CHAPTER SIX

HIROSHIMA, THE AMERICAN EMPIRE,
AND THE U.S. WAR IN IRAQ

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“I have become death, the destroyer of worlds.”¹
—Bhagavad-Gita

“We can sum up in one sentence: technological civilization has just reached its
final degree of savagery. We will have to choose, in the very near future, between
collective suicide and the intelligent use of scientific conquests.”

“America must not ignore the threat gathering against us. Facing clear evidence of
peril, we cannot wait for the final proof, the smoking gun that could come in the
form of a mushroom cloud.”
—George W. Bush (Oct. 7, 2002)²

Introduction

In the tradition of Western philosophy stretching back 2500 years to
Socrates, it has been a task of philosophers—especially those engaging in
moral, social, political, or legal philosophy—to question and evaluate
accepted social norms and mores; political ideologies; and all important
social and political policies, practices, institutions, and events. The atomic
bombing of Hiroshima by the United States on August 6, 1945, was an
event of singular importance not only in terms of world politics and
history, but also for how we view the world. Among other shifts in
perspective, it is not unreasonable to look upon this incident as signaling
the birth of what can be called the “American Empire,” which still exists
today (although it seems to be declining in strength and influence). It is
within this context that I shall examine this (literally) explosive event that
announced and symbolized the birth of the American Empire, or at least its
consolidation, and briefly place it within the context of other wars that,
arguably, mark the consecutive periods of internal and external American expansionism, imperialism, empire, and—finally—the hyper-aggressive period of the neoconservative interlude under the Bush administration. I will pay special attention to this last short period, which spawned the disastrous (unfinished and unjust) war in Iraq—that might be the first sure sign of America’s decline as an empire—together with the Bush administration’s associated security measures, which, it is now clear, included authorized (yet illegal) torture and unauthorized (therefore illegal) surveillance of U.S. citizens and others.3

Now, some contend that it is not the business of philosophers to comment on such specific moral and political issues. But it is arguable that it is precisely philosophers—especially those engaged in moral, social, political, or legal philosophy—who have a special obligation to analyze and evaluate such violations of Just War Theory (JWT),4 the Law of International Armed Conflict (LOAC),5 and common morality when they occur, as some philosophers—including Albert Camus—did in the aftermath of the atomic bombings of Hiroshima and Nagasaki on Aug. 6 and 9, 1945. Camus’s short essay “After Hiroshima: Between Hell and Reason” occurred in print the second day after the atomic bombing of Hiroshima. In his comments on Camus’s essay, Ronald E. Santoni makes an elegant case for this view:

As philosophers concerned with the meaning and destiny of human existence, we can hardly—in good faith—ignore the atomic and thermonuclear threat to human meaning and destiny. The Socratic tradition calls not simply for the analysis and clarification of concepts but for a radical examination and critical scrutiny of all presupposed or established doctrines. And, as Noam Chomsky has pointed out, no profession has a better claim than philosophy to be concerned with the moral and intellectual culture of civilization, or to have adequate tools for criticizing prevailing ideology and public policy. And given current “official” thinking about the feasibility of tactical nuclear war and the moral justifiability of resort to nuclear war for “just causes,” philosophers have, I think, the moral obligation to contribute their work to a clarification and painstaking reevaluation of present nuclear policy and values. By doing this work—especially when the continuation of vested national self-interests or ideological practices may lead to holocaust or even extinction—philosophers will be contributing not solely to a reexamination and recreation of values and meanings, but to the continuation of life on our planet.

As Ronald Santoni further continues:

In a world plagued by the human threat of nuclear incineration, the minimal social responsibility of philosophers is surely to keep creation alive. Clearer concepts, more knowledgeable debate, more careful and more humane reasoning, greater global concern and sensitivity, prepare us for more responsible and more moral action. In that creative action lies the choice of reason over hell, and our commitment to preventing the unthinkable from happening. (Santoni 1998, 262)

It is also the responsibility of philosophers—and every thinking person of good will—to critique (and oppose) militarism and imperialism as well as any and every kind of human rights violation, in any form and in (or by) any nation; although what can and should be done about any particular rights violation is always context dependent.

**Hiroshima, “Supreme Emergencies,” and the Cold War**

Some commentators have attempted to justify the strategic bombing—i.e. bombing meant to kill, incapacitate, immobilize, or demoralize civilian populations in order to disrupt the bombed nation’s war effort and, therefore, shorten a war or bring it to an end—on the basis of a “Supreme Emergency” exception to the *jus in bello* (just conduct within war) JWT rules of non-combatant immunity and discrimination.6 I shall now consider whether the atomic bombings of Hiroshima and Nagasaki were morally justified by the existence of a Supreme Emergency (or on any other basis). Then I shall discuss whether they were, in fact, more connected to the imperial project of the emerging American Empire. The philosophical-moral debates over the saturation, incendiary, and atomic bombings of Japanese cities toward the end of World War II revolve mainly around five key issues. First, there is the moral issue of whether JWT should recognize a so-called Supreme Emergency exception to the *jus in bello* principles of non-combatant immunity and discrimination that would allow strategic bombing (or other violations of these principles) in, supposedly, very limited and strictly delineated circumstances. Second, there is the combined empirical-moral issue of whether toward the end of World War II the overall situation concerning Japan met the criteria set out by the Supreme Emergency exception (assuming that this exception should be accepted as part of JWT). Third, as part of this assessment, there is the empirical issue of whether, in fact, strategic bombing in general is effective in ending or shortening wars and, in particular, whether the saturation, incendiary, and atomic bombing of Japanese cities was effective in this sense (and could reasonably have been expected to be effective at the time the decision was made to carry out
these bombing campaigns). Fourth, there is the moral and practical-political issue of whether the United States and its allies should have considered accepting a conditional surrender on the part of the Japanese government or continued to unwaveringly demand an unconditional surrender, as they did until the very end. Fifth, there is the empirical issue—and moral implications—of whether ending or shortening the war with Japan was really the only reason (or even the primary reason) for the atomic bombings, as opposed to U.S. President Truman and the U.S. government wanting to demonstrate that they had the atomic bomb as well as the political will to use it, as an early warning to (and threat against) the USSR, perceived as an emerging geopolitical rival.

There is a general consensus among almost everyone that the United States was justified in going to war against Imperial Japan after the Japanese attack on the U.S. military facilities at Pearl Harbor on Dec. 7, 1941 (and going to war with Germany and Italy after they declared war on the United States the day after this attack). The only thinkers who would disagree with this position are (1) strict pacifists and (2) political realists who refuse to make moral judgments about such things or who claim that nations ought only to act in their self-interest and who are taking the point of view of Imperial Japan or the Axis powers, in this particular case. Some have argued that Japan’s war against the United States (and some of the other Allied powers such as Great Britain) was virtually assured after the Americans, British, and Dutch pursued a policy of denying petroleum and other natural resources to Japan in the 1930s (in an attempt to forestall or diminish its growth as an industrial and military power), such that in some sense and to some degree these powers were responsible for bringing about the War in the Pacific (Sayle 1998; Sanders 2003). However, no one who accepts even the basics of JWT maintains that jus ad bellum (justice in going to war) criteria were not met once Japan attacked the United States.

On the other hand, many adherents of JWT have argued that the United States did violate the jus in bello component of JWT—specifically the principles of discrimination and non-combatant immunity, as well as the prohibition of the use of methods mala in se, i.e. evil in and of themselves—by its atomic bombings of Hiroshima and Nagasaki, as well as its fire bombings of Tokyo and other Japanese cities earlier that year, since all these bombings predictably (and indiscriminately) resulted in very high levels of civilian causalities, without the (possible) justification that essential military or industrial facilities were the only real targets. Indeed, to inflict massive civilian casualties is precisely the point of such strategic bombing campaigns.

Three of the most well-known recent and contemporary just war theorists—Michael Walzer, John Rawls, and Brian Orend—all agree on the following analysis. First, although strategic bombing campaigns may be justified when a Supreme Emergency really exists, these exceptions must be conceived as very limited and rare, and the criteria for such exceptions must be strictly delineated (Walzer 2006, 251–268; Rawls 1995 and 1999, 89–105; Orend 2006, 140–159). Second, the overall situation toward the end of World War II concerning Japan did not meet the criteria set out for Supreme Emergency exceptions; therefore, the saturation bombings, fire bombings, and atomic bombings of Japanese cities by the United States were not justified on JWT.

However, since there is always a danger that political and military officials will invoke the Supreme Emergency claim as an excuse to wage war more effectively, we need to closely examine this concept and doctrine. The agreed-upon criteria that must be met in order for a Supreme Emergency to exist are: “1) victimization by aggression, 2) military collapse, and 3) imminent threat of widespread massacre or enslavement” (Orend 2006, 145). This means that, first, those invoking the Supreme Emergency exception must have been the victims of unjustified aggression; second, this nation must face a high probability of military defeat at the time that the exception is invoked (and this exception is to last only so long as military defeat is still highly probable if the Supreme Emergency exception is not utilized and acted on); and third, there must be a reasonable belief that the non-aggressor nation’s defeat will result in widespread massacre or enslavement, or the permanent extinction of the nation’s political community. According to Walzer, “If we are to adopt or defend the adoption of extreme measures, the danger must be of an unusual and horrifying kind.” Thus, what must be at stake is nothing less than “the state itself and the political community it protects and the lives and liberties of the members of that community ....” (Walzer 2006, 252–253, 230).

Whether or not one accepts Walzer’s more communitarian-oriented criterion as one that can trigger the existence of a Supreme Emergency, all just war theorists who accept the Supreme Emergency doctrine agree that ongoing—or imminent—widespread, systematic violations of basic human rights, such as massacres and enslavement, are legitimate reasons for violating non-combatant immunity and the rule of discrimination in this way. For purposes of this essay I shall assume that this position is correct, although it should be noted that it is rejected by some just war theorists as well as all pacifists. On the basis of this rendering of the doctrine of Supreme Emergency exception and, given certain empirical views they
share about the historical situation in the European and Pacific theatres of World War II (and of the nature of the German Nazi and Imperial Japanese regimes), Walzer, Rawls, and Orend further agree that the allied strategic bombing of German cities from 1940 until the end of 1941 (or possibly into the summer of 1942) was morally justified but that the continued strategic bombing of Germany after that (e.g. the fire bombing of Dresden in 1945) was not justified. On the other hand, they also agree that the strategic bombing of Japan was not justified at any time during World War II (whether conventional saturation bombings of civilian areas, incendiary bombings, or atomic bombings).

Their opposition to the strategic bombing of Japanese cities (at any point during World War II) differs from their approval of the strategic bombing of German cities in the specified time period because they deny that a Supreme Emergency ever existed in the case of the War in the Pacific. Walzer claims that the war with Japan failed to meet two of the criteria for being a Supreme Emergency: the criterion of imminence (of the non-aggressor nation’s military defeat) and the criterion of danger (of the expected basic human rights violations that would be suffered upon the aggressor power’s victory). Walzer points out that a Japanese victory was not imminent over the United States (or other major allies such as Great Britain) at any time during World War II, so a Supreme Emergency did not exist on that ground (at least vis-à-vis these major Allied Powers). In any case, by the time that Allied strategic bombing campaigns could be waged against Japan itself—starting toward the end of 1944—Japan was completely on the defensive, so the question of imminent victories by Japan over anyone was moot at that point.

More controversially, Walzer also argues that a Supreme Emergency didn’t exist because the criterion of danger was not met: i.e. he claims that Japan’s actual and potential conquests did not (and would not) have sufficiently evil consequences; namely, sufficiently massive and terrible basic human rights violations. But this is perhaps something that many Chinese, Koreans, and others who lived (or died) under Japanese conquest and occupation in the 1930s and 40s—or even those who simply know the history of these conquests and occupations—would adamantly dispute since the Japanese military committed many atrocities against local civilian populations (and POWs) in countries and areas it conquered or occupied. Nevertheless, according to Walzer “the Japanese ... had never posed such a threat to peace and freedom as the Nazis had” (Walzer 2006, 263). But, surely, an aggressive power needn’t be as morally terrible as Nazi Germany in every respect in order to meet Walzer’s danger criterion of a Supreme Emergency. Surely, Orend’s rendering of the criterion as requiring only “widespread massacre or enslavement” is correct; and, surely, Japan met this description with regard to at least some of its conquests and occupations in the 1930s and 40s.

Nevertheless, Walzer argues: “In the summer of 1945, the [soon to be] victorious Americans owed the Japanese people an experiment in negotiation. To use the atomic bomb, to kill and terrorize civilians without even attempting such an experiment was a double crime” (Walzer 2006, 268). Namely, it was a crime in that it pursued a war beyond the point of necessity (since, on Walzer’s analysis, Japan undoubtedly would have surrendered on terms earlier in 1945) and, second, a crime in that it used impermissible means (the saturation bombing, fire bombing, and atomic bombing of cities in the absence of a Supreme Emergency). Rawls concurs: “It is clear that the bombings of Hiroshima and Nagasaki and the fire-bombing of Japanese cities were great wrongs ...” (1999, 102).

Moreover, Rawls asserts:

Another failure of [American] statesmanship was in not considering negotiations with the Japanese before any drastic steps such as the fire-bombing of Japanese cities in the spring of 1945 and the [atomic] bombing of Hiroshima and Nagasaki were taken. I believe this route could have been effective and avoided further casualties. An invasion was unnecessary by August 6, as the war was effectively over. (1999, 101)

Moreover, Rawls condemns President Truman (and other American officials) for calling the Japanese “beasts” and “barbarians” during World War II (Rawls 1999, 100). What makes Rawls’s positions especially apropos (and poignant) is the fact that Rawls fought as an American infantryman in the Island Campaigns in the Pacific during World War II (after having volunteered for military service upon receiving his B.A. from Princeton University in 1943). In any case, the main points of the Walzer-Rawls-Orend position are summarized by Orend:

The point is to minimize casualties while pursuing policies, and using means of war, which do not violate human rights. And they [Walzer and Rawls] believe the atomic bombings violated human rights because the explosions violated the core principles of discrimination and non-combatant immunity. It was foresaw, and intended, that innocent civilians would die en masse in both cities as a result of the bombings: that was supposed to happen to provide the leverage on the Japanese government to surrender and avoid suffering even more threatened bombings in the future. That was indeed what happened—but even if that was a happy consequence (i.e., the final surrender of an unjust, aggressive Japanese
regime) it doesn’t provide after-the-fact justification for the rights violation used to generate it. (Orend 2006, 143)

However, while in this paragraph Orend implies a direct causal connection between the atomic bombings of Japan and its surrender, it is important to ask whether these bombings actually did end—or at least significantly shorten—the War in the Pacific. Most people think it obvious that the atomic bombings of Japan were the primary factor in ending the war (Stimson 1947; Fussell 1988). After all, the atomic bombs were dropped on August 6 and 9; on August 10 Japanese Foreign Minister Tōgō sent a telegram to the Allies offering to surrender on the Potsdam Declaration’s terms except that Japan would accept no condition that “prejudiced the prerogatives of the emperor,” meaning that the emperor would retain real power and Japan’s polity—its kokutai would remain more or less intact (even though there were different interpretations of the kokutai in Japan) (Hoyt 1986, 405; Bix 2000, 504, 512, 516). This offer was rejected by the Allies. Then on August 14 Emperor Hirohito broke the continuing 3–3 deadlock among the “Big Six” (Japan’s Supreme War Cabinet) by deciding to surrender without conditions. On August 15 he announced this decision in his “Jewel Voice” radio broadcast to the Japanese people, in which he mentioned as one of the main reasons for surrender that “the enemy has begun to employ a new and most cruel bomb, the power of which to do damage is, indeed, incalculable, taking the toll of many innocent lives” (Sayle 1998, 44). Moreover, the argument continues, if it is not possible to prevail in a war then how could a nation’s political or military leaders simply stand by and watch their cities be destroyed and citizens slaughtered en masse, time after time, when there is no purpose being served, rather than surrender?

But there are scholars who dispute this common view of the surrender of Japan.¹⁰ Their reasoning is, first, that Japan had suffered far higher casualties during the fire bombings of Tokyo and other Japanese cities in spring 1945: around 800,000 altogether, as opposed to a combined 130,000 from the two atomic bombings (in terms of immediate deaths). If Japanese authorities weren’t disposed to surrender after losing 800,000 (mostly) civilians in the spring (even though they realized by then that they could not win the war), why would they be disposed to surrender after losing “only” 130,000 in August?¹¹ Second, due to their Samurai code of honor many in the Japanese officer corps were determined to not surrender under any circumstances.¹² Moreover, Japan’s generals and admirals consistently demanded, as part of any conditional surrender, that no war crime charges be brought against them or the emperor, a condition that was never even seriously considered by the United States and its allies. Third, according to this analysis, the “real reason” for Japan’s surrender was the fact that the USSR entered the war on Aug 8, 1945, in the Russian time zone, but on Aug. 9 in Japan’s time zone, the same day Nagasaki was bombed (Bix 2000, 529–530). This act abrogated the Soviet-Japanese Neutrality Pact of 1941, but fulfilled the agreement the USSR had made with its U.S. and British allies at the Yalta Conference on February 4, 1944, and later confirmed at the Potsdam Conference of July 16-August 1, 1945. The significance of the USSR entering the war, on this analysis, is that at that point in time the Soviets were thought by the Japanese to be interceding on their behalf with the Allied Powers (Bix 2000, 493–494; 505–508; Sayle 1998, 34). Thus, when the Soviets entered the war with Japan by attacking its military positions in Manchuria, it became evident to the Emperor and other Japanese leaders that conditional surrender on favorable terms was no longer possible. They also may have been motivated to surrender quickly because they thought that the USSR was set to take control of not only Manchuria and Korea but also of disputed smaller islands to the north, and perhaps even set to occupy parts of the Japanese main islands themselves (Sayle 1998, 41–43).

Under these circumstances, this analysis asserts, the Emperor decided to save Japan and its people from further devastation and destruction, since there was nothing to be gained by it, and thus to surrender immediately. The important point here is that if this analysis is correct then besides the immorality of using atomic bombs against primarily civilian targets, they shouldn’t have been used because—contrary to the commonly accepted view—they did not end the war or even cause it to be significantly shorter.

However, it must be admitted that a strong counter-argument can be made to this empirical analysis on the basis that Emperor Hirohito explicitly referred to the use of the atomic bombs as a reason for Japan’s surrender in his radio speech to the Japanese people of Aug. 15. On the other hand, in his August 17 Imperial Rescript to Soldiers and Sailors, Hirohito “stressed the cause-and-effect relationship between Soviet entrance into the war and his decision to surrender, while conspicuously omitting any mention of the atomic bombs” (Bix 2000, 530). What would be useful here is a philosophical intervention that points out that causal explanations are oftentimes much more complicated and less clear than commonly supposed. Common sense explanations usually specify one particular event (or condition) as the cause of whatever is being explained, and usually choose the event (or condition) that is the most proximate or most noticeable. More sophisticated explanations—as in the natural and social sciences, and philosophy—attempt to specify what event (or
have to say that we have quit the war because of domestic circumstances. I’ve long been advocating control of our crisis, but neither from fear of an enemy attack nor because of the atomic bombs and the Soviet entry into the war. The main reason is my anxiety over the domestic situation. So, it is rather fortunate that we can now control matters without revealing the domestic situation. (Bix 2000, 509-510)

This would seem to indicate that a civil revolt against the Japanese government—or at least against the continuation of the war—by a war-weary, exhausted, desperate Japanese population was a primary worry among top Japanese civilian and military leaders, especially given the great loss of face this would have entailed for these leaders (given Japanese cultural norms). Further evidence for this third cause explanation is that the possibility of civil revolt—perhaps even a “communist revolution” led by the “control faction” of the army (Bix 2000, 488-489, 509)—was reported to the emperor as early as February 1945 by Prince Fumimaro Konoe (Bix 2000, 488-489). Moreover, the timing of the emperor’s decision to surrender was probably based on his assessment—and the assessment of his close advisers—as to when he could suggest unconditional (or virtually unconditional) surrender to the Supreme War Cabinet without a military coup taking place against him. In fact, there was an abortive military coup against the emperor—or at least against surrender—by a number of colonels between August 12-15; but no generals or admirals joined them so it failed, with very little actual violence taking place (Frank 1999, 316-319).

If this third cause explanation is the best causal analysis then, although it could not be said that the atomic bombings were the cause of Japan’s surrender, or even the proximate or most basic cause, they are still a very important part of the causal story as is, presumably, the USSR’s entry into the war, in that both of these events undoubtedly helped further demoralize the Japanese people, within the context of the war no longer being winnable, and thus made Japanese leaders more worried about a civil rebellion or an attempted “leftist” military coup. It should also be noted that if this causal analysis is correct it is evidence against the position that strategic bombing has never helped cause the end or shortening of a war, or that it can’t have this effect. But the point is that, whether or not it is effective, strategic bombing is hardly ever justified by JWT principles and, arguably, was not justified in the case of Japan; and, further, that all weapons of mass destruction should be classified as means mala in se and banned not only by JWT but by LOIAC as well.

Moreover, Walzer, Rawls, and Orend also agree that the United States and its allies should have considered accepting a conditional surrender on
the part of the Japanese government and not continued to unswervingly demand an unconditional surrender (as they did to the end). In relation to this issue, there is good evidence that the Japanese government would have accepted a conditional surrender during most of the last year of the war, which they clearly had no hope of winning without atomic bombs or some other “super weapon” of their own, which they were nowhere near developing (Sayle 1998, Bernstein 1995). Some have argued that the Allied refusal to accept Japan’s conditional surrender earlier is inconsistent with the fact that it accepted Japan’s later “conditional” surrender (that allowed the emperor to remain). But this is highly misleading. The Japanese government’s earlier conditions for surrender included: (1) that Japan be able to maintain its form of pility or kokutai (including but not limited to the office and powers of the Emperor); (2) that it handle its own disarmament; (3) that it handle its own war criminals in its own courts (specifying that emperor Hirohito and top military commanders were not to be considered war criminals); (4) that it control any occupation of Japan; and (5) that it continue to control its overseas territories and conquests (including Taiwan, Korea, and Manchuria) (Sayle 1998, 33, 40). On Aug. 9, even after the atomic bombings of Hiroshima and Nagasaki and the USSR’s entry into the war against Japan, Japan’s Supreme War Cabinet was still split 3–3 with one side holding out for all the conditions except the last (keeping their overseas territories and conquests) and the other side holding out only for the first (preservation of the emperor and kokutai) (Frank 1999, 291; Bix 2000, 512-513). Early in the morning of Aug. 10 Emperor Hirohito broke the deadlock by siding with Prime Minister Suzuki and Foreign Minister Tōgō in holding out only for the first condition (Bix 2000, 514-515). But the United States acceded to none of these demands, stating in its Aug. 12 response that “From the moment of surrender the authority of the Emperor and the Japanese government to rule the state shall be subject to the Supreme Commander of the Allied powers…” (Frank 1999, 302).

Subsequently, Emperor Hirohito and the Japanese government moved from an offer of conditional surrender to an offer of unconditional surrender on August 14 (officially consummated aboard the Battleship Missouri on September 2, 1945, when Emperor Hirohito signed the Instrument of Surrender). Nevertheless, the United States and Britain let the Emperor keep his position as a symbolic figurehead for the Allies’ own purposes; namely, to make sure that Japan’s far-flung military units would accept the order to surrender (which some would have done only if it was given by the Emperor) and for better maintaining control of the Japanese people during the occupation (Sayle 1998, 43).

Whether the United States and Allies should have accepted a conditional surrender of Japan, according to one or more of Japan’s five conditions, is a difficult and complex question since its answer requires complicated empirical estimations as well as complicated moral considerations. Although Walzer, Rawls, and Orend argue that a conditional surrender of some sort ought to have been granted by the Allies, I think that a very strong case could have been made in favor of the Allies not granting a conditional surrender and, thus, continuing the war to the point that Japan was forced to surrender (virtually) unconditionally. However, as stated, these conclusions depend on very complicated empirical and moral calculations that, even more than six decades in retrospect, are far from certain.

Furthermore, there were alternatives to the use of the atomic bombs on civilian populations. The Allies could have continued to blockade Japan and conventionally bomb its military, industrial, and infrastructural targets until it was forced by lack of food and fuel to surrender (or risk a civil rebellion). Moreover, the atomic bomb could have been used on an uninhabited or sparsely populated atoll or other part of Japan to demonstrate its fearsome destructive force without massacring 130,000 Japanese (mostly civilians), not counting the tens of thousands who later died of illnesses caused by the radiation. Even if not using the atomic bomb may have prolonged the war by some number of months—which is doubtful given the USSR’s entry into the war—and even if this may have resulted in somehow more Allied casualties, nonetheless, refraining from using the atomic bomb would still have been required by JWT on grounds of noncombatant immunity, discrimination, and no use of means (weapons) mala in se. Even more important, its use set a dangerous precedent of using such inhumane weapons of mass destruction on numerous human beings. In sum, then, the atomic bombings of Hiroshima and Nagasaki as well as the fire bombings of Tokyo and other Japanese cities in 1945 (and saturation bombing of Japanese cities in general) were not justified according to JWT or even LOIAC (as it existed at that time).

But even if the atomic bombings were not as effective for getting Japan to surrender as normally assumed, they may have been impressive as a demonstration of force by an emerging imperial superpower. In fact, some of the same scholars who do not think that the atomic bombings were the primary factor in getting Japan to surrender—in addition to various other scholars—are convinced that the United States dropped the atomic bombs on Japan primarily to demonstrate that it had this fearsome weapon, as well as the political will to use it, as an early warning to (and threat against) the USSR perceived as a potential geopolitical rival.
Referencing Gar Alperovitz’s 1985 work, Rawls, while not explicitly claiming that this is true, writes that “Some scholars also believe the bombs were dropped in order to impress Russia with American power and make Russian leaders more agreeable to American demands,” adding in a footnote: “If true, it is particularly damning” (Rawls, 1999 100 and fn. 20). If true, we can add, the atomic bombings of Japan even more clearly qualify as the events that mark the start of the American Empire, as well as signaling the start of the Cold War and the U.S. government’s determination to be as ruthless as necessary to achieve its “essential” nationalistic geopolitical goals.

American Expansionism, Empire, and the U.S. War in Iraq

Arguably, the (unnecessary and unjustified) atomic bombings of Japan by the United States were not an aberration but, rather, part of an historical pattern of expansionism, imperialism, and—eventually—empire. The American Republic was intent on expansion virtually since its birth—an ideology that came to be known as “Manifest Destiny”—and it had no compunctions about expanding into and expropriating the territories of all the Native American Tribes (First Nations) and being as ruthless (and genocidal) about this as “necessary.” We might think of this as America’s Period of Internal Expansionism. Moreover, the “Monroe Doctrine,” which asserted, essentially, that the entire Western Hemisphere was to be within the U.S.’s sphere of influence (vis-à-vis the European powers), was announced by President James Monroe in December 1823.

But with respect to other internationally recognized countries—for example Canada and Mexico—the United States did not attempt to forcibly expand at their expense until the Mexican-American War (1846–1848), which was fought by the United States for territorial gain on the basis of a manufactured pretext incident and which resulted in the conquest and expropriation (i.e. theft) of approximately one half of Mexico’s total territory: including the entire American Southwest, California, and even part of Wyoming. Thus, this war might be considered as marking the beginning of America’s Period of External Expansionism.

The next major event with respect to America’s expansionistic tendencies was the Spanish-American War (1898), which, again, was fought by the United States and fought on the basis of a pretext incident (the sinking of the American ship Maine in Havana Harbor, blamed on Spain). In this case, the United States gained its first colonies—Puerto Rico, Guam, and the Philippines—and control over Cuba, first under the auspices of the U.S. Military Government there from 1898-1902 and, then, more indirectly, through the Platt Amendment (1899), which gave the United States effective control over Cuban foreign relations until 1934, as well as a major military base at Guantanamo Bay that it has consistently refused to vacate. Thus, this war marked the beginning of American Imperialism.

What is not as well known or critiqued as often in American history, is the subsequent Philippine-American War (or Philippine Insurrection) of 1899–1902, in which the United States fought and conquered the new, self-declared government of the Philippines and the subsequent resistance to U.S. occupation (by the Filipino independence movement), which actually lasted until 1913 and which may have resulted in the deaths of up to 1.3 million people out of a total population of 7 million in the Philippines at that time (San Juan, Jr, 2005). In fact, the American Anti-Imperialist League was formed in 1898 specifically to oppose the U.S. annexation of the Philippines and to support its struggle for independence and self-determination. Its members included such luminaries as the philosophers William James and John Dewey, and the writer and social critic Mark Twain (Samuel Clemens), all of whom vigorously opposed this unjust, imperialist war.17

In the America’s expansionistic history, one of the major events came at the very end of World War II: namely, the atomic bombings of Hiroshima and Nagasaki, which served as a warning to the USSR, and marked the start of the Cold War and America’s emergence as a superpower and, I believe it is proper to say, as an empire or, more specifically, a neocolonial empire. In The Sorrows of Empire—the second book in his trilogy on the American Empire—the eminent historian and former CIA adviser Chalmers Johnson states:

With the Second World War our nation emerged as the richest and most powerful on earth and a self-designated successor to the British Empire. ... The Cold War and a growing conviction that vital interests, even national survival, demanded the ‘containment’ of the Soviet Union helped turn an imperialist empire begun during World War II into hundreds of installations around the world for the largest military we ever maintained in peacetime. ... a vast network of American military bases on every continent except Antarctica actually constitutes a new form of empire. (Johnson 2004, 1-2)

Just as in the case of the two world wars, it is arguable that the Korean War was not an imperialist war or war of empire on the part of the United States since it was not a war of aggression on its part (or by the UN coalition) but, rather, a war of collective self-defense, authorized by the United Nations. Even if the North had some legitimate grievances and
even if there were some acts of provocation by South Korean and U.S. military forces (Sanders 2003), very few knowledgeable people will argue that the North’s invasion was justified under either JWT or LOIAC. (Exactly the same analysis applies to Iraq’s invasion of Kuwait in 1990 and the subsequent Gulf War.)

In any case, the next clear marking point in the development of American imperialism and empire is the Vietnam War (and war in Southeast Asia) from 1961-1975. This unjust war is well known for the U.S.’s use of concentration (resettlement) zones, free fire zones, the intentional burnings and destruction of numerous villages, massive bombings, the widespread use of Agent Orange and other toxic chemicals, torture of POWs (e.g. the infamous Tiger Cages), assassination campaigns (e.g. the Phoenix Program), and the occurrence of numerous atrocities (e.g. the My Lai Massacre). Moreover, the Vietnamese death toll is estimated to have been at least 2.4 million: about 1.4 million Vietnamese combatants (altogether from both sides) and at least 2 million non-combatants.18 And this is not counting the tens or hundreds of thousands of Cambodians and Lao who were slaughtered by the U.S. saturation bombing campaigns of those countries, or who died due to conditions created by the bombings. But by 1967 or 1968 it had become obvious to most attentive and knowledgeable observers that the Vietnamese resistance was, by and large, a popular resistance. And this was even being internally reported by the U.S. military and intelligence agencies, as later revealed in the Pentagon Papers.19 According to Walzer, under these conditions such a War of Resistance must be classified as a People’s War and at that point the Resistance should be recognized as the legitimate political authority in that area or country, and those powers prosecuting the war against the Resistance should stop their war of aggression (Walzer 2006, 176-196).

Even though the Vietnam/Southeast Asia War took place at (or near) the height of U.S. economic and military power, the United States could not defeat the Vietnamese Resistance (short of using nuclear weapons or engaging in blatant and obvious genocide by, for example, bombing the dams and dykes north of Hanoi and flooding that city in order to cause hundreds of thousands of casualties). Perhaps this should have taught the United States the lesson that it is rarely easy to conquer and pacify another country—other than very small countries like Grenada, which the United States invaded in 1983 (because its New Jewel government wasn’t sufficiently subordinate)—since people almost always resent and usually actively resist occupation by foreign powers. Unfortunately, the neoconservatives who came to power with Bush in 2001 willfully ignored this lesson with disastrous consequences in the U.S. War in Iraq (begun in 2003), in which some demographers have estimated that up to 942,000 Iraqis have already died, either directly or indirectly, as a result of the war. The neoconservative ideology and policies that led to the Iraq War and of the associated “war on terrorism” did away with multilateralism and respect for international law and institutions in favor of unilateral military action and what can be called a hyper-aggressive foreign policy as well as a derogation of civil liberties and human rights (including the United States using torture against suspected terrorists and other “unlawful combatants” it held captive). Although this policy of naked aggression in the pursuit of economic and geopolitical advantage is currently out of fashion in the United States, it is perfectly possible that it could come back into favor—if not under the Obama administration, then under some future administration. (These issues are discussed in more detail in what follows.)

In any case, few knowledgeable people will deny that since the end of World War II the United States has constituted what is, in effect, an empire when one considers not only its direct economic, political, and military power but also its indirect control over other countries, not only in the Western Hemisphere but in other areas of the world as well, and considers its overall expansionist tendencies and aggressive foreign policy during this time period.20 However, from 1945 to 1991 the U.S. Empire was in rough equilibrium with the Soviet superpower, with each side being constrained to some extent by the other in a “balance of terror,” given their MAD (Mutual Assured Destruction) policies and their immense nuclear arsenals and conventional military power. But from about 1989—when the Eastern Bloc and the Soviet Union itself started to fall apart—the United States became, at least in the short term, the world’s lone hegemonic superpower and, thus, was relatively unconstrained in what it could do (militarily) on the world stage.

Some have viewed the American Empire as basically good while others have viewed it as basically (or entirely) bad or evil. Like most empires, the American Empire has a mixed record in terms of its beneficial and detrimental effects on those within its extensive sphere of influence, as well as on its own citizens. As a roughly true statement, it can be said that usually the United States has been relatively good in terms of promoting and protecting political democracy and civil liberties at home (while not being as good on issues of social justice regarding race and gender, or on economic or distributive justice), while applying quite different standards regarding democracy and civil liberties—or even respect for people’s basic security rights not to be tortured or unjustly killed—in developing nations within its sphere of influence. This latter
point is evinced by the fact that since the end of WWII the United States has supported and even helped install some of the most vicious and repressive dictatorships in the world, from installing the Shah in Iran in 1953 (after helping overthrow the democratically elected Mosaddeq government) and supporting the Guatemalan military coup in 1954 (which overthrew the democratically elected Arbenz government), through the Brazilian military dictatorship of the 1960s to the Chilean and Argentine military dictatorships of the 1970s and 80s (among many others). As Arundhati Roy remarks:

What freedoms does it [the U.S.] uphold? Within its borders, the freedoms of speech, religion, thought; of artistic expression, food habits, sexual preferences (well, to some extent) and many other exemplary, wonderful things. Outside its borders, the freedom to dominate, humiliate and subjugate usually in the service of America’s real religion, the “free market.” So when the U.S. government christens a war “Operation Infinite Justice,” or “Operation Enduring Freedom,” we in the third world feel more than a tremor of fear. Because we know that Infinite Justice for some means Infinite Injustice for others. And Enduring Freedom for some means Enduring Subjugation for others. (Roy 2001)

Moreover, the United States—along with most other wealthy capitalist countries—was (and is) intensely economically expansionistic in terms of economically penetrating less developed societies in order to secure access to natural resources, cheap labor, larger markets, and greater investment opportunities for the expansion of capital and greater profits; in other words, to enhance its economic assets and prerogatives—especially that of its major corporations—by creating a “favorable investment climate.”

By contrast, the other superpower of this era, the USSR, did not have a good record on political democracy or civil liberties (or, often, even on protecting peoples’ security rights) either internally or in its satellite states, although in some specific areas it had a good record on social and economic justice (for example, free, universal health care and education and, in some ways, greater equality between men and women than found in the United States or most Western capitalist countries). Moreover, although generally disposed toward having greater ideological influence in the sense of supporting (sometimes tepidly) the spread of communism—or at least what came to be known as “communism,” which had little to do with what Karl Marx meant by the term (Pepper 1990 and 1991)—it was not economically expansionistic in the same way that the United States and other wealthy capitalist countries were (and still are) in relation to other (especially, less economically developed) countries. The USSR and its allied countries always strove to make advantageous trade deals and investment arrangements with other countries but did not demand ownership of major economic enterprises in those countries (or entire portions of their economies), or control of their markets and economics in general, in exchange for trade, investment, and aid. Arguably, this is because maximizing profits and the expansion of capital were not the basic operational principles (or “laws of motion”) of its economic system.

It seems that this structural economic difference led each superpower to have a different dynamic in its international policies and behavior. One important result (that provides evidence for this analysis) comes out when we consider the use of each nation’s military forces beyond its borders. Since its consolidation in 1922 the USSR limited major military interventions in other countries to those on its borders: Poland 1939, Hungary 1956, Czechoslovakia 1968, and Afghanistan in the 1980s. (Its occupation of Eastern European countries at the end of WWII was not a non-defensive use of its military forces beyond its borders but, rather, the concluding chapter in a defensive war on its part against Nazi Germany and the Axis powers. How it did—or should have—treated those countries after occupying them is a different and separate question.) Arguably, most, if not all, of these military actions were more for the security purpose of providing or maintaining physical buffer zones against possible attacks than for purposes of economic exploitation or even the expansion of communism. (Here I am making an empirical causal claim, not a normative claim about the justification of these various actions.) By contrast, the U.S.’s military interventions have been far more numerous and far-flung. As Arundhati Roy noted in 2001:


This was before the U.S. invasion and occupation of Iraq from 2003 to the present. Moreover, this is not to mention dozens of smaller military incursions or the hundreds of covert or paramilitary actions the U.S. had sponsored all over the world during this time period. Arguably, the drive toward increasing or maximizing private profits is the root of
such capitalist nations' far-flung military imperialism (as also seen in earlier empires, such as that of the British). Moreover, it is a reasonable presumption that this tendency of powerful capitalist countries is exacerbated once they become hegemons or even once they become one of the world's most dominant nations, such as the United States has been since the end of World War II.  

In this context, we can consider the U.S. invasion of Iraq as the most threatening geopolitical event of the first decade of the twenty-first century. There were also many other dramatic events in this decade, including the terrorist attacks in the United States of September 11, 2001, which triggered the U.S. military actions against Afghanistan and that were used as a pretext by the Bush administration for the invasion and occupation of Iraq. But the invasion of Iraq has resulted in truly disastrous consequences: (1) it has caused at least 100,000 (according to some demographers as many as 942,000) Iraqi deaths and 4,330 U.S. military deaths so far with many more wounded; (2) it has substantially increased the number of Arab and Muslims (as well as probably substantially increased the number of active and potential terrorists and suicide bombers in the world; (3) it has threatened to turn a major oil producing nation into a failed state with the prospect of civil war, long-term civil strife, or political instability; (4) it has raised the possibility of a larger inter-state war within the Middle East with the consequence of the global oil-based economy being severely negatively affected; and (5) it has set a precedent for a UN member nation (or group of nations) invading other UN member nations without the approval of the UN Security Council (as required by international law).

In the present historical period wars and military conflicts must be evaluated by legal criteria as formulated in the documents of international law, including the UN Charter, which obliges its members to refrain from the threat or use of force against the territorial integrity or political independence of any other member except (1) in case of individual and collective self-defense against aggressors and (2) in case of prevention of genocide, if the recourse to force is sanctioned by the UN Security Council. Moreover, military action is always to have a strictly defined mission; but never is regime change to be its real or primary reason. Since the Iraq War met neither of these criteria it was (and continues to be) an illegal war under international law (R. Wolfrum 2003, 15-18). In fact, while he was still UN Secretary General, Kofi Annan told the BBC on Sept. 15, 2004, that the Iraq War "was not in conformity with the UN charter" and, thus, "from our point of view, from the charter point of view, it was illegal."  

The United States made a gesture paying tribute to the principle that wars (other than direct self-defense) must be authorized by the United Nations when it tried to convince the United Nations Security Council to sanction its attack on Iraq by asking it to pass Resolution 678—using bogus empirical claims, as it turned out. But the United States was not successful. Nevertheless, it trampled international law, the United Nations, and the opinion of international community when it unilaterally went to war anyway.

In addition, through the four Geneva Conventions and the Post-World War II Nuremberg and Tokyo Trials, LOIAC has established norms concerning Crimes against Peace, War Crimes, and Crimes against Humanity. Marjorie Cohn argues that the U.S. War in Iraq is illegal on the grounds of all three kinds of international crimes: It is a crime against peace (since it is not justified under international law or, more specifically, LOIAC). It has resulted in crimes of war on the part of U.S. forces within Iraq (such as the Mahmudiya Massacre), and it can even be interpreted as involving crimes against humanity, since it violates the Fourth Geneva Convention, which prohibits not only the targeting of civilians but also the failure to protect civilians and civilian objects.

Because treaties into which the United States enters become part of U.S. federal law, and because U.S. military personnel are prohibited from participating in illegal acts, Cohn further argues that U.S. military personnel, such as war resister Lieutenant Ehren Watada, would be legally within their rights to refuse to participate in the Iraq War, since it is illegal under international and U.S. law.

If not legally justified according to international law, might the Iraq War be morally justified, nevertheless?

Within JWT as well as LOIAC and common morality, there is always a very strong moral presumption against going to war, and in order to be morally justified a war must meet all of the jus ad bellum JWT criteria: Right Intention, Proper Authority, Probability of Success, Last Resort, Just Cause, and Macro-proportionality. In other words, these criteria are individually necessary and jointly sufficient for a war being justified. But it is arguable that the U.S. War in Iraq didn't meet any of these standards or criteria.

The Proper Authority criterion was not met by the Bush administration because there was no declaration of war by the U.S. Congress, which, according to the U.S. Constitution, is necessary for the United States to legally go to war. Although the Congress did vote to allow the Bush administration to use "all necessary force" against Iraq, it did so on the basis of faulty and (apparently) intentionally deceptive intelligence.
provided by the Bush administration—primarily by Dick Cheney and the Office of the Vice President intelligence operation he had created in order to turn out his own intelligence analyses (Clarke 2004; Ritter 2002 and 2005; Why We Fight 2005; The Dark Side 2006). It seems doubtful that an authorization based on deception meets the Proper Authority criterion. In any case, this authorization was still not an official declaration of war.

The Probability of Success criterion was not met because when estimating the probability of success of a war of intervention it is necessary not only to estimate that a particular side will win the initial war, but also that it will be able to enforce a just and stable peace (in face of possible on-going violence, guerrilla warfare, or insurrection). Generally speaking, whether or not the population of a country likes its current government, it almost always resists—and often time wages war against—any outside power that forcibly occupies its territory. What was perfectly predictable was massive resentment and resistance on the part of most Iraqis (and other Arabs and Muslims) toward the foreign invasion by the United States and its coalition partners. Thus, U.S. success could not reasonably have been judged probable.

Next consider the Right Intention criterion. It is quite clear from the historical record that has come to light that the Bush administration’s real motives for invading Iraq had very little to do with weapons of mass destruction (WMDs)—which was its official excuse for invading Iraq—and little to do with establishing “freedom” and (Western-style) “democracy” in Iraq (its fall-back excuse, once it became clear that Iraq didn’t have any WMDs). It seems clear, that the neoconservatives’ motivation for invading Iraq had more to do with controlling the flow of oil and augmenting U.S. economic and geopolitical advantages than anything else. As amply documented by the papers published and speeches given under the auspices of such neoconservative “think tanks” as the American Enterprise Institute and the Project for the New American Century, or published in the Weekly Standard or Commentary, the neoconservatives who dominated the Bush administration were committed to invading Iraq even before they came to power in 2001. As far back as 1998 neoconservative guru William Kristol was publishing articles specifically calling for the United States to invade Iraq, overthrow Saddam Hussein, and establish a pro-U.S. and pro-business regime (Kristol and Kagen 1998). Even though it was well known within U.S. intelligence that there was no evidence that Saddam’s regime had any substantial ties with al-Qaeda, and the CIA was immediately of the opinion that bin Laden and al-Qaeda were behind the attacks of 9/11, the very afternoon of 9/11 Secretary of Defense Donald Rumsfeld was dictating to an aide that Iraq should be brought into the U.S. military response, in addition to al-Qaeda, and made that suggestion at a meeting with Bush, Cheney, and other principals that evening (The Dark Side 2006). Of course, this knowledge did not prevent Cheney and the Bush administration from intentionally misleading most American people into believing that Saddam’s regime was somehow involved in the attacks of 9/11, a belief that is widespread in the United States to this day (Hersch 2004). But the augmentation of economic or geopolitical advantage cannot be part of a Right Intention in the decision to go to war. Thus, the U.S. Iraq War is clearly unjustified according to this criterion.

As to the Last Resort criterion, it is obvious to anyone familiar with the situation that the United States and its “Coalition of the Willing”—primarily Britain—did not meet this criterion. The UN weapons inspectors were still working in Iraq and claimed to be making progress in determining whether Saddam’s regime really had WMDs when they were forced out by the U.S. coalition’s warning of its imminent attack against Iraq in March 2003. Had they been given more time and been able to complete their inspections, as they officially requested, they probably would have submitted a report to the United Nations determining that Iraq did not have WMDs at that time (and, in fact, had no significant programs to develop WMDs), which would have undermined the Bush administration’s primary rationale for attacking Iraq. Given the Bush administration’s determination to invade Iraq, it is perhaps no surprise that it did not wish to see the UN weapons inspectors complete their assigned task (Clarke 2004; Ritter 2005; The Dark Side 2004).

Next consider the Just Cause criterion. The paradigmatic just cause is self-defense, either individual (responding to a direct attack) or collective (i.e. nations coming to the aid of other nations, which have been unjustifiably attacked). Once the lie about Saddam Hussein’s regime being involved in the 9/11 attacks is dispelled, it is clear that the U.S. invasion of Iraq does not meet the self-defense justification (since Iraq had not attacked the United States or anyone else since its 1990–1991 failed adventure in Kuwait). Nevertheless, Bush administration officials also tried to justify the invasion of Iraq as a preemptive strike on the basis that it was necessary to prevent Iraq from either using WMDs against the United States or giving them to terrorists who might, in turn, use them against the U.S. (or its allies). Hence Bush’s hyperbolic and highly deceptive “warning” about mushroom clouds sprouting over American cities, a claim often repeated by other Bush administration officials.

However, this argument is invalid since it confuses and conflates preemptive and preventive wars. It is important to distinguish between
what are normally called preventive wars (which are always non-defensive wars of choice) and what are normally called preemptive wars. On standard JWT, the former are never justified whereas the latter are sometimes justified. Walzer writes that “preventive war [is] an attack that responds to a distant danger,” and argues:

The mere augmentation of power [or preventing the balance of power from changing to one’s disadvantage] … cannot be a warrant [i.e. moral justification] for war or even the beginning of warrant, and for much the same reason that … commercial expansion … is also and even more obviously insufficient [as a moral justification for war].

That is, war is never justified merely for geopolitical (power politics) or economic reasons: “hence, the moral necessity of rejecting any attack that is merely preventive in character…” (Walzer 2006, 75, 79, 80). Only taking preemptive action against an imminent attack—or a sufficient threat of such an attack—is justified on any reasonable version of JWT.31 And it is important to realize that the so-called Bush Doctrine did not merely assert the right to preemptive war (under appropriate conditions) but the right to preventive war, as well. Thus, it clearly violates JWT.

However, the terms “preventive war” and “preemptive war” are often misinterpreted and sometimes confused with each other. Many people find it almost impossible to believe that “preventive wars” are always unjustified (on their pre-theoretical, ordinary language understanding of “preventive”). After all, they often say, it is justified to go to war to prevent some things: like being attacked or the continuation of a campaign of genocide. But these reasons are definitionally precluded from the term “preventive war” by theorists of war and peace in order to avoid confusion: in case of being attacked, it would be a defensive war, which can include preemptive strikes; in case of genocide, humanitarian interventions can be justified. Both reasons for going to war are recognized by JWT, but neither is included under the rubric “preventive war,” which refers only to the prevention of a change in the balance of military or economic power, or to the prevention of some merely possible future danger (such as Iraq developing or using WMDs). Therefore, in order to help clarify our discourse on questions of war and peace, I suggest substituting the term “merely precautionary war” for the more established “preventive war” locution since the former is more in line with what theorists and analysts of war have in mind when they use the latter term.

The other, more recently evolved just cause is humanitarian intervention. This principle must be understood against the general background principles of international law and morality, the most basic of which are the Principle of Self-determination of nations and its correlative, the Principle of Non-Intervention (i.e. that, generally speaking, nations are not permitted to interfere with the internal affairs of other nations, especially by invading them in order to change their political, social, or economic institutions). These principles entail that, generally speaking, nations have the rights of Sovereignty, Political Independence, and Territorial Integrity unless they agree to have such rights constrained, by treaty or confederation. Another way in which nations’ rights to govern their internal affairs have come to be constrained, however, is in the evolution of international law concerning Humanitarian Intervention, which allows the United Nations to sanction armed intervention into a nation when it is judged necessary to prevent an ongoing genocide. In addition to now being part of LOIC, the principle of Humanitarian Intervention is also accepted by most contemporary versions of JWT.

When WMD were not found in Iraq after the U.S. invasion the Bush administration then, ex post facto, brought forward the Humanitarian Intervention principle as a reason for its decision to invade Iraq. This was widely viewed as a cynical ploy—but especially since in the late 1980s the U.S. government took absolutely no action against its (then) ally and friend Saddam Hussein when he carried out his worst atrocities by ordering poison gas attacks on Kurdish and Shiite villages.32 It is true that Saddam’s regime had engaged in terrible and wide spread human rights violations within Iraq in previous decades. But since war is inherently evil we must weigh these kinds of human rights violations against the death, destruction, and devastation probable in any war as well as violations of national integrity and sovereignty when a nation is unjustly attacked and conquered (or forced to give significant concessions to an aggressor) as well as against the erosion of the international legal order. In summary, Walzer writes:

Iraq was not similar to the [fascist] German or Japanese [cases] or the (hypothetical) Rwandan case [of humanitarian intervention]. The war was not a response to aggression or a humanitarian intervention. Its cause was not (as in 1991) an actual Iraqi attack on a neighbouring state or even an imminent [or sufficient] threat of attack; nor was the cause an actual ongoing massacre. The cause was regime change, directly—which means that the U.S. government [i.e. the Bush Administration] was arguing for a significant expansion of the doctrine of jus ad bellum… It was a radically new perception of an evil regime [as simply, in and of itself, a legitimate reason for war]… A[n] authoritarian regime that is capable of mass murder but not engaged in mass murder is not liable to military attack and political reconstruction [on JWT principles]. (Walzer 2006, xiii, x)
Walzer’s analysis of the current Iraq War is convincing. This war does not even come close to meeting the principles of *jus ad bellum*. If the Bush Doctrine alteration of JWT were to be accepted then any nation at any time could claim the right to attack and depose the government of any other nation it classified as sufficiently evil. In fact, it could be interpreted as justifying the military invasion of a large percentage of existing countries. Thus, this doctrine could potentially lead to a breakdown in the stability of the international order with grave consequences for the safety and welfare of millions or even billions of people. For all of these reasons the Bush Doctrine must be resoundingly rejected.

The final *jus ad bellum* principle—*Macro-Proportionality*—also failed to be met in the U.S. invasion of Iraq. An estimation of mass civilian casualties could have been made before the war began by any reasonably intelligent and well-informed person. And this is not to mention the moral wrongs of violation of Iraqi sovereignty or the possible weakening of international law. Given all of these considerations it is clear that the U.S. invasion and occupation of Iraq was not justified according to JWT. Therefore, arguably, the U.S. War in Iraq didn’t meet any of the *jus ad bellum* JWT criteria. It is not surprising that most sophisticated advocates of just war theory—both religious and secular—who had even basic knowledge of the true situation strongly opposed the war, even before it started. But showing that the Iraq War is unjust doesn’t necessarily tell us what the United States ought to do now, after it has conquered that nation and overthrown its government. Presumably, the United States now has the obligation to ensure security and a just peace, as well as a duty to withdraw its military forces as quickly as is compatible with these essential obligations (Evans 2008).

However, I wish to contrast the definite conclusion I reach about the U.S. war in Iraq with my more equivocal view of the U.S. invasion of Afghanistan after the September 11, 2001, terrorist attacks within the United States. I hold that those military actions aimed at disrupting al-Qaeda’s terrorist training camps and infrastructure (and bringing Osama bin Laden and his associates to justice for the 9/11 attacks in the United States) were justified on both *standard defensive* and *preemptive* grounds if it was reasonable to believe them to be effective means for these legitimate goals. This is basically the position of such theorists as Michael Walzer and Richard Falk (Walzer 2004, 137-138; Falk 2001 and 2007). Even if the United States is presently a hegemonic imperialist power, this does not abrogate its right—and, indeed, its duty—to defend its population from attack. Britain was the world’s primary imperialist power on the eve of W.W. II but is it plausible to conclude that, because of this, Britain did not have the right—or duty—to defend itself (or other non-aggressor nations which were unjustifiably attacked), against the aggression of the Axis powers? Obviously, not.

On the other hand, I also believe that the wholesale bombing of Afghanistan (with predictably many direct and indirect civilian casualties) and certain other U.S. military actions there were not justified given certain plausible empirical assumptions concerning the overall situation. Noam Chomsky, for example, claims that an extensive bombing campaign and large-scale invasion of Afghanistan was not necessary to pursue the legitimate goal of bringing bin Laden and al-Qaeda to justice for the 9/11 attacks. He argues that there were openings within Afghanistan that would have afforded the United States a good chance to capture bin Laden, disrupt al-Qaeda, and even undermine the Taliban government but the United States did not take advantage of them (Chomsky 2002b and 2003, 201). In addition, Chomsky argues that, in general, the most effective efforts to constrain and defeat terrorism are not bombing campaigns and military invasions but, rather, political and diplomatic means combined with international law enforcement efforts that use international institutions (such as the International Criminal Court, which the United States has so far refused to recognize). But even if the war had a just cause, the amount of violence it employed may not have been morally proportionate to its legitimate goals. If this analysis is correct then these aspects of the U.S. military campaign in Afghanistan failed to meet the JWT criteria of *Last Resort* and *Macro-Proportionality* and, hence, were unjust. Moreover, if, as some critics contend, the U.S. military has not sufficiently protected civilians during the war in Afghanistan then it is guilty of violating the *jus in bello* principles of non-combatant immunity and discrimination, as well.

**Imperial Project versus Democratic Global Polity**

Finally, it is also important to see the U.S. invasion of Iraq as part of a broader program advocated and implemented by the neoconservatives who came to power with Bush in 2001. I refer to this as the Hyper-Aggressive Neoconservative Interlude in the history of the American Empire. Some authors, however, claim that only this period of time—2001 to the beginning of 2009—can properly be labeled as a period of American Empire. Presumably, on their analysis, the American Empire ended as soon as the Bush neoconservatives were no longer in office (as of January 20, 2009) and, moreover, the United States would become an empire again if the neoconservatives—or some other hyper-aggressive
group—came back into power. Surely such an analysis is facile. Surely a country can not alternate between being an empire and not being an empire simply on the basis of the particular policies of an administration that is running the executive branch of its government at any particular point in time. Surely whether a country is an empire depends on more fundamental characteristics of its socio-economic and political systems; in particular, on the extensiveness of its sphere of influence (beyond its own borders), the degree of control it has over fundamental decisions on economic and political questions within countries and territories within this sphere of influence, and whether it pursues expansionistic and imperialistic policies within this sphere of control or attempts to expand it. Arguably, on these criteria the United States has been an empire from the end of World War II until the present.

The more traditional ruling-class advocates of U.S. imperialism have generally relied on a combination of economic, political, and military means. They have engineered—or tried to engineer—changes of “recalcitrant” regimes primarily by indirect and covert means when they judged it “necessary” to do so; for example, Iran in 1953, Guatemala in 1954; Cuba from shortly after its 1959 revolution, including the failed paramilitary Bay of Pigs invasion in 1961; Brazil in 1964; Chile in 1973; Argentina in 1976; and Nicaragua in the 1980s.

Direct covert actions by one government acting within another country to subvert or overthrow the government of that country (or prevent a political party or movement from coming to power) are also illegal under international law since such actions violate the principles of sovereignty and self-determination of nations, and are almost always morally obscene as well. However, in a much more radical manner, the neoconservatives openly declared the goal of their “revolution” to be the establishment of a global American Empire for the twenty-first century, which they haughtily anointed the “American Century.” They didn’t feel it necessary anymore to mask the policy of global domination by more or less sophisticated ideological constructions: it was enough to call “the other” part of an “axis of evil,” and proclaim themselves self-appointed guardians of “freedom” and “democracy” in the world. Neither were they scrupulous in their choice of means for achieving this geopolitical goal. Their superpower formula was simple: “might makes right.”

They advocated—and continue to advocate—utilizing the currently preeminent military power of the United States to directly invade countries whose regimes they perceive as being incongruous with “American interests,” understood on a global scale and in purely economic and geopolitical terms. The countries could be targeted not only if they were perceived as posing potential problems to U.S. security, but even if they were seen as posing a “danger” of merely constraining U.S. power and influence, or resisting domination. In the neoconservative Machiavellian view of the world there is no room for “otherness,” for differences, for the independent policies of sovereign nations; and negotiation is seen as nothing but a sign of weakness. President Bush told the entire world “You are either with us or against us.” The implication of all of this was that if you disagree with “us” and, thus, are “against us” you might be next to feel the full wrath of American military power. The use of preponderant military might was (and is) viewed by the neoconservatives as the best (perhaps only) way to effectively pursue U.S. interests in the international arena. As an ideological cover for their aggressive program they claimed that their goal was to bring the “gift” of “freedom and democracy” to these countries. But the kind of regimes they wanted to create were, of course, pro-American, pro-big-corporation regimes that would open up their economies to the United States, thus, further strengthening America’s dominant position in the world.

These neoconservatives were clearly considering using military force at least against the other two members of what Bush originally described as the “axis of evil” (namely, Iran and North Korea). Also, since 2001 various neoconservatives have suggested that Syria, Libya, Cuba, Venezuela, and even Brazil (after the election of the “socialist” Lula) should also be added to the “axis of evil” or placed in their very own “axis of evil,” thus making them eligible for U.S. invasion and the overthrow of their governments.⁴⁹ If the invasion and pacification of Iraq had been relatively easy (from the U.S. military and political point of view) there seems little doubt that Vice President Cheney, then-Secretary of Defense Donald Rumsfeld, and other key neoconservatives would have strongly pushed for military action against some of these other countries. In fact, they did do this.⁴⁰

Some researchers and political analysts view the neoconservative project as nothing more than a continuation of post-World War II U.S. national security policy in conjunction with an imperial geopolitical project, signaled first by the atomic bombing of Hiroshima and Nagasaki, and pursued throughout the Cold War, up to the present day. But this policy was radicalized during the right-wing neoconservative “revolution.” For example, despite the end of the Cold War, the Bush administration in 2001 pulled out of the Anti-Ballistic Missile Treaty, which had been a bulwark of international arms control since 1972. It also refused to sign a treaty barring the militarization of outer space, opting instead to continue to develop its “Baby Star Wars” program, which only contributed to the
destabilization of international arms control and virtually assured an increased arms race with Russia and China.

However, since their Iraq adventure turned out so badly it seems as though the neoconservative program and ideology has—at least for now—fallen out of favor both with most of the American public and the U.S. ruling class (and the power elites allied with it). 41

However, to paraphrase Heraclitus: things change. If the historical experiences of the twentieth century are any guide, we know that when economies have extreme recessions and depressions there has always been a radicalization of the politics within those countries, both on the left and the right.

Thus, for example, if the U.S. economy were to fail to recover or to get even worse, and if, during the same period, the United States were to suffer one or more significant terrorist attacks on its own soil, public (elite) opinion in the United States could swing back further to the extreme right. A government could be elected (or come into power) that would promote an even more aggressive foreign and military policy than was implemented under the Bush administration. Keep in mind, however, that even though more moderate Republicans and Democrats—whose views are better represented by such organizations as the Council on Foreign Affairs—are preferable to the neoconservatives, it is also arguable that the former are no less representative of the interests of the U.S. ruling class, albeit of its less delusional and recklessly dangerous wing.

In any case, it seems clear that from almost any reasonable moral-philosophical perspective, the neoconservative program for perpetual U.S. world domination by unilateral military action aimed at conquering and or weakening other nations for purposes of economic and geopolitical advantage (behind the facade of “spreading democracy and freedom”) is not morally justified. Nor, of course, is the United States or any other country morally justified in using more subtle strategies of undermining the economies and subverting the governments of countries judged not to be sufficiently supplicant or subordinate, or in supporting dictatorships to achieve economic and geopolitical ends. Moreover, these strategies are not, in the long run, even prudentially justified—i.e., justified on the basis of self-interest—if one takes into account the vital interests of all Americans. With respect to the U.S. war of choice in Iraq, the United States has not only lost thousands of its citizens to violent deaths and tens of thousands to devastating wounds and injuries but it has already spent over $500 billion on the war effort in Iraq (not counting Afghanistan), and it is predicted that the final expenditure might be $2 trillion or even $3 trillion or more. 42 Moreover, the war expenditures increased the U.S.

federal deficit and national debt to unprecedented levels, probably contributing to the world economic crisis, which began in the United States in September 2008. 43

Finally, Bush’s bullying policies provoked radicalization of many Muslims, greater numbers of whom turned toward jihad and terrorism after the U.S. invasion in Iraq. The number of potential terrorists would probably have been far fewer if U.S. actions had concentrated only on eliminating terrorist infrastructures in Afghanistan and pursuing known terrorists by means of legitimate international police work, as previously suggested.

But this is not to say that the Iraq War was not in the interest of any class or group of people in the United States. To put the matter bluntly, the Iraq War was (and is) in the self-serving interest of many of the corporations and institutions composing the military-industrial-governmental complex in the United States and, thus, in the interest of many of the very wealthy and powerful individuals and families who stood to make a great deal of money from the war in Iraq; i.e., the ruling class of multi-millionaire and billionaire families and the economic, political, and military “power elites” that serve them and their interests.

However, the U.S. invasion of Iraq can only be completely understood when additional factors are taken into account, such as the economic and geopolitical advantages of controlling the flow of oil in the Middle East, the current U.S. preeminence as the sole world superpower, and the overall tendency of capitalist economies to pursue maximum profits (exchange-value) and to pressure the political system toward this end. While different cultural and political factors can probably constrain (or fail to constrain) this tendency of military-industrial-governmental complexes to push their political-socioeconomic systems toward militarism and war, this link between pursuing maximal profits, on the one hand, and militarism and imperialism, on the other, is perhaps one of the strongest arguments for converting at least defense-related industries to public ownership and control (or keeping them in the public sector).

In general, this deadly link is one of the strongest arguments for societies having “economic democracy” (Schweickart 2002) and a “social state” (with a large portion of the economy publicly owned and run, and with socially responsible economic enterprises), rather than continuing to be hostages of unchecked power of (more or less) unregulated large corporations of a “savage capitalism.” 44 This is also an argument for the genuine political democratization of societies, including contemporary Western “democracies” (which are, actually, polyarchies) so that people will have access to accurate information and will really have control over
the major economic and political decisions (including questions of foreign policies, and of war and peace), instead of being ideologically manipulated, and economically dependent on and used by the powers-that-be for their self-serving interests and geopolitical ambitions (Schweikart 2002, 110-113). The Master/Slave mentality—produced and reproduced by social, economic, political, racial, ethnic, and gender hierarchies—is still deeply engraved in peoples' social consciousness. And it is enhanced by ideological manipulation and the political control of powerful—and increasingly centralized, corporatized, and “house broken” mass media.

The realization of a peaceful global alternative requires a new way of thinking and an enlightened public capable of critical reasoning. Arguably, if we are going to eliminate, or even significantly reduce, war between (and within) nations and reverse the trend toward escalations of global violence, it is precisely these policies of domination and these kinds of parochial nationalistic and ethnocentric perspectives that need to be transcended by members of the human species in favor of a much more cosmopolitan and egalitarian perspective that the enlightened components of all great religious traditions preach and that all great humanistic philosophies teach. Only through taking such a cosmopolitan, peace-seeking, and peace-building perspective, and through building the requisite institutions (at local, regional, national, and international levels), can we hope to avoid such tragedies as the atomic bombings of Hiroshima and Nagasaki, the 9-11 attacks on the United States, and the current U.S. War in Iraq.

However, for the first time in the history of our species on this planet, we are actually approaching a time when we may be able to rid the world of large-scale war once and for all. This is possible given the incredible advances in communications and other technologies, an increasingly globally integrated economy, the development of more extensive systems of official quasi-governmental international institutions (such as the United Nations, the ICC), and the growth of anti-systemic movements around the world. These include, for example, the World Social Forum and various progressive political parties, social movements, community organizations, and NGOs. All of these factors add up to a greater chance of forming a genuinely democratic global polity. A first step toward world peace would be to strengthen current international institutions and respect for international law with the aim of creating what Kant in his Perpetual Peace (1795) called a foedus pacificum (i.e. a pacific—or peaceful—federation of states) aimed at maintaining a just peace among nations. Rawls, for example, followed this idea in his book The Law of Peoples (1999).

However, maintaining peace is not possible in a world in which vast differentials in wealth and power exist between nations and socioeconomic classes. In order to both prevent war and achieve social justice we must also “drain the swamps of hatred” around the world by implementing policies and developing national and international institutions designed to eliminate extreme poverty and desperation, which fuel justifiable resentment and even violence. And to accomplish this we need our current international institutional framework to evolve into a much more just and more comprehensive set of institutions along the lines proposed by such figures as Jürgen Habermas, Kai Nielsen, Richard Falk, David Held, and other adherents of a just and peaceful cosmopolitan order. The project of lasting world peace (and justice), as expressed in different ways by Kant and contemporary philosophers, awaits its practical implementation.

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Notes

1 According to J. Robert Oppenheimer, the so-called father of the atomic bomb, this line occurred to him when he witnessed the first atomic bomb test explosion at the Trinity test in New Mexico on July 16, 1945.


3 See ACLU (2006 and 2008); Hersch (2004); Dean (2005 and 2008); Doster (2007); Cohn (2007 and 2010); Turley (2009a and 2009b); Mayer (2009).


6 For a rendition of these principles see Orend (2000). For discussions of the Supreme Emergency exception see Walzer (2006, 251-268) and Orend (2006, 140-159).
7 For an excellent review of pacifism and realism, both in multiple versions, see Orend (2006, 233-243, 244-266).
8 For example, the estimate of non-combatants and POWs massacred in Nanjing (Nanjing), China during the six week period starting Dec. 13, 1937 – known as the “Rape of Nanjing” – was put at 260,000 by the 1946 International Military Tribunal of the Far East (aka the Tokyo War Crimes Tribunal), and at 300,000 by the 1947 Nanjing War Crimes Tribunal. However, it should be noted that since WWII the Japanese government and various Japanese government officials have officially apologized to China and other nations it occupied and oppressed during and before WWII. The most recent is an apology by the Japanese ambassador to the United States. for the 1942 Bataan Death March in the Philippines (“Japan apologizes for Bataan march,” AP, June 1, 2009).
9 Even more poignant, to me, was Rawls’s personal comment to me when I tentatively broached the subject of his combat experiences during World War II at a dinner in 1989. After gazing into the distance for a while the only thing he said was: “Rodney … who survived and who died was purely a matter of luck.” It is thought by some that these experiences may have led to his view that “moral luck” should not determine the distribution of the “benefits and burdens of social cooperation” (Rawls 2001).
11 I would like to thank Daniel Ellsberg for these statistics— as well as a summary of the general argument given here— which gave me in a personal conversation on April 25, 2009 in San Diego, as well as my colleague, Thomas Reifer for valuable discussions, although neither of them agree with all the conclusions I have reached. See also Pape (1996); Tanaka and Young (2009).
12 In fact, within several weeks after the emperor announced Japan’s surrender more than 2000 members of Japan’s officer corps committed suicide, because they could not reconcile their Samurai code of honor with the surrender (Sayle 1998, 45).
13 Robert Pape is often interpreted as defending this position but he doesn’t make this claim, even about conventional strategic bombing. He only claims that such bombing campaigns are not as effective or as (comparatively) cheap as usually supposed (Pape 1996).
14 Strangely, as things now stand, although chemical and biological WMDs are banned under LOAC, nuclear weapons are not. But it would seem incumbent on the nations of the world to reach a real, enforceable agreement on the complete ban of nuclear weapons as rapidly as possible and to include within such an agreement monitoring and inspection measures that would prevent not only states but also non-state actors—e.g., terrorist organizations—from acquiring them.
15 One would have to make empirical judgments about whether Japan could have been expected to be a peaceful member of the international community over the long run if one or more of these conditions were granted; or if it needed a complete restructuring of its political institutions and ideology was necessary in order to ensure this.

16 Among the strongest evidence for this claim is that Manhattan Project physicist Joseph Rotblat consistently maintained until the end of his life (in 2005) that in 1944 he personally witnessed General Leslie Groves—military head of the Project—at a dinner in the house in which Rotblat was living in Los Alamos during the Project say “of course, the real purpose in making the bomb was to subdue the Soviets” (Rotblat 1985, 225).
17 Samuel Clemens wrote: “I have seen that we do not intend to free, but to subjugate the people of the Philippines. We have gone there to conquer, not to redeem. It should, it seems to me, be our pleasure and duty to make those people free, and let them deal with their own domestic questions in their own way. And so I am an anti-imperialist. I am opposed to having the eagle put its talons on any other land” (New York Herald, Oct. 15, 1900).
19 Actually, this was known by some U.S. policy makers much earlier. According to former U.S. Senator Wayne Morse, in 1956 U.S. intelligence agencies reported to the Senate Foreign Relations Committee that they estimated that Ho Chi Minh would win at least 80 percent of the vote if the elections were held later that year, as required by the Geneva Accords of 1954. Thus, with tacit U.S. support, the new leader of South Vietnam, Ngo Dinh Diem, refused to allow the elections to be held. (Senator Morse’s comments about this can be seen and heard in the 1968 documentary film, In the Year of the Pig.)
21 See Schumpeter (2008); Sweezy (1942); Baron (1957); Magdoff (1969); Mandel (1975); Amin (1977); Wallerstein (1996); Arrighi (2007); Schweickart (2002); H. H. Chang (2007); Klein (2008a).
22 There are two other significant differences between the USA and USSR in terms of their foreign and national security policies that deserve mention. One is that the USA (and its allies) tended to oppose and the USSR (and its allies) tended to support national liberation struggles and struggles for self-determination in the Third World. Another is that the USA was (and is) primarily responsible for the arms race between the superpowers in that almost all new rounds of the arms race were set off by the USA and responded to by the USSR. (See Chomsky 1989; Leach 1986.)
23 The Iraq Body Count website estimates that as of May 1, 2009 violent civilian deaths in Iraq during the war stand between 92,550 and 101,037. See http://www.iraqbodycount.net/ (accessed Aug 4 2009). A scientific study published October, 2006 in the highly respected British medical journal, The Lancet, estimated, with a 95 percent confidence interval, that the excess Iraqi deaths (from both violent and non-violent causes during the course of the war) to be between 392,979 and 942,636. See


26 Nevertheless, some legal scholars claim that the United States and its allies were acting legally when they invaded Iraq on the basis that UN Security Council Resolution 1441, passed in 2002, determined that Iraq was in material violation of its disarmament obligations (under the 1991 cease-fire agreement which ended the Gulf War), and this gave the United States and its allies a legal basis for invading Iraq. But there was no “automaticity” in Resolution 1441 that explicitly gave the United States (or any other country) permission to invade Iraq without further UN action. Moreover, even if Resolution 1441 was initially a sufficient legal basis for the U.S. invasion, the United States gave up that basis when it went back to the United Nations and asked for the specific authorization to use force against Iraq—i.e. Resolution 678—which failed to pass (Dinstein 2005, 299).

27 A website that has a comprehensive collection of media reports and legal documents of the case is:

28 See Marjorie Cohn, “First Officer Publicly Resists War.”

29 For the definition of these criteria see Orend 2000.


31 I presented an earlier—and more detailed—version of the following critique of the
Iraq War, on the basis of JWT criteria, at the XXII World Congress of Philosophy
in Seoul, Korea on July 31, 2008. (See Peiffer 2010ab)

32 But see Walzer (2006, 81) where he argues that the criterion for preemptive
strikes should be construed as “sufficient threat,” which is broader than “imminent
attack.”

(accessed June 5, 2009).

34 See, e.g., the National Conference of Catholic Bishops (2002 and 2003); Chomsky (2002a).

35 For the purposes of this essay I am assuming that the primary agents responsible for the 9/11 attacks were Osama bin-Laden and the al-Qaeda organization. However, for one of the most sophisticated critiques of this “official story” see Griffin (2008).

36 See also: Radical Philosophy Association, “Afghanistan Pamphlet: The Background of the Current Crisis in World Affairs.”

37 This is an ongoing problem. See, e.g., “AP Source: U.S. Broke Bombing Rules in
Afghanistan.” AP (June 3, 2009).


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For summary descriptions of various neoconservative institutes and publications see: “Spheres of Influence: Neoconservative think tanks, periodicals, and key documents.” The Christian Science Monitor.
http://www.csmonitor.com/specials/neocon/spheresInfluence.html

38 Even Chalmers Johnson is inconsistent on this point. Just a page after the previous quotations claiming that the U.S. has been an empire since the end of World War II, he writes: “the attacks [of 9/11] produced a dangerous change in the thinking of some of our leaders, who began to see our republic as a genuine empire, a new Rome, the greatest colossus in history, no longer bound by international law, the concerns of allies, or any constraints on its use of military force. … Americans may still prefer to use euphemisms like ‘lone superpower,’ but since 9/11, our country has undergone a transformation from republic to empire that may well prove irreversible” (Chalmers 2004, 3-4). Moreover, the advent of the neoconservatives coming to power spurred a number of progressive American intellectuals who were already critical of U.S. foreign policy—including Noam Chomsky, Chalmers Johnson, Michael Klare, and James Carroll—to organize and contribute to the critically oriented American Empire Project. (Chomsky 2003, end matter). See its home page at
http://www.americaneempleproject.com/americaneempleproject.htm

39 See “U.S. expands ‘axis of evil,’” BBC News. http://news.bbc.co.uk/2/hi/americas/1971852.stm U.S. Rep. Henry Hyde even suggested that Cuba, Venezuela, and Brazil (under social democrat Lulu) were a second axis of evil (J. Michael Waller 2002). There is also evidence that the Bush administration supported the attempted coup against the democratically elected Chaves government in Venezuela in April 2002.

40 For example, in his congressional testimony after the U.S. had captured
Baghdad, William Kristol adamantly argued for the immediate invasion of Syria; and there has been considerable talk about U.S.–or Israeli–military action against Iran to disrupt or destroy its (suspected) nuclear weapons program (Hersch 2006; Ritter 2006). There were—and continue to be—suggestions that Israel may bomb Iran’s nuclear facilities, if the U.S. doesn’t, which could have catastrophic consequences, given the geopolitical realities and current hostilities of the Middle East. See: Roane Carey, “Will Israel attack Iran?” (April 14, 2009).

41 It is currently out of fashion in contemporary societies to speak of a ruling class but, according to Gore Vidal (who admits to being from a family in this class), the members of the ruling class know that it exists; and the reason that almost everyone else scoffs at the idea of its existence is that its members are incredibly
skilled at hiding this reality from the rest of society and are highly motivated to do so (Schweickart 2002, 106-107).


43 See Klein (2008b); Schweickart (2009a and 2009b).

44 It will be an interesting historical experiment to see how much progress—if any—Barak Obama (and similar U.S. politicians) can make toward the goal of taming such a savage beast. It is much to be hoped that much progress can be made, but one needn’t be an expert in political economy to realize that the structural economic and political constraints of the American capitalist system—and of capitalist systems in general—make this a formidable challenge, especially given the ever-increasing concentration and corporatization of the mass media in the United States.

45 See Kant (1957); Rawls (1999 and 2001); Nickel (1987); Shue (1996); Habermas (2001); Pogge (2002); Moellendorf (2001); Nielsen (2003); Peiffer (1990, 1994, 2004a, 2004b, 2010a); Anderson (2005); Follesdal and Pogge (2005); Falk (2007); Held (2007); Beitz (2009).

CHAPTER SEVEN
FROM HIROSHIMA TO BAGHDAD:
MILITARY HEGEMONY
VERSUS JUST MILITARY PREPAREDNESS

HARRY VAN DER LINDEN

The political and military leadership of the United States is committed to sustaining its position of global military supremacy. This commitment is visible in the fact that the current U.S. military budget is around $700 billion per year and roughly equals the total military expenditure of all other countries (Hellman and Sharp 2008), allowing for the continuous and unparalleled development of new warfare technologies. It is also reflected in the fact that the United States maintains a network of significant military bases in dozens of countries across the world, served by a highly trained professional military force (Johnson 2004 and 2006). America’s naval fleet adds to its global power projection and its capability to use at short notice overwhelming lethal force across the world. In this essay, I will refer to this position of the United States as supreme conventional military power as a position of “military hegemony.” The current response of governments across the world to this military hegemony ranges from consent to strong opposition with most resistance to be found among citizens in many nations (Lutz 2009).

My main purpose here is to morally question U.S. military hegemony in terms of what constitutes the legitimate use of military force and the proper preparation for using such force. I will first discuss in a somewhat synoptic fashion how American hegemonic military force (from its very beginning) has been justified in dishonest ways and wrongly executed. Next, I will show that Just War Theory (JWT) needs to be revised in order to come to a convincing assessment of U.S. military hegemony and its use of military force. This will lead me to propose “just military preparedness,” consisting of five principles of just military preparedness, as a new category of JWT. The failure of the United States to satisfy the