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Questioning the Resort to U.S. Hegemonic Military Force

Harry van der Linden

Introduction

Since the end of the Cold War, the military strength of the United States has been unmatched and its political leadership has been committed to sustaining this position of military dominance or hegemony. America's military hegemony is reflected in its superior warfare technologies and its network of military bases across the globe served by its large, highly trained, professional armed forces.[1] Moreover, the military budget of the United States approximates the military expenditures of the rest of the world and the vast majority of countries have a military budget less than 1% of the American budget.[2] Numerous recent American governmental reports and statements on strategy and planning proclaim the intention of the United States to maintain or increase its military hegemony, emphasizing unabashedly the importance of "ensuring sea supremacy," "projecting more power to the far corners of the earth," "dominating the space dimension of military operations," "enjoy[ing] unparalleled military strength," and the like.[3]

This paper seeks to defend the thesis that this American project of military hegemony has a variety of global security costs of such combined magnitude that there is a strong *prima facie* case against the resort to armed force by the United States, so that its wars might be wrong even when there is a just cause. My thesis is based on the *jus ad bellum* principle of proportionality.

I shall proceed as follows: In the first section, I will discuss the global security costs of U.S. military hegemony. These include destabilization of international relations due to a (until very recently) growing interventionist disposition among the American public and its leadership, proliferation of nuclear weapons, the spread of asymmetric warfare, and a weakening of general compliance to international norms and law. In the second section, I will address some interpretive problems concerning the principle of proportionality. After these preparatory steps, I will defend my thesis in the third section, illustrating it on basis of some recent U.S. wars. I will conclude by outlining an alternative to U.S. military hegemony that would eliminate the global security costs of its resort to force. In this context, I will propose a new category of just war theory, just military preparedness, and articulate some of its principles.

For the sake of brevity, throughout this paper I will talk about U.S. wars with the understanding that allied forces may be included. My critical thesis concerning the resort to armed force by the United States implies that its traditional allies should generally be much more hesitant in giving military support to its wars. More specifically, the allies should more frequently refute supporting American wars or insist on a much reduced role of the United States in joint wars.

1. Global Security Costs of U.S. Military Hegemony

1.1 Resort to War Made Easier

On the whole, American citizens have accepted the project of U.S. military hegemony. One factor that accounts for this is that the project holds out the promise of winning wars without a high loss of life among American soldiers. The Gulf War, the Kosovo campaign, the Afghanistan War, and the Iraq War in its initial stage give credibility to the view that the United States through superior warfare technology can defeat most conventional armies without a high number of American casualties. High-tech warfare even creates the perception that war itself has become almost bloodless, foremost a technological spectacle without the ripping apart of real human bodies. Smart and precise weapons, it appears, efficiently stamp out evil only and do not result in the carnage of earlier wars, especially among civilians.[4] The perception is distorted, but the media (with its endless replay of video images of precise hits) and the Pentagon through its perception management programs (aiming at the removal of references to, and images of, the casualties of war) have made it a common perception. [5] War and military buildup have also become more acceptable to the American political mainstream, the middle- and upper-middle classes, because the military consists of volunteers, drawn disproportionately from lower-income families, and the material burden per capita of waging war and pursuing military superiority is modest due to the size of the U.S. economy.[6] Even in recent years, which have seen rapid increases in American military spending, the military budget has remained under 5% of the Gross Domestic Product (GDP). Besides, U.S. military hegemony feeds a large military industry, providing the middle class with ample employment opportunities. The greatest losers in raised defense budgets tend to be the poor, but traditionally they also have had the least electoral impact.

The overall result is that the resort to war has become considerably easier. (I will address in 1.4 whether the current war against Iraq in its nonconventional stage might have made Americans more averse to military intervention). Once war does not interfere greatly with the lives of most citizens, appears efficient in reducing evil in the world, and creates jobs, the political decision to resort to armed force has in practice a lower threshold. Indeed, more major U.S. military interventions have taken place since the end of the Cold War than during the more than forty years of this era itself.[7]

1.2 Destabilization of International Relations

An important consequence of the increased interventionist disposition within the United States is a reduction of international security. Many states perceive the United States as a threat and doubt its intentions. This distrust weakens international cooperation. What has added to the destabilization is that the United States has almost in routine fashion violated national sovereignty without any formal war declaration by using cruise missiles against countries viewed as supporting terrorism. The further development of Unmanned Aerial Vehicles (UAV), such as the Predator, will only add to the propensity and the ability to engage in such limited strikes, as will the development of weapons located in space.

It may be objected that American military hegemony does not lead to diminished global security, especially in the long run, because the United States uses its military force only to promote liberty and democracy, not to pursue narrow national self-interest. This objection reflects the deeply ingrained belief of most American citizens that their country is a "force for the good," which is another major factor behind their support of American military hegemony. Military planning documents tend to be more realistic in this regard, linking America's global economic interests and its military hegemony, while political statements on defense policies, partly aimed at the broader public, tend to gloss over the link and speak of using U.S. military force only for promoting liberty and democracy everywhere. At any rate, the historical record does not support this notion of America's global goodness, and it is a belief that contributes to international destabilization because it facilitates the U.S. political leadership resorting to armed force unilaterally and even preventatively without generating widespread protest among its citizens. But even if we grant that the belief is largely true, the argument that U.S. military hegemony has a destabilizing impact still holds.

One reason is that other countries may try to catch up somewhat with America's relentless military spending. So even though the United States has been the greatest contributor to the large increases in global military expenditures over the past few years, China and India, for example, have also seen significant increases.[8] A scenario that links global influence and prestige with military strength is a scenario of destabilization. Another reason is that "good intentions" are not always transparent and may sincerely be misunderstood by other countries. More importantly, acts of aggression, on the one hand, and promoting democracy and liberty, on the other hand, are not mutually exclusive. After all, promoting democracy and liberty does not constitute a just cause for the resort to war and countries have a right to refuse this "good," both according to international law and just war theory. The "good" may also be reasonably questioned, especially in light of how the political establishment in the United States in fact defines it. In the triumphal language of the opening sentence of *National Security Strategy* of 2002, the defeat of "totalitarianism" has shown that there is only "a single sustainable model of national success: freedom, democracy, and free enterprise."[9] Surely, countries may reasonably define their "good" as excluding American corporate investment and the consumerist lifestyle it promotes.

1.3 Hegemonic Aggression, Just War Theory, and Nuclear Proliferation

To further discuss the global security costs of American military hegemony, we must look in some detail at what the options are for countries whose sovereignty might be violated by the United States, whether in the form of a limited military strike or by way of a full-scale war. Given current political reality, these countries will most likely be non-nuclear powers in the South. Now consider that the United States is engaged in an act of aggression against one of those countries, say, as the United States (on many accounts) was in its 2003 war with Iraq or with its 1998 cruise missile strike on the al-Shifa pharmaceutical factory in Khartoum, Sudan.[10] How should the country under attack respond? Here just war theory (JWT) and a mere calculus of national self-interest will lead to the same answer. A limited military response against the United States would lead to escalating violence and the ultimate result would be that the country would be defeated by the American military, as would happen in the case of full-scale war in the first place. So the national self-interest of the country demands that it not respond militarily to a limited American strike, and, in the case that the United States seeks to defeat and occupy the country, it would be better to surrender quickly in order to prevent many casualties and a destroyed infrastructure. According to JWT, the very same response to U.S. aggression should be followed because even though there is a just cause for military action by the attacked country, to opt for it would violate the *jus ad bellum* criteria of reasonable chance of success and proportionality.[11] Defeat is certain and the good that may come out of acting on the just cause, such as upholding justice, is intangible and greatly disproportionate to the huge harms that would be engendered by resisting American military force. The country may appeal to the United Nations to take coercive measures against the United States, including military ones, but since the United States has veto power in the U.N. Security Council (and is, at any rate, militarily dominant), we cannot anticipate any action from the United Nations other than some moral support.

Countries in the South can largely avoid this predicament of conventional military powerlessness by creating a credible deterrent against potential U.S. aggression, notably, the acquisition of nuclear weapons. Possession of nuclear weapons greatly reduces the chance of conventional war with the United States and would make the Unites States think twice before ordering limited missile strikes. Once the United States would have a successful Ballistic Missile Defense (BMD) system, the deterrent impact of a limited nuclear capability by countries in the South might be significantly reduced, but the BMD is still far from reality.[12] Accordingly, nuclear proliferation is a security cost of American military hegemony. Recent U.S. national security policy recognizes that nuclear weapons are sought in order "to overcome our nation's advantage in conventional forces," but it fails to see that projecting U.S. military dominance across the globe might be a contributing factor. Instead, it claims that the weapons are sought "to deter us [America] from responding to aggression against our friends and allies in regions of vital interest."[13] To some extent, the continuing interests of some countries in the South in chemical and biological weapons can be analyzed along similar lines.

1.4 Asymmetric Warfare as a Cost of, and Challenge to, U.S. Military Hegemony

Another option of responding to hegemonic aggression is to meet it (after surrender or conventional military defeat) with asymmetric warfare in the form of an insurgency, or what has perhaps more instructively been called "Fourth Generation Warfare" (4GW). The United States has proven itself to be superior in winning Third Generation Warfare (3GW) conflicts, involving centralized battles with tanks, planes, etc., but as the Vietnam War, which had elements of 3GW and 4GW, and the ongoing conflict in Iraq suggest, the United States is much less equipped for dealing with insurgency warfare.[14] This type of warfare has several features that together provide a 4GW force with a fighting chance against the United States. The 4GW fighters operate in decentralized fashion, often among civilians, and so they reduce America's high-tech military advantages and draw its soldiers into more close-range battles with greater casualty risks for the American soldiers. Still, military defeat of the United States is not plausible, but this is also not the aim of 4GW insurgents. Rather, they seek to raise the economic, human, and moral costs of occupation so as to force withdrawal or political compromise, involving a defeat or weakening of the will of the occupier. Crucial components of achieving success along this line are the existence of asymmetries of will and patience: 4GW fighters are prepared to bear great costs and sacrifices and may think of their struggle in terms of years or even decades, while Americans are much more casualty averse and seek a quick victory.[15]

It is doubtful that the present 4GW conflict in Iraq will by itself initiate a real long-term change in U.S. global military policy, even if the outcome would be a complete U.S. military withdrawal and an Iraqi regime at best neutral to U.S. interests. Real change, involving a strongly reduced global role for the U.S. military (as proposed in section 4, below), is a task to be accomplished, not a condition that will inevitably result from the present empirical situation. In the short run, the American public may be less willing to support military action abroad and the political leadership, partly also under pressure of the military, may become more hesitant to initiate again another full scale war. A change of political party in the White House may lead to a reduced unilateralism and more emphasis on diplomacy. Surely, different Administrations and Secretaries of Defense may pursue somewhat different defense policies with varying global securities costs.[16] Still, military supremacy and global American military presence is a project broadly supported across the political spectrum.

The recommendations of the recent bipartisan *The Iraq Study Group Report: The Way Forward – A New Approach* illustrate this last point. What partly motivates the Iraq Study Group to recommend that the "way forward" in Iraq might mean ending U.S. combat in Iraq is its fear that continued U.S. presence might seriously undermine U.S. military hegemony in the long run. Accordingly, the Report proposes in Recommendation 47: "As redeployment proceeds, the Pentagon leadership should emphasize training and education programs for the forces that have returned to the continental United States in order to 'reset' the force and restore the U.S. military to a high level of readiness for global contingencies."[17] In the same vein, the Report calls for increased funds for equipment

renewal and, if necessary, also for recruitment, personnel retention, and the like (recommendations 48 and 49).

The Pentagon is preparing for more efficient future responses to 4GW so as to achieve what it, in *Joint Vision 2020,* calls "full spectrum dominance."[18] Add to this that the historical memory of the American people tends to be short, and we can conclude that we must anticipate continuous U.S. military power projection, and with it, more 4GW challenges to meet it in some instances. Each challenge may come with significant global security costs: 4GW conflicts take place over long time periods, may spill over to neighboring countries, may lead to civil war, may increase illegal weapons trade, etc.

Perhaps most worrisome is that states in fear (justified or not) of U.S. military hegemony may support specific 4GW struggles elsewhere against the United States or its allies, and they may also lend tacit support to any terrorist group that seeks to strike against the United States and its global interests. The United States, it must be said, adds to these dangers with its "Global War on Terrorism," conflating interstate war, military force against insurgents, and legal (police) enforcement against terrorism as a criminal activity. The ultimate price of our unipolar military world might be one of widespread diffusion of armed force capabilities among non-state actors.

Instead of responding with a violent insurgency, a country under American occupation may organize a nonviolent resistance aimed at forcing withdrawal. Considering the huge human and material costs of 4GW and its tendency to lead to war crimes, this option is morally attractive. Moreover, nonviolent resistance has a good track record of overthrowing unpopular regimes, including occupying powers. [19] Still, it is not to be expected that it will soon replace 4GW as the more common mode of resistance. Nonviolence is more difficult to realize because it presupposes a more highly motivated, well-organized, and deeply united population. Also, governments generally do not prepare their people for such resistance because, typically in contrast to the creation of armed forces, it weakens their hold on power.

1.5 Weakened Compliance to International Law and Norms

A final type of global security cost arising from American military hegemony is that maintaining or strengthening this position necessitates the United States to apply a double standard with regard to international conduct, to ignore international norms or law, or to brush aside the opinion of the world community. By setting a poor and highly visible example in this way, the United States weakens or undermines general compliance to rules and practices conducive to sustaining peaceful international relations. Some examples are the following: The United States uses a double standard when it demands, albeit selectively, of non-nuclear weapons countries to abide by the Non-Proliferation Of Nuclear Weapons Treaty (NPT) and not acquire these weapons, while it ignores taking its own commitment to nuclear disarmament seriously (as demanded by the NPT) and instead even recently has sought to develop new types of nuclear weapons. Similarly, the United States claims an unrestricted right for itself to test long-range missiles and denies the right to countries it considers to be "rogue states." Further, the United States ignores international law and

norms when it claims that it has the right to fight unilaterally preventive wars and when it exempts its own military from the jurisdiction of the International Criminal Court. And the United States brushes aside world opinion by persistently blocking international legal efforts to keep space free of weapons.

2. The Jus ad Bellum Principle of Proportionality

Whether the principle of proportionality offers a significant *prima facie* case against the resort to war by U.S. hegemonic military force depends on how one interprets the principle. A common interpretation, offered, for example, by James Turner Johnson, is that the principle requires that the overall good achieved by war outweighs its anticipated harm.[20] As Douglas P. Lackey, among others, has noted, such a version of the proportionality principle is unduly unrestrictive due to the destructive potential of most wars. A country defending itself against an unjust attack may have to inflict huge harm on the enemy in order to protect its own citizens, with the upshot that the total harm outweighs the good; yet, such a war may be just. Lackey articulates a more plausible and permissive version of the proportionality principle, as saying that the resort to armed force with a just cause is wrong when "it produces *a great deal* more harm than good."[21] On his account, then, the principle is meant to invalidate resort to war when we can clearly estimate that the good of pursuit of the just cause would engender a rather significantly disproportionate harm, whereby we should take into account all anticipated costs.

It might be objected that the principle is somewhat counterintuitive by not considering whose harm is at stake. When a country, for example, considers whether to wage a war of self-defense, should the harm inflicted on enemy soldiers be weighted similarly to the anticipated harm to its own citizens? An overlapping concern is that the principle does not address the issue of responsibility for harm and how less responsibility for some harm might justify one to assign less weight to the harm.[22] Consider that a country engaged in a war of aggression has placed many crucial military facilities in the middle of civilian surroundings. In applying the proportionality principle in the resort to war decision, the harm to civilians that would result from attacking these facilities arguably has less weight than the harm that would result from bombing dual purpose facilities that are by necessity located in civilian centers.[23] Similarly, one may wish to reduce the weight of harm that falls on those who are engaged in war crimes, such as the death of suicide bombers of civilians.

It is to be granted, I think, that from a pure moral perspective, a case can be made that not all evils or harms are to be counted equally. The practical relevance of this point, however, is rather limited, at least with regard to the *jus ad bellum* decision. A ranking of harms seems plausible, defensible, and manageable when *jus in bello* decisions are made, but the same is not true of the *jus ad bellum* decision. What the total consequences are of a decision to go to war is highly uncertain and complex, so that a ranking of harms cannot be done in more than a sketchy way and will seldom have a decisive impact on the decision.[24] What is much more important is that in the resort to force decision one avoids the error of discounting altogether the harms resulting from one's enemy's immoral choices.

A complete discounting of such harms would make the proportionality principle into a too weak limiting constraint on the resort to force and lead to counterintuitive results. Suppose that we fully anticipate that a military response to a minor seizure of territory by an aggressor would trigger a nuclear attack by the aggressor. The view that we can ignore this harm because it is not our responsibility is implausible, even if the harm would somehow fall on the perpetrators only. This position might slide into a complete undermining of the principle of proportionality in that all the harm in an aggressive war may be seen as the moral responsibility of the aggressor and, therefore, as having no relevance to the *jus ad bellum* decision. [25] What is forgotten here is that war creates a highly coercive environment. Typically, the blameworthy choice of one party is severely limited by the actions of the other party, so that the blame does not fall on the first party alone. Perception of the choices available is also often distorted, underlining that we should be cautious in placing all the blame on one side only. But even if we assume that the enemy is fully responsible, a complete discounting of harms is wrong because if we could avoid such harms in the course of pursuing our just cause, we should have a moral interest in doing so. War is not a punitive enterprise against a nation or people. War criminals deserve punishment and political reform may justifiably be imposed on a nation with a history of aggression. However, regret for harm caused to the enemy in the course of defeating it is generally appropriate, while moral indifference is ethically suspect.

A final caveat concerning the proportionality principle is that it should not be seen as stating merely an all-or-nothing limiting condition on the resort to war. To be sure, once harm would greatly outweigh the good, this alone might suffice to make resort to force unacceptable. However, harm below this point is also relevant. It might, for example, strengthen the case against initiating a given war that appears questionable on basis of other *jus ad bellum* principles, such as the principles of reasonable chance of success and last resort. Harm that is not disproportionate in light of the just cause alone may become disproportionate if there is a limited chance of success. Likewise, harm may become disproportionate if there are feasible and less costly alternatives to war, such as diplomacy and economic sanctions, even if it would mean less than full redress in terms of the just cause.[26] Generally, the greater harm the stronger the *prima facie* case against the resort to armed force.

3. The Decision to Resort to Hegemonic Military Force

3.1 Three Scenarios

To assess the relevance of the global security costs of U.S. military hegemony on the resort to force decision of the United States, we must consider three scenarios: the United States is on the verge of engaging in a war of aggression; the balance of justice tips in its favor; and it has a clear just cause for war.

In the first scenario, the global security costs of American military hegemony need not to be considered to conclude that the war is wrong. Still, theoretically speaking, the costs are relevant in that the harms of a war may give direction to determining how the aggressor is

to be reformed after victory so as to prevent future acts of aggression. A victorious nation may wish to impose on the United States reform measures similar to the ones outlined in section 4, below. More broadly and practically plausible, global public opinion may come to demand similar measures. Granted that the Iraqi war begun in 2003 was a war of aggression and that this was not the first instance of U.S. aggression in recent decades, it follows that reform of the U.S. military, including the political institutions that authorize its resort to force, should be placed, or should remain, on the agenda of the United Nations and NGOs dedicated to establishing global peace.

Justice is in reality seldom totally on one side, even though the parties in conflict typically tend to think otherwise. Accordingly, the claim that some country had a just cause to resort to force must usually be seen as a statement to the effect that the balance of justice was on the side of this country.[27] A weaker just cause, or a lesser good evolving from the resort to force, means that the anticipated harm will have to be less overwhelming in order to count as disproportionate. It is in such a situation that the global costs of U.S. hegemonic force could tip the balance toward *jus ad bellum* disapproval of using this force. So it seems reasonable to assume that greater attention to these costs could have swayed people in the opposite direction who hesitantly supported the war against Iraq – for example, people who held that preventing Iraq from becoming a weapons of mass destruction threat constituted a cause for war, albeit not an urgent and strong one, or who saw ending the humanitarian costs exacted by Saddam Hussein's regime as grounds for war in similar terms.

However, even when the United States has a clear and strong just cause for resorting to armed force, the global security costs of its military hegemony might weight heavily against its use of armed force and even make it wrong. A successful war is bound to further strengthen American military hegemony and so increase the long-term global security costs of this hegemony. In a word, new weapons might be tested and new bases may be established. Fear of U.S. military hegemony might increase and so may nuclear proliferation and support of asymmetric fights against this hegemony. The American public's embrace of U.S. military hegemony may be further strengthened and its preparedness to support American wars, including wars that the public fails to see as acts of aggression, may increase. Last, the U.S. political leadership may feel further bolstered not to play by the rules of international conduct and law if the demands of military hegemony or national self-interest require it.

3.2 Three Historical Examples: Iraq, Rwanda, and Kosovo

To further illustrate my argument that the security costs of U.S. hegemonic force considerably raise the bar of justified resort to war for the United States, consider the Gulf War. The example is adequate, for even though the Soviet Union had not yet collapsed, the bipolar military universe was rapidly dissolving after the fall of the Berlin Wall. The Gulf War had a just cause, although a case can be made that justice was less exclusively on the side of Kuwait and its allies than commonly portrayed. The United States was the main executive force of this war and questions may be raised about its right intention and whether the principle of last resort was adequately satisfied. There were also at the time

appropriate worries that the resort to war might be disproportionate due to the anticipation of high casualty numbers, ecological disaster, and serious global economic downturn.[28] In retrospect, what should have received much more attention were the global security costs of the U.S. resort to force. This war was a crucial testing ground for America's turn to high-tech warfare; it greatly increased the preparedness of the American people to support their political leadership in opting for war; and it spread the projection of American military power, adding to the rise of terrorism (notably, Al Qaeda). The war shed the "Vietnam syndrome" and raised the public's trust and pride in America's military superiority. Ironically, the great success of the Gulf War encouraged the political leadership to set aside the very doctrine guiding this war, *i.e.*, the resort to war must go hand in hand with massive troop deployment. A more interventionist disposition was adopted with a preparedness to use force on various scales in different settings.[29] Further, the total devastation of the Iraqi army and the widespread bombing of targets in Iraqi cities made it clear to the world that something other than conventional force, such as nuclear weapons, is needed to deter American military force. Minimally, all these costs of the use of U.S. military force in the Gulf War support the case that a different composition of the coalition force against Iraq would have been desirable. The United States should have played a much less central role, both in execution and planning, as this would have led to much decreased hegemonic global security costs. More far- reaching, the case could be made that the United States should not at all have been part of the coalition force, even if it would have meant that Iraqi withdrawal from Kuwait could have only been pursued through sanctions, negotiations, and compromise. Of course, this is an argument in hindsight, but the lesson can and should be applied to the future.[30]

My claim is not that the resort to U.S. force is always disproportionate. In the extremely unlikely event that the United States itself would be attacked, the global security costs of the United States resorting to self-defensive force would be for obvious reasons much smaller (e.g., self-defensive force would not contribute to the proliferation of weapons of mass destruction) and not be disproportionate to the good resulting from strict self-defense. Or, consider humanitarian intervention. The United States would have been justified to use armed force against the Rwanda genocide in 1994. An early intervention would have prevented indescribable human suffering and massive death, while the global security costs would have been much smaller than in the case of the Gulf War because this would not have been a high-tech war against a significant conventional force. Still, the costs show that it would have been preferable for a different military force to intervene early in the genocide. Ironically, the high-tech capabilities of the United States seem to have played a role in its lack of preparedness to intervene in Rwanda, while opting for intervention in Kosovo some years later. As Samuel Berger, the National Security Advisor of the Clinton administration at the time of the Kosovo intervention put it in an op-ed piece in support of the Kosovo campaign (apparently addressing the charge of selectivity of humanitarian concern), "We certainly couldn't have acted in Rwanda militarily. It is difficult to stop people going after each other with machetes with an F-16."[31] Comparing Rwanda and Kosovo, intervention was both less urgent in Kosovo because it was a lesser humanitarian disaster and there was more reason to oppose the United States as the main intervening agent because of the comparatively much greater hegemonic global security costs

involved.[32] The better choice would have been intervention in Kosovo under authority of the European Union (EU) or a coalition of EU states and led by EU military forces.[33]33

4. Beyond U.S. Military Hegemony

It would be a misunderstanding of my argument to interpret it as claiming that all harms linked to American military hegemony are fully the responsibility of the United States. War severely restricts choices, but still often leaves room for morally worse or better options. The credibility of the critic of American military hegemony is severely weakened when all the blame is placed on the United States. In response to an unjust U.S. occupation, for example, nonviolent resistance might be a better option than violent insurgency and, most definitely, we should morally condemn the frequent flagrant violation of noncombatant immunity by 4GW fighters. Or, moral disapproval is appropriate with regard to countries that seek nuclear weapons in response to American military supremacy. At the same time, it would be an error to claim that the United States does not have any responsibility at all for such harms. Even in the case of the United States fighting a war with a just cause, the global security costs of its resort to armed force still remain partly its responsibility. The reason is that the project of U.S. military hegemony is also a choice and that alternatives are available with reduced global security costs.

An important step in the direction of reducing the global security costs of American military hegemony would be that the United States would take international law more seriously and would more often accept how Chapter VII of the U.N. Charter regulates the use of armed force in cases other than strict self-defense. This step would become even more effective if the Security Council would become less beholden to U.S. interests by broadening its membership and making it more representative of the global community, as has been proposed recently in a *More Secure World: Our Shared Responsibility*, Report of the High-Level Panel on Threats, Challenges and Change. This Panel, initiated by former Secretary-General Kofi Annan in response to the Iraqi war, leaves the veto system of the Security Council untouched.[34] For the sake of arriving at more impartial and effective resort-to-force decisions by the Council, so that unilateral resort-to-force decisions will less likely occur and will be increasingly viewed as morally indefensible, it will be further necessary to modify or abolish this veto system.

A more far-reaching alternative would involve that the United States would turn away from being a hegemonic military force altogether and thus would eliminate all the global security costs related to this. Such an alternative emerges from exploring what constitutes "just military preparedness," which may be seen as a new JWT category of justice before the war (*jus potentia ad bellum*) with its own principles that must be satisfied in order not to distort the *jus ad bellum* decision.[35]

4.1 First Principle of Just Military Preparedness

The first principle is that military preparedness must fit with its purposes. Assume that these purposes are national self-defense (strictly interpreted), including supporting allies in their self-defense, and to assist the global community in its effort to protect all people against massive human rights violations in case that their government is not able to offer

such protection or is itself engaged in such rights violations. Most countries, including the United States, have committed themselves to the last purpose by ratifying the genocide convention and similar human rights declarations. Neither one of the two purposes requires an American military focused on power projection across the globe. Most countries can take care of their own security needs. Strengthened regional security arrangements would offer additional protection. Alliances between the United States and other countries may be maintained and supported (on the assumption of their popular approval), but the United States should withdraw from its "empire of bases" and cease to divide the world into spheres under its command (USSOUTHCOM, USCENTCOM, etc.).[36] A much smaller American military force would result, mostly located within its own borders, but occasionally involved in UN peace-keeping missions or peace enforcement operations and providing some support for an ally under serious and definite threat. More speculatively, American weapon systems would have a more defensive focus, while soldiers would be trained with a greater emphasis on protection and peacekeeping rather than "securing territory." U.S. involvement in humanitarian intervention in failed states could take place with the American military as part of a rapid limited multinational military force. But even if the United States would be the main intervening force in a humanitarian crisis, due to inadequate rescue efforts of the global community at large, such intervention could be successful with a U.S. military far smaller than its current size.

4.2 Second Principle

This principle is that the purpose of military preparedness should be realized through nonmilitary means, when at all feasible, such as through promoting the United Nations, supporting human rights NGOs, and reducing global poverty. Accordingly, the United States should reduce its military spending and increase its spending on these alternatives to military force. To illustrate how American spending for the sake of realizing security and protection is disproportionately geared toward military measures, the American ratio of military spending to development aid is around 25 to 1, compared to less than 2 to 1 in Holland, Belgium, and Denmark.[37] Moreover, even though the United States pays a significant share of the total U.N. budget, it typically runs in arrears and the budget itself is comparatively deeply flawed in that it is less than one percent of global military expenditures.[38] The National Priorities Project (NPP) offers a somewhat overlapping illustration of the misbalance of U.S. national security spending. Distinguishing three strategies of providing national security – the military, homeland security, and "preventive measures" such as economic aid and "securing nuclear materials abroad and participating in multi-lateral diplomatic and peacekeeping operations" – the NPP notes that federal spending in the fiscal year 2005 on security in the United States was heavily geared toward the military (89%), while 7% was spent on homeland security and 4% on preventive measures.[39]

4.3 Third Principle

The third principle of *jus potentia ad bellum* is that the value of military preparedness must be carefully balanced against other values, ranging from health to culture. Even though overall military spending in the United States is less than 5% of the GDP and is "affordable" to the middle class, there are very significant opportunity costs, especially to vulnerable groups in society. A mere 25% cut in military spending would, for example, provide health

insurance to 40 million people, or an additional 10% cut would pay for up to 1 million extra teachers, say in music, art, and elementary education.[40] And, of course, the issue is not merely a monetary one. Considerable human resources are invested in the military as well as in the research and development of weapons. The Department of Defense is, for example, the third largest federal supporter of university research and in some fields of engineering it pays for more than 50% of all government research support.[41]

4.4 Final Principle and the Task Ahead

The task of transforming the United States from a military hegemon to a member of the community of nations that is more restrained in the resort to force as well as its execution is a formidable one. The reason for this is that a fourth and final principle of "just military preparedness" has been increasingly violated in the United States: there should be a "right authority" for settling military preparedness policies, and this authority should be guided by "right intention." The people and their representatives should subject the scope and purpose of military preparedness to democratic control and debate.[42] The American defense budget is not transparent, even to members of Congress; mismanagement, fraud, and waste are common; and the choices of politicians concerning the development and purchase of military hardware are highly influenced by lobbyists, financial interests, and the aim of maintaining employment opportunities in their home states. The lack of transparency and democratic wills-formation spills over in the *jus ad bellum* sphere. Limited military force is used without any democratic oversight and even in the case of full-scale war Congress typically neglects its responsibility as the body that should declare war. No matter how formidable the task of transforming U.S. military hegemony may appear, though, it must be attempted because the price of failure is simply too high.

Notes

[1] The 2004 Base Structure Report of the Department of Defense (DoD) illustrates U.S. global military presence in that it lists that the DoD owns or leases 902 sites in 46 foreign countries. See http://www.defenselink.mil/pubs/20040910_2004BaseStructureReport.pdf. In fact, these figures are to the conservative side in that the DoD also operates "secret" bases not recorded in its yearly reports. See Chalmers Johnson, *The Sorrows of Empire* (New York: Metropolitan Books, 2004), pp. 153-55. See also his *Nemesis* (New York: Metropolitan Books, 2007), chapter 4.

[2] See http://www.globalissues.org/Geopolitics/ArmsTrade/Spending.asp.

[3] These phrases can be found, respectively, in *Coherent Adaptive Force: Ensuring Sea Supremacy for Sea Power 21,* the Posture Statement of Admiral Vern Clark, U.S. Navy, Before the 108th Congress House Armed Services Committee, 26 February, 2003; *Vision for 2020* (of the U.S. Space Command); and, the *National Security Strategy* of 2002. Referring to similar statements, Andrew J. Bacevitch sees the striving for military supremacy as an aspect of America's "new militarism." See his *The New American Militarism* (Oxford: Oxford University Press, 2005), p. 18.

[4] For a more detailed description of this "new aesthetic of war," see Bacevitch, *The New American Militarism*, pp. 20-23.
[5] See Carl Conetta, *Disappearing the Dead: Iraq, Afghanistan, and the Idea of a "New Warfare,"* Research Monograph 9, Project on Defense Alternatives. Posted online on February 18, 2004, at http://www.comw.org/pda/usdefpos.html.

[6] It is estimated that close to 50% of the new recruits in recent years come from the poor or lower middle class. The vast majority of recruits come from rural areas or smaller cities. See Ann Scott Tyson, "Youths in Rural U.S. Are Drawn To Military," *Washington Post*, November 4, 2005, page A01, reprinted online at http://www.washingtonpost.com.

[7] See Bacevitch, *The New American Militarism,* p. 19, who notes that six major military interventions took place between 1945 and 1988, and nine since then.

[8] See Stockholm International Peace Research Institute (SIPRI), "Recent Trends in Military Spending," at http://www.sipri.org/contents/milap/milex/mex_trends.html. There has been a 34% increase in global military spending between 1996 and 2005.

[9] See http://www.whitehouse.gov/nsc/nss.html.

[10] From the perspective of just war theory, the case against the war with Iraq was strong, even if one accepted the weapons of mass destruction rationale. See, for example, Michael

Walzer, *Arguing about War* (New Haven: Yale University Press, 2004), chapter 11. The United States had no convincing evidence for its claim that the 1998 strike was necessary to prevent Osama bin Laden from acquiring nerve gas precursors produced at the pharmaceutical factory, and it blocked any independent investigation of the evidence after the fact. See Michael Barletta, "Chemical Weapons in the Sudan: Allegations and Evidence," *Nonproliferation Review* 6 (Fall 1998): pp. 115-36, available online at http://cns.miis.edu/pubs/npr/vol06/61/barlet61.pdf. But even if the United States was right about its accusation, it would not have warranted, either according to international law or just war theory, the unilateral missile strike.

[11] For a more detailed defense of this claim (and a discussion of what the claim entails for the need to revise JWT), see my "Just War Theory and U.S. Military Hegemony," chapter 3 of Michael W. Brough, John W. Lango, and Harry van der Linden, eds., *Rethinking the Just War Tradition* (Albany: State University of New York Press, 2007).

[12] In other words, it seems that the BMD is partly an offensive system and a pivotal instrument of long-term U.S. military hegemony. See Noam Chomsky, *Hegemony or Survival* (New York: Metropolitan Books, 2003), pp. 223-30.

[13] National Strategy to Combat Weapons of Mass Destruction, December 2002, p. 1. Online at http://www.whitehouse.gov/news/releases/2002/12/WMDStrategy.pdf.

[14] My discussion here draws from Thomas X. Hammes, *The Sling and the Stone: On War in the 21st Century* (St. Paul: Zenith Press, 2004), especially chapter 14.
[15] Cf. Steven Metz and Douglas V. Johnson II, "Asymmetry and U.S. Military Strategy: Definition, Background, and Strategic Concepts," pp. 10-11 (Strategic Studies Institute at the United States Army War College, Carlisle, Pennsylvania, January 2001). Online at http://www.au.af.mil/au/awc/awcgate/ssi/asymetry.pdf.

[16] To illustrate, Donald Rumsfeld before his appointment as Secretary of Defense said to George W. Bush that the new Administration should be "forward-leaning" in its military policy as distinct from the "reflexive pullback" policy of the prior Administration. Not surprisingly (in light of his later preventive war doctrine), Bush agreed. See Bob Woodward, *Plan of Attack* (New York: Simon & Schuster, 2004), p. 19. Even though Rumsfeld overstates his case, it would be an error to ignore such policy differences and related variations in global security costs. My main concern here, however, it is to assess the overall trend and costs of U.S. global military presence. This is a bipartisan project and its "logic" goes beyond the particular choices of various Administrations.

[17] See http://www.bakerinstitute.org/Pubs/iraqstudygroup_findings.pdf. Also published in paperback by Vintage (2006).

[18] *Joint Vision 2020*, pp. 4-5, online at http://www.dtic.mil/jointvision/jvpub2.htm.

[19] See Gene Sharp, *Waging Nonviolent Struggle: 20th Century Practice and 21St Century Potential* (Boston: Extending Horizons Books, 2005).

[20] James Turner Johnson, *Morality and Contemporary Warfare* (New Haven: Yale University Press, 1999), p. 26. Johnson partly solves the unduly restrictive nature of his version of the proportionality principle by claiming that it is merely a prudential principle with a lower moral priority than the deontological norm of just cause. See ibid., pp. 41-44. For a criticism of this ranking, see my "Just War Theory and U.S. Military Hegemony," pp. 56-58.

[21] Douglas P. Lackey, *The Ethics of War and Peace* (Upper Saddle River: Prentice Hall, 1989), pp. 40-41. A similar view is defended by Nick Fotion: "If the amount of good that might come from a war is clearly going to be overwhelmed by the bad, then the [proportionality] principle will not countenance going to war. Conversely, if it is clear that the good will overwhelm the bad, then the principle will countenance war." See "Proportionality," in *Moral Constraints on War*, ed. Bruno Coppieters and Nick Fotion (Lanham, MD: Lexington Books, 2002), p. 93.

[22] Cf. Thomas Hurka, "Proportionality in the Morality of War," *Philosophy & Public Affairs* 33 (2005): 34-66, pp. 45-50.

[23] In my view, most dual target bombing by the United States in recent wars should be condemned as failing to uphold the "due care" articulation of the principle of noncombatant immunity as formulated by Michael Walzer in *Just and Unjust Wars*, 3rd edition (New York Basic Books, 2000), pp. 155-56. However, my argument against U.S. resort to hegemonic force does not hinge on this assessment.

[24] It would be easier to rank harms if the proportionality principle is used to assess a war after it has concluded, but this particular use of the principle is clearly secondary to its function of placing constraints on when it is just to resort to force in the first place.

[25] See Hurka, "Proportionality in the Morality of War," p. 49.

[26] Cf. ibid., pp. 37-38.

[27] See A.J. Coates, *The Ethics of War* (Manchester: Manchester University Press, 1997), pp. 150-51.

[28] Cf. Anthony J. Coates, "Just War in the Persian Gulf?," in *Ethics in International Affairs*, ed. Andrew Valls (Lanham: Rowman & Littlefield, 2000), chapter 3, esp. pp. 37-41. See also Coates, *The Ethics of War*, pp. 151-54.

[29] See Bacevitch, *The New American Militarism*, pp. 51-58.

[30] A second irony of the Gulf War is that it was authorized by the U.N. Security Council. We may safely assume that the Security Council failed to recognize that this war would greatly

strengthen U.S. military hegemony because one of the costs of this hegemony is that it has blocked the Security Council from gaining more influence in the post Cold War world.

[31] Samuel Berger, "Evil in the Information Age: No Longer Through A Glass Darkly," *New Perspectives Quarterly* (Summer 1999), p. 6. Reprinted from an interview in the *Los Angeles Times*.

[32] See also my "The Left and Humanitarian Intervention as Solidarity," chapter 10 of *The Liberation between Selves, Sexualities, and War,* ed. Greg Moses and Jeffrey Paris (Charlottesville, Virginia: Philosophy Documentation Center, 2006).

[33] Cf. Allen Buchanan, *Justice, Legitimacy, and Self-Determination* (Oxford: Oxford University Press, 2004), pp. 452-53.

[34] Annan announced the formation of the Panel in a speech to the U.N. General Assembly on September 23, 2003, criticizing the preventive war doctrine of George W. Bush. See "Adoption of Policy of Pre-emption Could Result in Proliferation of Unilateral, Lawless Use of Force, Secretary-General Tells General Assembly, "Press Release SG/SM/8891, GA/10157, online at http://www.un.org/News/Press/docs/2003/sgsm8891.doc.htm. The panel issued its report in 2004. For a brief discussion of this report, see my "Would the United States Doctrine of Preventive War Be Justified as a United Nations Doctrine?," chapter 8 of Gail M. Presbey, ed., *Philosophical Perspectives on the War on Terrorism* (Amsterdam: Rodopi Press, 2007).

[35] The term is coined by Mark Woods, "The Nature of War and Peace: Just War Thinking, Environmental Ethics, and Environmental Justice," chapter 1 of *Rethinking the Just War Tradition,* p. 29.

[36] See Bacevitch, *The New American Militarism*, pp. 213 -14. The notion of "empire of bases" is elaborated in Johnson, *The Sorrows of Empire.*

[37] Jeffrey D. Sachs, *The End of Poverty* (New York: Penguin Books, 2005), p. 330.

[38] See http://www.globalissues.org/Geopolitics/ArmsTrade/Spending.asp. The global military expenditures for 2005 are close to one trillion.

[39] The NPP describes itself as a nonprofit, nonpartisan organization that "offers citizen and community groups tools and resources to shape federal budget and policy priorities which promote social and economic justice." For its data on national security, see http://nationalpriorities.org/index.php?option=com_content&task=view&id=97&Itemid=132 . Posted online on December 21, 2006.

[40] For similar figures, see the website of NPP: http://nationalpriorities.org.

[41] See Association of American Universities, "Department of Defense: Defense Research

Merits Strong Federal Support," at http://www.aau.edu/budget/06DODOP.pdf.

[42] This principle requires that the military forces become less separated from society and more representative of the classes of society. For some interesting suggestions on how this might be accomplished, see Bacevitch, *The New American Militarism*, pp. 21 7-24.