

Is the War On Terror Over? If So, Who Won?

Written by Toby Fenton

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TOBY FENTON, NOV 9 2013

Birth of the War on Terror

Following the Al-Qaeda terrorist attacks of September 11, 2001 ('9/11'), the US engaged in a protracted international strategy in what became known as the *War on Terror*: 'an expensive military campaign around the world' (Katulis & Juul, 2011) ostensibly to find and prosecute those responsible. Al-Qaeda leader Osama bin Laden's death in May 2011 was thus hailed as a milestone in this struggle, and by 2014 NATO forces are expected to withdraw from former Al-Qaeda stronghold Afghanistan. However, bin Laden was quickly replaced, aggressive counterterror policies have escalated, and the Al-Qaeda *Geist* persists in areas from West Africa to the Middle East (see Jenkins, 2012; Whitehead, 2012; Joscelyn, 2012).

While there is no strict consensus on the definition or components of terrorism (Evans & Newnham, 1998:530; Singh & Singh, 2012), a useful description of international terrorism is 'premeditated, politically motivated violence perpetrated against non-combatant targets by subnational groups or clandestine agents' (US, National Counterterrorism Centre, 2011:v). This essay is however concerned with the particular aforementioned counterterror strategy that the US reified post-9/11. The US government considered itself 'at war' by mid-September, 2001 (Fenet, 2001), while the scope of the policy was established both through a speech act that year in which President Bush announced the 'war on terror begins with al Qaeda, but ... will not end until every terrorist group of global reach has been found, stopped and defeated' (in CNN, 2001), and in the 2002 National Security Strategy which asserted '[t]he enemy is not a single political regime or person or religion or ideology. The enemy is terrorism...' (The White House, 2002:5). Soon after 9/11, allusions to the 'War on Terror' began to enter official discourse – first with reference to the US 'fighting a war against terrorists' (The White House, 2002:5), then with the phrase 'war on terrorism' (The White House, 2003:5).

The War on Terror is highly controversial. For instance, Crawford (2003:20-21) attempts to reconcile the War on Terror with Just War Theory, while Snauwaert (2004:132) considers it 'a power-driven, hegemonic foreign policy strategy'. However, for this essay, the aforementioned position of the Bush administration will be taken as exemplifying the War on Terror; it was a policy strategy involving the entire American 'diplomatic, economic, information, financial, law enforcement, intelligence, and military' apparatus (The White House, 2003:29). The essay will review the title question by considering first empirical and second rhetorical evidence within the context of America's prosecution of the War on Terror – ultimately to support the contention that it is *not* over.

The Use of Force

First, considering US foreign policy is paramount. The 2001 *Authorisation of the Use of Military Force* (AUMF) Act (2001:s.2) asserted the right of the President '... to use all necessary and appropriate force... to prevent any future acts of international terrorism against the United States...' Central to this framework was 'a policy of targeted killings' and drone strikes (Clark, 2012:19-20) which became 'an essential tactic' in the War on Terror (Masters, 2012). However, such methods have been expanded by the Obama administration (Clark, 2012:20; also Miller, 2011): covert operations more than doubled from 2009-2011 (Naylor, 2011), and drone strikes have increased exponentially (New America Foundation, 2012) – a trend predicted to continue (Masters, 2012). Without doubt, it seems that 'Obama has emphatically embraced the post-September 11 era's signature counterterrorism tool' (Miller, 2011).

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However, compared to the Bush administration's belligerent militarism, the US has 'recalibrated' its counterterrorism policy, making it 'more focused and targeted' (Katulis & Juul, 2011). The use of mass ground forces and 'shock and awe' tactics has been replaced with an acute, high-technology, covert military-intelligence apparatus, with relatively little action against Al-Qaeda affiliates in places like Somalia and Sudan (Jenkins, 2012) in favour of concentrating counterterrorism efforts within hotbeds like Pakistan and Yemen. Furthermore, considering the framing of Asia, cyber and biological warfare, and rogue states as the foci of US national security (US, Department of Defense, 2012b:2-8), it seems the administration 'clearly believes that the war on terror is over' (Nordenman, 2012).

Aggressive Security Policies and the Challenge to Norms

Continuing on, underscoring US counterterrorism is a disregard for international norms, which President Bush enunciated by making 'no distinction between the terrorists... and those who harbor them' (in CNN, 2001) and reified with the Iraq invasion (Snauwaert, 2004:132). Further international, civil and human rights violations in the War on Terror (see Silverman, 2004) led to claims that the US 'global security agenda... is bankrupt of vision and bereft of principle... By failing to protect the rights of those who may be guilty, governments endanger the rights of those who are innocent...' (Khan, in Amnesty International, 2004). Recently, the US acted – not uncommonly – both extra-judicially and illegally in killing bin Laden (Cohn, 2011), simultaneously violating Pakistani sovereignty (Voltaire Network, 2011). Interestingly, the extra-judicial killing of Al-Qaeda member and US citizen Anwar al-Awaki (Silvergate, 2011) was pre-defended by the White House which 'argued that... he was taking part in an ongoing war...' (Clark, 2012:17; see also Adams, 2011), despite a UN report establishing that 'extrajudicial executions can never be justified... not even in time of war' (UN, Economic & Social Council, 1998:15). Consequently, it seems that the violating of norms proceeds, continuing the Bush administration's undermining of 'the international moral and legal order...' (Snauwaert, 2004:132). However, the demise of figures such as bin Laden and al-Awaki is considered a victory for the US (Katulis & Juul, 2011). A State Department official, for example, claimed the War on Terror is over because the US has "killed most of al Qaida..." and there is "an opportunity for a legitimate Islamism" (cited in Hirsh, 2012). Miller (2011) compounds this view, basing the imminent culmination of the War on Terror on bin Laden's death and Al-Qaeda's downfall. On the other hand, this may be overly simplistic: leaders are arguably replaceable – Ayman al-Zawahiri became Al-Qaeda leader within a month of bin Laden's death (BBC, 2011) – and the deceased can continue to inspire posthumously as martyrs (see Howard, 2002:10). Meanwhile, Al-Qaeda's affiliates continue to operate and maintain an ideological foothold across Africa and the Middle East (Jenkins, 2012), with the matrix of Al-Qaeda affiliates cited as evidence that Al-Qaeda is 'becoming larger and increasingly decentralised' (Wilkinson, 2012). The conviction, therefore, in the deaths of particular figures in ending the War on Terror is arguably erroneous.

Enhanced security measures are a further corollary of the War on Terror. The 2001 AUMF Act, considered 'tantamount to a declaration of war' (Jenkins, 2012), remains enacted, while the 2011 *National Defense Authorisation Act* is condemned as sanctioning indefinite detentions, 'classified kill-lists' and 'legally unaccountable' drone programmes (Hussain, 2012), simultaneously framing 'the entire United States [as] a battlefield in the War on Terror' (Paul, ca 2011). Additionally, controversial domestic surveillance – defended on the basis of the US being 'at war' (US, Department of Justice, 2006:2) – persists (Wolf, 2012), as does the associated matrix of counterterrorism agencies (Katulis & Juul, 2011). However, Nordenman (2012) maintains that the War on Terror is altogether over, as the activities mentioned throughout this section 'will no longer be seen as strategic, but... efforts that the US carries out every day without anyone really noticing...' Nevertheless, it is apparent here that the US security framework for aggressive counterterrorism both overseas and domestically has expanded.

Discourse and Rhetoric

Rhetoric is the second area considered here. As post-modernists might observe, 'the basic tool for the manipulation of reality is the manipulation of words' (Dick, 1978). Political rhetoric in the context of the War on Terror reflects current political strategies, such that an entire conflict could be discursively ended[1]. Changes in terminology began under Bush (Reynolds, 2007; Maher, 2009), but advanced when a 2009 Department of Defense memorandum asserted that the Obama administration had relegated phrases like "Global War on Terror" in favour of "Over-seas Contingency Operation" (in Wilson & Kamen, 2009) – a term reflected in literature (see Walker, 2012) and in

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government publications (see US, Department of Defense, 2012a:ch6). As Maher (2009) writes, the War on Terror 'ended with an e-mail, sent under a new administration,' while 'Secretary of State Hillary Clinton confirmed... that "war on terror" is not how anyone who works for President Obama will be describing U.S. policy...' Nevertheless, the connotation is a change in discourse or linguistic representation rather than in that to which the discourse refers; the characteristics of Overseas Contingency Operations are 'consistent' with those of the War on Terror – 'the difference... is a matter of semantics and borders upon the tautological' (Singh & Singh, 2012). As one former White House official established, it is important to "look beyond the rhetoric and look at the actual policies" (McKinnon, in Maher, 2009) – and, as suggested, Obama has 'continued most of the Bush policies against terrorism' (Pitts, 2012). Additionally, political enunciations of the end of the War on Terror are problematic, for 'it is uncertain what a unilateral declaration ending the war would look like, or what it might achieve' (Jenkins, 2012); removing the political momentum of counterterror efforts could negate much of the achievements made thus far.

Furthermore, the target of US counterterror policy has been reclassified under the current administration through illocutionary speech acts like '... we are not at war with the tactic of terrorism or the religion of Islam. We are at war with a specific organization – al-Qaida' (The White House, 2011:2) – a shift again recognised in the literature (for example Clark, 2012:15). Logically, this frames the demise of Al-Qaeda as qualification for victory (see Miller, 2011), thus lending credence to the notion that the War on Terror is over. Nevertheless, polls indicate that 89% of Americans believe the War on Terror is *not over* (Rasmussen, 2012), supporting the inference that a critical mass of public intersubjective agreement may be required for the War on Terror to be considered over (Howard, 2002:12). Also, for those in Pakistan and elsewhere affected by drone strikes and other enactments of US counterterror policy, the War on Terror is undoubtedly a feature of daily life; the title question invites the retort '*over for whom?*' – the answer to which is subjective and elusive. Nevertheless, the assertion that 'the US is still committed to fighting a multi-generation long war in dozens upon dozens of different countries around the world...' (Rosenberg, 2012) seems highly substantive.

The Nature of Victory?

As this essay has suggested that the War on Terror cannot be considered 'over', the second part of the title question – '*If so, who won?*' – does not apply here. However, it is useful to consider the nature of victory. For Carl von Clausewitz, 'the compulsory submission of the enemy... is the ultimate object' in war (1918:2). However, unlike Clausewitzian warfare, the asymmetrical War on Terror does not involve two armies, but a state-run, military-intelligence-legal apparatus on the one side, and a transnational ideational network on the other. The principal strengths of the 'enemy' are twofold: first, its ideology, which has 'transcended' Al-Qaeda to inspire others (Jenkins, 2012); second, the use of terrorist methodology – neither can be defeated like a conventional enemy, with the use of lethal force offering terrorists 'a win-win situation: either they will escape to fight another day, or they will be defeated and celebrated as martyrs' (Howard, 2002:10). Logically, '[v]ictory will come... when the ideology the terrorists espouse is discredited, when their tactics are seen to have failed...' (Gordon (2007:54). Here, Snauwaert problematises the conflation of war with counterterrorism, asserting that the phrase 'is a bit of a misnomer, for one cannot be at war with terrorism per se, for terrorism is a tactic, a method...' (2004:122). In 'declaring "war" on a problem', the War on Terror approach can be likened to the 'war on poverty' and 'war on drugs' of the 1960s, in which victory is yet to be announced (Maher, 2009). Interestingly, US government literature has long alluded to the ambiguous nature of victory (see The White House, 2003:12; US, Department of Defense, 2012b:4).

Conclusion

Reviewing the War on Terror is complicated. First, without access to classified intelligence, it is difficult to discern the 'facts'. Second, any assessment depends upon the chosen definition of the War on Terror: if it is self-defining, such that to abandon the phrase indicates its demise, then discourse to this effect may be satisfactory. However, if the hitherto continuation of measures enacted under the 'war on terrorism' banner is taken to be the determining factor – as this essay suggests – then the War on Terror undeniably persists: the US drone program has expanded; targeted killings, the violation of international norms and the self-belief in American exceptionalism continue; and many are still undoubtedly affected by America's prosecution of its War. The question '*who won?*' becomes hypothetical. Moreover, the declaration of 'war' on a political methodology is innately problematic, so there is also little basis for

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what form a victory would take – empirical, discursive or intersubjectively agreed upon. Finally, enquiries framed in the closed manner of the title question can be complicit in impeding discussion into the nature of the War on Terror and how it might be located within a broader US global strategic programme (see Snauwaert, 2004:121). While the conclusion here may have been different had an alternative approach been adopted – such as assessing the War on Terror in relation to its ostensible goals – the evidence presented here[2] overwhelmingly supports the conclusion that, as Jenkins (2012) observes, ‘the War on Terror, whatever Washington chooses to call it, is far from over.’

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[1] For example, when performing a Google search (4 January 2013) for the phrase 'the war on terror is over', the entire first page of results referred exclusively to political rhetoric.

[2] Other than the comments and political rhetoric of the US administration, little support could be found – whether in journal articles, authoritative texts (from 'think tanks', policy institutions etc.), news articles or political commentary – for the notion that the War on Terror is over.

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