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***The American Preventive Strike Implementation: Cases from
the 19th and 21st Centuries***

**A Dissertation Submitted in Partial fulfillment of the Requirements for
the Degree of Master in Anglo-American Studies**

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Dedication

To my endearing parents, brothers, sisters, uncles, aunts, and friends

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Abstract

Following the 9/11 attacks on the United States of America, a new American National Security Strategy was released by President George W. Bush, whereby he articulated a new policy of defense namely “the preventive policy”. Many scholars and political analysts believe that this reconditioning is a result of the inability of the Cold War policies of containment and deterrence to face the new emerging kinds of threats such as terrorist organizations and “Rogue States”. This new strategy of defense was designed to remove an enemy’s capability before it can be used against America, so it is a precautionary tactic whereby America attacks first. The outcomes of such a tactic appear through the American success in carrying the war outside its territories to the enemy’s territories. However, this military success did not start just after the emergence of the Bush Doctrine; rather it existed as early as the 1890s, the period that marked the formulation of America’s foreign policy. The present research then, aims at revising the American history throughout selected early conflicts from the 19th century, and others from the 21st century in order to unveil the secret behind America’s policy implementation to come to the conclusion that the preventive strike policy was implemented indirectly, thus it is as old as the American history itself, and it continues to exist till the present day.

Résumé

Après les attaques de 9/11 sur les Etats-Unis d'Amérique, une stratégie de sécurité nationale américaine nouvelle a été communiqué sous la direction du président George W. Bush, dans lequel il a défini une nouvelle politique de défense à savoir «la politique de prévention». Cette remise en état, selon les politiciens et les spécialistes, est le résultat de l'incapacité des politiques de la guerre froide de confinement et de dissuasion pour faire face aux nouvelles formes émergentes de menaces telles que les organisations terroristes et les « Etats voyous ». Cette nouvelle stratégie de défense était conçu pour déplacer la capacité d'un ennemi avant qu'il ne puisse être utilisé contre l'Amérique, il est donc un précautionneux dans lequel l'Amérique attaque en premier. Les résultats d'une telle tactique apparaissent à travers le succès américain dans l'exercice de la guerre en dehors de ses territoires pour les territoires de l'ennemi. Cependant, ce succès militaire n'a pas commencé juste après l'émergence de la doctrine Bush, plutôt qu'il existait dès les années 1890s qui marquent la formulation de la politique étrangère américaine. Le présent mémoire vise à réviser l'histoire américain à travers une sélection des conflits des 19^{ème} siècle, et autres des 21^e siècle afin de découvrir le secret du mis en œuvre de telle tactique pour découvrir à la fin que la politique de frappe préventive a été pratiquée indirectement. Elle est donc aussi vieille que l'histoire américaine elle-même, et elle continuera d'exister jusqu'à nos jours.

ملخص

بعد هجمات الحادي عشر من سبتمبر 2001 على الولايات المتحدة الأمريكية، تم الاعلان عن استراتيجية جديدة للأمن القومي الأمريكي بقيادة الرئيس جورج دبليو بوش حيث صاغ سياسة جديدة للدفاع و هي "السياسة الوقائية". هذا التجديد وفقا لبوش هو نتيجة لعجز السياسات القديمة " الردع و الإحتواء" التي طبقت خلال الحرب الباردة عن مواجهة انواع الخطر الجديدة كالمنظمات الإرهابية و الدول المتشردة. تصبو هذه السياسة الوقائية الى وقف قدرات العدو و مواجهتها قبل ان يصبح قادرا على الهجوم ضد الأراضي الأمريكية و لهذا سميت بالسياسة الوقائية. تظهر نتائج هذه الخطة الحربية من خلال النجاحات الامريكية المتوالية في نقل الحرب من اراضيها الى اراضي اعدائها. الا ان هاته النجاحات لم يحقق فقط بعد الإعلان عن "عقيدة بوش" ، بل ترجع الى تسعينيات القرن التاسع عشر ، اي ما يمثل تاريخ تأسيس السياسة الخارجية الأمريكية. تهدف الاطروحة الحالية الى اعادة قراءة التاريخ الأمريكي من خلال اختيار صراعات امريكية محددة من القرن ال19، و اخرى من القرن ال21 هادفة الى كشف اللثام عن سر السياسة الحربية الامريكية لتصل في الختام الى نتيجة ان السياسة الوقائية سياسة قديمة طبقتها أمريكا ، و ما تزال تعمل بها الى يومنا هذا.

List of Acronyms

DOD: Department of Defense

IAEA: International Atomic Energy Agency

NATO: North Atlantic Treaty Organization

N.S.S.: National Security Strategy

OAH: Organization of American Historians.

OEF: Operation Enduring Freedom.

OIF: Operation Iraqi Freedom

SART: Strategic Arms Reduction Talks

UN: United Nations

UNSC: United Nations Special Commission

WMD: Weapons of Mass Destruction

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General Introduction

Throughout history, the United States of America worked hard in order to affirm its position as the world super power. Thus, it depended too much on its military power as being deemed as the secret behind its superiority. America would not have reached such a level without the different wars it fought; it would not become united without the great Civil War nor would it be able to reach its manifest destiny without launching wars. Consequently, many scholars argue that America is a military republic that was born out of an armed revolution.

In fact, America's stress on developing its military strength was purposeful since it wanted to ensure a strong and peaceful nation, and simultaneously keeping its territories away from any internal and external threat. Seeking such a purpose, America changes its foreign policy and diversifies its defense strategies depending on the nature and the degree of the threat.

The present study aims at investigating the American military policies, war tactics, its behaviors during wars, and most importantly the policy of prevention or what is known as "The Preventive Strike". It endeavors to shed light on its origins, legitimacy, and especially its implementation. In doing so, the research chooses different study cases belonging to different centuries: the American-Mexican war (1846-1848), the American Civil War (1861-1865) as cases of the 19th century besides the American-Afghan war (2001), and the American-Iraqi war (2003) as cases of the 21st century, so that to show the early implementation of the policy and its continuity.

This research is very significant from different perspectives. The United States of America witnessed different conflicts and wars; however, what is most important is that it has never been the battle field or the arena where those wars took place. The mainland of

America was always out of the war scenes during its different wars and conflicts. This fact urged the researcher to conduct this study in order to answer two main questions: What are the reasons behind the American success in taking wars out of its mainland? What are the tactics and policies that enable America to do so?

Actually, the research is organized around three main chapters. The first chapter serves as the theoretical part of my dissertation since it gives a general overview over America's military policies. Because of the impossibility of covering all American military policies, the research selects three main policies. Two of which are Cold War policies of Containment and Deterrence, the third one is the Bush Doctrine or what is known as the preemptive strike. In addition to these three policies; the research sheds the light on the Preventive strike policy, its definition, legitimacy, and the differences between a preemptive and a preventive war.

The second chapter examines the implementation of the preventive policy during the 19th century. The first part analyzes the American-Mexican war (1846-1848) in which the researcher tries to put the reader in its historical context via giving a historical overview over the early relations between the two countries, presenting briefly what caused that war and analyzing the tensions that led to the launching of this conflict and ended it with a detailed explanation of the lineaments of implementing the preventive policy. The second part scrutinizes the American Civil War (1861-1865) which serves as the best example on America's implementation of that policy in an internal conflict. Though America implemented it even with members of the "Divided House", it follows exactly the same steps used with the first case.

The third chapter highlights the continuation of implementing the preventive strike policy during the 21st century where America declared directly the adoption of this strategy

as a new military foreign policy as a reaction to Al Qaeda attacks of 9/11. The research investigates the case of the American-Afghani war, Operation Enduring Freedom (2001-Present), reporting the American-Afghani relations trying to review the pre-war era, and the time line of the events through which the research examines the tensions that led to the declaration of the war. In the second part, the research deals with the American-Iraqi war (2003) which, according to Bush, is considered as the second phase of the American War on terror. The research tries to review the American-Iraqi relations and the time line of the events whereby it examines the tensions that provoked the war.

However, the research faced many problems and difficulties mainly concerning the sources. In fact, since the research deals with an old period of time related to the 19th century, it challenged different sources, different views, and sometimes even contradicted notions. Mainly, this complexity is concerned with the secondary sources. In addition, the research relies on Diaries and autobiographies as primary sources, although there was a shortage because people at that time were involved in both wars (the American- Mexican war, and the Civil War).

Moreover, in the process of finding primary sources related to the cases of the 19th century, the research, again, suffered the problem of translation since many were written in Spanish. Thus, this shortage is considered as a loss for the scientific research itself. Consequently, this lack of sources from the Spanish side shows a kind of bias to the American one, since most of the sources used are American.

In order to achieve such goals and aims, the research uses a score of important primary and secondary sources that are varied between books, articles, contributions, and reviews. Interestingly, many of them are primary sources that are to be used in order to investigate the American adoption of the preventive policy such as Presidents James K. Polk, George W. Bush, and Abraham Lincoln speeches, some U.S. official documents

outlining a new strategy of defense like the American National Security Strategy of 2002, in addition to some Security Council Resolutions.

The research also makes use of a variety of secondary sources which include different books and articles that are relevant either to the preventive policy or the cases under study. One of which is a very significant book entitled *Striking First: Preemptive and Preventive Attack in U.S. National Security Policy*, which serves the bulk of the research.

When writing this dissertation, the research uses different approaches. First of all, the historical-descriptive approach through which the researcher reports historical facts as the history of the American military policies mainly the preventive one, and events of the wars where the preventive policy was omnipresent. Another approach that was used is the quantitative approach which is used to gather the sources that have to do with the subject. Moreover, the researcher relies on the qualitative approach in order to evaluate the relevance of the gathered sources to the topic. Finally, and most importantly, It makes use of the analytical approach whereby the researcher analyzes the four cases under study through the interpretation of the pre-war periods i.e. the origins of antagonism and the causes that led to those wars. All of these approaches are handled under the 7th edition of the Modern Language Association (MLA).

Chapter one

The American Military Policy

Introduction:

Throughout its history, the United States of America worked hard in order to guarantee and preserve a good position at the international level. A century after its independence, America reached its objective. Noticeably, it would not have reached such a position without stressing on its military power and capabilities. On the process of preserving peace, America diversified its military tactics depending on the situation. Historically, the most important tactics the United States used to fight its enemies were the Cold War policies of containment and deterrence. These policies, according to many modern political analysts, became unable to stand against the new emerging kinds of threats such as the terrorist organizations, and the “rogue states”. As a result of 9/11 attacks, the United States government articulated new American military policies known as “the preventive and the preemptive policies”.

This chapter is a historical survey on the different American defense strategies such as the Cold War policies of containment and deterrence. It proceeds to analyze the shift in the American national security strategy and the articulation of the policies of prevention and preemption. It sheds the light on the preventive strike as being deemed as one of the secrets behind America’s military success.

I- Pre 9/11 American military Policy:

1- Containment Policy:

After the Second World War (WWII), the United States of America and the United Soviet Socialist Republic emerged as the two leading superpowers in the world. These giant powers were adopting totally different and opposing ideologies; the American capitalist ideology which encourages the private ownership economy, and the Soviet communist ideology which calls for the state-owned economy. Although this antagonism goes back to the early Russian socialist revolution of October 1917, it reached its climax during the 1940s whereby each power tried to prove itself as the leading power of the world through trying to surpass the other, competing over markets, and gaining more territories. Such a new form of struggle was known as a battle of ideas, American Liberalism Vs Soviet Communism (Painter 20). Aiming at aggrandizing its power, the United States of America found itself in urgent need to respond to the communist expansion especially when the soviets declared that communism and capitalism are incompatible.

The Cold War dominated the American foreign policy, national security strategy and many defense decisions. Faced with the Soviet aggression, the United States had to take economic and military measures to prevent the spread of communism to Eastern and Central Europe and the Balkans. In 1946, the Cold War bipolarity required the United States to be prepared to contain the spread of the Soviet power. It articulated a policy known as "Containment". As the name indicates, containment refers to the action of keeping something harmful under control, or the action of preventing the expansion of a hostile country or influence (The Concise Oxford English Dictionary).

Moreover, the Department of Defense (DOD), and North Atlantic Treaty Organization (NATO) agree on the definition of its root, contain: To stop, hold, or surround the forces of the enemy or to cause the enemy to center activity on a given front and to prevent the withdrawal of any part of the enemy's force for use elsewhere, a coordinated national level policy originally designed post WWII to keep the Soviet Union away from extending its sphere of influence beyond its 1947 boundaries. Actually, the term is used to describe a foreign policy designed to prevent the targeted country, proxy organization, or terrorist group from conducting military operations or spreading its influence outside their borders or defined operating area (Nagan and Hammer 395-396).

Typically, containment policy uses a variation of diplomacy, information, military action, and economic policy as forces to achieve the desired results (Hunt 9-11). From the previous definitions, one can understand that the policy of containment is exclusively related to the United States and the Cold War, so what can be agreed upon is that Containment is considered as a military strategy to stop the expansion of an enemy. It is best known as the Cold War policy of the United States and its allies to prevent the spread of communism abroad, and a reaction to the series of moves led by the Soviet Union to enlarge the communist influence in Eastern Europe, China, Korea, Africa, and Vietnam (Gaddis 47).

In order to understand the policy of containment, it is best to review the works of George F. Kennan, U.S. diplomat during the post WWII administration of U.S. President Harry Truman best known as the "Father of Containment". His most notable publication on the subject is what is known as "The Long Telegram," which was sent on February 22, 1946 to the State Department while he was assigned to Moscow. Kennan wrote that according to Stalin, the socialist and the capitalist centers would continue to battle each others for command of the world economy.

According to Stalin, the outcome of the battle would determine the fate of each nation. He stated:

We have here a political force committed fanatically to the belief that with [the] U.S. there can be no permanent *modus vivendi*, that it is desirable and necessary that the internal harmony of our society be disrupted, our traditional way of life be destroyed, the international authority of our state be broken, if Soviet power is to be secure (qtd. in Gaddis 284).

In his second publication, “The Sources of Soviet Conduct”, Kennan stated “Soviet pressure against the free institutions of the western world is something that can be contained by the adroit and vigilant application of counterforce... corresponding to the shifts and maneuvers of Soviet policy;” Moreover, what is most effective in US policies against the soviet pressure is to deal calmly, patiently, and attentively so that to restrain the communist threat (Kennan5). Kennan argued that capitalist rule can go hand in hand with Russia and that the United States’ problem with them can be resolved peacefully. He believed that the United States should deal with Russia calmly, undermining their propaganda, educating the public of the realities of the situation as well as demonstrating the capabilities of the system. He, also, indicated that the Soviet power “bears within it the seeds of its own decay” (Kennan 7). So, Kennan proposed a more peaceful approach that, he thought, would be able to diminish the soviet process of extension:

The United States ... must demonstrate by its own self-confidence and patience, but particularly by the integrity and dignity of its example that the true glory of the Russian national effort can find its expression only in peaceful association with other peoples and not in attempts to subjugate and dominate those peoples. Such an attitude ... could not fail to carry conviction and to find reflection in the

development of Russia's internal political life (qtd. in Gaddis, "Reconsiderations: Containment").

Based on this approach, the Cold War was an ideological clash with no arms, no blood in which the United States practiced an intelligent tactic in order to resolve the problem peacefully to contain the Soviet threat of extension without harming its position in the world, trying not to break the international laws nor to hurt the world harmony and stability.

After the 1946 elections, and when Republicans dominated Congress, President Harry Truman made a speech in which he announced that Congress appropriate a sum of 400 million\$ in aid for the Turkish and Greek governments to fight the Communist subversion. He pledged to "support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures" This pledge became known as "Truman Doctrine" and it marked the first official adoption of the policy of containment as a new U.S. official policy (Truman 1947).

Moreover, Truman made series of measures to contain Soviet influence in Europe, including the Marshall Plan, or European Recovery Program which aimed at rebuilding Europe as being the victim and the stage of the drama played during the WWII through a huge intervention of American aid and the idea is to prevent communism and the socialist threat through making a strong, vivid, and vibrant economies in Western Europe (Truman 1947). Contextually, this attempt would firmly give the United States the opportunity to put its hand in Europe and gain more allies so that to insure the exclusion of the communist thoughts.

In addition to this apparently economic plan, the United States for the first time joined a political and military alliance in peace time known as the North Atlantic Treaty

Organization (NATO) which is a military alliance with Western European nations created in 1949. This organization aimed at strengthening the military relations between its members and limiting the communist expansion to other countries (qtd. in Gaddis “the Cold War” 357).

Actually, the United States of America used different policies to fight its enemy, the policy of containment was not the only policy used by the United States of America during the Cold War (Djouad 30). The early stages of the Cold War were characterized by a rhythm of loathing and hatred during which the clash between the communist and the capitalist principles reached its climax, and resulted in many conflicts throughout the globe. Each part was working against the other and both of them sought to reach the same goal which is spreading their ideas and thoughts to the countries under their sphere of influence so that they dominate the world. Generally, this period was dominated by the previously mentioned policy of containment. However when America withdrew from Vietnam, repaired its relations with China, the policy of containment was abandoned and it released a new policy of detente whereby peaceful coexistence was sought between the United States and the Soviet Union.

2. The Policy of Deterrence:

In fact, the policy of containment and the one of deterrence both go hand in hand. This relationship was developed and implemented during the Cold War. “Deterrence” as a word, refers to the act of preventing something from happening or the action taken by states or alliances of nations against equally powerful alliances to prevent hostile action through producing fear to attack in the enemy’s land (Concise Oxford English Dictionary). Trying to define deterrence in his book *The Anatomy of Deterrence*, Bernard Brodie argued that “deterrence is a theory of defense that uses the threat of force to deter or

prevent another party from doing something”. He further specified the time when deterrence is implemented which, according to him, must always be ready so that to menace the adversary, but it should never be used (Brodie 264).

Noticeably, deterrence is a strategy intended to advise an adversary not to take an action not yet started. Consequently, deterrence is a military strategy in which a government threatens an enemy with a huge revenge in case of an attack. This shift in the military strategy, besides the above reasons, is a result of the rough equation in possessing the nuclear weapons with the clear capability of each power to use them in trying to destroy the other. Therefore, this period which lasted from the 1960s till the 1980s was characterized by a reduction in the tension between the Soviet Union and the United States of America that existed during the early stages of the Cold War, and it was known as a period of detent (Brodie 296).

The policy of deterrence continued to exist after the 1950s especially with the Eisenhower administration, which announced its nuclear policy that was focused on the Soviet Union and which became known as “massive retaliation” (Freedman 87). This policy which continued to be developed and used by the next administrations started to change with the coming of President Carter who tried very hard to differentiate his foreign policies. He ended up creating confusion among his own advisors and the Soviets he was trying to contain. He simultaneously emphasized on human rights issues, while keeping Republican approaches of differentiating between vital and peripheral interests and working with some communists to contain others (Freedman 90-93).

Besides Carter, President Ronald Reagan’s foreign policy opposed the previous republican administrations. He thought that “detente, as a policy, failed to offer hope of a solution rather it had frozen it in place”, and that Long-term reliance on nuclear weapons to

preserve peace would eventually lead to nuclear war. Rather than limiting nuclear weapons, Reagan wanted to reduce them, and therefore proposed the Strategic Arms Reduction Talks (START), whereby states owning nuclear weapons pledge to reduce the amount of the owned nuclear weapons (Gaddis 345).

II- Post 9/11 American Military Policy:

After the end of the Cold War and the fall of the Soviet Union, both policies of containment and deterrence ended, since the United States of America emerged from the Cold War as the only remaining superpower in the World with a significant shift in the military policy, especially after the terrorists attack of 9/11 and its harmful effects on the nation (qtd. in Djouad 31). After President George w. Bush took office, he developed a new type of defense strategy to fight the new global threats such as the organization of Al Qaeda and “Rogue States” which attempted to possess and develop weapons of mass destruction (qtd. in Djouad 31).

He argued that the Cold War policies of containment and deterrence became unable to fight these threats that menace the international peace and security (NSS 15). Bush’s vice president Dick Cheney in October 2003 at the Heritage Foundation, after the terrorists attack, said that:

The strategy of deterrence, which served us so well during the decades of the Cold War, will no longer do. Our terrorist enemy has no country to defend, no assets to destroy in order to discourage an attack. There is only one way to protect ourselves against catastrophic terrorist violence, and that is to destroy the terrorists before they can launch further attacks against the United States (Cheney 2003).

In fact, it is clearly stated that the policy of deterrence is applied to countries and not organizations, Bush argued that:

Deterrence, the promise of massive retaliation against nations, means nothing against shadowy terrorist networks with no nation or citizens to defend.

Containment is not possible when unbalanced dictators with weapons of mass destruction can deliver those weapons on missiles or secretly provide them to terrorist allies (Bush 2002).

This speech was delivered on September 2002 at West Point in which the Bush administration published the National Security Strategy of the United States (N.S.S.). It was , also, a collection of speeches delivered by President Bush in different occasions. This collection ended the old policies of deterrence and containment, and gave birth to a new type of foreign policy known as “The Bush Doctrine”. It stresses the fact that the United States of America would always “Preempt” in attacking any nation which presents a threat to its national security and interests (Quoted in Gupta 182). Actually, this new foreign policy marked the shift in the American foreign policy from the pre-9/11 era to the post 9/11, and the beginning of new U.S. foreign policies (Gupta 182).

1- The Preemptive Strike Policy:

Historically, preemption seemed to be an old idea, not a newly introduced one. Actually, the concept of preemption was debatable among scholars of the 17th century (qtd. in Djoued 6). It was developed in the works of late medieval writers, especially in the works of Hugo Grotius, a Dutch jurist, scholar, statesman, and the father of the modern international law. In his book *The De Jure Belli Ac Paci (The Law of War and Peace)* 1625, he advocated the ideology that the war in self defense is permitted only when the danger is “immediate and imminent” (Quoted in Gorner 35). So, Grotius gave an early support of the right of preemptive strike for self defense through tackling the same idea in

his discussion about self defense and the right of nations to put an end to the threat before it is committed (qtd. in Sofaer 24). According to him:

No one ought to be struck unless he is fool, one ought to provide against an offensive which is being committed, but also against one which may possibly be committed, force must be repelled and kept aloof by force, therefore, one should not wait for it to come (qtd. in Sofaer 24).

Moreover, international law was supportive of the right of preemptive strike. It articulated that nations need not to suffer from an attack before they can lawfully take action to defend themselves against nations that form an imminent threat (NSS 15). This policy was not absent during the late years of the Cold War, the United States aiming at preventing the Soviet threat in the region, invaded Grenada in 1983, and this was one of the cases where America used force in order to contain a future threat (Mueller 182-184).

The preemptive strike was defined differently. For the Concise Oxford English Dictionary, the word was early introduced during the 17th century. Latin “Preemption” means taking action in order to prevent another mainly an attack. According to the Department of Defense Dictionary of Military and Associated Terms, the preemptive strike is “(a) n attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent” (qtd. in Djouad 35).

Depending on the previous definitions, a preemptive strike refers to the application of military force by one state over another when the first state assumes that an attack is about to occur, however the state cannot attempt unless it has a strong and credible evidence that the danger is underway. The states should act preemptively as deterrents to their enemies, otherwise they become their victims. While for O’Hanlon, Rice, and Steinberg, a preemptive strike is an anticipatory use of force, usually regarded as legitimate

and appropriate under international law, on the basis that the nation need not to wait till it become attacked, however it has to act preemptively and to prevent the threat before it occurs(qtd. in Obaymi 29). Noticeably, one can notice that all given definitions share the same condition that the preemptive strike should be implemented only when the threat is proved to be imminent.

In fact, the policy of the preemptive strike was very debatable and controversial among legal scholars and academic writers, especially concerning its legitimacy. Mainly because launching a military attack to strike first an enemy that is about to attack (no attack took place yet) for the sake of self defense and to prevent any kind of destruction is in away doubtful. Regarding Article 51 of the United Nations Charter, many contradicting viewpoints controversies and different interpretations emerged among scholars (Mueller 17). As a result, a group of scholars interpreted the policy of preemption as being unlawful, illegal, inapplicable and a dangerous breach to international law as well as the UN Charter, and such a policy may strongly affect harmony and stability in the world.

Another group went further to consider the act of preemption as a legal tactic that is very necessary for countries that seek to preserve security, stability and harmony within their territories, and America as being one of those countries, especially as being considered as the leader of the world, it needs such a tactic in order to protect national and international peace from the emerging threats (Delahunty and Yoo 849-850). Thus, such a debatable and controversial issue led to raise an outstanding question which was: Is preemptive strike legal? As a result of those contradictory views, two schools of thought emerged

The first school is known as “The Restrictive School” or “Restrictionists”. Based on a strict interpretation of Article 51 of the UN Charter which requires the occurrence of

an armed attack as a justification for self defense, they argued that the preemptive strike is unlawful and illegal; it breaks the law brought in article 51 of the UN Charter (Delahunty and Yoo 852-856). According to Anghie, Professor of law at University of Utah, argued that neither the international law, nor the UN Charter permit the use of preemptive strike as a mean of self defense (qtd. in Djoued 13). Otherwise, the UN Charter forbids members of the United Nations from using military force against foreign countries (Delahunty and Yoo 859). This limitation was clearly stated in Article 2(4) of the UN Charter:

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or any other manner inconsistent with the purpose of the United Nations (Article 2(4) of the UN Charter).

More than this, the UN Charter asserts in Article 1(1) that one of its main goals is:

To maintain international peace and security; and to that end: to take effective, collective measures for the prevention and removal of threats to the peace, and to the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace (Article 1(1) of the UN Charter).

Accordingly, this school has totally limited the use of the preemptive strike for states in case of self defense only when there is an actual armed attack and not an imminent threat since the 2nd article of the UN Charter stresses on the fact that a legal self defense requires an actual armed attack as an argument to react. Therefore, they argued

that states can exercise individual or collective self defense against the aggressor without prior authorization of Security Council (qtd. in Mueller 52).

The second school is called “Counter-Restrictionists” or “Adaptivists”. They believe that the preemptive strike is a legal, lawful, and necessary act for the countries in case of a self defense, accordingly, this act is justified and legalized (Mueller 65). This school itself is divided into two trends; the first is known as “Imminent threat school” which gives countries the right of self defense preemptively not only in response to an actual armed attack, but also in the face of an imminent threat (Delahunty and Yoo 864). This trend considers the preemptive strike policy as a legal action in international relations for self defense. They note that the language of the Article is much more complicated and can be read more broadly that it does not speak about self defense when the country becomes a victim of an armed attack. However, it should act preemptively to stop an imminent threat (Djoued 20).

Not far from the Imminent Threat trend, the second one which is known as “The Qualitative Threat School” emphasizes on the need of a preemptive strike to fight against new emergent global threats such as terrorism and the development of weapons of mass destruction which menace the world security and stability and such threats since the strict interpretation of the 51st Article of the UN Charter would fail in facing such grave threats in the modern world (Djoued 21). So, for both trends, the preemptive attack is a legal action to be adopted.

After being introduced to a modern type of threats, the United States found itself competing with not just countries, but with small organizations as well; those having almost the same degree of influence and possessing advanced nuclear power. It was this power which put the United States in a horror of losing its power in case of being suddenly

attacked especially when those enemies are unknown or belong to organizations without geographical borders. Actually, it was this what happened exactly with America in the 11th September 2001 when being attacked by an unknown, and later it was recognized that it was done by a terrorist organization known as Al- Qaeda. The United States of America was under the threat of terrorism and the rogue states which were allegedly developing WMD (Bush 2002).

At this stage, the U.S.A. found itself obliged to re-evaluate its National Security Strategy to find out the best tactic to fight the great effect that terrorism had on the nation. Consequently, the Bush administration articulated a strategy known as the Preemptive strike policy. As a matter of fact, the United States introduced another policy labeled as “The Preventive Strike Policy”.

2- The Preventive Strike Policy:

Bush has brought the concepts of prevention, preemption, and anticipatory action to the American national security strategy. Although each word has its own meaning reflected in general-purpose dictionaries, they are used interchangeably when discussing the new national security strategy. Thus, Prevention and preemption are rooted in the Latin verbs “*praevenire*” which means forestalling and “*praemerere*” which means to buy before others. Two of the meanings of the verb “prevent” are: “to deprive of power or hope of acting or succeeding” and “to keep from happening or existing” (Merriam Webster’s Collegiate Dictionary).

In fact, “prevention” was widely used in strategic discourse to refer to crisis prevention or preventive deployment as an alternative to the use of destructive force. Hence, the widely deployment of United Nations peacekeeping troops in Macedonia during the 1990s was an effective measure to prevent the emergence of an armed conflict in

that part of the Balkans (Mueller 113). Perhaps, this concept of prevention is not what Bush had in mind; in fact, it is the opposite of the widespread interpretation of the Bush doctrine, which assumes that the United States may use destructive force to accomplish its objectives (Mueller 113).

A preventive strike is certainly not a new policy that came with the administration of President George W. Bush. For example, in 1914, German leaders believed that rapid industrialization would, on one hand, make Russia too powerful and hard to be defeated. On the other hand, their only major ally, Austria-Hungary, would continue to weaken. Because they believed that a major European war was expected, going to war in 1914 seemed to offer better prospects of success than waiting several years and fighting on less favorable terms. This became one of the powerful factors that led Europe into WWI (Kennedy 44). Based on the possibility that Russia would be an industrial dominant power, Germany launched a war against it before that possibility becomes a reality.

Moreover, the Israeli attack in 1981 against the Osirak reactor, built by the French near Baghdad, was indiscriminately portrayed as preventive. The Israelis were not trying to preempt an Iraqi attack but were conducting a preventive operation, designed to keep an Iraqi nuclear weapons capability “from happening or existing” (Mueller 114). Additionally, it was argued that the policy of prevention is not exclusively American. Rather, there are signs that preemption and prevention can and have already begun to be incorporated into other countries’ national defense strategies. The most prominent example is the new French six-year defense. The bill, adopted in November 2002, redefines the French strategy of post-September 11, and lists its four foundations as deterrence, prevention, force projection, and protection. For the French:

[Prevention] is the first step in the implementation of our defense strategy.... It is a permanent necessity against the reappearance of large director indirect threats, [or] the development of crisis situations or of conflicts liable to involve our security and interests and those of our partners in the [European Union] and Atlantic Alliance. Through intelligence it must have the capability to anticipate and assess any situation autonomously. ... The capacity for surveillance and alert must be coordinated ... at a European level but also at an international level. ... Prevention relies also on maintaining a joint system of permanently or temporarily pre-positioned forces, thus facilitating situation analysis [and an] immediate response (qtd. in Mueller 78).

In fact, the preventive strike has been defined differently. According to The Concise Oxford English Dictionary, the term Preventive means the act of going, or the state of being before, or something designed to prevent something from occurring. In addition, the Department of Defense defined the preventive strike policy as follows: “a preventive war is [a] war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay -would involve greater risks”(DOD). Based on these definitions, one can understand that the preventive strike policy is not just a self-defense strategy, but rather it is a precautionary tactic through which the United States tried to alienate the threats to its land, especially those coming from what it considers as the terrorist groups and “Rogue States” in order to preserve national and international peace and security. This is what was clearly expressed in the words of President Bush when he stated that America must be always ready to stand against the new emerging forms of threat before they become able to threaten the use of WMD against America and its allies (N.S.S. 2002).

Generations of historians, social scientists, legal scholars, and policymakers have defined preemption more restrictively, distinguishing preemptive from preventive attack. That notion of precaution that is shared between both the preemptive and the preventive policies made a kind of ambiguity between both tactics. It is almost argued that the preventive attack differs from the preemptive one. A preventive attack is conducted before the enemy can prepare to attack; a state makes a preemptive strike when an attack from the enemy is imminent (Betts 145-147). A preventive attack eliminates a threat before it can harm the other state, and a preemptive strike is to “cut losses” since an enemy attack is forthcoming. For a preventive attack, it is better to attack now, under favorable conditions, than” it is to wait and attack later when an enemy has fielded a better capability to fight” (Mueller 8).

All in all, both types of attacks can be considered as alternatives to waiting for an expected enemy attack, but a preventive attack is motivated not by the desire to strike first rather than second but the desire to fight sooner rather than later (DOD). So, the preventive strike is in a way much more precautionary since/for it aims at cutting the danger at its early appearance.

Conclusion:

The chapter illustrated the diversity in the American defense strategies. These strategies changed from the Cold War policies of containment and deterrence to the ones of preemption and prevention. This shift in the American military policy was a result of the 9/11 events and the harsh effects it had on the nation. Actually, both the preventive and the preemptive policies resemble each other since both of them share the notion of precaution. Actually, the historical overview of the preventive policy showed that this policy was successful since the American interests are protected worldwide.

Chapter Two

Preventive Strike Policy: Cases from the 19th Century

Introduction:

Throughout history, the American superiority in almost all its wars and conflicts attracted political analysts and military experts' attentions. Such success creates curiosity to investigate the secret behind the American military tactics that are implemented against its rivals. Since the preventive strike policy was debatable concerning the time when it was first adopted, one can doubt that it was the secret behind America's success in its wars.

Actually, this chapter investigates the early adoption of the preventive strike policy via selecting two different conflicts that took place during the same century; the 19th century. The first part sheds the light on the American-Mexican war (1846-1848). It covers the pre-war era through examining the early American-Mexican relations and the American military attitudes and strategies that were exercised during the war. The second part highlights an internal struggle; the American Civil War (1861-1865). It stresses on the events leading to the war and the military action of the Northern Union forces against the Southern one.

I- The American Mexican War (1846-1848):

1- American-Mexican Relations: Historical Overview

The Mexican-American War of 1846-1848 was a profoundly significant event in the history of both countries. It was a conflict of “firsts”; first foreign war to be actively covered by America’s daily press, first use of war correspondents, first overseas war, and first time that the American flag was raised over the capital of a conquered enemy country. It completed the United States’ continental expansion and defined the national boundaries to where they exist today (Howes 13).

The relations between the United States of America and Mexico grew out of the earlier relations between the United States and the Spanish empire and its viceroyalty of New Spain. When America gained its independence from Great Britain in the American Revolutionary War (1775–1783), Mexico formed the core area of the “Viceroyalty” of New Spain, and Spain had served as an ally to the American colonists in that war. So, the focal point that characterized the Spanish-American relations and which would appear most prominently on later relations between the U.S. and Mexico was the ownership of Texas (Neugent 38).

In the early 19th century, believing in the Manifest Destiny, and aiming at extending its southwestern boundary from coast to coast; the United States claimed that Texas was part of the territory of Louisiana, and therefore, it is the right of the United States to acquire it as part of the Louisiana Purchase from France in 1803. The Spanish, however, claimed it was not, because the western boundaries of Louisiana were not clearly defined. In 1819, the dispute was resolved with the signing of the Adams–Onís Treaty in which the United States gave up Texas and declared Spain’s sovereignty over it; instead it gained the purchase of Spanish Florida (Howes 4-9).

Although it was ignored for many years by Spain, Texas remained the focal point of U.S-Mexican relations for decades. After having attained independence from Spain in 1821, independent Mexico, New Spain's capital, was soon recognized by the United States. The two countries quickly established diplomatic relations, in 1828 Mexico and the United States confirmed the boundaries established by the Adams-Onís Treaty although the United States of America was displeased with the treaty, as it pushed it to cease rights to Texas. This relationship was affected by internal struggles within the two countries: in Mexico, these included concerns over the establishment of a centralized government, while in the United States, it centered on the debate over the expansion of slavery, which was expanded to the Mexican territory of Texas, so those disagreements led to the Texas Revolution 1835-1838 (Johannsen 28).

Actually, the Texas revolution as well was controversial concerning America's intervention and the causes that led to. The revolution was raised in Texas and the Mexican states of Coahuila and Zacatecas as a result of the dictatorship of Santa Anna. He was appointed as President and he tried to legitimize his dictatorship with a new Constitution that abolished all state legislatures and centralized all power in Mexico City in 1835. This centralization of power provoked rebellion (Johannsen 35-39).

Noticeably, this view is recognized by Anglo-Americans as the cause that led to the launching of the rebellion; however, some historians contended that American settlers moved to Texas in the belief that sooner or later the US would annex Texas into the Union, the view which was harshly criticized by most American historians. In his book, *Mexican Frontier, 1821-1846: The American Southwest Under Mexico*, David J. Weber sarcastically tackled this issue throughout stating that: "To believe that thousands of poor immigrants moved to Texas as part of a vast conspiracy to steal Texas away from Mexico is ludicrous", in contrast, he believed that Americans settled in Texas to start a new life

because land was far cheaper than in the US. Most were happy to live their lives peacefully in Mexico (Weber 246).

After several bloody battles between the Mexican army and Texas Freedom Fighters, the Texans won their independence. The Treaty of Velasco was signed, and the fighting stopped. The Republic of Texas was declared, though independence was not recognized by Mexico, and the boundaries between the two were never agreed upon since according to the Treaty of Velasco, the border was to run along the Rio Grande River. Mexicans, however, claimed they had agreed the southern border would be the Nueces River. In 1845 the United States annexed Texas, leading to a major border dispute and eventually to the Mexican–American War (Howes 56).

2- Pretensions of Invading of Mexico:

The American Mexican war of 1846-1848 was most of the time known as a war of aggression. This labeling, however, has been built on the bases that the causes leading to that war are unjustifiable, illegal and aggressive. One of the widely accepted reasons for the Mexican-American War related to an imperialistic movement in the United States to connect the union from the Atlantic to the Pacific Oceans, regardless of who owned the land in between. This movement which unveiled the notion of expansion and wanted to expand the union from ocean to ocean, making the nation more defensible against foreign nations by having the nation's eastern and western borders protected by oceans (Howes 6).

Moreover, according to Howes, The Manifest Destiny theory is also accepted as a reason for the war. Manifest Destiny, a view that many Americans held at that time, implied that it was the rightful destiny or duty of the U.S. to expand its territories without any limits. Manifest Destiny support came from many nationalists who backed the expansionist movement to gain as much territory for the United States as possible (Howes5).

In addition to that, the American Mexican war was considered as the border dispute, so the most prominent cause that urged the launching of this war was the disagreement on the borders which took place following the War for Texas Independence (1836). Texans claimed the Rio Grande River as the southeastern border of Texas, while Mexico claimed its northeastern boundary was the Nueces River. On this basis, hostilities raised between the two neighbors (Howes 7-8).

According to some historians, the American justification to the process of expansion is the population growth. This rapid growth was the result of the influx of immigrants who came to the United States of America in search for better life conditions although they were often greeted with discrimination. Historians believe that as a result of the economic pressures made by those immigrants, it was the right of the U.S.A. to look for new territories and new opportunities (Howes 10).

Besides the problem of immigration, Slavery as well was a pushing point to the war. The southern states conspired to begin the war, because gaining this territory would ensure the continuation of slavery since they were defending their way of life which seems dependent on slave labor. In contrast, the northerners showed their conspiracy to end such an inhuman act (Howes 5).

The annexation of Texas by the United States of America remains the turning point in the American Mexican relations which served as a drop of fuel. When the United States annexed Texas, American leaders knew it would provoke war with Mexico. Mexico had anticipated this might occur and warned the United States. President Polk and his cabinet knew the end result of the annexation; however, they assumed that war was inevitable. The President had earlier sent a representative to Mexico who offered to buy Texas, New Mexico, and California for about \$30 million. Mexico rejected the offer, thus war ensued (Howes 34).

This brief history of U.S. Mexican relations is presented as an important foundation to the case for why the United States of America decided to invade Mexico in 1846.

Overall, in this historical overview, one can notice that Texas was the center of the conflict and that the lineaments of the war were appearing from the early days of the Spanish empire. Additionally, the American imperialist notion of expansion which was the hidden objective justified through the Manifest Destiny. Moreover, the annexation of Texas by America served as the point which urged the launching of the war.

3- Timeline of Events:

Although the American administration led by President James K. Polk tried to find a solution for the border dispute with Mexico. Mexicans, however, were aware of the American expansionist spirits, thus, they refused all forms of negotiations (Maameri 29). The United States of America annexed Texas in the late 1845, the next spring the war started. One of the participants of that war was an English soldier, whose adventures and testimonies were collected in a book written by George Ballentine, entitled as *The Mexican War by an English Soldier: Comprising Incidents and Adventures in the United States and Mexico with the American Army*. Accordingly, the war had gone through different battles:

a- Thornton Affair:

This battle took place on April 25, 1846 in El Rancho de Carricitos, 20 miles from Fort Texas. It was led by Captain Seth Thornton on the American side and General Mariano Arista on the Mexican one. This battle occurred before a formal declaration of war. It was at Rancho de Carricitos, about 20 miles from Fort Texas, near Matamoros. The end result of the battle included 14 killed and seven wounded. 80 men were captured by the Mexican patrol, which included 1,600 men, consisting of cavalry and light infantry. Upon the report of the capture of the 80 men, Taylor sent a message to Washington, D.C. informing President Polk and General Scott that “Hostilities may now be considered as

commenced. "It took over two weeks for the message to arrive in Washington, D.C.

Finally, on Friday, May 8, Polk received the message from General Taylor. On May 11, 1846, President Polk went to Congress with his message for war. Congress approved the measure later that day and war was officially declared (Ballentine 139-146).

b-The Battle of Palo Alto:

This battle took place between Texas and Point Isabel on May 8, 1846 and led by General Zachary Taylor, Captain Sam Walker, and Major Ringgold on the American side, General Mariano Arista and General Anastasio Torrejon on the Mexican one. The American artillery was so effective that it destroyed the Mexican lines. Arista refused to send the Mexican soldiers into battle, many of whom died standing in their lines. Fire broke out on the battlefield and smoke blinded both armies for a short while. Many of the Mexican wounded on the battlefield burned to death (Ballentine 157).

The English soldier added that both sides launched ineffective counterattacks. Arista's infantry soldiers were quickly becoming frustrated at the killing, especially since they had no direct involvement in the battle. They urged General Arista to withdraw from the battlefield, and he complied by heading his army toward Matamoros. The American troops won the battle and forced the Mexicans to retreat to the south. Taylor now controlled the Rio Grande, protecting Texas (qtd. in Ballentine 160)

c- The battles of Contreras and Churubusco:

It took place approximately 10 miles southwest of Mexico City, on August 19–20, 1847. It was led by General Winfield Scott, Captain Robert E. Lee, and General Persifor Smith on the American side, and General Santa Anna, Captain John Riley, and General Gabriel Valencia on the Mexican one. The battle had moved from Contreras to Churubusco very quickly. After hours of artillery assault, hand-to-hand combat and death, the Americans were able to take the upper hand and push into Churubusco by defeating the

forces in the well-fortified convent. In the convent they captured many Mexican soldiers, including 72 soldiers known as San Patricios, a group led by Captain John Riley. This victory gained Scott an essential way to Mexico City. Captain John Riley was an American soldier who deserted the American army to fight for Mexico. He led the battalion that would come to be known as the Battalion of San Patricios. Most of the deserters in the battalion were of Irish-Catholic descent, so they shared the same religion as the Mexicans they fought with. At the end of the battle, over 3,000 Mexican troops and 72 San Patricios had been captured besides a high cost of 1,000 dead and wounded Americans (Ballentine 198-207).

4- Lineaments of a Preventive Strike:

According to the measures upon which a war can be labeled as “Preventive”, and which necessitates conducting an attack before the enemy can prepare to attack; better to attack now under favorable conditions (Betts 147), the case of the American Mexican war of 1846-1848 can be declared as a preventive attack since it ensures all the conditions of a preventive war. This idea was advocated by Robert J. Delahunty and John Yoo in a chapter entitled “The Bush Doctrine: Can Preventive War Be Justified?” in which they stated that: “Colin Gray characterizes several other major American wars as preventive ...including the many frontier wars the United States of America fought with native Americans, Mexicans, Frenchmen, and Spaniards”(Delahunty and Yoo 856).

In fact, The American Mexican war had been so opposed that it was known as a war of aggression. This opposition started from the Whigs. On May 11, 1846, President James Polk reported to Congress that:

In official proclamations and Manifestoes has repeatedly threatened to make war upon us for the purpose of reconquering Texas...After reiterated menaces, Mexico

has passed the boundary of the United States, has invaded our territory and shed American blood on American soil (Polk 1846).

Two days later, Congress declared war (Howes 86). The Whig opposition insisted that President Polk, a democrat, must provide evidence to support his claims about an invasion of U.S. territory. On December 22, 1847, Republican Abraham Lincoln introduced what has come to be known as the “Spot Resolutions,” requesting President Polk to submit evidence to Congress that the land on which the initial battle occurred was indeed American property. On January 3, 1848, the House of Representatives passed an amendment stating that the Mexican War had been “unnecessarily and unconstitutionally” begun (The Law Library of Congress 1).

What ensures that the United States of America had practiced a preventive attack on Mexico is the fact that they know that the annexation of Texas would mean War, since the Mexican President Santa Anna had already threatened that if the United States of America annexed Texas, the war would certainly occur. However, this fact was denied, Texas was annexed, hostilities were grown, and Mexico withdrew its minister from Washington. Aiming at restoring the diplomatic relations with Mexico, Polk sent John Slidell as a special envoy to negotiate the sale of California at time Mexico was expecting indemnity to settle the Texas dispute, the point which displeased Mexico (Howes 132).

The American Mexican relations reached an impasse. President Polk encouraged Slidell through sending troops to the Rio Grande which was considered by the Organization of American Historians (OAH) Magazine of History in an extract from a Mexican text book as the Mexican legal boundaries: “The Texans, backed by the American government, claimed that its boundaries extended to the Rio Bravo del Norte [Rio Grande], whereas in fact the true limits had never passed the Nueces River”. However, Mexico still refused to welcome Slidell, thus he decided to leave (Kaufman 54).

After he left, the New Mexican president José Herrera sent troops to the Rio Grande to confront with the American ones. At that time President Polk was looking for such an excuse to declare war, so he was eager to be the first who declares war, the idea which was tackled by Howes, and he further added that the Mexicans gave him the excuse he needed. The general commanding their troops on the Rio Grande sent a force across the river, a few miles from Fort Texas so that to menace them. The American general, Zachary Taylor, reported this action as a Mexican attack and concluded: "I presume this means the beginning of war (qtd. in Kaufman 50).

If we analyze the declaration of a state of war by General Zachary Taylor, we can find that it was just an excuse by which America wanted to reach its objectives, because, as quoted in Kaufman's "Opposition to the Mexican War of 1846", the Mexicans consider that it was Polk's troops which invaded the Mexican lands:

They ordered troops to invade places within our territory, operating with the greatest treachery, and pretended that it was Mexico which had invaded their territory, making [Mexico] appear as the aggressor. What they were really seeking was to provoke a war, a war in which the southern states of the Union were greatly interested, in order to acquire new territories which they could convert into states dominated by the slavery interests (54).

The opposition that Polk and his Cabinet found is a result of the lack of evidences. Abraham Lincoln, a first term member of the U.S. House of Representatives elected in 1846, delivered one of the few speeches while in Congress. His speeches challenged President Polk's war against Mexico where he was asking for more evidences, for further facts rather than arguments:

... Let the President answer the [questions] I proposed, . . . Let him answer fully, fairly, and candidly. Let him answer with facts and not with arguments. Let him re

member he sits where Washington sat, and so remembering, let him answer as Washington would answer. As a nation should not, and the Almighty will not, be evaded, so let him attempt no evasion...no equivocation (qtd. in Kaufman 51).

What one can figure out is that even members of the House of Representatives were not convinced of the evidence upon which Polk depended to declare war. Accordingly, the only justification to what he did is that he feared of a surprising attack, so he decided to attack in better conditions before being attacked; this is what marked the Preventive Strike Policy. Not a long period after the American Mexican war, America has gone through an internal conflict over the issue of slavery leading to what is known as the American Civil War which extended from 1861 till 1865.

II- The American Civil War (1861-1865)

1- North-South Relations: Historical Overview

The American Civil War was a civil conflict in the United States of America in which eleven Southern slave states declared their secession from the United States and formed the Confederate States of America, also known as the Confederacy. The Confederacy fought against the United States (the Union) which was supported by all the free states where slavery had been abolished between 1861 and 1865 (Waugh and Gallagbar 11-17).

This former dispute has not newly emerged, however it originated in the differences that existed between the North and the South which had participated in creating such a controversy. These differences included geography, economy, transportation... However the most effective difference remains that of society, since the North is urban and industrial and the South is agrarian and rural based on “Slaves”. On the basis of the issue of “Slavery”, major events took place and have drawn the traces of such a conflict (Pessen 1121-1123).

In 1848, when the American Mexican war ended with the signing of the Guadalupe Hidalgo treaty, America gained additional territories. After Mexico accepted the Rio Grande as its northern boundary. Those territories included New Mexico, Arizona, California, and parts of what is today Nevada, Utah, Colorado, and Wyoming (Maameri 30). The addition of those territories to the Union created a controversy, and it posed a difficult task to the American Government. The question that was held at that time was: Would these new states be free or slave states? (Maameri 140-141).

In 1850, Congress passed the Compromise of 1850 which let states decide whether to be a slave state or a free one. Part of this compromise, is the Fugitive Slave act which forced any federal official who did not arrest a runaway slave to pay a fine, and this caused many abolitionists to increase their efforts against slavery (Maameri 140-141). Moreover, in 1852, Uncle Tom's Cabin was released. This book was written by Harriet Beecher Stowe, an abolitionist who had tried hard to mobilize the citizens about the importance of abolishing slavery to the country as a unity. It helped further the cause of abolition by showing the evils of slavery. It was so effective that Abraham Lincoln recognized it as one of the events that led to the outbreak of the Civil War ("Automatically").

Additionally, in 1854, the Kansas –Nebraska act was passed and participated effectively in leading the country to a civil war. This act was passed to give those states the opportunity to decide whether they want to be free or slave states (Maameri 142). The bill was at first supported for economic reasons, however later on it was agreed that it suits only the Northern part of the country rather than the southern one. Later on Kansas and Nebraska declared the states as slave states although it was unexpected from them if taking into consideration that the region was not allowed for farming, and therefore for slavery. The passage of such an act created a wave of violence between the pro-slavery and the

anti-slavery forces, thus the country split over two parts and it was led to a Civil War (Waugh and Gallagbar 82-87).

In 1857, Dred Scot, a Missouri slave, lost his case proving he should be free because he had been held as a slave while living in a free state. The court ruled that he could not be seen because he holds no property. Even though he was taken by his owner into a free state, he was still a slave because they were considered as property of their owners (Maameri 142-143). Such a claim declared the Missouri compromise as unconstitutional, and this has deepened the split (“Automatically”).

In 1860, Abraham Lincoln was elected as president. In addition to South Carolina, six other states seceded from the Union with Lincoln’s election. Lincoln agreed with the majority of the Republican Party that the South was becoming too powerful, and made it part of their platform that slavery would not be extended to any new territories or states added to the Union (“Automatically”).

2- Causes of the American Civil War:

“Historical research on the causes of the war between States ranges from claims that slavery was the predominant cause” (qtd. in Dilorenzo 244). Slavery was illegal in the North; it has been outlawed in the late 18th and early 19th century. It was fading in the border states and in the Southern cities but was expanding in the highly profitable cotton districts of the South and the Southwest. The Republican Party was determined to prevent any spread of slavery, and many Southern leaders had threatened secession if the Republican candidate, Lincoln, won the 1860 election. After Lincoln won without carrying a single Southern state, many Southern whites felt that disunion had become their only option, because they thought that they were losing representation which would annoy their ability to promote pro-slavery acts and policies (Foner 18-20).

Moreover, the differences and the segregation between the northerners and the southerners were in a way deepening and taking further forms, the idea which was tackled in an anonymous article:

“In the years before the Civil War, political power in the Federal government, centered in Washington, D.C., was changing. Northern and mid-western states were becoming more and more influential as their populations increased. Southern states lost political power because their populations did not increase as rapidly. As one portion of the nation grew larger than another, people began to perceive the nation as divided into sections, distinguished by different economies, cultures, and even values. This was called sectionalism (“Automatically”).

Consequently, what really deepened the issue was the belief that the nation was divided into two different and unequally treated sections. This belief grew along time in peoples’ souls and gave birth to the idea of the disunity.

Contextually, the South argued that each state had the right to leave the Union at any time, and that the Constitution was a "compact" or agreement among the states.

Northerners, including President Buchanan, rejected that notion as opposed to the will of the Founding Fathers who said they were setting up a perpetual union (Waugh and Gallagbar 152).

In fact, the election of Abraham Lincoln as a president in 1860 was the turning point. The southerners saw Lincoln as an abolitionist who would no longer allow slavery to spread to more territories, in addition that Southern politician charged that their voices were not being heard in Congress. Some Southern states wanted to secede, or break away from the United States of America and govern themselves. Many Southerners, who were Democrats, were afraid that Lincoln was not sympathetic to their way of life and would not treat them fairly. The Republican Party was becoming stronger as the party was friendly to

abolitionists and northern businessmen, and the election of that party's candidate was unfair (Foner 122).

3- Timeline of Events:

On the 20th December 1860, after the election of Abraham Lincoln as a president, the southern states took an action in order to protect their interests when a secession convention met in South Carolina, and the southern States began to break away from the Union. They later chose Jefferson Davis as their president. In 1861, the war broke out with the union troops fighting for the North, and the Confederates for the South (Waugh and Gallagbar 192).

The war witnessed many battles. Two of which were “The battle of Fredericksburg”, and the other was that of “Gettysburg”. On one hand, the battle of Fredericksburg took place between the 11th and the 15th December 1862, and was fought in and around Fredericksburg, Virginia. It is remembered as one of the most one-side battles of the American Civil War, and it ended with terrible casualties within the Union troops. On the other hand, the battle of Gettysburg took place between the 1st and the 3rd July 1863, and was fought in and around the town of Gettysburg, Pennsylvania. It was the most important battle during the war that it was considered as the Turning point of that war. It witnessed the largest number of casualties during the whole war where Union troops defeated the Confederate troops and stopped the invasion of the North (Morison 182-191).

In 1863, Abraham Lincoln passed his Emancipation Proclamation which ensured officially the abolition of slavery in states under Union control. The war came to an end in 1865, the North won the Civil War and occupied all the southern states overseeing their reintegration to the United States of America, slavery was abolished in all states, and all men were given the vote and legal rights, regardless of race (Hummel 35).

Actually, one cannot deny the fact that there was a clear cut between the North and the South in the United States, a cut which really divided one house into two fragments. However this is not the problem, the question that should be asked is: How comes a one house is divided via its members themselves? And which tactic paved the way for such damage?

4- Lineaments of a Preventive Strike:

Since the principals of a Preventive strike necessitate a country to conduct an attack under better conditions before its enemy becomes able to do so, one can measure the American Civil War as a preventive War. In fact, President Abraham Lincoln did his best to save the union from being divided especially after the failure of James Buchanan's administration in doing so (Waugh and Gallagbar 210). The secession of the southern states from the Union was very disgusting for Abraham Lincoln. And this was clearly shown through his words when he delivered his famous "House Divided Speech" in the Illinois state house in which he emphasized the unity of the country and his attempts to save it:

A house divided against itself cannot stand. I believe this government cannot endure, permanently half slave and half free. I do not expect the Union to be dissolved...I do not expect the house to fall but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new North as well as South (Lincoln).

At that time of pressure, President Lincoln tried to negotiate peacefully to solve the problem, and he was ready for any solution, but secession because secession for him"was

illegal and he would not recognize the division of the union” (Foner 88-92). He declared in his opening address that:

We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field, and patriot grave, to every living heart and heath-stone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature (qtd. in Foner 98).

Through his words: “The power confided to me, will be used to hold, occupy, and possess the property and places belonging to the government... but beyond what may be necessary for these objects, there will be no invasion... no using of force against or among the people anywhere” (qtd. in Maameri 147), he did not threaten to act aggressively; however, he was emphasizing the significance of protecting the possessions of the Union, which Fort Sumter is one among them.

In fact, Lincoln’s attempts to negotiate peacefully were not accepted. This refusal caused the confederates to assume that since they did not accept the peaceful negotiation, the North is undoubtedly preparing to attack them. As a result, the war started by a firing on Fort Sumter by Confederate troops on the morning of April 12, 1861 (Waugh and Gallagbar 45). What one can understand is that the Confederates Troops were the first who attacked the Union, thus a preventive attack was launched; accordingly, the United States of America used this policy even within its territories.

Conclusion:

Based on many pretensions, the American invasion of Mexico was a war of aggression in which President James Polk pretended that “An American blood has been shed on an American soil”. Actually, Polk was harshly criticized by many Americans for the lack of evidences. More than this, America’s will to invade Mexico started earlier than the 1840's. Polk knew that the annexation of Texas would provoke war, yet, he denied that fact, and showed the American imperialist notion to aggrandize its territories. Taking into consideration the measures of the preventive strike policy, the American attack on Mexico can be considered as a preventive one. Concerning the second part; the Civil War, and based on the experience of the American-Mexican war, Americans realized that being the first to launch attack would be fruitful, thus, the same tactic was applied by Americans against Americans themselves, the fact based on which the American Civil War can be considered as the best example where the United States applied the preventive strike policy.

Chapter Three

Preventive Strike Policy: Cases from the 21st Century

Introduction:

After the end of the Cold War and the fall of the Soviet Union in the 1990s, the United States emerged as the world sole superpower. Yet, this superiority did not prevent it from being a victim of terrorist attacks. These attacks took place on September 11, 2001 and had a deep impact on the American citizens and territories. As a result of this smack to the American national security, a new era in U.S. foreign policy and homeland security started whereby the Bush administration determined to attack any country where it assumes a threat to its security and allies. Consequently, America declared a global war on terrorism; the war against Afghanistan (2001) and Iraq (2003).

This chapter examines the implementation of the preventive strike policy during the 21st century starting by the American-Afghani war (2001) and the events led to the war through a brief account on the American-Afghani relations. It focuses on analyzing the American military strategies and tactics used against the Taliban in Afghanistan. More, the chapter endeavors to explore the American invasion of Iraq and the evidences that America used to justify its war.

I- The American-Afghani War (2001-Present)

1- The American-Afghani Relations: Historical Overview

Because of the lack of American interests in Afghanistan as well as its reliance on Britain in its foreign affairs, there were no serious relations between the two nations. Obviously, the history of the relations between Afghanistan and America is that profound in history. Although the United States has shown its recognition to Afghanistan in 1934, there were no diplomatic relations until 1942. After delivering his Farewell Address, the first president of the United States of America George Washington advised his nation to avoid such complex alliances, thus America adopted the policy of isolationism (Parker 110).

At the beginning of the 20th Century, America decided to change its policy of isolationism as a result of the address of President William McKinley which stressed on the new role America should play in the international scene, he stated that “God and men have linked nations together; no nation can longer be indifferent to any other” (qtd. in Jabeen, Mazhar, and Goraya 144). After that, America started planning for its interference in world affairs promoting for stable international relations which suits its interests

As far as the American interests are concerned, Afghanistan had never been important for them at that time. All efforts done by the former King of Afghanistan Amanullah to establish friendly relationship with America were never taken into consideration. This ignorance did not prevent the afghan from retrying. In 1921, Afghanistan sent a group of emissaries to provide America with fully sufficient opportunities for American businessmen to invest in Afghanistan. However, this offer was rejected as well. According to Vatan Gregorian, the U.S. Secretary of State rejected this

offer because he considered Afghanistan under the British sphere of influence in addition to the friendly relations with Germany which fought against the U.S. during WWI (69-70).

After the downfall of king Amanullah in 1933, King Zahir Shah took over the throne. A new era of the foreign relations started. King Zahir Shah made special efforts to get economic assistance and recognition to his country from the United States of America. As an illustration to those efforts, King Zahir Shah sent a letter to the American president Roosevelt through which he expressed the Afghan desires for political and economic relations with America. Roosevelt accepted his offer, pledged for friendly relations, and accepted the recognition to Afghanistan (Gregorian 138).

The U.S. recognition of Afghanistan was later transformed into a signing of a formal agreement in 1937 which marked the beginning of economic cooperation between Kabul and Washington. Because of the effects of the WWI, the Afghan- British and Soviet relations suffered as a result to the Afghan- German friendship. Thus, the Afghan were obliged to develop their economic relations with the U.S. They offered them the right to explore oil resources for 75 years, but the cooperation did not last long, it was solved a year after since the Afghan decided that it was not economically suitable (Emadi 52).

As being economically affected during WWI, Afghanistan carried on this sufferance during WWII in which it remained neutral. Despite having strong relations with Germany, Italy and Japan, but its exports to these countries were almost stopped as western markets were badly affected due to war. As a result, America became the market of Afghan karakul skins, the Central Asian sheep, and fruits. This economic assistance continued till the late 1950s when the karakul skin became outdated (Ma'aarof 140).

After the WWII, the United States of America changed its policies of isolationism and started to draw a new era in world affairs via its new policy of interventionism

(Hornibrook 47). The American interventionist mission started in Kabul when America proposed a project of constructing a road passing through India, Afghanistan, and the Soviet Union to reach China. The U.S. officials sought the region to explore the possibility of the project, but the Soviet Union refused to allow the entry of any American national on its territory. Afghanistan too was disgusted with such a project, consequently, the plan was abandoned (Ma'aarof 139).

Years after, the American assistance continued to exist, and America became as a good substitute to the role of Great Britain in Afghanistan. On one hand, Afghanistan liked and welcomed the new American role for world's peace and democracy. On the other, the American Department of State admitted that Afghanistan "is also strategically important for the United State's policy in the Middle East" (qtd. in Emadi 52).

During the Cold War, the U.S. mission was primarily devoted for containing the danger of the communist Soviet extension in Europe at time it was expending to Europe and Asia. Afghanistan, as being at the boarder of the Soviet Union, was not much significant for America but carried on assisting it. However, the Cold War increased the importance of Afghanistan for Americans. The United States feared that ambitious and expansionist Soviet Union might gain predominant influence in Afghanistan and then press southwards to the warm waters of the Arabian Sea. America's fear was real because Afghanistan became much more influenced by the Soviets (Jabeen, Mazhar, and Goraya 146-148).

Both world super powers were competing to gain Afghan rulers' support. During the 1970s, America returned to its policy of the 1950s with Afghanistan. In a report prepared by the US ambassador Neuman who served Afghanistan from 1967 to 73, he summed up: "For the United States, Afghanistan has at present a limited direct interest; it

is not an important trade partner. There are no treaty ties or defense commitment” (qtd. in Gregorian 26). Such a policy obliged Afghanistan to turn into the Soviet Union. This later was influential to the Afghan people who were becoming impressed by communism (Emadi 57).

After the Attack of 1979, the United States sought to undermine Soviet power by supporting the mujahideen, using Pakistani security forces as a strategy to do so. Once the Soviet Union left in 1989 and the Najibullah regime collapsed in 1992, Afghanistan dropped off the U.S. radar until the Taliban swept into Kabul in 1996. Then followed a period in which the United States had an ambivalent relationship with Afghanistan since they were not recognizing the Islamic emirate that controlled 90% of the country. Gradually, they were engaging with its authorities through intermediaries on specific issues; providing some humanitarian support through the United Nations and the Red Cross/Red Crescent; encouraging private-sector interest in a pipeline across the country; and expressing concern about women’s rights (Jabeen, Mazhar, and Goraya 154-167).

2- 9/11 Events: Military Strategy Reconsidered

On the morning of 11 September 2001, Al-Qaeda launched four coordinated attacks on the United States. Four commercial passenger jet airliners were hijacked. The hijackers were members of Al Qaeda who had intentionally crashed two of the airliners into the Twin Towers of the World Trade Center in New York City. Both buildings collapsed within two hours from fire damage related to the crashes, destroying nearby buildings and damaging others. The hijackers crashed a third airliner into the Pentagon in Arlington County, Virginia. The fourth plane crashed into a field near Shanksville, Pennsylvania, after some of its passengers and flight crew attempted to retake control of the plane, which the hijackers had redirected toward Washington, D.C., to

target the White House or the United States Capital. In total, 2,996 people, including the 19 hijackers, died and more than 6,000 others injured in the attacks (“Automatically”).

Actually, these attacks marked the turning point in the American-afghan, or even - Muslim relations. It marked a new era in the American foreign policy. The American government found itself obliged to reorganize its National Security Strategy. Shortly after the terrorist attacks in the United States on September 11, 2001, President George W. Bush called on Afghanistan’s leaders to hand over Osama bin Laden and other al Qaeda leaders and close their terrorist training camps. He also demanded the return of all detained foreign nationals and the opening of terrorist training sites to inspection (Bush 2001).

These demands were rejected (Bush 2001). The administration sought international support from the UN for military action against Afghanistan. UN Security Council Resolution 1368 of September 12, 2001, stated that: “The council expresses its readiness to take all necessary steps to respond to the terrorist attacks of September 11, 2001 ...” This resolution was interpreted as UN authorization for military action. The Congress then, passed a bill of “Authorization for Use of Military Force,” on September 14, 2001. This bill was signed by President George W. Bush on September 18, 2001, and it authorized the President to use “all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons....” (Bush 2001).

3- Operation Enduring Freedom:

This labeling is used by the American government to describe the war in Afghanistan. Operations began with U.S. military forces deployed in Afghanistan to combat terrorism on October 7, 2001. The initial military objectives of Operation Enduring Freedom(OEF) as articulated by President George W. Bush in his 20 September Address to

a Joint Session of Congress and his 7 October address to the country, it included the destruction of terrorist training camps and infrastructure within Afghanistan, the capture of Al Qaeda leaders, and the cessation of terrorist activities in Afghanistan. After dismantling the Taliban regime, the US did not abandon its search operation in Afghanistan, as it wanted to kill or capture Osama bin Laden and destroy the Al-Qaeda network, which is still going on in one or other form (Jabeen, Mazhar, and Goraya 168-169).

America carried on its mission in Afghanistan even with the coming of President Barack Obama to the White House. On March 27, 2009, Obama announced a new strategy in Afghanistan and Pakistan and ordered the deployment of 17,000 troops that had been previously requested by General David McKiernan. In President Obama's "Address to the Nation on the Way Forward in Afghanistan and Pakistan" at West Point on December 1, 2009, he stated that:

It is in our vital national interest to send an additional 30,000 U.S. troops to Afghanistan. After 18 months, our troops will begin to come home. These are the resources that we need to seize the initiative, while building the Afghan capacity that can allow for a responsible transition of our forces out of Afghanistan (qtd. in Jabeen, Mazhar, and Goraya).

Obama's support continued to work until 2014. After 13 years of combat operations, President Obama and Secretary of Defense Chuck Hagel announced the end of OEF, a conflict that costed the lives of more than 2,200 American soldiers and the beginning of a follow-on mission on January 1, 2015. A transition ceremony was held at the International Security and Assistance Force head office in Kabul attended by U.S. commanders and allied troops from the NATO ("Automatically").

In January 2015, Secretary of Defense Hagel announced that the new U.S. mission in Afghanistan will focus on training, advising, and assisting Afghan security forces and designated as Operation Freedom's Sentinel. About 13,500 U.S. troops are expected in Afghanistan through 2015 and will be assisted by troops from NATO allies. This new mission became known as Operation Freedom's Sentinel ("Automatically").

4- Lineaments of a Preventive Strike:

Actually, the American war against Afghanistan was declared as a preventive war. President George W. Bush has declared it clearly in the new American National Security Strategy of 2002 when he explained the shift in the American foreign policy from the old policies of the Cold War which became unable to face the new emerging threats. He stated clearly that:

Enemies in the past needed great armies and great industrial capacities to endanger America. Now shadowy networks of individuals can bring great chaos and suffering to our shores for less than it costs to purchase a single tank... [A]s a matter of common sense and self-defense, America will act against such emerging threats before they are fully formed... even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary act pre-emptively (Bush 2002).

Although the American government and the UN considered it as an act of self-defense and the American media tried hard to show that the war emerged overnight in response to the so called terrorist attacks of 9/11, but in fact it proved to be something else. After having defeated Taliban, the American media and public celebrated the rapid victory of American troops as if it was unexpected, however, one can notice that such a speedy victory of US troops requires a careful planning and preparation by the American military, and this which must have happened well before the attacks on the World Trade Center and the Pentagon.

In a television interview in November 18, Deputy Defense Secretary Paul Wolfowitz claimed that only three weeks went into preparation. This declaration was analyzed by Patrick Martin in his article “U.S. Planned War in Afghanistan long before September 11” as: “one of countless lies emanating from the Pentagon and White House about the war against Afghanistan”. He added:

...the truth is that the US intervention was planned in details and carefully prepared long before the terrorist attacks provided the pretext setting it in motion. If history had skipped over September 11, and the events of that day had never happened, it is very likely that the United States would have gone to war in Afghanistan anyway, and on much the same schedule (Martin 32).

This was almost true because it suits the American willing to have a foot in south Asia so that to be able to intervene in world affairs, to practice its job as a world policeman, and to find its needs for natural resources especially oil.

Moreover, according to a report in the Washington Post(October 3, 2001), the Clinton administration, and Nawaz Shaif, prime minister of Pakistan agreed on joint covert operation to kill Osama bin laden in 1999. Noticeably, the United States of America started preparing for launching an attack before it became attacked, This attempt which can be known as a preventive war (qtd. in Mueller 110-112).

II- The American-Iraq War (2003- Present)

1- American-Iraqi Relations: Historical Overview

The events of the 9/11 were not the real tension between Iraq and America; America had a long and complicated history with Iraq. In 1979, as he ruled over the nation, Saddam Hussein had imposed a dictatorial leadership in his country dominated by Sunni Arabs and members of his family (Pirnie and O’Connell 2-3). Saddam was accused of discrimination practiced over Kurds and Shiite Arabs. He led his country to many wars that

were effective on the Iraqi population. Besides, he had nationalized the country's most important oil industry (qtd. in Djouad 53).

In 1979, the Middle East has known internal instability. The Shah of Iran was removed from power, and replaced by another anti-western fundamentalist. At the same year, the Soviet powers invaded Afghanistan. In September 1980, aiming at acquiring the Oil-rich province of Khuzestan, Saddam Hussein forces invaded the Islamic Republic of Iran (qtd. in Djouad 53).

Then, the American national interests in the oil-rich Persian Gulf faced two prominent new threats: the communist expansion from the Soviet Union, and the spread of the anti-American Islamic fundamentalism from Iran. Regardless of to the Iraqi sponsorship to the terrorists, it was not seen as a real threat at that time; in contrast, it was perceived as a potential to serve the American interests in the region. As a result, the United States shifted its policy towards Iraq and started supporting it in order to stop the spread of communism and the Islamic fundamentalism in the region (Pirnie and O'Connell 22).

Under the administration of President Ronald Reagan, Iraq was no longer seen as a terrorist supporter, it was removed from the list of states that sponsored terrorism (Jentlson 33). Officially, the Department of Defense made a claim that: "No one doubt about Iraq is continued involvement in terrorism...the real reason was to help them succeeded in the war against Iran". So, Iraq was officially removed from that list. Besides, U.S. provided Iraq with financial support and most sophisticated military weapons (qtd. in Djouad 55).

During the war on Iran, Saddam Hussein was seen as a cruel dictator because he ordered his forces to use chemical weapons against Iranians and Kurdish population in north Iraq, then the State Department issued a statement condemning the use of chemical weapons by Saddam Hussein. When the war ended, the United States and the United

Kingdom thought that Saddam Hussein will be their “good boy” in the Middle East. However what happened was totally the opposite. Their relationship became more complex after Saddam Hussein nationalized the Iraq petroleum company which would be undesirable for U.K and U.S. for their oil investment in the area. After that, Saddam Hussein felt that with the aid of weapons given by the U.S. and the UK, he would be able to control the Middle East. Consequently, he decided to invade his neighboring country Kuwait (Jabeen, Mazhar, and Goraya 162).

On August 2, 1990, Saddam Hussein, prepared huge military to invade Kuwait. Six days later, Iraq announced that it had annexed Kuwait because Hussein claimed that Kuwait was part of Iraqi territory. Also, he was angry with Kuwait for various reasons. Both countries were producers of oil, but Iraq claimed that Kuwait was pumping out too much oil, lowering world oil prices and hurting Iraq (Record 26).

On the day of the invasion, the United Nation Security Council issued a resolution condemning the attack, and demanded that Iraq withdraw from Kuwait; there was also a concern that Hussein, by occupying Kuwait, controlled too much of the world's oil (Record 102-103). On August 8, the first US troops arrived in Saudi Arabia to defend Kuwait. Their mission was called Operation Desert Shield (David 12). That day, President George W. Bush made a speech explaining his decision to send US forces to the region and declared: "There is no justification whatsoever for this outrageous and brutal act of aggression"(Record 23).

On January 16, 1991, under congressional approval, President Bush authorized US air campaign against Iraq. One month later, the ground war begun, this war was sometimes known as “100 Hours War” because its approximate duration was 100 hours. The official cease of fire was on February 27, 1991 (Rosen 49). Noticeably, the Gulf war was a turning point in the American-Iraqi relations. After the Gulf war, President Clinton depended on

the policy of containment to limit Iraq's control over the region through imposing the no-fly zone which prevents the Iraq military forces from operating in north and south Iraq in order to protect Kurds in the north and Shiites in the south (Freedman 211-215).

According to Resolution 687 of 1991, Hussein was not cooperative with the United Nations Special Commission (UNSC), and International Atomic Energy Agency (IAEA) who worked for disarming Iraq (Res 687 of 1991). Consequently, the United States in alliance with Great Britain threatened to use military air strikes against Iraq for its non-cooperation, and non-compliance with UN weapons inspectors (qtd. in Djoued 56). In fact, what President Bush wanted is a strong policy against Iraq. So the invasion of Iraq was already planned when Bush and his officers came to office. Bush already planned to force Iraq to comply with weapons inspections. In addition, government officials discussed which strategy to deal with Iraq and the possibility of removing Saddam Hussein from office by force (Record 6).

Actually, this brief overview of U.S.-Iraq relations serves as an important foundation to the case of invading Iraq. Noticeably, different historical events led to the creation of the case to invade Iraq. The Iran-Iraq war was considered as a driver to the Gulf War. Additionally, Saddam Hussein tried to annex Kuwait back to Iraq. At that point, the United States feared of a possible advance on Saudi Arabia and worried over Iraq's control of oil resources, it decided to invade Kuwait in order to force Iraq to move back. The end of the Gulf war marked the beginning of the conflict between the United States and Iraq as Saddam Hussein continued to violate UN Resolutions and the no-fly zone restrictions (Freedman 212).

In addition to the antagonism that grew throughout time, 9/11 came to be known as the turning point of U.S. relations with many countries. The American-Iraqi war was considered as a continuation of what president Bush planned: "Our war on terror begins

with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped, and defeated” (Bush 2001).

Contextually, the attacks on U.S. marked the beginning of a new era in the American foreign policy. The Bush administration articulated the policy of preemption as a reaction to the 9/11 attacks and called it as a war on terror (Bush 2001). Its first phase started on October 7, 2001 on Afghanistan, and it was best known as Operation Enduring Freedom in which America led a campaign against terrorism aiming at capturing Al Qaeda training camps as a base of terrorism and ending the Taliban regime which harbored Osama Bin Laden (Record 64). While, its second aim is to remove Saddam Hussein regime as he was suspected of developing WMD with close connection to al Qaeda (Record 64-66).

2- Chronology of Events Leading to the War:

The origins of the conflict between the United States and Iraq is not a reaction to the attacks of the 9/11, however it went back to the Gulf War 1991, when key officials in the American government planned to remove Saddam Hussein from office (qtd. in Djoued 61). The spirit of revenge grew in the American souls. The events of the 9/11 became as the opportunity through which America is going to build a case to invade Iraq. As a result, in the aftermath of the 9/11, the Bush Administration declared that Iraq became a threat to his country. The American government received support from government officials and experts who ended up arguing that a military conflict with Iraq is unavoidable, and that Saddam would be the most dangerous leader in the world (qtd. in Djoued 61).

Immediately after the 9/11 attacks, Defense Secretary Donald Rumsfeld urged for an invasion of Iraq, the president argued that Afghanistan would be the first phase in America’s war on terrorism, and that Iraq would wait. Yet in his state of the Union

Address on January 29, 2002, the President explicitly identified Iraq as one of three prime targets besides Iran and North Korea (Bush 2002).

Hostilities between Iraq and the United States grew after president Bush delivered his speech calling everyone who owns WMD and announcing Saddam as a terrorist, what was disgusting is that Iraq was much more attention than did Iran and North Korea. Thus, in 2002, the Bush administration articulated its determination to invade Iraq as President Bush stated that:

Iraq continue to flaunt its hostility toward America, and to support terror, the Iraqi regime has plotted to develop anthrax, and nerve gas, and nuclear weapons for over a decade. This is a regime that has already use poison gas to murder thousands of its own citizens, leaving the babies of mothers huddled over their dead children (Bush 2002).

Thus, the United States was determined to launch a war against Iraq as it was annoying America in its security mission against terror, and which cannot be accomplished without destroying Iraq. More, Bush claimed that “war is not in our side” by which he meant that the US should act and stop this threat urgently (Russell 45).

On November 8, 2002, the Security Council adopted Resolution 1441 which sound that Iraq was in breach with the previous Security Council Resolutions. Yet, it afforded Iraq with an opportunity to comply with the disarmament obligations, and threatened Iraq with serious consequences if the Iraqi Government failed to cooperate with the previous operations, the demand which Iraq responded on with a declaration to the UN claiming that it had no banned weapons (Res 1441).

On March 17, 2003, Bush announced that the United States would initiate a military attack unless Saddam Hussein and his two sons left the Iraqi lands within 48 hours (Djoued 65). As a result, on March 20, 2003 the American official invasion of Iraq began

unsupported by the UN. General Tommy Franks ordered the start of the Anglo-American invasion of Iraq after the expiration of the threat given to President Saddam (Bush 2003).

In March 2003, the United States, United Kingdom, Spain, Australia, Poland, Denmark, and Italy began preparing for the invasion of Iraq. According to some statistics, US used an army of 214,000 troops to which the British added another 45,000, the Australians 2000 specialists and the Poles 2,400 more. America's war cost few American lives: not more than 183 combat fatalities from the starting of the war on March 20 till President Bush's declaration of the end of major combat operations in Iraq on May 1, 2003. On the Iraqi side however, more than 6,370 died as a direct result of the war ("Automatically").

'Shock and Awe' was the key phrase in Operation Iraqi Freedom, the name that the US ironically decided to give to its aggressive and illegitimate war on Iraq. The phrase is used by the American military to mean the strategy of reducing an enemy's will to fight through displays of overwhelming shocking, fragmenting the Iraqi citizens, the strategy which helped a lot in facilitating the damage of a nation in a short period of time (Sehili 147).

In fact, the American invasion of Iraq was a plan of several years, taking into consideration the strategic location of Iraq which would help America to put its hands in the heart of the Middle East. Besides, its powerful military forces which was enriched via well-developed weapons, its significant oil resources were sufficient evidences to urge America to invade it, these evidences were the hidden causes for US invasion of Iraq. What America declared is that it sought to free the Iraqi people from a tyrannical rule of Saddam Hussein, to spread democracy all over the region. Besides those pretensions, the 9/11 attacks were considered as an opportunity through which America created a case to invade Iraq, so America accused Saddam Hussein and his administration of developing

WMD, and being linked to al Qaeda. Consequently, based on these pretensions, and aiming at defending themselves and fighting terrorism, America, under the guidance of President Bush, changed its foreign policy and declared a preemptive war on Iraq. However, there was a miss-interpretation of this war whether it was a preemptive, or a preventive attack.

4/ Lineaments of a Preventive Strike:

The American-Iraqi war was most of the time a point of dispute about the policy that America used in its invasion. In fact, the American invasion of Iraq cannot be considered as a Preemptive war, but rather it is a Preventive one.

If the American war on Iraq is to be considered as a war of self-defense, then the American government would not have found it difficult to convince the American public about its necessity. Americans used a variety of reasons to justify their invasion of Iraq as a self defense war, a war on terror, and thus, a preemptive attack.

First, is that Saddam Hussein possessed WMD, that he is a bloody dictator, and that he is not intent on disarming. The American President also warned that President Saddam might give unconventional weapons to 'evil doers', who might in turn use them against the US (Sehili 139).

Second, Bush administration asserted that Iraq has got connections with Al Qaeda and hence a hand in the September 11 terrorist attacks. This evidence which Americans used as an opportunity which would convince the public to be ready for the war since it would be a self defense war on the aggression that faced the American lands in the 9/11 events (Bush 2003).

Third, according to the Bush administration, President Saddam Hussein was a bloody tyrant who had committed crimes against humanity. He might actually have caused thousands of Iraqis to be executed. The Iraqi government is accused of having developed

and used chemical and biological weapons against the Kurds during the 1980s (Bush 2003).

Fourth, according to President Bush, Saddam Hussein frustrated the efforts of the UN Special Commission that were created after the Gulf War by Security Council Resolution 687, charged with ensuring that Iraq's weapons of mass destruction were removed or rendered harmless. The Bush administration accused President Saddam of violating international law and of showing manifest contempt for the UNSC resolutions passed against him (Bush 2002).

Fifth, the Bush administration believed that controlling Iraq would allow for the creation of alternative bases for American troops in the Middle East, allowing them to leave Saudi Arabia and thereby meeting at least one of the radical Islamists' demands so that to be able to impose its control (Sehili 141).

These justifications given by President Bush and his administration, however, serve as excuses to launch a war on Iraq. In case Iraq had really acquired weapons of mass destruction, then the first Gulf War, along with UN inspections between 1991 and 1998, must have destroyed both the existing weapons and any Iraqi capability of producing more.

Additionally, Concerning President Saddam Hussein's ties to al-Qaeda and hence to 9/11, no evidence of such a link has ever been released by the US. The only one instance of his anti-American 'terrorism' was his attempt to assassinate George Bush Senior in Kuwait in mid April 1993. This incident was announced in Bush Junior's comment in a 2002 campaign speech that Saddam Hussein is "a guy that tried to kill my dad" (Bush 2002).

Moreover, the assumed declaration that America's war on Iraq would aim at liberating the Iraqi people from the tyranny of their government and their President is never argued to be true. In case the Bush administration was seeking regime change in Iraq

for humanitarian sakes, the UN Security Council would have to sanction such an American intervention first before it becomes legal because only the UNSC has got the right to decide a state of a humanitarian intervention. Furthermore, if America really sought a regime change for humanitarian reasons, it would first start with other tyrants in the Middle East whom it protects. In fact, what America really wanted in the region is to set up governments that will accept to help in achieving America's goals and plans concerning the region.

In order to ensure that the American war on Iraq is a preventive war rather than a preemptive one, we should differentiate between a preventive war and a preemptive one. For the preemptive war, it takes place when there is incontestable evidence that the enemy will attack sooner than later. Whereas, for the preventive attack, it occurs in the belief that even if there is no imminent threat, the war is inescapable, so it is better to attack beforehand.

Noticeably, the Bush Administration never claimed that Iraq was ready to launch an attack against the U.S. at any moment. However, the strong argument was made that since Iraq owned WMD, it was only a matter of time before these weapons would be used against the U.S. or its allies by Iraq itself, or given to terrorists to use. Consequently, America has launched a war on Iraq to preserve its citizens and territories from being invaded.

Conclusion:

9/11 events can be considered as a watershed in U.S. history, foreign policy, and military strategy. The terrible events pushed the United States to question its homeland security and even its international relations. In 2001, the Preventive strike policy was publically declared. In fact, the American invasion of Afghanistan and Iraq based on different evidences (proliferating Uranium, developing weapons of mass destruction and providing them to the terrorist groups) were just excuses for Americans to have a hand in the Middle East and to implement the preventive strike policy for nothing but to preserve its interests in the region. After 9/11 events, the preventive strike policy became a necessity to be adopted. Taking into consideration the implementation of the preventive policy during the 19th century, one can come to the conclusion that the U.S. practices nowadays are the continuation of implementing this tactic.

General Conclusion(s)

In the process of preserving its position as the world super power, the United States of America relied much more on its military strategies. These efforts were reflected in working vigorously on foreign policy in order to decide upon the suitable military policies that America must use in its foreign relations. Policies which ensure better international relations without harming its interests and avidities all over the world. Actually, these efforts started to work as early as the formulation of the foreign policy, and it became more effective after the WWI through Wilson's fourteen points which drew the lineaments of the foreign policy.

During the Cold War, as America felt the communist Soviet threat, it applied a policy known as Containment through which it tried to limit the Soviet's expansion. Meanwhile, after the equational possession of nuclear weapons, the policy of Containment became less effective. This fact urged America to articulate another policy known as the policy of Deterrence.

When the Cold War ended, America emerged as the sole World superpower. Thus, it multiplied its efforts to keep the position it reached, especially under the rule of President George W. Bush. The American administration affirmed that these old policies would not be able to act in front of the new kind of threats coming from the terrorist groups and the "Rogue States". This affirmation came to be true after the 9/11 events, consequently, Bush released a new National Security Strategy declaring the adoption of a new military policy known as the Bush Doctrine. Different key terms were tied to the Bush Doctrine such as "the Preventive Attack, "the Preemptive Attack", or "the Anticipatory Attack".

Actually, many experts argued that what Bush calls a policy of preemption is prevention. The two policies are used interchangeably since both of them represent a

policy of precaution. However they do differ in the time of launching that attack. In a preventive war, America estimates or foresees an unproved risk from another country and launch the attack before that expectation becomes a reality. Whereas a preemptive attack is, in a way, justifiable for the fact that the threat is forthcoming, so it seems to be an act of self-defense. America's adoption of such a tactic paved the way for other countries to adopt it as the best defense strategy. So, it started exclusively American, and because of its results of attacking other countries for self-interest under a title of precautionary defense, it became more applicable.

Undoubtedly, the policy of prevention was very successful and fruitful for the American national security. This assertion is a result of the historical military success if one takes into consideration the results of the different American wars and conflicts. What was most important is the fact that this success did not start only after Bush declaration of the policies of Preemption, Prevention, and Anticipatory Attack.

Reviewing history shows that the early American conflicts and wars were successful and the American lands had never been the battle field of those wars. Through the selection of different conflicts from different periods of history, it was argued that the preventive tactic is not a new policy of intervention nor it came with the Bush doctrine. In fact, it was implemented as early as history itself, however, it was secretly implemented, and undeclared.

The American adoption of the preventive policy is not purely a matter of security, but the first thing that America cares about is its interests, and its allies' favor in the different regions. It applied this policy under the title of self-defense and preserving peace and fighting terrorists and rogue states. If so, was Mexico a rogue state? Or was it a

supporter of terrorist organizations? America's preventive war on Mexico was undoubtedly an imperialist expansionist war through which it sought to aggrandize its territories.

More, the American Civil War can be considered as the best example where America implemented the preventive tactic. The importance lies in the fact that America applied such tactic within its internal territories, and between members of one unity in order to preserve it rather than being a "divided house". Noticeably, America's adoption of the policy is not only externally, but internally applied. So, the American Civil War has shown how deep the policy was rooted in America's history.

Despite the success that America achieved through time, and the advantages that the preventive policy had on the American national security, many specialists, including Americans, consider the terrorist attacks of 9/11 as a smack to America. However, one cannot judge this attack as a war on America since the source of the threat did not come from a state as a regular army of the nation; rather, it is an organization of different members with different nationalities. So, a preventive attack in this case is inapplicable.

In fact, the attacks of 9/11 were an opportunity for the United States to declare the policy of prevention which came in Bush's National Security Strategy of 2002, and then, declaring war on Afghanistan and Iraq under the pretensions of Proliferating Uranium, developing WMD, and supporting terrorism. Although it sought something else; it sought to preserve its interests and its allies in the Middle East. All in all, from what had been said, the 21st century does not mark the emergence of the preventive policy, rather it marks its continuity.

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