

28 September 2001

New War, New Justice

David Held and Mary Kaldor

Old-style warfare will not properly answer the atrocious crimes of September 11. The complex political world of fragmented authority and wrenching inequality demands a new way of fighting - one that mobilizes people's minds and hearts behind the aspiration to global justice.

The attacks on the World Trade Centre and on the Pentagon were a global crime against humanity. The victims were people of all nationalities, ethnicities and religious faiths. The perpetrators were a shadowy transnational network of zealots, motivated by a potent mix of hatred and misplaced religious beliefs. As many commentators have pointed out, it was not just an attack on the 6000 or more people who died, it was an attack on cherished values; freedom, democracy, the rule of law

and, above all, humanity. Every effort, including military action, needs to be made to capture the perpetrators, to eliminate the network, and to discredit totally their appeal. But such efforts cannot be equated with the pursuit of an old-fashioned war. If we fail to grasp this, we risk a never-ending cycle of violence and terror.

President Bush described the attacks as a 'new kind of war'; and, indeed, the attacks can be viewed as a more

spectacular version of wars we have witnessed during the last decade in the Balkans, the Middle East and Africa. These are wars that are quite different from, say, the Second World War. They are wars which are difficult to end and difficult to contain, where, so far, there have been no clear victories and many defeats for those who represent the values of humanity and human welfare. There is much that can be learned from these experiences that is relevant to the situation we now face. We live in a world where old-fashioned war between states has become anachronistic. Today, while states are still important, they function in a world shaped less by military power and more by complex social and political processes involving international institutions, regional groupings, multinational corporations, social movements, citizen groups, and indeed fundamentalists and terrorists.

The contours of this 'new war' are distinctive because

the range of social and political groups involved no longer fit the pattern of a classical interstate war; the type of violence deployed by the terrorist aggressors is no longer carried out by the agents of a state (although states, or parts of states, may have a

supporting role); violence is dispersed, fragmented and directed against citizens; and political aims are combined with the deliberate commitment of atrocities which are a massive violation of human rights. Such a war is fought not for a state interest, but for religious identity, zeal and fanaticism. The aim is not to acquire territory, as was the case in 'old wars', but to gain political power through generating fear and hatred. War itself is a form of political mobilisation in which the experience of violence promotes extremist causes.

In Western security policy, there is a dangerous disjuncture between the dominant thinking about security based on 'old wars'; and the reality on the ground. The

so-called Revolution in Military Affairs, the development of high-tech weaponry to fight wars at long distance, the proposals for National Missile Defense, were all predicated on out-dated assumptions about the nature of war; the idea that it is possible to protect territory from attacks by other states. The language of President Bush, with its emphasis on the defence of America and of dividing the world between those 'who are with us or against us', tends to reproduce the illusion, drawn from the experience of World War II, that this is a war between 'good' states led by the United States and 'bad' states, which harbour terrorists. Such an approach is very dangerous.

Nowadays, military victory is very very difficult, if not impossible, because the advantages of supposed superior technology have been whittled away. As the Russians have found in Afghanistan and Chechnya, the Americans in Vietnam, and the Israelis in the current period, conquering territory by military means has become increasingly an obsolete form of warfare.

Reacting to September 11th as though this was an 'old war', by concentrating military action against states

like Afghanistan or Pakistan, risks ratcheting-up fear and hatred in a 'new war' between the West and Islam, a

war which is not between states but within every community in the West as well as in the Middle East. No doubt, the terrorists always hoped for air strikes, which will rally more supporters to their cause. No doubt they are now actively hoping for a global division between those states who side with America and those who do not. The fanatical Islamic networks that

were probably responsible for the attacks have groups and cells in many places including Britain and the United States.

The effect of an 'old war' reaction will be: to expand

the networks of fanatics, who may gain access to horrendous weapons; germs, for example, or even Pakistan's nuclear weapons; to increase racist and xenophobic feelings of all kinds and foster conflict and tension in many different places; to increase repressive powers justified in the name of fighting terrorism. The winners will be the entrepreneurs of violence, the Islamic fanatics, on the one side, and the makers of cruise missiles and other military technology, on the other. The losers will be ordinary people everywhere.

The only possible alternative approach is one which counters the strategy of 'fear and hate'; with one of

winning hearts and minds. What is needed is a movement for global, not American, justice and legitimacy, aimed at establishing the rule of law in place of war and at fostering understanding between communities in place of terror. Such a movement would lobby governments and international institutions for three fundamental things:

A commitment to the rule of law not war. Civilians of all faiths and nationalities must be protected, wherever they live, and terrorists must be captured and brought before an International Court, which could be modelled on the Nuremberg or Yugoslav war crimes tribunals. The terrorists must be treated as criminals, and not military adversaries. This may well require internationally sanctioned military action both to arrest suspects and to dismantle terrorist networks. But such action should be understood as a robust form of policing, above all a way of protecting civilians and apprehending criminals. Moreover, this type of action must scrupulously preserve both the laws of war and human rights law.

Creating new global political legitimacy

A massive effort must be undertaken to create a new form of global political legitimacy, one which would seek to discredit the reasons why the West is seen as self-interested, partial, selective and insensitive. This would involve renewed peace efforts in the Middle East, talks between Israel and Palestine, condemnation of all human rights violations in the area, and rethinking policy towards Iraq, Iran and Afghanistan.

Resolving economic disparities

A head-on acknowledgement that the ethical and justice issues posed by the global polarisation of wealth, income and power, and with them the huge asymmetries of life chances, cannot be left to markets to resolve. Those who are poorest and most vulnerable, locked into geopolitical situations which have neglected their economic and political claims for generations, will always provide fertile ground for terrorist recruiters. The project of economic globalisation has to be connected to manifest principles of social justice; and the world economy has to be embedded in new welfare and environmental rules and conditions. The centrepiece of global justice and political legitimacy needs to be a popular movement that spreads the values of multiculturalism, human rights and the rule of law, and that can attract people of all cultures. Everyone in every

country has a role to play in bringing people together, protecting and reaching out especially, but not only, to Muslims.

At present the danger is that our political leaders will react according to anachronistic ways of thinking about war and, in the heat of the moment, make the situation even worse by the preposterous use of cowboy language and behaviour 'give us our enemies dead or alive'. The consequences could be even more terrible than we now imagine.

The alternative is to recognise the novelty of the contemporary situation, to learn the lessons of earlier 'new wars' and the profound difficulties of achieving a meaningful military victory, to involve people in a political and not a military process, and to ensure that political ends and means mesh in the pursuit of justice. It is not an easy alternative but it is the only hope for the long term.

A new global covenant for justice and peace has to displace the politics of the fanatics, cowboys and lynch-mobs.