be simultaneously operational to militate against an undeniable erosion of liberty in exchange for security—which is never fully guaranteed.

III. New Spheres, Old Problems: American Foreign Policy in the Persian Gulf

History is story written in blood. Fighting in the World Wars accounted for a combined death toll of over a hundred million; meanwhile, Stalin and Mao's regimes condemned

another 100 million souls to their graves. But bloody, too, are history's footnotes. Left in history's margins is a host of devastating proxy wars fought between the world's twin superpowers during the Cold War. Establishing and maintaining spheres of influence informed the balance of power in a bipolar world order. America's misadventure in Vietnam, for example, was matched by an equally disastrous decision by the USSR to invade Afghanistan in the eighties. The Vietnam War culminated in over a million casualties (including over a half a million non-combatant deaths) and provided the preconditions for Pol Pot's genocide of over a quarter of his Cambodian population, while the Soviets suffered heavy losses (against a clandestinely US-backed Mujahideen fighting force that would go on to challenge the West and extinguish America's "unipolar moment") that would hasten its demise. Though not to rival the grand-scale murder and wanton destruction of the great powers' wars and the internecine purges by genocidal totalitarians of the twentieth century, if judged in sheer numbers alone, these proxy actions did much to shape the geopolitics of today.

America's recent Asian pivot, which followed her failure to assert hegemony in the Middle East after 9/11, mirrored her decision to pivot to the Middle East after failing so wretchedly in Vietnam some forty years ago. China's "loss" in 1949 and the stalemate of the Korean War generated new thinking on how best to curtail the spread of communist regimes. It was thus assumed that if Vietnam fell, communism would spread across the region like a set of dominoes. It did not, save, of course, for Pol Pot's genocide against a destabilized Cambodia, a product of America's eventual pullout of Vietnam in 1975. Those who pushed for war in Vietnam considered ideology (communism) a material interest worth committing resources toward fighting. Little wonder why realist thinkers, aside from

Henry Kissinger,[91] would discourage intervention in Vietnam from the start after the French failed to stabilize their former colony.[92]

America has now been (officially[93]) involved in the Middle East for as many years as she fought the Cold War, when measured from the end of World War II to the Soviet Union's official transition to Russian statehood in 1991. With the strategic failure to prevent the supposed communist "domino" from falling in Vietnam looming in 1971, America sought to establish a new sphere of influence to balance against the USSR.[94] Washing its bloody hands of an unsuccessful war that spanned four administrations, from Eisenhower and Kennedy to Johnson and Nixon, and culminating in an American death toll of 58,000 (to say nothing of the millions on the other side(s)), the US thus pivoted away from Southeast Asia towards the Persian Gulf. (Perhaps the US' current and much ballyhooed pivot to Asia following her unmitigated wreckage of the Middle East should then be seen as an historical irony.) Yet this new sphere of influence proved to be another

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[91] Major realist security thinkers (in the academy) and practitioners (in Washington) were against American involvement in Vietnam. Hans Morgenthau and George Kennan were perhaps the most luminous representatives of each of these overlapping camps. For the former, note the infamous televised debate between Hans Morgenthau and McGeorge "Mac" Bundy, Presidents Kennedy and Johnson's National Security Advisor from 1961 to 1966. The debate is recounted in Louis B. Zimmer, *The Vietnam War Debate: Hans J. Morgenthau and the Attempt to Halt the Drift into Disaster* (Lanham, MD: Lexington Books, 2011) 41ff; for the latter, note Kennan's proclamation in a lecture he gave at Princeton University in 1965: "Our present involvement in Vietnam is a classic example of the sort of situation we ought to avoid if we do not wish to provoke in Moscow precisely those reactions that are most adverse to our interests." Cited in Randall Doyle, "The Reluctant Heretic: George F. Kennan and the Vietnam War, 1950-1968," *Grand Valley Review* 27, no. 1 (2004): 62.

[92] The 1954 Geneva Conference was held to end the US' Korean War (or Conflict) and France's Indochina War. Vietnam, like Korea, was split into two nations, with Ho Chi Minh's Democratic Republic of Vietnam in the North and the US-backed puppet regime in the South under the aegis of Ngo Dinh Diem's State of Vietnam. Beyond the division of Vietnam into two states, the conference also created the nation states of Laos and Cambodia.

[93] Obama's CIA, following the wave of scrutiny it (and other departments that comprise the intelligence community) faced in the immediate aftermath of the Snowden affair, declassified its role in the Mosaddegh affair of 1953, wherein the Company overturned the democratically held election of the Socialist sovereign in favor of installing the Western-friendly Pahlavi (Shah).

[94] The "domino theory" was less a theory than a conveniently packaged ideological excuse for America to extend herself in the region after French forces abandoned their former colony.

harbinger for what Raymond Aron dubbed an "imperial republic."[95] To make matters worse, the strategic failures in the Middle East, stemming from Bush's unsuccessful mission to "spread democracy" starting with Iraq, have yielded a much more far ranging set of regional and geopolitical disorders than America's disastrous foray in Vietnam.

America's Persian Gulf policy was primarily shaped and reshaped by the three successive US administrations of Nixon, Carter, and Reagan. Their successors' policies have only extended the logic of these initial strategic approaches to the region. Lending passive American support to the British would evolve to taking an active role in the Persian Gulf.[96] This manifested in the first significant piece of post-British Gulf policy in the guise of President Nixon's "twin pillar" strategy. Enacted in 1971, the Cold War "twin pillar" policy represented a watershed moment in the US relations concerning the Persian Gulf. Fearing Soviet intervention in the region, the US set up an arms-based relationship with Saudi Arabia and Iran—America's two pillars in the region. With each country acting as a proxy in this new American sphere of influence, arms sales skyrocketed. Arms sales from the US to Iran, for example, went from 103.6 million dollars in 1970 to 552.7 million dollars in 1972 while American arms to Saudi Arabia jumped from 15.8 million dollars in 1970 to 312.4 million dollars in 1972.[97]

Iran's Islamic Revolution of 1979, and the 444-day hostage crisis that immediately followed, produced a sea change in America's approach to the region. With one half of its rival's new strategic powers out of the game, the Soviet Union invaded Afghanistan. Carter

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[95] Raymond Aron, *The Imperial Republic: The United States and the World 1945-1973* (Upper Saddle River, NJ: Prentice Hall, 1974).

[96] Randy B. Bell, "Expansion of American Persian Gulf Policy by Three Presidents," Global Security, http://www.globalsecurity.org/military/library/report/1990/BRB.htm.

[97] F. Gregory Gause, *The International Relations of the Persian Gulf* (New York: Cambridge University Press, 2010), 22.

responded to the invasion in his last State of the Union Address and, in so doing, not only reaffirmed America's strategic commitment to the region but also provided a warning as to how outside interference in this region would be judged by the US. Less than a year prior to Reagan's assent to the White House, Carter (the dove?) laid out this bold, new vision: "[A]n attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America, and such an assault will be repelled by any means necessary, including military force."[98] Reagan, the eternal cold warrior, carried through on the Carter Doctrine and expanded programs his predecessor had put in place, including the Rapid Joint Deployment Task Force (RJDTF)— the precursor to the United States Central Command (USCENTCOM), which the US military would use as staging grounds for both US-led Iraq Wars.

A new phase of American geopolitical practice was initiated during the Cold War's twilight. President George H. W. Bush responded to Saddam Hussein's invasion of his Gulf neighbor by assembling an ad-hoc, multinational force to expel Iraqi forces from Kuwait. Multilaterally informed, and undertaken with the UN Security Council's blessing, this broad-based coalition seemed to portend the type of fighting Fukuyama predicted the US would conduct after the "end of history," with small-scale interventions eclipsing the great power politics of a bygone era. But rather than falling into a "very sad time,"[99] as Fukuyama lamented, this new post-Cold War policy of direct intervention in (previously checked) spheres culminated in a precedent for unbridled forms of imperialism under the

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[98] Jimmy Carter, "The State of the Union Address Delivered Before a Joint Session of the Congress," The American Presidency Project, January 23, 1980, http://www.presidency.ucsb.edu/ws/?pid=33079.
[99] Fukuyama, 18.

guise of establishing a new international order wherein the "rule of law, not the law of the jungle, governs the conduct of nations."[100]

Selective interventions like these, in which the US would compromise sovereignty when her interests (not international ideals) were trifled with, marked the interregnum: the decade between the Cold War and the global "war on terror." Clinton, for instance, would engage in the Balkans while holding back in what culminated in a full-fledged genocide (that which must not be named) in Rwanda. But it was American foreign policy in the Gulf that produced her discontents.

Continued American presence in the region following the (first) Gulf War, no less than her uneven support for Saudi Arabia and Israel (twin pillars in their own right with regards to direct foreign aid), gave rise to resentment within segments across the Muslim world, who understood an imperial policy when the they saw one. More importantly, though, it also sparked hardened jihadists to action. 9/11 would be but the logical extension of the gathering transnational terrorist threat in general and al-Qaeda's brand in particular. Not since the War of 1812 had the American (continental) homeland been attacked by foreign enemies. This exceptional act of war, which bin Laden had already openly declared (twice!) against the US,[101] was misunderstood from the start, and allowed for ideological

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[100] George H. W. Bush, "War in the Gulf: The President; Transcript of the Comments by Bush on the Air Strikes Against the Iraqis," *The New York Times*, January 17 1991, http://www.nytimes.com/1991/01/17/us/war-gulf-president-transcript-comments-bush-air-strikes-against-iraqis.html.

[101] Bin Laden's first *fatwā* (an Islamic legal decree by an *authoritative* representative), "Declaration of War against the Americans Occupying the Land of the Two Holy Places," was issued in 1996. But it was his second *fatwā*— which was co-signed by four other representatives of the *umma* (the transnational Muslim community), from Ayman al-Zawahiri (Commander of Egypt's Jihad Group) and Abu Yasir Rifa'i Ahmad Taha (of the Egyptian Islamic Group) to Sheik Mir Hamza (Secretary of the Organization of Pakistan's Islamic ulema) and Fazlur Rahman (Commander of the Bangladesh Jihad Movement)—in 1996 that laid out bin Laden's rationale for attacking the "Great Satan." America's ongoing military presence in the Persian Gulf—namely, Saudi Arabia (the home of Mecca and Medina), following the Gulf War—coupled with her support for Israel was interpreted by bin Laden as an attempt to "fragment all the states of the region…into mini-paper states." Osama bin Laden, Ayman al-Zawahiri, Abu Yasir Rifa'I Ahmad Taha,

manipulation on the part of Bush's war wing of his administration to pile upon in the lead-up to Iraq 2.0. But these self-styled "Vulcans," as they liked to be called, in the State and Defense Departments already had imperialist aims in Iraq before that transformative September morning. Al-Qaeda's attack just proved to be the type of justification they needed to finish what Bush's father had, in their minds, failed to appreciate: the need to remove Saddam from power to ensure a continuity of hegemony in the Gulf.

Several future members of the Bush administration, in fact, penned an open letter to then-President Clinton. Under the auspices of Robert Kagan and William Kristol's think tank, Project for a New American Century (PNAC), nineteen future members of the Bush 43 team signed off on a letter urging Clinton to exercise regime change in Iraq.[102] Saddam's state was, of course, already heavily suffering from the infamous (Clinton backed) sanctions-regime of the nineties. These sanctions were designed to keep Saddam in check and prevent him from acquiring WMDs. Most notorious of the sanctions were the so-called dual-use sanctions. Materials that could, in theory, be used by the military, were forbidden from entering Iraq. It was estimated that up to a half a million Iraqi children died at the hand of the sanctions-regime of which then-Secretary of State Albright spoke glowingly. Whether or not it was, in her words, worth the price was secondary to the Vulcans. They wanted Saddam, no matter how weak his state, out, and a new pro-western figurehead put in his stead. Clinton was unmoved by their letter. But PNAC remained determined to influence American security from their echo chamber. Their most comprehensive report, issued in September 2000, outlined the wholesale transformation that sought for the US

Mir Hamza, and Fazlur Rahman, "Al-Qaeda's Declaration of War Against Americans," in *The Al Qaeda Reader*, ed. Raymond Ibrahim (New York: Broadway Books, 2007), 12.
[102] Project for the New American Century, "Letter to President Clinton on Iraq."

military to ensure the twenty-first century would be a wholly American century. There were, however, constraints to implementing their bold vision, which they determined was likely to be slow in coming, absent a sudden and catalyzing event, like a "new Pearl Harbor."[103]

"Today is Pearl Harbor."[104] So read an email from David Horowitz, the far-right editor of *FrontPage Magazine*,[105] sent seventeen minutes after a second plane crashed into the South Tower of the World Trade Centers, to Mary Matalin, one of Vice President Cheney's counselors and fellow right-wing talking head. 9/11 would thus provide Bush, a war president, and his neo-conservative coterie, with the means to sell their prepackaged agenda for American hegemony in the Middle East in the most immediate of national interests: security. Bush's war of choice was initially justified from the standpoint of removing weapons of mass destruction (WMDs) from Saddam, the absence of which produced a pivot. Spreading democracy to the region, beginning with Iraq, was then offered

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[103] Project for the New American Century, "Rebuilding America's Defenses: Strategy, Forces and Resources for a New Century," 51.

[104] Peter Baker, "9/11 White House Emails Capture History Through Modern Lens," *The New York Times*, September 10, 2015, https://www.nytimes.com/interactive/2015/09/10/us/politics/9-11-white-house-emails-capture-history-through-modern-lens.html.

[105] In an attempt to distance himself from the tarnished neo-conservative moniker, Horowitz penned "Why I Am Not a Neo-conservative" in his online magazine whose contributors have included a litany of Trumpists: Ann Coulter, Robert Spencer, and Stephen Miller. "When George Bush launched the military campaign to remove Saddam Hussein and enforce Security Council resolution 1441 and sixteen other Security Council resolutions he had defied, I was for it. I would be for it today. It was a necessary war and a just war. By toppling a monster who had defied international order and was an obvious threat, Bush did the right thing. When he named the campaign Operation Iraqi Freedom, I was also an enthusiast. It put the Democratic Party, which soon betrayed the war, and the political left, which instinctively supports America's enemies, on the defensive. When he said he was going to establish democracy in Iraq, I almost believed him. And that seemed to put me in the camp of the neo-conservatives for whom democracy in Iraq was not only a wish but an agenda. In any case, people labeled me that not least because I am a Jew and 'neo-conservative' functions for the ominously expanding anti-Semitic Left as a code for self-serving Jews who want to sacrifice American lives for Israel. But whatever I wrote about the war in support of the democracy agenda, inside I was never a 100% believer in the idea that democracy could be so easily implanted in so hostile a soil." David Horowitz, "Why I Am Not a Neo-conservative," *FrontPage Magazine*, March 22, 2011, https://www.frontpagemag.com/fpm/88541/why-i-am-not-neo-conservative-david-horowitz.

up as a way to legitimate the failing mission. Installing a foreseeably permanent military presence in Iraq, the weakest state in the region, can best be understood in strategic terms. Had the Iraq War been a success, the newly minted American proxy state would have surely served as a base of operations for broader regional hegemony. NATO General Wesley Clark noted as much when he repeated Defense's plan to overthrow seven states in five years.[106] Extensions of this logic informed Obama's approach to the democratic revolutions that befell much of the Arab World in the unsuccessful Arab Spring during his watch. Nevertheless, Bush's Middle East trajectory never got past Iraq, the first step of the larger mission to dominate the Middle East as a regional hegemon.

The Iraq adventure proved to be a tragedy of errors. Fostering greater regional stability in the Persian Gulf was a goal of the decision to invade Iraq, as was safeguarding the security of American allies. Both aspirations ended in abject failure. Although coalition military forces quickly routed Iraqi forces, taking a mere twenty-one days to secure the capital city, the post-Saddam occupation of Iraq was far from the "mission accomplished" message Bush proudly proclaimed on the flight deck of the USS Abraham Lincoln weeks after the start of the Iraq War. Lacking an effective plan for a continuity of sovereignty demanded an indefinite US occupation in lieu of the rapid "regime change" that was touted during the lead-up to the war. Deeper disasters, which would affect regional security and geopolitical disorder, loomed. Disbanding the Iraqi Army culminated in the rise of ISIS,[107] while stability in the region continued to suffer. A fractious sectarian cold war among (Sunni) Saudi Arabia, (Shia) Iran, and their client states throughout the region marks

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[106] Wesley Clark, *A Time to Lead: For Duty, Honor and Country* (New York: St. Martin's Press, 2007), 230-231.
[107] Mark Thompson, "How Disbanding the Iraqi Army Fueled ISIS," *Time*, May 29, 2015, http://time.com/3900753/isis-iraq-syria-army-united-states-military/.

today's geopolitical disorder. Imperial dreams and opportunism cannot be substitutes for understanding what made the region (structurally) stable in the first instance.

Geographically bounded states, or regions, constitute subsystems inside the international order. When these regions are occupied by states that have a mutual fear of one another, however, these regions are considered to be what Barry Buzan identified as "regional security complexes (RSC)."[108] States in regional security complexes limit their security concerns to the other states that occupy their region over states that stand outside it.[109] The modern Persian Gulf is representative of a regional security complex. Its historically fractious tripolar arrangement of power among Iraq, Iran, and Saudi Arabia was the product of imperial Britain's disengagement from the region in 1971. The departure not only culminated in the autonomy of several Gulf states, from Qatar and Oman to Bahrain and the United Arab Emirates, which were British protectorates from as early as 1880, in the case of Bahrain, but also provided the preconditions for a competition of organic regional dominance. Iraq, Iran, and Saudi Arabia would thus check one another for regional supremacy.

American-backed Iran under the Shah, Mohammad Reza Pahlavi, was the chief benefactor of this tripolar assortment of power until the Iranian Revolution in 1979. But several geopolitical flashpoints and regional squabbles in the decades marked by tripolarity (1971-2003) generated a shifting balance of power among the three states. Saudi Arabia, for instance, was the primary benefactor of the 1973-1974 oil embargo imposed by the

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[108] Barry Buzan, *People, States and Fear: The National Security Problem in International Relations* (Chapel Hill: University of North Carolina Press, 1983).
[109] Critical security studies (CSS) scholars, from the Copenhagen School variant of CSS, Barry Buzan and Ole Wæver developed Buzan's category further in their 2003 work, Barry Buzan and Ole Wæver, *Regions and Powers: The Structure of International Security* (Cambridge: Cambridge University Press: 2003).

Organization of Arab Petroleum Exporting Countries (OAPEC) against states that supported Israel during her Yom Kippur War against Egypt and Syria.[110] This "first oil shock,"[111] which quadrupled global oil prices, benefited Saudi Arabia insofar as it led (and continues to lead) the Gulf in oil production. Secondarily, Iran's Islamic Revolution (1979) briefly swung the pendulum of relative power towards its neighbor to the West, Iraq, until their near-decade long war, which ended in stalemate and cost a million casualties between the two sectarian rivals. Iraq would, again, be on the losing end of regional power when Saddam invaded his southern neighbor, Kuwait, in the waning moments of the Cold War. Saddam's gamble to assert hegemony by invading and occupying Saudi Arabia's northern neighbor while exploiting Kuwait's rich oil resources was frustrated by H. W. Bush's American-led coalition, which included Saudi Arabia,[112] and effectively put an end to the "Vietnam syndrome," the fear the US would never win another war.[113]

Operation Desert Shield (August 2, 1990 to January 17, 1991) presaged Operation Desert Storm (January 17, 1991 to February 28, 1991): the operation that removed Saddam's forces from Kuwait. It was the former operation, however, that focused on defending Saudi Arabia from Iraqi aggression and involved a mass influx of US troops and personnel to the "Land of the Two Holy Mosques." Numbers would fluctuate between

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[110] Members of OAPEC, at the time, included Algeria, Bahrain, Iraq, Kuwait, Libya, Qatar, Saudi Arabia, and the UAE as well as the non-Arab states of Egypt and Syria.

[111] The Iranian Revolution (1979) produced the "second oil shock." It was this second shock that caused another round of gas rationing in the US and President Carter's approval ratings lower than Nixon's, thus informing Carter's decision to make his infamous "malaise" speech. Gordon Stewart, "Carter's Speech Therapy," *The New York Times*, July 14, 2009, http://www.nytimes.com/2009/07/15/opinion/15stewart.html.

[112] Oliver Burkeman, "America Signals Withdrawal of Troops from Saudi Arabia," *The Guardian*, April 30, 2003, https://www.theguardian.com/world/2003/apr/30/usa.iraq.

[113] President Bush declared "We have finally kicked the Vietnam Syndrome" to Congress following Saddam's expulsion from Kuwait at the hands of US forces. Cited in John Carlos Rowe, "The 'Vietnam Effect' in the Persian Gulf War," *Cultural Critique*, no. 19 (Autumn 1991): 121.

5,000 and 10,000 between President H. W. Bush's Gulf War and his son's Iraq War twelve years later. This heavy presence was the housing of troops associated with Operation Southern Watch (1992-2003): the no-fly zone imposed against Iraq following the Gulf War. Bin Laden would use this housing as a justification for his jihad against America. Al-Qaeda's bombing of Saudi Arabia's Khobar Towers, which housed US troops, resulted in a death toll of twenty airmen tasked with patrolling the skies of Iraq, and marked the group's offensive operational shift.[114]

Knocking Saddam from power without building up Iraq's sovereignty created a regional vacuum wherein Iran was the greatest benefactor.[115] A newly emboldened (Shia) Iran fueled rival tribal fighting in Iraq during the occupation. Without a (Sunni-led) Iraq to keep it in check, Iran had ample room to constitute its then-burgeoning nuclear program. It was relatively free not only from the external threat of Iraq but also from the new crusaders. America could not militarily or diplomatically confront Iran. With military forces stretched thin and bogged down in Iraq, she was in no position to even start threatening another state; Bush's rhetorical lumping of Iran into the "axis of evil" clouded what could have potentially been meaningful diplomacy to ratchet back Iran from their nuclear ambitions under Ahmadinejad. Moreover, the international community, given its shaky stance on the Iraq War, was left incapable of imposing meaningful sanctions on Iran.[116] All roads to global insecurity, it would appear, led back to Iraq. Equally consequential are the unintended consequences. It would take Bush's successor to establish a nuclear treaty with Rouhani's Iran.

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[114] Lawrence Wright, *The Looming Tower: al-Qaeda and the Road to 9/11* (New York: Vintage, 2007), 269ff.
[115] Gause, 168.
[116] Ibid.

Sustaining a steady flow of oil to the global market has always been the core aim of American foreign policy dealing with the region of the Persian Gulf. From the "twin pillar" policy under Presidents Nixon and Carter to the Carter Doctrine, which was extolled by President Carter and upheld by President Reagan, and the direct intervention employed by both Presidents Bush and Clinton, the fundamental goal has been to ensure the steady supply of oil to the world market. Unlike the other aims of American foreign policy in the Persian Gulf, this aspect is less clear cut. The yearly average spot crude prices from the years 2000 to 2010 paint a murky picture regarding the stability of the global oil market. A fourfold increase in yearly average spot crude oil prices between 2001 and 2008 portended a burgeoning increase of oil prices as a result of OPEC's methodology: limiting of oil production to increase world demand.[117] Strengthened Iranian and Saudi Arabian regimes reap the benefits of the artificially increased demand and, consequently, receive a higher price for their oil. While the US's presence in the Gulf has not adversely affected the flow of oil, the psychological conditions created by the US have created the conditions for OPEC's actions—using their muscle to influence the price of their commodity in order to strengthen their position in the region as a check on US hegemony.

Although these aims of US foreign policy in the Persian Gulf can be isolated, and analyzed in a vacuum, their relationship is symbiotic. Just as the stability of the Persian Gulf region affects the oil market, so too does the security of American allies determine the maintenance of the US's preeminent role as the world's sole super power. From the earliest form of post-World War II US policy regarding the Gulf (i.e., support of their allies who control the "British-Gulf") to the latest model of direct intervention, the US has dealt

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[117] Gause, 182.

with the Persian Gulf based on a conceit. Regarding the Persian Gulf as a region needing the action of outsiders to maintain its existence has culminated in the blowback produced by forty years of ill-guided policy in the region.

Undoubtedly, the swing from the former to the latter policy position was rooted in changing circumstances in the Persian Gulf, namely, the Iranian Revolution of 1979. However, the decision to employ direct intervention in the Persian Gulf has failed to manifest its intended aims: foster greater regional stability in the Persian Gulf; safeguard the security of American allies; and shore up America's supremacy as the world's sole superpower in a post-Cold War landscape. America's direct intervention in the Persian Gulf failed in its original aims. It also exacerbated the already fractured Persian Gulf region, causing greater regional instability, terrorist attacks against American allies, and the degradation of America's preeminence. Further, the most basic aim of American foreign policy regarding the Persian Gulf—ensuring the steady supply of oil—has been anything but stable. It provided political preconditions for greater insecurity while also supplying terrorist networks with a treasure trove of stark examples of American malfeasance for recruitment purposes.

A spate of terrorist attacks perpetrated against American allies showed the lack of security yielded by the 2003 US-led invasion, and occupation, of Iraq. While the goal of protecting the security of American allies lay in the US's desired aims of utilizing the direct-action strategy in the Persian Gulf, the inverse has been the case. The increased presence in the Gulf has produced an increased amount of terrorist activity, particularly against the American allies in Europe, most notably in Spain. Three days before Spain's presidential election of 2004, an al-Qaeda-inspired terrorist plot was committed in Madrid.

It was no coincidence that the attack was launched to affect the election. Two-term Prime Minister José María Aznar—who presided over Spain's decision to join coalition forces in the 2003 US-led attack against Iraq—backed fellow People's Party candidate Mariano Rajoy as his successor. Nevertheless, José Luis Rodríguez Zapatero of the Spanish Socialist Workers Party won the election. One of Prime Minister Zapatero's earliest decisions in office concerned his country's role in the Gulf Region. In less than one month, Spain rescinded all of its forces from Iraq.

Spain's reevaluation of its willingness to continue its alliance with the US against Iraq was emblematic of how America's global prosecution of her global "war on terror" under Bush was interpreted by the international community. Domestic support for the war eroded as well, leaving Bush with an abysmal approval rating in the twenties during his transition back to civilian life while leaving his successor with two hot wars, not to mention the remnants of a financial meltdown, to deal with on day one. Obama's approach to combatting terror abroad would depart from Bush's unilateralism, even as it evinced employing new tactics, divorced from an overarching strategy, both on and off the conventional fields of battle. Comprised of a neo-liberal assortment of administration figures who were unified by technocratic tendencies and a micromanaging style of leadership, Obama's security policies would incorporate certain elements of his predecessor's even while adapting and amplifying others. These would, respectively, manifest in withdrawing troops from the battlefields while expanding the controversial drone program. It would also involve compromising sovereignty, not only by his drones in the skies but also by his directive for bin Laden's removal in Abbottabad and in the US involvement in the Libyan Civil War following the outbreak of the Arab Spring. Examining

the ideological assumptions undergirding Obama's security figures explains the tactical determinations Obama employed through drone warfare and selective intervention in a Middle East swept up by revolution.

IV

NOT FADE AWAY

Revolving Actors and Evolving Tactics Under Obama

The half-century schism of global civil society into two entrenched camps during the Cold War induced salient ideological and institutional developments based on the structural concentrations of global power. Liberalism, at the ideational level, generated political and economic institutional apparatuses to confront a bipolar world. These Cold War institutions continue to affect geopolitics in a post-Cold War world. Liberal understandings of domestic and international affairs would, however, morph into a new paradigm—in neo-liberalism—that gained increasing traction as the Cold War dragged on and the Soviet Union was teetering on the brink of collapse. Examining liberal institutions, neo-liberal attitudes, and the modern interaction between the two demonstrates how Cold War institutions of yesteryear—or, in the oft-repeated modern parlance, the "liberal order"—are struggling to adapt to an isolationist approach to supranational organizations that were intended to foster global stability.

Bush's failed attempt at regime change in Iraq cost the US far beyond the blood and treasure she lost on battlefields half a world away. Warranted skepticism over American foreign policy in the "Greater Middle East" was already in question prior to Bush's invasion of Iraq.[1] Yet the arbitrary initiation of his so-called "freedom agenda"— after "mission accomplished" became mission impossible following an intractable insurgency against an occupying force—had a way of remedying the seeming nobility of the enterprise in favor of its true imperial character that cast an ever-larger shadow over

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[1] Andrew Bacevich, *America's War for the Greater Middle East: A Military History* (New York: Random House, 2016).

America's conduct on the world stage. Obama was forced to govern in this penumbra when he inherited his predecessor's dogged international missteps. Despite campaign rhetoric that involved pivots in the global "war on terror," from ending the controversial housing of enemy combatants at Guantanamo Bay to bringing troops in Iraq home while refocusing on Afghanistan, practical considerations clashed between candidate Obama's ideals and President Obama's tenure.

Bush's foreign policy determinations were born out of binary thinking, unilateral action, and a fundamental understanding of power based in terms of a crude realism, wherein power is adjudged by Thucydides' notion that the "strong do what they can and the weak suffer what they must."[2] Just as surely, though, Obama's approach to foreign policy attempted to distinguish between competing state interests, develop a multilaterally informed equal-among-peers approach to diplomatic relations, and apply a principled pragmatism that was far more nuanced than his self-admitted doctrine—"don't do stupid shit"—would suggest.[3] Yet those he chose to fill key positions and the policies the administration followed intimated a continuity of post-strategic warfare by relying on tactical thinking over strategic rationales to degrade transnational threats to security.

Obama's pivot to more discreet security practices in the global "war on terror," from replacing "boots on the ground" with an expanded drone warfare program to "leading" multilaterally informed coalitions "from behind," signaled a departure from Bush's preemptive wars and the type of nation building that accompanied them. Yet Obama's response to the Arab Spring—particularly in Libya, wherein the Responsibility

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[2] Thucydides, *History of the Peloponnesian War*, trans. Richard Crawley (Mineola, New York: Dover Publications, 2004), 269.

[3] Jeffrey Goldberg, "The Obama Doctrine," *The Atlantic*, April 2016, https://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525/.

to Protect (R2P) undergirded the legitimacy of the US-led NATO campaign against Gaddafi—evinced the same caprice with regards to sovereign integrity against subservient states in the international arena. The evolving character of sovereignty, as both a practical concern and a subject to international legal norms, was obviated in favor of an exegesis of power politics.

Emergent modes of warfare continue to rely on post-strategic warfare in the form of substituting one tactic over another rather than a set of tactics with an overall strategy to counter terrorism. Some of the same neo-conservatives who championed Bush-era policies—this time under the moniker of "liberal interventionists"—joined forces with the assorted liberal hawks Obama appointed to key roles within his Administration.[4] Their collective weight was most adroitly felt in the immediate aftermath of the outbreak of the Arab Spring when selective interventions were undertaken in the form of regime change more akin to Bush's freedom agenda than Obama's cosmopolitan adherence to international cooperation. This chapter explores the neo-liberal impulse to explicate foreign policy determinations to tackle transnational terrorism. Drone warfare is thus judged in terms of its efficacy as both a counterterrorism tactic and strategy while the political implications of intervention by way of America's response to the Arab Spring in Libya and Syria under Obama's leadership are called into question. These issues raise the specter as to whether security has an ethical component or if it is, rather, a matter of pure exigency.

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[4] Robert Kagan, one of the most vociferous neo-conservative Bush champions, now fancies himself a "liberal interventionist." Quoted in Jason Horowitz, "Events in Iraq Open Door for Interventionist Revival, Historian Says," *The New York Times*, June 15, 2014, https://www.nytimes.com/2014/06/16/us/politics/historians-critique-of-obama-foreign-policy-is-brought-alive-by-events-in-iraq.html.

I: The Neo-liberal Imperative: On the Moral Cognition of Modern Warfare

Neo-liberalism is best understood as an ideological mélange: a global corporatist mindset that fuses *laissez-faire* economism at home with militarism abroad as needed to supposedly maintain political and economic stability across the international system. This outlook transcends sectarianism and manifests itself, in the American sense, in what Noam Chomsky called the "Washington consensus."[5] Little wonder, then, that conservatives and liberals, from Reagan and Thatcher to Clinton and Blair, could employ such a logic. Neo-liberalism, in this sense, is a sort of default position, with economic emphasis placed on a deregulated economy, a liberalized set of trade policies, and privatizing services and sectors of the nation's economy rather than nationalizing them.[6]

Its precepts have, to be sure, been challenged by opponents of modernity. ISIS makes no reference to economic matters while offering an alternative to the (Western) nation state in terms of its religiopolitical variant of the caliphate.[7] Global populism, too, of the TKIP and Trumpian sort package its economic programs after, not before, its existential—or, more precisely, cultural—concerns. But despite Trump's assault upon the

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[5] Noam Chomsky, *Profit Over People: Neoliberalism and Global Order* (New York: Seven Stories Press, 1999), 19-28.

[6] "Related policy measures include massive tax cuts (especially for businesses and high-income earners); reduction of social services and welfare programmes; replacing welfare with 'workforce'; use of interest rates by independent central banks to keep inflation in check (even at the risk of increasing unemployment); the downsizing of government; tax havens for domestic and foreign corporations willing to invest in designated economic zones; new commercial urban spaces shaped by market imperatives; anti-unionization drives in the name of enhancing productivity and 'labour flexibility'; removal of controls on global financial and trade flows; regional and global integration of national economies; and the creation of new political institutions, think tanks, and practices designed to reproduce the neoliberal paradigm." Manfred B. Steger and Ravi K. Roy, *Neoliberalism: A Very Short Introduction* (New York: Oxford University Press, 2010), 14.

[7] "…ISIS and other organizations of Islamic extremists turn economic underdevelopment into a virtue and, in so doing, offer an overarching alternative to the totality of Western society." Stephen Eric Bronner, *The Bitter Taste of Hope: Ideals, Ideologies, and Interests in the Age of Obama* (Albany: SUNY Press, 2017), 33.

globalist elites supposedly lurking in the "deep-state," for example, all of his economic policies are underpinned by neo-liberal assumptions.[8] Exploring the ideological trajectory of neo-liberalism in practical terms helps explain today's structural imbalances of institutional power at the global level of politics.

No other American executive exemplified this neo-liberal standpoint better than President Clinton. Splitting the difference between traditional liberalism on the one hand and state planning of the market on the other, this self-described "third way"[9] Democrat developed policy in such a way as to bridge the gap between partisans to his left and right in equal measure. Anti-liberal domestic policies, like "ending welfare as we know it" and ushering in what Michele Alexander called the "new Jim Crow"[10] through the emergent prison-industrial complex, were equally matched by Bush's decision to outsource Iraq to private contractors and mercenary forces, like Haliburton and Blackwater. Tacking to the middle may have worked for President Clinton when he took on establishmentarian

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[8] "This same messy mix of free market fundamentalism and hyper-nationalistic populism is presently taking shape in Trump's proposed budget. But the apparent contradiction there isn't likely to slow down Trump's pro-market, pro-Wall Street, pro-wealth agenda. His supporters may soon discover that his professions of care for those left behind by globalization are—aside from some mostly symbolic moves on trade—empty. Just look at what has already happened with the GOP's proposed replacement for Obamacare, which if enacted would bring increased pain and suffering to the anxious voters who put their trust in Trump's populism in the first place. While these Americans might have thought their votes would win them protection from the instabilities and austerities of market-led globalization, what they are getting is a neoliberal president in populist clothing." Daniel Bessner and Matthew Sparke, "Don't Let His Trade Policy Fool You: Trump is a Neoliberal," *The Washington Post*, March 22, 2017, https://www.washingtonpost.com/posteverything/wp/2017/03/22/dont-let-his-trade-policy-fool-you-trump-is-a-neoliberal/.

[9] Note the transatlantic origins of the "third way." "The Third Way involves a balance between regulation and deregulation, on transnational as well as national and local levels; and a balance between the economic and non-economic life of the society." Anthony Giddens, *The Third Way* (Cambridge: Polity Press, 1998), 100. Cf. Geoffrey Kurtz, "Anthony Gidden's Third way: A Critique," in *The Logos Reader: Rational Radicalism and the Future of Politics*, ed. Stephen Eric Bronner and Michael J. Thompson (Lexington: The University Press of Kentucky, 2006), 81-98.

[10] "Determined to prove how 'tough' he could be on 'them,' Clinton," the first "black" president, "also made it easier for federally assisted public housing projects to exclude anyone with a criminal history—an extraordinary harsh step in the midst of a drug war aimed at racial and ethnic minorities…The New Jim Crow was born." Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Color Blindness* (New York: New Press, 2011), 57-58.

Republicans like H. W. Bush and Bob Dole in 1992 and 1996, but triangulation of the Clintonian sort was no match for the populism that Trump swept in on in 2016. Pragmatic approaches fail to counter reactionary movements precisely because such tactics evince an anti-pragmatic end insofar as their moderate positions are seen as hollow expedients based on appeasing to both sides of a given clientele's position.

Neo-liberals are the technocrat par excellence. Their triad—privatization of government services, wholesale deregulation of industries, and access to unfettered global trade—is thus undertaken by employing instrumental rationality. This logic, though, need not be confined to the nation's shores or her domestic policy. Not-so-veiled imperial attitudes are readily apparent given the neo-liberal desire to intervene in failed and failing states by employing different means—multilateral engagement—towards common hegemonic policy ends shared by neo-conservative rivals.[11] But its guiding force is an echo of colonial policies and projects of the past. Little wonder, then, that the former CEO of Ford Motor Company, Robert McNamara, would employ instrumental calculations when he served as Kennedy's Defense Secretary when it came to micromanaging Vietnam, similar to his managerial style in his former trade. That such an ideology should have gained so much influence since its advent in the decade leading up to the Cold War before

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[11] "[T]he neoconservatism of Reagan and Thatcher resembles a muscular liberalism that is often associated with figures like Theodore Roosevelt, Harry Truman, or Winston Churchill. In general, neoconservatives agree with neoliberals on the importance of free markets, free trade, corporate power, and elite governance. But neoconservatives are much more inclined to combine their hands-off attitude toward big business with intrusive government action for the regulation of the ordinary citizenry in the name of public security and traditional morality. Their concern for individual rights—albeit not for the individual as the building block of society. In foreign affairs, neoconservatives advocate an assertive and expansive use of both economic and military power, ostensibly for the purpose of promoting freedom, free markets, and democracy around the world." Steger and Roy, 22-23.

it gained steam in an age that foresaw an alleged "end of ideology" speaks to the intractability of ideology qua ideology.[12]

Four plus decades on the brink of what surely would have been a nuclear winter had the Cold War gone hot did much to inform the individual and collective psyches of generations of cold warriors in the academy, think tanks, and the halls of power. Few of them would have expected the fifty-year ideological chasm between liberal market capitalism and Soviet Marxism would have ended with a whimper rather than a bang. But most, in each quarter, were quick to forecast the future of international affairs in this new, and yet to be named, era short on "great" powers to rival one another as in generations past. Judgments ranged from passive teleological understandings of progress to exerting America's military might in this new unipolar situation to retrenching amid a looming civilizational conflagration that would supplant the grand ideological struggles of old.

Stalwarts on the right were, of course, quick to advocate taking advantage of America's newfound power position on the world stage while supposed doves called for a reinvigorated global civil society through expanding international institutionalism, treaties, and alliances to ensure democratic enlargement throughout the international system.[13] Yet each, in its own fashion, operated under a similar logic. If democracy had indeed won, it is up to its guarantors to spread its form the world over, namely, the US solo or international organizations spearheaded by her. Rogue states, that is, those that did not play nice with the West, were put on notice when President Bush challenged Saddam Hussein's invasion of Kuwait while NATO was moved to Russia's backdoor through a series of increased

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[12] Daniel Bell, *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties* (Glencoe, IL: Free Press, 1960).

[13] Stephen E. Ambrose and Douglas G, Brinkley, *Rise to Globalism: American Foreign Policy Since 1938* (New York: Penguin, 2010), 398-428.

partnerships with former Soviet satellite states, a decision George Kennan, the great Cold War security thinker who developed the strategy of containment, saw as a "fateful error."[14] Policy determinations like these were born out of specific understandings of not only the post-Cold War security environment but also how the US should lead, or not lead, world order going into a new era.

Fukuyama's now infamous "end of history" thesis was presaged a generation earlier with Daniel Bell's equally infamous "end of ideology" debate. Writing in the aftermath of World War II and in the shadow of Stalinism, as exemplified by the show trials and gulag of the "great terror," Bell assumed that a politic based on ideology was at an end. Increasingly technocratic approaches to "public affairs" would thus serve as the mechanism by which Bell's de-ideologized world would operate despite the fact that the Cold War world order was split between competing ideologies itself. New forms of old ideologies would emerge the following decade from both sides—in the new left and new right— proving that scientific management based on instrumental rationality would not supplant ideology as a driving force in human affairs. But between the publication and the 1968 uprisings, the practicable outgrowth of Bell's thesis looked like it panned out with the "whiz kids" of President Kennedy's administration—most notably, Robert McNamara— whose methodological approach to politics almost brought the world to thermonuclear destruction.

Bell's intellectual progenitor, Fukuyama, fell into this trap when he attempted to capitalize on the zeitgeist of global geopolitics following the sweeping political revolution of 1989 that would culminate with the official state collapse of the Soviet Union two years

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[14] Quoted in Thomas L. Friedman, "Foreign Affairs; Now a Word from X," *The New York Times*, May 2, 1998, http://www.nytimes.com/1998/05/02/opinion/foreign-affairs-now-a-word-from-x.html.

later. Fukuyama, who was employed by RAND and the State Department during the eighties, used a Hegelian (via Kojeve) understanding of history to make sense of the Cold War's coming end: the realization of universal freedom through ideological coherence around political liberalism and market capitalism as epitomized by the West. Or, as Fukuyma, put it: "What we may be witnessing is not just the end of the Cold War, or the passing of a particular period of post-war history, but the end of history as such: that is, the end point of mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government."[15] In making his neo-liberal argument, this neo-conservative luminary, who re-presented his thesis every time it had been challenged, finally conceded "Twenty five years ago, I didn't have a sense or a theory about how democracies can go backward," thus illuminating the ideology's totalizing feature.[16]

While this "end of history" did not portend an end to all warfare, it did assume unchallenged ideological alternatives to liberal democracy. In this sense, Fukuyama substituted this exclusive ideology for his predecessors' technocratic understanding that leaves ideology wanting. Universalization of this particular ideology, although yielding a marked decrease in geopolitical hostility that would supposedly produce a "very sad time" for international relations, leads to a necessary conclusion by virtue of its teleology: If liberal democracy is the fixed end point of humanity, how exactly would democratization come to intransient states? Would these non-democracies democratize naturally, through domestic forces? Would they be compelled to (internally) do so through outside forces at

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[15] Francis Fukuyama, "The End of History?" *The National Interest*, no. 16 (Summer 1989): 1.
[16] Quoted in Ishaan Tharoor, "The Man Who Declared the 'End of History' Fears for Democracy's Future," *The Washington Post*, February 9, 2017, https://www.washingtonpost.com/news/worldviews/wp/2017/02/09/the-man-who-declared-the-end-of-history-fears-for-democracys-future/.

the structural level? Or would democratization have to be carried in by bayonets from outside forces?

Fukuyama's history was only at an end insofar as the ideological exhaustion supposedly produced by the raising of the Iron Curtain was not so much a universal acceptance of liberal democracy as much as it was a refutation of a bastardized Marxism in practice.[17] History did not, and does not, end just because one ideology beat out another. History's end did not prevent China's hybrid state-run socialism from challenging the West nor did it foil bin Laden's brand of jihadism from wreaking havoc on the US. Responses to these threats, however, were complicated in practice because of theoretical presuppositions that no longer applied to a world order upended.

Teleological indulgences of democracy's inevitable march through a post-Cold War geopolitical order gave way to an unabashed imperial enterprise to bring such change about. Charles Krauthammer—the neo-conservative's neo-conservative, columnist, and former speech writer of then-Vice President Walter Mondale, who made his conservative turn when he articulated the Reagan Doctrine[18] for *Time* in 1985—saw the end of the Cold War and the US' ascendancy as the world's lone superpower as a perfect time for an unabashed imperial exercise the world over. Free of Cold War constraints, America was

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[17] For an immanent critique of Marxism as practiced in Russia, see Herbert Marcuse, *Soviet Marxism: A Critical Analysis* (New York: Columbia University Press, 1958).

[18] "The Reagan Doctrine, enunciated in the 1985 State of the Union address, declares, quite simply, American support for anticommunist revolution 'on every continent from Afghanistan to Nicaragua.' It constitutes our third reformulation since Vietnam of the policy of containment. First came the Nixon doctrine, which relied on regional proxies and sank with the shah. Then came the Carter doctrine, which promised the unilateral projection of American power and disappeared with the Rapid Deployment Force. (Come to think of it, where is the Rapid Deployment Force?) Enter the Reagan Doctrine, which relies on indigenous revolutionaries to challenge (for reasons that parallel, but need not coincide with ours) the Soviet empire at its periphery. It is the American response to the Brezhnev Doctrine. The Brezhnev Doctrine declares: once a Soviet acquisition, always a Soviet acquisition. The Reagan Doctrine means to test that proposition." Charles Krauthamer, "The Reagan Doctrine," *Time*, April 1, 1985, http://content.time.com/time/magazine/article/0,9171,964873,00.html.

an ideal choice to take on "weapon states," or, "small aggressive states armed with weapons of mass destruction [WMDs] and possessing the means to deliver them."[19] Never mind America and her allies have missile defense systems for such a case or the inevitable counterstrike that would result from such a suicidal attempt. The mere specter of WMDs serves only as a cloak for the means by which to remove them, namely, an unrestrained crusade to rid the world of ideological opposition to American interests, which Krauthammer himself failed to specify.

Krauthammer's fervor for the US to wield unilateral power during her short-lived "unipolar moment" concealed a shared ideological mindset that would manifest itself most acutely in the actions following 9/11. But this imperial predisposition preceded—and, actually, superseded—Bush's debacle in Iraq. Neo-conservatives and liberal hawks alike have yet to see a geopolitical flashpoint that could not benefit from some sort of American intervention or another. That interventions in Iraq and Libya, where military supremacy was conflated with political rapprochement, produced further insecurity supposedly does not matter for these mid-range pedants who fancied themselves as toughminded pseudo-realists as against their supposed utopian rivals. Far more concerned are they to exercise power in and of itself without any reference to long-term stability, which should be the precondition for any intervention. This impulsive attitude combined with arbitrary uses of military might always end the same: greater insecurity as a result of the original attempt at fostering security. Rather than using the sterling Marshall Plan—which rebuilt the political structures of post-war Europe and Japan—as an example, today's security efforts (in failed

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[19] Charles Krauthammer, "The Unipolar Moment," *Foreign Affairs* 70, no. 1 (1990/91): 23.

enterprises) range from retrenchment—or, better, abandonment—in Iraq or militarily doubling down, as in Afghanistan.

Between the teleological convergence of Fukuyama and the imperial opportunism of Krauthammer lay Samuel Huntington who proffered a stark opposition to both. Opposing the theoretical grounds of the former while tempting empire on the other, Huntington predicted that the future of global security resided on civilizational strife in the main. But rather than heeding Huntington's advice to simply avoid direct involvement in sectarian schisms in whichever lands the US may find them, those on the left and right employed this civilizational claim to justify unilateral, multilateral, and covert action in Iraq, Libya, and Syria. This trend, however, presaged the beleaguered global "war on terror."

Military planning is utilitarian by nature. A rote cost-benefit analysis is employed, with the maximum result being gained from the lowest cost—be it economic (the least amount of capital expenditure) or human (the lowest amount of loss of life, military or civilian)—being the deciding factor. Historical corollaries of this mindset are abundant from an American standpoint. Truman's unprecedented decision to drop Little Boy and Fat Man on Hiroshima and Nagasaki instead of initiating a ground assault against the Japanese mainland, wholesale carpet bombings of Vietnam (which McNamara managed from DC), and the "shock and awe" opening salvos of the Iraq War equally spoke to what Max Weber called the "ethics of ultimate ends" as against the "ethics of responsibility."[20] The ends

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[20] "We must be clear about the fact that all ethically oriented conduct may be guided by one of two fundamentally differing and irreconcilably opposed maxims: conduct can be oriented to an 'ethic of ultimate ends' or to an 'ethic of responsibility.' This is not to say that an ethic of ultimate ends is identical with irresponsibility, or that an ethic of responsibility is identical with unprincipled opportunism. Naturally nobody says that. However, there is an abysmal contrast between conduct that follows the maxim of an ethic of ultimate ends—that is, in religious terms, 'The Christian does rightly and leaves the results with the Lord'—and conduct that follows the maxim of an ethic of responsibility, in which case one has to give an

supposedly justified the means in these ventures, even though there is never any way of judging the ethics involved in such undertakings since one can never be sure of the policy road not taken. But to what extent, if any, are human lives quantifiable and applicable to a cost-benefit analysis?

II. Fight by Flight: Judging the Drone

Obama ran on a change campaign platform without parallel in 2008. The first term Illinois senator was only a third of the way through his first six-year term, which started in 2007, and was thus above the political fray of having had to cast votes on some of the gravest global "war on terror" pieces of legislation, including the Authorization for the Use of Military Force. There is nothing to suggest that he would have supported these measures, unlike his chief Democratic primary opponent (and future Secretary of State), Hillary Rodham Clinton (D-NY), as well as the 2004 Democratic presidential nominee and Secretary Clinton's successor, John Kerry (D-MA). Obama's 2008 victory over Senator John McCain (R-AZ), whose senatorial record would have effectively ensured a third Bush term, portended a massive shift in American politics, particularly in foreign affairs. Candidate Obama's campaign promises to pull troops from Iraq, to refocus on the "war of necessity" in Afghanistan,[21] and to patch up America's image abroad by renewing international alliances demanded a wholesale restructuring of American security priorities

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account of the foreseeable results of one's action." Max Weber, "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 120.

[21] Elizabeth Williamson and Peter Spiegel, "Obama Says Afghan War 'of Necessity,'" *The Wall Street Journal*, August 17, 2009, https://www.wsj.com/articles/SB125054391631638123.

for the presidential hopeful. Fulfilling these aims would require carefully crafting policy alternatives to face the geopolitical morass he would be inheriting.

Shortly before leaving office, President George W. Bush implored Obama to keep what he considered to be a key counterterrorism tool and practice in place.[22] President-elect Obama apparently did not need too much prodding on the subject. Targeted killings by way of drones provided him with an opportunity to shift military priorities from "boots on the ground" to mechanized birds in the sky. Countering transnational terrorist networks—from active fields of battle in Afghanistan, Iraq, and Libya as well as states the US was not actively at war with, like Pakistan, Somalia, and Yemen—with the drone generated a ten-fold increase in strikes when compared to Bush's drone record.[23] (Trump, in his first seven months alone, already effected more "collateral damage" than Obama did during his eight years in office.[24]) Making sense of this alarming trend requires understanding not only the technological history of the drone but also the historically

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[22] "[D]ays before the handover, the forty-third president of the United States invited the forty-fourth to the White House for a one-on-one talk, in which Bush urged Obama to preserve two classified programs, the cyberattacks on Iran and the drone program in Pakistan." David E. Sanger, *Confront and Conceal: Obama's Secret Wars and the Surprising Use of American Power* (New York: Crown Publishers, 2012), x.

[23] Jessica Purkiss and Jack Serle, "Obama's Covert Drone War in Numbers: Ten Times More Strikes Than Bush," *The Bureau of Investigative Journalism*, January 17, 2017, https://www.thebureauinvestigates.com/stories/2017-01-17/obamas-covert-drone-war-in-numbers-ten-times-more-strikes-than-bush.

[24] Julian Borger, "US Air Wars Under Trump: Increasingly Indiscriminate, Increasingly Opaque," *The Guardian*, January 23, 2018, https://www.theguardian.com/us-news/2018/jan/23/us-air-wars-trump; Steven Feldstein, "Under Trump, US Airstrikes Are Killing More Civilians," *Salon*, October 20, 2017, *Salon*, https://www.salon.com/2017/10/20/under-trump-presidency-us-airstrikes-kill-more-civilians_partner-2/; Gordon Lubold and Shane Harris, "Trump Broadens CIA Powers, Allows Deadly Drone Strikes," *The Wall Street Journal*, March 13, 2017, https://www.wsj.com/articles/trump-gave-cia-power-to-launch-drone-strikes-1489444374; Tom O'Connor, "Trump Has Already Killed More Civilians Than Obama In U.S. Fight Against ISIS," *Newsweek*, August 22, 2017, http://www.newsweek.com/trump-has-already-killed-more-civilians-obama-us-fight-against-isis-653564; Charlie Savage, Helene Cooper, and Eric Schmitt, "U.S. Strikes Shabab, Likely a First Since Trump Relaxed Rules for Somalia," *The New York Times*, June 11, 2017, https://www.nytimes.com/2017/06/11/us/politics/us-airstrike-somalia-trump.html; Michael Shank, Doubling Down on Drone Mistakes," *U.S. News and World Report*, June 29, 2017, https://www.usnews.com/opinion/op-ed/articles/2017-06-29/president-trump-is-doubling-down-on-president-obamas-drone-mistakes.

contingent factors that led to its adoption as a primary tactical weapon in the fight against terrorists.

Drones predated the global "war on terror." Clinton's wars in the Balkans acted as a proving ground for a prototype that would change the landscape of military technology. General Atomics' prototype RQ-1 Predator drone logged its first hours in the skies over Bosnia during Operations Deny Flight (April 12, 1993 to December 20, 1995), Deliberate Force (August 30 to September 20, 1995), and Joint Endeavor (December 20, 1995 to December 20, 1996). Remotely piloted in areas deemed "too dangerous for manned aircraft without concern for losing a pilot," drones promised little risk and high reward.[25] Originally confined to serving reconnaissance and search-and-rescue missions in Bosnia and, later, Kosovo during the Clinton administration, the Predator would come into its own on January 23, 2001 when Predator #3034 was the first drone to fire a Hellfire missile.[26] Newly armed drones were understood by Bush and his team as an essential supplemental tool in fighting their asymmetric, "low-intensity" fights against the Taliban in Afghanistan and al-Qaeda in Iraq and as a principal tool against assorted terrorist figures in America's "covert war" in Pakistan.[27]

Obama entered the White House with a clear mandate to reorient American foreign policy in Bush's global "war on terror." Beyond announcing a troop reduction of 34,000 from Afghanistan over the coming year, Obama asserted "the organization that attacked us

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[25] Walter J. Boyne, "How the Predator Grew Teeth," *Air Force Magazine* July (2009): 43.

[26] Robert Van Der Linden, *Milestones of Flight: The Epic of Aviation with the National Air and Space Museum* (London: Zenith Press, 2016), 201.

[27] "When Obama was sworn into office in 2009, the nation's clandestine drone war was confined to a single country, Pakistan, where 44 strikes over five years had left about 400 people dead." Greg Miller, "Under Obama, An Emerging Global Apparatus for Drone Killing," *The Washington Post*, December 27, 2011, https://www.washingtonpost.com/national/national-security/under-obama-an-emerging-global-apparatus-for-drone-killing/2011/12/13/gIQANPdILP_story.html.

on 9/11 is a shadow of its former self," during his first State of the Union before conceding that "[d]ifferent al Qaeda affiliates and extremist groups have emerged—from the Arabian Peninsula [AQAP] to Africa."[28] And although the "threat these groups pose is evolving," Obama continued, "we don't need to send tens of thousands of our sons and daughters abroad, or occupy other nations."[29] Towards that end, the President went on to outline how he would continue to employ unilateralist tactics to inform counterterrorism policy. "Through a range of capabilities," the US "will continue to take direct action against those terrorists who pose the gravest threat to Americans."[30] Taking "direct action" against terrorists through a "range of capabilities" no doubt meant employing the drone strikes as a first order response as opposed to his predecessor's tertiary reliance on the ever-evolving remote weapon of war.[31] This move allowed Obama to portray himself as an assertive terror warrior while also being able to claim moral legitimacy of keeping US forces (directly) out of harm's way. Removing troops from danger while keeping up the fight polled well, with over fifty percent approving the use of drones as Obama started his second term.[32]

War weary Americans, skeptical over Bush's wars, largely approved of battlefield drones. But those caught up in the periphery of the drones' crosshairs had a different stance on these "machine assassins." Their use in Pakistan, for instance, provoked "terror (and

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[28] Barrack Obama, "Obama's 2013 State of the Union Address," *The New York Times*, http://www.nytimes.com/2013/02/13/us/politics/obamas-2013-state-of-the-union-address.html.
[29] Ibid.
[30] Ibid.
[31] "Between 2004 and 2010, total flying time for all unmanned aerial vehicles rose sharply from just 71 hours to 250,000. Launched in 1994 without weapons or even GPS (global positioning system), the drones were eventually equipped with sensors so sensitive they could read disturbed dirt at 5,000 feet and backtrack footprints to an enemy bunker. By 2011, the air force was planning to quadruple its drone fleet to 536 unmanned aircraft and was training 350 drone pilots, more than all its bomber and fighter pilots combined, to operate an armada ranging from the hulking Global Hawk with a 116-foot wingspan to the hand-launched RQ-11 Raven with a five-foot span." Alfred W. McCoy, *In the Shadows of the American Century: The Rise and Decline of US Global Power* (Chicago: Haymarket Books, 2017), 58.
[32] "Continued Support for U.S. Drone Strikes," Pew Research Center, February 11, 2013, http://www.people-press.org/2013/02/11/continued-support-for-u-s-drone-strikes/.

terrorism), as well as anger and hatred among people who are by no means terrorists."[33]

America's inimitable double standard where its foreign policy is concerned, moreover, was displayed barely a month into Obama's presidency when the US shot down an Iranian drone over Iraqi airspace. Under the "terms of the status-of-forces agreement between the United States and Iraq," Iraq officials were left out of the loop, since "protection of Iraqi airspace remains an American responsibility."[34]

Sovereign breaches like these speak in equal measure (if not scope) to Bush's penchant for preemption in Iraq. But compromising sovereignty, under Obama, became all the more imperative when he signed off on the bin Laden raid without consultation with the US' shaky Pakistan ally. Pakistan's military—which includes the Inter-Services Intelligence (ISI) that then-Chairman of the Joint Chiefs of Staff Admiral Mike Mullen considered to be in league with the terrorist Haqqani network—acts as the true sovereign of Pakistan.

> 'With ISI support, Haqqani operatives planned and conducted that truck bomb attack, as well as the assault on our embassy,' Admiral Mullen said in a hearing of the Senate Armed Services Committee. 'We also have credible evidence that they were behind the June 28th attack against the Intercontinental Hotel in Kabul and a host of other smaller but effective operations.' In short, he said, 'the Haqqani network acts as a veritable arm of Pakistan's Inter-Services Intelligence agency.' His remarks were part of a deliberate effort by American officials to ratchet up pressure on Pakistan and perhaps pave the way for more American drone strikes or even cross-border raids into Pakistan to root out insurgents from their havens. American military officials refused to discuss what steps they were prepared to take, although Admiral Mullen's statement made clear that taking on the Haqqanis had become an urgent priority.[35]

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[33] Nick Turse and Tom Engelhardt, *Terminator Planet: The First History of Drone Warfare 2001-2050* (Lexington, KY: Dispatch Books, 2012), 16.

[34] Rod Norland and Alissa J. Rubin, "U.S. Says It Shot Down an Iranian Drone Over Iraq," *The New York Times*, March 16, 2009, http://www.nytimes.com/2009/03/17/world/middleeast/17iraq.html.

[35] Elisabeth Bumiller and Jane Perlez, "Pakistan's Spy Agency Is Tied to Attack on U.S. Embassy," *The New York Times*, September 22, 2011, http://www.nytimes.com/2011/09/23/world/asia/mullen-asserts-pakistani-role-in-attack-on-us-embassy.html.

Obama's National Security Advisor, Tom Donilon, would thus meet with its leader, General Ashraf Kayani, instead of the Pakistani government in October 2011 to relay the President's regional security vision moving forward as the US extracted herself from Afghanistan.[36]

Obama and his coterie's overreliance on drones highlighted the extent to which post-strategic warfare traversed from one administration to the next and, in so doing, set the institutional groundwork for its hyper-extension under Trump. Beyond an accelerated withdrawal from Iraq and Afghanistan in 2011 and 2013, the Obama administration continued a series of Bush-era counterterrorism policies. Guantanamo remained open, rendition continued, and sovereignty was flouted with ever-increasing drone strikes. Obama opened a new front in the drone wars by rehabilitating its practice in Yemen (before the 2011 outbreak of the Arab Spring or the Yemeni Civil War, which started in 2015), while drone strikes in Pakistan saw a seven-fold intensification under his watch.[37]

Prior to Obama's first drone strike in Yemen in 2010—the first of 183 strikes during his time in office—Bush launched a single drone strike in Yemen on November 5, 2002. The strike, which killed Qaed Salim Sinan al- Harethi, a senior al-Qaeda leader, sparked a debate over whether or not targeted killings of terrorists violate the prohibition against political assassinations.

> Under customary international law assassination has long been recognized as an illegal act. In the United States, the origin of the presidential ban on assassination is traced to 1977, when President Gerald Ford issued the first executive order which prohibited political assassination. In 1981, President Ronald Reagan issued his own

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[36] "Donilon had sent ahead a document laying out the long-term American strategy, including a plan to keep somewhere between 10,000 and 15,000 American counterterrorism troops in Afghanistan, mostly at Bagram Airfield, a large base just outside Kabul, 'to protect the interests of the US in the region.' His meaning was clear: the United States would remain, and its troops would be ready to go over the Pakistani border if they needed to." Sanger, 10.

[37] "Drone Strikes: Pakistan [Drone Strikes in Pakistan, by Year and Administration]," New America, https://www.newamerica.org/in-depth/americas-counterterrorism-wars/pakistan/.

Executive Order 12333 which reads: 'No person employed by or acting on behalf of the United States government shall engage in, or conspire to engage in, assassination.' Subsequent Presidents have not changed the Reagan order banning assassination, but confusion continues to swirl over the meaning of the ban, to the point that some senior lawmakers have actually argued that the ban should be revoked because it might impede the War on Terror. This view is mistaken. Executive Order 12333 in no way restricts the lawful use of violence against legitimate enemy targets. At the same time, those who advocate lifting the ban in order to allow the United States to engage in assassination are essentially advocating that the United States should be able to engage in unlawful killing, or murder.[38]

Improved technology of the drone and unique institutional arrangements of the drone program sought to insulate Obama from criticism over the controversies surrounding the use of unmanned aerial vehicles to effect political hits from the sky. Newer technological capabilities gave these "killing machines," as Lloyd Gardner styled them, more "proficiency" and "precision" in their target discrimination, thus reducing "collateral damage."

At one point John Brennan even asserted that not one civilian had been killed by an American drone. 'There hasn't been a single collateral death because of the exceptional proficiency, precision of the capabilities we've been able to develop.' But after many reports that the drones were not infallible made it into the media, Brennan adjusted his wording—slightly. 'Fortunately, for more than a year,' he said in August 2011, 'due to our discretion and precision, the U.S. government has not found credible evidence of collateral deaths resulting from U.S. counterterrorism operations outside of Afghanistan or Iraq, and we will continue to do our best to keep it that way.'[39]

Brennan went so far as to claim that drone strikes required "near-certainty of no collateral damage" for Obama to authorize them.[40] This charge was, of course, quickly debunked:

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[38] Jeffrey Addicott, "The Yemen Attack: Illegal Assassination or Lawful Killing?" *Jurist*, November 7, 2002, http://www.w.jurist.org/forum/forumnew68.php.

[39] Lloyd C. Gardner, *Killing Machines: The American Presidency in the Age of Drone Warfare* (New York: The New Press, 2013), 151.

[40] Conor Friedersdorf, "The Obama Administration's Drone-Strike Dissembling," *The Atlantic*, March 14, 2015, https://www.theatlantic.com/politics/archive/2016/03/the-obama-administrations-drone-strike-dissembling/473541/.

likely civilian deaths were, if not in the thousands, surely in the hundreds.[41] Institutional compartmentalization of the program is twofold, with the Department of Defense, through the Joint Special Operations Control (JSOC), which grew tenfold since 9/11,[42] and the Central Intelligence Agency (CIA), even though they use the Air Force's drones just the same, having authority over the program. Yet the two function under separate operational mandates and standards.[43] Having the CIA undertake drone strikes in "covert" theaters, where the US is not at formal war, also allows civilian casualties.

This lack of transparency purposefully hampers the opportunity for a legitimate security discourse to take shape. Euphemistic language, as a consequence, enters the breach to legitimate American foreign policy to the masses.[44] Contemporary security discourse reflects this ideological maneuvering. Rendition, targeted killings (be they "personality strikes" against known terrorist targets or "signature strikes" that target unknown persons based on what those in the "kill chain" deemed suspicious enough to merit a drone's

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[41] "The notion that the Obama Administration has carried out drone strikes only when there is 'near-certainty of no collateral damage' is easily disproved propaganda. America hasn't killed a handful of innocents or a few dozen in the last 8 years. Credible, independent attempts to determine how many civilians the Obama administration has killed arrived at numbers in the hundreds or low thousands." Ibid.

[42] "Since 9/11, this secretive group of men (and a few women)" that comprise the Joint Special Operations Command "has grown tenfold while sustaining a level of obscurity that not even the CIA has managed." Dana Priest and William M. Arkin, "'Top Secret America': A Look at the Military's Joint Special Operations Command," *The Washington Post*, September 2, 2011, https://www.washingtonpost.com/world/national-security/top-secret-america-a-look-at-the-militarys-joint-special-operations-command/2011/08/30/gIQAvYuAxJ_story.html.

[43] "As covert operations, the government cannot legally provide any information about how the CIA conducts targeted killings, while JSOC operations are guided by Title 10 'armed forces' operations and a publicly available military doctrine. Joint Publication 3-60, Joint Targeting, details steps in the joint targeting cycle, including the processes, responsibilities, and collateral damage estimations intended to reduce the likelihood of civilian casualties. Unlike strikes carried out by the CIA, JSOC operations can be (and are) acknowledged by the U.S. government." Micah Zenko, "Transferring CIA Drone Strikes to the Pentagon," Council on Foreign Relations, April 16, 2013, https://www.cfr.org/report/transferring-cia-drone-strikes-pentagon.

[44] The very term "drone" itself elicits a certain level of hostility among particular quarters of the military and intelligence services, preferring the more nuanced "unmanned aerial vehicle." Jay Stanley, "'Drones' vs. 'UAVs'—What's Behind a Name?" The American Civil Liberties Union, May 20, 2013, https://www.aclu.org/blog/technology-and-liberty-national-security/should-we-call-them-drones-or-uavs.

missile[45]), and enhanced interrogation techniques soften the hard reality of kidnap, assassination, and torture.[46] This wordplay was adopted in official capacities, too, with Obama's "Terror Tuesdays" sessions, in which names got added to the "disposition matrix," the twenty-first-century "kill list" that contains "biographies of individuals [that] pose a threat to US interests, [their] locations, [and] a range of options for their disposal."[47]

Engaging the drone against AQAP forces was tacitly supported by Yemen, who made practice of hiding civilian casualties resulting from these actions.[48] But the supine Yemini government could not minimize what surely came to be Obama's most controversial drone strike when Anwar al-Awlaki and Samir Khan became the first US citizens to be killed by a drone strike. A fiercely contested debate regarding the constitutional protections, namely, due process, afforded to sworn enemies of the republic erupted.[49] John D. Bates, a Bush-appointed District Judge (DC), dismissed the seminal case filed by al-Awaki's father, claiming that targeted killings are a "political question."[50]

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[45] The first instance of what would come to be known as the "signature strike" took place in Afghanistan on February 4, 2002. Three men, one of whom was tall and assumed to be Osama bin Laden, ended up being solely guilty of being in the "wrong place at the wrong time." Kevin Jon Heller, "'One Hell of a Killing Machine': Signature Strikes and International Law," *Journal of International Criminal Justice* 11, no. 1 (2013): 90. For a comprehensive inquiry into the "kill chain" and its shortcomings, see Cora Currier "The Kill Chain," *The Intercept*, October 15, 2015, https://theintercept.com/drone-papers/the-kill-chain/.

[46] Ian Cobain, "Obama's Secret Kill List—The Disposition Matrix," *The Guardian*, July 14, 2013, http://www.theguardian.com/world/2013/jul/14/obama-secret-kill-list-disposition-matrix.

[47] Ibid.; Jo Becker and Scott Shane, "Secret 'Kill List' Proves a Test of Obama's Principles and Will," *The New York Times*, May 29, 2012, http://www.nytimes.com/2012/05/29/world/obamas-leadership-in-war-on-al-qaeda.html.

[48] Sudarsan Raghavan, "When U.S. drones kill civilians, Yemen's Government Tries to Conceal It," *The Washington Post*, December 24, 2012, https://www.washingtonpost.com/world/middle_east/when-us-drones-kill-civilians-yemens-government-tries-to-conceal-it/2012/12/24/bd4d7ac2-486d-11e2-8af9-9b50cb4605a7.

[49] Al-Awaki's sixteen-year-old son, Abdulrahman, was killed in another drone strike—this time as mere "collateral damage"—two weeks later while his eight-year-old daughter, Nawar, was killed in Trump's Yakla Raid within a week of his tenure in office.

[50] Cited in Charlie Savage, "Suit Over Targeted Killings is Thrown Out," *The New York Times*, December 7, 2010, http://www.nytimes.com/2010/12/08/world/middleeast/08killing.html.

Of the five al-Qaeda leadership decapitation strikes in Pakistan in 2010, three stood out. Sadam Hussein al Hussami (an explosives and logistics "expert"), Mustafa Abu al-Yazid (al-Qaeda's then number three), and Sheikh al-Fateh (an al-Qaeda chief) were the targets of three strikes between March and September of that year.[51] For the rationale of leadership decapitation to hold, there would need to be a material degradation of al-Qaeda following these representative leaders' deaths. Terrorist network strength, durability, and reconfiguration in the face of crippling strikes can act as a barometer to judge the drone.

Al-Qaeda attacks were already on the wane prior to the uptick in drone strikes in Pakistan in 2008. The numbers are, however, misleading when attacks by al-Qaeda branches are taken into account. Al-Qaeda in the Arabian Peninsula, for example, committed 329 terrorist attacks between 2004 and 2012.[52] Moreover, other al-Qaeda offshoots—including al-Qaeda of the Islamic Maghreb, the al-Qaeda branch who filled the power vacuum left by a collapsed state—actively trump that of their name bearer. From this vantage, al-Qaeda was not as degraded, as the case was made to be, as much as it adapted its tactics to face a new counter-terror tool. While al-Qaeda qua al-Qaeda is a qualitative shadow of its former self vis-à-vis attack frequency, its realignment under the auspices of these aforementioned al-Qaeda byproducts, and a host of others, points towards a more sobering conclusion: al-Qaeda—in its various formations—adapted its strategy to face the US' tactical determinant in drone warfare. Looking at a homogenous terrorist

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[51] Abdul Haq al-Turkistani, who was a leader of Turkistani Islamic Party, and Sheikh Mansoor, whose affiliation was unknown, were the two other figures that were classified as "leaders" in New America's Pakistani drone strike database. "Drone Wars: Pakistan—Which Militant Leaders Have Been Killed in Strikes?" New America, https://www.newamerica.org/in-depth/americas-counterterrorism-wars/pakistan/#which-militant-leaders-have-been-killed-in-strikes.

[52] Ibid.

organization, however, may result in a more robust causal claim regarding the drone program's effectiveness.

Taliban attacks in Pakistan decreased by almost fifty percent in 2009 following two decapitation strikes in 2008. Attacks, though, surpassed their 2008 level in the face of a two-fold increase of leadership decapitation strikes between 2009 and 2011. These early strikes might have contributed to an initial downgrade of the Taliban. But the terrorist network continued their attacks virtually unabated by the drone strikes that eliminated sixteen Taliban leaders between 2008 and 2012. This is only natural, though, since terror networks are mass-based and not simple matters of terror cliques that can be eliminated through select strikes. A "whack a mole" approach, whereby a terrorist group's capacity waxes and wanes according to the level of effective leadership strikes at any given time, thus accompanies this approach. Nevertheless, this cursory analysis of targeted drone strikes against terrorist leadership figures and of their terrorist networks' capacity to wage attacks and still remain operationally solvent yields mixed messages. There is evidence to suggest that targeted drone strikes worked against al-Qaeda. The same, under the parameters used, cannot be said about the Taliban. If drone warfare has mixed results, how is it to be judged? Numbers may not lie, but they do not necessarily tell the whole truth. A reductionist model can be designed to prove or disprove just about anything, with causal relationships between any number of factors, with their respective variables and controls, yielding a pedant's "results." What can be readily measured, without the aid of quantitative software, is the degree to which drone warfare has produced rightful indignation in the lands it is employed and has served as a useful recruiting tool for radicalization of those that require more prodding than the typical would-be jihadist.

Pakistan was subjected to more drone strikes than any other foreign state during Obama's watch, with over 350 drone strikes taking out terrorist leaders at a rate twice that of Yemen from 2009 to 2017.[53] Although members of al-Qaeda, the Haqqani network, and the Taliban were the primary targets of these attacks, cases of civilian deaths were legion nonetheless.[54] In 2009 alone, civilian deaths accounted for 11 to 19 percent of total deaths associated with drone strikes.[55] 2010 was the most active year of drone strikes in Pakistan. There were 122 strikes that yielded 609 to 1,027 total deaths, 555 to 960 of which were militants. Of the 122 drone strikes, though, only eight terrorist "leaders"—five al-Qaeda members and three Taliban figures—were killed.[56] Little wonder, then, that Pakistani public opinion of America remained extremely low, with a scant 11% of Pakistanis seeing the US in a favorable light, even though civilian casualty rates dipped to the single digits when the poll was taken in 2013.[57]

Progress always comes at a price through unintended consequence.[58] Modern examples of this phenomenon abound. Splitting the atom, a wartime contingency, ushered

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[53] This calculation is made using the average of the former (2,171) as against the latter (1,101.5) from New America's data at "Drone Strikes: Pakistan," https://www.newamerica.org/in-depth/americas-counterterrorism-wars/pakistan/, and "Drone Strikes: Yemen," https://www.newamerica.org/in-depth/americas-counterterrorism-wars/us-targeted-killing-program-yemen/, respectively.

[54] "Drone Wars: Pakistan—Which Militant Leaders Have Been Killed in Strikes?"

[55] "Drone Strikes: Pakistan."

[56] "Drone Wars: Pakistan—Which Militant Leaders Have Been Killed in Strikes?"

[57] "Few Americans Trust Pakistan," Pew Research Center, October, 23, 2013 http://www.pewresearch.org/fact-tank/2013/10/23/few-americans-trust-pakistan/.

[58] Hegel liked to attribute this to the "cunning of reason," Progress, for Hegel, comes at the expense of the individual, hence his conception of history as a "slaughter bench." "But even as we look upon history as an alter on which the happiness of nations, the wisdom of states, and the virtue of individuals are slaughtered, our thoughts inevitably impel us to ask: to whom, or to what ultimate end have these monstrous sacrifices been made? This usually leads us in turn to those general considerations from which our whole enquiry began. From the beginning, we proceeded to define those same events which afford so sad a spectacle for gloomy sentiments and brooding reflection as no more than the means whereby what we have specified as the substantial destiny, the absolute and final end, or in other words, the true result of world history, is realised." Georg Wilhelm Friedrich Hegel, Lectures on the Philosophy of World History, trans. H. B. Nisbet (New York: Cambridge University Press, 1981), 69.

in an age of technological innovation that translated most perniciously into a nuclear standoff between the US and the USSR for the better part of the second half of the twentieth century, even as it simultaneously afforded advances in clean forms of energy and a bevy of medical advances. There is, of course, never a way of knowing in advance how intentions—good or otherwise—will manifest. What is clear, however, are the consequences the drone has brought to bear. Elective affinities between terrorist groups and tribal leaders in the Middle East formed, even as terrorist networks adapted their geographic locales to counter America's killer drone fleet. Earlier forms of military technology, used as tools in a broader strategic mindset, were purposefully integrated as a set of means towards effecting an intended end. In the age of the drone—or, better, in the age of post-strategic warfare, wherein the drone is more accurate as a symptom rather than the disease—the drone is in danger of becoming a short-term stopgap whose long-term effects may, in fact, countermine its intended purposes, thus reinforcing my "in/security matrix," whereby further insecurity is generated through securitization.

Technology is the harbinger of epochal shifts in warfare.[59] A determining factor in victory resides not only in the tools available at a fighting force's disposal but also its willingness to use them. One can imagine David's sling with which he slayed Goliath or the two thermonuclear bombs Truman had his military deploy to crush Japan or the "shock

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[59] "Indeed, without technology, there would probably have been no war. After all, without technology, if only in the form of sticks and stones, man's ability to kill his own kind is extremely limited. He can hit–a purpose for which his arms are much better suited than those of any other animal–and bite, but he can hardly kill; he can choke, but doing so takes time, and few people are so strong that they could not be overpowered by a few others. Under such circumstances early human warfare might perhaps have resembled the kind of strife we witness among chimpanzees. There would no doubt have been fights over living space, access to resources such as food water, females, and precedence. Some fights might even have been motivated by the sheer fun of taking on an enemy and overcoming him. However, almost certainly there would have been no real war." Martin Van Creveld, "War and Technology," Foreign Policy Research Institute, October 24, 2007, https://www.fpri.org/article/2007/10/war-technology-2/.

and awe" campaign of the Persian Gulf War as examples of this truism in action. Contemporary American warfare has, however, taken an increasingly technological turn that seeks to further remove combatants from their conventional battlefield roles on the land, air, and sea. While this stopgap approach to counterterrorism abroad affords American military personnel enhanced protection, it invalidates the long-term stability that realists from Machiavelli and Hobbes to Schmitt and Morgenthau desired in favor of short-term efficacy precisely because drone strikes "corrode the stability and legitimacy of local governments, deepen anti-American sentiment and create new recruits for Islamist networks aiming to overthrow these governments."[60] Security measures undertaken to quell today's enemies thus create tomorrow's foes.

Armed drones have become an essential element in this evolving technocracy of warfare, one integral step in the move towards employing a wholly unconventional fighting force for the foreseeable future.[61] A logical outgrowth of the drone is already apparent in America's plan to remove pilots from the next generation of jet fighters whose automation will be more akin to dystopic science-fiction thrillers like *Stealth* than Tom Cruise's F-14 in *Top Gun*.[62] Practices like these only reinforce the ultimate expression of alienation: war. Modern warfare's latest incarnation develops and employs non-conventional weaponry to

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[60] Michael J. Boyle, "The Costs and Consequences of Drone Warfare," *International Affairs* 89, no. 1 (2013): 3.

[61] "…BAE Systems has already spent years developing the Taranis, a drone that should be 'completely autonomous'; that is, it theoretically will do without human pilots. By 2020, so claim UAV enthusiasts, drones could be engaging in aerial battle and choosing their victims themselves. As Robert S. Boyd of McClatchy reported, 'The Defense Department is financing studies of autonomous, or self-governing, armed robots that could find and destroy targets on their own. On-board computer programs, not flesh-and-blood people, would decide whether to fire their weapons.'" Turse and Engelhardt, 17-18.

[62] "[T]he F35 fighter that we're building now," according to Senator Gary Peters (D-MI), "will probably be the last aircraft fighter ever built that will have a human pilot." Quoted in Shannon Vavra, "Democratic Senator: Soon F-35 Fighters Won't Have Human Pilots," *Axios*, February 28, 2018, https://www.axios.com/democrat-senator-soon-f35-fighters-wont-have-human-pilots-86c5f7f7-9ffe-4823-85d8-bc1fddec3973.html.

reduce the "footprints" left by those "boots on the ground." Drone controllers are, in most instances, thousands of miles away from their targets. This spatial relationship between opposing forces is unparalleled in the history of military combat. Pilots engaged in bombing raids from miles above the skies still face a degree of risk, albeit a minimal one. Drone jockeys, however, simply run an increased risk of developing hand cramps from their joysticks. But while "traditional" military personnel expressed dissatisfaction with extending military honors to drone operators[63] (they are officially called "rewards"[64]), there is clear evidence to suggest that these new warriors fall equal prey to the negative psychological effects associated with their "manned" counterparts over the skies of Afghanistan and Iraq.[65] Anxiety, depression, and other manifestations of post-traumatic stress disorder (PTSD) are, in fact, heightened because drone operators "witness the carnage," unlike pilots whose job is over once their munitions are deployed from the sky.[66]

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[63] For a discussion of this thorny issue, see Michael S. Schmidt, "Pentagon Will Extend Military Honors to Drone Operators Far From Battles," *The New York Times*, January 6, 2016, https://www.nytimes.com/2016/01/07/us/pentagon-will-extend-military-honors-to-drone-operators-far-from-battles.html; Andrew Tighman, "DoD Rejects 'Nintendo Medal' for Drone Pilots and Cyber Warriors," *Military Times*, January 6, 2016, https://www.militarytimes.com/2016/01/06/dod-rejects-nintendo-medal-for-drone-pilots-and-cyber-warriors/; Christopher Woody, "The Air Force is Updating its Awards to Recognize Drone Pilots and Hackers," *Business Insider*, June 23, 2017, https://www.businessinsider.com/air-force-updating-awards-to-recognize-drone-pilots-and-hackers-2017-6.

[64] Bryan Lufkin, "Drone Pilots Will Start Getting Awards—But Don't Call Them Medals Quite Yet," *Gizmodo*, January 7, 2016, https://gizmodo.com/drone-pilots-will-start-getting-awards-but-don-t-call-t-1751556028.

[65] For a comprehensive analysis, see Jean L. Otto and Bryant J. Webber, "Mental Health Diagnoses and Counselling Among Pilots of Remotely Piloted Aircraft in the US Aircraft," *Medical Surveillance Monthly Report* 20, no.13 (March 2013): 3-8.

[66] Jean Lin Otto, Senior Epidemiologist with the Department of Defense's Global Emerging Infections Surveillance and Response System (DoD-GEIS) at the Armed Forces Health Surveillance Center and co-author of op. cit., quoted in James Dao, "Drone Pilots Are Found to Get Stress Disorders Much as Those in Combat Do," *The New York Times*, February 22, 2013, https://www.nytimes.com/2013/02/23/us/drone-pilots-found-to-get-stress-disorders-much-as-those-in-combat-do.html. For an extended pedestrian discussion of PTSD associated with drone operators, see David Axe, "How to Prevent Drone Pilot PTSD: Blame the 'Bot," *Wired*, June 7, 2012, https://www.wired.com/2012/06/drone-pilot-ptsd/, Julie Watson, "Emotional Toll Taxes Military Drone Operators Too," *The Washington Times*, September 28, 2014, https://www.washingtontimes.com/news/2014/sep/28/emotional-toll-taxes-military-drone-operators-too/, and Matthew Power, "Confessions of a Drone Warrior," *GQ*, October 22, 2013, https://www.gq.com/story/drone-uav-pilot-assassination.

Tomorrow's "cosmic warfare" is already being steadily planned. A proposed sixth uniformed branch[67] of the US military, the "Space Corps," was shot down in Congress in 2017.[68] But, as the United States Air Force Chief of Staff David L. Goldstein noted, America will be fighting from space—the final frontier indeed—in a "matter of years."[69] Trump seemed to initially accelerate this timetable when he clumsily announced the ancillary formation of an American "Space Force" that would be "separate but equal" with the US Air Force, which currently oversees matters involving space, like the 170 military satellites orbiting the planet, as an extension of its congressional mandate since its creation by way of the National Security Act of 1947, which restructured the US military to face the threat from Soviet Russia.[70] Nevertheless, President Trump told General Joseph Dunford, the chairman of the Joint Chiefs of Staff, who was in attendance, he would be "very greatly honored" if he would "would carry out that assignment."[71] He apparently did not realize that neither had authority to do so. Congress, which holds this authority, did not include reference to Trump's proposed "Space Force" in its passage of the annual defense

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[67] There are five uniformed and two ununiformed branches of the US military: Army, Marine Corps, Navy, Air Force, Coast Guard, Public Health Service Commissioned Corps (PHSCC), and National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps. The first four branches are housed within the Pentagon and are each represented by a corresponding joint chief of staff (the National Guard is represented despite it not being a federal military force). (The Coast Guard was subsumed by Department of Homeland Security from its original institutional housing in the Department of Transportation from 1967-2002.) The ununiformed two—the PHSCC (under Health and Human Services) and NOAA (under Department of Commerce)—can, in fact, warrant officers can be attached according to section 204 of U.S. Code 42, Commissioned Corps and Ready Reserve Corps. Commissioned Corps and Ready Reserve Corps, *U.S. Code* 42 (2012), §204.

[68] Mark Kaufman, "American Military May Get Actual Storm Troopers," *Inverse*, June 22, 2017, https://www.inverse.com/article/33236-united-states-may-get-storm-troopers.

[69] Cited in Danny Paez, "U.S. Air Force Chief: American Forces Will Be 'Fighting from Space' Soon," *Inverse*, February 26, 2018, https://www.inverse.com/article/41654-u-s-air-force-chief-american-forces-will-be-fighting-from-space-soon.

[70] Christine Emba, "Trump Wants His 'Space Force' to be 'Separate but Equal.' Notice Anything Odd?" *The Washington Post*, June 19, 2018, https://www.washingtonpost.com/opinions/trump-wants-his-space-force-to-be-separate-but-equal-notice-anything-odd/2018/06/19/439ee476-7400-11e8-9780-b1dd6a09b549_story.html.

[71] Marina Koren, "Trump's Space Force Will Have to Wait," *The Atlantic*, July 24, 2018, https://www.theatlantic.com/science/archive/2018/07/trump-space-force-congress/565967/.

policy bill for fiscal year 2019 a month after his informal request, effectively dashing Trump's desire to militarize the final frontier—for now at least.[72]

Drones have not systemically changed warfare. While their form is different, their purpose remains the same as others weapons: killing. But new manifestations of modern warfare have always been met by new international norms that arise as a result: the Geneva Protocol (1925), which included the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare; Outer Space Treaty (1967); and the Treaty on the Non-Proliferation of Nuclear Weapons (1970). The same will surely be the case with the drone, especially since the technological capacity and practical use of it have proliferated to national regimes and transnational networks that stand opposed to American interests. But despite the preeminent twentieth-century international law scholar Louis Henkin's (ludicrous) claim that "almost all nations observe almost all principles of international law and almost all of their obligations almost all the time,"[73] the fact remains that norms (whether in domestic or international politics) are little more than words. Absent a sovereign to enforce them, norms remain. As Hobbes put the matter, "covenants, without the Sword, are but words."[74]

The closest the international system has to such an institutional arrangement is the International Criminal Court (ICC) at The Hague, which opened some eighty years after its original proposition by way of the Paris Peace Conference at the end of World War I.[75] That the US joined with other luminaries, from Iraq and Libya to Israel and China, in voting

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[72] Rebecca Khell, "House Esily Passes $717B Annual Defense Policy Bill," *The Hill*, July 26, 2018, http://thehill.com/policy/defense/399002-house-easily-passes-717b-annual-defense-policy-bill.

[73] Louis Henkin, *How Nations Behave: Law and Foreign Policy* (London: Pall Mall Press, 1968), 47.

[74] Thomas Hobbes, *Leviathan*, ed. Richard Tuck (New York: Oxford University Press, 2010), 117.

[75] William Schabas, "The United Nations War Crimes Commission's Proposal for An International Criminal Court," *Criminal Law Forum* 25, no.'s 1-2 (June 2014): 171-189.

against the Rome Statute, which passed the UN General Assembly by a vote of 120 to 7 to create the ICC, only speaks to the illusory reality of global justice.[76] Had America been a signatory, there is little doubt that her statesmen who prosecuted the Iraq War would have been on the docket.[77] Anticipating this possibility while in office, President George W. Bush signed the American Servicemembers Protection Act of 2002—or, Hague Invasion Act—into law as a way to insulate American service personnel from facing criminal prosecution abroad.[78] The double standard has been the hallmark of American politics in general and her foreign policy in particular. Stephen Eric Bronner summed up the matter well when he noted that the "United States – the only nation ever to employ the atomic bomb (not just once, but twice) – finds it can provide nuclear arms for India and other countries of its liking and simultaneously threaten Iran with military action for building a nuclear facility that might produce a nuclear device in about ten years."[79] This structural imbalance of power between sovereign entities that make up international organizations was highlighted when they faced the largest transnational revolution in over two decades: the Arab Spring.

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[76] Curtis Bradley, "U.S. Announces Intent Not to Ratify International Criminal Court Treaty," *American Society of International Law* 7, no. 7 (May 11, 2002), https://www.asil.org/insights/volume/7/issue/7/us-announces-intent-not-ratify-international-criminal-court-treaty.

[77] See Peter Singer, "Crime and No Punishment for the Iraq War," *Project Syndicate*, April 6, 2018, https://www.project-syndicate.org/commentary/iraq-invasion-illegal-war-of-aggression-by-peter-singer-2018-04.

[78] "U.S.: 'Hague Invasion Act' Becomes Law," Human Rights Watch, August 3, 2002, https://www.hrw.org/news/2002/08/03/us-hague-invasion-act-becomes-law.

[79] Stephen Eric Bronner, "On Judging American Foreign Policy: Human Rights, Political Realism, and the Arrogance of Power," *Logos* 10, no. 3 (Summer 2011), http://logosjournal.com/2011/summer_bronner/.

III. A Tale of Two (Failed) States: Libya, Syria, and the Ethics of Intervention

The Arab Spring effected a shift in regional political power on a scale that had not been seen since the looming dissolution and ultimate collapse of the Soviet Union. Beyond the movement's regional manifestations, which caused the ouster of autocratic regimes in several states, the Arab Spring prompted so-called "first-world" powers to determine where they stood on the matter. Divergent reactions to the Arab Spring among the major players of the international "community" raised the question as to why certain regime changes were undertaken while others were not, namely, the US-led NATO intervention against Gaddafi in Libya and not Assad in Syria. Even though Syria was a far stronger state than Libya, the US initially favored taking out Assad on the coattails of Gaddafi's fall from power. But structural imbalances of power within supranational institutions, like the UN, frustrated this. America's decision to engage in Libya while (tacitly) abstaining from Syria was based, in part, on structural constraints within the United Nations itself. Ironically, the United Nations Security Council—the apparatus that determines these interventions— hinders more than it aids in achieving effective humanitarian missions. Competing national interests still trump notions of collective security in a globalized world that still operates based on a more or less symmetrical spheres-of-influence system.

Although the Arab Spring affected a diverse geographical swath from the western coast of northern Africa to southwestern Asia, a set of sociopolitical commonalties appears in each individual case—severe socioeconomic conditions and, to differing extents, autocratic political rule. Economic disparity coupled with authoritarian political regimes fomented the conditions for revolutions in each case. The existing economic disparities in these regions were exacerbated by the global financial meltdown of 2008, causing further

cleavages between the people and their autocratic leaders. Scores of protests had been, no doubt, ongoing some years prior to the Arab Spring. But Mohamed Bouazizi's self-immolation in December 2010 awakened a nascent transnational movement, from Tunisia and Egypt to Libya and Syria, whose effects continue to reverberate.[80] This moment of spontaneity, which cannot be accounted for, highlighted the distinction between politics as an art and as a science. The failure to anticipate the Arab Spring—like the (other) transnational revolutions of 1989 and the dissolution of the Soviet Union—was a product of the unaccountable quality that naturally marks the social sciences and, as a consequence, draws ire from positivists who seek to import the methods of natural sciences with those of the social sciences.

Tunisia catalyzed the Arab Spring. Protests following Bouazizi's act rocked the cities so much so that Tunisian President Zine el Abidine Ben Ali proclaimed he would work to improve his state's economy ten days into the demonstrations in exchange for an end to them. Emboldened, those on the barricades refused Ali's capitulation and remained intent on transforming their political situation. Protests in the cities intensified, and, on January 9, confrontations with state police culminated in eleven deaths. Ben Ali stepped down from power and fled to Saudi Arabia five days later, less than a month after the original outbreak.

Egypt quickly followed suit. On January17, 2011, mere days after Ben Ali's departure from Tunisia, an Egyptian man, mirroring Bouazizi, set himself on fire outside of Egypt's

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[80] Bouazizi, an unemployed university graduate, served as a microcosm of the youth unemployment in Tunisia. While national unemployment in Tunisia stood at 13%, unemployment among university graduates of Sidi Bouzid, Bouazizi's hometown, topped 25% among the males and 44% of their female counterparts. Brian Whitaker, "How a Man Setting Fire to Himself Sparked an Uprising in Tunisia," *The Guardian*, December 28, 2010, https://www.theguardian.com/commentisfree/2010/dec/28/tunisia-ben-ali.

Parliament. Protesters coordinated a mass demonstration against Hozni Mubarak's autocratic regime in Cairo on January 25. But unlike Tunisia, external powers joined the fray. Two weeks after the initial uprising in Egypt, President Obama issued a statement regarding the situation in Egypt. Obama condemned Mubarak and his government, saying they must "put forward a credible, concrete and unequivocal path toward genuine democracy." [81] Obama allied himself with the Egyptian protesters by claiming they "represent the greatness of the Egyptian people."[82] Continued internal social protest and external pressure culminated in the transfer of power to the military on February 11—less than three weeks into the protests.

Libya reacted to Mubarak's ouster in a similar way that Egypt reacted to Ben Ali's. Libyans assembled mass protests against Muammar Gaddafi on February 16, five days after Mubarrak's transfer of power to the Egyptian military. Scores of Libyan protesters were killed in the wake of the government's response to quash the protests. These actions proved counterproductive by providing more fuel for the protestors even as military forces defected because of contravening orders to target civilians. And while international pressure—most notably from Obama—mounted for Gaddafi to step down, the "mad dog of the Middle East" remained steadfast, vowing not to concede to the popular sentiment.[83] The United Nations Security Council responded two weeks later by unanimously[84] passing UN Security Council Resolution 1973. The resolution established a no-fly zone within

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[81] Ewen MacAskill, "US and World Wrongfooted by Mubarak as White House Tries to Keep Up," *The Guardian*, February 10, 2011, http://www.theguardian.co.uk/world/2011/feb/10/obama-wrongfooted-mubarak-egypt.
[82] Ibid.
[83] Ian Black, Nicholas Watt, and Patrick Wintour, "Libyan Leader Should Stand Down as He Has 'Lost Legitimacy,' Says Obama," *The Guardian*, March 3, 2011, http://www.theguardian.co.uk/world/2011/mar/03/libyan-leader-stand-down-obama .
[84] Brazil, China, Germany, India, and Russian chose to abstain from voting on the measure.

Libya, with the ultimate aim of protecting Libya's civilian population from further acts that "might constitute 'crimes against humanity.'"[85]

Two days after the passage of Resolution 1973, Allied forces enacted a no-fly zone, while French forces used air power against pro-Gaddafi forces. Other Allied members—including the US—used naval assets against Libyan strongholds. America's decision to have the French spearhead the campaign was roundly criticized by Obama's critics. "Leading from behind," a quip that an Obama staffer made regarding the US' role in Libya, became identified with the Obama Doctrine.[86] But his rationale for intervening in Libya, amidst continuing US action in Afghanistan, was based on upholding an international mandate to negate further civilian casualties rather than a unilateral exercise of regime change of his predecessor's variety.[87]

Further international ramifications against Gaddafi arose. The International Criminal Court (ICC) formally indicted him, issuing a warrant for his apprehension for his actions against the civilian rebel targets during the civil war. The following month saw rebels enter Tripoli. Unable to hold out any longer with anti-Libyan forces on the march, Gaddafi fled the capital after four days. Seven months after the initial Libyan uprising, the National Transitional Council (NTC) filled his void. Gaddafi's reign officially ended on September 16, 2011 when the UN General Assembly allowed members of the NTC to represent Libya as its provisional sovereign. It would take another month for the capture and ultimate death of Gaddafi by NTC forces on October 20.

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[85] "Security Council Approves No-Fly Zone over Libya, Authorizing All Necessary Measures to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions," The United Nations, March 17, 2011, http://www.un.org/News/Press/docs/2011/sc10200.doc.htm .

[86] Simon Chesterman, "'Leading from Behind': The Responsibility to Protect, the Obama Doctrine, and Humanitarian Intervention after Libya," Ethnics & International Affairs 25, no. 3 (2011): 283.

[87] Ibid.

As protests in Libya entered their second month in March, 2011, Syria's Assad faced a looming sovereign crisis of his own. But as opposed to the internal, and limited external, pressure that resulted in regime change in Tunisia and Egypt and the international response to Libya, Assad was insulated from a meaningful sovereign breach by outside powers by key strategic allies who happened to have permanent seats on the UN Security Council: Russia and China. Repeated international calls for Assad's cessation from power—most notably, the UN's toothless demands for a de-escalation of Syrian military force against its rebelling civilian population—were naturally ignored. Russia and China blocked UN sanctions against Syria, and, in so doing, raised the specter of an indefinite Assad regime in Syria. Rather than abstaining from voting, as they did with Libya, Russia and China held firm on their positions with regards to Syria.

Syria's internal situation was no better for domestic and international opponents of Assad. The opposition within Syria was split, with scores of competing rebel groups, from the Turkish-backed Free Syrian Army to the Kurdish-led Syrian Democratic Forces and the Muslim Brotherhood to al-Qaeda, vying for dominance against their shared enemy in the Assad regime. Little wonder, then, that ISIS—the most ideologically coherent group within the mix—would have emerged victorious. Al-Nusra joined with its al-Qaeda progenitor in (symbolically) condemning ISIS as barbarians. Yet neither al-Nusra nor al-Qaeda took concrete actions to invalidate ISIS in its march across Syria insofar as neither wanted to fight it. Put very simply, one cannot have an ally whose twin brother you are fighting. Such was the case here among these three groups that emerged from the same yolk in al-Qaeda in general and al-Qaeda in Iraq in particular.

The UN can appeal to sovereign powers through numerous means, from economic sanctions to the licensing of military intervention. But it remains virtually inept when its members, particularly on the Security Council, are not united in a political project. Russia's decision to abstain from approving NATO's intervention made sense not only insofar as it had no strategic imperative in the region but also because of its frosty relationship with NATO. As regards Syria, however, Russia has a key alliance with Assad whose state houses the Port of Tartus, Russia's only external military base and a key fueling port for its navy in the Mediterranean. Loss of this asset would, simply put, be disastrous for Russia's naval route to Atlantic. Moreover, Russia has robust economic stakes in Syria, namely, the arms deals it provides the Assad regime.

China's rationale for blocking action against Assad need not be found in purely material metrics, as its monetary interest in trade with Syria is a pittance when compared with other regional allies, most notably Saudi Arabia. Rather, China's determination can be interpreted in light of the move made by the Security Council to aim for regime change in Syria, as this was the ultimate byproduct of Resolution 1973 in Libya.[88] Assad has a strong military force at his disposal, which complicated the prospects for a swift and decisive regime change of the Libyan sort. But beyond this, China and Russia's actions on the Security Council spoke to a growing concern of a rollback to Bush-style regime change over regional stability. Then-Secretary of State Clinton's hubristic quip that "we saw, we

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[88] Li Weijian, "China's Motivation for its Veto on the UN Syria Resolution," Shanghai Institutes for International Studies, February 23, 2012, http://en.siis.org.cn/Research/EnInfo/1962.

came, he [Gaddafi] died," which was followed by eerie laughter, did little to dispel imperial fears.[89]

Iraq and Afghanistan have cast a long shadow on military interventions in general and American foreign policy in particular. The US is a war weary nation, whose standards of waging war have been elevated as a result of the aforementioned excursions, which have, as of this writing, cost a combined death toll of 6,775 lives.[90] (US forces account for 93% of coalition deaths in Iraq and 67% in Afghanistan.) Furthermore, the US' investment in these wars through fiscal year 2013 has totaled $1.48 trillion.[91] Simply put, the combined cost of American blood and treasure has considerably altered the attitude of the American people with regards to engaging in foreign affairs. If the US is to commit forces to ameliorate humanitarian crises, be they products of the Arab Spring or otherwise, there has to be a material benchmark by which the decision can be presented to the American people.

In 2005, the United Nations established the Responsibility to Protect (R2P). R2P is a multifaceted process that seeks to legitimate military action, consisting of three basic principles: (1) The State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement; (2) The international community has a responsibility to encourage and assist States in fulfilling this responsibility; and (3) The international community has a responsibility to use appropriate diplomatic, humanitarian, and, if need be, military means to protect populations from these crimes. If a state manifestly fails to protect its population, the

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[89] Hillary Clinton, "Clinton sees Gaddafi news on Blackberry," *The Washington Post*, October 20, 2011, https://www.washingtonpost.com/video/politics/clinton-sees-gaddafi-news-on-blackberry/2011/10/20/gIQARfLa0L_video.html?utm_term=.fd24849fb74c.

[90] "Operation Iraqi Freedom and Operation Enduring Freedom/Afghanistan Casualties," iCasualties, http://icasualties.org/.

[91] "Notes and Sources," National Priorities Project, http://costofwar.com/about/notes-and-sources/.

international community, so the argument goes, must be prepared to take collective action to protect that population in accordance with the Charter of the United Nations.[92]

As its name suggests and its first principle states, R2P is based on the notion that states have a duty to keep their people safe. Sovereignty thus becomes a slippery normative concept, whereby states are held to account by the international community, lest they fail to maintain the safety of their people. Also, the international community has a duty to facilitate stability among the global order and, if need be, it is authorized to intervene to maintain the first principle of R2P. But does popular sovereignty, as it emerged from Hobbes during the backdrop of the looming Westphalian Peace, not readily entail reciprocal rights and obligations between subject and sovereign?

While seemingly noble in its philosophical underpinnings, R2P is difficult to achieve in practice because of the institutional apparatus that houses it, namely, the UN. Blockage of action against Syria within the UN Security Council by Russia and China typified the institutional constraints the UN operates under when attempting to effect political mobilization against what it considers to be wayward states. Another point of contention R2P raises is its seeming license to liberate. Relegating sovereignty to a normative concept, which can be negated by virtue of maintaining R2P's regulative ideals, provides potential for misuse and abuse. It puts sovereign interests under the direct auspices of a select clique within the UN Security Council. The specter of selective interventions— based on material interests of third parties—is readily apparent. Which metrics are to be used when applying R2P's first principle, the maintenance of a population's security from "genocide, war crimes, crimes against humanity and ethnic cleansing, and their

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[92] UN General Assembly, Resolution 63/308, The Responsibility to Protect, A/RES/63/308 (October 7, 2009), http://undocs.org/A/RES/63/308.

incitement"? Does the ongoing state of affairs in Darfur not constitute such a measure? Moreover, the 2003 invasion of Iraq was predicated, among other rotating justifications, on deposing a tyrannical leader so as to prevent his further abuse of his people.

Libya provided the international community with a near seamless opportunity to apply its theoretical precepts for intervention into practice. One would be hard-pressed to find a modern case for humanitarian intervention that had the same purchase Gaddafi offered: a despot who openly threatened to exterminate civilians whom he likened to rats. The language smacked of past genocidal figures of the not too distant past, from Hitler and Pol Pot to those fanning the ethnic flames in Rwanda. Gaddafi, moreover, had the means to transform his words into deeds, as he used loyalists to attack his opponents to the end. The UN thus had an opportunity to make up for past sins, particularly its abject failure to prevent mass atrocities in Rwanda and Darfur. Gaddafi's lack of a powerful army also allowed the UN to deem the possibility of military engagement tenable. Once Allied forces started their assault upon Libya, Gaddafi's already numbered days were accelerated.

Intervention in Libya, through UN Security Council Resolution 1973, was predicated on a seemingly noble purpose: to stop Gaddafi from carrying out further acts of mass atrocity against his people. It was conducted through a legally binding institution in the UN. And its scope was to maintain peace in a region that was marked by violence. These three qualities comport with the rubric set in R2P, which was passed through the aforementioned language of Resolution 1973 and the subsequent intervention in Libya.

Democratic transition in Libya, however, has been anything but. The events of September 11, 2012 highlighted the competing sectarian forces vying for control of a post-Gaddafi Libya. While the attack on the US embassy in Benghazi, which resulted in the

deaths of four Americans (including US Ambassador Stevens), was a tragedy by any measure, it also illuminated the potential for future outreach to the Libyan people. This episode showed the divergent attitudes that exist within Libya. The Libyans that attempted to help Ambassador Stevens and his cohorts from the invading Libyan forces evidenced this. Mistakenly assigning attitudinal homogeneity among ethnic, religious, or ideological lines to the "Other" is done so at our own peril.

Assad's strong military, augmented by outside assistance in the form of arms and military support by Russia and, to a lesser extent, Iran, was marshaled to liquidate opposition forces in their ongoing civil war. Syria's hard power translated into a rationale to defer military intervention of the type that was enacted in Libya. Internally, the plurality within the rebel movement only added to the challenges of deposing Assad. The lack of an opposition movement with a clear ideological coherence proved a major impediment to the diplomatic processes, from the national to the international levels. Secretary Clinton said as much when she noted there needed to be "an opposition leadership structure that is dedicated to representing and protecting all Syrians."[93] Moreover, the lack of a united international mandate that was evidenced in the Libyan case denied the Obama administration the ability to claim an international mandate to intervene in a humanitarian crisis that wound up claiming 30,000 lives by the end of Obama's tenure in office.

Had a resolution against Syria passed, it would have been justified when measured against Just War Theory and R2P. As with Gaddafi, Assad's acts against Syria's civilian population constituted a failure on the part of his regime to protect its people, thus abdicating the responsibility it has to them. The failed sanction would have thus constituted

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[93] Jay Newton-Small, "U.S. Seeks a New Opposition in Syria," *Time*, November 1, 2012, http://swampland.time.com/2012/11/01/u-s-changes-horses-in-syria-but-to-little-avail/.

the second component of R2P—the extension of the international community to aid a population subjected to war crimes. The conduct of the Syrian Civil War, on the part of Assad, is an obvious obfuscation of R2P's guiding principle. As a result, intervention (in theory) is warranted, although two permanent members of the UN Security Council dashed it.

These two cases present the UN with a vexing challenge. How can it remain consistent and prevent divergent actions to occur when facing (principally) analogous international catastrophes? International organizations must reflect on the institutional mechanisms they use if they are to address this. But the question remains: Is there an ethical dimension to security or is security simply a matter of exigency?

Renewed attention has been focused on recovering realism from its various positivist offshoots that were heralded in by the behavioral revolution in the social sciences. In an attempt to develop a systemic "theory" of geopolitics, neo- or structural-realists divorced values from interests as they substituted the primacy of human nature, which underpinned classical realist thought from Thucydides to Morgenthau, with a reified point of reference in "world order." This move towards a structural foundation, however, did little to foster a more robust predictive ability among scholars of international relations in general and those of security studies in particular. Worse, it intensified an already growing divide between those who study policy and those who make it. Any statesperson can bandy their realist credentials where matters of foreign policy are concerned but few, if any, can draw distinctions between the various sub-traditions that make up the school of thought to which they supposedly subscribe. The cross-purposes at which these isolated camps talk

has been matched by the confusion modern realists face when they proffer their (always right) suggestions among themselves from the breach.

Recovering realism will require today's realists to determine where they stand on key issues that will inform future security concerns as surely as they produced the security failures for which America is still paying the price. Security practices, from rendition and torture to preemptive strikes and nation building to drones and assassinations, show the insoluble link between ethics and security. Each of these disastrous practices was built upon exigent maneuvers that were based in instrumental thinking devoid of the long-term implications such stopgap measures would promote. Present in each were the seeds for increased disorder over the long run. Ethical calculus is worthless if security is simply a matter of short-term efficacy. But an ethical commitment to security is both a sufficient and necessary condition since stability is the cornerstone of realism. Failure to mediate these ethical components of security will only repeat yesterday's mistakes, namely, generating further insecurity by carrying out imprudent security measures in times of crisis. A normative component thus founds any security measure wherein someone, some group, or some state pays the ultimate price for America's fleeting security.

American security practices have evinced an arbitrary character that cuts off its nose to spite its face. Short-term thinking that replaces an overall strategy with isolated tactics has led to the geopolitical quagmire in which the US finds herself. Old reference points no longer hold in an age marked by transnational security threats that do not align with traditional security frameworks. While strategic thinking is embraced by America's terrorist foes, America herself has yet to develop a security strategy that distinguishes between strategy and the tactics that foster her strategic goals. This radical divide is

explored in the concluding chapter in order to generate new ideas to face the new threats that continue to inhibit security at home and stability abroad.

V

CONFRONTING THE ABYSS:

Towards a Twenty-First-Century Security Practice

America's global "war on terror" practices have been generated by reified thinking—or, my notion of "reified realism"—as to what constitutes national security threats in an age highlighted by non-state-based enemies to the republic. Old Cold War thinking based in instrumental thinking has, in effect, informed how the US responds to (particular) acts of terrorism, namely, those launched by Islamic groups from 9/11 to today. Less thought, however, has been paid to understanding how these groups America is fighting in this unwinnable battle are constituted in the first instance. Further insecurity is caused by apodictic approaches that treat the threat of terrorism in state-based terms, which necessarily culminate in military responses to an enemy that can only be hampered—not defeated—on the battlefield and reinforce my understanding of an "in/security matrix" whereby attempts to securitize lead to further insecurity in an unending symbiotic dynamism.

Terrorism cannot be defeated. But it can be managed, if the phenomenon is rightly understood. This concluding chapter thus lends insight into the ideological and strategic make up of modern political terrorist groups by providing a generalizable framework for making sense of terrorism. It then considers the lack of strategic value inherent in America's counter-terrorism measures. While terrorists have a clear strategy and use specific tactics to bring about their strategic goals, the same cannot be said for American counter-terrorism practices that operate in the "post-strategic warfare" manner I have identified in this study. Methods to relink tactics with strategy are finally proffered in an

attempt not only to address the scourge of terrorism but also to rehabilitate America's image at home and abroad where contentious matters of security are involved.

I. After the Fall: 1991 to 9/11

George H. W. Bush provided a veritable groundwork for a post-Cold War foreign policy. He resisted perennial cold warriors like Brent Scowcroft, who saw the Malta Summit[1] as a capitulation to the fledgling Soviets rather than a (rare) gesture of prudent American diplomacy, even as he presided over a peaceful reunification of Germany following this landmark accord. Bush's attitude towards "great powers" followed what Zbigniew Brzezinski would later dub the "geostrategic triad" between European allies and rising powers in Russia and China. Balancing power under this multipolar system presumes the obvious—coming out of the Cold War standing did not translate into an America global hegemon. But global politics involving peripheral states are another matter and have a way of stoking geopolitical fractures and flashpoints among "great powers" vying for predictability in their respective spheres of influence.

H. W. Bush's intervention into Panama in 1991 paved the way for the peripheral global politics that punctuated American foreign policy in the ten years between the lifting of the Iron Curtain and the collapse of the Twin Towers on 9/11. Bush ordered 24,000 American troops to remove Noriega from power after he refused to step down after losing

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[1] "…my boss, Brent Scowcroft, in particular, was sort of worried about a premature summit, where you might have expectations set that something was going to happen, where the Soviets might grandstand and force us into agreements that would ultimately not be good for the United States. And so there was a period of resisting an early summit, putting first the trip to Eastern Europe, to affirm American support for democracy in Eastern Europe; second, to get through the NATO 45th anniversary celebration, where there were a lot of very sticky issues with the Germans about short-range nuclear forces; and then, only after those relationships had been stabilized, to think about how to deal with the Soviet Union in a summit." Condoleezza Rice, "Interview with Dr. Condoleezza Rice," The National Security Archive (George Washington University), https://nsarchive2.gwu.edu//coldwar/interviews/episode-24/rice1.html.

to Guillermo Endara in a democratically held election. Operation Just Cause—which was named that to force critics to call it Just Cause while criticizing—was a success by all measures. But poor post-intervention planning put Panama on the verge of a civil war. The UN General Assembly condemned the US mission by a vote of 75-20 (with 40 abstentions), seeing the first non-Cold War related American excursion in forty years a war of aggression. Yet Bush's foreign policy team wily claimed to be acting in self-defense, as there were 35,000 US troops present in the Panama Canal. The Office of Legal Counsel interpreted the Posse Comitatus Act of 1878, which forbids American military forces from making arrests, only holds on the mainland, thus allowing American military forces to act as a veritable police force across the waters' edge. This unilateral action set the stage for future interventions beyond the US's traditional sphere of influence in the Americas. The US-led multilateral ousting of Saddam from Kuwait as well as the humanitarian action that turned into "mission creep" in Somalia created the preconditions for al-Qaeda's reckoning against an American presence in their holy land, namely, occupation in the former and lacking a will to fight in the latter.

Terrorism may be as old as time immemorial. But it would take 9/11 to bring terror into American homes. Anthropologically rooted in the Biblical account of the zealots, terrorism has always been a favored tactic employed by sub-state groups against state rivals. Given this imbalance of power, and its contestation by non-state actors, it is only natural that the phenomenological character of terrorism should be contiguous rather than disjunctive. Terrorism, simply put, continues to be employed as a means towards a political end because it works. After all, it only took nineteen hijackers to initiate a wholesale transformation of American domestic security and foreign policy whose theories never

took its own past and present practices into account. This failure to mediate the means and ends of counterterrorism continues to frustrate security policies at home and abroad in the war without end against non-state terrorist actors who have an ideological coherence around shared policy ends and a strategic mindset on how best to employ tactics to will such ends.

Do terrorists exercise terrorism as a means to an end or as an end unto itself? Distinguishing between the two becomes all too important insofar as it informs how a meaningful counterterrorism policy can take shape.[2] Terrorism can best be understood as a military means to a political end. Terrorism is, consequentially, a method in the terrorist's political toolkit, which complicates how America approached the global "war on terror" from the start. Fighting a war against terrorism makes as much sense as fighting a war against drugs, poverty, or the like, wherein the fundamental root of the problem is sidestepped in favor of reactively playing cleanup. To make matters worse, the cure only further inflames the disease.

Biennial polls in 2004, 2006, and 2008 from the Chicago Council on Global Affairs revealed that three quarters of respondents found terrorism to be a critical threat, 75 percent, 74 percent, and 72 percent, respectively.[3] But when asked by a CBS News/*New York Times* Poll in 2006 if torture was justified, more than half (56 percent) indicated "never" while 35 percent answered "sometimes."[4] A 2008 Pew Research Center for the People and the Press Political Survey found that although half found the practice to be rarely or never justified,

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[2] This pressing facet has been noticeably absent in the academic discourse since 9/11. A useful intervention can be seen in Peter R. Neumann and M. L. R. Smith, "Strategic Terrorism: The framework and its Fallacies," *The Journal of Strategic Studies* 28, no. 4 (August 2005): 571-595

[3] Miroslav Nincic and Jennifer Ramos, "Torture in the Public Mind," *International Studies Perspectives* 12 (2001): 236.

[4] Cited in Paul Gronke, Darius Rejali, Dustin Drenguis, James Hicks, Peter Miller, and Bryan Nakayama, "U.S. Public Opinion on Torture, 2001-2009," *PS* 43, no 3. (July 2010): 439.

48 percent disagreed, saying it was often/sometimes permissible. In a 2009 Fox News/Opinions Dynamics Poll, 48 percent opposed the use of torture and 43 percent favored it.[5] What explains this relatively high number of those affirming the practice of torture?

Context matters. Terrorism conjures imagery of the infamous ticking time bomb scenario. If there is a ticking time bomb about to explode, inflicting mass casualties, and there is a terrorist with potential information in custody, what are the means by which we are willing to prevent the pending attack? This hypothetical model was used in the 2004, 2008, and 2012 presidential debates and is a steady trope in popular culture.[6] The answer to this question is quite intuitively clear: you do *whatever* is necessary. But the question, in itself, is flawed. When has this situation ever occurred? Shows like *24* and *Homeland* do not reflect the intricacies and reality of contemporary counterterrorism, to say nothing of the historically flawed information torture has resulted in. Abandoning the liberal rule of law for expediency in a counterfactual thought exercise speaks to the potential for blowback—turning a tool of counterterrorism into a recruitment tool for radicalization.

But terrorism should not be reduced to its use of violence. Terrorist violence may involve eliciting fear in the first instance, but it also serves to generate specific counter-terrorism responses that can garner its cause a share of legitimacy. Disorienting a given society by catching it off balance is the first tactical step used in the broader strategy embraced by terrorist forces. Challenging the government's ability to protect its population from harm calls the legitimacy of a given state's primary mission into question while overly

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[5] Nincic and Ramos, 236.
[6] See, for example, 2010's *Unthinkable*. *Unthinkable*, dir. Gregor Jordan (US: Sony Pictures Home Entertainment, 2010).

reactive anti-terror measures that impact the lives of citizens in favor of effecting security have a way of calling certain counter-terrorism practices into question. This unintentional dynamism becomes apparent when security begets further insecurity, resulting in a strategic victory for terrorists. Overreaction, in the end, produces the desired terrorist outcome: disillusionment of a civilian population. Gaining legitimacy entails using the media to promote their message in interrelated ways: eliciting government overreach to an attack can help imply a kernel of a just terrorist cause.

There is a symbiotic relationship between terrorists and the media wherein one relies upon the other. Terrorists target selection is based, in part, on choosing a target that will ensure mass media coverage. Killing scores of civilians, particularly in the West, is a good strategy for terrorists to use, as it will be reported upon and analyzed ad nauseam by a supine media whose founding adage is "if it bleeds it leads." Media coverage of terrorist deeds, though, has the potential to act as a prime source for radicalization.

Terrorist attacks serve as legitimizing events. To create a connection between theory and practice—or, better, ends and means—terrorists attack targets they see as being enemies of their cause. In this way, civilian targets are instrumental in character because they are selected not only for their perceived slights against terrorist actors but as a way to attract the attention of an uncritical media and the largest possible audience they will provide.

How can the media operate in a way not to play into terrorists' hands? They can selectively choose to cover acts of terrorism rather than covering all or none by using what Wilkinson called "voluntary self-restraint."[7] This category is a middle point between two

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[7] Paul Wilkinson, "The Media and Terrorism: A Reassessment," *Terrorism and Political Violence* 9, no. 2 (Summer 1997): 63.

extremes. Rather than allowing coverage without circumspection on the one hand[8] or imposing censorship strictures on the other,[9] this third way calls for media outlets to cover terrorism with a measure of prudence. This means, in the main, not giving terrorism a platform to exploit its propaganda of the deed.[10] Responsible coverage thus calls for balancing reportage with careful analytic and historical critiques that are found all too wanting by today's "talking heads." Some news outlets, clearly, do this better than others. *Democracy Now* and, despite its state ties, *Russia Times* engage a litany of area experts and policy makers over the midrange academicians the mainstream liberal media establishment fall over backwards to book.

Terrorists have been able to leverage social media to an impressive extent. The rise of highly sophisticated new media sources around 2005, interestingly enough, corresponded to al-Qaeda's ever-deepening strategic defeat on the battlefield of US-occupied Iraq. A new field of battle was needed. New media provide terrorists the ever-increasing speed of the Internet to spread their message to a worldwide audience and coordinate their operations in real-time. Social media platforms are user-friendly and allow for a multiplicity of various actors to communicate messages for terrorist recruitment. Terrorists use Internet forums to bandy about overarching themes of communal fidelity to attract potential recruits, especially young and alienated men.[11]

New media also rely on old forms of media, namely, print media. ISIS has been able to exploit this front with their wildly popular *Inspire* magazine. Professional in its

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[8] Ibid, 60.
[9] Ibid, 61.
[10] Ibid, 63.
[11] Philip Seib and Dana M. Janbek, *Global Terrorism and New Media: The Post-Al Qaeda Generation* (New York: Routledge, 2011), 49.

layout and recurrent in its format, the jihad magazine has proven to reach a mass audience the world over. Its targeted audience is clear: *Inspire* appeals to a Western audience.[12] It (selectively) quotes westerners that critique American foreign policy. Beyond being steeped in ideology, it also provides pragmatic elements. Its section "Open Source Jihad," for example, provides its readers with a veritable how-to-manual in learning the ways of the jihadi warrior. Instructions on guns and other weapons fill the pages of this section. The infamous "Make A Bomb in the Kitchen of Your Mom" was instructive to the Boston Marathon bombers.[13] *Inspire* has thus proven to be a concrete instrument of radicalization.

Traditional and new media act in accord and frustration with one another when it comes to terrorism and its response. Terrorists and those countering terrorism use media platforms for their own purposes. Although the opponents of terrorism control traditional media, terrorists, as evidenced, exploit media outlets' necessity to cover terrorist acts to spread their message. The explosion of new media, however, is another beast. Unlike traditional media sources, which are corporate or state controlled and/or dictated, new media platforms are the great equalizer. They allow for an unfettered arena for users from across the world to connect. Terrorist actors have adroitly exploited the democratic character of this technology for their purposes.

Religion is the most prevalent motivating force vis-à-vis terrorism in the twenty-first century, as the most fervent transnational terrorist groups legitimate their deeds by appealing to their religious interpretations. But to what degree is a political ideology infused with religion different from any other motivating political ideology, such as

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[12] Anthony F. Lemieux, Lemieux, Jarret M. Brachman, Jason Levitt, and Jay Wood, "Inspire Magazine: A Critical Analysis of its Significance and Potential Impact Through the Lens of the Information, Motivation, and Behavioral Skills Model," *Terrorism and Political Violence* 26, no. 2 (2014): 358.

[13] Lemieux, et al., 356.

fascism, communism, or the like? Ideology can be called into question when circumstances call for reevaluation. Western Marxism faced such a situation when it offered an alternative to Soviet Marxism when the "heroic phase" of the Russian Revolution gave way to what Trotsky had already foreseen in 1904, namely that "the organization will replace the Party, the Central Committee will replace the organization, and finally, the dictator will take place of the Central Committee."[14] Religious extremism, however, evinces an absolutist political outlook because it has God—the *absolute* sovereign—on its side. Put another way, modern political terrorism's ideology fuses violent political means under a pre-modern religious veneer.

In 1979, the Pahlavi government of Iran was overthrown by the ayatollahs, the religious leadership of Iran. In its aftermath, the Islamic world was given a new political model: an Islamic state, or caliphate, that would be led by a religious leader. Following suit, the USSR's failure to take Afghanistan, the "graveyard of empires," provided a further signal to the future leader of al-Qaeda, who gave up his family fortune to defend against imperialism in the greater Middle East. As America, Israel, and an assortment of Arab states financed the Afghan's Taliban forces in their resistance against the Russians, it became clear that Islamists could foil a world power's designs. The US was brought in, at the urging of the Saudis, to check an Iraqi hegemon. American bases were established in Saudi Arabia, which produced anger on the part of Muslims, who felt that infidels were occupying their lands. Saudis thus became the prime target of Osama Bin Laden: Muslim governments that work with the West are enemies in the eyes of Islamist fundamentalists.

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[14] Quoted in Albert Parry, *Terrorism: From Robespierre to the Weather Underground* (Mineola: Dover, 2006), 135.

Jihad is a questionable sixth pillar of Islam. Colloquially, jihad means an internal struggle. In modern parlance, however, jihad has become a struggle against infidels. The true nature of jihad is split in modern political terrorist studies. Unlike Judaism and Christianity, there is no *scriptural* division between religion, politics, and military affairs in Islam and, thus, no separation between mosque and state.[15] Accordingly, the ummah, or the worldwide community of Islamic believers, should transcend national divisions.[16] Islam qua religion is no more responsible for modern political terrorism than Christianity and Judaism are reducible to anti-abortion assassins in America or the Zionist paramilitary groups that rocked Palestine in the decade preceding the creation of Israel, respectively. Nevertheless, a specific interpretation of Islam is culpable. Al-Qaeda (as with all other radical Islamist groups) is informed by ideology and politics at one and the same time. Starting in the eighteenth century, a series of Saudi teachers and preachers sought to return to the purity of Islam to improve their position against the rest of the world. Wahhabi preachers made a deal with the House of Saud wherein they would control the mosque in exchange for political legitimation. Removing infidel influences, which produce decadence, lay at the core of their ideology.

Strategically speaking, Islamist groups differ on the means to bring about their desired political ends. To be sure, both radical and moderate Islamist groups wish to combat what they see as authoritarian governments throughout the Middle East. The point of departure between these groups, however, largely converges over the scope of the goal

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[15] Practical connections between church and state are another matter. Indeed, the relationship between church and state was a deep one, taking democratic revolutions to overthrow the feudal order that fused these two institutions.

[16] See Robert Saunders, "The Ummah As Nation: A Reappraisal In The Wake of the 'Cartoons Affair,'" *Nations and Nationalism* 14, no. 2 (2008) for an analysis of the practical manifestation of the ummah in the twenty-first century.

and the means to establish it. Radical groups, such as al-Qaeda and ISIS, use violent means to expel infidels from their lands as a precondition to establish Islamic states that are maintained through Sharia law. Moderate groups, on the other hand, work from within the political system to bring about political change.[17]

The modern nation state rests on a well-functioning bureaucracy to effect political rule on behalf other state institutions. So important is bureaucracy that it becomes a necessary condition for any form of effective governance. As Weber noted, bureaucracy relies on routinization: the degree to which procedures are organized in a contiguous manner. The extent to which routinization is underdeveloped—or its absence if a bureaucratic apparatus is lacking—is the degree to which political paralysis ensues. Simply put, without it, nothing gets done.

A legitimation crisis, in Habermasian terms, occurs when the public ceases to identify with the state to fulfill its obligations. Terrorist groups exploit this situation in two ways. Ineffective governments are less able to quell terrorist groups from proliferating, let alone forming, in the first instance. Secondarily, terrorists fill the void left by discredited states by co-opting services that would normally be dispersed by the government. The most basic, if not essential, services like security, access to food, medicine, and social services are wanting in the absence of a functioning governing structure. It is in this way that terrorist groups are able to act as a political entity—with its own form of bureaucratization—like the very states they oppose. So-called failed states, as a consequence, provide a fertile ground for terrorist groups to ply their trade. They benefit

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[17] Amr Hamzawy, "The Key to Arab Reform: Moderate Islamists," *Carnegie Endowment for International Peace*, no. 40 (2006), 6.

from an absence of interference from the state and are able to grow their ranks by providing services that, otherwise, would be provided by the state in the first instance.

Terrorists portend to provide the opposite of the discord they sow. An insight into a terrorist group's political function, namely, to solve the "legitimation crisis" it itself brings about goes further in identifying the appeal some groups have in disordered areas lacking an effective sovereign to maintain security.[18] Rather than looking at the hotly contested terrain of the ideological and religious dimensions of modern political terrorism to explain its potential appeal, a political analysis which highlights the insoluble role sovereignty plays as the guarantor of security is in order. Security begins and ends with the sovereign. Terrorists, it would seem, understand this dictum better than their counter-terror foes.

II. Model and Missteps: Perspectives on Counter-terrorism

Twenty-five years have passed since the first terrorist attack on the World Trade Center and the seventeenth anniversary of 9/11 fast approaches. Yet prosecuting terrorism continues to be a contested and illusive affair. The hanging of the Rosenbergs or Nazi war criminals at Nuremburg speak to a bygone era wherein a threat group's identity was tied to

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[18] "The proliferation of these groups is puzzling because their goals are far more radical than those of the Sunni population they seek to represent. According to a 2013 survey of 38,000 Muslims in 39 countries conducted by the Pew Research Center, most Sunnis favor democracy over autocracy and large majorities strongly reject violence in the name of Islam. If so many Muslims disagree with the goals and methods of these radical groups, why have they multiplied? The answer has little to do with religion or ideology and everything to do with politics and security. In environments characterized by rapid political change, limited rule of law, and endemic corruption, moderate citizens have rational reasons to favor ideologically extreme groups. This is true in any country, Muslim or not. And it is true even if most citizens do not believe in the underlying goals and ideology of such movements. The rise of radical Islamism is not the result of increased support for extreme ideas but the result of average Sunnis behaving strategically during turbulent times." Barbara F. Walter, "Why Moderates Support Extreme Groups," *Foreign Affairs*, June 18, 2018, https://www.foreignaffairs.com/articles/2018-06-18/why-moderates-support-extreme-groups.

a sovereign state. Transnational terrorist groups and its members, by their very nature, transcend the existent judicial apparatuses for national or international remedy. When the International Criminal Court (ICC) was established in 1998, it omitted terrorism as a punishable crime, thus leaving the punishment of terrorism up to individual states to adjudicate as they see fit rather than establishing an international standard on the matter. Sovereign interests further complicate an international reprisal for terrorist acts. If a terrorist attack is committed against the US, for example, should America relinquish its right under international law to prosecute the perpetrators as they see fit according to the prevailing norms and values of the citizenry? This issue was highlighted in the 2009 Lockerbie incident when Scotland permitted an early release of Abdelbaset Ali Mahmud al-Megrahi, a convicted terrorist who took part in the downing of Pan Am 103 two decades earlier in 1989.

The bear, it seems, is no longer in the woods. In the global "war on terror," it is everywhere. Former wartime threats were confined to targeting particular group threats: anti-sedition laws were passed during the Great War; internment camps housed Americans of Axis' lineage during the Second World War; McCarthyism reigned during the early phases of the Cold War. What makes the global "war on terror" unique is the move from the particular to the general; the nature of the threat makes it that way. Protecting the twenty-first-century homeland against terrorist attacks involves totalizing security.[19]

The situation surrounding al-Megrahi's release, which was predicated on humanitarian grounds (al-Megrahi, a Libyan, was suffering from prostate cancer while serving his sentence), was further complicated by the varying jurisdictional challenges

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[19] For a thorough historical analysis of the "security state," see David C. Unger, *The Emergency State: America's Pursuit of Absolute Security At All Costs* (New York: Penguin Books, 2013).

posed by the 1989 terrorist bombing. Pan Am 103 was an American airline which was flying over Scottish (a part of the United Kingdom (UK)) air space when it was downed in an operation spearheaded by a Libyan that did not commit the act at the behest of his home country. While American responses to terrorism are retributive in nature, those of the British are systemic. Whereas the former responds to terrorist acts posteriori, the latter operates a "deterrent-oriented approach" that "focuses on the larger social structure that produces terrorism."[20]

ATCSA, the Anti-Terrorism, Crime and Security Act 2001, expanded on Britain's Terrorism Act 2000 (TA). Unlike previous terrorist legislation such as the Prevention of Terrorism (Temporary Provisions) Act in 1974, which was passed to militate against terrorism via the Irish Republican Army (IRA), the TA—the basis of ATCSA—is permanent and binding.[21] TA also radically expanded terrorism to include domestic groups dedicated to animal rights, environmental activists, and anti-abortion groups.[22] This attitudinal shift speaks to the expansionist tendencies of its US counterpart in the DHS as already noted. What's more, derogation—exempting certain groups from the existent liberal rule of law—was established in, what Fenwick calls, these "draconian piece[s] of legislation" that "allow[s] the activities of many groups to be redesigned as terrorists [from TA to ATCSA]."[23] How does this jibe with international law?

As Fenwick reminds us, Article 15(3) of the European Convention of Human Rights ensures that "'in time of war or other public emergency threatening the life of the

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[20] Anthony Lang, "The Politics of Punishing Terrorists," *Ethics & International Affairs* 24, no. 1 (2010): 9.
[21] Helen Fenwick, "Responding to 11 September: Detention Without Trial Under the Anti-Terrorism, Crime, and Security Act of 2001," *The Political Quarterly* 73, s1 (August 2002): 82.
[22] Ibid.
[23] Ibid., 80 and 88.

nation, any of the contracting parties may take measures derogating from its obligations under the Convention, 'provided that such measures are not inconsistent with its other obligations under international law.'"[24] Thus, preventing suspected terrorists from being placed on trial due to evidentiary sensitivity and the likelihood of extradition resulting in human rights abuses in the host country, puts Britain in a doubly dubious position. How can they abide by international norms on the one hand while ensuring protecting the national interest on the other? To put it another way, is there a way to ensure human rights without abusing them at the same time?

Further complicating this are the provisions for detention as enumerated in ATCSA. Section 21 of the Act paints broad brush strokes with respect to what constitutes a terrorist and the danger s/he poses to the state. S.21(2), for example, defines a terrorist as "a person who 'is or has been concerned in the commission, preparation or instigation of acts of international terrorism' or (b) is a member of or belongs to an international terrorist group or (c) has 'links' with such a group."[25] Fair enough. But, under S.21(4), a terrorist can also be someone who "supports or assists" an international terrorist group. Supporting a terrorist group can be construed as "expressing a favourable opinion about the [terrorist] group."[26] Moreover, the threshold by which a state of public emergency is determined (i.e., whether a threat is imminent or actual) allows Fenwick to conclude that "an immediate and very serious threat should be evident; the measures adopted should be effective in combating it and should go no further than necessary to meet it."[27]

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[24] Ibid., 86.
[25] Ibid., 87.
[26] Ibid.
[27] Ibid, 101.

Contrasting approaches to punishing terrorism among states in the international community is further frustrated by domestic disorientation on the matter. Definitions of terrorism abound. There were already more than a hundred unique definitions of it in 1988.[28] Varying definitions of terrorism are operationalized in numerous US institutions at the local, state, and federal levels.[29] How a definition of terrorism is constructed informs the institutional responses that can be brought to bear in countering terrorism. As such, debates over what the "proper" definition of the terrorism should be shape how policy makers, institutions, and academics define terrorism for their respective purposes, thereby continuing the battle over the appropriateness of one definition over another. There are, though, commonalities that cut across these definitional variations.

Defining terrorism as the use of violence (or the threat thereof) against people and/or property to effect a desired political outcome seems like a rational *prima facie* definition of terrorism. Such a broad definition allows for disparate agents to be classified as terrorist actors: distinctions between domestic, foreign, and state terrorism break down. Undergirding this definition is the bifurcation between the means and ends of terrorism in purposefully unqualified terms. Numerous definitions of terrorism confine terrorist target selection to civilian or non-combatants. Such a definition, of course, would disqualify the bombing of the US Marine barracks in Lebanon from being classified a terrorist attack. Another hallmark of traditional definitions of terrorism is the frequency of assigning non-

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[28] Alex P. Schmid and Albert J. Jongman, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Databases, Theories, and Literature* (New Brunswick, NJ: Transaction, 1988).

[29] President Bush signed Executive Order 13224 (EO 13224) within two weeks of 9/11. This order gave the State Department and Treasury with the power to designate individual terrorists, defining terrorism as "an activity that (1) involves a violent act or an act dangerous to human life, property, or infrastructure; and (2) appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking." Exec. Order No. 13224, 3 C.F.R. 13224 (2001).

state actor status to would be terrorists, which alleviates states themselves from conducting terrorism. This raises the specter of wartime atrocities from being considered terrorist acts.

Dropping Little Boy and Fat Man on Hiroshima and Nagasaki—as surely as conducting firebombing missions over Tokyo and Dresden—would, again, not count as terrorism under such a qualified definition of terrorism. Moreover, terrorism from above— states conducting terrorism against its population—is invalidated as well. Totalitarian and authoritarian despots from Hitler, Stalin, and Pol Pot to Hussein, Gaddafi, and Assad are thus immunized from culpability. These definitional omissions validate, it would seem, Richard Rubenstein's observation that "terrorism is just violence that you don't like."[30]

Although terrorism can be anthropologically situated in the Biblical account of the Zealots, the term terrorism itself came into being during the Jacobin's reign during the French Revolution. Popular, spontaneous forms of terrorism from 1792 to 1793, following the counterrevolutionary revolt in the Vendée, served as a dress rehearsal for what came to be known as the "great terror." Terror, for Robespierre, was "nothing but justice, prompt, severe and inflexible."[31] How did terrorism come to take on the negative connotation it is ascribed?

Hegel once noted that "the essence of an object will become manifest in the series of its appearances."[32] Bringing this insight to bear on terrorism illuminates the indispensable feature terrorism rests upon: violence. Yet the lineage of terrorism proves that particular forms of political violence are privileged as terrorism. If the goal of terrorism is to effect policy, there can be little doubt that terrorism works, albeit in ways that it may

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[30] Quoted in Anthony Richards, "Conceptualizing Terrorism," *Studies in Conflict & Terrorism* 37, no. 3 (2014): 217.
[31] Quoted in Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 2006), 3.
[32] Stephen Eric Bronner, *Of Critical Theory and Its Theorists* (New York: Routledge, 2002), 121.

not have originally intended. 9/11 put the Middle East on the map. Prior to this century's Pearl Harbor, acts of jihadi terror, absent the 1993 World Trade Center bombing, were confined to American interests overseas. Attacks in the nineties and the attack on the USS Cole in 2000 gave American policy makers, media pundits, and the population at large a sense that modern political terrorism was a manageable contingency of geopolitical outbursts in foreign lands. This all changed, however. The attacks of September 11 effected the foreign policy of the world's sole superpower following the collapse of the bipolar world order shaped by the Cold War. Two wars have been fought, which cost considerable blood and treasure, and continue to reverberate throughout the Middle East to this day. In the final analysis, definitional deficiencies of terrorism continue to complicate and frustrate a prudent security policy from being proffered in the ongoing global "war on terrorism," even if this phrase has, like the definition of terrorism, been subject to refinement.

Weber's exposition on bureaucracy—with its tendency to not only maintain itself, but also to grow in size and scope—has been proven right in light of the post-9/11 bureaucratization of security in the US and abroad. Departments such as Homeland Security (DHS) and the Transportation Security Administration (TSA) exemplify Weber's insight. With a proposed budget of \$47.6 billion for fiscal year 2019,[33] DHS, which was established in the wake of 9/11 and operated on a budget of \$19.5 billion in FY 2002,[34] has extended its immediate mandate vis-à-vis terrorism and extends itself to issues such as

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[33] "Department of Homeland Security Statement on the President's Fiscal Year 2019 Budget," Department of Homeland Security, February 12, 2018, https://www.dhs.gov/news/2018/02/12/department-homeland-security-statement-president-s-fiscal-year-2019-budget.

[34] "Securing the Homeland, Strengthening the Nation," Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/homeland_security_book.pdf.

cyber security, natural disaster response, and separating families at the border. Bureaucratic responses to the threat of terrorism were not confined to the nation attacked.

America has overly relied on her military to fight terrorism in the global "war on terror." From Afghanistan and Iraq to Libya and Syria, this state-centric approach has failed for obvious reasons. Non-state actors, whose ideology crosses the world over, employ terrorism as a method to further political goals. Fighting an anachronistic mode of warfare against terrorists thus plays right into their hands. War is an expensive business. It has brought down empires through the ages, and America is no exception. It seems that Einstein's definition of insanity—doing the same thing over and over again and expecting different results—has yet to be reflected upon by US foreign policy makers.

III. "There Are Always Possibilities"

America spent nearly $50 billion in foreign aid in 2015.[35] Out of that, Israel received $3.1 billion, more than double Egypt's $1.5 billon and nearly triple Jordan's $1.1 billion in US aid.[36] But, more tellingly, aid to Israel eclipsed US aid to Iraq by $1.3 billion.[37] This is especially remarkable given the devastation wreaked by US forces in Iraq. Indeed, Bush's wars in Afghanistan and Iraq cost over $5 trillion to finance,[38] produced an American death toll just shy of seven thousand,[39] and have injured over a million US military personnel in

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[35] James McBride, "How Does the U.S. Spend Its Foreign Aid?" CFR, April 11, 2017, https://www.cfr.org/backgrounder/how-does-us-spend-its-foreign-aid.

[36] Ibid.

[37] Ibid.

[38] Jack Moore, "The Cost of War for the U.S. Taxpayer Since 9/11 is Actually Three Times the Pentagon's Estimate," *Newsweek*, November 8, 2017, http://www.newsweek.com/how-many-trillions-war-has-cost-us-taxpayer-911-attacks-705041.

[39] "Operation Iraqi Freedom and Operation Enduring Freedom /Afghanistan," iCasualties, www.icasualties.org.

the process.[40] And what of the other side? In Iraq alone, the death toll attributed to the American invasion and occupation has surpassed a half a million.[41] This is to say nothing of the mass exodus of displaced Iraqis, eviscerated infrastructure, and environmental damage done. Reorienting these financial commitments is far overdue.

"Soft power," like foreign aid, is a multifaceted category. Unlike "hard power," which relies on the use of military or economic resources to exert power, "soft power" coerces by exporting US culture abroad. Examples of this include artistic exports such as films, television shows, and music, and (perhaps most relevant for our age) increasing accessibility to the Internet, whose content is dominated by the West. Each of these experiments, it should be noted, was instrumental in developing revolutionary spirit, if not successful revolutions per se. Radio Free Europe (RFE) was instrumental in spreading anti-communist propaganda and was inculcated in stirring up the Hungarian Revolution of 1956.[42] Many saw the role of new media as a precondition for the early phases of the Arab Spring. While this may overstate the matter, there is no doubt that the Internet helped recruit, organize, and coordinate the boots at the barricades. Projecting American ideals through the carrot rather than the stick would not only improve our standing in the Muslim and Arab world, it would also help alleviate our war fatigue.

The US spends over ten billion dollars a year to finance its permanent military presences across the globe.[43] This figure, from 2013, does not include the financial burden

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[40] Jamie Reno, "VA Stops Releasing Data on Injured Vets as Total Reaches Grim Milestone," *International Business Times*, November 1, 2013, http://www.ibtimes.com/va-stops-releasing-data-injured-vets-total-reaches-grim-milestone-exclusive-1449584.

[41] Amy Hagopian, et al., "Mortality in Iraq Associated with the 2003–2011 War and Occupation: Findings from a National Cluster Sample Survey by the University Collaborative Iraq Mortality Study," *PLoS Med* 10 (2013).

[42] Arch Puddington, *Broadcasting Freedom: The Cold War Triumph of Radio Free Europe and Radio Liberty* (Lexington: University Press of Kentucky, 2000), 111-2.

[43] S. Rep. No. 113-12 (2013).

in Afghanistan. In other words, this allotment, which trumps the annual budget of the US Department of Labor, is solely dedicated to "cold zones," where there is no active fighting. What's more, over a hundred thousand US troops have remained stationed in Germany, Japan, and Italy, as of 2011. While the economic payoff to the respective host countries is surely a boon to their economies, there is no doubt that a de-escalation of force and funding could be redirected towards more pressing security concerns.

I have tried to argue that force need not be a first-order response to effecting security. Yet force need not be restricted *tout court*. The carrot surely has its limits, and there are, in fact, times when the stick is needed. Former Secretary of State Clinton said as much when she invoked Nye's latest category of "smart power," a combination of "hard power" and "soft power," during her Senate confirmation hearing in January 2009.[44] That Machiavelli said as much nearly five centuries ago and in far fewer pages than Nye did is another matter. By linking non-state threats with states, America has, in effect, tried to use a buzz saw to tighten a screw. Talk is cheap, and the time for prudent action is waning. Until America adapts her anachronistic security concerns at home and abroad to meet the demands of the twenty-first century, she will continue to suffer undue, costly geostrategic defeats on the battlefield and continue to carry warranted suspicion and disdain from other states.

Fighting ISIS—the counterrevolutionary outgrowth of our disaster in Iraq and the collapse of the Arab Spring—will be successful if collective security is put above particular interests. America, NATO, and other "first-world" powers can no longer burden themselves playing the role of a de-facto global policeman. Lasting peace has rarely been effected by such vulgar displays of power. International partners, especially in the "global

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[44] "Senate Confirmation Hearing: Hillary Clinton," *The New York Times*, January 13, 2009, http://www.nytimes.com/2009/01/13/us/politics/13text-clinton.html.

south," are needed to fight ISIS. Those that took to the streets during the Arab Spring and the simple souls in the Middle East—the greatest victims of terrorist violence—will also be needed in the shared fight against the enemy of civilized global society. Reflecting upon our failures and developing socially responsible foreign policies are far overdue. It will surely prove to be the first step to redeem America in the eyes of the world and in Americans themselves.

Developing a prudent counterterrorism strategy to face the modern failed and failing state requires not only explaining this modern threat but also understanding it in equal measure. States and international organizations have failed to successfully address threats posed by transnational terrorist networks that, more often than not, exploit non-sovereign states as bases of operation, because their remedies often favor military might after the threat has metastasized instead of considering a proactive approach that addresses the root of potential insecurity. To address this problematic, I offer a pragmatic politic I like to call "discreet power." Discreet power is exercised in non-sovereign states—the bastion of non-state terrorist actors. Non-political groups, in the form of NGOs at the direction of IOs and IGOs, should take the lead in mediating global insecurity to meet today's pressing security demands. Putting forth such a policy prescription not only meets the needs of the day but also intuits future security dilemmas in equal measure.

America, and the West, can no longer appeal to martial means as a panacea for domestic stability and international order against threats that know no national boundaries. Facing a transnational threat such as terrorism requires, by definition, a transnational approach that serves America's concrete national interests, which are not so easily determinable. Military responses to terrorism can only go so far and, up to this point, have

tempted imperial ends and exhibited moral relativism in the process under the guise of serving national interests. Augmenting our efforts in non-sovereign states, the refuge of modern political terrorist groups, is clearly in order. Confronting sovereign failures in lands compromised by ISIS and its coterie requires bringing non-political actors (IOs, IGOs, and NGOs) to compliment boots on the ground and drones' eyes in the sky in non-sovereign states. Discreet power, here, militates the vulgar use of power when sovereign states direct efforts towards civil diplomacy. Employing these organizations, who themselves can be fractured, is just as practically problematic as defining national interests is in theory. This is, of course, to say nothing of proxy wars that complicate the matter. Nevertheless, our aim is to sketch the ways in which such a policy can take shape to prudently counter terrorism. Order, in the main, is created not only by understanding twenty-first-century threats but also by appreciating the role traditional forms of mediation play in adjudicating present threats to the national, international, and global security and reacting before threats can metastasize in the first instance. Managing terrorism while militating its preconditions can and should serve US security well in this new matrix of transnational threats.

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