There Is No More Outside

Giles Scott-Smith

In their magnum opus entitled *Empire*, Michael Hardt and Antonio Negri sketch a vision of a post-modern, supranational global space in which national sovereignty, the mainstay of the modern international system and understanding of political power, has effectively come to an end. There is no longer any clear inside and outside, and as a result Carl Schmidt's seminal friend-enemy distinction collapses as well.[1] Writing in 2000, the authors claimed that "today it is increasingly difficult for the ideologues of the United States to name a single, unified enemy; rather, there seem to be minor and elusive enemies everywhere." The removal of the dividing lines of national sovereignties has led to a "smooth space of Empire" where "there is no *place* of power – it is both everywhere and nowhere."[2]

Hardt and Negri's conception is highly relevant when placed in the context of South Asia today. Despite the release by the White House of the White

Paper on US policy towards the region on 27 March 2009, there is a continuing debate – or disagreement – between the US military and Obama and Secretary of Defence Robert Gates over strategy and goals in Afghanistan and Pakistan.[3] It remains unclear what exactly could be termed 'success', let along 'winning', in what has become the epicentre of the Pentagon's so-called Long War. The White Paper's AfPak strategy "attempts to walk a middle path between a narrow counterterror mission and a much more ambitious nation-building agenda," with all the tensions – administrative as well as practical - that come from trying to mix these two objectives.[4] As the *New York Times* reported on 14 May, 'success' could be no more than "to ensure Afghanistan is not a launching pad for attacks against the United States and its allies," regardless of the type of regime that may establish itself there.[5] Even then, could that goal be fully achieved ?

The designation of the two countries as 'AfPak' indicates that effectively their own sovereignty has disappeared – they have become no more than a strategic space to be fought over, between governmental departments and military commands before even the battlefield is reached, in the interests of US national security. The balance is fine, because to avoid an unending

commitment of US forces and finances, credible local authorities need to be established. As the White Paper astutely declares:

> The United States must overcome the 'trust deficit' it faces in Afghanistan and Pakistan, where many believe that we are not a reliable long-term partner. We must engage the Afghan people in ways that demonstrate our commitment to promoting a legitimate and capable Afghan government with economic progress. We must engage the Pakistani people based on our long-term commitment to helping them buils a stable economy, a stronger democracy, and a vibrant civil society.[6]

This is clearly taken from the effect of the 'surge' in Iraq, when in early 2007 General Petraeus established the US as a continuing player in Iraqi politics at a time when all expectations were on a swift withdrawal. Militarily the surge was of minimal significance, but psychologically its sense of commitment was "stunning", involving as it did the manoeuvring of the Sunni community away from insurgency and towards a US-brokered political settlement.[7] Is the current approach able to deliver a similar result? The political situation is hardly comparable, with little chance of a stable

coalition of different forces emerging, and US withdrawal being touted exactly as a *sine qua non* for insurgency leaders to come to the table.[8] In terms of US military strategy, however, other problems arise – not least those caused by the use of high technology. Counterinsurgency methods, required for fighting an armed civilian militia, have increasingly been adopted thanks to the influence of key strategists such as John Nagl, David Kilcullen, and Petraeus himself.[9] These kinds of efforts take time to build results. But alongside this "the United States appears to be accelerating the use of Predator (unmanned aerial drone) strikes against Taliban leadership in Pakistan."[10] High-tech weaponry is the ultimate evidence for the US military-industrial complex that it possesses an unassailable superiority over its foes. Yet won't a reliance on these means exactly trigger adverse effects?

Technology: Problem or Solution?

Last month the *New York Times* published an article that commented on the disparity between the ongoing, explicit revelations of torture conducted by the CIA after 9/11 and the general response to attacks by Predator drones in Afghanistan that have caused civilian deaths.[11] Both are forms of violence conducted outside of the law, but while one is up front and very personal, the other is anonymous, distanced, and apparently beyond recrimination.

Since the mid-1990s a so-called Revolution in Military Affairs (RMA) has been taking place in the United States that has seen rapid advances in the development of robotics and the deployment of unmanned combat systems, the best examples being the Unmanned Aerial Vehicles or UAVs such as the Predator. Whereas the military leadership - particularly the US Air Force - were originally opposed to these developments because of their challenge to the human control of war, since 2001 there has been a dramatic expansion in procurement, so much so that in 2006 the Senate Armed Services Committee laid down the rule to the Pentagon that manned systems should only be acquired if the tasks set could not be fully covered by a robotic equivalent.[12] The morality of warfare is being tested by this development, as author Peter Singer has pointed out – The main question is no longer the how but the who, if one thinks of the unfortunate carnage wrought by Predators in Afghanistan and Pakistan as "unmanned slaughter" and a form of unaccountable war crime.[13] Others have also pointed to the US military's "unique strategic culture" whereby the application of force through high technology necessarily occurs outside of the constraints of international law.[14] Referring to the November 2002 assassination of six Al Qaeda suspects – suspects – by a US drone in Yemen, Philip Bobbitt rightly states

that "it is simply unclear at present what law applies, or indeed whether the 'spatial' notion of a zone outside the theatre of warfare makes any sense in a global war against terror."[15] The problem is that Bobbitt considers these types of activity essential, because of the failures of the UN and "the current system's inability to deal with global, international terrorism."[16] The increasing reach of technological weaponry is bypassing the norms of the state system, but so far it hasn't caused much of a response. Predators were exactly built to cross borders and violate sovereignty with impunity.

Singer has explored the direction that the Pentagon has been moving in technologically, and his conclusions are sobering. Technological superiority has become the be-all-and-end-all mantra of US military thinking since the 1990s RMA, despite strong counter-arguments that the US military will probably be facing fewer and fewer battlegrounds where this will deliver a clear advantage. But the most disturbing aspect of these developments is the fact that there is no overall doctrine as to how high-tech robotics, to give the most apposite example, should be applied within a war-making situation. The assumption is that they will simply make the existing doctrine's easier to fulfil.[17] Yet, as Singer has pointed out, this does not work out so well when it comes to the 'trust deficit'. In his lecture available on TED[18] Singer

contrasts the views of a Pentagon officer with a Hezbollah member on how drone attacks are perceived. For the American, it is a clear sign of US military superiority and the ability to give a clear message that nowhere is safe if you pose a threat to US interests. For the Lebanese it is no more than proof of American cowardice and cold-heartedness, killing at will with apparent impunity, and therefore only encouraging attacks on US targets when the opportunity arises.

The Obama Liberals: Shifting the Boundaries of the Legitimate

The ways in which high-tech weaponry transgresses boundaries on the micro-level (be they geographical or legal) fits with the more macro-level positions held by the many Liberal Interventionists who populate the Obama administration, keen to reinstate a "muscular liberalism" after the Bush years.[19] Just as 9/11 was used to justify the application of US power globally under the heading of a War on Terror, so too since 2006 have we been in a similar reconfiguration period, but one where various interpreters of US foreign policy have looked to redefine and maintain some of the key changes of the Bush II years. In their eyes, Iraq demonstrated the problem of trying to work within the established framework of the post-WW II institutional order – for the sake of US (and global) security, it is time to create a new

order that can provide new sources of legitimacy. A major contribution to this trend was the Princeton Project on National Security that was published in September 2006 under the names of Anne-Marie Slaughter and John Ikenberry. The Princeton Project set out to take the essentials of Bush's national security doctrine, as represented in the Strategies of 2002 and 2006, redefine them, and embed them in new sources of legitimacy. As Parmar has remarked, the Princeton Project is a highly significant meeting-ground for neoconservatives on the Right and "a robust, crusading and theoretically confident liberal interventionism, built around a belief in the efficacy of 'democratic peace' and 'democratic transition theory'."[20] The US has a stake in the continuing functioning of the post-WW II institutions such as the UN, but even a reformed UN will never deliver the necessary results. The Project therefore proposes a Concert of Democracies, a loose value-based forum to "authorize collective action" and "strengthen security cooperation among the world's liberal democracies."[21] With this power/legitimacy base secured – a formal value-based upgrade of the Coalition of the Willing that would look to claim a special status under international law – the broader goal of assisting the global spread of PARs – Popular, Accountable, and Rights-regarding regimes – can be sought.

Slaughter's new position as Director of Policy Planning in Clinton's White House of course gives the Princeton Project an extra edge. She distances herself from the Bush doctrine only in the sense of less willingness to use exclusively military force, a greater wish to connect with allies, and a belief that solutions can only come in the long term. The UN will not be disbanded, but neither are the expectations high that it can be reformed, and its continuing disfunctionality requires that it be bypassed when necessary in favour of new values-based alliances that can be activated, in the footsteps of George Bush, 'at a time and a place of our choosing.' This is essentially the culmination of a process begun with the US-led NATO attacks against Serbia in 1999, conducted without a UN mandate but for a 'greater good'.

Slaughter will be fully supported in this cause by Ivo Daalder, recently confirmed as US Ambassador to NATO. In an article from 2006 entitled 'The Future of Preemption' Daalder, together with UTexas Professor and now Deputy Secretary of State James Steinberg, recognises the UN as the main source of international law for inter-state relations, referring to the norm of non-intervention and the rules for its transgression in exceptional circumstances (self-defence and Security Council authorisation to maintain peace and international order).[22] Yet the end of the Cold War and the rise of

more diverse, irrational threats (rogue states, terrorist groups) meant that the concept of deterrence no longer held – the US nuclear arsenal was no longer a guarantee for security. Daalder accepts that the invasion of Iraq in 2003 was both illegitimate and lacking in post-invasion planning, but its intentions were essentially just. The failures of Iraq must not be allowed to bind US foreign policy with limitations the same way Vietnam did – on the contrary. While the UN tried to rebuild its place at the centre of collective security decision-making with the 2004 High-Level Panel on Threats, Challenges, and Change, others such as Daalder looked to reformulate alternatives and ground a new consensus. Following the re-writing of national sovereignty exemplified by so-called R2P (Right to Protect), Daalder, echoing an essay by Slaughter from 2004,[23] declared that states have responsibilities to prevent the development on their territory of threats to others, including disease and catastrophic environmental decline. If they forfeit this, they effectively forfeit their right to sovereign independence: "States which fail to live up to their responsibilities lose their right to insist that others not intervene in their internal affairs."[24] Who will act to rectify this? Firstly the UN route will be chosen, but in the expectation that this will only lead to deadlock and delay the alternative will be first to work through appropriate regional organisations (read NATO) or "coalitions of like-

minded states to legitimate decision-making on the preventive use of force"
– and we are once again back with the Concert of Democracies, something
that Daalder has also promoted in other writings.[25] The mesh is complete
since Daalder has also written of the need for a 'global NATO' with
unrestricted reach.[26]

Conclusion

Hardt and Negri point out how we are conditioned to assume that power is
located in an identifiable place, otherwise known as the United States, and
for Slaughter and Daalder it is the US that is once again setting the limits to
the possible (i.e. there aren't any, at least for the US and its Concert of
Democracy allies). Yet the limits to their visions are clearly apparent in the
AfPak (or PakAf) of today. Civilian deaths, often at the hands of smart
bombs released through robotic gun-sights, are increasing just when the
White Paper announces the need to overcome the 'trust deficit'.[27] This can
only further undermine attempts to bolster the Afghan government,
associating it with violence that it has no control over, and increasing the
likelihood that individuals choose for the insurgency instead of the supposed
PAR regime of Karzai.[28] Technologies, both empowering and coercive, are
contributing to the collapse of national sovereignty, re-forming the

connection between political space and security, and exactly undermining

the rule of law that they want to propagate.

[1] See Carl Schmitt, *The Concept of the Political* (Chicago: University of Chicago Press, 1996 [1932]).

[2] Michael Hardt and Antonio Negri, *Empire* (Cambridge MA: Harvard University Press, 2000), p. 189, 190.

[3] See 'White Paper of the Interagency Policy Group's Report on US Policy toward Afghanistan and Pakistan,' available at http://www.whitehouse.gov/assets/documents/Afghanistan-Pakistan_White_Paper.pdf

[4] Daniel Markey, 'From AfPak to PakAf: A Response to the New US Strategy for South Asia,' CFR Policy Options Paper, April 2009, p. 2.

[5] C.J. Chivers, 'In Bleak Afghan Outpost, Troops Slog On,' *New York Times*, 14 May 2009.

[6] White Paper, op.cit.

[7] George Friedman, 'The Strategic Debate over Afghanistan,' 11 May 2009, Stratfor, available at http://www.stratfor.com/weekly/20090511_afghanistan_and_u_s_strategic_debate

[8] 'US Pullout a Condition in Afghan Peace Talks,' *New York Times*, 20 May 2009.

[9] See David Kilcullen, *The Accidental Guerilla* (Oxford: Oxford University Press, 2009). In December 2006 the US Army published its first Counterinsurgency manual in twenty years, see http://usacac.army.mil/cac/repository/materials/coin-fm3-24.pdf

[10] Markey, 'From AfPak to PakAf,' p. 2.

[11] Scott Shane, 'Torture versus War,' *New York Times*, 19 April 2009.

[12] Peter Singer, *Wired for War* (New York: Penguin, 2009), p. 65.

[13] Ibid.

[14] Theo Farrell, 'Strategic Culture and American Empire,' *SAIS Review* 25 (2005), pp. 7-10.

[15] Philip Bobbitt, *Terror and Consent* (London: Penguin, 2008), p. 455.

[16] Ibid. p, 454.

[17] Singer, pp. 210-212.

[18] See http://www.ted.com/index.php/speakers/p_w_singer.html

[19] Tony Smith, *A Pact with the Devil* (New York: Routledge, 2007), p. 185.

[20] Inderjeet Parmar, 'Foreign Policy Fusion: Liberal interventionists, conservative nationalists and neoconservatives – the new alliance dominating the US foreign policy establishment,' *International Politics* 46 (2009), pp. 177-209.

[21] Forging a World of Liberty under Law, Princeton Project on National Security, September 2006, http://www.princeton.edu/~ppns/report/FinalReport.pdf

[22] Ivo Daalder and James Steinberg, 'The Future of Preemption,' The American Interest (Winter 2006), http://www.the-american-interest.com/article.cfm?piece=35

[23] Lee Feinstein and Anne-Marie Slaughter, 'A Duty to Prevent,' *Foreign Affairs* 83 (January/February 2004).

[24] Daalder and Steinberg, op. cit.

[25] Ivo Daalder and James Lindsay, 'Democracies of the World, Unite,' American Interest (January/February 2007), http://www.the-american-interest.com/article.cfm?piece=220

[26] Ivo Daalder and James Goldgeier, 'Global NATO,' *Foreign Affairs* (September-October 2006).

[27] Elisabeth Bumiller and Carlotta Gall, 'US Admits Civlians Died in Afghan Raids,' *New York Times*, 8 May 2009.

[28] C.J. Chivers, 'Arms Sent by US May Be Falling Into Taliban Hands,' *New York Times*, 20 May 2009.