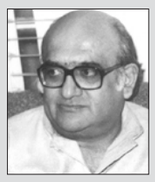
Collateral damage from an unjust war



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THE unjust and unequal war being waged on Iraq by the Anglo-American axis (AAA) appears to be over and the Saddam regime appears to have passed, unlamented, into history. However, the anarchy which is engulfing Iraq suggests that its problems may assume a new dimension. The unsavoury nature of the Saddam regime does not lend justice to what was after all a war of aggression by an invading army on a sovereign country. The illegitimate nature of such a war will come to haunt the AAA as well as the regime they put in place in Iraq and will infect their relations with the Arab world. It is argued here that the AAA decision to oust Saddam through a war of aggression may become its own nemesis and could affect the outcome of the bigger war for the hearts and minds of the Arab world.

The build-up to the war and its bloody outcome has already outraged the world. In countries across the world, including in countries whose governments are waging this war, an unprecedented scale of popular protests have challenged the legitimacy and morality of the war. Nor have these protests ended with the fall of the Saddam regime. It would be no exaggeration to say that this is one war against which virtually the entire population of the world was united, even where their governments paid lip service to the AAA. In Bangladesh, where the initial response to the war was muted, it would be rare to find anyone who is not outraged by this unjust war of aggression on Iraq. The scale of these protests across the world suggests that it is not just the aggression which is being protested but the hegemonic nature of a world order where such unjust wars can be waged with impunity.

It is argued here that, notwithstanding the immediate outcome of the battle for Iraq, the unjust origins of this war of aggression may have inflicted incalculable collateral damage on the world order as it has evolved since the end of the Second World War. Whilst dictators come and go the damage inflicted by these acts may prove to be more durable. In this presentation I propose to discuss the nature of this damage and to examine its potentially dangerous consequences for the international community as well as its blowback on the AAA itself. The four areas where such damage has undermined the world order may be addressed under the heads of the rule of law, the institutions of democracy, the United Nations system and the sustainability of the Arab polity.

Breakdown in the rule of law

The aggression launched on Iraq by the AAA may be seen to have ushered in an era of lawlessness for the world. When the most powerful country in the world, which should have served as the cornerstone for a world based on law and justice, launches a war of aggression on a sovereign state, without any legal mandate or authority from the United Nations, the age where might prevails over law would appear to have returned.

International Law recognises the right of self-defence when a country's security is threatened. However, the AAA invasion of Iraq, did not originate in any ongoing or even perceived threat to the security of either the United States or the U.K. None of the immediate neighbours of Iraq, not even Israel, have indicated that they perceive Iraq as an immediate threat to their security. They always knew that Iraq's military capacity, including its so called *weapons of mass destruction* (WMD), if any, presented no serious threat to the AAA. This was ultimately made evident by the failure of Saddam to use WMD at any stage of the recent war, even when his regime was nearing its end and his own physical survival was at risk.

Saddam's failure to deploy WMD suggests that the UN sponsored disarmament programme over the last 12 years, was more successful than was recognised by the AAA or even the UN itself. Due to the UN disarmament regime in the 1990s, Iraq was not only rendered incapable of developing WMD but was also denied all means to upgrade its conventional weapons. This served an invaluable military purpose for the AAA by greatly facilitating their aggression against Iraq whose defences had been severely degraded through the efforts of the UN disarmament programme. The UN disarmament regime, thus, ended up as an instrument which denied a member country the right to defend itself against an aggression which remained ongoing over 12 years. In such circumstances, it was the moral as well as legal responsibility of the UN to protect a country which had been disarmed under their mandate, from a potential aggressor, in this case the United States.

As the case for pre-emptive war against use of WMD fades into history few will be left to recall that this farrago of half-truths was once used as the principal cause for launching a war of aggression in defiance of the UN charter. The agenda for regime change now appears to have been graduated from an instrumental means to eliminate WMD into the principal objective of the AAA invasion of Iraq. But a regime change was certainly not the rationale presented before the Security Council by the AAA for justifying the use of force in Iraq.

One thousand US weapon inspectors are now being imported into Iraq to search for as yet undiscovered and unused WMDs. Even if some WMDs were to mysteriously be discovered in Iraq (arriving perhaps in the baggage of the US inspectors), these weapons, at best, would have constituted a hypothetical threat to the US. This threat, however, should not have been met by an act of war since the possession of WMD was of little significance unless Iraq actually threatened to use them against an adversary. Today neither the UN system, nor international law recognises the principle of pre-emptive war. Moving the world into an era of pre-emptive war, where powerful countries can make war in anticipation of the most remote of hypothetical threats opens up a *Pandora's box* for the world. The latest move by the US to threaten Syria with pre-emptive war on the grounds that they may have WMD indicates the dangerous limits to which application of such a doctrine can take the world. In such a world, any country, acting without a UN mandate, can now make war on a smaller or weaker neighbour based on a subjective assessment by the bigger power that it feels that its future security may be endangered.

Regime change as a primary goal of war remains, perhaps, the most dangerous threat to a stable world order. There may be many regimes across the world whose citizens or some groups of citizens would like to see changed. Some countries or even groups of countries may feel that regime change in a country would serve the regional interest. All Arabs see Ariel Sharon's regime in Israel as a threat to their security and would love to see it changed. This privilege to effect regime change is, however, limited only to those countries with the actual power to effect change. But is this a feasible way to run the world? If every country possessed of such power can set out to forcibly change a regime they find unacceptable where will this leave the world? A global jurisprudence, where a powerful country will combine the role of prosecutor, judge, jury and executioner, spells death to the rule of law both at the national and global level. It is to avoid a potentially anarchic world, governed by arbitrary exercise of the principle of preemptive action and externally driven regime change, that a UN system was created. It has not worked perfectly but it has at least offered some security to weaker states.

A world order with a dysfunctional or even subordinated United Nations, with the rule of law displaced by the rule of power, with a Europe divided within and from the United States, with leadership, particularly in the Arab world, which is held in contempt by its own citizens, threatens to be a dangerous and hence unsustainable world. It is in such a world of chaos that terrorism thrives.

Crisis for the United Nations

The assault on the rule of law has now created a crisis for the United Nations and endangered its relevance. The decision by the United States and the UK to deliberately bypass the UN represents a contempt for world opinion. The argument advanced by the AAA that the UN would be reduced to irrelevance if it did not wage war to enforce Resolution 1441 and disarm Iraq of WMD has been turned into a self-fulfilling prophecy. It is now the AAA which through its own unilateral act of aggression, has pushed the UN towards irrelevance.

During the debate on Resolution 1441, there was, at one stage, a grave danger that the UN would be pressurised by the US into legitimising its invasion of Iraq. It appeared possible that the US would bully and buy enough votes to obtain a majority in the Security Council in favour of war. The members in the Security Council were exposed to quite ruthless pressure from the US to override their best judgment, the weight of democratic public opinion at home and indeed their national interest, to support the US-UK resolution for war on Iraq. This entire episode of power play by the US in the Security Council confirms that voting in the UN may not reflect the will of that country but the expedient judgment of their leaders. Most non-Permanent members of the Security Council remain dependent on the US for aid, market access, FDI, arms, or security and can thus be pushed to vote, in the cause of expediency, any way that serves the US interest.

It says much for the strength of their abhorrence for a pre-emptive war against Iraq, that these potentially pliable members of the Security Council could withstand intense US pressure to endorse the use of force in Iraq. Had the Security Council actually succumbed to US pressure and voted for war on the grounds that it was meant to disarm Iraq of WMD, the damage to the credibility of the UN system would have incalculable, particularly now that no WMDs are being located in Iraq or were used in the war. The resolve of the majority of the Security Council, led by France, Russia and Germany, to resist such pressure compelled the US and UK to abandon their efforts to buy a favourable vote in the Security Council, and to act alone, in defiance of the UN as well as world public opinion, to launch an illegitimate war of aggression on Iraq. A United Nations worth its salt would have instantly convened a meeting of the Security Council, to discuss what was a clear act of aggression against a fellow member of the UN. In fact, due to the power of the AAA in the UN the Arab League could not even generate support for a meeting of the General Assembly, let alone a resolution in the Security Council, asking for a cease fire.

Now that anarchy has descended on Iraq a restoration of the rule of law becomes crucial. But at the end of a victorious but illegitimate war what will constitute legality? International law does not recognise the right of conquest. Any decree issued by General Jay Garner can thus be challenged in courts of law across the world. Nor can Garner grant concessions to his cronies to exploit Iraq's oil resources, without any legal authority. It required a mandate from the UN to give legitimacy to the exercise of governance and the initiation of reconstruction work in both Bosnia and Kosovo, after NATO led military interventions. Unless the AAA are to operate in a twilight zone of the law, which would expose them to constant legal challenge, the conquerors may still need the UN, whatever Rumsfeld may feel, to lend legitimacy to their actions and their multi-billion dollar contracts in post-war Iraq.

The need for the UN to save the peace in Iraq still does not settle the question of its future. The US and UK have already proclaimed to the world that the US will act exclusively in its own interests even if this is in violation of the provisions of the UN charter and the decisions of the UN system. In this emerging lawless world the UN may either have to accept its subordinate status as the instrument of the US or it will have to survive as a side show in world affairs. If the UN is to be saved, its current protectors such as France, Russia, China and Germany would have to decide to look beyond securing their bilateral interests with the US, and be willing to invest in building a countervailing alliance of countries, to strengthen the UN as a counterweight to its dominance by any one country. To reconstruct the UN may also require an element of regime change in the US, who currently appear incapable of viewing the UN as anything but their own strategic instrument.

Undermining democracy

Can we envisage transformation in the US political landscape which would restore respect for the UN? It is argued that such a change in perspective in the US is far from certain. The immediate outcome of the Iraq war will, if anything, have validated the perceptions of those in the Bush administration who believe that wars win votes. It is, thus, argued here that whatever its outcome the Iraq war has already inflicted collateral damage on the very institutions of democracy, not just in the AAA but across the world.

The first blow to democracy was inflicted in the United States itself. It has been argued in the US that George W. Bush, drawing on the advise of political strategists such as Karl Rove and the neo-conservative ideologues close to the White House, quite deliberately chose to escalate Iraq into a major political issue. Whilst Rove hoped that Saddam Hussain could be used to salvage the fortunes of the Republican Party in the Congressional elections of November 2002, the neo-conservatives saw Iraq as the first stage of a US campaign to redraw the political map of the Middle East. In effect, Saddam became Bush's *weapon of mass distraction*. Bush managed to persuade voters that they should close ranks behind their warrior President, whilst thinking less about the deteriorating state of the US economy. Now that Bush has successfully used Iraq to protect the Republican base in Congress it may be expected that the military victory of the AAA in Iraq will also be used as a launching pad for his re-election as President in November 2004. It would however be hard to believe that political opportunism alone sustained the war on Iraq. Wider strategic, ideological and eventually economic interests remain crucial factors, some of which are discussed later in this paper.

Across the rest of the world the Iraq war exposed the weaknesses in the workings of the democratic process. In the case of Europe, the epiphany of Tony Blair, from a pragmatic politician into an evangelical disciple of George W. Bush, demonstrated that even in mature democracies one man's obsession could override the concerns of 80 per cent of the population who had indicated that they opposed an invasion of Iraq without any UN mandate. In Australia, a right wing Prime Minister, in total defiance of public opinion, committed military support to the AAA. In Spain, another right wing Prime Minister, also chose to defy 90 per cent of public opinion and lined up his government in support of George Bush's war on Iraq. Less surprisingly, the shallowness of the democratic process in the former Socialist countries of Europe has also been exposed. Following Bulgaria's opportunistic support of the US position in the Security Council, other so called `new Europeans', have lined up to be a part of Bush's *coalition of the willing*. As in Spain, most of these leaders acted in defiance of domestic public opinion. In the case of Bulgaria, one million people, out of a population of eight million, have signed a petition to the Parliament, demanding an end to the invasion of Iraq.

The United States made no pretense of seeking to win the hearts and minds of the world to support its war. Bush and Blair preferred to build a cosmetic support for their war by confecting what is euphemistically termed a *coalition of the willing* which Arundhati Roy has appropriately renamed as the *coalition of the bullied and the bribed*. Inevitably, this infamous coalition was populated by politically vulnerable and economically dependent countries. To build an alliance based on a motley collection of dependent regimes presents a sorry picture of the nature of US diplomacy and the state of democracy across `New Europe' as well as the more pauperised Third world countries. The US attempt to purchase Turkey's real estate for as high a price as $26 billion, in order to establish a launching pad for the invasion of Iraq from the north, provides the most egregious example of the dependence on cash over principle as a driving force of US diplomacy. Across the world, public opinion from South Asia to South East Asia, from Latin America to sub-Saharan Africa, was overwhelmingly against a war launched in violation of the UN charter. But such is the sorry state of the democracy in the world today that only a few leaders, such as Mahathir Mohammed of Malaysia, have taken cognisance of their public opinion and spoken out categorically in their denunciation of the war. This acquiescence to aggression has alienated the national leadership in most of these countries from the overwhelming surge of public opinion in relation to the Iraq war.

Destabilising the Arab world

Nowhere is this divorce between the national leadership and democratic opinion more conspicuous than in the Arab world. Across the entire Arab world, from well before the war, public opinion has remained overwhelmingly against the aggression on Iraq. The ongoing devastation of Iraq, the slaughter of women and children, seen daily on the TV screens of every Arab home, has left the Arab people seething with rage against the US and UK which is now spilling over into anger at the impotence of their governments. The rage will not be assuaged by the spectacle of Iraqis dancing in the streets of Baghdad cheering the fall of Saddam. It will only reinforce the sense of humiliation which has been a consuming passion in the Arab world since the spectacular victory of Israel over the Arab armies in the 6-day war of 1967. It was this war which has led to the long night of Israeli occupation of Palestine. Even after 36 years this occupation, sustained by force and the US veto in the Security Council, continues to be bloodily resisted by Palestinians, and has served as one of the strongest motivations of terrorism across the world.

In contrast to the passion and unity on the Arab street the Arab leadership remains lukewarm, divided and pathetically ineffective in their challenge to the AAA aggression on an Arab Iraq and could include regime change in Iran, Syria, Libya (they were a target for regime change throughout the Reagan administration), Sudan and Yemen. Within particular countries, the Hezbollah in Lebanon, Hamas, Islamic Jihad, perhaps even the PLO, in Palestine, remain potential targets of opportunity for US military action. The US neo-Conservatives, who have inspired the war on Iraq, have a clear agenda to politically reconstruct the Middle East, by force where necessary, to institutionalise Israel's military supremacy over the region within a *Pax Americana*. This goal can be realised by ensuring that no regime in the region acquires, or even comes near to challenging Israel's ongoing and unquestioned monopoly of WMD. The regimes in Iran, Syria and Libya, which have taken more uncompromising positions on liberating Palestine from Israel's military occupation, are likely to be targetted for change and have already been threatened by some US spokespersons to fall into line with a *Pax Americana*.

Collateral agenda: Democracy for the Arab world?

It is clear that the success of the US-UK aggression in ousting the Saddam regime from Iraq and its military occupation, with General Jay Garner installed as the US pro-consul to rule Iraq, may not satiate the appetite of the US *hawks*. Collateral agenda for the US in the Middle East may extend beyond regime sustainability of a number of Arab countries. Nor has the so called *Islamic Ummah*, represented in the *Organisation of Islamic Countries* (OIC), covered itself with glory. Their pretensions about Islamic solidarity have been shamefully exposed as they bear mute witness not just to the invasion of Iraq but the ongoing slaughter of the Palestinians.

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Within such a strategic perspective, talk of freedom and democratisation of Iraq and beyond that the Arab world, so eloquently promoted by the AAA, would appear to serve a largely rhetorical purpose. The more indigenous expressions of democracy which are already manifesting themselves in demonstrations on the streets of Iraq, particularly from the long suppressed Shia majority, do not point to a very hospitable climate for the occupation regime of Jay Garner. Any serious exercise of electoral democracy in Iraq may not, therefore, register appreciation US's `liberating' role by electing their friends and admirers to office.

Iraq has for 45 years been one of the most nationalist minded countries in the Arab world and its people, have been nurtured in such a tradition. Few among the assorted group of Iraqi exiles, some of whom were materially sustained abroad by the largesse of the US and UK intelligence establishments, appear to command any visible political base in Iraq. It is not clear how long many of these returning `leaders' would survive in Iraq without the protection of General Garner, let alone get themselves elected to an Iraqi legislature. Indeed, democracy in Iraq and other parts of the Arab world, where it may emerge, based on freely given votes, is as likely to elevate leaders and parties to power willing to be more assertive of Arab national interests, and may even have a strong fundamentalist expression. It remains to be seen whether the current enthusiasm for democracy which is being projected by the AAA will remain as supportive of the 'unfriendly' outcome of an election in Iraq or any other Arab country or will it feel that even such elected regimes will also need to be changed.

Blowback through the gates of hell

A world order with a dysfunctional or even subordinated United Nations, with the rule of law displaced by the rule of power, with a Europe divided within and from the United States, with leadership, particularly in the Arab world, which is held in contempt by its own citizens, threatens to be a dangerous and hence unsustainable world. It is in such a world of chaos that terrorism thrives. Ordinary people, made constantly aware of the subordination of their leaders to the power of the United States, their impotence in the face of aggression in Iraq and Palestine and their alienation from their rulers, may feel inclined to take extreme measures to express themselves in such an unjust world.

The concept of blowback originates in the process of fighting fires. Under some conditions a misconceived approach to fighting a fire leads to the fire blowing back on the firefighters and consuming them. The invasion of Iraq, in the name of fighting terrorism and spreading democracy has, to quote the Secretary General of the Arab League, Amir Moosa, 'opened the doors to hell'. The tendentious motives and misperceived strategies to fight terrorism may now blowback `the fires of hell' to consume both the invaders and many more innocent people who stand in its path.

The warning of Hosni Mubarak, President of Egypt, that a hundred Bin Ladens may emerge out of the cauldron of the Iraq war should, thus, be taken seriously. In every corner of the Arab world, indeed in many other countries with Muslim populations, a generation is maturing, which feels that the only real challenge to the hegemony of a superpower across an unjust world, must come from the unity of the weak and the dispossessed. This coalition of the weak are now invited to earn immortality by embracing martyrdom as part of their *Jihad*, against the external occupiers of the Arab world. Those in the Muslim world, who have struggled for years to nurture a liberal, democratic and secular political tradition in their respective countries, stand in danger of being rendered irrelevant by a new generation wedded to more extremist agenda.

If the Iraq war was fought by Bush as part of his war on terrorism, it has now given a renewed cause for those who use terror as an instrument of struggle.

In the eyes of a new generation of protestors across the Arab and even the Muslim world, the illegitimate war on Iraq has served to legitimise all forms of retaliatory violence. In such a world, the quest to acquire WMD, both by non-governmental activists, as well as by countries who are under threat as potential victims of external aggression by more powerful countries, is likely to accentuate rather than diminish.

Contrary to the fantasies conjured up by Rumsfeld, Saddam had kept Al-Qaeda out of Iraq, since his regime, even if undemocratic, was part of the secular tradition of Arab nationalism. Indeed, the Reagan administration encouraged Saddam to go to war with the post-revolution Iran in order to contain the ideological influence of Ayotollah Khomeini. In the same way the CIA patronised Osama Bin Laden to participate in a *Jihad* against the Soviets in Afghanistan which became part of the blowback from the Afghan war. The resurgence of Islamic fundamentalism among the Shias of Iraq, under the influence of Iran, may now emerge as the latest blowback, this time from Bush's Iraq war.

It may be the ultimate irony if Bush were to now be instrumental in bringing both Iran and Al-Qaeda, along with Hezbollah, Hamas and other *jihadis*, across the Islamic world, into Iraq, to wage war against the AAA occupation where Iraqis are already proclaiming that the US has overstayed its welcome. It is, therefore, to be seen how far Iraq will sustain such a resistance and if it will emerge as yet another battleground, as in Palestine, for a generation of young people ready to invoke the tradition of Karbala to martyr themselves, in a struggle to expel AAA forces from an Arab land. This invocation of religious symbols into a resistance movement would be ironic, even sad, since the opposition to the Iraq war has extended far beyond the Muslim world and has mobilised people of all nationalities, faiths and political persuasions, to challenge its injustice.

In its preparation to fight terrorism by any means, the AAA needs to realise that the beliefs and passions of ordinary people cannot be destroyed by Cruise missiles launched through further wars of aggression or draconian measures to fight terrorism. Whilst Saddam may be an inappropriate symbol to invoke such passions, an unjust war remains unjust, whatever be its outcome. The use of force will only accentuate the struggle not just against such wars but against a world order where the arrogance of power and its underlying values of greed can override democratic opinion across the world. One should not be surprised to see a merging of the struggles against unequal globalisation with those who have opposed an unjust war, to lend a new ferocity to the street battles which now accompany every gathering of the proponents of global power. The collateral damage of the Iraq war could thus blowback to the United States as well as its international support system, in most dangerous forms not just from the Arab world but from across the world.

The further barricading of US and UK embassies across the world, the periodic need to evacuate families and to issue travel advisories to US citizens, does not suggest that military adventures whether successful or not, will ensure a more secure post-war world for the citizens of the US and UK. Nor will such a world be more friendly to US strategic interests. The fact that a strategy for building security through periodic resort to force by the US has done little to restore peace of mind to US citizens may not indefinitely escape their attention as voters. These voters may not always remain politically intoxicated by the euphoria induced by the triumph of US military power over heavily out-gunned adversaries in Third World countries. Were the US electorate to awaken to this unrelieved threat to their sense of security their votes could make George W. Bush into the ultimate victim of collateral damage from an Unjust War.

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