

The 'Bush Doctrine' as a Hegemonic Discourse Strategy

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Abstract: Even if preventive military counter-terrorism may sometimes be ethically justifiable, it remains an open question whether the Bush Doctrine presents a discursively coherent account of the relevant normative conditions. With a view towards answering this question, this article critically examines efforts to ground the morally personifying language of the Bush Doctrine in terms of hegemonic stability theory. Particular critical attention is paid to the arguments of leading proponents of this brand of game theory, including J. Yoo, E. Posner, A. Sykes, and J. Goldsmith. When examined in their terms, the Bush Doctrine is best understood as an ethically hypocritical and shortsighted international discursive strategy. Its use of moralistic language in demonizing 'rogue states' for purely amoral purposes is normatively incoherent and discursively unsustainable. If it is a strategically rational piece of international communication, it seems designed to undermine globally shared normative meanings for the sake of short-term unilateral military advantage.

Keywords: Bush Doctrine; hegemony; game theory; discourse strategy

Introduction

Since its unveiling in the President's January 2002 "State of the Union Address," his July 2002 West Point commencement speech, and the White House's September 2002 "National Security Strategy," the "Bush Doctrine" has been criticized on both strategic and ethical grounds by a swarm of opponents. The doctrine embraces a unilateral preventive national security strategy that targets both sub-state "terrorist" organizations and the "rogue states" that support them. It operates on the general assumption that terrorist organizations are to be viewed as the "irregular troops" of such foreign states (Podhoretz 2006, p. 18).

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And it maintains that this unilateral approach to national security is the best way to promote global security because the U.S. is a hegemonic power (Jervis 2003).

Yet, many critics have argued that the unilateral military strategies that have been enacted on grounds of the Bush Doctrine may be strategically self-defeating, inasmuch as the U.S. does not appear to be in a position to claim credibly that it has achieved or is close to achieving global hegemony (Wilkinson 1999, Blackburn 2002, Steinberg 2003, Wallerstein 2003, Daniel, Dombrowski and Payne 2005). The evident strategic contradiction of embracing unilateralist means of promoting *putatively* multilateral benefits has also been duly noted in the critical literature (Hammond 2005, p. 101, Jervis 2005, p. 352). Accordingly, some prominent critics of post-9/11 U.S. security strategy have called for a shift towards genuine or increased multilateralism (Blackburn 2002, pp. 23-4, Steinberg 2003, pp. 13-4, Daniel, Drombowski and Payne, pp. 208-10), while others have recommended the attenuated aggression of international “balancing” (Walt 2005) or greater investment in “soft power” strategies (Nye 2004, Fukuyama 2006).

Also duly noted in the critical literature is the Bush Doctrine’s incompatibility with the ethical principles of traditional just war theory and customary international law. The most prevalent form of argument maintains that, according to conventional standards, unilateral preventive military operations are categorically unjust (Schroder 2002, Schwartz 2004, Rockmore 2004, Snauwaert 2004). Others would repudiate the Bush Doctrine’s policy of preventive warfare not as categorically unjust, but only as conditionally unjust under the currently underdeveloped institutional circumstances of contemporary global society. On this view, if preventive U.S. security measures are to gain

international legitimacy, they will need to be grounded in norms of revisionist just war theory (Rigstad 2007, p. 4), and they will have to be subjected in practice to a broadly multilateral system of checks and balances (Buchanan & Keohane 2004, pp. 18-20, Buchanan 2006).

The arguments presented here will presuppose the cogency of the latter, conditional normative critique of Bush Doctrine preventive military policies. Even supposing that preventive military actions may sometimes be ethically justifiable for purposes of counter-terrorism, it remains an open question whether the Bush Doctrine presents a discursively coherent account of salient normative conditions. The available global system of multilateral checks and balances against an over-reaching hegemon includes, among other things, the “soft” normative institution of international political discourse. Accordingly, for the purpose of articulating the conditions for justifiable preventive counter-terrorism, the central public value of the discourse of international political ethics is not to promote unilateral conceptions of the good, but to discover or construct shared normative meanings on the basis of which the security policies of global actors may be reasonably evaluated. Our aim is therefore to determine what the Bush Doctrine means as a speech act performed within the context of international political discourse, and to determine whether this speech act is normatively constructive or obfuscating.

The broad thesis defended here is that the Bush doctrine is a form of hegemonic discourse strategy. Since ‘hegemony’ is subject to various constructions, it is worth delineating at the outset the competing senses of ‘hegemony’ at play. Hegemonic power is often ambiguously conceived in international relations theory either as the leadership position in a broadly

multilateral and consensual stake-holder coalition that exercises world-dominating influence, or as the kind of naked military dominance that makes overt forceful opposition an unattractive option for other states (Robinson 2005). Explicit articulations of the Bush Doctrine seem to invoke both senses of American hegemony. Yet, as we shall argue here, it is best understood as a discursive strategy that is principally designed to further unilateral military gains. More specifically, the aim here is to show (a) that this discursive strategy is ethically incoherent when viewed from the standpoint of canonical moral theories, and (b) that it is essentially and deliberately short-sighted even when analyzed in purely strategic terms drawn from the Bush Doctrine's leading game-theoretic advocates. The latter, strategic shortcoming of the Bush Doctrine stems in part from the fact it mistakenly conceives of transnational terrorism as a problem of "international relations" in the classical Westphalian sense.

It is also worth noting at the outset, for the sake of transparency, that the philosophical perspective that informs the present critique of the Bush Doctrine is one that takes cosmopolitan morality seriously, while remaining neutral on the question of whether deontological or utilitarian moral theory provides the best theoretical grounding of the cosmopolitan commitments of moral realists. Inasmuch as prudence is also arguably among the relevant virtues of ethically responsible collective self-defense, the arguments presented here will also draw upon the insights of critical strategic analyses, in addition to classical insights of moral theory.

The following analysis and critique is organized into three sections. The first section explains how the elements of moral language contained in the Bush Doctrine portray enemies of the U.S. as personifications of evil, and suggests

some initial reasons for doubting whether this mode of moral personification is adequately grounded in clear and consistently maintained normative standards. The second section critically examines efforts to ground the moral language of the Bush Doctrine in terms of hegemonic stability theory. And the third section offers a more detailed interpretation of the meaning of the Bush Doctrine in terms set forth by leading proponents of this neo-Hobbesian brand of game theory.

Contrary to the facile assumption that its message is as clear as its language is plain speaking (Podhoretz 2006), we shall see that the Bush Doctrine effectively undermines the globally shared normative meanings that it invokes. Understood as an element of hegemonic discourse strategy, this form of political speech act appears to be designed to disable otherwise stable terms of normative restraint by means of which an emerging global civil society might voice cogent opposition to unilateral American hegemony (i.e., in the second sense of 'hegemony' delineated above). We shall also find that, in the game-theoretic terms elucidated below, it is implausible to suppose that this form of speech act signals the U.S. government's "low discount rate" (i.e., farsightedness). To the contrary, when closely examined within the framework of hegemonic stability theory, in terms laid out by its leading game-theoretic proponents, the Bush Doctrine is best understood as a short-sighted signal of hegemonic confidence (or, arguably, over-confidence) that rallies immediate domestic animosity towards particular targets of purely strategic and unprincipled military force. As a signal of U.S. reluctance to invest in the future development of lasting cooperative international security arrangements, the Bush Doctrine positively

undermines the normative conditions that might otherwise lay the groundwork for the possibility of just preventive counter-terrorism.

A. Exceptional Virtue and Radical Evil Personified

The Bush Doctrine received overwhelming support in Washington after the September 11, 2001 al-Qaeda attacks on the World Trade Center and Pentagon. Shortly thereafter, in his “State of the Union Address” on January 29, 2002, Bush declared that Iraq, Iran, North Korea, and unnamed similar regimes, belong to an “Axis of Evil” (White House 2002b). Harkening back to the “Axis” powers of World War II, this term suggested, for the first time, that certain “rogue states” form a united front in a global standoff against the U.S. Unlike other, more congenial developing states, such as Pakistan and India, whose military and nuclear ambitions are perceived as less threatening to American interests, members of the Axis of Evil are personified as exhibiting morally bad character and as harboring settled malice towards the U.S. These two features of rogue states are united by the underlying assumption of “American exceptionalism,” which holds that the U.S., as the leading global champion of universal human rights, is uniquely morally virtuous in character. If America is morally virtuous, its enemies are *ipso facto* morally vicious.

These morally personified conceptions of the U.S. and its enemies are not, as such, incompatible with the conceptual frameworks of traditional just war theory and customary international law. A certain personification of the state is central to the tradition of just war theory that informs mainstream thinking in international ethics and law. From Hugo Grotius to Michael Walzer, just war theorists have systematically drawn implications for the right conduct of states

from presumably more basic intuitions about personal ethics. By drawing certain analogies between individual and collective agents – between bodies and territories, private and public deliberations, personal and national interests or injustices, etc. – just war theorists are able to suggest that states, like persons, do not encounter one another within an ethical vacuum. Peoples and the states representing them are understood, like individual persons, to have rights of autonomous self-determination and self-defense, and responsibilities to respect or support those rights in others. This personified vision of international relations seems attractive inasmuch as it offers one plausible way of closing the gap between private and public ethics, thereby mitigating the problem of “dirty hands” and humanizing foreign policy. Thus, the question of whether the Bush Doctrine is compatible with just war thinking, broadly speaking, does not hinge simply upon its use of the ethically personifying concept of the rogue state.

Instead, the ethical incoherence of the Bush Doctrine stems from the evident tension between, on the one hand, the standards according to which it designates other states as “rogues” and, on the other hand, the license it gives the U.S. to use force without meaningful normative restraint against those states. Considerable attention has been paid in recent years to the question of whether preventive warfare is ever ethically justifiable (Crawford 2003; Luban 2004; Buchanan & Keohane 2004; Schwartz 2004; Snauwaert 2004; Hammond 2005; Kaufman 2005; Buchanan 2006). The related question that concerns us here asks, instead, whether the U.S. strategy of preventive warfare against rogue states is based upon an ethically coherent view of international relations. Of particular importance for the purpose of addressing this question is the way in which the

U.S. purports to distinguish between its own exceptionally virtuous character and the negative moral *personae* of so-called “rogue” states.

The definitive statement of the Bush Doctrine is the current *National Security Strategy*, which describes the following set of negative “attributes” shared by rogue states:

- [A] They brutalize their own people and squander their national resources for the personal gain of the rulers;
- [B] display no regard for international law, and callously violate international treaties to which they are party;
- [C] are determined to acquire weapons of mass destruction, along with other advanced military technology, to be used as threats or offensively to achieve the aggressive designs of these regimes;
- [D] sponsor terrorism around the globe; and
- [E] reject basic human values and hate the United States and everything for which it stands. (White House 2002a, p. 14)

Although this doctrine is the centerpiece of the American GWOT, it does not focus in general on all sub-state or state actors that employ terrorist tactics. This insistence on seeing rogue states as the primary targets of the Bush Doctrine shows the remarkable degree to which American security policy remains rooted in a Westphalian understanding of global politics even in the face of threats from transnational sub-state terrorist organizations. Hence, the threat of further attacks from al-Quaeda essentially functions as an occasion for adopting a preventive strategy of conventional interstate warfare. President Bush made clear as early as his January 2002 State of the Union address that 9/11 would be construed as a new tactic in what is otherwise a purely conventional form of Westphalian international conflict:

I will not wait on events, while dangers gather. I will not stand by, as peril draws closer and closer. The United States of America will not permit *the world's most dangerous regimes* to threaten us with the world's most destructive weapons. (White House 2002b)

The crucial distinction of the Bush Doctrine is therefore not a clear normative distinction between legitimate and illegitimate (i.e. “terrorist”) political violence, but rather a categorically personifying distinction between legitimate and illegitimate (i.e. “rogue”) states.

Can the Bush Doctrine’s way of drawing the line between good states and evil states be understood on its own terms, such that this line can define, in turn, the all-important distinction between just and unjust political violence? Clearly, the answer to this question is “yes” only if the U.S. can credibly claim that its track record exemplifies a moral character that is categorically superior to the negative *personae* that it attributes to rogue states. Unfortunately, there is considerable margin for doubt here. If not decisive, at least decent cases can be made for charges that the U.S. government is guilty of [A] neglecting and exploiting (if not “brutalizing”) its citizenry through deficit-producing militarized corporate welfare spending, [B] defying international law, [C] pursuing destructive military technologies for aggressive purposes, [D] selectively repressing or supporting indiscriminate lethal political violence (i.e. “terrorism”) depending upon whether the perpetrators are avowed enemies or convenient allies, and [E] repudiating basic human values, for example, by embracing the use of torture, fueling a global system of rapacious and destructive war profiteering, and failing to take due care to minimize “collateral damage” (Chomsky 2002 & 2003; Schulz 2003; Johnson 2004, Norris 2004). Hence, according to one best selling study of American foreign policy, the U.S. is itself commonly viewed abroad as the world’s leading “Rogue Nation” (Prestowitz 2003).

The U.S. is perhaps *less* guilty of these shortcomings than at least some of those it designates as “rogue states.” But we need not carry out exhaustive

comparisons on these matters in order to sort out sense from nonsense in the Bush Doctrine. It may be enough to consider the role played by negative moral personifications of other “rogue” states in a U.S. strategy that is explicitly designed to assert and maintain global military dominance. The one element of the Bush Doctrine that obviously cannot be ascribed to the U.S. is [E] hatred of the U.S. This element of the doctrine is especially revealing for the way that it deepens the negative personification of rogue states beyond what any customary provision of just war theory or customary international law would allow. These states are conceived as being both radically evil in character and activated against U.S. interests by a rancorous passion that is paradigmatically *personal* in nature. In its September 2002 *National Security Strategy*, the Bush Doctrine further magnifies this negative personification of rogue states by offering a psychological explanation for their hatred of the U.S., which turns on the envy that “failing” states feel towards “conquering” states. Rogue states are thus characterized as “the embittered few” (White House 2002a, p. 1). They are frustrated would-be conquerors. This putative element of the moral psychology of rogue states is reiterated in the Defense Department’s more recently outlined *National Defense Strategy* of March 2005, which predicts that “Our leading position in world affairs will continue to breed unease, a degree of *resentment*, and resistance” (U.S. Department of Defense 2005, p. 5). Thus, rogue states are conceived as hating the U.S. because they want what the U.S. has; and what the U.S. has that rogue states want is clearly characterized as the unilateral hegemonic power of a “conquering” military. The amoral force of the Bush Doctrine’s moral rhetoric is therefore especially glaring when we consider its reducibility to the interplay of (unilateral) hegemonic and counter-hegemonic

animosities. A conflict of this sort is difficult to understand in terms that cast opposing sides in clear roles of norm-violator and norm-enforcer. Hence, the employment of demonizing epithets suggesting that “rogue states” *personify* evil simultaneously condemns them while evading the question of what shared standards they are especially guilty of violating. The mere fact that they are less successful at unilateral military dominance than the U.S. is hardly grounds for condemnation.

B. Normativity and Hegemonic Strategy

In order to better understand the normative incoherence of the Bush Doctrine, it will be especially helpful to review the arguments of its most prominent theoretical proponents. Our question, then, concerns whether the leading theoretical underpinnings of the Bush Doctrine can be understood as articulating a coherent normative worldview. Game-theoretic defenses of the doctrine have been received as among the most influential frameworks for attempting to understand the strategic and globally stabilizing role of “rogue state” designations. Perhaps the most authoritative defense of the Bush Doctrine is the version of hegemonic stability theory set forth by John Yoo, who has been one of the Bush administration’s chief legal theorists and advisors. So, it is fitting that we should turn to his arguments in search of a theoretically coherent synthesis of the strategic and normative meanings of the doctrine. As we shall see, analysis of these arguments reveals that the negative moral personification of rogue states, far from being rooted in principled normative judgments, can only be understood as a rhetorical means of advancing a purely self-interested U.S. military strategy.

In "Using Force," Yoo (2004, p 40) argues from a purely "instrumental" perspective that failures of humanitarian intervention in recent world history, most notably in Rwanda and Somalia, are due to the fact that the international system is "anarchical" and "has no mechanism in place for compensating nations to engage in such conflicts."¹ As the sole remaining superpower, the U.S. can solve this problem, according to Yoo, by assuming its proper role as the global "hegemon" and by forcibly intervening in the affairs of other states according to its own security interests, and according to standards of conduct more flexible than those embedded in customary international law. Instead of responding to actual or imminent attacks, the U.S. should assess the risks of attack presented by various weaker hostile states and apportion preventive military efforts accordingly (Yoo 2004, p 1-2). The notion that the U.S. can solve a collective global security problem by exempting its national security strategy from constraints of international law is one of the fundamental tenets of "hegemonic stability theory," which claims that the purely self-interested actions of a single, dominant state will lead to benefits for international society as a whole (Snidal 1985).

To his credit, Yoo (2004, p. 4) admits that, "this approach is at odds with conventional international legal notions of self-defense." In support of the U.S. invasion of Iraq, many less astute Bush Doctrine supporters, following the lead of Condoleeza Rice (Sanger 2002), were eager to cite Daniel Webster's famous argument in the *Caroline* incident, which allowed that customary international law admits certain exceptions to the general rule that the right of self-defense should be strictly limited to the repulsion of attacks already commenced or ongoing. Yet, it would be a wildly implausible stretch of the historical record to

characterize Webster's protest of the British sinking of the *Caroline* as a general justification for international wars of anticipatory self-defense. Instead, Webster argued, and the British Envoy, Lord Ashburton agreed in principle, that *pre-emptive* military actions in breach of international boundary lines can only be justified if the perpetrator can show "a necessity of self-defense, instant, overwhelming, leaving no choice of means, no moment for deliberation." Moreover, in this case, the U.S. and Great Britain agreed that such exceptional pre-emptive incursions into foreign territories must be distinguished from genuine acts of war directed against foreign states (Warmuth & Firmage 1989, p. 48-51, and Gray 2000, p. 106fn1).

The Bush Doctrine's fundamental incompatibility with the UN Charter system is more obvious, and therefore relatively uncontroversial (Schachter 1984, and Falk 2003b, p. 590). It is for this reason that the U.S. sought to rest its legal case for the invasion of Iraq, not on the Bush Doctrine alone, but also on UN resolutions 678 (1990) and 687 (1991), which were passed in response to Iraq's invasion of Kuwait (U.S. Department of State 2002). Inasmuch as the overwhelming majority of international legal scholars see little merit in this argument of law, standard [B] of the Bush Doctrine, which requires compliance with international law, is essentially inconsistent and prejudicial (Burroughs et.al. 2002, O'Connell 2003). The post-9/11 American approach to the detention and interrogation of enemy combatants also calls into question the U.S. government's commitment to standard [B]. The Bush Doctrine therefore appears to announce that the standard of compliance with international human rights law applies to the weak, but not to the strong. Or, more precisely, and worse, the strong apply standard [B] to the weak, but not to themselves. It is, in essence, a

policy through which the U.S. makes exceptions in favor of itself to general rules of practice that it expects others to abide.

From the standpoint of Kantian ethical theory, the inconsistent application of standard [B] is enough to show that the Rogue Doctrine is an unjust policy. As Kant (1934, section 2) avers,

If now we attend to ourselves on occasion of any transgression of duty, we shall find that we in fact do not will that our maxim should be a universal law, for that is impossible for us; on the contrary, we will that the opposite should remain a universal law, only we assume the liberty of making an exception in our own favour.

The most obvious way of attempting to defend the Bush Doctrine from this charge in ethically consistent terms would be to see it as an effort of international legal innovation. One of the striking features of customary international law is that the only way to make new law is to depart from established convention. Yet, as Robert Goodin (2005) cogently argues, departures from customary norms can only be understood as legal innovations insofar as the innovators are prepared to accept that all others should embrace the same new policies as their own.

Accordingly, the Bush Doctrine could be rendered ethically consistent only if the U.S. would allow every state to justify military action according to its apprehensions of evil attributes in the characters of other states. But this would be a clear recipe for producing anarchy, not for escaping it (Steinberg 2003, p. 12, Margolis 2004, p. 409).

Yoo, of course, is not a Kantian moral theorist. Instead, he purports to justify preventive attacks against rogue states on what he calls “utilitarian” grounds. His claim to be offering a utilitarian theory is dubious, however. As we have seen from considering the issue of legality, a utilitarian ethical justification, *if born out by evident consequences*, would at best make exceptionalist U.S. military policies

“illegal, but legitimate” (Schnabel and Thakur 2001). *If* implementation of the Bush Doctrine serves to maximize global utility, then, as Yoo (2004, p. 40) claims, “the benefits and control that accrue to the hegemon are justified because the provision of the public good itself would not occur without the hegemon due to free riding problems.” Since every global utilitarian policy proposal is an empirical hypothesis about how best to promote human welfare in general, the question of whether alternative approaches would do better is determinative from a utilitarian point of view. Yet, Yoo states that the question of whether a genuinely internationalist and broadly multilateral approach to the problem of terrorist violence would have greater global utility is “not critical.” Hence, Yoo is not a utilitarian in the sense that Bentham, Mill and Sidgwick are utilitarians. He is applying, instead, a non-utilitarian and purely egoistic brand of “instrumental” theoretical model to a putatively “anarchical” condition of international relations. This approach owes its pedigree to Hobbes, who is not to be mistaken for a utilitarian (Schneewind 1998). Thus, according to Yoo (2004, p. 41), “all that is needed from the theory is the conclusion that a hegemonic power *could* supply international peace and stability, *if it chooses to do so*” (my emphasis). In the moral vacuum of a Hobbesian state of nature, the hegemon’s promotion of global utility is not a moral obligation, but an optional goal, the importance of which is to be assessed from the standpoint of fundamental and thoroughgoing national self-interest. The hegemon will promote global utility only when and to the extent that doing so is a means to the promotion of its own interests. Empirical analysis confirms that U.S. implementation of the Bush Doctrine has so far conformed to the game-theoretic expectation of unmitigated self-interest in

pursuit of power, regardless of whether global utility is also promoted (Atran 2004).

It is highly doubtful that a purely egoistic Hobbesian theory of hegemonic strategy can be understood to advance a global utilitarian ethos. As David Hume famously demonstrated, public utility can never be counted among the ultimate aims of a wholly self-interested agent. Another principle of human nature, a certain “sentiment of humanity” independent of self-love, must form the foundation of any genuine moral concern for cosmopolitan public utility (Hume 1902, p. 272). Without drawing upon the kind of immediate concern for global utility that only human sympathy can provide, a wholly egoistic hegemon can distinguish intelligibly between friend and enemy, but not between good and evil, justice and injustice. These latter distinctions have no meaning within a Hobbesian state of nature (Hobbes 1991, chapter XIII, p. 90). On this point, it is instructive to recall the following passage from Hume’s *Enquiry Concerning Morals*:

When a man denominates another his *enemy*, his *rival*, his *antagonist*, his *adversary*, he is understood to speak the language of self-love, and to express sentiments, peculiar to himself, and arising from his particular circumstances and situation. But when he bestows on any man the epithets of *vicious* or *odious* or *depraved*, he then speaks another language, and expresses sentiments, in which he expects all his audience are to concur with him. He must here, therefore, depart from his private and particular situation, and must choose a point of view, common to him with others; he must move some universal principle of the human frame, and touch a string to which all mankind have an accord and symphony (Hume 1902, p. 273).

Distinctions between good and evil states must rest upon the kind of moral principle that, according to Hobbesian theory, can have no purchase within a state of nature. Consequently, within the context of Yoo’s instrumentalist account of hegemonic stability, “rogue state” personifications can be understood only as unilateral expressions of strategic hostility.

Still, Yoo (2004, p. 40) wishes to enlist utility on the side of hegemonic stability theory; and so he claims, arguably too strongly, that attempts to maintain international order through broader, “nonhegemonic” alliances have “proven” ineffective. It is revealing that the implicit contrast here between broad “non-hegemonic” and narrow “hegemonic” alliances reveals that Yoo thinks of hegemony as the dominance of brute power rather than as the leadership position in consensual “stake-holder” coalitions (Ikenberry 2001). Solely on the basis of the thin record of multilateral security failures in the 1990’s, he concludes that international law *should* give way, or be reformed in such a way that it encourages U.S. exceptionalism. Yet, it is clear that no normative force can be assigned to Yoo's prescription inasmuch as it does not even purport to establish a universal standard of international legal order governing the conduct of all states. Exceptionalism universalized as a general rule is a clear recipe for international anarchism.

Questions of universal normativity aside, the prudential force of an exceptionalist prescription becomes increasingly doubtful insofar as it predictably causes alliances to weaken and prompts relative equals to weigh their independent interests (Kagan 2002, Kaldor 2003, Drombowski and Payne 2003, Falk 2003a, Forsythe 2005, Krahnemann 2005, Skidmore 2005). Consequently, perhaps the central point of strategic incomprehension in Yoo’s theory, which a re-reading of Hobbes might have dispelled, is the fact that the post-Cold War increase in the availability of weapons of mass destruction, which partially levels the playing field between weak and strong states, provides grounds for preferring what Hobbes (1991, chapters XVII, XVIII & XX) termed an “institutional” solution to the collective security problem, enacted in terms of

“covenanting,” rather than a “natural” solution, imposed by means of conquering “force.” In terms of their capacities for conventional warfare, the strategic relationship between the U.S. and the designated “rogue” states is radically asymmetrical. In relation to transnational terrorist networks, however, American conventional forces do not possess the same overwhelming strategic advantage (Robb 2007). Such conventional military forces are adept at achieving aims of international conquest and international deterrence. Yet the al-Qaeda network is not a territory to be conquered, nor is it amenable to deterrence (Falk 2003a, p. 53). It is doubtful that a terrorist threat having the character of a transnational religious movement can be disabled effectively by launching conventional attacks against states that sponsor, shield, tolerate or ignore them (Atran 2004). Moreover, unilateral military operations, or military operations with exceedingly limited multilateral support, tend to erode cooperative relationships, which are essential to the task of gathering intelligence against such a terrorist network. Further, it is worth mentioning here that the extent to which the historical record supports Yoo’s negative appraisal of broadly international solutions to collective security problems is due in part to the fact that the most powerful states, for reasons of narrow ambition, tend to prefer the hegemonic gambit to the rule of international law. Thus, the obvious problem with Yoo’s theory is that, without U.S. willingness to conform to standards of international law, there are too few remaining structural constraints available to ensure that it will choose military options that best promote global utility (Buchanan 2006). The brute fact of military superiority does not even make it likely that the U.S. will choose to embark upon only just and globally beneficial wars.

In line with the Bush Doctrine, Yoo contends that, as a hegemonic power, the U.S. can serve both its own narrowly conceived national self-interests *and* the broader interests of the world community as a whole by acting, under putatively anarchical conditions, on more flexible principles of self-defense than traditional just war theories and international conventions allow. If this contention were presently true, however, the existing evidence would reside in how secure and happy the rest of the world has been made, so far, by U.S. adoption of the Bush Doctrine in its counter-terrorism war efforts abroad. Yet, most of the global community is adamantly opposed to the kind of American unilateralism that the Bush administration has embraced and that Yoo tries to defend (Falk 2002, Cowell 2003, Drombowski and Payne 2003, Pew Research Center 2004, Forsythe 2005, Krahnmann 2005). Yoo could attempt to address this recalcitrant fact by arguing that dissenting peoples and states (uninformed as they are by his theory) are failing to recognize that *their real interests* are being served. Of course this rejoinder would be hopelessly *a priori* and unconvincing in any sort of reasonable international dialogue. But at least it would lay bare the imperial logic of Yoo's brand of hegemonic stability theory. The Bush Doctrine's message to other states is that the U.S. is the best judge of their interests because the U.S. is more powerful than they are. Recent shortcomings in U.S. diplomacy suggest that this message is a poor way to forge alliances. The Bush Doctrine anticipates this unsurprising consequence in a corollary policy insisting that the coalition will not determine the mission but the mission will determine the coalition. Richard Haas of the State Department has a nice name for this policy. He calls it "multilateralism a la carte" (Steinberg 2003, p. 9). On this approach, coalitions are built for speed, not endurance. Thus, the Bush Doctrine does not truly take

seriously the task of promoting the global common good through leadership of a stable governing coalition. It aims not at the broadly multilateral aims of consensual “stake-holder” hegemony, but at immediate power gains through brute military superiority.

Although Eric Posner and Alan Sykes (2004) substantially agree with Yoo’s position, their analysis is instructive for revealing the essentially subjective and unprincipled nature of “rogue state” personifications. They admit that, “what constitutes a ‘rogue’ state is to some degree in the eye of the beholder.” Although their argument “presupposes that such states can be identified in a principled manner,” in the end they despair of accomplishing this daunting task, and do not even attempt to give the Bush Doctrine coherent and principled articulation:

“One might try to fashion objective criteria as part of the law for the identification of ‘rogue’ states, but that task may be exceedingly difficult” (Posner and Sykes 204, p. 22). Still, conferring “rogue” status on other states is said to be a prerogative of “hegemonic leadership.” (op. cit., p. 20). If any element of this theory purports to ensure the fairness of “rogue state” designations, it is the exceptionalist assumption of the superior moral character of the U.S. regime. Again, it is assumed that enemies of the U.S. must be radically evil because the U.S. is exceptionally good. Without this basic assumption of the hegemon’s superior moral personality there is little reason to trust its subjective attributions of “rogue” status to others. And yet, making such attributions part of a deliberate strategy of global military domination undermines their moral credibility. Thus, a purely strategic and self-interested game of moral personification is itself transparently amoral. In the next section, I shall argue

that this amoral employment of moral language is short-sighted and unsustainable.

C. The Limits of Strategic Normative Language

So far, I have argued that, when constructed in terms of the egoistic logic of hegemonic strategy, the Bush Doctrine's appeal to international legal compliance is ethically hypocritical, and its negative moral personifications of other states are insufficiently grounded. I also wish to argue that the moral rhetoric of the hegemonic gambit is discursively unsustainable. To a certain extent, the cogency of this latter claim hinges upon empirical grounds for doubting America's hegemonic status. Whether other nations will adopt equally hostile attitudes towards the designated "rogue states" depends, in part, on their eagerness to cooperate with the U.S. regime. Grounds are numerous, but beyond the present scope, for doubting that U.S. military strength is sufficiently influential to garner the support of a near-global consensus. We shall focus, instead, on Posner and Goldsmith's (2005) attempt to reconcile the use of moral and legal language with the egoistic assumptions of a game-theoretic approach to international relations. Their argument represents a systematic response to the kind of normative critique offered here. It is therefore worth considering it in some detail in order to examine more carefully both the general implications of embracing a purely amoral theory of international moral language and the specific implications of employing this theory as an interpretive framework for understanding the Bush Doctrine.

Posner and Goldsmith (2005, p. 169) begin by citing evidence of what no sensible theorist of international relations would deny, which is that state

officials often articulate moral and legal justifications for their foreign policies no matter how self-interested those policies may be. The purely strategic use of moral and legal arguments in international affairs is a pervasive and undeniable phenomenon. Yet, the authors also wish to repudiate the classical realists' claim that normative language in international affairs *invariably* serves to "disguise" power politics (Posner and Goldsmith, p. 170-171). As a general thesis this classical realist claim is implausible from the standpoint of game theory. Although particular acts of deception may facilitate coordination of a sort between states for limited aims, persistent deception is unsustainable in the long run because the deceiver will lose credibility over time (Elster 1989). Hence, Posner and Goldsmith argue that the use of normative language in international affairs is, in general, a strategic means of facilitating rational "equilibria" of mutually beneficial cooperation between states. Such language is designed to "signal" national dispositions that make it rational for other nations to cooperate. More specifically, the aim is to signal to prospective allies that one has a "low discount rate," which means, in more common sense terms, that one places a relatively high value on distant future goods. Since discount rates are best conceived as relative to particular goods, we shall assume that the relevant good under consideration here is national security. Can the Bush Doctrine be understood as a means of signaling the high value that the U.S. government places on future cooperation in international security arrangements?

Some explanation of the central importance of "low discount rate" in game-theoretic analyses of international relations is in order. The importance of making a show of national farsightedness is grounded in the conditions under which positive-sum equilibria, or "win-win" results, can be achieved in bi-lateral

“prisoner’s dilemmas.” A prisoner’s dilemma is any situation having an incentive structure such that, for each player, the result of unilateral non-cooperation is preferable to the result of mutual cooperation, yet the result of mutual cooperation is preferable to the result of mutual non-cooperation, which is in turn preferable to the result of unilateral cooperation. In a single game of this sort between two players, it is rational for both sides to adopt a strategy of non-cooperation in order to avoid the least desirable result of unilateral cooperation. Each side thereby achieves only the third best result (mutual non-cooperation). When players can expect the prisoner’s dilemma game to be repeated indefinitely, however, it becomes rational for them to run the immediate risk of suffering the least desirable result of unilateral cooperation for the sake of achieving the second best result of long-term mutual cooperation. It is shortsighted to run the risk of long-term mutual non-cooperation in the hope of gaining the fleeting advantages of unilateral non-cooperation. In this kind of game, known as the repeated prisoner’s dilemma, shortsighted players lose by inviting mutual non-cooperation, and farsighted players win by inviting mutual cooperation. It is rational in the long run for each side to settle for the second best result. Accordingly, one of the central insights of game theory is that it is rational from the standpoint of self-interest to cooperate with others to the extent that they can be expected to value future cooperation (Axelrod 1984). Such farsighted players make attractive partners for cooperative interaction. According to Posner and Goldsmith (2005, p. 167-184), the use of normative language in international affairs is a means of signaling one’s farsightedness to other players with a view to achieving positive-sum or “win-win” interactions. The question at hand, then, is whether the Bush Doctrine can be understood as such a signal.

Posner and Goldsmith (2005, p. 31) characterize “rogue states” as “impulsive” states with high discount rates. Hence, the verbal act of demonizing “bad types” might be understood as a signal that the speaker exemplifies the opposite type. On this account, “rogue state” designations are not attempts at communication with the enemy. Relations of mutual enmity are zero-sum conflicts in which neither side has reason to convey information to the other (op. cit., p. 172). In such relations, the positive-sum equilibria modeled by game theorists are not possible. So, if negative moral personifications of “rogue states” are meaningful, it is because they represent attempts to coordinate foreign policies with other “good types.” Goldsmith and Posner’s theory of symbolic equilibria is designed to explain affirmations of the existence and validity of shared international norms, and to do so without relying on altruism, generalized humanitarianism, or any genuine sense of obligation (op. cit., p. 39). Insofar as the Bush Doctrine lays claim to an American exemption from traditional norms of just war theory and customary international law, it is difficult to see it as an effort to signal a disposition favorable to broad international cooperation. At best, this doctrine might signal a willingness to cooperate with other powerful players, such as China, Russia, and the European Union, in a multilateral renunciation of customary international security norms. After all, the theoretical situation of the iterated prisoner’s dilemma is an interaction between relative equals. It is not the situation of asymmetrical international conflict. On this interpretation, the U.S. is speaking as a norm entrepreneur only for the global elite. It seeks to cooperate with other powerful players by signaling new, shared terms of flexible hostility towards weaker, militarily ambitious players. The Bush Doctrine may be understood, on this analysis, as an attempt to create a “separating equilibrium,”

which will distinguish the strong from the weak by establishing an equilibrium (a non-binding “norm” of sorts) that only the strong can afford (McAdams 2001).² The most powerful states can best afford to declare openly which states they see as enemies; and only the powerful can afford to defy customary international norms. This understanding of the Bush Doctrine at least achieves *partial* compliance with the stricture that normative innovators must extend their declared standards to other states, if not *all* other states, at least all relative equals capable of effective counter-balancing behavior (Goodin 2005).

Yet, two serious problems face any such attempt to explain the Bush Doctrine as a piece of rational “international rhetoric” designed to signal a new “separating equilibrium” among elites. The first is a problem of theoretical coherence and predictive power, and the second is an empirical problem raised by the historical record of U.S. national security policy.

The first problem arises from the fact that Posner and Goldsmith’s theory allows that, when it comes to low discount rates, “any action will serve as a signal as long as its cost exceeds the benefit that other states can obtain from imitating it” (2005, p. 173). Thus, for example, even conspicuous consumption can become an “arbitrary” signal of low discount rate (Posner 2000, p. 21). But this account flies in the face of the fact that conspicuous savings would be a far more compelling “natural” signal (McAdams 2001, p. 646-648). The theoretical provision of arbitrary signaling threatens to neutralize the predictive power of the concept of low discount rate (*op. cit.*, p. 640-641).

To be sure, only the powerful can afford openly to declare their hostilities and their non-compliance with international norms. This has more to do with their power than with their farsightedness, however. Goldsmith and Posner associate

a state's low discount rate with its apparent, long-term political "stability." And when it comes to matters of security in strategic international relations, stability is understood largely as a function of military power. There is no empirical reason, however, to suppose as a matter of theoretical principle that powerful states place greater value on the distant future goods of cooperative security arrangements. There is little reason to suppose that preeminently powerful states will in general tend to have lower discount rates for the simple reason that they can afford not to. It may even be doubtful that liberal democracies, which Goldsmith and Posner identify as "good types," generally tend to take a longer view of their interests. A pattern of frequent electoral regime change may make liberal democracies periodically shortsighted in comparison with some life term dictatorships, even though this feature of democracy also enhances a state's ability to correct for periodic shortsightedness. More specifically, to the extent that the U.S. government imagines that it possesses or is close to possessing hegemonic power, it will also be more likely to imagine that it can afford to adopt strategies of *conspicuous destruction* in lieu of investing in long-term security cooperation. Other historically contingent idiosyncrasies may belie the *a priori* association that Posner and Goldsmith make between power and farsightedness. For example, if conjectures about the current influence of Christian Zionist eschatology on Bush administration foreign policy are empirically well founded, any *a priori* assumption that powerful states are inherently farsighted may be especially misplaced in the present context (Blumenthal 2006).

More reliably predictive are the "natural" indicators of low discount rate, such as the willingness to invest in national development, the willingness to cooperate

with a wide range of other states, but especially the willingness to enter into conditional cooperative arrangements even with shortsighted “bad types.” Discriminating against the weak is not a “natural” signal of low discount rate because, other things being equal, the costs of such a policy are so low for powerful players (McAdams 2001, p. 652). A willingness to cooperate with others perceived as shortsighted would be a better, more natural way to signal one’s low discount rate. Willingness to absorb the costs of enforcing existing norms is another natural way to signal low discount rate, as Posner (2000, p. 89-90) allows. Yet, insofar as the Bush Doctrine signals U.S. willingness to enforce norms with which it does not itself comply, it does not appear to be a natural signal of low discount rate. Other things being equal, states with relatively low discount rates will comply with accepted norms more than states with relatively high discount rates (McAdams 2001, p. 462). Therefore, the Bush Doctrine, as a doctrine of American unilateralism, is best understood in game-theoretic terms as an indication of national shortsightedness.

The second difficulty faced by any attempt to understand the Bush Doctrine as a natural signal of America’s low discount rate arises from the historical record. There is some reason for thinking that the demonization of “rogue states” may belong to a very different brand of strategy. Consider as evidence the following recommendation of “Essentials of Post-Cold War Deterrence,” a declassified 1995 report of the U.S. Senate Subcommittee on Policy, Weapons, and Intelligence Requirements on how best to manage the potential threat of weapons of mass destruction:

Because of the value that comes from the ambiguity of what the US may do to an adversary if the acts we seek to deter are carried out, *it hurts to portray ourselves as too fully rational and cool-headed.* The

fact that some elements may appear to be potentially "out of control" can be beneficial to creating and reinforcing fears and doubts in the minds of an adversary's decision makers. This essential sense of fear is the working force of deterrence. That the US may become irrational and vindictive if its vital interests are attacked should be part of the national persona we project to all adversaries (USSTRATCOM, 2005).

This pre-Bush administration Rogue Doctrine strategy appears to have little to do with the desire to signal the U.S. government's rational farsightedness. Instead, it is at best a strategy of "motivated irrationality" (Pears 1998). Powerful nations have a surplus of power to spend in bearing the costs of deterring their weak enemies and maintaining their traditional allies. Hence, from the standpoint of game theory, the candidate for hegemonic power can afford to act irrationally and dangerously in order to increase the general sense of uncertainty. In the short run, this signal will tend to increase the general or average rate at which states discount future security, which will also increase proportionately the apparent importance of the would-be hegemon's present military might. The perceived discount rate of the U.S. will be relatively high, representing at most a disposition to maintain short-term alliances or "coalitions of the willing." If the U.S. were a genuinely hegemonic or nearly hegemonic power, there might be some basis for predicting long-term success for this strategy. If not, the American hegemonic gambit would appear at best to be a strategic miscomputation. Either way, it remains clear that the Bush Doctrine represents a "high discount rate" security policy involving shortsighted military aggression against "rogue states" designated as such for purely strategic reasons.

Further empirical grounds for doubting the farsightedness of the Bush Doctrine arise from consideration of profit motives. The short-term material gains of military subcontractors and their major shareholders have been well

served by recent U.S. security policies. Profit taking in this enterprise does not depend upon the long-term sustainability of recent national security policy any more than the largess enjoyed by Enron executives depended upon the sustainability of California's energy policies in the 1990's. Increasing privatization of national security policy under the influence of corporate lobbies and the Defense Department's "Business Board" may give greater weight to quarterly profits than to long-term collective security interests.

Concluding reflections

As the arguments of the foregoing sections have shown, when it is interpreted in terms of hegemonic stability theory, the Bush Doctrine appears to be an ethically hypocritical and shortsighted international discursive strategy. Posner and Goldsmith are right to resist the classical realist's assumption that international normative language is *always* a ruse for power politics. Yet, this assumption holds true in this case when we carefully examine the significance of the Bush Doctrine within a game-theoretic framework. Its patently amoral use of moralistic language to demonize relatively weak and unsuccessful would-be conquerors is discursively unsustainable. Even Carl von Clausewitz, the consummate realist of geopolitical strategy, recognized that favorable moral sentiments are among the most powerful strategic resources in international affairs (Clausewitz 1873, book II, chapter 3). Similarly, Murrey Edelman has maintained more recently that, "the critical element in political maneuver for advantage is the creation of meaning... The strategic need is to immobilize opposition and mobilize support" (Edelman 1985).

In this light, it is also difficult to see the Bush Doctrine as a rational discursive strategy. To the extent that we can understand it as belonging to a rational strategy, it is either one that sees long-term national security gains in displays of short-term irrationality, or one that is motivated by the narrower prospect (for political and economic elites) of taking short-term profits from policies of militarized corporate welfare, or perhaps both. In support of such aims, its use of stridently moralistic language to announce a largely unilateral and purely self-interested military strategy seems designed to create a cloud of normative confusion for the sake of short-term unilateral advantage. It may be too early to tell whether this strategy might be successful in the long run as a means of increasing U.S. power and promoting U.S. national security. But, although we have not conclusively demonstrated as much, we have at least suggested some reasons for thinking that a unilateral American hegemonic gambit is probably strategically misguided.

Even more doubtful than the strategic wisdom of the Bush Doctrine is the prospect that a successful American hegemonic gambit would promote global security or global utility in the long run. Again, we have adduced some grounds for doubt, however inconclusive. But what our analysis clearly shows is the ethical hypocrisy and discursive unsustainability of the message that the Bush Doctrine sends to other states. Its use of robustly normative language is best understood by the lights of its own leading proponents as belonging to a strategy of ethical obscurantism, the discursive force of which undermines globally shared normative meanings that might otherwise ground principled opposition or restraint. It follows from this conclusion that if preventive U.S. security measures are to gain broad international legitimacy by discursive means, they

will need to be couched in more principled terms and backed by conduct that is equally principled and restrained. For the enemies of American interests to be credibly characterized as radically evil, U.S. national security strategy will need to embrace, at a minimum, a more principled leadership role in broadly multinational security arrangements. As it currently stands, the Bush Doctrine is a poor signal for encouraging stake-holder investments in U.S.-centered hegemonic stability.

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¹ It is worth noting here that this description of the nature of international relations is contentious. David Lake (2001 and 2003), for example, cogently challenges the assumption of international anarchy in hegemonic stability theory, and argues instead for a rational choice model of transnational imperial hierarchy.

² In his critical review of Eric Posner's *Law and Social Norms* (2000), McAdams cannot think of many examples of norm entrepreneurs that introduce such separating equilibria, but the Bush Doctrine appears to be a good example.