

Perils of a one-superpower world

Comment by Richard Butler

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In the 13 months since the terrorist attack on the United States, much has been learnt about the network of international terrorism and the evolving response by the US. As the Bali bombing so hideously illustrated, the terrorist network is widespread and diverse, and will clearly be difficult to run to ground.

The shape of the "war on terrorism" being waged by the US suffers from no such ambiguity. It will be pursued with determination and for a very long time. It will be driven by the Bush doctrine.

This doctrine was enunciated in a series of statements by President George W Bush as he sought to formulate his policy position and response to the Sept 11 attacks. It has three parts: the US will draw no distinction between terrorist groups and countries that in any way harbour or assist them; those countries that do not support the US in the war on terrorism will be considered opponents of the US; the US will not wait to be attacked by a terrorist group or country, it will strike first if it perceives an emerging danger.

At odds with international law

This new US doctrine changes everything. For virtually all of the previous 50 years since the end of World War II and including the 40-year period of the Cold War, the US stance was one of defence and deterrence. It was never a posture of pre-emptive strike. In these new circumstances, the US will determine which countries or groups it considers might threaten it in the future and initiate military action against them.

Under international law, all countries have the right to self-defence but all are also obliged never to initiate an attack upon another and when disputes arise to seek to settle them by peaceful means.

A US policy of pre-emptive strike would be at odds with these principles. The Bush administration is aware of this and has sought to solve the problem by describing any future first-strike action against a source of perceived threat to the US as "anticipatory defence". While this might sound rational, there is no such concept in law.

Another response to this problem of a conflict between US national interest and agreed principles of conduct within the international community has been the attempt by some of the more strident nationalists in the Bush administration to seek to exempt the US from any international legal standard.

This has taken the form of their declaring a principle of "exceptionalism". Under this claimed principle, it is reasoned that, because the US is now the sole superpower and has

global responsibilities, it is exceptional, indeed unique, and accordingly international law cannot and should not be applied to it in the way it is to all other countries.

While this is new and certainly uncharted territory, the Bush doctrine and the associated rationales advanced for the claim that the US can now do whatever it pleases anywhere in the world at least answers the burning question left over from the Cold War. That was, what would a world of one superpower look like and how exactly would the US use that power? We now know the answer. It is more than ironic that it was the actions of Osama bin Laden and al-Qaeda that forged this clarity. But, in this case, clarity is not the same thing as stability, consistency or predictability.

The past US posture of defence and deterrence made a massive contribution to stability in international relations. The new US policy on first strike produces an inherently unstable situation. It would be less so if the considerations that the US has announced will guide its decisions on "anticipatory defence" were consistent and could be expected to be applied predictably.

Contradictions, inconsistencies

For example, Bush's identification of an "axis of evil", which he said was formed by three countries -- Iraq, Iran and North Korea -- is now widely regarded as a clumsy and damaging rhetorical indulgence. This is not to say that each of those countries does not present problems with regard to weapons of mass destruction and support for terrorism. But to suggest that they in some way formed an axis and to fail to recognise the significant differences between them does little to breed confidence in the Bush administration.

In one respect, incredulity over the axis of evil statement and related utterances served to reduce alarm about the prospect of future unilateral action by the US. Simply, it was impossible to think the US could actually implement its rhetoric because, if it did, it would be obliged to go to war immediately with about 30 countries.

The important issue of consistency is in sharp focus right now. The Bush administration has made it crystal clear that it is prepared to go to war with Iraq in the near future. It claims this is necessary because of Saddam Hussein's continuing development of weapons of mass destruction. The US has also signalled that it wishes to remove Saddam from power for other reasons -- such as his serial violations of human rights and, most recently, because of his support for terrorism, possibly including al-Qaeda.

But it has now been revealed that North Korea has been developing nuclear weapons and is almost certainly more advanced than Iraq. Yet there is no suggestion of military action against North Korea.

This lack of consistency is more than matched by the extraordinary double standard on the issue of weapons of mass destruction. The enforcers of the law on weapons of mass destruction are themselves the major owners of such weapons. This contradiction does not go unnoticed in the community of nations.

In the case of the US, now equipped with the Bush doctrine that presumably includes use of

its own weapons of mass destruction as it chooses, the contradiction is seen as disturbing.

50-year setback to civilisation

If the emergence of worldwide terrorism -- from New York to Bali -- has a central meaning, it is that the system of the conduct of international relations among sovereign states, in accordance with the law, has been dramatically challenged by non-state actors -- terrorists. These terrorist groups represent no one but themselves. They have no responsibility for government or territory. They respect no law. Civilisation itself is directly challenged by them.

Interestingly, they do not dispute this. Indeed, they say that to challenge the existing order is precisely their purpose because they do not consider that the way in which relations among states, peoples and cultures are conducted deserves the term "civilisation".

If the terrorists are to be defeated, civilisation will have to live up to its name. States that have responsibility for both the provision of decent standards of living and a fair system of justice within their own jurisdiction, and the observance of international law in their foreign and security policy, must pursue and defend those ends vigorously.

It also means that if action, especially military action, is to be taken against terrorist groups and their state supporters, it must be done in accordance with international law -- that is, authorised by the Security Council of the United Nations.

If the other unilateral course is followed, as the Bush doctrine appears to suggest, then we will have stepped back from more than 50 years of striving to assert the civilised principle that the conduct of the world's affairs can be regulated and enlightened by law and principle to the admittedly more ancient idea that more important than anything else is the possession and exercise of raw power. Isn't this what the terrorists want?

Australians are justifiably shocked and angry at the Bali outrage. Many will feel that a simple response of retaliation, or indeed revenge, is called for. What form this should take is not clear because it is not yet clear who the bombers were.

The danger a gut reaction rather than a considered response holds is that Australians and the Australian government may be tempted to take an approach similar to the Bush doctrine under which Australia would join in whatever action is being promoted by the US as the next step in the war on terrorism. The clearest case is what appears to be a virtually inevitable American attack on Iraq -- even without UN authorisation.

We Australians should think more critically and carefully than this and, above all, remember our history, culture and values. They point to our sticking with the law, not the jungle.

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