PROMOTING PRACTICAL ALTERNATIVES TO PREVENTIVE FORCE IN THE WAKE OF OPERATION IRAQI FREEDOM

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When the Bush administration unveiled its new national security strategy in September of 2002, foreign policy analysts and media pundits alike wondered whether it marked a new departure comparable to NSC-68, the directive that ushered in the policy of containment at the beginning of the Cold War.

In the preface to the new strategy, President Bush suggested a quicker trigger for U.S. military action based on the new danger posed by catastrophic terrorism, a threat that exists at "the crossroads of radicalism and technology." He asserted that it is simply "common sense" to "act against such emerging threats before they are fully formed." He further suggested that, "we must be prepared to act against our enemies' plans, using the best intelligence and acting with deliberation. History will judge harshly those who saw this danger coming but failed to act. In the new world we have entered, the only path to peace is the path of action."[1] The body of the strategy document amplifies this point, suggesting a need to take "anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack."[2]

On first glance, Bush's more aggressive stance seemed to fit the tenor of the times in the wake of the September 11th terror attacks. No U.S. president would want to be perceived as sitting passively by while adversaries prepared to strike. But as always in matters of strategy, the devil would be in the details. How early would the U.S. strike under the new doctrine, against what kinds of plans and activities, and against what sorts of potential adversaries?

Based on its application in Iraq, it appears that the National Security Strategy of 2002 (NSS 2002) is in fact a strategy of preventive war dressed up in the language of preemption. Nevertheless, the new strategy has been widely mislabeled a "doctrine of preemption," which would have implied an intention to strike at nations or groups poised to strike the United States in short order. Preventive war, on the other hand, implies a willingness to strike whether or not one's adversary is imminently prepared to attack. This crucial difference has major ramifications, both for domestic discourse on the wisdom of particular cases of intervention and on the implications of the doctrine for U.S. and global security. Iraq is an object lesson in how high the costs of a preventive intervention can be, in lives, treasure, strained alliances, international institutions undermined, and negative impacts on the reputation of the United States in the Islamic world and beyond.

My aim in this working paper is twofold: 1) to outline a policy of preventive diplomacy that can serve as an alternative to the NSS 2002 doctrine of preventive war; 2) to analyze how best to promote such an approach in the midst of emerging public policy debates over prevention and preemption opened up by the implosion of the Bush administration's case for war in Iraq. The alternative policy suggested here would make force an option of last resort, utilized as part of a "layered defense" in which a web of preventive measures based on diplomacy, treaties, rigorous inspections, intelligence, law enforcement, and economic leverage would take precedence, backed up by the threat of force in particularly tough cases.

Articulating an alternative approach requires some understanding of the Bush administration's stated and actual reasons for going to war in Iraq; how these arguments were received by the public; and what the practical consequences of this particular case of preventive intervention have been for U.S. and global security. Along the way we will discuss the extent to which the Iraq example was unique, and the extent to which it holds lessons that can be applied to future potential cases of intervention. In short, was Iraq the preventive intervention to end all preventive interventions, or are the difficulties there just a small detour in the longer arc of history in which policy is tending towards the acceptance of a new paradigm for military intervention?

THE LOGIC OF INTERVENTION IN IRAQ: RHETORIC AND REALITY

The most consistent theme running throughout the Bush administration's case for intervening in Iraq was the claim that Saddam Hussein was rapidly rebuilding his nuclear weapons capability and would be willing to share nuclear, chemical, or biological weapons with a terrorist organization that might in turn use them against the United States. For example, in his 7 October 2002 speech in Cincinnati, Bush asserted that if Saddam Hussein could buy, steal or otherwise acquire a quantity of enriched uranium the size of a softball, he could build a nuclear weapon in less than a year. He then resorted to the inflammatory phrase that had been used by his National Security Advisor Condoleezza Rice in a television interview a month earlier: "we cannot wait for the final proof—the smoking gun—that could come in the form of a mushroom cloud." Later on in the speech Bush made the "sharing with terrorists" argument: "Iraq could decide on any given day to provide a biological or chemical weapon to a terrorist group or individual terrorists. Alliance with terrorists could allow the Iraqi regime to attack America without leaving any fingerprints."[3] Bush reiterated the theme in his January 2003 State of the Union Address, asserting that "With nuclear arms or a full arsenal of chemical or biological weapons, Saddam Hussein could resume his ambitions of conquest in the Middle East and create deadly havoc in

that region. . . . Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own."[4] In his address to the nation on the eve of the war, in March of 2003, Bush returned to this theme yet again: "The danger is clear: using chemical, biological, or, one day, nuclear weapons, obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill thousands or hundreds of thousands of innocent people in our country, or any other."[5] Stockpiles of chemical and biological agents that had not been accounted for going back ten, fifteen years or more were treated as if they were still active and ready to go. Severe worst case scenarios were presented about the possible impact of these imagined chemical and biological arms stockpiles, making it sound to the untrained ear as if they were every bit as dangerous as nuclear weapons, a transparent falsehood. Thus those who listened to the President's January 2003 State of the Union speech were treated to references to "enough doses" of anthrax in Iraq "to kill several million people," and "materials sufficient" to produce enough botulinum toxin "to subject millions to death by respiratory failure."[6]

Absent these graphic images implying a serious and direct threat to the United States, it is highly unlikely that the Bush administration would have been able to muster the requisite public and Congressional support needed to launch the war to overthrow Saddam Hussein's regime that commenced in mid-March of 2003. Arguments about improving the human rights situation in Iraq, or spreading democracy, or punishing an "evildoer," probably would not have been enough to get most Americans to support major combat operations halfway around the world. But by the spring of 2004, within a year of the decision to intervene in Iraq, the main pillars of the administration's case for war were in tatters, contradicted by evidence collected once Hussein's regime was gone. There were no massive stockpiles of chemical and biological weapons. There was no active nuclear weapons program. There were no mobile biological weapons laboratories of the kind described by Secretary of State Colin Powell in his February 2003 presentation to the United Nations Security Council. There were no major underground weapons facilities. Basically, the regime of United Nations sanctions and inspections that the Bush administration had ridiculed in the run-up to the war had been far more effective in disarming Hussein's regime than anyone had realized. For example, an analysis by the historian Thomas Powers indicated that the preliminary report of the US-funded and staffed Iraq Survey Group (ISG) was unable to find evidence for any of the 29 major factual assertions in Secretary of State Colin Powell's February 2003 UN Security Council Presentation on Iraq's weapons programs: "The conclusion seems inescapable: on the eve of war, Iraq had no weapons of mass destruction, and it had no active program to build them."[7] Or, as chief United Nations inspector Hans Blix put it in his book length treatment of the subject, "We now know that Iraq under Saddam almost certainly did not have

any weapons of mass destruction, and that the regime was, in fact, deterred from maintaining or reviving prohibited weapons programs by the presence of UN inspection and the US/UK threat supporting it. The much maligned, relatively low-cost policy of containment had worked, and the high-cost policy of counter-proliferation had not been needed."[8]

The administration's own hand-picked group of inspectors, the Iraq Survey Group, also concluded that Iraq had no active chemical, biological, or nuclear weapons programs, and that any weapons that did exist had been destroyed in the early to mid-1990s. On the nuclear question, the group's final report—popularly known as the Duelfer report for its director, Charles Duelfer—said the following: "Saddam Hussein ended the nuclear program in 1991 following the Gulf War. ISG found no evidence to suggest concerted efforts to restart the program." As for chemical weapons, the report had a similar assessment: "While a small number of old, abandoned chemical munitions have been discovered, ISG judges that Iraq unilaterally destroyed its undeclared weapons stockpile in 1991. There are no credible indications that Iraq resumed production thereafter . ." And so it was for Hussein's biological weapons (BW) program: "ISG found no direct evidence that Iraq, after 1996, had plans for a new BW program or was conducting BW-specific work for military purposes."[9]

In the face of the Duelfer report's seemingly incontrovertible evidence that Iraq had no nuclear, chemical, or biological weapons – and no imminent plans or programs to develop them – the Bush administration shifted gears and cited Saddam Hussein's "intent" to start up such programs once UN sanctions were lifted. Bush asserted that Hussein was "systematically gaming the system, using the UN oil-for-food program to try to influence countries and companies in an effort to undermine sanctions." Bush continued: "He was intent on doing so with the intent of restarting his weapons program once the world looked away." Vice-President Cheney struck a similar note, arguing that "As soon as sanctions were lifted, he had every intention of going back to business as usual. So delay, defer, wait was not an option."[10] This suggests an extreme version of the preventive war theory—taking military action against a country because of its perceived intentions, even if they cannot be implemented until many years later. The consistent application of such a doctrine would put a hair-trigger on potential conflicts worldwide.

Greg Thielmann, a proliferation expert who worked at the State Department's Bureau of Intelligence and Research, has noted that even if a state like Iraq had developed a nuclear weapon along with ballistic missiles to deliver one or another type of these deadly weapons, the concept of nuclear deterrence would still operate:

> For emerging missile powers to anticipate effectively intimidating the United States with threats of a direct missile attack on the American homeland is a

> dubious proposition. There is no empirical evidence that even the most erratic foreign leader would believe himself immune from . . . [a U.S.] counterattack . . . There are no plausible scenarios for disguising the source of an ICBM attack on the United States . . . Devastating retaliation and the end of the attacker's regime would have to be assumed.[11]

Bush administration claims about Iraq–al-Qaida ties have also been largely disproved by several bipartisan investigations undertaken since the start of the Iraq war. The administration's claims on this score ranged from on-again, off-again intimations of an April 2001 meeting in Prague between 9/11 hijacker Mohammed Atta and an Iraqi intelligence officer to assertions by President Bush that Iraq was "an ally of al Qaeda" that "provided al Qaeda with chemical and biological weapons training."[12] The report of the bipartisan commission that investigated the 9/11 attacks determined from a variety of sources, ranging from security camera photographs to cell phone records to travel records that "the available evidence does not support" the original claim of an Atta meeting with an Iraqi official in Prague on the stated date.[13] More important than any single detail, both the 9/11 Commission and a Senate Intelligence Committee investigation of U.S. intelligence in the run-up to the Iraq war concluded that there were no operational ties between Iraq and al-Qaida. The key findings in the Senate report with reference to al-Qaida were as follows:

1) "The Central Intelligence Agency's assessment that Saddam Hussein was most likely to use his own intelligence operatives to carry out attacks was reasonable, and turned out to be accurate;"
2) "The Central Intelligence Agency reasonably assessed that there were likely several instances of contacts between Iraq and al-Qaeda throughout the 1990s, but these contacts did not add up to a formal relationship;"
3) "The Central Intelligence Agency's assessment that to date there was no evidence proving Iraqi complicity or assistance in an al-Qaeda attack was reasonable and objective. No information has emerged to suggest otherwise."[14]

Secretary of Defense Donald Rumsfeld also acknowledged—once the war with Iraq was underway—that he had seen no evidence of Iraq–Al-Qaida ties.[15]

Not only have Iraq–al-Qaida links not been found, but experts on the region question the premise that there is a basis for a relationship in the first place. As former National Security Council analyst Daniel Benjamin has put it, "Iraq and al-Qaida are not obvious allies . . . They are natural enemies." He further argued that before being deposed from power, "Mr. Hussein ha[d]

remained true to the unwritten rule of state sponsorship of terror: never get involved with a group that cannot be controlled and never give a weapon of mass destruction to a group that might use it against you."[16]

Group Think and Ideology: How Iraq Policy Went Off Track

The huge disparity between the administration's main arguments for the war and the reality of Iraq's military capabilities suggest one of two possibilities: 1) "groupthink" and worst-case scenario building run amok; 2) a policy of outright deception. Since so many prominent policy makers in the Bush administration—including Vice President Dick Cheney, Secretary of Defense Donald Rumsfeld, Deputy Defense Secretary of Defense Paul Wolfowitz, and many of their key aides—were "true believers" in the cause of "regime change" in Iraq long before joining the administration, it can be difficult to distinguish ideological distortion from conscious efforts to deceive the public. Rumsfeld and Wolfowitz were both signatories, for example, of a 26 January 1998 letter organized by the conservative Project for the New American Century urging President Clinton to undertake a strategy aimed "at the removal of Saddam Hussein from power."[17]

George W. Bush's first Treasury Secretary, Paul O'Neill, notes that targeting Iraq was on the administration's agenda within its first ten days in office, and that the rationale seemed to be a sort of reverse domino effect:

> A weak but increasingly obstreperous Saddam might be useful as a demonstration of America's new, unilateral resolve. If it could be effectively shown that he possessed, or was trying to build, weapons of mass destruction—creating an 'asymmetric threat' in the neo-conservative parlance, to U.S. power in the region—his overthrow would help 'dissuade' other countries from doing the same.[18]

O'Neill was skeptical, to put it mildly, noting that, "There was never any talk about this sweeping idea that seemed to be driving all the specific actions. From the start, we were building the case against Hussein and looking at how we could take him out and change Iraq into a new country. And, if we did that, it would solve everything. It was all about *finding a way to do it.* That was the tone of it. The President saying, 'Fine. Go find me a way to do this.'"[19] It was perhaps this attitude, more than anything else, which corrupted the collection—and more importantly, the use—of intelligence in the run-up to the war with Iraq. O'Neill experienced the effect of this at the very first meeting of the National Security Council, when CIA Director George Tenet showed a satellite photo of a building that he said "might be a plant that produces

either chemical or biological materials for weapons manufacture." When O'Neill pointed that he had seen "a lot of factories around the world that look like this one. What makes us suspect that this one is producing chemical or biological weapons?," Tenet was finally forced to acknowledge that there was no "confirming intelligence" as to what was being produced at the plant.[20] But it was clear that Vice President Cheney and other enthusiasts for going to war were going to take it as hard evidence of illicit weapons activity. Multiply this bias systematically, scores of times over, and you get the kind of exaggerated intelligence estimates that were used to convince the Congress and the American people to go to war in Iraq.

In its very measured assessment of whether the intelligence in the run-up to the Iraq war was politicized, the Carnegie Endowment for International Peace cited five factors which suggested that analysts may have felt undue pressure to hype the threat in the preparation of the 2002 National Intelligence Estimate (NIE) on Iraq that was released shortly before Congress voted to authorize military action in the fall of that year: Vice President Cheney's multiple visits to CIA headquarters to inquire about the Iraq estimates; demands by top administration officials for access to raw intelligence; the haste with which the estimate was written (roughly three weeks time); the high number of dissenting opinions (most of which were not made public until after the Congressional vote); and the fact that political appointees at the Pentagon set up a separate intelligence analysis unit that gave its own spin to the data.[21] Add to this the fact that a number of important pieces of data in the administration's case were uncorroborated assertions from Iraqi defectors who were later proven to have little credibility, and the picture emerges of information being shaped to fit a pre-existing case rather than an effort being made to objectively evaluate the threat posed by Iraq.

Selective use of intelligence is nothing new. Recent examples include the Commission to Assess the Ballistic Missile Threat to the United States, a 1998 panel chaired by Donald Rumsfeld which claimed that any nation with Scud-based missile infrastructure could develop a long-range ballistic missile capable of reaching U.S. territory within five years of a decision to do so. The Rumsfeld commission's estimate was far shorter than existing estimates in the intelligence community, and it was utilized to full effect in promoting missile defense spending and encouraging the United States to abandon the Anti-Ballistic Missile Treaty. According to *Washington Post* defense correspondent Bradley Graham, the main source of information for the commission's assertion that a nation like North Korea could build a crude long-range ballistic missile in relatively short order came from an interview with two engineers from Lockheed Martin, a major missile defense contractor that had a vested interest in exaggerating the threat.[22] The Rumsfeld report's prediction has proved to be far off the mark, because it underestimated the

difficulties of developing long-range ballistic missiles at every turn while vastly overstating the ease with which a developing nation could go through all of the necessary steps to develop such a complex system.[23] Further back, there is of course the infamous "Team B" exercise of the 1970s, when the neo-conservative Committee on the Present Danger pressed for an outside panel to take a second look at the CIA's assessment of the Soviet threat. Paul Wolfowitz served on one of the Team B panels, and Ford administration Secretary of Defense Donald Rumsfeld sided with their harsher (and ultimately incorrect) view of Soviet capabilities and intentions.[24] Among the "lessons" of these experiences is that there is often little political price to be paid for exaggerating the threat to the United States; that is to say, the individuals involved in "crying wolf" or systematically overstating the threats rarely have difficulties finding positions of power and authority in future administrations. "Better safe than sorry" seems to be the motto. That is, better to have erred on the side of exaggerating the threat than underestimating it. The Bush administration's equivalent of this argument in the run-up to the war in Iraq was to say that the costs of not acting would be far greater than the costs of acting. As we will see below, this truism proved disastrously wrong in the Iraqi case. Advocates of more balanced approaches to security strategy need to do a better job of demonstrating and publicizing the costs of unilateralist action and threat inflation—in dollars, in lives, and in diversion of resources from more urgent priorities.

Evidence that emerged in mid-2005 gives credence to the argument that the Bush administration may have gone beyond exaggerating the Iraqi threat to actively distorting it in support of an intervention it had already decided upon. In a memo dated 23 July 2002, British foreign policy aide Matthew Rycroft distributed a secret memo to the Defence Secretary, Foreign Secretary, and other key officials that included the following passage:

> C reported on recent talks in Washington. There was a perceptible shift in attitude. Military action now seemed inevitable. Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy.[25]

The "C" referred to in the memo was Richard Dearlove, the head of MI6, the British overseas intelligence service. The memo further indicated that it was the *timing* of the war and the means of selling it to the U.S. and British publics that was at issue, not *whether* to intervene in Iraq. Analyst Mark Danner has noted that, "the idea of the UN inspectors was introduced not as a means to avoid war, as President Bush had repeatedly assured Americans, but as a means to make war possible."[26] The relevant passage of the Rycroft memo reads as follows:

> The Foreign Secretary said he would discuss this with Colin Powell this week. It seemed clear the Bush had made up his mind to go to war, even if the timing was

> not yet decided. But the case was thin. Saddam was not threatening his neighbors, and his WMD capability was less than that of Libya, North Korea, or Iran. We should work up a plan for an ultimatum to Saddam to allow back the U.N. weapons inspectors. This would also help with the legal justification for the use of force.[27]

Other sources such as Paul O'Neill, *Washington Post* reporter Bob Woodward, and former Bush advisor Richard Clarke have traced the administration's preparations to go to war in Iraq from as early as January 2001 to September/November of 2001.[28] But the Rycroft memo sheds further light on the political strategy pursued by U.S. and UK officials to sell the war to the public.

Reaction within the United States to the huge gulf between the arguments for war and the reality on the ground in Iraq has been mixed, as has the opinion among elites. Historian Arthur Schlesinger has bluntly excoriated the preventive war in Iraq as "illegitimate and immoral," arguing that no government will ever have the kind of perfect foresight required to make the momentous decision to commit troops to combat based on an imagined threat that might come into being at some future date.[29] Moderate to neo-conservative columnists like Jim Hoagland and Charles Krauthammer have defended the application of the preventive war doctrine in Iraq on grounds ranging from the notion that it represents a potential first step in the democratization and stabilization of the Middle East to continued adherence to the idea that Saddam Hussein's history of bad actions and future *intent* to reconstitute his arsenal of nuclear, chemical, and biological weapons were reason enough to act. These two sets of arguments mirror the shifting rationales put forward by the Bush administration: 1) Saddam Hussein was a "madman" with evil intent and we couldn't risk letting him rebuild his arsenal of mass terror; and 2) Removing Hussein's regime opens the way to building a free and democratic Iraq which will be a model for the development and spread of democracy throughout the Arab world, with the added bonus of depriving Palestinian extremists and other terror groups in the region of a key source of support, thereby opening the way to a viable peace between Israel and the Palestinians.

Both of the Bush administration's "fallback rationales" for the war have roots in neo-conservative thinking that preceded its rise to power. In the infamous 1996 "Clean Break" memorandum prepared by a team led by Richard Perle in conjunction with Douglas Feith and David Wurmser—all of whom went on to be key officials or advisors in the administration of George W. Bush—"removing Saddam Hussein from power in Iraq" is seen as the linchpin of an aggressive new strategy in which Israel will "contain, destabilize, and roll back some of its most dangerous threats."[30] Although these are put forward as policy prescriptions for a new *Israeli* government, the implication is that they will be supported by the United States. Similarly, in their

January 1998 letter to President Clinton, Donald Rumsfeld, Paul Wolfowitz, Richard Perle, John Bolton and their colleagues writing on behalf of the Project on the New American Century stressed regional concerns rather than direct threats to the United States. They argued that if Hussein's regime was allowed to develop "weapons of mass destruction" that "the safety of American troops in the region, of our friends and allies like Israel and the moderate Arab states, and a significant portion of the world's supply of oil will all be put at hazard."[31] Several prominent neo-conservatives who either have ties to the Bush administration or took positions in the administration have advocated a sort of "democratic domino effect" for the Middle East in which the United States by force, pressure, or other means topples a whole series of undemocratic Arab regimes, with Iraq just serving as a starting point.

A more modest version of the domino theory is President Bush's claim in his 2004 State of the Union address that America's intervention in Iraq has changed the behavior of other states by showing them that "America's words now have meaning." He was referencing in particular Libya's decision to renounce its nuclear weapons program and open it to international inspections.

So, the terrain of justification for the war in Iraq shifted from the idea that Saddam Hussein was an imminent threat who possessed weapons that could kill millions of people and was on the verge of getting more, to more abstract notions. The first, "better safe than sorry" rationale held that it was better to strike early before he got too far along in his intentions to get such weapons. The second, "democratic domino" argument suggested that overthrowing one tyrant by force would radically transform the political and security landscape of the Middle East, giving the United States and its allies tremendous leverage to reshape the region in ways that suit their long-term interests.

How did domestic constituencies accept this bait-and-switch? Support for the war eroded over the first year or so, but a solid core of Americans continued to "rally around the troops" and support the war effort, even if they did have questions about the precipitating cause of the conflict. And to the extent that questions about the war arose, they seemed to have more to do with costs and casualties, not the original rationales put forward by the administration. In fact, a remarkable survey published by the Program on International Policy Attitudes at the University of Maryland as of April 2004 found most Americans still believed the administration's principal arguments for the war despite numerous high profile testimonies of key experts asserting strong evidence to the contrary. A majority of Americans continued to believe that Iraq had given substantial support to al-Qaida, and a majority believed that Iraq either had weapons of mass destruction prior to the war or a major program for building them.[32] Furthermore, Americans who

believed that Iraq had WMD or supported al-Qaida were much more likely to continue to support the war in Iraq and to say that they would support the re-election of George W. Bush.[33] The persistence of these inaccurate views even after a number of high profile experts had discredited them indicates the heavy burden that opponents of preventive war may face. It is extremely difficult to sway public opinion against the powerful "bully pulpit" of the presidency, which can often set the tone for major electronic and print media coverage of an issue at critical decision points. Even so, by the summer of 2004, a *New York Times/*CBS poll demonstrated what one *Times* reporter described as "a deep post-Iraq skepticism about war, with 59 percent of voters . . . saying the United States should not attack another country unless attacked first."[34] By the summer of 2005, another *New York* Times/CBS poll found that a slight majority of Americans (51 to 45 percent) believed that the United States should have stayed out of Iraq, and 60 percent felt that U.S. efforts to bring stability to Iraq were going badly.[35] Even if this plunge in support is based on costs and casualties and not opposition to the justification used for going to war, it still suggests an opening for discussion of alternatives to the doctrine of preventive war.

PREVENTION, NOT INTERVENTION: OUTLINES OF A NEW POLICY

Perhaps the most important contribution of the Iraqi case to the discussion of preventive war is as a cautionary tale. It is a reminder that there are cases when, contrary to the Bush administration's mantra, the costs of military action can be considerably higher than the costs of pursuing the same objective using other tools (or what Bush officials refer to as "inaction").

Because preventive wars are by their nature more controversial, the likelihood of persuading allies to share the financial and military burdens of the conflict is greatly reduced. That has certainly proved true in Iraq, where the United States expended roughly $200 billion on the war and occupation in the first two years of the conflict, with ongoing expenses running at $6 billion or more per month.[36] Nearly 2,000 U.S. troops have been killed, as have tens of thousands of Iraqis. U.S. military personnel injured were well over 13,000 as of the summer of 2005, with many injuries requiring expensive treatments including artificial limbs.[37] Many states and scores of cities, towns, and villages have suffered indirect impacts as members of the guard and reserve who work as police, firefighters, public health personnel and government officials in their hometowns have been absent on extended duty in Iraq. Because the war is being financed in the midst of a policy of continuing tax cuts, it has added directly to budget deficits in the range of $300 to $400 billion per year. If the war in Iraq were truly in response to an imminent security threat to the United States that could be met in no other way, these economic burdens would be

acceptable. But in a situation where the war appears to have been a "war of choice," not necessary to deal with an imminent threat, the issue of cost is relevant.

These opportunity costs of the war in Iraq loom even larger in the wake of Hurricane Katrina, which devastated large parts of Louisiana (especially New Orleans), Mississippi, and Alabama in the summer of 2005, incurring a pledge from the Bush administration to spend at least $62 billion rebuilding the region. The full bill could be much higher, perhaps as much as $100 to $200 billion. Not only did the war in Iraq soak up funds that might have been available for disaster relief in the Gulf Coast region of the United States, but the stationing of large numbers of National Guard personnel from each of the effected states in Iraq hobbled relief efforts.

The economic costs of preventive war in Iraq pale in comparison with the potential security costs. As former White House counter-terrorism advisor Richard Clarke has noted, the diversion of money and specialized troops (especially Special Forces personnel) from Afghanistan to Iraq served to slow the hunt for public enemy number one in the global campaign against terrorism, Osama Bin Laden. Even worse, *New York Times* reporter Douglas Jehl has summarized a classified CIA analysis of the situation in Iraq as of mid-2005 as follows: "The Central Intelligence Agency says Iraq may prove to be an even more effective training ground for Islamic extremists than Afghanistan was in Al-Qaida's early days, because it is serving as a real-world laboratory for urban combat."[38]

While preventive war in Iraq has backfired disastrously, a wide array of homeland security priorities could benefit from money spent instead on the conflict there, from protecting ports, bridges and tunnels, to safeguarding nuclear and chemical facilities, to creating appropriate means for key anti-terror agencies to share information on suspects in a timely manner. And, as we will discuss below, there are smarter ways to reduce the odds that terror groups will get their hands on the makings of a nuclear, chemical, or biological weapon that are much cheaper and more effective than overthrowing governments. Last but not least, if the U.S. Treasury wasn't draining $100 billion or more per year for the occupation of Iraq, there would be funds available to promote positive programs in education, economic assistance, and other areas that would help improve the image of the United States around the world and build lasting relationships that will be crucial to fighting a multi-faceted campaign against terrorism.

It is worth reflecting on the fact that there are other, even worse cases of preventive war that are possible. During the 1962 Cuban missile crisis, U.S. officials didn't learn until years later that although Havana did not yet have nuclear-armed ICBMs from Moscow, they did have ships armed with medium-range nuclear missiles. Thus, if President Kennedy's cooler head had not

prevailed and he had taken up preemptive/preventive military options suggested by his military aides, a nuclear confrontation could have been sparked. One could imagine a scenario in which a U.S. military strike against North Korea, if viewed as the prelude to the death knell for the regime and its leader, might lead to a last gasp use of any nuclear weapons Pyongyang might have accumulated against South Korean targets and U.S. troops. And even a conventional conflict could involve tens or hundreds of thousands of casualties, given the proximity of the North Korean border to the South Korean capital of Seoul.

Finally, of course, there is the question of what kind of instability would be sparked if a new international norm of preventive war were to begin to be established as a result of a U.S. doctrine that implicitly or explicitly endorses the concept as an acceptable, routine foreign policy option. Russian leader Vladimir Putin has threatened to use "all of" Moscow's military might against supporters of Chechen terror groups; India and Pakistan have had numerous bloody cross-border incidents over the status of Kashmir; and large parts of Africa, the Middle East, and South Asia have unresolved border disputes, resource conflicts, and refugee crises that could easily fall afoul of a demagogic leader armed with a doctrine of preventive war. U.S. actions alone will not spark wars in any of these areas, each of which have their own local and regional dynamics. But giving legitimacy to a doctrine of preventive war could make give aggressor groups and nations yet another rationale for starting wars rather than negotiating peaceful accommodations.

CONSIDERING THE ALTERNATIVES

There wasn't exactly a raging debate on the issue of preventive war during the 2004 election season, but the major candidates did take distinct positions on the issue, and it rose to the level of discussion in major news and opinion pieces from time to time. While he was still a candidate for the presidency, John Edwards released a position paper arguing that the threat of weapons of mass destruction—especially nuclear weapons— should be addressed by a strategy of preventive diplomacy, not "preemptive war."[39] In his acceptance speech at the July 2004 Democratic convention John Kerry made a point of saying that "As President, I will bring back America's time-honored tradition: the United States of America never goes to war because we want to, only because we have to." He elaborated briefly by saying he would not send troops into battle unless he could tell their parents "we had no choice. We had to protect the American people, fundamental American values from a threat that was real and imminent." He went on to say that "this is the only justification for going to war."[40] The impact and meaning of this apparent departure from the Bush doctrine of preventive war were called into question a few weeks later when Kerry announced that even if he knew then what was known post-invasion

about Iraq's capabilities, he still would have voted to authorize military action against Saddam Hussein's regime. This would seem to contradict his statement that under his administration the United States would only go to war "because we have to," which implies an imminent threat.

Leaving aside the political posturing of the campaign trail, what would a practical alternative to the Bush doctrine look like? The first principle of a policy of preventive diplomacy backed by force would involve setting priorities. The two greatest threats facing the United States and its allies in the coming period are mass casualty terrorism and the spread of nuclear weapons. The combination of the two—nuclear weapons in the hands of a terrorist organization—although not as high probability an event as some analysts suggest, could have such devastating consequences that preventing it from occurring deserves serious attention. As we may recall, this was one of the original rationales used by the Bush administration for going to war in Iraq—that Saddam Hussein was reconstituting his nuclear weapons program and might one day share those weapons (or his chemical or biological weaponry) with a terrorist group that would then use them against the United States. This was a highly unlikely scenario for a variety of reasons. Not only did Saddam Hussein not possess the weaponry in question, but if he had he would have been loathe to hand it over to a terrorist group like al-Qaida, whose activities he could not control. Nor would he want to risk a connection being made between the terror group employing the weapons and their origins in Iraq, risking massive retaliation by the United States that could destroy Iraq as a functioning society.

That being said, there is a far more likely route for a terrorist group to get access to a nuclear weapon. When the bank robber Willie Sutton was asked why he robbed banks, he said, "because that's where the money is." If a terrorist group wanted to acquire a nuclear weapons or materials to make a crude nuclear device, it would go where the weapons are. And the largest stockpiles of poorly secured nuclear weapons in the world are in Russia. In January 2001, shortly before President George W. Bush's inauguration, a bipartisan task force chaired by former Senate majority leader Howard Baker and former White House counsel Lloyd Cutler reported that "the most urgent national security threat facing the United States today is the danger that weapons of mass destruction or weapons-usable material in Russia could be stolen and sold to terrorists or hostile nation states and used against American troops abroad or American citizens at home."[41] The task force recommended the development of a long-term project to safeguard, destroy, or neutralize Russia's vast stockpile, estimated to include up to 40,000 strategic and tactical nuclear weapons, plus enough enriched uranium and plutonium to build tens of thousands more. If implemented, the Baker/Cutler plan would cost $3 billion per year, a tripling of current U.S. spending for those purposes.

The Baker/Cutler proposals are not untested or theoretical. They suggest an acceleration of programs that have already been working. Since the end of the Cold War, over 6,000 strategic warheads, 700 long-range ballistic missiles, and tons of bomb grade nuclear materials have been destroyed or secured under the US-funded Nunn-Lugar Cooperative Threat Reduction program. With additional investments and stepped up cooperation the pace could be picked up substantially. A recent study by the Belfer Center at Harvard estimated that at current rates it would take 13 years to destroy or secure Russia's remaining warheads and nuclear materials. The study suggests a program of stepped up investment and cooperation that could accomplish that same goal in four years time.

The authors of the Belfer Center report identify the key element of a successful strategy as sustained presidential attention to the issue, including appointment of a national coordinator to focus on a plan and create concrete goals for the reduction of vulnerable nuclear weapons and bomb grade materials worldwide.[42] Graham Allison of the Kennedy School of Government has also devised an extensive plan for thwarting terrorist efforts to acquire nuclear weapons in his book *Nuclear Terrorism: The Ultimate Preventable Catastrophe*.[43]

Russia is not the only potential source of nuclear weapons or nuclear materials that could fall into the hands of a terrorist organization. A change in government in Pakistan, where pro-Taliban and Islamic fundamentalist factions have a foothold in the military, intelligence, and political elites, could also pose a significant risk of leakage of nuclear weapons or nuclear materials to terrorist organizations. And there are scores of nuclear plants and research reactors that have generated bomb grade materials in countries that may not themselves have developed their own nuclear weapons yet. For example, in August of 2002 the United States purchased enough material to make at least two nuclear weapons from a research laboratory in Yugoslavia. To do so, it was necessary to seek $5 million in private financing from the Turner Foundation, because the United States government couldn't come up with adequate funding on short notice to remove this obvious proliferation threat. In order to prevent this sort of ad hoc approach from governing future non-proliferation efforts, Sen. Richard Lugar (R-IN) has proposed globalizing the Nunn-Lugar Cooperative Threat Reduction program that has been applied to nuclear weapons and nuclear materials in Russia, so that there would be adequate, flexible funding available to purchase and destroy loose nuclear weapons or nuclear materials from any source on short notice.[44] As of this writing his idea has yet to be implemented due to lack of sufficient support from the Executive Branch or Congress.

While securing and destroying so-called "loose nukes" and bomb grade materials is a crucial first step towards keeping nuclear weapons out of the wrong hands, the highest margin of

security depends on reducing global nuclear arsenals to the lowest possible levels while stopping production of new nuclear weapons and new bomb grade materials. An excellent first step in that direction would be to strengthen the Strategic Offensive Reductions Treaty (SORT) between the United States and Russia. As it currently stands, the agreement calls for reductions in deployed strategic warheads on both sides to roughly one-third of current levels, but there is no timeline for reductions, and no requirement that warheads taken off of active status be destroyed. Also, either side can pull out of the agreement on thirty days notice. Adding a timeline for reductions and requiring that warheads taken out of service under the agreement be destroyed rather than stockpiled would make the treaty far more meaningful, both as a stepping stone towards further U.S. and Russian reductions and as leverage for bringing other nuclear weapons states into discussions about reducing their arsenals as well.

As for "problem states" like Iran or North Korea that pursue nuclear weapons despite current international agreements like the Non-Proliferation Treaty, there are ample options short of war for dealing with these difficult cases. In retrospect, the Iraq case shows that the regime of sanctions and monitoring set up in the wake of the 1991 Persian Gulf war was actually quite effective in dismantling Baghdad's nuclear, chemical, and biological weapons programs, and that to a significant degree Saddam Hussein's efforts at subterfuge prior to the 2003 U.S. intervention were if anything more of an effort to hide his military weakness than to hide his strength.[45] The Iraq case is somewhat unique in that the sanctions regime that was set up the early 1990s was as strict as it was because Iraq was defeated after waging a war of aggression against Kuwait. In cases like North Korea and Iran where these circumstances do not obtain, it will be necessary to engage in hard bargaining to create a mix of carrots and sticks designed to get the country in question to give up its nuclear ambitions. Despite its on-again, off-again character, the 1994 framework agreement between the United States and North Korea is a good model for this kind of negotiation. In broad outline, it offered North Korea economic benefits in the form of an end to U.S. sanctions and energy assistance plus security benefits in the form of an end to U.S. enmity leading to an eventual normalization of relations in exchange for Pyongyang giving up nuclear bomb making. Despite press accounts the contrary, during periods when the United States was able to hold up its end of the bargain, North Korea generally did the same. When the U.S. delayed or backed out on either the economic or security front, North Korea shifted gears and resumed or threatened to resume nuclear activities.[46]

An important addition to the non-proliferation tool kit would be a substantial increase in funding for the International Atomic Energy Agency (IAEA), which has a regular budget of just $270 million per year to carry out inspections and impose safeguards for the entire world. By

contrast, the U.N. inspectors and the U.S.-backed Iraq Survey Group spent over $1 billion to learn that there were no active nuclear, chemical, or biological weapons in Iraq.[47]

The only true "undeterrables" in the new nuclear equation are the practitioners of catastrophic terrorism, like the September 11th suicide hijackers. Tyrants with state power are first and foremost survivors. Their desire to survive can be exploited to create enforceable mechanisms short of war for eliminating their ability to develop or use weapons of mass destruction. Dealing with tough cases like Iran or North Korea through concerted diplomacy – backed up by the threat of force only as a true last resort – would free up time, energy, and resources for the urgent task of building a global coalition to eliminate, secure, and protect the world's stockpiles of unconventional weapons so that terrorists seeking these awful weapons will have the odds firmly stacked against them.

The most recent case of a so-called "rogue regime" abandoning its nuclear weapons program—Libya—owes far more to diplomacy than to threats of force, but one would never have known it from listening to the rhetoric of the Bush administration. The president tried to claim Libya's shift in policy as a victory for its doctrine of preventive war as evidenced by the following passage from the 2004 State of the Union Address: "Nine months of negotiations involving the United States and Great Britain succeeded with Libya, while twelve years of diplomacy with Iraq did not. For diplomacy to be effective, words must be credible, and no one can now doubt the word of the United States of America."[48] The clear implication is that the U.S. intervention in Iraq put such fear in the heart of the Qaddafi regime that it felt compelled to cough up its "weapons of mass murder." Under this theory, preventive war has a sort of deterrent or leveraging effect on terrorists and tyrants, who will change their behavior once they know that "American means business." An alternative interpretation has been offered by, among others, Flynt Leverett, who served as senior director for Middle Eastern Affairs at the National Security Council in 2002 and 2003. Leverett points out that Libya's interest in striking a deal to renounce its nuclear, chemical, and biological weapons programs pre-dated the U.S. intervention in Iraq, and is grounded in a longstanding desire to get out from under U.S. sanctions. With a growing population of unemployed youth and a need for U.S. technology to expand oil production, the Qaddafi regime was anxious to have sanctions removed as quickly as possible to avoid having to deal with a fundamentalist challenge to its legitimacy. The deal was also made possible by a new, pragmatic attitude on the part of Bush policymakers – a willingness to offer a quid pro quo to a difficult regime in exchange for verifiable changes in behavior. Furthermore, the Libya deal was made possible by explicitly keeping the neo-conservative, interventionist camp in the Pentagon and State (John Bolton's office) out of the policy loop. Leverrett suggests that it is this more

nuanced, diplomatic approach that is likely to bear fruit in tough cases like North Korea and Iran, *not* the guns-blazing Iraq model that President Bush alluded to in his 2004 State of the Union Address.[49]

As for dealing with the threats posed by chemical and biological weapons, a good start would be for the United States to support efforts to strengthen the enforcement provisions of the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC). Instead, the Bush administration walked out of an international conference on strengthening the BWC, and has resisted more robust inspections of potential chemical weapons sites because it refuses to be subjected to the same level of inspection as other adherents to the accord.[50]

A preventive approach to fighting terrorism and ensuring U.S. national security interests also requires renewed engagement in helping to resolve deep-seated regional conflicts, from the Israeli-Palestinian dispute, to India and Pakistan's conflict over Kashmir, to the divide between North and South Korea. Rather than letting these important regional issues fade into the background as blood, treasure, and executive attention are lavished primarily on the occupation of Iraq or other potential preventive wars, they should be brought back to the fore as the United States seeks to re-position itself as an honest broker in helping to resolve conflicts rather than an outside interventionary force trying to impose its will on key nations. This is important in reality, and also in how it is perceived by key allies in Europe, Asia, and in the Arab and Muslim worlds. First and foremost, this will mean taking a more independent line vis-à-vis Israel's decision to put up a security wall that impinges on land formerly offered to the Palestinians as part of a land for peace deal, pressing for a cutback in settlements in the West Bank, and otherwise indicating that U.S. support for Israel's right to exist within secure borders does not translate into blind support for every policy shift of the Israeli government of the moment. On the Korean peninsula, it will mean being more supportive of Seoul's sunshine policy of gradual rapprochement with Pyongyang, which could over time lead to re-unification and an elimination of the North Korean threat, even if it takes a decade or a generation to accomplish. And in India and Pakistan, it will mean building a more consistent nexus of economic and political ties that can be put to work in helping to broker an understanding over contentious regional issues such as the status of Kashmir and the future of the two nations' nuclear programs.

More broadly, a preventive approach to dealing with terrorism and other key threats to U.S. security will require a diversification of the foreign policy tool box beyond the current overemphasis on military solutions. Dealing with a distributed network like al-Qaida, which operates via cells in 60 or more countries and can sustain itself with or without state sponsorship, with a doctrine that emphasizes preventive military strikes against nation states, is misguided at

best, if not actively counterproductive. It is the equivalent of trying to kill a swarm of disease-bearing mosquitoes with a sledge hammer, rather than taking comprehensive public health measures such as drying up pools of stagnant water that serve as breeding grounds, educating the public to seek early treatment if symptoms of disease arise, and so forth. The parallel approach for dealing with terrorism would entail a diversified plan that involves cooperating with allies on military, diplomatic, intelligence, economic, public relations, and law enforcement efforts to root out and delegitimize terrorist organizations. To the extent that unilateral or near-unilateral military efforts like the U.S. intervention in Iraq undermine the prospects for this kind of broad cooperation, that is another strike against them in the calculus of setting strategic priorities.

In the FY 2006 budget, military tools for addressing threats to U.S. security are funded at $449 billion, or seven times as much as non-military tools such as homeland security and international affairs accounts ($64.7 billion), without taking into account the costs of the wars in Iraq and Afghanistan.[51] A task force of retired military officers, former Pentagon officials, and civilian experts organized by the Center for Defense Information and Foreign Policy in Focus has suggested a re-balancing of the overall national security budget – civilian and military – that would cut $53 billion from military accounts and shift $40 billion into non-proliferation, diplomacy, economic development, peacekeeping, and homeland security. The result would be an overall national security budget that spends four times as much on the military as it does on international affairs and homeland security, a considerable improvement on the current 7 to 1 ratio. Cuts would come from cutting back or eliminating Cold War systems like the F-22 fighter, the DDX destroyer, the missile defense program, and new and excess nuclear weapons, as well as military base restructuring and adjustments in the guard and reserve. Major new investments would include $1.2 billion in Nunn-Lugar style non-proliferation programs, a $10 billion annual increase in foreign economic aid, $14 billion to increase preparation for emergency responders (police, fire, and public health) across the United States, a $2 billion for port container inspections, and $6 billion for public transit security.[52]

The details of this "security shift" are open to debate, but the need for a shift is clear. Continuing to build advanced combat aircraft like the F-22 for roughly $200 million a copy when U.S. adversaries in every conflict of the past two decades have barely had air forces worthy of the name makes little sense, particularly if upgraded versions of current generation aircraft can be had for one-quarter of the price. Increasing spending on cooperative threat reduction is a far more effective way to prevent nuclear weapons and nuclear materials from getting into terrorist hands than launching costly wars of counterproliferation and occupation, or air strikes based on imperfect intelligence. Increasing economic assistance not only helps improve the image of the

United States in key countries and regions, but, properly managed, can help build stability and stave off the creation of "failed states" that all too often become operating grounds for terror organizations.

Finally, a preventive strategy will require a thorough rethinking of U.S. arms sales policy. Too often arms transfers are considered as merely instruments of policy, means to an end that can be swapped for access to military facilities, or ways to build military-to-military relations, or symbols of closer relations with a given regime. The potential negative consequences of these dangerous exports – in fueling regional arms races, empowering repressive regimes, and, in too many cases, arming groups and regimes that later become U.S. adversaries – are rarely given adequate consideration. The destabilizing impact of current U.S. arms sales policies is considerable. Since September 11th, the 13 out of 25 major U.S. arms customers in the developing world have been undemocratic regimes, undermining President Bush's claim that fostering democracy is a top priority of U.S. foreign policy. In the most recent year for which statistics are available, 18 of 25 active conflicts worldwide involved U.S.-supplied weaponry.[53] In addition, the growing role of U.S. government subsidies for arms exports, which have grown to $6 to $8 billion per year, has become a drain on foreign aid resources available for non-military purposes.[54] The role of U.S. covert aid to Afghanistan in helping to launch Islamic fundamentalist groups like al-Qaida, not to mention the role of U.S. credits and dual use technologies in aiding the development of Saddam Hussein's arsenal in the run-up to Iraq's invasion of Kuwait in August 1990, are just two of the more extreme examples of how relatively unfettered arms transfers can backfire disastrously years after the original decision to transfer weapons or technology is made.[55] A policy that puts strict limits on arms transfers to regimes with poor human rights records or undemocratic practices would offer a measure of protection against this "boomerang effect," while opening the way to substituting other, non-military tools of influence such as diplomacy, aid, and trade as America's calling card to key players in the international system. To have the required effect, U.S. restraint would eventually need to be duplicated on a multilateral basis, but as the world's leading arms exporting nation, U.S. leadership would go a long way towards getting the process started.

None of the above-mentioned steps rule out the use of force to deal with truly imminent threats to U.S. security, such as intelligence that a terrorist organization has acquired a nuclear, chemical, or biological agent, or that a regional power is poised to strike a major U.S. ally. But even in these instances an assessment would need to be made as to the most effective form of action (e.g., Special Forces versus air strikes, reliance on allies versus direct U.S. intervention), and intelligence would ideally need to be a good deal more accurate and de-politicized than it was

in the run-up to the war in Iraq. Obviously, in the absence of perfect information, a decision to initiate hostilities would have to be made on a case-by-case basis. That is all the more reason to pursue a preventive strategy dedicated to diminishing the most serious risks to U.S. security so that the need to use force is reduced accordingly.

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