Chapter Six
Resisting Domination Across Borders

With world government off the table, how should we think about the place of national boundaries in resisting domination? The challenges are legion. Aggressive leaders unleash attacks to seize territory or subjugate populations, as Napoleon and Hitler sought to do in much of Europe, Saddam Hussein tried in Kuwait, and some believe Vladimir Putin hopes to do with nations comprising the former USSR. Secessionist movements push to dismember states. This can be straightforward and benign, as with Czechs and Slovaks, Scottish nationalists, and the Canadian Québécois. But separatists can harbor more unsettling plans. Catholics in Northern Ireland want to leave the United Kingdom, but they also want to reunite with the Irish Republic. Kurds in Iran, Iraq, and Turkey want to carve a Kurdish state out of those countries. Such aspirations inevitably conflict with other visions of national identity embraced by defenders of the status quo. The Israeli-Palestinian conflict is a paradigm, if chronic, illustration. There are many more peoples than nations, not to mention conflicting understandings of the aspirations of the same peoples. In much of the Middle East today, Sunnis and Shiites battle among themselves and with one another over whose account will prevail, just as Catholics and Protestants frequently did in seventeenth century Europe. The nation state system – any nation state system – is bound to collide with these realities.

Sometimes, but only sometimes, people seek national boundary changes democratically. Scottish nationalists tried that unsuccessfully in 2014, but it can succeed. Czechs and Slovaks separated democratically in 1992. The East Timorians left Indonesia after winning a referendum in 1999. South Sudan voted to leave Sudan in 2011. The Québécois hoped to win their independence referendum in 1995, yet they accepted defeat by a mere one percent of the vote. That is rare. Often, democratic failure fuels insurrection and civil war. This happened in the American South after the 1860 election, when Lincoln declared that the U.S. Constitution does not permit secession. Indeed, violence can be the strategy of first resort. The Islamic State of Iraq and the Levant (ISIL) plans to manufacture a Sunni caliphate out of Eastern Syria, Western Iraq, and perhaps parts of Lebanon, Jordan, and North Africa as well. They are willing to go to any lengths, including ethnic cleansing, mass murder, and even genocide, to achieve their goals.

Stopping gambits of this kind can be difficult, sometimes impossible. Indeed, the presumption of non-intervention that became embedded in the international system after World War II loads the dice against trying. And the presumption is stronger when states are well established, with their immunity from interference enshrined in treaties and conventions. When the Rwandan genocide erupted in 1994, denunciations and handwringing abounded. Yet no outside power made a serious effort to stop it. Ethnic

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cleansing and genocidal killing might have been with us since time immemorial, but the nation state system supplies few tools to combat it – let alone prevent it. That is bound to concern anyone who sees resisting domination as the primary challenge of politics.

These examples capture two kinds of circumstance in which national borders are implicated in domination: when they are violated in order to perpetrate domination, and when they must be compromised in order to resist it. The first, my subject in § 6.2, deals with forcible transgression of boundaries or attempts to redraw them. These are invariably problematic for partisans of non-domination, not because there is anything sacrosanct about the existing nation-state system, but rather because the arbitrary character of inherited boundaries does not justify forcibly compromising them or replacing them with new ones that would also be arbitrary from some defensible point of view. This stance creates a bias toward the global status quo, to be sure, since those who oppose it might be unable to achieve the change they want democratically. But that just means that people cannot always have what they want and that non-domination, just like every normative stance, is not neutral among competing visions of the good life.²

Opposing domination across borders includes straightforward self-defense, as when countries respond to attacks of the sort Hitler prosecuted against many European countries and the Japanese launched against the U.S. at Pearl Harbor in 1941. But resisting cross-border domination often includes defending others. Thirty-four countries joined the U.S.-led Operation Desert Storm to oust Iraq from Kuwait in 1991. The NATO Charter requires signatories to come to the aid of any fellow member who is attacked. Whether by ad hoc arrangement or treaty obligation, such agreements commit countries to combat aggression against third parties. This possibility is enshrined in the UN Charter, which affirms the “sovereign equality” of all members and empowers the Security Council to authorize “suppression of acts of aggression or other breaches of the peace.”³ A central challenge, we will see, is to determine what this can defensibly mean given that those with the capacity to suppress aggression invariably harbor debatable – if not dubious – motives and often have dirty hands as well.

Crossing borders to prevent domination also presents this challenge, but the stakes are higher. In 1999, NATO began bombing Kosovo to protect Albanian Muslims from ethnic cleansing by Serb paramilitaries and armies, an intervention that would famously be declared “illegal but legitimate” after the fact by the Independent International Commission on Kosovo.⁴ The Kosovo operation sharpened debates that had been brewing at the Organization of African Unity (replaced by the African Union (AU) in 2001) and at the UN since the Rwandan genocide. It led to the AU’s asserting the right to intervene in a member state to prevent war crimes, genocide, and crimes against humanity in 2002, and the UN General Assembly’s embrace of the “Responsibility to Protect” (R2P) doctrine three years later.⁵ R2P declares all governments responsible for shielding their populations from

⁴ The Independent International Commission on Kosovo was and ad hoc commission appointed by the Swedish government on the initiative of Prime Minister Göran Persson in 1999. For its findings see their Kosovo Report (Oxford University Press, 2001), pp. 3-4.
⁵ See Article 4(h) of the Constitutive Act of the African Union
genocide, crimes against humanity, war crimes, and ethnic cleansing, and empowers the Security Council to authorize intervention when they do not. I take up this ambitious escalation in Security Council authority in § 6.3. There I argue that the authorizing mechanism is wanting, and that R2P intervention should face notably higher hurdles than intervention to combat cross-border domination – not least because it risks creating new failed states in which forces bent on serious forms of domination will predictably run rampant.

This leads to the question underscored by NATO’s 2011 intervention in Libya: under what conditions, if any, should outsiders overthrow, or help overthrow, oppressive regimes? I take this up in § 6.4, arguing that it is defensible only when there is an indigenous democratic opposition that offers a viable alternative and whose leaders actively seek external assistance. Minimally favorable economic conditions should also be present. Otherwise, regime change should be the strategy of absolute final resort, attempted only if there is no other way to prevent the extreme kinds of domination proscribed by R2P. Recent efforts at regime change in Afghanistan, Iraq, and Libya have failed this test, I argue, weakening Security Council authority and damaging the international legitimacy of the U.S. and other intervening powers. Finally, I turn to the ISIL menace that mushroomed in Syria and Iraq in 2014, identifying the approach that offers the best chance to avoid replicating the recent failures. As a prelude to defending these claims, I begin, in § 6.1, by arguing that the challenges they present are best understood by reference to a version of the doctrine of containment developed by George Kennan in the 1940s. This builds on my earlier critique of the Bush Doctrine that was adopted after the al-Qaeda attacks on the U.S. in September of 2001 and invoked to justify the 2003 invasion of Iraq. But here I offer a more general account of containment than in my earlier book, defending it as the best approach to resisting domination across borders, and to crossing them in order to prevent it.

6.1 Why Containment?

Kennan’s case for containment might seem an unlikely candidate to do this heavy lifting. It was, after all, not intended as a general theory. Famously skeptical of grand thinking, Kennan championed containment as a particular response to a particular threat at a particular time: it was, he argued, the best way for the U.S. to face down the military hazard posed by Soviet Union during the Cold War. Kennan was convinced that the USSR’s flawed economic system, combined with its unsustainable global ambitions, would cause its leaders eventually to give up if the system did not collapse first. “For no mystical, messianic movement – and particularly not that of the Kremlin – can face frustration indefinitely without eventually adjusting itself in one way or another to the logic of that state of affairs.” More ambitious strategies, such as the “rollback” pressed by John Foster Dulles and others in the Eisenhower Administration, were unnecessary and imprudent. Sustaining domestic political support for protracted conflict with the USSR seemed to Kennan to be a

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tall order in the era of public exhaustion and fiscal austerity after World War II. Better to hem the Soviets in and wait them out.

6.1.1 Minimize dependence on coercion

Rooted as it was in these particular considerations, Kennan’s logic nonetheless offers useful resources to think more generally about transnational domination. A central one concerns keeping the use of force to a minimum. Aside from the budgetary considerations of the late 1940s, Kennan recognized that, in a democracy, war is fraught with electoral peril. Your side might win quickly, boosting your popularity. But wars often drag on, taking unpredictable twists and turns. If the conflict is a war of choice rather than necessity and the costs mount, eventually the electorate is bound to sour. This concern led Kennan to oppose the Vietnam War in the early 1960s, presciently as it turned out. Four decades later, when the U.S. was gearing up to invade Iraq, the 98-year-old Kennan invoked it again, no less wisely, warning that in war “you know where you begin. You never know where you are going to end.”

Leaders who offer electorates little more than blood, toil, tears, and sweat had better be sure that the case for war is overwhelming. Exaggerating the threat, relying on debts rather than taxes, and deploying volunteer forces and mercenaries instead of a draft might stave the day of reckoning off for a while. But eventually voters will pull the plug. Indeed, as George W. Bush’s father learned to his cost in 1992, even a quick successful war will not save you from an electorate focused on pocketbook issues and the bottom line.

Unlike those, such as Dulles, for whom the best defense is invariably a good offense, Kennan’s stance was to do what is needed, but only what is needed, to face down threatening aggression. Minimizing the use of force did not, however, mean abjuring it, or even waiting passively for an adversary’s collapse. Kennan was confident, as he said at the National War College in March of 1947, that the Soviets lacked the means to dominate Europe or the Middle East, but he insisted that this was not a reason to let them try. After all, the Visigoths who sacked Rome could not consolidate their conquest of Italy, but they did trigger the demise of the Roman Empire and usher in “centuries of ignominy for the city which was its heart and soul.” The Soviets had a dynamic view of their historical role as the vanguard of the world socialist movement. Kennan was confident that they would fail as the Visigoths did, but their efforts to export their system and subjugate new populations still had to be resisted. In short, we know that floodwaters “must – by the laws of nature – some

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8 Albert Eisele, “At 98, veteran diplomat declares Congress must take lead on war with Iraq,” The Hill, September 25, 2002. [https://www.mtholyoke.edu/acad/intrel/bush/kennan.htm](https://www.mtholyoke.edu/acad/intrel/bush/kennan.htm) [08-18-2014].
9 “I would say to the House, as I said to those who have joined this Government: I have nothing to offer but blood, toil, tears and sweat.” Winston Churchill’s first speech to the House of Commons as Prime Minister, May 13, 1940. [http://hansard.millbanksystems.com/commons/1940/may/13/his-majestys-government-1](http://hansard.millbanksystems.com/commons/1940/may/13/his-majestys-government-1) [08-18-2014].
10 Gallup polls show that Bush’s approval rating fell from 89 percent in March of 1991 to 33 percent in October 1992, a month before the election he lost to Bill Clinton. See [http://www.gallup.com/poll/124922/presidential-approval-center.aspx](http://www.gallup.com/poll/124922/presidential-approval-center.aspx) [12-11-2014].
day subside,” but we should still take measures to contain them in view of the damage they can do in the meantime.\textsuperscript{11}

This is why Kennan distinguished containment so sharply from appeasement, despite relentless efforts by his critics to conflate the two. Containment means doing only what is needed to frustrate attempts at domination, but it does mean doing it. Kennan was confident that the Soviet leaders would never accept peaceful coexistence, partly because they believed that there is an “innate antagonism between capitalism and socialism,” and partly for the reasons I spelled out in § 5.3: their political authority depended, as Kennan put it, on cultivating the “semi-myth of implacable foreign hostility.” American leaders should not be deceived by occasional signs of compromise; these tactical retreats would invariably be replaced by “pressure, unceasing constant pressure, toward the desired goal” of a global communist order led by the USSR.\textsuperscript{12} Efforts at Soviet expansion must meet implacable resistance.\textsuperscript{13}

But we should not overreach needlessly. Kennan opposed the formation of NATO partly out of general skepticism of alliances, but also because he thought it would militarize the standoff in Europe unnecessarily by encouraging a siege mentality among Soviet leaders who would then conclude their own military pact – as they indeed did in 1955 following West Germany’s integration into NATO.\textsuperscript{14} Holding containment steady made better sense than unilateral ratcheting up for Kennan. We might think of containment as what I referred to in § 1.4 as a restorative tit-for-tat strategy. Ratcheting up is a response to defection by the other side, but it should be kept to a minimum and accompanied, where possible, by face-saving opportunities for the aggressor to back down. It is a way of forestalling what international relations theorists describe as a security dilemma, where actions taken to increase a state’s security, such as joining alliances or engaging in military buildups, end up reducing its security by initiating a spiraling arms race of escalating responses.\textsuperscript{15}

Kennan played no role in managing the 1962 Cuban missile crisis, but President Kennedy’s conduct of it stands as a model of successful containment thus conceived. Having been badly burned by the advice of his generals at the Bay of Pigs the previous year, Kennedy resisted them this time. He refused to invade the island, quarantining it instead, a fortuitous choice as it turned out. We now know that Soviet troops stationed there were


\textsuperscript{12} (George Kennan,) “The sources of Soviet conduct,” \textit{Foreign Affairs} (July 1947), \url{http://www.foreignaffairs.com/articles/23331/x/the-sources-of-soviet-conduct} [09-13-2014].

\textsuperscript{13} Even this judgment had to be calibrated by informed analysis of particular cases. For instance, Kennan thought that the Carter Administration over-reacted to the Soviet invasion of Afghanistan, which he saw as a hopeless last-ditch effort to save the collapsing Marxist regime there. He thought it posed no danger to American interests and that the Soviets would soon be seeking a way out. See John Gaddis, \textit{George F. Kennan: An American Life} (Penguin, 2011), pp. 642-4. Kennan turned out to be right, though it took longer than he expected. The Soviets did not finally give up until their entire world began collapsing in 1989.


armed with battlefield nuclear weapons and instructions to deploy them in the event of an American invasion. This would have sparked the unthinkable: a nuclear exchange between the superpowers.\textsuperscript{16} Kennedy had to confront the Soviets’ aggressive action, but he did so in a way that allowed them de-escalate by returning to the status-quo ante: to pack up and leave. His secret agreement to remove what were in any case superfluous Jupiter nuclear missiles from Italy and Turkey within six months of the Soviet departure gave Khrushchev his face-saving way out.\textsuperscript{17} This was calculated resolve, not appeasement: Khrushchev did indeed back down and nuclear war was avoided.

Kennan’s admonition to economize on the use of force travels well into the post-Cold War world. George Herbert Walker Bush was roundly criticized by neo-conservatives – the closest thing to modern champions of rollback – for failing to remove Saddam Hussein following Iraq’s expulsion from Kuwait in 1991. In § 6.2 I make the case that, despite some flaws, the policy Bush put in place then was a model for the post-Cold War use of containment to prevent cross-border domination – until it was undone by his son’s gamble on gratuitous regime change there in 2003. The downstream costs of that disastrous gambit continue accumulating across the globe more than a decade later, but notable among them was depletion to the point of near exhaustion of the U.S. capacity to resist cross-border threats of serious domination.

The depletion began with the initial decision, taken in mid-2002, to invade Iraq. It meant redeploying forces from Afghanistan before defeating al-Qaeda, whose fighters had escaped through the White Mountains following the inconclusive Battle of Tora Bora the previous December. This added to the decade-long delay in hunting down Bin Laden in Pakistan and ending the Afghanistan war. And this is to say nothing of the Iraq operation itself, which the Bush Administration predicted would be over in the summer of 2003 and sold to Congress on the grounds that the $30 billion total cost of the preceding dozen years of containment had been too high. A decade and $1.6 trillion later, the U.S. finally departed – leaving behind a freshly minted failed state.\textsuperscript{18}

By then, the American public was so jaded by the two longest wars in the country’s history that President Obama found himself hamstrung when a genuinely serious threat erupted. ISIL forces, already in control of much of Syria, stormed Western Iraq and the vestiges of Iraq’s military collapsed overnight. Many of its officers, casualties of America’s ill-considered de-Ba’athification program in the mid 2000s, were now fighting for ISIL, deploying American weapons captured from the army that the U.S. had tried to reconstitute during its occupation.\textsuperscript{19} Having unwisely declared that Syrian President Bashar Hafez al-


\textsuperscript{17} See Dominic Johnson and Dominic Tierny, \textit{Failing to Win: Perceptions of Success and Failure in International Politics} (Harvard University Press, 2006), pp. 94-126. In one respect it was not quite enough of a face saving way out for Khrushchev. Part of the reason Khrushchev was ousted by the Soviet leadership two years later was their perception that he had bungled the missile crisis, embarrassing them. See William Taubman, \textit{Khrushchev: The Man and His Era} (New York: W.W. Norton, 2004), p. 579.

\textsuperscript{18} On the projections and war costs, see my \textit{Containment}, pp. 48-9.

Assad “must go” in August of 2011, Obama had already been embarrassed by his lack of domestic political support to make that happen – not even when it appeared that Assad had unleashed chemical weapons on rebels in the Ghouta suburbs of Damascus two years later.\(^20\) After ISIL transitioned from mass slaughter of Syrian and Iraqi prisoners to decapitating Western journalists on YouTube in 2014, Congress finally authorized Obama to bomb ISIL. But he could get the necessary votes only by foreclosing the possibility of American boots on the ground, even though his former Defense Secretary and his current Chairman of the Joint Chiefs quickly went on record contradicting Obama’s confident insistence that this would be sufficient.\(^21\)

Obama’s ISIL policy exhibited some good features that I discuss in § 6.2 below, but his declared limits to it undermined its effectiveness. Containment depends for its efficacy on the aggressor’s expectation that you will ratchet things up as needed to stop him; that is what gives him the incentive to ratchet aggression down. If you reveal at the start that there are costs you are unwilling to incur, you give him an incentive to keep escalating. Obama’s need to turn up his cards in this way for domestic political reasons deflated his declaration to the U.N. General Assembly in September of 2014 that “there can be no reasoning – no negotiation – with this brand of evil,” and his stern admonition that “those who have joined ISIL should leave the battlefield while they can.”\(^22\)

Obama was stepping on his own feet. For reasons that follow from my account of the role of uncertainty in iterated prisoners’ dilemmas in § 1.4, containment does best when an aggressor cannot count on your ever giving up. You should never ratchet up unnecessarily and never by more than is necessary, but you have to signal your resolve to ratchet up as much as necessary. By revealing that you lack the resources for tit-for-tat in the face of indefinite defection, you turn defection into your adversary’s dominant strategy. Instead of announcing limited means to pursue an unachievable goal, Obama should have announced an achievable goal and then committed the U.S.-led coalition to do whatever would be needed to achieve it. Rather than declare it to be U.S. policy to “degrade, and, ultimately, destroy ISIL,” Obama should have committed the U.S.-led coalition to do whatever would be needed to expel ISIL from Iraq. That coalition could have included many of the countries in the region threatened by ISIL: Jordan, Turkey, and Lebanon, with at least


acquiescence from Iran and the Gulf states. What the policy should have been with respect to the Syrian civil war is taken up in § 6.3.

### 6.1.2 Avoid destroying villages in order to save them

Kennan’s conviction that Soviet attempts at domination would fail was partly based on his analysis of the soulless and unappealing character of what they themselves had to offer. In Europe, he thought people were drawn less by ideological conviction, or even illusions about Soviet communism’s authentic character, than by a “bandwagon effect:” a sense that communism was “the coming thing,” an unstoppable “movement of the future.” This lack of passion would erode Soviet influence and authority over time, he believed, making the leadership increasingly dependent on the increasingly attractive use of force. Still less would the Soviets be able to dominate Muslim peoples. Getting them to subordinate their religious convictions to Soviet ideology would require the direct and continuous reliance on Soviet military power. This is why waiting the Soviets out made sense; eventually the chickens would come home to roost.

The trump card would be the magnetic appeal of prosperous democracies. Kennan saw no reason for the U.S. to trade ideological banter with Soviet leaders who were surely beyond persuasion. Rather, he had in mind what is known today as the battle for hearts and minds. This is why he supported the Marshall Plan for Europe and swift reconstitution of Japan, and why he judged the prevailing focus on rearmament and military alliances in 1948 a “regrettable diversion” from the more important “struggle for economic recovery and internal political stability.” Rather than repeat the mistakes that had been made after the First World War, the U.S. should ensure that democratic capitalism would thrive at home and among its allies. Soviet pretentions to being the harbinger of the future appealed to formulaic narratives about the “palsied decrepitude of the capitalist world.” Confronted with the actual differences between flourishing democratic capitalism and authoritarian communism, the populations that the Soviets sought to control, including – eventually – their own, would resist.

For the strategy to succeed, however, it was vital that the U.S. and its allies not erode the quality of their own institutions lest they start resembling those whom they sought to contain. The democracies must be beacons of “spiritual vitality.” They should be countries that were obviously coping with their problems and holding their own “among the major ideological currents of the time.” To get people to see how “sterile and quixotic” the

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26 As he elaborated in his memoirs: “Intensive rearmament represented an uneconomical and regrettable diversion of their [American and West European leaders] effort – a diversion that not only threatened to proceed at the cost of economic recovery but also encouraged the impression that war was inevitable and thus distracted attention from the most important tasks.” Kennan, Memoirs, p. 410.

Soviet model was, Kennan insisted that the U.S. must “measure up to its own best traditions and prove itself worthy of preservation as a great nation.” America must be, as Ronald Reagan would later often put it, a shining city on a hill.

This possibility was never more real than at the Cold War’s end, but American governments have since squandered it. Far from living up to America’s best traditions, George W. Bush’s administration dissipated the moral capital the nation accumulated due to its restraint during the 1990s and as a result of the 9/11 attacks. The global outpouring of support after the twin towers fell went far beyond America’s traditional allies and even the former communist countries. Almost every Muslim political and religious leader condemned the attacks, including Hosni Mubarak, Yasser Arafat, Muammar Gadafi, Bashar al-Assad, Pervez Musharraf, and even Iran’s Mohamed Khatami – despite the fact that the U.S. had backed their enemy in the bitter Iran-Iraq war of the 1980s. But the neo-conservatives in the Bush Administration so no advantage in this as they ramped up America’s new unilateralist foreign policy. They spurned Khatami’s offer to help bring the 9/11 perpetrators to justice and included Iran, along with Iraq and North Korea, in the President’s “Axis of Evil” in his 2002 State of The Union. Their hubris, summed up by Bush’s “Mission Accomplished” speech in May of 2003 and his advisor Karl Rove’s insistence the following October that on the world stage “we create our own reality,” would eventually be unmasked by their failures – but not before they had done great damage to American credibility as an honest broker and force for good in the world. Secretary of State Colin Powell would later concede that his risible “demonstration” to the UN Security Council that Iraq had weapons of mass destruction left a permanent blot on his record.

Considerably more than Powell’s reputation had been ruined. The spurious invasion rationale damaged America’s image, but this paled in comparison with Abu Ghraib. In late 2003, the Press reported extensive human rights violations of Iraqi prisoners by American soldiers there, including physical and sexual humiliation, torture, rape, sodomy and

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29 Reagan was paraphrasing John Winthrop’s words spoken in 1630: “We will be as a city upon a hill. The eyes of all people are upon us, so that if we deal falsely with our God in this work we have undertaken and so cause Him to withdraw His present help from us, we shall be made a story and a byword throughout the world.” This is some irony to this, since Winthrop was not famous for his religious tolerance and he despised democracy as “the meanest and worst of all forms of government” which, he believed, contravened the Fifth Commandment. See “A shining city upon a hill:’ Troubling information about a famous quote.” World Future Fund. [http://www.worldfuturefund.org/wffmaster/reading/religion/john%20winthrop.htm](http://www.worldfuturefund.org/wffmaster/reading/religion/john%20winthrop.htm) [09-28-2014].
31 Rove elaborated: “And while you’re studying that reality—judiciously, as you will—we’ll act again, creating other new realities, which you can study too, and that’s how things will sort out. We’re history’s actors…and you, all of you, will be left to just study what we do.” Quoted in Ron Suskind, “Faith, certainty, and the presidency of George W. Bush,” The New York Times Magazine, October 17, 2004. [http://www.nytimes.com/2004/10/17/magazine/17BUSH.html?ex=1255665600&en=890a96189e162076&ei=5090&partner=rssuserland&_r=0](http://www.nytimes.com/2004/10/17/magazine/17BUSH.html?ex=1255665600&en=890a96189e162076&ei=5090&partner=rssuserland&_r=0) [09-28-2014].
32 Powell laid his credibility on the line by deploying satellite images of supposed WMD programs and intelligence to establish that Iraq was developing WMD programs “in order to project power, to threaten, and to deliver chemical, biological and, if we let him, nuclear warheads.” See my Containment, pp. 21-2.
murder. Vivid photographs of the appalling abuse soon went viral, as opinion polls chronicled the accelerating collapse of America’s standing across the Arab world. Abu Ghraib quickly became such a damaging symbol that President Bush promised to demolish it the following year; but he failed. It was left to the Iraqis to close it a decade later, after the Americans had left.

Obama ran for office in 2008 insisting that it was past time to restore America’s moral capital. Echoing Reagan’s shining city on a hill, candidate Obama promised “to show the world that America is still the last, best hope on Earth.” Among other things, this meant closing the Guantánamo Bay prison in Cuba, where alleged enemy combatants had languished beyond the limits of American due process for years. But Obama’s Executive Order to close Guantánamo within a year, issued on his first day in office, fared no better than had Bush’s promise to demolish Abu Ghraib. Five years later, the only thing the State Department had closed was the office tasked with decommissioning the prison. Obama had by then given up on getting the detainees tried in U.S. courts and the Guantánamo authorities were force-feeding hunger-striking prisoners. Many of them still had no prospect of trial or release, and the Administration was fighting a losing battle to keep the grotesque details out of the public eye. This has been costly, because Kennan was surely right that visibly getting one’s own house in order is a vital part of defeating a competitive ideological threat.

During Obama’s second term it became increasingly difficult to distinguish his policies in this area from those of his predecessor. The Marine major general who had been responsible for setting up Guantánamo called it a mistake, noting that most of the inmates should never in any case have been sent there. Thirty-one retired military officers went on record declaring that as long it remained, “Guantánamo will undermine America’s security and status as a nation where human rights and the rule of law matter.”

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36 George W. Bush might occupy the White House, said Obama, “but for the last six years the position of leader of the free world has remained open ... We’re not a country that runs prisons which lock people away without ever telling them why they’re there or what they’re charged with.” Senator Barack Obama, “Turn the page.” Speech to the California Democratic Convention, April 28, 2007, http://obamaspeeches.com/120-Obama-Turn-The-Page-Speech-California-Democratic-Convention.htm [10-01-2014].


Administration ignored their advice, however, and in 2012 the Justice Department closed the book on accountability by abandoning the only two remaining investigations into detainees who had died during interrogation without charging anyone.  

Now no one would ever be held to account for the torture, even though the Bush Administration’s claims that its “enhanced interrogation” techniques had yielded useful intelligence had by then been debunked.  

Releasing the Senate report on the CIA’s detention and interrogation program in December of 2014 was a small step in the right direction, but the U.S. was still a long way away from measuring up to its best traditions.

6.1.3 Stopping the bully

Kennan’s advice to bet on the attractiveness of Western institutions to win over the populations behind the Iron Curtain was about the closest he ever came to developing a normative case for containment. But there are compelling arguments for containment that flow from a bedrock commitment to non-domination. Insisting that force be proportionate to the present threat and that war is a strategy of last resort both enjoy venerable histories in just war theory. They reflect the widespread appeal of the idea that coercion is legitimate only to the extent that it is needed to repel unjustified aggression. Like Machiavelli’s dictum that it is better to give power to those who want to avoid domination rather than those who seek to dominate, which I endorsed in § 1.5, containment draws part of its rationale from the idea that people are unlikely to bestow legitimacy on institutions that have been forced on them. There are rare exceptions to this that I take up when discussing regime change in § 6.4, but generally coercion is hard to justify unless its goal is to forestall unwarranted aggression.

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42 See the Senate Select Committee on Intelligence’s “Committee Study of the Central Intelligence Agency’s Detention and Interrogation Program, December 3, 2014.


43 See Michael Doyle, The Question of Intervention (Yale University Press, 2014), pp. 25-6, 71
Containment embodies the principle that one should do what is needed, but only what is needed, to stop the bully. This makes evident tactical sense; it reminds us to husband scarce coercive resources. And it makes sound strategic sense, as Kennan intimated, in the battle to win hearts and minds. In this connection it is notable that containment did substantially better than rollback during the Cold War. Although Eisenhower ran on rollback during the 1952 campaign, once in office he quickly ditched the policy in Europe, relying instead on classic containment.\textsuperscript{44} Europe today is a continent of democracies. In the Middle East, by contrast, the U.S. toppled Iran’s democratically elected government, judged too friendly to the Soviets, in 1953 – installing the more agreeable Mohammad Reza Shah Pahlavi in its place. That was no more propitious in the medium run than were the attempts at rollback in Southeast Asia that extended through the Kennedy, Johnson, and Nixon Administrations.

Beyond these tactical and strategic considerations, containment also makes normative sense in foreshewing the gratuitous use of force. Otherwise the enterprise of stopping the bully inevitably morphs into bullying – certainly in the eyes of others and perhaps also as a matter of objective fact. This has been the great cost of U.S. national security policy since 2003, as I am about to argue. To be sure, forsaking bullying will not gain much purchase with those, like Nietzschiens, who glorify domination. But as I said at the end of chapter one, this book is not for them.

6.2 Containing cross-border domination

The simplest case for war is in the face of an actual or imminent threat. People whose survival is at stake can be mobilized to fight and pay for wars. Wars of aggression and imperial expansion lie at the opposite pole of the continuum, though it is noteworthy that even they are often sold as integral to survival. Populations were mobilized to fight on all sides of World War One on the grounds that they were responding to aggression from others.\textsuperscript{45} Even Adolph Hitler’s \textit{Mein Kampf} trumpets an alarmist vision of the Aryan race as locked in an inexorable fight in which only the strongest will survive.\textsuperscript{46} The Cold War was seen in the West as a response to Soviet aggression in Eastern Europe and elsewhere, but behind the Iron Curtain it was portrayed as vital to resisting the encroaching threat of capitalist imperialism.\textsuperscript{47} In the 1990s and early 2000s, al-Qaeda claimed to be prosecuting a “defensive jihad,” geared exclusively to getting the U.S. and its allies out of the Middle East.\textsuperscript{48}

\textsuperscript{44} Shapiro, \textit{Containment}, pp. 34, 37, 59-60.
\textsuperscript{45} Alexander Watson \textit{Ring of Steel: Germany and Austria-Hungary in World War One} (New York, Basic Books: 2014), pp. 53-103.
\textsuperscript{46} Adolf Hitler, \textit{Mein Kampf} (London: Jaico Publishing, 2007 [1925]).
\textsuperscript{48} Michael Scheuer, \textit{Imperial Hubris: Why the West is Losing the War on Terror} (Dulles, VA: Potomac Books, 2004), pp. 7-18, 77-82, & 129-41.
6.2.1 The importance of imminent threats

As these examples illustrate, such claims are often debatable – if not manifestly false. Advocates of the Vietnam War invoked a domino theory, according to which defeat would lead to a communist takeover of East Asia. They turned out to be wrong. Soviet leaders embraced an equally flawed domino theory that steered them into their Afghanistan gambit in the 1980s. They were convinced that if the pro-Soviet regime in Kabul fell, their own Asiatic republics with large Muslim populations – long believed to be the USSR’s vulnerable underbelly – would revolt. Afghanistan did fall, yet the predicted knock-on disaster did not eventuate. Ironically, when the dominos finally started toppling, they were unanticipated, in Europe, and had nothing to do with Islam. François Truffaut is famous for the quip that life has more imagination than us. It surely has more imagination than confident proponents of the unknowable.

Better to avoid war against threats that are less than imminent. The costs of flouting this injunction were well-illustrated by the national security doctrine developed by the second Bush Administration to justify its 2003 invasion of Iraq. President Bush and his National Security Advisor Condoleezza Rice argued that they could not afford to wait until the smoking gun became “a mushroom cloud” over an American city. Instead the Administration embraced the need for military action against alleged “gathering threats,” and even the so-called “one percent doctrine.” As Vice-President Cheney elaborated, the Administration would treat threats with a one percent probability of occurring as a hundred percent certainties “in terms of our response.” Setting aside the sheer nuttiness of this view, which assumes that governments have inexhaustible resources for national defense, it courts exactly the risk I discussed earlier: crying wolf in the face of what turn out to be phantom threats sours electorates when their support is needed in the face of genuine ones.

Even in the face of actual or imminent attack, the constraints of necessity and proportionality make sense from the standpoint of non-domination. This is true not only for the strategic reasons discussed in connection with the Cuban missile crisis in § 6.1.1, but also because doing more than necessary can drag you into unsustainable foreign occupations and might in any case be objectionable on its own merits. For instance, after the 9/11 attacks the U.S. government was surely justified – even obliged – to pursue the al-

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53 Cheney as quoted in Suskind: “If there's a 1% chance that Pakistani scientists are helping al-Qaeda build or develop a nuclear weapon, we have to treat it as a certainty in terms of our response. It's not about our analysis ... It's about our response.” Ron Suskind, *The One Percent Doctrine* (New York: Simon and Schuster, 2006). On the “gathering threat” logic, see my *Containment*, pp. 19-22.
 Qaeda perpetrators wherever they might be. But little attention was devoted to the necessary scope of the response or its likely downstream implications.

Consider a path not taken when the Taliban government refused to turn over al-Qaeda forces in Afghanistan. Rather than overthrow the regime, the U.S. could simply have pursued al-Qaeda while ignoring the government in Kabul. This is what the Obama Administration eventually did when they learned that Bin Laden was holed up in Abbottabad, knowing that, by then, Pakistan would be unlikely to cooperate. As some proposed in 2001, the U.S. could simply have declared that any Taliban interference would be met with devastating force. Devoting U.S. troops to hunting down Bin Laden and al-Qaeda would have taken more than the few dozen Special Operations forces they deployed, but the actual course followed was penny wise and pound foolish. Estimates of how many U.S. troops would have been needed vary, but the generals on the ground at the time believed it could be done with fewer than the 3,000 who were then available in the region and that the logistical challenges, while formidable, were surmountable. Successful hot pursuit of Bin Laden might also have required cooperation from Pakistan, demanded by President Bush in the wake of 9/11. President Musharraf overruled internal opposition in his government, fired the religiously conservative head of his intelligence services and his cronies who were opposed, and promised cooperation. His willingness to do this reminds us that, in the atmosphere after the 9/11 attacks, when Le Monde was declaring that “nous sommes tous Américains!” and traditional adversaries like Libya, Russia, and Iran were lining up to pledge help, the U.S. could have secured extensive support to do almost anything in pursuit of Bin Laden and al-Qaeda.

But the Bush Administration wanted to do Afghanistan on the cheap. After the 9/11 attacks, senior U.S. officials quickly became obsessed with attacking Iraq, making the

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54 Listen to Colonel Lawrence Wilkerson, Colin Powell’s Chief of Staff: “I think the smart strategy, and there were those who advocated this at the time ... was to go in, pound the hell out of al-Qaeda, try to get bin Laden and his leadership. If you didn’t, so be it. You’d keep hunting. You’d do it mostly with special operation forces and the CIA, you would pound the Taliban a little bit and as you left you would tell them, “Do it again, and we’ll do it again.” That was a very formidable, persuasive, strategic brief and the president rejected it. I shouldn’t say that. The vice president rejected it.” Interview of Lawrence Wilkerson published in The Cairo Review (October 19, 2014). [http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/10/20/a-fighting-season-to-remember-in-afghanistan/?wpisrc=nl-cage&amp;wpmm=1](http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/10/20/a-fighting-season-to-remember-in-afghanistan/?wpisrc=nl-cage&amp;wpmm=1) [10-24-2014].


The path of least resistance was therefore to ally with the Northern Alliance in the civil war that it had for some time been losing against the Taliban government. The decision to take sides in this war was doubly costly. On the one hand, the fact that the Northern Alliance and other anti-Taliban militias were losing the civil war should have been a red flag about their capacity to become a viable government that could quell the inevitable insurgencies without long-term propping up by the U.S. On the other hand, the Northern Alliance turned out to be fickle allies, whose mixed loyalties played into the failure at Tora Bora. They proved unwilling or unable to corner Bin Laden’s fighters, forcing U.S. commanders, who had only a few dozen American and British special forces troops at their disposal, to rely on local warlords instead. Meanwhile, the Afghan militias, who also had mixed loyalties, engaged in stalling tactics including phony surrender negotiations that enabled Bin Laden and hundreds of al-Qaeda fighters to escape to Pakistan where they soon became the nucleus of the insurgency.

The Americans ended up with the worst of both worlds. They failed to get Bin Laden or destroy al-Qaeda, but, having forced Mullah Omar and Taliban from power, they were stuck with the responsibility of trying to build a viable regime in Afghanistan. As Colin Powell said, “If you break it, you own it.” Indeed, they subordinated the war aim of defeating Bin Laden and al-Qaeda to this Sisyphean nation-building agenda. Lieutenant General Michael Runkle, “Tora Bora reconsidered,” P.41.

DeLong, number two to Central Command General Tommy Franks, conceded as much to the Senate Foreign Relations Committee staff, saying that the real reason they refused to send U.S. troops to Tora Bora was that “we didn’t want to have U.S. forces fighting before [Hamid] Karzai was in power. We wanted to create a stable country and that was more important than going after Bin Laden at the time.”

Nor was it the last missed opportunity to avoid rekindling the insurgency. By the mid-2000s, several commentators were arguing that the Taliban should have been included in the power-sharing agreement negotiated in Bonn at the end of 2001. But the Americans were convinced that the Taliban, now defeated, dispersed, or over the border in Pakistan, could be ignored. This was costly, as Anand Gopal and Carlotta Gall both point out, because rejecting overtures from former Taliban and Mujahedeen leaders – who were often gratuitously attacked or mistakenly imprisoned, sometimes for years – led many of them eventually to join the insurgency. The U.S. compounded this error with its Disarmament, Demobilization, and Reintegration (DDR) program, which Gall likens to the U.S.’s 2003 de-Ba’athification and disarmament program in Iraq that fueled that country’s collapse into chaos. Unlike the Taliban, many Mujahedeen were generally pro-Western and favored the new order. DDR disabled Karzai’s rivals, but it also sidelined and alienated tens of thousands of former fighters and created a power vacuum – especially in the south. Once the insurgency ramped up, this made the Taliban’s return easier and provided them with additional fighters.

The US response to the 9/11 attacks was thus doubly disproportionate. It was insufficient in that the Administration refused to commit the resources needed to apprehend and destroy the terrorist group that perpetrated the 9/11 attacks. But unrealistic assumptions about what could be accomplished on the cheap, when combined with the Administration’s aggrandizing goals of remaking the political map of the Middle East, committed them to a program of gratuitous regime change. They undermined their own efforts and ignored obvious evidence that their agenda would not likely be sustainable. When the U.S. finally ended combat operations in 2014, after more than 5,500 U.S. soldiers plus military contractors and between 56,000 and 68,000 Afghans had been killed and more than $1 trillion had been spent to little avail, Afghanistan was still broken. Some 5,000

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64 Senate Foreign Relations Committee report, p. 9.
65 Among others, veteran Algerian diplomat and peacemaker, Lakhdar Brahimi, who chaired the UN mission to Afghanistan, concluded that it had been a mistake to spurn the surrender plans the Taliban had been offering in the North of the country. Reported in an interview with Gall, *The Wrong Enemy: America in Afghanistan* (Boston: Houghton Mifflin, 2014), 2001 – 2014 , pp. 36-7.
66 CIA station chief in Pakistan Robert Grenier admitted that because the Taliban were defeated more quickly than they expected, he considered them “a spent force.” Bruce Geidel, former CIA official who wrote and strategic review of Afghanistan for the incoming Obama administration also said that the Americans “considered the Taliban irrelevant once they were defeated.” Gall, *The Wrong Enemy*, p.
Afghan security forces had been killed in the final year of the occupation, eclipsing all previous years. Outgoing Lt Gen Joseph Anderson described the situation as “not sustainable, and neither are the astounding desertion rates.” Afghanistan remained, by any plausible measure, a failed state, and the government in Kabul was facing the most effective Taliban insurgency since Bin Laden and his fighters had escaped to Pakistan thirteen years earlier. By then, as Rory Stewart noted, the only real choice facing incoming president Ashraf Ghani was whether to reach an accommodation with the Taliban or face resumption of full-blown civil war.

6.2.2 Intervention to protect third parties

Difficult as these issues are when you are defending yourself, they are even more so when you are defending a third party who is not even part of some postulated chain of dominoes with you at the wrong end of it. These challenges have become more common in the post-Cold War world, because proxy conflicts no longer map onto superpower standoffs in any predictable way. It is a world in which my enemy’s enemy might well turn out to be my enemy, as has become most strikingly evident in the Middle East.

Three years after the war in which the U.S. had backed Saddam Hussein against Iran, America was expelling Iraq from Kuwait. Between the 1990s and 2001 the Afghan Mujahedeen mutated from allies to foes, as we have seen. Decades of albeit ambivalent U.S. cooperation with Syria to stabilize Lebanon was abandoned when the U.S. began revamping its Middle East policy in the run-up to invading Iraq in 2003. Obama went further, recasting Assad as an enemy who “must go” following his repression of insurgents in 2011, a decision that would be widely second-guessed once ISIL reared its head in 2013. That development also transformed rump Iraqi and Syrian militias, long objects of U.S. suspicion, into potential “moderates,” to be courted, trained, and armed to fight ISIL, even at the risk that this would again wind up strengthening new enemies if they were overrun or switched sides. Iran, long demonized by Israel and the U.S. for its support of Hezbollah and Hamas and its nuclear program began to look decidedly more benign than traditional U.S. ally Saudi Arabia whose rich citizens, if not its royal family, were funneling support to ISIL as part of its gambit for regional hegemony. By late 2014, the Wall Street Journal was describing U.S.-Iranian relations in the language of détente. Lord Palmerston’s dictum to

and Chloe Sorvino, “$1tn cost of longest U.S. war hastens retreat from military intervention,” Financial Times (December 14, 2014) [http://www.ft.com/intl/cms/s/2/14be0e0c-8255-11e4-ace7-00144feabdc0.html#slide0 [12-15-2014].


On U.S.-Syria cooperation before 2003, see my Containment, pp. 98-100.


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the effect that nations have no permanent friends or allies, only have permanent interests, might have receded in significance during the Cold War. But it has since returned with a vengeance.

In this world, military action to resist cross-border domination should pass substantial thresholds of authorization and implementation. Flawed as it was, the U.S.-led coalition to force Saddam Hussein out of Iraq in 1991 is the closest thing we have to a viable template for this kind of action. In the four months after Iraq’s August 1990 invasion, the Security Council passed a dozen resolutions demanding Iraq’s immediate and unconditional withdrawal, culminating in Resolution 678 which authorized member states to use “all necessary means” to enforce the resolutions and “restore international peace and security in the area” unless Iraq complied by January 15, 1991. The coalition that the U.S. assembled when Iraq failed to comply was large and diverse. The major Western powers were among its thirty-four members, but most Arab countries made significant commitments as well. Even Bangladesh sent 6,000 troops. The coalition did not overreach. President Bush resisted considerable pressure to “go to Baghdad” and topple Saddam Hussein. Rather, he scrupulously observed the terms of 678 and subsequent Security Council resolutions which subjected Iraq to a rigorous containment regime that remained in place – rendering the Iraqi regime unable to threaten outsiders – until the U.S. destroyed it twelve years later. The 1991 action thus combined international authorization with the enforcement of proportionately appropriate goals.

This is not to defend everything the U.S. did in Iraq in 1991. For one thing, in the weeks before the invasion, the Bush Administration sent mixed diplomatic signals, which Hussein interpreted as a green light for moving into Kuwait. For another, in the wake of Iraq’s expulsion from Kuwait, the Bush Administration actively encouraged Shiites in Southern Iraq to rebel against Saddam Hussein, fostering expectations of U.S. support that then failed to materialize. The result was brutal suppression by the Ba’athist regime, at the cost of at least 100,000 lives – perhaps many more. Whether the U.S. encouragement was

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75 “Therefore I say that it is a narrow policy to suppose that this country or that is to be marked out as the eternal ally or the perpetual enemy of England. We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow.” Viscount Palmerston, Speech to the House of Commons, on the Treaty of Adrianople, March 1, 1848.


80 Eight days before the invasion, as Iraqi troops were massing on the border with Kuwait, U.S. Ambassador April Glaspie told the Iraqi government that Washington had “no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait.” Elaine Sciolino and Michael Gordon, “Confrontation in the Gulf: U.S. Gave Iraq Little Reason Not to Mount Kuwait Assault,” New York Times (September 23, 1990).

78 See President Bush’s speech at the Raytheon Missiles plant in Andover, Mass on February 15, 1991.

http://www.nytimes.com/2006/06/05/world/middleeast/05grave.html?_r=0 [11-1-2014].
unconscionable or merely irresponsible can be debated, but surely it was unwise. Active support for the Sha’aban Intifada would have embroiled the U.S. in the kind of civil war that has been so costly in Afghanistan. Indeed, a keen awareness of the major challenges posed by regime change disciplined the Administration to resist pressure from hawks at home to take Baghdad. But in that posture, Washington had no business promoting the rebellion. It was also unwise for reasons I discuss further in § 6.4: there was no evidence that the rebels had democratic credentials or aspirations.

That said, Desert Storm met three ideal criteria for intervention better than any subsequent international operation has done. These are: invitation by the legitimate government of the invaded country supplemented, where possible, by authorization in a credible international forum; enforcement by a large and diverse coalition; and proportional restraint to limit the intervention to what is needed to achieve the authorized objective. These criteria merit more detailed consideration as the basic requirements for international intervention, both when countries attack one another and when governments attack their own populations or fail to protect them from others who threaten genocide, crimes against humanity, war crimes, or ethnic cleansing.

Countries that are attacked or under imminent threat of attack are bound to defend themselves regardless of what others do. Security Council resolutions or other forms of international support will often be welcome, but they are not essential. The U.S. would thus have been justified in pursuing al-Qaeda in the wake of the 9/11 attacks even if the Security Council resolutions endorsing its actions had not been forthcoming. But once the focus shifts from self-defense to defending third parties, additional kinds of authorization are needed.

One reason is that vital national interests are no longer at stake. When George Bush senior assembled the coalition to force Saddam Hussein out of Kuwait, neither the U.S. nor the great majority of its members had any basic interest at stake. To be sure, they had major interests at stake — chief among them access to cheap oil. There was a credible concern that, were Iraq not expelled from Kuwait, Saddam Hussein would enjoy a potential stranglehold on large swaths of the world’s crude oil reserves.

81 Listen to Defense Secretary Dick Cheney’s prescient, though subsequently forgotten, words in April 1991: “If you’re going to go in and try to topple Saddam Hussein, you have to go to Baghdad. Once you’ve got Baghdad, it’s not clear what you do with it. It’s not clear what kind of government you would put in place of the one that’s currently there now. Is it going to be a Shia regime, a Sunni regime or a Kurdish regime? Or one that tilts toward the Ba’athists, or one that tilts toward the Islamic fundamentalists? How much credibility is that government going to have if it’s set up by the United States military when it’s there? How long does the United States military have to stay to protect the people that sign on for that government, and what happens to it once we leave?” See “Echoes from the past,” The History News Network, http://hnn.us/articles/631.html [11-1-2014].


even trillions over time, were arguably at stake. But large interests should not be conflated with basic or vital ones. \(^8^4\) Indeed, it could be argued that a substantial increase in world oil prices would have been a good thing for the advanced economies, accelerating their search for alternative energy technologies. The Kuwaitis were, to be sure, in a different position, even if it is not obvious that they would have been any less subject to domination living in Iraq’s nineteenth province rather than in their – not notably democratic – independent Kuwait. But, for reasons that I spell out in § 6.4, the invasion could not have qualified as a war of liberation even if Hussein had claimed that it was – which he did not. It was simply a unilateral land grab on his part. \(^8^5\) Lacking the power to repel Saddam Hussein’s domination, Kuwait would have to be rescued by third parties or not at all.

Just because third-party interveners do not have basic interests at stake, their motives are bound to be suspect. True, they might be acting for altruistic reasons. But they might be pursuing their own aggrandizing ambitions, trying to garner favor with more powerful countries, or doing the bidding of powerful interests at home. Democratic accountability offers some protection against such abuses, but we saw in §§ 4.3.2 and 4.3.3 that these protections are less than perfect. Even when they limit abuse, they do nothing to legitimize intervention in the eyes of people who are not voters in the authorizing country. More important will be requests from the legitimate government of the targeted country and, secondarily, international authorization. The former might be secured ad hoc, as happened with the guarantee Poland received from Britain in 1939 and with the Kuwaiti government in exile’s request for international help in 1990. \(^8^6\) Alternatively, security guarantees might be embedded in treaties like the NATO Charter, Article V of which declares that an attack on any member “shall be considered an attack against them all” that triggers any necessary measures “including the use of armed force” to repel the attack. Article V actions do not require UN approval, but the treaty does require them to be reported to the Security Council immediately and terminated when it “has taken the measures necessary to restore and maintain international peace and security.” \(^8^7\)

This genuflecting toward the Security Council reflects the legitimacy deficit that inevitably rears its head when nations go to war on behalf of others. Lacking any third-party enforcement, treaties are often fragile window-dressing for power politics. Even within NATO, there is always the possibility that weaker countries are being strong-armed by more powerful ones for their own purposes. \(^8^8\) Moreover, beleaguered governments of liberated countries, not to mention governments in exile, are inherently vulnerable, as the Poles learned at the end of World War Two when the Roosevelt Administration backtracked on its commitments to Stanislaw Mikolajczyk’s provisional government in London, acquiescing –

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\(^{8^5}\) Perhaps inadvertently encouraged by the U.S. state department


\(^{8^8}\) For an account of the U.S. pressure to get participation in the 2003 Iraq invasion, see Ferejohn and Rosenbluth, *The Tug of War*, mimeo, chapter 12.
for its own geopolitical reasons – in the Soviet installation of its puppet Lublin government instead.\(^9\) Occupations can be challenging to end even when they have been internationally authorized, as exemplified by the many decades it took the get South Africa to leave South West Africa even though the UN revoked its mandate and the International Court of Justice declared its occupation illegal.\(^9^\)

International authorization is in any case an imperfect substitute for invitation from a legitimate government. This is because those on whose behalf the intervention is being undertaken, and who must live with its consequences, do not do the authorizing. Rather, its value stems from deflecting, or at least blunting, charges of self-interest on the part of an intervening power. International authorization is also flawed for this purpose, however, because the available international institutions are neither elected nor representative. They are disproportionately influenced by major powers, or, in the case of the Security Council, powers that were major at the end of World War Two. Especially but not only in the eyes of audiences in the global South, Security Council authorization needs supplementing by other measures if it is to counter charges that third-party intervention is really being pursued to serve the interests of interveners.

The best supplement is an intervening coalition made up of countries with diverse interests. It helped in Iraq in 1991 that, as well as the major Western powers, support emanated from all parts of the world and significant military contributions came from every Arab country except Jordan.\(^9^\) In 2003, by contrast, although the U.S. extracted nominal commitments of support from some thirty-nine countries, almost all of them contributed nothing and combat assistance came only from Australia, the UK and a tiny number from Poland.\(^9^\) Lacking both international authorization and a diverse coalition, the invasion was easily and widely portrayed as a rogue American action in pursuit of its own agenda – even before its allegations about weapons of mass destruction and the security threat posed by Iraq were unmasked as untrue.\(^9^\)

Proportionality matters for the reasons discussed in § 6.2.1, but also to legitimate intervention. Limiting force to that which is needed to face down the threat at hand lends credence to the claim that the intervening country is containing aggression, not pursuing another agenda; stopping the bully without becoming one. Here, too, Desert Storm is a model, which, unfortunately, was not followed twelve years later, when UN weapons inspectors’ requests for additional time to determine whether Saddam Hussein in fact

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posed any threat were brushed aside by a Bush Administration bent on war.\textsuperscript{94} Lack of proportionality has also marked interventions to prevent domination within countries since the Cold War, as will become plain in § 6.3. Note, for now that proportionality might well imply not invading militarily at all.

The 2014 Russian move into Ukraine is a case in point. On the one hand, Russia clearly violated Ukrainian sovereignty when its troops took control of Crimea and then annexed it following a local referendum of dubious legitimacy.\textsuperscript{95} On the other hand, those events were triggered by a coup in Ukraine the previous month, as a result of which the President fled the country. The new government in Kiev, also, therefore, of dubious legitimacy, moved quickly to sign agreements with the EU. This raised the specter of a civil war in which ethnic Russians in eastern Ukraine might be in danger as well as the risk that Russia could lose access to its only warm water naval base on the Black Sea at Sevastopol.\textsuperscript{96}

There were also intermittent suggestions that Ukraine might either join NATO or place itself under NATO’s umbrella.\textsuperscript{97} This was particularly irksome for the Russians who believed, not without reason given recent history, that Western declarations about limits to NATO expansion are worthless. In 1990, the U.S. promised that including the newly unified Germany would not become a precedent.\textsuperscript{98} Since then, three waves of expansion have added all the former Warsaw Pact countries and the former Soviet Baltic states of the USSR – ignoring strong Russian objections.\textsuperscript{99} Russian skepticism that NATO is a defensive alliance is therefore understandable. There is no USSR or Soviet Bloc, no Cold War, and no communist threat against which to defend. NATO’s raison d’être has evaporated. It is scarcely surprising, therefore, that Putin invoked NATO’s continued eastward expansion as requiring the Russian move in Crimea.\textsuperscript{100}

None of this legitimates the Russian action, but it does suggest that the European and American caution displayed in dealing with it was warranted. No doubt this was partly due to the lack of agreement among the European governments, several heavily dependent


\textsuperscript{96} Andrew Higgins and David Herszenhorn, “Defying Russia, Ukraine signs EU trade pact,” \textit{The York Times} (June 27, 2014) \url{http://www.nytimes.com/2014/06/28/world/europe/ukraine-signs-trade-agreement-with-european-union.html?_r=0} [12-16-2014].

\textsuperscript{97} “Ukraine crisis: West and Russia accuse each other of 'coercing' unstable Ukraine,” (February 1, 2014) \url{http://worldnews.nbcnews.com/_news/2014/02/01/22533424-ukraine-crisis-west-and-russia-accuse-each-other-of-coercing-unstable-nation} [12-16-2014].


\textsuperscript{99} NATO Homepage. Member countries as of August 20, 2013. \url{http://www.nato.int/cps/en/natolive/topics_52044.htm} [12-16-2014]

\textsuperscript{100} “When the infrastructure of a military bloc is moving toward our borders, it causes us some concerns and questions. We need to take some steps in response … NATO ships would have ended up in the city of Russian navy glory, Sevastopol.” Vladimir Putin quoted in “Putin says annexation of Crimea partly in response to NATO enlargement.” Reuters, April 17, 2014. \url{http://www.reuters.com/article/2014/04/17/us-russia-putin-nato-idUSBREA3G22A20140417} [11-08-2014].
on Soviet oil and gas, and partly because it was obvious that the Obama Administration would not risk starting World War III over Crimea. This, in turn, reflected awareness – if not recognition – of Russia’s long involvement there. Crimea had become an autonomous republic in the new USSR in 1922, been incorporated into the Russian Federation in 1945 after two years of Nazi occupation, and then transferred to the Ukrainian Soviet Republic in 1954. With the breakup of the USSR, Crimea had – somewhat uneasily – become an autonomous republic within the new Ukraine. Fifty-four percent of Crimeans voted for Ukrainian independence in 1991, but with a 60 percent turnout this meant that only 37 percent of the Crimean electorate actually voted for independence from Russia. And with Russians representing some 67 percent of the population at that time, it seems clear that the great majority of the votes came from the 26 percent who were Ukrainian, the small number of Crimean Tartars who had survived Stalin’s ethnic cleansing in 1944, and other small ethnic groups.

The Western response was therefore to try to stop the Crimean annexation, which the Russians saw as necessary to vindicate a vital interest, from escalating. NATO beefed up its military presence in Poland, Romania, the Baltics, and the Black Sea, but refrained from providing military assistance to Ukraine. The main strategy was economic sanctions, designed to make the Russian government pay a sufficiently heavy price that it would not consider grabbing more of Ukraine or moving elsewhere in Eastern Europe. Whether this strategy would succeed in stabilizing the new status quo was unclear, not least because the outcome of the fighting in Ukraine remained in doubt. But the Western response amounted to the best available application of containment in circumstances where there were no good options. Escalation might come in any case, but no other feasible strategy offered the prospect of doing better. Given the stakes of a military confrontation between Russia and the U.S., the exceptional history of Russia’s relationship with Crimea, the weak legitimacy claims on all sides, and the absence in any case of agreement within NATO or beyond on a more aggressive response, it was the best that could be done. Putin’s subsequent bristling against the West’s use of containment against him suggested that it was working.

6.3 Crossing borders to prevent domination

Important as authorization, proportionality, and diverse coalitions are to preventing domination across borders, they are even more so when crossing borders to prevent domination. The reason is twofold. First, the best kind of authorization, invitation from a legitimate government, will almost always be unavailable. There are exceptions, as when

the Nigerian government briefly accepted U.S. military help in 2014 to pursue Boko Haram terrorists who were selling girls kidnapped in Borno into slavery.106 But more often, the question will be whether to intervene when a government fails to protect significant sectors of its population from ethnic cleansing or murderous forms of political repression, or the government is itself the perpetrator. In these circumstances, outsiders must act unilaterally, in coalitions, or via authorization from an international entity such as the UN or the AU. Imperfect as these are in authorizing resistance to transnational aggression, they become even more so when invading a country to protect a population from its own government, as we will see.

The other consideration arises from the real possibility that intervention will make things worse. Think of it as the political equivalent of the physicians’ imperative, often wrongly attributed to Hippocrates: “First, do no harm.”107 Taking on a national government on its own territory might well mean taking it out, inevitably raising the question: what comes next? People might hope for improvements, but there is always the chance that the next regime will be worse, or that there will be a failed state governed by warlords, militias, and criminal gangs. This might be less of an issue in an ongoing civil war where the state is already collapsed or semi-collapsed, but, even then, outsiders are all too easily manipulated by local protagonists in ways that undermine peacemaking and state building. Gopal documents in depressing detail how extensively this happened in Afghanistan, where U.S. forces became tools in local conflicts in ways that undermined their own mission and the Karzai government they were trying to support.108 Michael Doyle is therefore persuasive that a precondition for intervening in civil wars should be credible plans for peacemaking and state building, and that these are not easily come by.109 This is not least because peacekeeping and state building are expensive, and voters in the intervening states are unlikely to commit billions of dollars over long periods of time in situations where they have no vital interest at stake.

Sobering as these issues are in collapsed states, they are even more so when taking on a viable government. The 2011 intervention in Libya is a case in point. A supporter of terrorists in the 1980s and early ’90s, Gaddafi had since come in from the cold. In 1996, the State Department’s report on global terrorism noted a sharp reduction in Libyan sponsorship of terrorism.110 Three years later, Gaddafi agreed to extradite the Pan Am 104 hijackers for trial in the Hague and pay compensation to the victims of this and other terrorist attacks in which Libya had been implicated.111 He was also one of the first Arab

111 Shapiro, Containment, pp. 96-7.
leaders to condemn the 9/11 attacks, calling the Taliban “Godless promoters of political Islam.”112 In 2002, Libya signed the 1999 Convention for the Suppression of the Financing of Terrorism and the 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection. In December 2003 Gaddafi agreed to dismantle his nuclear weapons program to get sanctions removed.113 Gaddafi moved quickly to normalize relations with the West. He expanded oil exports to Europe, consorted frequently with Nicholas Sarkozy, Silvio Berlusconi, and Tony Blair, bought a share of Juventus, Italy’s most successful football team, and sent his son to the London School of Economics.114 This was consistent with Gaddafi’s behavior at home over the preceding decade, where he had become distinctly less oppressive. As Alan Kuperman notes, all the major human rights abuses reported in Amnesty International’s 2010 report on Libya took place before the turn of the century.115 By 2010 he had become a run-of-the-mill autocrat, not notably worse than others in the Middle East who had good relations with the West.

Attitudes changed after the advent of the Arab spring. Revolutions swept from North Africa to Yemen, capturing Western public imaginations and rattling the longtime cozy relations between their governments and Middle East autocrats. In Libya, events moved rapidly. Violent uprisings erupted in the eastern part of the country in February of 2011. The rebels made rapid gains, seizing the entire coastline from the oil exporting port at Ras Lanuf to the Egyptian border. They soon took Misurata on the central coast, Zawiya and Zuwarah just west of Tripoli, and major towns in the mountains to the southwest. By early March they controlled at least half the country’s populated areas and six of Libya’s nine largest cities. But their success depended mainly on surprise, and the insurgency quickly fell apart in the face of a major counteroffensive by Gaddafi’s forces. It took less than two weeks for Gaddafi to regain control of almost all populated areas west of the rebel stronghold of Benghazi. The rebels were on the verge of total defeat there when the UN authorized the NATO bombing that began on March 19. For the next eight months, NATO bombed Gaddafi’s forces, and supplied the rebels with weapons, training, logistical support, and supplies. They finally took control of the country following the killing of Gaddafi in his native Sirte in October.116

For the European leaders, the change in policy may partly have emanated from early predictions that Gaddafi was finished and the felt need to keep the oil flowing under what would be the new order. Whatever the reason, the French in particular bet early on the self-appointed Transitional National Council led by recent defectors from the Gaddafi regime. None of them had democratic histories or credentials.117 Their attack on the regime was at

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113 Shapiro, Containment, p. 97.
117 The leaders of the “revolution” included Gaddafi’s former Justice minister Abdul Jalil, his former Ambassador to India Ali Aziz, and one of his top economic advisors (with close links to the oil multinationals), Mahmoud Jibril. Among the leaders of the “rebel” military council were Omar Hariri and former Interior Ministry head General Abdul Fattah Younis, both of whom had long histories, dating back to 1969, of repressing democratic
the head of an armed movement, not a democratic uprising as had been the case in Tunisia and Egypt. In fact, the insurgents, not Gaddafi’s forces, perpetrated the bulk of the violence.\footnote{118} When Gaddafi gained the upper hand in early March, the insurgents trumpeted alarmist claims – later revealed as somewhere between wildly exaggerated and flat out false – about actual and imminent slaughter of unarmed civilians at Benghazi. Western governments affirmed these claims, as did the media, almost without exception.\footnote{119} This triggered calls across the region for the enforcement of a no-fly zone against the Libyan air force and the passage of Security Council Resolution 1973, authorizing the NATO intervention “to protect civilians and civilian populated areas under threat of attack.”\footnote{120}

U.S. enthusiasm for the mission was spurred by the belief, which had fast become orthodox, that the Arab spring revolutions would sideline al-Qaeda. The empirical basis for this conviction remains puzzlingly elusive, not least because, as Daveed Gartenstein-Ross has noted, jihadist leaders saw the Arab spring revolutions, and especially the prospect of Gaddafi’s fall, as an opportunity.\footnote{121} He had been in the forefront of the fight against them for a decade, and they were quick to sign up, along with other fundamentalist clerics, with the “rebels” fighting Gaddafi.\footnote{122} They were happy to play along with the fiction of a popular uprising for their own purposes. How much Western governments believed their own narrative about this and how much they were trapped by their early conviction – which they then felt obliged to salvage – that Gaddafi was destined for defeat, is hard to tell. The contemporaneous evaluations remain classified.

But it is clear the Libyan debacle is a model of how not to intervene. Kuperman notes that the initial justification for intervention was based on reports that exaggerated the death toll by a factor of ten. Claims that Gaddafi was targeting civilians came from less-credible sources: principally an opposition that was hoping to get external support in a civil war that it was losing.\footnote{123} In fact, there was no indiscriminate targeting of civilians, and – also contrary to contemporaneous claims by rebel groups – Gaddafi’s forces did not engage in reprisals in cities as they retook them. Even in Misurata, a city of 400,000 where

\footnote{119} The BBC was one of the few media organizations to note that footage purporting to show protesters fleeing live gunfire from Gaddafi’s troops in February of 2011 was misleading. See Libya protests: Second city Bengazi hit by violence.” BBC News Africa, February 16, 2011. http://www.bbc.co.uk/news/world-africa-12477275 [12-19-2014].  
\footnote{122} Petras and Veltmeyer, Beyond Neoliberalism, p. 195.  
\footnote{123} One widely reported claim that Gaddafi’s air force was indiscriminately bombing and strafing civilians in Tripoli and Benghazi was not exposed as false until after the war ended, when the International Crisis Group’s Africa Project Leader admitted as much. Hugh Roberts, “Who said Gaddafi had to go?” London Review of Books, Vol. 33, No. 22 (November 2011), pp. 8–18.}
fighting was most intense, a total of 257 were killed and 949 wounded on all sides of the conflict, of whom 22 were women and eight were children. The story in Tripoli was comparable. Of the 200 corpses observed by Human Rights Watch in the city’s morgue, all were adults and only two were women – numbers that do not support charges of indiscriminate civilian slaughter.124 Kuperman notes that some of the exaggerated press accounts of killing during the uprising can be traced to a French physician in Benghazi who extrapolated from a tiny sample in one hospital to claim that more than 2,000 deaths had occurred there by February 21, when in reality Human Rights Watch could identify only 233 deaths in the entire country by that date.125 But for the most part, the deceptive claims and numbers were taken largely on trust from rebel sources when there were good reasons to be skeptical of them.

Security Council Resolution 1973 had called only for a no-fly zone to prevent civilian casualties and it had prohibited the introduction of foreign troops. But it rapidly became obvious that toppling Gaddafi had been the goal all along. Indeed, France recognized the Transitional National Council as Libya’s government before the UN Security Council resolution passed, led the diplomatic campaign to get the U.S. on board, and started bombing Gaddafi’s forces on the day that Resolution 1973 was adopted.126 Cease-fire proposals from Gaddafi and the African Union were brushed aside, insurgents were trained, supported, and buttressed in many parts of the country and abroad, and Gaddafi’s forces were bombed even in places – notably Sirte – where the civilian population supported the regime. The sustained NATO campaign eventually enabled the rebels to topple Gaddafi, but at the cost of prolonging the war by eight months and increasing the death toll, Kuperman calculates, by seven to ten times.127

The legacy was disastrous. Radical Islamists, long suppressed by Gaddafi, refused to disarm after the war and prospered as they expected. Ironically, they mounted successful attacks on the French embassy in Tripoli and the U.S. embassy in Benghazi – killing the U.S. Ambassador and three other embassy staff. The secular moderate coalition government elected in July of 2012 quickly fell apart in acrimonious regional rivalries, and the central government was unable to re-establish anything remotely resembling a Weberian state. The result was continuing militia battles over control of the major cities, airports, and government buildings, and new footholds for jihadist militias in Libya and neighboring countries.128 By late 2014, even ISIL had moved into Libya, seizing control of Derna near the Egyptian border.129

The worst regional fallout from Gaddafi’s fall was in Mali, hitherto one of West Africa’s few stable democracies. Malian ethnic Tuareg fighters in Gaddafi’s security forces fled home with their weapons and launched a rebellion, triggering a military coup. The Tuareg rebellion was then hijacked by local Ansar Dine Islamists, who quickly gained control

of large swaths of northern Mali, imposed sharia law, and displaced hundreds of thousands of people producing a humanitarian catastrophe. France intervened, sending 4,000 troops when the rebels were advancing on the capital city, Bamako. Paris planned for a brief operation, after which UN peacekeepers from Chad and elsewhere would take over. But the peacekeepers failed to materialize and, although the French drove the rebels deep into the mountains on the Algerian border, they were not defeated before France pulled out most of its troops. The result has been a series of failed peace agreements between the government and the rebels, who continue pressing for an Islamic state in the north of the country at a minimum.  

The regional fallout was not limited to Mali. A 2013 UN Security Council report documented extensive weapons flows from the remnants of Gaddafi’s arsenals to Islamist rebels across North Africa. Fifteen thousand man-portable surface-to-air missiles, capable of shooting down civilian airliners, were never recovered. Some fell into the hands al-Qaeda’s North African affiliates; some went to Boko Haram in Niger and Northern Nigeria; and some ended up with Hamas in Gaza. Both Kuperman and Marc Lynch note that there is evidence of fallout in Syria as well, where the moral hazard of intervention kicked in. Comparatively peaceful protesters against Bashar al-Assad’s regime saw the NATO intervention in Libya turn the tide against Gaddafi and then turned to violence themselves, anticipating that the predictable crackdown from Assad would bring NATO into Syria as well. Regardless of this claim about Syria, Kuperman and Gartenstein-Ross are surely right that the Libyan intervention was a strategic failure for the U.S. and NATO. It increased civilian deaths, left Libya as a failed state, and had damaging fallout across the region. Some of the most ardent cheerleaders for the intervention would eventually be forced to admit this.

Curiously, though, some did not. Robert Pape, who is generally skittish about R2P and instead favors a “pragmatic” standard for humanitarian intervention, maintains that the Libya operation was a success. It is illuminating to consider the limitations of his account from the non-domination perspective defended here.

Pape’s threshold for intervention is threefold. It requires the existence of an ongoing campaign of mass killing sponsored by the local government, “near zero” prospect of casualties for the intervening force, and a “workable strategy for creating long-lasting local security.” All three requirements must be met to justify intervention. Collectively, he argues that they are preferable to R2P, which “sets the bar for intervention so low that that virtually every instance of anarchy or tyranny – or, indeed, every potential instance – represents an opportunity for the international community to violate the sovereignty of states.” Pape also believes that his three-pronged test is better than the conventional requirement of ongoing genocide, which, he agrees with Kuperman, is so stringent that it

132 See Lynch’s recantation in “Reflections on the Arab uprisings.”
will not likely have a significant impact even on major genocides such as the Rwandan one.\textsuperscript{133}

Pape believes that the Libyan intervention was a success partly because he accepts as “credible” contemporaneous estimates of the number of civilians who had been killed or were in imminent danger in early 2011, numbers that we now know to have been substantially inflated. He also ignores the estimated casualties that Kuperman computes as having resulted from the eight-month prolongation of the war caused by the intervention. To some extent, these differences are inherently speculative, depending, as they must do, on counterfactual estimates. But there are deeper reasons to reject Pape’s “pragmatic” test as too permissive that have been well-illustrated by the way in which the Libyan intervention has played out.

The central difficulty with Pape’s view is that on the one hand he claims that it implies no commitment to regime change but, on the other, his requirement of keeping casualties of the intervening force to a minimum means that it must team up with, and — indeed — strengthen, anti-government forces. “With significant opposition on the ground,” he argues about Libya, the interveners could reduce their risk to near zero by relying on cruise missiles, unmanned aerial vehicles, and other over-the-horizon measures.” The purpose of arming the rebels was to enable them “to decide their own fate.”\textsuperscript{134} But, as my discussion of Afghanistan in § 6.2.1 underscores, intervening on the cheap by teaming up with insurgents in a civil war inevitably ties you to their agenda.

Pape evades this problem by saying that it would be up to the rebels to decide, ultimately, whether “to cut a deal with Gaddafi.”\textsuperscript{135} But how plausible is that? NATO repeatedly attacked government forces, even in areas where no civilians were threatened, and its forces armed, trained, and supported the rebels. Yet at no point did NATO pressure rebel groups to explore possibilities of a cease-fire or other accommodation, which would surely have been appropriate, as Kuperman notes, if minimizing civilian casualties had been the goal.\textsuperscript{136} Moreover, the NATO forces made it clear that they would keep up their campaign — as they indeed did — until the rebels prevailed. In such circumstances, why would defectors from Gaddafi’s cabinet and security forces have any interest in reaching an accommodation with him?\textsuperscript{137}

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\begin{itemize}
\item \textsuperscript{134} Pape, “When duty calls,” p. 66-7.
\item \textsuperscript{135} Pape, “When duty calls,” p. 67.
\item \textsuperscript{136} Kuperman, “A model humanitarian intervention?” pp. 113-6.
\item \textsuperscript{137} Pape is in any case unconvincing that the intervening forces did not intend regime change. 1973 would never have been adopted by the Security Council or supported by the Arab League without its proscription of introducing foreign troops onto Libyan soil. But from the start NATO did everything it could to reverse the course of the civil war and ensure that Gaddafi would lose. Pape says that the “newly formed” Transitional National Council declared that Libya had been liberated on October 23, 2011 (pp. 68-9). But it was not newly formed, and indeed had been recognized as Libya’s legitimate government by France in early March, even before 1973 was even adopted. Pape seems innocent of the French role as described by Erlanger in “By his own reckoning.” Even more oddly, Pape contrasts the Libyan intervention on this score with Desert Storm, in which he alleges that there was a “major effort to decapitate Saddam Hussein’s government” (69). Once Saddam’s armies had been decimated in Kuwait, it would have been child’s play for the half-a-million plus troops on the
\end{itemize}
Pape’s commitment to teaming up with local insurgents so as to keep casualty costs of the intervening force close to zero also lives in tension with his third criterion for intervention: that there be a “workable strategy for creating long-lasting local security.” As was the case with the Northern Alliance in Afghanistan, the intervening forces in Libya were supporting what had become the losing side in a civil war. This will often be so; it verges on being true by definition that if an insurgency could win without outside support it, would not be losing. Backing them therefore creates the danger that John Stuart Mill worried about in “A Few Words on Non-Intervention” in 1859, to wit, that if rebels are unable to overthrow oppressors on their own, “the liberty which is bestowed on them by other hands” will be “nothing real, nothing permanent.”\textsuperscript{138} Pape’s assertion that Libya was “not descending into the kind of chaos and violence that would fundamentally undermine the goals of the intervention” had already become wishful thinking by the time he made it. By then it was obvious, as he conceded, that many of the militias “have refused to disarm, and some regions have been reluctant to cede authority to the National Transitional Council.”\textsuperscript{139} The puzzle is why he, or anyone, would have expected anything different.

The Libyan lesson on this point is the same as the Afghan one: there is no effective foreign intervention on the cheap. Moreover, in a world in which failed states are toxic breeding grounds for transnational terrorist movements, intervention is unlikely to be cheap in the end anyway. Failed states generate their own dynamics, often pulling the intervening powers back in at tremendous cost in hopes of sustaining the new regime. In inflation-adjusted dollars, the U.S. has spent more in Afghanistan since 2001 than it did on the Marshall Plan.\textsuperscript{140} Yet almost none of it has been spent on building a viable country. Gopal reports that a mere 5.4 percent of the $557 billion that Washington spent in Afghanistan between 2001 and 2011 went to development or governance. The vast majority went toward military expenditures, significant chunks of which wound up in coffers of regional strongmen who were actually fighting against the Karzai regime that the Americans were trying to sustain.\textsuperscript{141} This, too, was due to intervening on the cheap. Because the Afghan military did not control vast sectors of the country where the U.S. military was operating, the choice was either to pay many millions of dollars to the regional strongmen, euphemistically described as “private security companies,” to protect U.S. supply lines, or bring in many thousands of additional soldiers to replace the subcontractors, which would

\textsuperscript{138} Mill elaborates: “The only test possessing any real value, of a people’s having become fit for popular institutions, is that they, or a sufficient portion of them to prevail in the contest, are willing to brave labour and danger for their liberation. ... if they have not sufficient love of liberty to be able to wrest it from merely domestic oppressors, the liberty which is bestowed on them by other hands than their own, will have nothing real, nothing permanent. No people ever was and remained free, but because it was determined to be so; because neither its rulers nor any other party in the nation could compel it to be otherwise.” John Stuart Mill, “A Few Words on Non-intervention,” [1859], reprinted in Michael Doyle, The Question of Intervention (Yale University Press, 2015), pp. 122-24.

\textsuperscript{139} Pape, “When duty calls,” p. 69.


cause the American body count to skyrocket.\textsuperscript{142} By the end of 2014, the Obama Administration was being forced in that direction anyhow. Spooked by how inept Iraqi forces had been in confronting the ISIL insurgency after the U.S. departure without a status of forces agreement in 2011, the Obama Administration was once again beefing up its military commitments to Afghanistan.\textsuperscript{143}

The full cost of the Libyan intervention in lives, dollars, discredited NATO leadership, and regional fallout will not be known for decades. But by late 2014, Libya was undeniably a failed state. The U.S. State Department had abandoned claims that it was transitioning to democracy, calling it as a “terrorist safe haven” instead, and Libya’s interim government acknowledged that “the majority of the ministries, institutions, and associations” in the capital were no longer under its control.\textsuperscript{144} Enough had unfolded to make it clear that the wiser course would have been to limit the intervention to what the Arab League called for, what Security Council Resolution 1973 authorized, and what other regional players were at least passively willing to endorse: destruction of the offensive capabilities that Gaddafi was deploying against Benghazi, followed by fact-finding on the ground and support for one of the peace initiatives that the African Union and other groups were pressuring at the time.\textsuperscript{145} This would have been the non-domination move, a proportionate response to the threat that Gaddafi actually posed.

NATO’s contribution to Libya’s joining the ranks of failed states raises the issue whether it should ever intervene militarily when no NATO member is threatened. This new role for NATO goes back to its 1999 action in Kosovo, ambiguously validated after the fact as “illegal but legitimate” by the Swedish government’s ad hoc commission. But Kosovo created unrealistic expectations about NATO’s potential as a roving global police force. For one thing, the wars and civil wars that followed Yugoslavia’s collapse had not produced a consolidated state in Kosovo, so that the downside risk of destroying it by intervening did not arise. For another, there was overwhelming evidence that the Serbs – though not only the Serbs – had committed major war crimes, were engaged in ethnic cleansing, and that Kosovo’s Albanian Muslims were in imminent danger.\textsuperscript{146} Third, neither the U.S. nor any other NATO country had significant geo-strategic stakes in Kosovo, lending color to the contention that they were not pursuing a self-interested agenda. Having suffered extensive criticism for failing to act in Rwanda six years earlier, Bill Clinton and other Western leaders

\textsuperscript{142} As Gopal elaborates: “in 2013, there were, by some estimates, 60,000 to 80,000 armed private security employees in the country, almost all of them working for Afghan strongmen. Add to this 135,000 Afghan army soldiers, 110,000 police and tens of thousands of private militia men working directly for the Afghan government, the U.S. special forces, or the CIA, and you have more than 300,000 armed Afghan men all depending on U.S. patronage. You can’t help but wonder: What happens when th troops leave, the bases close, and the money dries up?” Gopal, \textit{No Good Men}, p. 276.


might have seen in Kosovo an opportunity to redeem their legacies. They had little else to gain and it helped, for non-Western audiences, that NATO forces were intervening in Kosovo to protect a Muslim population that was in grave danger. Last and perhaps most important, the Kosovo intervention preceded the huge hit that U.S. and UK credibility was soon to take in Iraq. All this buttressed a narrative of benign intentions, but this, too, turned out to be a high point rather than a precedent.

In any case, NATO leaders blew any chance that their Libyan intervention would repair the damage done to their reputations by their conduct of the Afghan and Iraq wars. The mission creep – really mission leap – from protecting civilians to toppling Gaddafi brought swift condemnation from the Arab League, which had backed creating no-fly zones to protect civilians.147 The African Union, which had never recognized the Transitional National Council, followed suit, pressing for a negotiated settlement. The deteriorating conflict triggered widespread condemnation from opinion leaders across the African continent.148 Russia and China, whose abstentions had facilitated adoption of Security Council Resolution 1973, condemned the regime change agenda as unauthorized.149 Having been played for suckers in Libya, they would remain intransigent in resisting imposing significant costs on Syria despite the regime’s manifest and escalating humanitarian abuses.150 Who could be surprised?

The West has fallen a long way since George H.W. Bush’s call for a New World Order in the run-up to the 1991 expulsion of Iraqi forces from Kuwait.151 Had his model of combining credible authorization with large and diverse coalitions to do only what is needed to face down imminent threats – to stop bullies without bullying – prevailed, things might have evolved differently. If the next several conflicts had been managed according to that script, a common law of acceptable norms for resisting domination across borders just might have begun to emerge. It would have taken levels of restraint and leadership that are rare in international politics, and almost unheard of on the kind of sustained basis that is needed to etch new norms into the fabric of international conduct. As with governments voluntarily giving up power when they lose elections, the hardest part is getting the benign dynamic going.152 In the event, the 1991 Iraq intervention turned out to be an outlier, and any global claim to moral leadership that the U.S. enjoyed between then and the 9/11 attacks has since been squandered.

There is a related difficulty with R2P authorizations that undermines their legitimacy. R2P obliges governments to protect their populations from genocide, crimes against humanity, war crimes, and ethnic cleansing, and it empowers the Security Council to authorize intervention when they fail to do so. It does not, however, oblige the Security Council to authorize intervention. Nor does it oblige members to enforce a Security Council resolution triggered by R2P considerations. In practice, this means that intervention is most likely when a permanent Security Council member decides to push for intervention, as France did, with American acquiescence, in Libya in 2011. This means that others will inevitably see R2P as a tool for permanent members to intervene when it suits them, rather than when the situation calls for it. During Israel’s Operation Protective Edge in July of 2014, there were repeated allegations that R2P violations were occurring in Gaza. Valid or not, there was no chance that intervention would be authorized or attempted, given the prevailing array of interests and alliances.

NATO is in a similar boat. Its new self-appointed role as humanitarian policeman in no way obviates the reality that it is a military alliance geared to protecting its members’ interests. R2P interventions will always be subject to that constraint, and therefore perceived by others as partisan. This makes NATO a poor instrument for humanitarian intervention, particularly when acting alone, and especially in places where NATO members have major strategic interests. When the UN approved intervention in Somalia in 2006 to protect the interim government against Islamic militants, it authorized a seven-nation regional group but explicitly excluded Ethiopia, Djibouti, and Kenya because they were perceived to have stakes in the outcome. African Union interventions generally exclude neighboring countries for the same reason. This echoes the tradition dating back to the Cold War, by which UN peacekeeping forces excluded superpowers and neighbors. Yet in Libya, the Security Council authorized unspecified “member states” to intervene “acting nationally or through organizations or arrangements” – in effect giving NATO carte blanche to do what it did.

There is, of course, a tradeoff between getting the benefit of essential street level knowledge that neighbors and other interested players bring to an intervention, and avoiding the perception of bias that they inevitably bring as well. The best way to manage the resulting tension is by creating diverse coalitions that include credible whistle blowers to keep the interested players honest, and make it less likely that they will exceed their authorized mandates. Part of the reason George H.W. Bush did not go to Baghdad in 1991 is that many of the Arab countries would have dropped their support for Desert Storm had he done so. There is no strict recipe for the composition of intervening forces; what is best

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153 The argument developed in this paragraph and the next applies to Pape’s “pragmatic” account as well because his threefold test deals with necessary conditions for intervention. He does not argue that his triggering criteria mandate intervention.


will always depend on many contingencies. But the more that powerful players act unilaterally, flout authorized mandates, and violate the principle of proportionality, the less legitimacy they will garner for crossing borders to prevent bullying. Others will rightly see them, instead, as bullies.\(^{158}\)

### 6.4 Installing democracy

Setting aside R2P considerations and attacks across borders, what about intervening to promote democracy where currently it is lacking? If democracy is, as I argued in earlier chapters, the best political system for combating domination, then helping it spread makes sense. Moreover, one of the more serviceable generalizations of political science is that democracies tend not to go to war with each other. This is not true without qualification, and its robustness might be eroding in an era when funding wars with debt and fighting them with volunteer soldiers, military contractors, and drones has weakened the electoral constraints on reckless decisions by governments to fight. But there is still some basis to agree with Kant that democracies are less likely to try to subjugate one another by force than are other regimes.\(^{159}\) This makes democracy promotion doubly worthwhile from the standpoint of resisting domination.

But successful examples of installing democracy from outside a country are few and far between. The seminal examples are Japan and West Germany after World War Two, but they exhibited three features that that are as propitious as they are rare: democratic legacies that preceded the authoritarian takeover; a devastated population, the great majority of whom blamed their own government for their catastrophic defeat and accepted the legitimacy of foreign occupation; and intervening powers that were willing to make huge investments, for many decades, in buttressing the new order both institutionally and economically.\(^{160}\) Trying to install democracy from outside when any of these features is missing is vastly more challenging if it is possible at all, as recent experiences in Iraq, Afghanistan, and now Libya underscore.

Promoting regime change in Iraq became U.S. policy with the adoption of the Iraq Liberation Act in 1998.\(^{161}\) President Clinton signed the bill under heavy pressure from neo-conservatives, in effect abandoning the prevailing containment policy – at least officially.\(^{162}\) Some of those who lobbied for the law’s passage were moved by watching the return of

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\(^{158}\) Mark Mazower tells a comparable story about the International Criminal Court. Nonsignatories to the Court, such as the U.S., China, Russia, and India, have no difficulty backing resolutions to refer figures like Gaddafi and Omar-al-Bashir of Sudan to the Court for prosecution. Indeed the U.S. has made its participation in peacekeeping operations conditional on explicit exemptions from possible prosecution. *Governing the World*, pp. 399-402.


\(^{160}\) For elaboration, see my *Containment*, pp. 38-9 & 102-3.


\(^{162}\) See Nick Ritchie and Paul Rogers, *The Political Road to War with Iraq: 9/11 and the Drive to Overthrow Saddam* (Routledge, 2006), pp. 36-52.
democracy to much of Eastern Europe after 1989. They thought that instigating regime change in Iraq would be easy and that it would have a domino effect – spreading democracy across the region. Remove the repressive autocrat, the history lesson seemed to be, and democracy will blossom. But the East European countries had considerably more in common with postwar Japan and West Germany than they did with Iraq. Their populations remembered prewar democratic institutions that had been crushed by Hitler, the USSR, or Soviet puppet regimes after 1945, and in 1989 they were looking forward to economic benefits of integration into the new Europe.

Advocates of regime change for Iraq would have been better advised to look at the former Asiatic republics of the USSR for models of how things would likely go in a country with no democratic history, an oil based rentier economy, and a population that was ill-disposed toward the U.S. as a potential liberator. In Iraq, the Sunni minority’s privileges depended on Saddam Hussein; they had little to gain from his departure or, obviously, from a democracy in which Shiites would predominate. Many Shiites felt betrayed by the U.S. during the 1991 Sha’abān Intifada; trusting America as a democratic liberator would be a tough sell. President Clinton, who evidently understood this, added a signing statement to the bill to make it clear that the U.S. did not intend to oust Saddam Hussein by force. But signing it was unwise nonetheless. It fed the image of the U.S. as a regional meddler and supplied cover for the subsequent Bush Administration to deny that its regime change agenda in Iraq was the radical departure that it was.

Democratic transformations can be helped along from the outside where democracy has not previously been well-established, but only at the margin. For one thing, democracy is unlikely to be sustainable, however it is instituted, unless the economy is reasonably robust and diversified. Przeworski et al. find that democracy becomes stable when per capita incomes (PCI) reach $6,000 measured in 1985 dollars (about $13,200 in 2014 dollars). Democracy becomes vulnerable as PCI falls below that threshold, and the further it falls, the more vulnerable democracy becomes. There are exceptions, India being the principal outlier, but democracy almost never endures in poor countries. Lack of economic diversification also threatens democracy even when PCI is otherwise sufficient. If the principal access to prosperity is via resources controlled by the state, those in power are unlikely to give it up, and those who lack power will grab it if they can. And without economic diversification there will not be a middle class possessed of the wherewithal pressure on the regime to democratize. This means that even if a transition could be


166 There are various explanations for democracy’s survival in India. Perhaps the most convincing is the advantages derived from decades of direct rule during the colonial period, during which groundwork for democratic politics was laid and indigenous elites with strong commitments to democracy developed. But other factors, such as unusual luck in its early leaders, must also have played a role in view of the fact that Pakistan did not harvest similar benefits from the indirect rule legacy. See Shapiro, The State of Democratic Theory (Princeton University Press, 2003), pp. 87-88.
effectuated in any of the oil rich countries of the Middle East, it would be hard pressed to survive. Oil is not always a curse, but it will be one when the economy consists of little else. This will not change unless external pressure to democratize comes with major and sustained economic development programs.

But economics is only part of the story. External help is unlikely to be effective unless there is already an indigenous opposition that is plausibly democratic and sufficiently organized to be a credible government-in-waiting. Moreover, the request for external help needs to come from the indigenous opposition, lest it starts being seen as the puppet of the intervening power. Potentially viable democratic oppositions are not likely, therefore, to request armed intervention, which they will see as undermining their legitimacy. They are more likely to call for weapons, training, and financial help; or for boycotts and sanctions against the regime. South Africa during the struggle against Apartheid is an example. The ANC was a well-organized opposition that had been fighting for democracy for decades when it called for external sanctions to weaken the Apartheid regime. Burma arguably falls into this category as well. But a government that depends on foreign troops will eventually find itself in the catch-22 of Hamid Karzai’s government in 2009, when only a huge surge of U.S. troops could save him from being engulfed by the Taliban insurgency. As Gall put it: “Bringing in more foreign troops to counter the insurgency would further undermine the legitimacy of his government. His administration would be seen as a puppet government, and the Taliban would be seen as fighting on the right side, for independence and religion.”

It also matters that the democratic opposition is indigenous. This is partly because of the legitimacy considerations just mentioned, but also because it helps judge the veracity of opposition claims. Expatriates who turn out to be wrong can continue their lives abroad. Indigenous oppositions will have to pay the price. This makes their claims more credible. There are exceptions, as with the provisional governments of countries like Norway, France, and Poland in Britain during World War Two. There was little doubt about their democratic bona fides, or their ability to govern if Hitler could be defeated and they could return to power. The ANC in exile maintained close contact with imprisoned leadership in South Africa, and there was never any doubt that Nelson Mandela would lead its first government.

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168 The African National Congress waged a non-violent struggle from its inception in 1911 until the Sharpeville massacre of 1960 after which they took up arms on the grounds that peaceful change was no longer possible. In 1990, three months after the National Party government released all political prisoners and unbanned all political organizations, the ANC suspended the armed struggle unilaterally. See Shapiro, The Real World of Democratic Theory (Princeton University Press, 2012), pp. 151-3.
170 Carlotta Gall, The Wrong Enemy, p. 220.
Things quickly become problematic, however, when expatriate oppositions are disconnected from indigenous struggles. Ahmad Chalabi’s Iraqi National Congress provided much of what turned out to be fraudulent information about weapons of mass destruction in Iraq, not to mention confident but wrong predictions that American soldiers would be greeted in the streets as liberators. The fact that Chalabi, who lived in London, had not been to Iraq for decades should have been a red flag for the Bush Administration. Yet they relied on his avowals and were dragged into an untenable morass as a result.  

There was no plausible democratic opposition in Iraq, which left the U.S. in the hopeless position of running an occupation while trying to render its puppet regime legitimate.

In this area as well, since the Cold War successive U.S. governments seem to have displayed a learning curve with a negative slope. Having failed to heed the lessons of Afghanistan and Iraq, and having provoked the Syrian escalation through its actions in Libya in March of 2011 as we have seen, the Obama Administration then demanded Bashar al-Assad’s resignation and escalated sanctions against Syria in hopes of bringing this about. This was unwise not only because the U.S. lacked the capacity to topple Assad given Obama’s prohibition of American boots on the ground, but also because there was no reason to believe that there was an organized opposition that could overthrow Assad and govern the country—let alone assure the transition to democracy that he was demanding. As William Polk wrote at the end of 2013, “if the opponents of the regime are fighting for some form of democracy, they have yet to make their voices heard.” Of the hundreds of opposition groups seeking Assad’s ouster, outside observers were finding it hard to identify any that seemed genuinely interested in moving Syria toward a democracy.

In fact, the Syrian conflict was no more of an Arab spring uprising than the Libyan one had been. Rather, the civil war resulted from years of catastrophic droughts that began in 2006. They stripped hundreds of thousands of farmers of their livelihoods and crippled the economy. Destitute farmers streamed into towns and cities in search of non-existent employment. In 2008 the Syrian minister for Agriculture declared that the economic and social fallout from the drought “beyond our capacity as a country to deal with,” but USAID declined their requests for assistance. In 2010, UN observers estimated that between two and three million rural Syrians had been reduced to extreme poverty. The situation continued deteriorating, prompting escalating demonstrations and eventually the government crackdown and civil war. As Polk says, “what had begun as a water issue gradually turned into a political and religious issue.”

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174 See “Syria’s war more complex than ever as both sides face internal divisions,” The Guardian (September 19, 2013) http://www.theguardian.com/international/archive/2013/12/understanding-syria-from-pre-civil-war-to-post-assad/281989/ [12-06-2014].


The U.S. has a history of undermining the Syrian regime, dating at least to its support for the Hama uprising in 1982. But to what end? Before the onset of the water crisis in 2006, Syrian per capita income stood at about $5,000 – less than half the minimum needed to sustain democracy. By 2010, it had fallen to $2,900. Yet as radical Islamists consolidated themselves into ISIL, the Obama Administration remained committed to the idea that, besides taking them on, the U.S. should identify and train “moderate” Syrians to attack the Assad regime. It was as if the Allies had decided in the middle of Operation Barbarossa that the time had come to get rid of Stalin. The Syrian conflict was at least as multi-faceted as the ongoing Afghan one, in which the U.S. had repeatedly been manipulated in local conflicts, confused allies with enemies, and strengthened the Taliban insurgency it was fighting. In Syria, Obama added the challenge of fighting on two major fronts of what was at least a three-sided civil war, when the prospects of replacing the Assad regime with a viable democracy were no more plausible than they had been in Afghanistan or Libya. It was obvious by then that any suggestion that democracy was blossoming across the Middle East was no more plausible than the Bush Administration’s democratic domino theory had been a decade earlier.

To be sure, things other than democracy promotion have shaped much of the animosity between the U.S. and Syria. Competition with the Soviets for regional influence, the U.S. alliance with Israel, and Syria’s links to Iran during and since the Iran-Iraq war all played their roles. To some extent such proxy conflicts were understandable during the Cold War, though even then they often played out in unpredictable ways. The Eisenhower Administration’s decision to topple Iran’s elected government in 1953 came back to haunt Americans when the Shah’s repressive regime provoked the Islamic revolution of 1979. The Mujahedeen militias that the U.S. backed against the Soviets in Afghanistan in the 1980s became a source of major headaches for the U.S. occupation after 2002. In any case, whatever might have been the strategic wisdom of such proxy battles during the choreographed conflicts of the Cold War, they make little sense in the multifaceted world of the twenty-first century, as I noted in § 6.2.2. Propping up strongmen who are judged friendly is too fraught with uncertainty to yield networks of reliable allies. It is more likely to breed a reputation for opportunism, and it fails to supply others any incentive to support democracy.

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177 Polk, “Understanding Syria,” p. 12. In fact this was an ambivalent policy because since the 1970s the U.S. had often found it convenient to cooperate with Syria to stabilize Lebanon. See my Containment, pp. 98-100.


180 Operation Barbarossa, named for the medieval Roman emperor Frederick Barbarossa, was the code name for Germany’s invasion of the Soviet Union that began in June of 1941. See Adam Tooze, The Wages of Destruction: The Making and Breaking of the Nazi Economy (Penguin Books, 2006), pp. 420-512.


182 The same is true of backing elections only when the outcomes are deemed favorable. The U.S. pushed for elections in Lebanon in 2005 and Gaza and the West Bank in 2006; part of the campaign to show that regime-change in Iraq was having its hoped-for domino effect. But the results strengthened Hezbollah and Hamas,
Some will call this naïve. Countries invariably pursue their interests, helping allies and undermining adversaries as they go. They do, but that is not at issue here. Rather my argument is a variant of Alexis de Tocqueville’s “self-interest, rightly understood.” The logic behind Kennan’s defense of containment that I endorsed in § 6.1 was that trying to dominate the global security environment would be self-defeating over time, and that the better course is to work for a security environment that no one can dominate. This, in turn, will be more likely if democracy spreads. Supporting democratic movements therefore makes sense when there is a plausible case that they are authentic and viable, when they seek external help, and when economic conditions are at least minimally hospitable to the enterprise. But toppling oppressive regimes where these conditions are absent is unwise. They might well be replaced by something at least as bad, or by a failed state in which terrorists and armed militias proliferate.

The same logic applies to movements for national liberation. Historically they were frequently anticolonial groups that fought against the denial of democratic freedoms and for their national ambitions. In the contemporary world they often oppose some sort of neo-colonialism or occupation, or they might, like the Kurds, be ethnic minorities in several countries seeking to consolidate their own nation state. But nationalism is one thing and democracy another. Without credible evidence that people are both committed and able to deliver the latter, there is no good reason to intervene on their behalf from the standpoint of non-domination. Whether it is Kurdish opposition parties, Hamas in Gaza and the West Bank, or the Chechen separatists seeking independence from Russia, the question cannot only be whether others, who embrace different national ambitions, frustrate theirs and oppress them. Just as the strength of claims for multicultural accommodation within countries depends on how their proponents themselves treat vulnerable minorities, those who seek liberation from an oppressive national order should pass a comparable test. We should not prop up their oppressors, but nor should we be complicit in knocking them off unless there are good grounds to believe that, once in power, the insurgent opposition forces would themselves be less oppressive of others.

That does not mean doing nothing in circumstances like those that prevailed in Syria and northern Iraq in 2014. But intervention should be constrained by what is feasible and calibrated to immediate threats. As Kuperman notes, the U.S. actions to prevent the slaughter of Turkmen in Amerli and the Yazidi on Mount Sinjar in Northern Iraq in 2014 are

unwelcome results for Israel and many of its supporters in the U.S. Elsewhere I have argued that refusing to recognize the Hamas victory was a tactical blunder, particularly when coupled with their proposal for a government of national unity with the PLO and a ten year truce with Israel. It offered the best basis for a negotiated settlement since Yitzhak Rabin’s assassination a decade earlier. Shapiro Containment, pp. 80-89. Regardless of that claim, it surely undermined American claims to be supporters of democracy. Better not to call for elections than to refuse to recognize the results after the fact.

184 For elaboration of this point with respect to multicultural accommodation, see Sarah Song, Justice, Gender, and the Politics of Multiculturalism (Cambridge University Press, 2007).
185 In this connection it is worth noting that President Jimmy Carter signed a secret directive to support the nascent Afghan mujahedeen against the Soviet-backed government in the summer of 1979, six months before the Soviet invasion. See van Linschoten and Kuehn, An Enemy we Created, p. 41. The future might have been exceedingly different without that action.

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appropriate models. They are the kind of actions that intervening powers should have pursued at Benghazi in March of 2011. More extensive involvement in Syria should have been geared to dealing with ISIL in collaboration with regional powers along the lines discussed in § 6.1.1. Pushing the jihadists out of Iraq would make it easier to choke off funds they were earning from black-market sales of oil, much of it stolen from Kirkuk. The goal would be to weaken them to the point where they could plausibly be dealt with by the Syrian military. This, in turn, assumes that the U.S. would not simultaneously be bent on destabilizing the Syrian state. The prospects of establishing democracy in Syria in the near term being slim to none, the appropriate goal is to focus on the major threat posed by ISIL. If and when a plausibly democratic Syrian opposition was to emerge, then the question of what assistance to provide would be well put. In the meantime, the more constructive course would be humanitarian assistance for Syrian farmers and refugees, geared to building the kind of economy in which democracy might eventually become viable. By the end of 2014, these considerations had, unfortunately, taken a back seat to the regime change agenda.

6.5 Conclusion

John Locke famously held that we are obliged to preserve others so long as this “comes not in competition” with the need to preserve ourselves. That claim was embedded in his belief that, as God’s creations, human beings are “made to last during his, not one another’s pleasure.” Locke’s natural law argument is not relevant to us here, but my argument in this chapter suggests that aspects of his thinking travel beyond their theological moorings. They suggest reasons to connect our interest in resisting domination to working toward a world that no one can dominate.

By prioritizing self-preservation, Locke did not mean that one’s own life is more important than those of others. The better, if anachronistic, gloss on his lexical logic is suggested by the standard airline safety injunction to put on your own oxygen mask before helping others. Compromising one’s capacity to resist domination in hopes of saving others courts the danger that no one will end up adequately protected. If democratic institutions are the best available guard against domination, as I have argued, it is not worth

190 Indeed, he affirmed a robust commitment to human equality that was born of his unequivocal conviction that we are all equal before God. See my “John Locke’s democratic theory,” in Shapiro, The Real World of Democratic Theory (Princeton University Press, 2012), pp. 41-51.
compromising one’s own democracy in hopes of preserving or creating others. Indeed, as I have argued here, the two enterprises are linked.

Similar thinking informed Kennan’s warnings against adopting authoritarian practices at home in the name of resisting them abroad. The danger of destroying villages in order to save them achieved currency during the Vietnam era, but we saw in § 6.1 that it has survived the Cold War with a vengeance, time and again undermining America’s exceptionalist pretentions. Overreach after 9/11 resulted in failed foreign interventions. They jaded the American public as the costs, in blood and treasure, exceeded by orders of magnitude the 1991-2003 price tab for containing Saddam that the second Bush Administration complained was unacceptably high. More serious was the nation’s failure to live up to what Kennan called its best traditions. The chance to work and lead toward a post-Cold War order based on self-restraint and proportionality in facing down aggression was compromised by waging preemptive war, efforts to export democracy at the barrel of a gun, and indulging in torture shrouded in euphemisms that succeeded only in tarnishing what remained of America’s image as a shining city on a hill.\footnote{191 None of this bodes well for the medium term but, as I argued in § 1.3, there are reasons to remain hopeful even when there are few grounds for optimism.} None of this bodes well for the medium term but, as I argued in § 1.3, there are reasons to remain hopeful even when there are few grounds for optimism.

Stop the bully without becoming one has been my central message. Whether we consider efforts at foiling domination across borders or crossing them in order to thwart it, the goal is to empower those who resist domination without themselves seeking to dominate. This argument is continuous with my defense of combating domination within countries, but there is a difference that stems from the reality that democracy, the best means to institutionalize non-domination within countries, is unavailable here. International institutions can sometimes help mitigate cross-border domination, but frequently they are oversold. Inevitably subject to the agendas of powerful states and alliances, they all too often become captured instruments of those agendas. Instead I have sought to develop an account that not only is compatible with the interests of powerful democracies, “rightly understood,” but which also serves those interests better than the going alternatives. It comes from an unlikely source in that George Kennan was not much interested in democracy or theoretical argument. Yet the logic that underlies his defense of containment in the 1940s remains the best available basis to advance the cause of non-domination beyond the nation state, whether in response to domination that crosses borders or when they must be crossed in order to forestall it.

\footnote{191 U.S. democracy has also been compromised since the 9/11 attacks by the erosion of civil liberties in the Patriot Act legislation passed in 2001 and reauthorized in 2005 and 2006 as well as the increases in surveillance exposed through the Wikileaks scandals. See Medine, David, et. al. “Report on the Telephone Records Program Conducted Under Section 215 the USA PATRIOT Act and on the Operations of the Foreign Intelligence Surveillance Court.” PCLOB. 23 January 2014. http://www.pclob.gov/Library/215-Report_on_the_Telephone_Records_Program-2.pdf [01-11-2015]. I have focused on the torture question as most salient to the external perceptions, particularly of adversaries.}