

## The War Against Iraq\*

Although required by the US Constitution, there has been no declaration of war, and, contrary to even to the War Powers Act of 1973, President George Bush has been given a blank check by a cooperative Congress to bomb “pre-emptively” Iraq-- with or without the support and endorsement of the United Nations. This presumably would be followed by an invasion and occupation of Iraq. The goals--disarmament and a “regime change”-- seem reasonable—even if the means manifestly violate international law and are at least hypocritical: There is zero evidence that Iraq supported the terrorist attack on the Pentagon and World Trade Center and some evidence that the Saudis, our oil allies, did provide support. Pakistan, China, and North Korea have nuclear capabilities. It seems increasingly that our government would like now to fight two wars, one with Iraq and one with Korea. Most chillingly, in marked contrast to the so-called “war on terrorism,” a war against Iraq or Korea will be a genuine war, perhaps a holocaust, and its costs in terms of human lives, destruction, and perhaps also the stability of the US and world economy cannot be calculated. But these costs will surely be enormous (See W.D Nordhaus: “Iraq: The Economic Consequences of War,” *New York Review of Books*, 5 December 2002). Still, polls show that President Bush commands overwhelming majorities in his “job approval rating.”

How can we understand this? There are, of course, proximate causes: a volatile Middle East with the US playing a most critical role in defense of its “interests,” a stunning attack on the Pentagon and World Trade Center, followed by an American political climate of vigorous patriotism. But these became proximate causes only because of historical developments of institutions which are thoroughly taken-for-granted, developments which lead Presidents and ordinary people to think and do things which, when examined critically, could not be sustained. If part of the problem regards Ariel Sharon, Yassir Arafat, Saddam Hussein, Osama Bin Laden and President George W. Bush, a greater part of the problem regards what is taken for granted in all of this. Ultimately, it regards you and me.

I was B-52-qualified to drop nuclear weapons on innocents and was called out of a classroom in 1962 to rejoin an activated USAF reserve squadron that had the mission of parachuting the 82nd Airborne onto Cuba. When I think back on this I am struck by the ease by which it seemed so natural for me to be implicated in what I now look on in horror. Something seems natural, I think, if it is “the way things are done.” But we seldom ask, why are things done this way? What is the origin and ground of such practices and the beliefs which sustain them? Years later in a book entitled *War and Democracy*, I tried, in broad historical terms, to

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explore what some of these beliefs were and their source and origin. I will appeal to some of these ideas today.

I concentrate on three large ideas: the idea of the modern state, the idea of democracy and the idea of the nation. Moreover, I consider these conveniently in terms of two easily confused, but entirely different conditions: the condition of the ancient *polis*-world and the condition of the modern world. Seeing the difference should, I hope, shed some light on the assumptions of modern "warriors."

### **The World of the *Polis***

Begin with the *polis* world of Ancient Greece. In this world of small independent city-states, one might, as now, identify oneself in terms of a nation. But in the ancient world, including here the ancient Middle and Near East, there were no large "nations" and surely no nation-states, an entirely modern idea. "Nations" (as in the Old Testament, for example) were "ethnic" groups who might share language, a common fictive progenitor and a particular set of religious practices. The Semites descended from Sem. Nations were ensembles of "extended families," local and provincial.

The "Greeks" were not then a nation. While they had much in common, including language, they were Plataeans, Leucadians, Athenians, Spartans, Thebans, Tegeans, Myceanaeans, Corinthians...and many, many more. Indeed, at the time of the Persian Wars, there were perhaps 1500 "nations" each organized as an autonomous *polis*. The *polis* form was not, of course, the only form of political organization then extant. An older form, the *ethnos*, was true of Macedonia and Epirus and of much of the Eastern Mediterranean. In an *ethnos*, the idea of a citizen (Greek: *politean*) had not yet emerged. And of course, there were empires. As Herodotus makes clear, the Empire of Persia, e.g., was comprised of many, many "nations:" Medes, Cissians, Hyrcanians, Assyrians, Bactrians, Arians, Partians--the list is very, very long. Sometimes forgotten, Rome began as a *polis* (in Cicero's Latin, *res publica*) and became an empire exercising rule over many "nations."

Of particular importance here is the fact that in the *polis* citizens ruled and only citizens fought and died in warfare. This was true as much of oligarchic Sparta as of democratic Athens. And ruled must be taken quite literally. Citizens were not "represented." When they voted, they voted not for "governors" but directly on policy, including a decision to go to war. Thus, the decision of the Spartiates to make war on Athens was decided by them just as the Athenian decision to invade Sicily was made publicly, by vote, after debate in the assembly of citizens. Indeed, we think of Athens as *the* democracy of the ancient world precisely because unlike Sparta or Corinth, under the pressure of war from Persia, it extended citizenship to poor farmers who could not afford to be hoplites, but who did serve on the 200 triremes built under the leadership of Themistocles, what Aristotle was to call *nautikos ochlos*--the maritime mob. Empires could man armies with mercenaries, professionals who were both foreigners and were

paid to fight. Demosthenes, following on the loss of the *polis*' autonomy to Philip of Macedon, laments the loss of "civic-mindedness" by the Greeks who "in former times" would invade the enemies land with hoplites and citizen armies for four or five months "only during the campaigning season" and then return home to tend to their fields and animals. Not only was war no longer to be the decision of those who would fight, but the character of war was also to change.

### **The Modern State and Citizen**

Machiavelli is the great prophet of the modern state, fit, as no entity ever had been, to carry on war. Machiavelli's main concern was securing the "liberty" and "security" of the body politic. For him, as for all the moderns who followed him, this was the primary imperative of politics. In its absence, all the possible goods of human life, family, work, art and leisure, were threatened. This is now thoroughly taken for granted by everybody. All must defend the state, since if it fails, all else fails.

Machiavelli's world, like ours, was not the *polis*-world. His was a world of global aggrandisement where the powerful states swallowed the weak and the stateless. Accordingly, his model was not Sparta, but Rome. In a world of many incipient Romes each competing with one another for the ability to dominate those lacking the means, one must try to achieve a "great empire." Those who desire to preserve their freedom and security need to be populous, for without an abundance of citizens it is impossible to be powerful.

If...you wish to make a people numerous and warlike, so as to create a great empire, you have to constitute it in such a manner as will cause you more difficulty in managing it; and if you keep it small or unarmed, and you acquire other dominions, you will not be able to hold them, or you will become so feeble that you will fall prey to whoever attacks you (*Discourses*, I, 6).

Machiavelli saw that those who fought must be "citizens," but here again, Republican Rome would be his model. There, as today, to be a citizen meant only that one could claim rights--not, as in the *polis*, that one could participate in ruling. And he saw also that governing a large and "nationally" heterogeneous population created problems, especially if the citizens were to be armed. There was, however, no choice. The logic of modern politics was relentless. Conquer or be conquered.

Moreover, it was this set of problems which led Machiavelli to his better known views on the behavior of "the Prince." If it is the statesmen's primary responsibility to secure and maintain the liberty and security of the body politic (*vivere civile*), then he is in a unique moral situation: he seeks the one end which justifies any means: "When the act accuses him, the result should excuse him" (*accusanda il fatto, lo effecto lo scusi*). It is surely wrong for the ordinary citizen to murder or to lie, but those with the responsibility for the safety of state are in a different and moral position. Lying to one's

countrymen and manipulating sentiment to save the state, illegally funding enemies of the state's enemies, assassination--all are "excused" when the independence and security of the state are at issue. Although it will be denied, it is easy to show that Machiavelli's advice is heeded by all modern governments. All regularly lie, manipulate their populations, secretly seek to undermine the regimes of other states, and many, including the US, have used assassination as a political tool—all in the name of securing the “liberty” and “security” of the state.

Machiavelli left a huge legacy of assumptions which we take for granted; but we shall not yet understand the willingness of "citizens" to slaughter in the name of the "nation" until we look further.

### **The Nation as the Sovereign People**

Almost always ignored is the contribution of the Americans. It was the Americans who stumbled onto a remarkable solution to many of the problems of rule that had been analysed by Machiavelli. The idea of the sovereign people, invented by the Americans, obliterated the bifurcation of rulers and ruled and provided an entirely new basis for the legitimacy of decisions made by "governments"--a modern term for what is also an entirely modern idea.

The colonists had fought for Independence. The thirteen states (each in its original sense a sovereign entity) were united under the Articles of Confederation. When Madison and Hamilton managed to get a convention convened in Philadelphia (after the failed Annapolis meeting), the group of "founders" decided, extra-legally, to scrap their mandate to amend the Articles. They would instead offer plans for a "national government." There were a number of huge problems. One of them regarded the authority of the proposed new government. Under the Articles, the Congress (the older name for an assembly of ambassadors from independent states), represented States, not individuals. Under the proposal, individuals in the several states would be accountable to legislation passed by the new Federal Government. As Patrick Henry well put the matter: "The question turns, sir, on that poor little thing---the expression, We the people, instead of the States of America." If indeed, the National government could legislate over individuals, then where was sovereignty located? From at least Bodin on, the sovereign held the final power in a state. The King was sovereign exactly in the sense that he could make laws and declare war. Where was sovereignty in this historically novel constitution?

The solution was at hand: If the people were sovereign, sense could be made of the whole system. Indeed, Madison saw clearly that if special conventions were convened to decide on ratification (again bypassing the existing law of the land), then, ratification could be understood as "a WHOLE PEOPLE exercising its first and greatest power--performing an act of SOVEREIGNTY, ORIGINAL, and UNLIMITED."

Thereafter, "the people" could be sovereign even if they did not rule; and democracy could be redefined not as government *by* the people, but as government *of and for* the people. As Madison rightly put the matter (in his usually unread *Federalist Paper, No. 63*), "The true distinction between [earlier republics] and the American Government lies in *the total exclusion of the people in their collective capacity* from any share [in the American System] and not in *the total exclusion of the representatives of the people* in [former Republics]. That is, in the ancient republic (Greek: *polis*), citizens had a real share in ruling--including, as I noted, in the decision to go to war. In the modern republic this would no longer be the case. Deriving their power from "the consent of the governed," modern republican governments could decide to make war just as they could make laws. Machiavelli, indeed, would have been impressed. But of course, the primary responsibility of governments, assuring the liberty and security of the state, remained primary. What changed was the problem of what counted as "consent" and what now had to be done to gain it. But the new arrangements did not require that what was decided by government to be in the interest of the "sovereign people" was in fact in the interest of those who constitute its membership. And modern war would be very unlike the wars of the premodern period. They would involve the whole "nation" and they would require instruments of mass destruction directed also at non-combatants.

### **The Nation-State**

The final piece of this historical tapestry--the idea of the nation-state--was even easier. Benedict Anderson has well summarized matters:

Out of the American welter came these imagined realities: nation-states, republican institutions, common citizenships, popular sovereignty, national flags and anthems, etc. and the liquidation of their conceptual opposites: dynastic empires, monarchical institutions, absolutisms, subjecthoods, inherited nobilities, serfdoms, ghettos, and so forth (*Imagined Community*, p. 78).

The idea of a nation-state, like the idea of the large modern state, once created, could not be stopped. Imported to Europe and in the environment created by the French "citizen" armies of "liberation," the sovereign people became "the nation;" modern nationalism was born. This meant not only that one could identify with this new imagined community--and die for it, but that "nations" --whether "democracies" or not, could be thought of as persons. They could have wills, interests and goals whose realization depended on those who would "lead" the nation.

What is most remarkable, perhaps, is how very recent this ensemble of ideas is and yet how powerful they are. Without them, it would be quite impossible, I think, to understand the mutual massacre of millions--including many who were committed to the cosmopolitan ideas of international socialism-- in World War I, and more generally how it is possible that otherwise intelligent people quite willingly march or fly off to faraway places to do and suffer violence in the name of abstractions like "freedom" or "national

security" or "democracy." Never asked are the questions: Whose freedom? Whose Security? What democracy?

There is also deep paradox to all of this. On the one hand, while patriotism can make killers of decent people, "nations" are remarkably open to construction and reconstruction. Witness, for example, the post-imperial construction of an ensemble of "nations" in Africa, the construction of modern India and Pakistan, the reconstruction of what was the Soviet Union, and the very recent reconstruction of what was constructed as Yugoslavia following the end of the Habsburg Empire. All of these, required the construction of "national" identities from heterogeneous historical materials at hand, and in their "ethnic-cleansing" struggle for sovereignty, all of them called forth extensive violence (and in too many cases continue to do so.)

The present situation in the Middle East is unintelligible without understanding the construction of the Israeli State and the subsequent failure to accommodate the "national" interests of Palestinians. A territory, slightly larger than Massachusetts, inhabited by a Arab majority for some 1,200 years, was promised by a third party, Great Britain, to be the national home to another people, the majority of whom lived in Europe.

My point here is not to lay blame, but to emphasize that once "peoples," Jews, Palestinians—and Americans, become convinced that they owe their identity to a sovereign nation, actual or envisioned, they are willing to do and suffer violence under the direction of leaders, all in the name of creating, rescuing or defending the "nation." Of course, there are questions here of the justice of the use of violence and differences that need to be drawn. Compare here the terrorist activities of the Irgun (beginning in 1944), those of the Palestinian suicide bombers, the terrorism of the followers of Osama Bin Laden who die for the defense of a vaguely formulated Islamic theocracy, and the bombing of Kabul by B-52s. But for present purposes, my concern regards us, the citizens of certainly the most powerful "democracy" in the world.

We are told that this war is essential to our national interests. But who decides what is in the interest of the United States?

The American "founding fathers" knew that they had not constructed a democracy. They did not want one. They constructed a republic in which the people and the government were distinct. If with the new Constitution "sovereignty" "resided in the people," the government nevertheless would govern. It would make the decisions of major social importance to the nation—including those of war and peace.

In his remarkable "Project for Perpetual Peace," Kant, with one eye on the new United States and the other on the aftermath of the French Revolution, argued that in a world of "republics," there would be no wars—for it would be clear to all the citizens of republics that war was *irrational*, that all conflicts between republics could be rationally

adjudicated. Indeed, the point of the republican form of regime was that it served to protect the interests of persons. Persons in the aggregate could have no interest in a war-- unless of course, their persons and property were under threat. As states achieved the status of republics, they would agree among themselves not to engage in war. Each would recognize the absolute sovereignty of the other and promise non-interference. Here one should think of the current European Union. Republics would reserve the right to defend themselves, of course, but as Kant rightly saw, they had to abolish standing armies, leaving in their stead militias of citizens. Standing armies were “mere machines and instruments on the hands of [the state].”

Of course, modern states did not all abandon their standing armies—and navies and air forces—and weapons of mass destruction, even if each insisted that their sole purpose was “self-defense.” And the reasons for this were not merely technological. Indeed, *the real flaw in Kant’s argument was in rejecting democracy for the form of a republic.* That is, there is no good reason to suppose that the interests of the regime are identical with the interests of the people so governed. Indeed, there is no effective mechanism which allows “the people” to be even a minor participant in the definition of what counts as in the “national interest.” Nor, most critically, is there any mechanism for them to decide whether, once defined, war is the most appropriate means to achieve these goals. Finally, once states are joined in war, there is no turning back, no reconsideration possible.

The fifty-five at Philadelphia knew this. Accordingly, they wanted some assurance that the power to make war would not be solely in the hands of the President. They failed in this--- and monumental failure indeed it was. Brian Hallett has provided a full-fledged account of this, but a case can be made that the failure was inevitable. The Machiavellian Imperative licensed its irrelevance. Presumably the War Powers Act was, at least in part, a response to this failure. But for many of the same reasons, this also fails. This leaves us where we are: One man, the President of the most powerful nation-state in the history of world, can commit its citizens to a pre-emptive war against another nation—with millions more suffering the consequences of his decision.

And remarkably, we all --the citizens of the US-- take this for granted. We are Americans and must preserve our “democratic way of life.” The President was elected and is our Commander-in-Chief. We must stand behind him. We must pay our taxes to fuel the war machine. We must sacrifice our privacy and our freedom in a phony “war on terrorism.” Our warriors must do their duty—even if this means unleashing terror on innocents. Wake-up America! You can do better.

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