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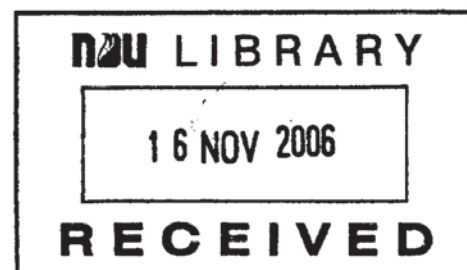
**Faculty of Political Science,
Public Administration & Diplomacy**

**The War on Terrorism and Its Implications in the Middle
East: Seeds of Instability**

M.A. Thesis

By

Ramon Tonatiuh Romero Reyes



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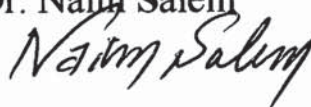
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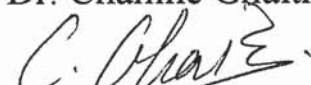
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Approved by:

Advisor: Dr. Naim Salem


First Reader: Dr. Chahine Ghaith


Second Reader: Mr. Timur Goksel


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THE WAR ON TERRORISM AND ITS IMPLICATIONS IN THE MIDDLE EAST: SEEDS OF INSTABILITY

Abstract

This thesis intends to demonstrate that the so-called “War on Terrorism” is used by the United States as an instrument of its foreign policy to promote changes in the Middle East. The two main pillars of this strategy are: the promotion of democracy and the fight against terrorism. However, an assessment of the policy shows that it has failed. It has failed so far to control and/or eliminate terrorist groups and the Global Jihad. It has failed mainly because of the lack of a clear evidence to prove the fact that the promotion of democracy will help to control terrorism or to induce transformation in Middle Eastern societies. On the contrary, recent elections in Palestine have demonstrated that groups considered as terrorists by the United States can win legitimate elections.

One of the main findings of this thesis is that through the “War on Terrorism”, the United States is trying to globalize the Palestinian-Israeli conflict, gaining support against “terrorist groups”, when in reality it has its own agenda. By labeling Resistance groups from the Middle East with local or regional vindications as terrorist activities, the US is producing a counter effect: instead of solving the Middle East peace process they are transposing the way to Jerusalem elsewhere. Maybe it would be better to separate the war against terror

from the Middle East conflict. Attacks in London, Madrid and Bali are clear evidence that the war is being misconducted.

The other important finding is that this "War on Terror" is weakening the international system. The unilateralism in the decision-making process and the evidence of serious violations of human rights and international law are diminishing the role of international organizations such as the United Nations.

The lack of an internationally negotiated definition of terrorism is a problem and shows a very complex political situation. This lack of consensus on a precise definition of terrorism is not only being used by the terrorists but also by the United States. This ambiguity of labeling regional political groups as terrorist is used by the US to promote its own interests.

The international community should try to establish cooperation mechanisms to defeat terrorism and at the same time to preserve and strengthen the international peace and security system. There exists a consensus in the idea that terrorism is a flagellum for humankind.

CHAPTER I- INTRODUCTION

I- Research Project

The objective of this research project is to demonstrate that the real target of the so-called War on Terrorism should be the Global Jihad instead of regional political groups considered as terrorists by the United States Department of State. In order to do so, I will explore the historical development of the concept of terrorism, and the differences and difficulties to agree on an international definition of terrorism as well as the current status of the question and the existing legal framework on the matter. The aim is to demonstrate the substantial differences between regional political groups considered as terrorists by the United States Department of State, such as Hezbollah and/or Hamas and the Global Jihad.

One core element is the relationship between Global Jihad and the Middle East. This research project will try to explain the emergence of the Global Jihad as a result of different factors and how this Global Jihad differs from the political groups considered as "terrorist groups" not only in its goals but also in its methods. In this context, the research will try to demonstrate that these political groups were the result of regional situations and their goals were also regional.

The challenge of shaping global norms regarding terrorism begins with the definitional problem of what constitutes terrorism. There are different types of terrorism: political terrorism; religious terrorism, and criminal terrorism. Fawaz Gerges considers that terrorism is a persistent,

continual struggle and it has been practiced for more than 2000 years. The struggle against terrorism is never-ending. "Al-Qaeda has to understand that Jihad is one of the Muslim duties. Jihad is a means not an end" says Mohammad Essam Derbala, an author of eight books wrote by Islamic Group Leaders.¹

By the end of the 1990s, a dramatic change had occurred within the Jihadist movement from Localism to Globalism. The withdrawal of the Russian Army from Afghanistan and the collapse of the Soviet Union, the 1991 Gulf War, the permanent stationing of American forces in Saudi Arabia were some of the causes that allowed jihad to shift to globalism.

Terrorist attacks against Western, in particular the United States interests in Africa and the Middle East, and even inside the United States territory, changed the situation and defined the emergence of the "Global Jihad".

Sayyid Qutb asserted that the cause of Islamic Jihad should be sought in the very nature of Islam and its universal role in the world.² The Islamic Jihad has no relationship to modern warfare, either in its cause or in the manner in which it is conducted. After the war in Afghanistan, Jihadis did not develop an expansive vision or paradigm to internationalize Jihad and "Islamize the World", notwithstanding serious claims to the contrary.

Ayman el-Zawahiri said that the Jihad in Afghanistan was training Muslim Mujahideen to prepare to fight their battle against the United States. It is true that Jihadis opposed "Western Imperialism" and the

¹ Gerges, Fawaz A. 2005 *The Far Enemy- Why Jihad Went Global*. Cambridge University Press, p. 203

² Gerges, Fawaz. Ibid. P.4

American political and cultural presence in Muslim countries, but during the 1970s and until the mid-1990s, the United States and Israel were described as the "far enemy". Since the mid-1990s, al-Qaeda strategically changed Jihad's direction and targets to globalism.

The road to Jerusalem is no longer passing directly through Cairo, Algiers, Amman, or Riyadh but rather through Washington, London, Madrid, New York, and other Western Capitals. In other words, the definition of Jihad has not changed but the enemy has.

The Global Jihad, launched by Al-Qaeda and followed by other fundamentalist organizations was a pivot element for the declaration of the War on Terror after September 11, 2001. It is pertinent to mention what Fawaz Gerges has written in his book *The Far Enemy*: "The US is fighting the wrong war and has overlooked the imperative of nourishing and consolidating the coalitions and alliances with Muslim social and political forces that could hammer a final deadly nail in the coffin of Al-Qaeda and its global jihad ideology"³

The use of violence as a global demonstration of force differentiates September 11 from previous acts of terror and characterizes the new methods of the Global Jihad. The dialectic of power, the fact that power produces its own vulnerability, was itself the message. This distinguishes it decisively from radical social movements that aim to accomplish specific social movements towards specific social and political goals.

³ Gerges, Fawaz A. Ibid. Page 234

While exploring the historical development of the concept of terrorism, special attention will be placed on the post-September 11, 2001 international context and on the articulation of a new United States anti-terrorist policy, that's to say, the National Security Strategy of the United States of America as it was announced by President George W. Bush on September 17, 2002.⁴ The National Security Strategy was built with two main branches: the use of force or the threat to use force, and the promotion of Western values.

The NSS presents Liberal Principles to justify the war and Realistic means to implement it. The NSS is rooted in one of the most important Liberal values: the promotion of freedom and dignity worldwide. President Bush hammered on the themes that America stands firmly for human dignity, the rule of law, limits on the absolute power of the state, free speech, freedom of worship, equal justice, respect for women, religious and ethnic tolerance, and respect for private property.

At the same time, the NSS has expanded the scope of the preemptive use of nuclear weapons in foreign policy and the centrality of preemption in the US strategy as a whole. The preemptive use of nuclear weapons against adversaries, including terrorist groups and non-state actors, is a dangerous novelty in United States foreign policy and also a Realistic affirmation of its hegemony.

While Secretary of State Colin Powell considered the NSS as a Strategy of Partnership and a cooperative approach to resolve common

⁴ *The National Security Strategy of the United States of America*. September 2002. The White House Washington. [http:// www.whitehouse.gov/nsc/nss.pdf](http://www.whitehouse.gov/nsc/nss.pdf)

problems, several voices around the world accused America of being unilateral and of being imbalanced in favor of military methods.

Another element is how the implementation of the National Security Strategy is affecting the situation in the Middle East as well as its effects on national situations. One of the axes of the research is that the NSS has negatively influenced the political developments in the region and it will continue to do so. In brief, this research project will try to demonstrate that the United States' anti-terrorism policy in the Middle East is affecting the current political balance of forces and is a source of instability both nationally and regionally.

The efforts of the United States of America to promote and/or impose democracy in the Middle East could be seen as the implementation of one of two main branches of the NSS. The implications of the war on Afghanistan and Iraq are far from certain; the imposition of democracy from outside with the best of intentions is still a recipe for failure, while the Arab-Israeli conflict serves to complicate even further the Middle East paradigm and global security. The American policies aim specifically at controlling the Middle East and at establishing a new order in the region through hegemony and unilateralism.

In the course of the research I will study three different country situations: Iran, Syria and Lebanon. In the case of Lebanon I will only refer to the situation regarding Hezbollah. Regarding the cases of Iran and Syria the focus will be on the United States' accusations against these two countries of sponsorship and/or harboring terrorist groups and

the links and differences between national and regional politics and the Global Jihad.

The research will propose an alternative approach based on international cooperation to the so-called War on Terrorism, focusing mainly on strengthening international institutions.

Despite the prominence of international terrorism on the global agenda, this problem still lacks a comprehensive multilateral strategy. There is a general feeling within the international community that the dominant approach to combat terrorism is mistaken. Many of the current counter-terrorism strategies are actually creating more rather than fewer terrorists. An over-reliance on military responses to the terror threat has fueled a great deal of resentment and ill will among many in the developing world, especially in Arab and Islamic countries.

The current framework for combating terrorism is too “America-centric” despite the fact that terrorism continues to pose a threat to the entire world, not just the United States. The “war on terrorism” language is extremely unhelpful both in terms of recruiting allies to take a leading role in combating terrorism and in terms of generating support from key partners in the Arab and Islamic world.

Multilateral cooperation is essential in order to root out terrorist networks. This will require not only a change in framing and language but also a change in tactics that emphasize the full range of tools necessary to combat terrorism: financing, law enforcement, military action, and new ways of addressing states under stress as well as counterterrorism.

II- THESIS STATEMENT

This research is based on the following thesis statements:

- The main target of War on Terrorism should be the “Global Jihad”. The United States is using the War on Terrorism as an instrument of foreign policy and as a strategy to control different regional and national groups considered as “terrorist groups” by the United States Department of State, to impose a “democratic change” in the Middle East, one that implies the control of the region through imposition and regime changes.
- The implementation of unilateral security policies has already damaged the security environment in the Middle East and it is a permanent source of regional instability.
- We are witnessing a shift from traditional notions of security to new conceptions of the term security. The US policy since the establishment of the Bush Administration, and even more so since September 11, may offer a new conception of regional security: one imposed by an outside power through the use of force.
- There is a need to develop a specific, comprehensive and action-oriented security policy towards the Middle East in particular, and the world as a whole. The moment may be opportune for the creation of bilateral and multilateral security regimes that will deepen the nascent and fragile taboo against the use of force by one member of the region against another.

III- METHODOLOGY

This research project will be carried out utilizing different methods and tools, including primary sources such as United States official documents, United Nations documents and other relevant resolutions, as well as academic and scholarly sources. The core methodology will be analysis of the policy making process as there are several elements, steps or processes of policy making which are usually the objects of analysis. These are: problem definition, policy formulation, policy adoption, policy implementation, and policy evaluation. Together, these stages represent the policy making process.”⁵

Policy analysis is defined as follows: “when public authorities usually perceive or identify some ‘problem’ or ‘problems’ that require/s a solution.”⁶

IV- CONCEPTUAL FRAMEWORK

1- Terrorism

a. Historical Background

States and civilizations have known terrorism since the very beginning of times. Perhaps, the earliest terrorist campaigns were carried out in the Middle East arena by two groups during the first century A.D.,

⁵ Dabbous-Sensing, Dima. January 2003. “Ending the war? “*The Lebanese Broadcasting Act of 1994*”, a thesis submitted in partial fulfillment of the requirements of Sheffield Hallam University for the degree of Doctor of Philosophy. Beirut, pp. 34.

⁶ Dabbous-Sensing, Dima. Ibid. Page 35.

the zealots and Sicari⁷. Another early movement was the Assassins, originated in Shia Islam.⁸ Later on, there were World Wars I and II, terrorist acts in Central America and the Lockerbie bombing, among others. It was in 1960 that terrorism became an element of international politics because of its relevance in the fight carried out by national liberation movements.

According to an study elaborated by the US Department of State, the number of victims by terror acts has increased to almost 2000 victims between the years 1995 and 2000, and lately to about 3, 000 victims in the September 11 attacks⁹. Many factors have contributed to the increase in the number of fatalities with time, most notably technology, improvements in communication, ease of transportation, free movements of people and the distortion of the various holy texts by fundamentalists across the globe.

Discrimination, failure of the state to integrate dissident groups or emerging social classes, social injustice, extremist ideologies, repression, violation of civil liberties, brutality and poverty are some of the causes of terrorism. After researching the root cause of terrorism, researchers have found that the evidence on both the individual and the national level indicated that there is no direct connection between poverty and terrorism, at least in the case of international terrorist activities. The

⁷ "Zealots" are Jewish men who would attack Roman and Greek authorities in broad daylight, in front of large groups of spectators, to send a message to the ruling body that they were not wanted there. The "Sicari" were also Jews, but they mostly murdered other Jews, who had fallen from their religious faith. "*A Concise History of Terrorism*". <http://www.terrorism.about.com/od/historyofterrorism/a/concisehistory.htm>

⁸ Sinclair, Andrew.2003. *An Anatomy of Terror- A History of Terrorism*. MacMillan., pages 3-10

⁹ "*International Terrorism Fatalities*". 2005. The US State of Department. Patterns of Global Terrorism. <http://www.state.gov>

perpetrators of international terrorism are more likely to be drawn from the middle and upper classes rather than from impoverished families. The research also shows that poverty on the national level does not predict the number of terrorist attacks carried out by individuals coming from a particular country or a specific religion. The reasons for committing terrorist acts are political rather than economic. According to the cross-country analysis, a lack of civil liberties is a relevant factor in creating such conditions.¹⁰ In addition, hegemony, inequality of power, government corruption, and triggering events such as wars and massacres constitute some of the causes of terrorism.¹¹

b- Definition

First, it is vital to start by pointing out that there is not an internationally agreed definition of terrorism. Although, the Draft Comprehensive Convention on International Terrorism establishes an approach on this issue when it defines the act of terrorism as a “person’s unlawfully and intentionally causing or threatening to cause violence by means of firearms, weapons, explosives, any lethal devices or dangerous substances, which result, or is likely to result, in death or serious bodily injury to a person, a group of persons or serious damage to property – whether for public use, a State or Government facility, a public transportation system or an infrastructure facility. Acts of terrorism also include such person’s attempt to commit such an offense, or in organizing

¹⁰ Bjorgo, Tore. 2005. *Root Causes of Terrorism- Myths, Reality and Ways Forward*. Routledge, p. 39

¹¹ Whittaker, David. 2004. *Terrorist and Terrorism in the contemporary world*. Routledge, pages 257-8-9

or directing others to commit such an offense, or in contributing to the commission of such an offense."¹²

Terrorism is a deliberate brutal act which targets a specified audience with the main goal to affect the behavior or politics of the targeted community and society. In distinguishing between war and terrorism, what differentiates terrorism from war is the reason for the attack and the impact of the attack, not the target of the attack itself. This is why terrorism must be understood as a political act to achieve a desired goal through the use of violence.

In addition, there exist the *Twelve International Instruments related to the Prevention and Suppression of International Terrorism*, and recently the United Nations Security Council adopted Resolution 1617 (2005) that reaffirms "that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed." ¹³

In November 2003, the Secretary-General of the United Nations formed his High-level Panel on Threats, Challenges, and Change to assess the threats and challenges that the world is currently facing and propose needed changes¹⁴. One of the conclusions of the Panel is a new operational definition of terrorism. Paragraph 164 of the report proposes that a definition of terrorism should include the following elements:

¹² *Draft Comprehensive Convention on International Terrorism*. Inventory of International Nonproliferation Organizations and Regimes. Center for Nonproliferation Studies, p.1

¹³ UN Security Council Resolution 1617, S/RES/ 1617(2005), 29 July, 2001.

¹⁴ Annan, Kofi A. 2004. Report of the High-level Panel on Threats, Challenges and Change- *A more secure world: our shared responsibility*. <http://www.un.org>

- a) “Recognition, in the Preamble that State use of force against civilians is regulated by the Geneva Conventions and other instruments, and, if of sufficient scale, constitutes a war crime by the persons concerned or a crime against humanity;
- b) Reaffirmation that any act covered by the *Twelve International Instruments related to the Prevention and Suppression of International Terrorism* is terrorism, and a declaration that they are a crime under international law; and restatement that terrorism in time of armed conflict is prohibited by the Geneva Conventions and Protocols;
- c) Reference to the definitions contained in the 1999 Convention for the Suppression of the Financing of Terrorism and Security Council resolution 1566 (2004).
- d) Description of terrorism as “any action, in addition to actions already specified by the existing conventions on aspects of terrorism, the Geneva Conventions and Security Council resolution 1566 (2004), that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act.”¹⁵

c- Approaches to Terrorism

We live in an epoch of interdependence. Henry Kissinger states that “the traditional agenda of international affairs, the balance among major powers, the security of nations, no longer defines our perils or our

¹⁵ Annan, Kofi A. Ibid.

possibilities... Now we are entering into a new era. Old international patterns are crumbling: old slogans are useless; old solutions are unavailing..."¹⁶

There are several theoretical approaches to security. In this research three of them will be used to analyze the War on Terrorism: the Realist, the Liberal, and the Revisionist.

The core concepts of the Realist approach are the following: State-Centric assumption: that states are the most important actors in world politics; the Rationality assumption: that state behavior can be explained rationally, by defining alternative courses of action to seek the maximum utility; the Power assumption: that states seek power and calculate their interests in terms of power, relative to the nature of the international system they face.

To the Realists, the focus is on the states and interstate (or international) relations. States act to maximize their national interest which may require them sometimes to use force. Power is a key concept in realism and the instruments to achieve national security are the following: formation of formal alliances, military allocations, conflict behavior, diplomacy and sanctions.

However, these instruments appear to result in imbalance of systems, emergence and downfall of powers, and system changes. Realists ignore the generic concern not only with the causes of war but also with how peace can be achieved and maintained. The balance of

¹⁵ Viotti, Paul R and Kauppi, Mark V. *International Relations Theory*. Longman Publishers, 1999 page 307

power has played a dominant role in realist theory; in fact it has become a great deal of abuse and has been criticized for leading to war as opposed to preventing it and functioned as a tool to justify great defense spending. However, the concept remains crucial to realists.

Robert Keohane says that “realism is better at telling us why we are in such trouble than how to get out of it and sometimes seems to imply that order can be created by hegemony.”¹⁷ For Realists, international politics, like all other politics, is a struggle of power but, unlike domestic politics, a struggle dominated by organized violence. They assume that power is a usable and effective instrument of policy. In this context, the realist perspective allows us to imagine the world as continually characterized by active conflict among states, with the use of force possible at any time which limits the role of international organizations.

The main concepts of the Liberal approach are: i) States and non-states actors are both important in world politics. ii) Even though these actors are rational, they have different objectives: for example political leaders want security at higher levels and corporations seek high profits. In addition, each actor has different capabilities and influence specific areas; iii) every one of these actors can gain at the same time.¹⁸

The Liberal concepts include individual freedom, political participation, private property, and equality of opportunity. The priority for the Liberal school of thought is to preserve the national security in a

¹⁷ Viotti, Paul R and Kauppi, Mark V. Ibid. P. 307

¹⁸ Viotti, Paul R and Kauppi, Mark V. Ibid. P. 309

complex international environment. Liberalism has little to say about war and it makes more sense to trade than to fight and liberal perspectives cannot explain the basic division of the global economy that existed during the Cold War.

Liberal theory reverses this assumption: Variation in ends, not means, matters most. In other words, Liberalism appears to be a domestic or unit-level oriented theory that ignores the international environment. This approach could explain the full range of phenomena related to the world politics, from peaceful economic exchange to guerilla warfare.

The Revisionist approach studies national security policy in Third World states and focuses on the relationship between military power and domestic political processes. It assumes the following: the key threat to regimes might only be from internal opposition; there is no separation between the instruments by which states seek security against outside threats and the instruments by which regimes seek security against internal threats.

The Revisionist conception of security considers the following instruments: human and material military allocations, diplomatic alliance, threat, display, use of force and internal politics. The objectives of the state under this approach are to survive in an anarchic global environment, regime survival in a challenging internal system, and the preservation of the sovereignty and integrity of the state in order to sustain the national security.

In the Middle East, both the Liberal and Realist approaches have been used. Realism does have some limitations when applied to the Middle East, a point that will be later addressed in the paper.

d- The Global Jihad

In the last few decades, a power struggle for the soul of Islam has shaken the Muslim world. Osama bin Laden subscribes Jihad as an “individual duty” for every Muslim who is capable of going to war. Under such interpretation, jihad becomes obligatory to all Muslims.¹⁹

The expression *one man's terrorist is another man's freedom fighter* reflects genuine doubts about what constitutes terrorism. Al-Qaeda's global jihad ideology represents a branch of highly diverse and complex movement, one that has undergone dramatic shifts from localism to globalism and now appears to target everybody alike. “The war against transnational Jihadis cannot be won on the battlefield in either Afghanistan or Iraq...The United States and its Western allies can contribute significantly to Al-Qaeda's internal encirclement and siege by reaching out to the large “floating middle” of young Muslim opinion and listening closely to their fears, hopes and aspirations.”²⁰

In this context, Muslims have lately played a fundamental role in isolating al-Qaeda and have contributed to the wars waged against the militant network. The American invasion of Iraq alienated most of the important political secular and religious Muslim groups that opposed al-Qaeda's global jihad. Fawaz Gerges assures that the birth of fundamentalist organizations such as al-Qaeda stems from deep

¹⁹ Gerges, Fawaz A. Ibid. P. 3.

²⁰ Gerges, Fawaz A. Ibid. P. 275.

structural, developmental crisis facing the Arab world, in both socioeconomic and institutional terms.

2. International Legal Framework

Helen Duffy in the book *The War on Terror and the Framework of International Law* says that the legal framework against terrorism will address laws in relation to terrorism, the criminal law framework, lawful constraints on the use of force, the humanitarian law relevant to armed conflict and the international humanitarian law. Simultaneously, the compatibility of the “war on terror” declared by the US within this legal framework and the implications for states sponsoring terrorism will be analyzed.

Terrorism represents a global threat to democracy, the rule of law, human rights and global stability. In this context, it is crucial to analyze the legal framework and the UN work for the prevention, and suppression of terrorism. At the legal level, International Human Law (IHL) prohibits ‘acts or threats of violence the primary purpose of which is to spread terror among the civilian population’, in international and non-international armed conflict. And under IHRL (International Human Rights Law), persons can never be arbitrarily deprived of their life.²¹

Terrorism in all its forms is considered a criminal act under international law, but historically terrorists have generally been punished under the domestic law of the country harmed by the specific act in question. In this context, September 11 and the attacks that followed in

²¹ Duffy, Helen. Ibid. Pages 309-310

Madrid, London, Bali, and Egypt constitute a crime against humanity under Article 7(a) of the Rome Statute of the International Criminal Court (ICC).

However as the ICC only has jurisdiction over crimes committed *after* the Rome Statute comes into force --it is still seventeen ratifications short of the sixty required -- the ICC has no immediate relevance to the current situation. There is a proposal to widen the scope of the ICC to include terrorism.

Article 2(4) of the United Nations Charter obliges all members of the UN to *“refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the Purposes of the United Nations.”*²² Therefore, the use of force to fight states and groups involved in acts of terrorism is only lawful if and to the extent that it comes under an accepted exception to the general rule prohibiting the use of force, i.e., authorization by the Security Council and self-defense which requires the actual existence of an armed attack.

At the international level, the United Nations is striving to achieve a Draft Comprehensive Convention on International Terrorism. In addition, twelve international conventions related to terrorism have been adopted within the UN context but still one gap in these conventions is the lack of a clear and commonly-agreed definition of terrorism. Nevertheless, these conventions provide a basis for nations to cooperate in preventing terrorist financing and carrying out joint law enforcement and intelligence efforts

²² United Nations Charter, Articles 2.4

against terrorist bombings. Among those conventions, there are the Convention for the Suppression of Unlawful Seizure of Aircraft ("Hague Convention", 1970), the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation ("Montreal Convention", 1971), and the four Geneva Conventions.

Furthermore, the Security Council has adopted many resolutions with regard to terrorist acts. The UN SC Res.1540 (2004) affirms that the use of nuclear, chemical, and biological weapons constitute a threat to international peace and community. UN SC Res. 1373 (2001) imposed comprehensive legal obligations on all 191 UN member states and required every country to freeze the financial assets of terrorists and their supporters, deny them travel or safe haven, prevent terrorist recruitment and weapons supply, and cooperate with other countries in information sharing and criminal prosecution. It also mobilized states for a campaign of nonmilitary cooperative law enforcement measures to combat global terrorism.

Among the instruments adopted at the regional level are the European Convention on the Suppression of Terrorism, adopted by member states of the Council of Europe on 1977, the Arab Convention on the Suppression of Terrorism on 1998, and the Treaty on Cooperation among the States Members of the Commonwealth for Combating Terrorism, 1999.

At the national level, the CTC (Counter-Terrorism Committee) has played a role in creating and sustaining force to strengthen counter-terrorism efforts. It also attempts to coordinate the counter-terrorism

efforts of a wide range of international, regional, and sub regional organizations within and beyond the UN system

The United Nations today seems to have a limited influence on the so-called “war on terrorism” and the most prominent proof is the US disapproved war on Iraq and the ratification of counter-terrorism conventions and participation in CTC initiatives are lowest today in the Middle East. The question is what the Security Council should do about states which refuse to implement counter-terrorism mandates has become more pressing.

Article 51 of the UN Charter provides that: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.”²³

Many states have complied recently with the existing UN twelve conventions against terrorism which provide a basis for nations to cooperate in preventing terrorist financing and carrying out joint law enforcement and intelligence efforts against terrorist bombings. Besides, the CTC (Counter-Terrorism Committee) has played a role in creating measures to strengthen counter-terrorism efforts and the UN SC Resolution 1373 mobilized states for a campaign of cooperative law enforcement measures to combat global terrorism.

The initial United Nations response to the terrorist acts of September 11, 2001 operated on two parallel tracks: a) the adoption of

²³ United Nations Charter, Article 51.

Security Council Resolution 1373 and its enabling arm the Counter Terrorism Committee and b) the establishment of the Secretary General's Policy Working Group on Terrorism (PWG) within the UN Secretariat.

The Security Council's objective is to engage member states in a comprehensive effort to move against both terrorists and their supporters on a worldwide basis. The PWG was created to define precise steps that the Secretary General can take to sustain high-level attention on the diverse challenges of international terrorism as well as finding ways to encourage and effectively coordinate the many components of the UN system in this effort.

The issue of combating terrorism has been on the agenda of the UN General Assembly for decades. In his report "A more secured world: Our shared responsibility", Secretary General Kofi Anan states terrorism among one of the six clusters of threats with which the world must be concerned today.²⁴

The primary challenge of the UN is to ensure that this kind of threat does not become imminent or destructive. 28 September 2001 marked the adoption of the Resolution 1373 by the Security Council which obligates all Member States, under Chapter VII of the Charter of the United Nations, to take specific actions to combat terrorism. Moreover, in the report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), are laid out five pillars of a comprehensive strategy against terrorism. Those five pillars are: to dissuade disaffected groups from choosing terrorism as a tactic to

²⁴ Annan, Kofi A. Ibid.

achieve their goals; to develop state capacity to prevent terrorism; to deter states from supporting terrorists; to deny terrorists the means to carry out their attacks; and to defend human rights in the struggle against terrorism.

As for the General Assembly, it has adopted many resolutions such as the International Convention for the Suppression of Acts of Nuclear Terrorism and the International Convention for the Suppression of the Financing of Terrorism. It has also taken Measures to prevent terrorists from acquiring weapons of mass destruction. In parallel, the General Assembly has worked to protect human rights from terrorism.

Ramesh Thakur affirmed in his work "International Terrorism and the United Nations" that "the United Nations can serve as the *forum* for discussion and negotiation on the problematic of terrorism, the *funnel* for processing ideas, and initiatives with regard to combating the threat into authoritative norms and practices, and the *font* of international authority for anti-terrorism regimes and their implementation."²⁵

Therefore, the United Nations should use effectively its assets to combat terrorism and to limit from the use of force by unilateral powers as it is affecting international security. It will also need to put an end to hegemonic powers and disengagement which try to inadequately replace the United Nations' role.

3. US Foreign Policy

a. Analysis of the US Foreign Policy regarding the Middle East

²⁵Thakur Ramesh. 2003. *The 'War' on 'Terrorism' and the United Nations*. <http://www.unu.edu/hq/japanese/gs-j/g2003j/shonan19/thakur-ab-e.pdf>. March 14,2006

One of the main objectives of this research project is to review the United States security policy after September 11, 2001 and its consequences on peace, security, and stability in the Middle East. Several factors should be taken into account including the so-called war against terrorism, the Middle East peace process, the recent war in Iraq and the widespread instability resulting from this war.

The end of the Cold War opened a period of transition from the stable ordered hierarchy of the bipolar system to a new world order that is yet to be fully defined. New threats have emerged to the security of the states. States and non-state actors do engage each other in a competition to reorder the world in a way favorable to their interests and objectives. In this context, the formulation of the United States security policies in the Middle East tries to respond to these new threats and to preserve its "international primacy".

After September 11, 2001 President Georges Bush proclaimed the National Security Strategy of the United States of America and a few months later announced a re-formulation of the Nuclear Posture Review. This review implies the development of forces with the capabilities needed to address a range of threats from unspecified countries and to provide guidance for future United States future strategy, doctrine, force structure and infrastructure.

During the Cold War, the United States developed and maintained its nuclear arsenal so that it could seek to deter and, if deterrence failed, defeat the Soviet Union. Other countries, such as those in Soviet-dominated Eastern Europe, were included in the United States

nuclear war plans, but their presence reflected their relationship with the Soviet Union more than any independent threat they might pose to the United States. In the past decade, the United States' security documents have recognized that the collapse of the Soviet Union radically altered the United States security environment, but Russia remained a concern because it retained, in theory, the only nuclear arsenal that could threaten the United States survival. At the same time, these security documents began to highlight emerging threats from other "potential adversaries", particularly those seeking to acquire ballistic missiles and weapons of mass destruction.

The Bush Administration has noted that its nuclear posture review (NPR) is a part of the Administration's broader effort to transform the United States military to better meet the security challenges that United States is likely to face in the future.²⁶ Within that context, it seeks to account for a completely new relationship that the United States now has with Russia. It argues that, instead of facing a threat posed by a single, hostile nation that had the ability to destroy the United States, the United States faces threats from multiple potential opponents, sources of conflict and unprecedented challenges. The new American security policies include preemptive defense as its core element and stresses the balance of power notion.

Both the National Security Strategy and the Nuclear Posture Review do have implications in the Middle East. Recently Mohamed El-Baradei, Director General of the International Atomic Energy Agency

²⁶ The United States of America Nuclear Posture Review, 2002. <http://www.whitehouse.gov>

affirmed that the writing is on the wall: the Middle East is fertile ground for proliferation concerns.²⁷ Despite progress in obtaining greater transparency on the nuclear programmes of Iran, Iraq and Libya, a deep sense of insecurity remains. The symptoms are everywhere in the region: the Arab-Israeli conflict continues to fester. Regime change is talked of as the most efficient route to democracy. The situation in Iraq, and its regional security implications, remains far from certain. Tensions with the rest have increasingly become subtly –and not so subtly- associated with Muslim culture.

b. “The Axis of Evil”

One striking consequence of the post-September 2001 environment has been the rhetorical creation, and reorientation of US foreign policy toward “the axis of evil”, a term introduced into public discourse by President Bush in his state of the Union Address on January 29, 2002.

The term was created by the former Bush Advisor, David Frum, who affirmed that Iran, Iraq, al-Qaeda, and Hezbollah, despite having differences among themselves, resented the power of the West. This author found a common connection creating the notion of axis of evil²⁸. Together, the terror states and the terror organizations formed an axis of hatred against the United States. When President Bush designates some countries as an “axis of evil”, he alters the moral logic and at the same time raises the global threat of terrorism.

²⁷ El-Baradei, Mohamed. February 2004. “*Time is Ripe to Act on Middle East Weapons.*” <http://www.iaea.org/NewsCenter/Statements/2004/ebFT20040203.html>

²⁸

Benjamin Barber and Steven Simon in their book, *Jihad vs. McWorld*, state that "President Bush is then on a two-century American roll when he calls against the "Axis of Evil", calling for a worldwide war against the "evil ones" in the name of the greatest nation, full of the most decent people, on the face of the earth, whose every action is to be seen not as that of a "conqueror" but that of a "liberator."²⁹

c- United States Policy towards the Middle East

In the absence of the Soviet Union, the Muslim world became the new enemy as was expressed by Samuel Huntington³⁰. Long before the September 11 terrorist attacks there existed already several analyses that focused on the conflict between the civilized and rational west, led by the US, and a fanatical, barbaric Muslim world. This worldview corresponded to the political ideology of some radical Islamists. Arguments about the alleged "sickness" of the Arab/ Muslim world were marshaled by the neo-conservatives to justify the 2003 US-led war against Iraq.

The US government believes that if the Middle East is left to grow in bitterness and misery, while radicals stir the resentments of millions, then that part of the world will be a source of endless conflict. Some Middle Eastern scholars point to the contaminating effect of the penetration of the Middle East by the West as the sole cause of terrorism. President Bush stated on October 6, 2005 that extremists are determined to end American and Western influence in the Middle East just as Bin

²⁹ Barber, Benjamin. 1996. *Jihad vs. McWorld*. New York: Ballantine Books.

³⁰ Huntington, Samuel. 1993. *The Clash of Civilizations*. The Foreign Affairs Review

Laden did when he called Muslims to dedicate all their resources to drive the “infidels” out of their lands.

What can be said is that US hegemony in the Middle East is controversial due to the fact that the wars in Afghanistan and Iraq are not proven to be effective and that fundamentalism is still an active phenomenon in the region, stemming in part as a response to the US unilateralism.

It is evident that the United States had formulated the NSS as a means to preserve its security, but at the same time, this strategy represents a tool to consolidate the American vision of the world and to consecrate American values and interests around the globe.

4. Case Studies: Iran, Syria, and Lebanon

Almost 25 years after the Iranian revolution, United States’ Department of State still labels Iran as the “most active state sponsor of terrorism” due to its harboring of terrorist groups like Hamas, Hezbollah and others and its continuing nuclear proliferation program. It is not evident yet whether Iran possesses nuclear weapons but the United States is still stressing that Iran has already developed weapons of mass destruction and by this it poses a threat to its neighbors and to the world.

The US is pressuring Syria to change its behavior and stop its support for Hezbollah and other “terrorist groups”. In this context, the US policy toward Iran and Syria clearly represents American hegemony and preemptive policy in the region. It has changed over the years as a

consequence of developments in Syria, in the inter-Arab arena, in the Arab-Israeli conflict, and in the relations between Syria and Western countries.

It is in the United States interest to bring Syria into the fold. Helping Syria and the Palestinians to settle their conflicts with Israel is likely to enhance America's position in the Middle East and help establish a strategic network of stable and pragmatic Arab regimes, willing to cooperate with the US to combat terrorism and gradually reform their own systems.

Increasing instability in the region, is tremendously affecting the situation in Lebanon, where in a less than a year more than 15 explosions have killed many political leaders and journalists as well as civilians. The different perspectives between Washington and Europe over the crisis in Lebanon reflected serious differences over the long-term strategy in reaching a Middle East settlement. These include: soliciting Iran's cooperation, the extent of Israel's security guarantees, and a growing rivalry over arms sales to the region and the division of reconstruction contracts after the conflicts.

5. Structure of the research project

This research project will include different chapters on Terrorism, existing International Legal Framework on Terrorism, United States Foreign Policy towards the Middle East, Iran, Syria, Hezbollah, and Conclusions.

CHAPTER II: TERRORISM

I- Historical Background

The meaning of terrorism has evolved with time. Many of our conceptions, as well as government policies, come from the time of the emergence of terrorism as a global security problem in the late 1960's and 1970's. In recent years there has been an emergence of new adversaries, motivations, and rationales that challenge these conventional conceptions on terrorism. Terrorist groups have argued religion, ethnicity, political ideologies, poverty, unemployment, and social alienation as justifications for their campaigns.

Terror has been a common political instrument since the times of the French Revolution, when it was openly utilized by Robespierre, leading to the period called the Reign of Terror (1793–94)³¹, to the 19th Century when anarchists in Western Europe, Russia, and the United States made use of it as an effective instrument to achieve revolutionary political and social change.

In the 19th Century, terrorism was associated with non-governmental groups such as the band of Russian revolutionaries o'*Narodnaya Volya*' (the People's Will) that assassinated Tsar Alexander II on 13 March 1881.³² For many decades, terrorism was associated with the assassination of political leaders and Heads of State, including the

³¹ The word Terror itself comes from the French, coined by Maximillian Robespierre during the Reign of Terror following the French Revolution of the late 18th century. "Origins of the word Terrorism" <http://www.terrorism.about.com/od/historyofterrorism/a/concisehistory.htm>

³²Roberts, Adams. "History- The Changing Faces of Terrorism." http://www.bbc.co.uk/history/war/sept_11/changing_faces_06.shtml

killing of the Austrian Archduke Ferdinand in Sarajevo on 28 June 1914. In the 20th century, terrorism was a common flagellum and was utilized at the domestic and/or transnational level in conflicts in the Middle East, Northern Ireland, Spain, Sri Lanka, Kashmir, South Africa, and other States.

As it is impossible to elaborate a comprehensive history of the development of the concept and practice of terrorism in the 20th Century, two relevant examples will be mentioned: Latin America and the Middle East. Latin America is relevant because of the engagement of States in terrorist practices and the Middle East too, due to the intensive involvement of international powers in this region and the tensions which that involvement generates in it.

Terrorism was common practice in Latin America: El Salvador, Guatemala, Chile, and Argentina, in the 1960's and 1970's when leftists social revolutionary movements were organized to combat "American Imperialism" in the region. In some countries such as Nicaragua and El Salvador these movements took power in the early 1980's. As a response, the United States conceived "The Counterinsurgency Doctrine" that consisted of the use of terrorism as a strategy against revolutionary groups. The United Nations Commission for Guatemala found that terrorism in this region was overwhelmingly governmental and not private terrorism³³, simplifying American involvement in it.

³³ Gareau, Frederick. 2004. *State Terrorism and the United States: From Counterinsurgency to the War on Terrorism*. Clarity Press, Inc, p. 46.

In this connection, Washington was found guilty by the International Court of Justice of illegally equipping, financing, promoting and supporting the Contras in Nicaragua. The American sponsorship allowed this terrorist group to attack several Nicaraguan cities and a naval base and to lay anti-personnel mines in its territorial and internal waters. Finally, Washington declared a general embargo on trade against Nicaragua.³⁴

Due to different factors, the Middle East has been a fertile ground for terrorism. Perhaps the earliest terrorist campaigns were carried out in the Middle East during the first century A.D., by the zealots and Sicarri. Another early movement was the Assassins whose origins were in Shi'a Islam and who believed that Islam was corrupted by Muslim leaders and used daggers to assassinate them.³⁵

Since Napoleon's forces landed in Egypt in 1798, the region has been an object of rivalry among the Great Powers and was considered as the gateway between Europe and the Far East. Prior to the discovery of oil, the region has been exposed to religious conflict and wars over other resources.

During the 20th Century, the Middle East has remained as an arena of persistent conflict. The period between the two World Wars was characterized by the emergence of many nationalist groups who fought for liberation from Colonialism.

³⁴ Gareau, Frederick. Ibid. Pp. 167-8.

³⁵ "Assassins" is a group of fanatical Muslims who would murder leaders and others who deviated from the strict Muslim law, terrorized the Middle East in the 11th century. *"A concise History of Terrorism"*. [http:// www.terrorism.about.com/od/historyofterrorism/a/concisehistory.htm](http://www.terrorism.about.com/od/historyofterrorism/a/concisehistory.htm)

The combination of external and internal sources of conflict produced frequent crises, violence and war. One of the most destabilizing factors of the region is Arab-Israel conflict that has characterized the modern history of the Middle East and included full-scale wars in 1948, 1956, 1967, 1970, 1973, and 1982.

Today several problems have added to the growth of extremism and terrorism in the region. These include: the Palestinian problem, the instability in the Israel-Lebanon-Syria triangle, the development of the Iranian nuclear program and the violence in Iraq and Afghanistan. Other major problems are the support of Western powers for controversial regimes and the emergence of extremist Islamic or fundamentalist movements opposing these regimes. Moreover, Islam in the region has been stereotyped as a threat to democracy.

1983 was an important year to mark the emergence of Hezbollah in the region and included at least two major terrorists' acts: the bombing of the United States Embassy in Beirut that caused 63 deaths and the attack against the Marine barracks in Beirut, killing 241 military personnel even if there is not clear evidence linking Hezbollah to these acts. Later, increasing terror acts by organizations such as al-Qaeda, Al-Gama'a al-Islamiya, the Palestine Islamic Jihad, Hamas, and the Abu Nidal organization represented a challenge.

The attacks against New York and Washington on September 11 symbolize a turning point in the history of the United States of America in particular and the modern world in general. After the Cold War a new era has begun called "War on Terrorism". The attacks in the United States

revealed that States, as well as collective security institutions, have failed to keep pace with changes in the nature of threats. The events appeared to confirm the existence of a great schism between those intent on pursuing a campaign to revive the past and those firmly committed to the present.

Terrorism is continually changing. As terrorism evolves into the principal irregular warfare strategy, it is adapting to changes in the world's socio-political environment. Some of these changes facilitate the abilities of terrorists to operate, procure funding, and develop new capabilities.

Terrorism has been commonly associated with individuals or groups attempting to destabilize or overthrow existing political institutions. It has been used by one or both sides in anti-colonial conflicts, i.e., Ireland and the United Kingdom, Algeria and France; in disputes between different national groups over possession of a contested homeland, i.e., Palestinians and Israel; in conflicts between different religious denominations, i.e., Catholics and Protestants in Northern Ireland; and in internal conflicts between "revolutionary" forces and established governments like Malaysia, Indonesia, the Philippines, Iran, Nicaragua, El Salvador, and Argentina.

To achieve their goals, terrorists use a wide variety of tactics while committing terrorist acts like kidnapping, suicide bombing, martyrdom operations, hijacking, military facilities attacks, infrastructure attacks, slaughtering, fire-raising, and murder. Different methods are used by different organizations in different continents. Bombing, for example, is the general characteristic of the small groups. More sophisticated groups,

who benefit from state support, are more likely to use assassinations, hijacking, and methods requiring sophisticated financial support. What is more challenging is that the modus operandi of the terrorists as technology is evolving is changing and making the prediction of the techniques the terrorists will be using very difficult.

There are three possible future trends in terrorism, as mentioned by Raphael Perl. A modern trend in terrorism is toward loosely organized, self-financed, international networks of terrorists. Another trend is toward terrorism that is ideologically-motivated. A third trend is the apparent growth of cross-national links among different terrorist organizations, which may involve combinations of military training, funding, technology transfer, or political advice.³⁶ From here, there is a strong belief that future terrorists' acts will be more objected towards governments, military stations and governments' representatives because these bodies symbolize the legitimacy of the systems the terrorists are questioning.

II- Definition

While the problem posed by terrorism has received serious global attention, the international community has not yet formulated a uniform definition of terrorism, which expresses the political complexity around this question. The saying that one man's terrorist is another man's freedom fighter remains a common perspective on the definitional problem of terrorism. Some countries condemn as terrorism all acts that endanger or

³⁶ Perl, Raphael. 2006. "Terrorism and National Security: Issues and Trends" Foreign Affairs, Defense and Trade Division. www.fas.org/irp/crs/IB10119.pdf, 2005. March 14, 2006.

take innocent lives, while others seek to differentiate what they consider legitimate acts of resistance against oppression.

However, the most precise definition of terrorism is that of Bruce Hoffman who defines it as being usually conducted by an organization, political in aims and motives, designed to have far reaching psychological repercussions beyond immediate victim or target and perpetrated by a sub national group or non-state entity.³⁷

Terror acts can be classified as: state terrorism, surrogate terrorism, genocide, suicide terrorism, cyber terrorism, ideological terrorism and religious terror³⁸.

1. **State Terrorism:** it is a government's international assistance to a terrorist group to help it use violence, bolster its political activities, or sustain the organization³⁹. Of the 36 terrorist groups designated as foreign terrorist organizations by the US Secretary of State in 2002, 20 had enjoyed state support and 9 still till today. Daniel Byman says there are different levels of state terrorism. For example, among them there are strong supporters like Iran, weak supporters like the Taliban's backing for al-Qaeda and passive supporters when regimes do not directly aid terrorist but turn a blind eye to their activities like Saudi Arabia before the September 11, attacks.

2. **Surrogate Terrorism:** it involves the backing of another state or insurgent organization which makes it possible for that actor to practice terrorism both at home and abroad.

³⁷ Byman, Daniel. 2005. *Deadly Connections*. Cambridge. Page 8

³⁸ Byman, Daniel. *Ibid.* Page 13

³⁹ Byman, Daniel. *Ibid.* Page 14-15

3. **Genocide:** Frederick Gareau says that among the characteristics of genocide are the physical destruction in whole or in part, the systematic torture and the destruction by means of condition of life.⁴⁰

4. **Suicide Terrorism:** it is the readiness to die in the process of committing a terrorist act for political or ideological purposes. It has proved to be a highly effective terrorist tactic, and it is proliferating. In the period 1981-99, suicide attacks took place in seven countries like Lebanon and Sri Lanka, whereas in the period 2000 to March 2004 suicide attacks have occurred in 18 countries like Israel and Saudi Arabia.

5. **Cyber Terror:** This new terminology has strongly helped in advancement of the methodology of terrorism. Criminal terrorists, organized crime, spies, and foreign governments are more likely to wage cyber-war against state or societies and the harm that can be achieved by means of information terrorism could be as destructive to the fabric of a society as the use of other, more lethal weapons.

6. **Ideological Terrorism:** it is a political phenomenon par excellence and is therefore explicable in political terms. It is an extension of opposition politics in democracy and involves a group of true believers who challenge the authority long before they become terrorists, recruit followers, obtain a distinct collective world view, and radicalize within the organization to the point of becoming terrorist.

7. **CBRN (Chemical, Biological, Radiological, and Nuclear) Terrorism:** it is becoming more dangerous today because it is based partly on the increased ease of finding pertinent technical information on

⁴⁰ Gareau, Frederick H. Ibid. page 145

an exponentially expanding internet. Technology like phones and satellites has facilitated the conduct and control of operations over long distances while minimizing the need for a large, fixed, physical presence.

8. Religious Terror: in the recent years and in particular after September 11 attacks, religious terror has been mainly associated with political Islam, precisely "Jihad", *striving in the path of God*.

To conclude on the definition, it is prominent to quote what the Secretary-General of the United Nations said at the Conference "Fighting Terrorism for Humanity: A Conference on the "Roots of Evil": "Terrorism is a global threat, and it can never be justified. No end can give anyone the right to kill innocent civilians."⁴¹ Unlike most wars, terrorism has neither a fixed set of enemies nor the prospect of coming to closure, be it through a "win" or some other kind of denouement. It is fundamentally a form of psychological warfare that is used to create unbridled fear, dark insecurity, and reverberating panic and seek to elicit an irrational, emotional response.

III- Approaches to Terrorism

There are several theoretical approaches to security: The Realist, the Liberal, and the Revisionist. Many analysts assert that the United States and Europe share common vital interests in the Middle East: combating terrorism and the proliferation of weapons of mass destruction, promoting Middle East peace and stability, ensuring a reliable flow of oil, and curtailing Islamic extremism. However, U.S. and European

⁴¹ The United Nations. 2003. Press Release SG/SM/ 8885

policies to promote these goals often differ considerably. European perspectives have been shaped over time by common elements unique to Europe's history and geo-strategic position. Many Europeans believe the Israeli-Palestinian conflict should be a priority and view it as a key driver of terrorism, Islamic extremism, and political unrest among Europe's growing Muslim populations. The U.S. Administration stresses that terrorism and weapons proliferation are the primary threats and must be pro-actively confronted. Therefore, peace and stability in the region will not be possible until these twin threats are removed.

The new US strategy is premised on three key notions: 1) previous support of autocratic governments in the region has not resulted in stability and security, 2) terrorism cannot only be countered by military means, 3) and the root causes of terrorism and radicalism are the lack of democracy and basic freedoms in the Middle East. However, there is a clear gap between Europe and the United States regarding threat perception and methods of confronting the new security environment. As recent data of the Chicago Council on Foreign Relations and the German Marshall Fund of the United States show, Americans and Europeans have always disagreed over four issues: Threat perception, Leadership, Defense spending and the Arab-Israeli conflict.⁴² For example, the European depiction of the Middle East does not agree with that of the neo-conservatives in the United States. Europe tackles the threat of

⁴² European Views on Proliferation Threats. 2002. Panel Contribution by Dieter Dettke at the International Non-Proliferation Conference of the Carnegie Endowment for International Peace: "Assessing the Threats".
<http://www.fesdc.org/DD%20Speeches%20+%20Articles/NonProliferationRemarks.html>

terrorism by emphasizing multilateralism and dialogue rather than a military-centric approach as preferred by the United States.

According to Paolo Cotta-Ramusino, Europe remains wedded to a deliberative multilateral approach to tackling the threat of terrorism and WMD proliferation whereas the United States seems committed to confronting these issues head on even if that means imposing a unilateral military solution.⁴³ Nevertheless, Europe confronts the threats of the 21st Century by relying solely on soft solutions for example through international law, international organizations mainly the United Nations. The challenge for Europeans is to convince the United States that soft solutions such as humanitarian assistance, multilateralism, and dialogue have an important role to play in the new security environment. According to Delpeche, the best way to convince the United States of the value of non-military solutions is to “demonstrate the strength of multilateralism by disarming Iraq” under the auspices of the United Nations.⁴⁴ On December 2003, the Council of the European Union has stated that the Council must seek an effective multilateral strategy to prevent the use of weapons of mass destruction by terrorists.

However, whereas Europe tends to follow a Liberal approach and the United States is inclined to follow a mix of neo-realism and liberalism through force and the promotion of democracy, the Middle East has a more pragmatic response to realism. It is fighting for liberation to resolve

⁴³ Brown, Mozella. European views on Proliferation threats. 2002
<http://www.fesdc.org/DD%20Speeches%20+%20Articles/NonProliferationRemarks.html>

⁴⁴ Brown, Mozella. Ibid.

its diverse problems mainly the Arab-Israeli conflict. Arab countries have the lowest “freedom score” compared to other regions of the world, women’s political and economic participation is very limited, the quality and access to learning and education are inadequate, growth rates are stagnant and the Arab states face a deep crisis of legitimacy. The US looks at threats from the perspective of a global leadership responsibility as a nation, the most powerful nation for the foreseeable future. America’s multilateral commitment is based on the principle the mission determines the coalition.

The coalition determines the mission for Europe. Even though the United States and Europe have put the need for reform in the Middle East and are currently cooperating on partnership programmes and reform initiatives within the framework of G8 and NATO, differences and divisions remain over policies to be implemented. The United States and Europe responded with their own calls for promoting reform in the region. In December 2002 U.S. secretary of state Colin Powell announced the Middle East Partnership Initiative, which centers on the promotion of reform in the Middle East. Europe, however, tends to emphasize consultation and partnership with Middle Eastern states and is more apt to use “modernization” instead of “democratization”.⁴⁵ It also tends to emphasize the values of democracy, respect for human rights, and the rule of law. Regional conflicts, foreign occupation and a growing polarization between secularist and Islamist groups create a volatile and

⁴⁵ Promoting Middle East Security. 2004. United States Institute of Peace- Special Report. <http://www.usip.org>

difficult security climate. Two-thirds of the world's crude oil reserves are located in an area where the Palestinian conflict is intertwined with terrorism, weapons of mass destruction, religious strife and resource conflicts. The Middle East is an explosive region and Europe and the United States must, of course, have an interest in a successful peace process.

IV- Emergence of the Global Jihad

A debate around radical political Islam is increasingly a debate on the meaning of Jihad, one of the five pillars of Islam. The Koran insists that a Muslim's first duty is to create a just and egalitarian society in which poor people are treated with respect. This demands a Jihad (literally, effort or struggle) on all fronts: spiritual, social, personal and political. However, generations of religious commentators, taking their sign from apathetic and timid governments, have interpreted Jihad to mean spiritual struggle against one's evil nature.

Fawaz Gerges explains that during the 1980s and 1990s Jihadis launched an all-out frontal assault on the 'near enemy' (pro-Western regimes) rather than the 'far enemy' (the West in general and the United States in particular). But by the end of the 1990s, many of the Jihadis including Al-Qaeda members, Egyptian Islamic Jihad, and smaller groups, shifted focus and turned their fight against what they labeled 'The Zionist-Crusader alliance and their collaborator- The United States and its Western allies.'⁴⁶ Therefore, the author has argued that al-Qaeda emerged as a direct result of the entropy of the Jihadist movement in the late 90s

⁴⁶ Gerges Fawaz. Ibid. Page 21.

and as a desperate effort to alter the movement's route and to reverse its decline.

The Modern Western thought tended to portray Jihad as an Islamic war against unbelievers, starting with the conquest of Spain in the eight century. Therefore, the Jihad was seen as the distinguishing form feature of Muslim terrorism. The events of September 11, 2001 appeared to confirm the existence of a great schism between those intent on pursuing a campaign to resurrect the past and those firmly wedded to the present. Since that date, a tendency existed among Westerns, in particular the United States and Great Britain, to place all Jihadis together in one category without taking into consideration important subtleties, nuances, and differences among them.

On the other hand, and especially after September 11 attacks, the religious nationalists in the Arab world have rejected al-Qaeda's strategy and methods and broke with their counterparts for good. To Beverly Milton, it is clear that the new religious war is not about Islam in opposition to Christianity and Judaism: 'Rather it is a war of fundamentalism against faiths of all kinds that are at peace with freedom and modernity'.⁴⁷ Therefore, the suicide bomber from Gaza, the mujahideen in Afghanistan, the Chechen Muslim fighter, the Sunni insurgent in Fallouja are all united in a belief that their religion calls on them to sacrifice their life in defense of their ideals.

In the Middle East, most governments were quick to denounce the 9/11 perpetrators, dissociate themselves from any support for terror

⁴⁷ Milton, Beverly. 2005. *Islamic Fundamentalism Since 1945*. Routledge. Page 113-114

tactics or strategy and provide intelligence cooperation. They have also cooperated in some degree with the US-led effort to drain the financial resources of international terrorism. They generally have refrained from vocal support for US policy in Afghanistan; however, they have done little to discourage the expression of strong anti-Western, anti-US and pro-militant Islamic views in the media, the educational system or the mosques.

The Islamic Jihad organization has no relationship to modern warfare, either its cause or in the way which it is conducted and neither on the war on terrorism as declared by the United States. This war has a prime target, al-Qaeda and all its affiliates in the Muslim world. Al-Qaeda ideology has been rejected by most Arabs and the wisdom that al-Qaeda's global jihad ideology is representative of all Jihadis is false because it represents a branch of highly diverse and complex movement, one that has undergone dramatic shifts from localism to globalism and now appears to target everybody alike. Not only radicals with Muslim roots are responsible for terror acts.

V- Conclusion

To close this chapter, strong states as well as weak states in all regions of the world have used terrorism as an instrument of their foreign policy for many reasons: to export revolution overseas like Iran, to prevent the importation of revolution, and to undermine revolutions abroad. In each instance they have capitalized on pre-existing conflicts rather than to provide a root cause.

Terrorism by nature is difficult to define. Its definition depends upon the perspective used and the meanings of "terrorism" and "terrorist" are heavily dependent upon the approach and the angle of view of those who define them. Terrorism is not a new phenomenon. However it has been situated in various contexts such as crime, politics, war, revolution, propaganda and religion. This is why it is quite difficult to agree in the short term on an international definition of terrorism. Nonetheless, there is an emerging international consensus against any form of terrorism and states are not openly supporting such acts. There seems to be less controversy about the types of existing terrorism: political, organized crime, pathological, insurgent, state or regime terrorism, social-revolutionary, religious, and Nationalist-Separatist terrorism.

Nevertheless, to define the right framework for identifying terrorism is not merely an academic question. As long as one man's terrorist is the other man's freedom fighter, such a consensus will be elusive. Yet only if the terrorist act is narrowly defined, is there a chance to reach international consensus. Adopting a universal definition is an urgent task and the United Nations is still the best medium for an objective and universally agreed definition. A correct and objective definition of terrorism can be based upon accepted international laws and principles regarding what behaviors are permitted in conventional wars between nations. These laws are set out in the Geneva and the Hague Conventions, which in turn are based upon the basic principle that the deliberate harming of soldiers during wartime is a necessary evil, and thus permissible, whereas the deliberate targeting of civilians is absolutely forbidden. Without an

objective and authoritative definition, accepted by all nations, the fight against terrorism will always suffer from "cultural relativism." Without a change in the priorities of all the enlightened countries, and their determination to fight against terrorism apart from any other political or economic interest, it will not be possible to wage an effective war against terrorism.

In the last years, the United States has done little to reduce the growing perception in Muslim communities that the real target in the war on terrorism was Islam. The world is witnessing an open-ended war to restructure Arab and Muslim societies and regimes. The War on Terror, declared today by the United States has angered fundamentalists there and might lead in the future toward more violence. With the imposition of Democracy, any effort to democratize regimes would only bring to power more radical anti-American forces.

CHAPTER III: INTERNATIONAL LEGAL FRAMEWORK

I- Introduction

The absence of an internationally agreed definition of the term "terrorism" does not create a breach in the international legal order. Terrorism is prohibited by other international legal norms irrespective of the existence or absence of a generic definition of the term.⁴⁸ The Security Council imposes legally binding obligations on states to counter-terrorism like penalties and freezing assets⁴⁹. Terror attacks have always rendered unquestionable the challenge facing the international community to effectively address international terrorism. Therefore, it is crucial to set out parameters of the international legal framework applicable to terrorist attacks: the Criminal Law, the Humanitarian Law, the International Human Rights Law, and the work of the United Nations against terrorism.

Within this context, terror acts may amount to crimes under International Criminal Law, including customary law of general application, to war crimes, and to crimes against humanity. Given that terrorism is primarily a criminal phenomenon, then the question is this: whether the "War against Terrorism" is a "war" in the legal sense. To date, there is no complete answer.⁵⁰ However, some would prefer to call it "fight against terrorism" instead of "War on Terrorism" justifying this by defining terrorism as a phenomenon both practically and legally, therefore one

⁴⁸ Duffy, Helen. Ibid. Page 44.

⁴⁹ There are several UN Security Council Resolutions on this issue but the most relevant is SC Resolution 1373 (2001)

⁵⁰ International Humanitarian Law and the Challenges of Contemporary Armed Conflicts. 2003. Report by the International Committee of the Red Cross. 28th International Conference of the Red Cross and Red Crescent, page 17.

could not declare a war against a phenomenon.⁵¹ From here, there will be an analysis of the compatibility of the “War on Terror” declared by the US and the legality of measures taken in response to the 9/11 attacks within this legal framework.

II- The International Humanitarian Law (IHL), the International Human Rights Law (IHRL), the Geneva Conventions and the Criminal Law.

Controversy surrounds the concept of terrorism in international law. However, consensus appears to be emerging around some of the elements of a definition in the context of negotiations around a Global Draft Convention. A basic principle of International Humanitarian Law (IHL) is that fighters in armed conflict must distinguish between civilians and combatants and between civilian and military objectives. For the time being, it may be crucial to state that international law cannot be said to prohibit or reprimand terrorism, according to a definition of the term under customary international law.⁵²

The IHL seems to contain no ‘strict responsibility’ for civilian losses incurred; neither has it provided an automatic escape clause based on simple mistake or lack of knowledge. The world is faced with a new kind of violence to which the laws of armed conflict should be applicable. According to this view, transnational violence does not fit the definition of international armed conflict because it is not waged among states, and

⁵¹‘International humanitarian law and terrorism: questions and answers’. 2004. <http://www.icrc.org/Web/Eng/siteeng0.nsf>

⁵² Duffy, Helen. Ibid. Page 41.

does not correspond to the traditional understanding of non-international armed conflict, because it takes place across a wide geographic area.

However, the IHL specifically mentions and prohibits "measures of terrorism" and "acts of terrorism". Article 33 of the Fourth Geneva Convention states that "Collective penalties and likewise all measures of intimidation or terrorism are prohibited", while Article 4 of the Additional Protocol II prohibits "acts of terrorism" against persons not or no longer taking part in hostilities".⁵³ The main aim is to emphasize that neither individuals, nor the civilian population may be subject to collective punishments, which, among other things, obviously induce a state of terror.

A- State Responsibility

To illustrate the international responsibility and terrorism, "States are not strictly responsible for wrong conducts originating from their territory, but on the other side they are responsible for the conduct of groups of individuals over which they exercise effective control".⁵⁴ However, immediately after September 11, the US President declared that in the search for those responsible of terror acts, no distinction should be made 'between the terrorists... and those who harbor them'.⁵⁵ This

⁵³ [Http://www.icc.org/ihl.nsf/c525816bde96b7fd41256739003e63a.html](http://www.icc.org/ihl.nsf/c525816bde96b7fd41256739003e63a.html)

⁵⁴ Duffy, Helen. 2005. Ibid. Page 52.

⁵⁵ "I've directed the full resources of our intelligence and law enforcement communities to find those responsible and to bring them to justice. We will make no distinction between the terrorists who committed these acts and those who harbor them." 'Statement by the President in his Address to the Nation', 11 September 2001. <http://www.whitehouse.gov/news/releases/2001/09/20010911-16.html>

language has reappeared in international statements and national laws.⁵⁶ If it can be proved that a state has harbored terrorism, then this represents a breach of the obligations of the state and may cause the organs of the United Nations or the International Court of Justice to induce the state to comply with the obligations arising from the breach.

B- Responsibility of Non-State Actors

As a basic governing principle, while states are subject to international law, 'non-state actors' such as terrorists and what is considered as 'terrorist organizations' are governed, in principle, by national laws. At the criminal law level, Helen Duffy assures that 'the law and mechanisms of national and international criminal law ensure that non-state actors --individuals and to some degree other legal persons-- have duties under international law, and non-compliance may give rise to international accountability'.⁵⁷

International Humanitarian Law has provided a framework for regulating non-state entities. Since 1949, specific rules have governed the conduct of non-international armed conflicts. Such laws have been preserved in Common Article 3 of the Geneva Conventions, in the Additional Protocol II, and the rules of customary international law. However, if the conduct of a non-state actor is carried out as a party to a non-international armed conflict, the party will be bound by the body applicable to such conflicts.⁵⁸ Within this context, suggestions have

⁵⁶ For example under SC Res. 1373 (2001), 28 September 2001, UN Doc. S/RES/ 1373 (2001). Also under the Anti-Terrorism Act 2001 (Bill C-36).

⁵⁷ Duffy, Helen. Ibid. Page 63.

⁵⁸ Duffy, Helen. Ibid. page 64.

emerged that the attacks on Afghanistan were justified at least in some part due to the relationship between those states and terrorism⁵⁹. The conduct of 'non-state actors' is regulated by Human Rights Law indirectly, in that where 'private persons [violate rights] freely and with impunity', the State itself becomes responsible under human rights law.⁶⁰ In other words, specific improvements showed that non-state actors may be directly responsible under human rights law.

C- Criminal Law

Terrorism is defined as a crime in certain treaties. In certain circumstances these treaties oblige signatory states to exercise jurisdiction over the crimes covered. There are in fact more than nineteen international conventions devoted to terrorism in various forms.⁶¹ It is noted that terrorism was eventually omitted from the International Criminal Court (ICC)'s jurisdiction on the basis of the lack of an accepted definition. However, 'terrorist' conduct may still amount to a crime against humanity or any other crime in the Statute, provided it meets the criteria for those crimes.

D- Human Rights Obligations and Terrorism

General human rights conventions like the International Covenant on Civil and Political Rights, the American Convention on Human Rights and European Convention on Human Rights and Fundamental Freedoms enshrine the duty of states bound by the conventions to 'respect' and 'ensure' the rights protected. In addition to those treaties, other instruments address specific human rights like the United Nations

⁵⁹ Duffy, Helen. Ibid. page 64

⁶⁰ Duffy, Helen. Ibid. Page 64.

⁶¹ See Bassiouni, *op. cit* and the Special Rapporteur's report, *op.cit*.

Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment. In his turn, Secretary General Kofi Annan has assured that no trade off should be made between human rights and terrorism. He stated that the promotion and protection of human rights, as well as the strict observance of international humanitarian law, should be at the centre of anti-terrorism strategies.⁶² Article 6 states also that the duty to protect human life is at the heart of a state's obligations in relation to terrorism.⁶³ Therefore, torture, cruel, inhuman and degrading treatments are prohibited both under conventional and customary international law. It is very important to stress that Human Rights are universal values regardless of the importance of the so-called "War on Terror".

III- The Use of Force

Article 2(3) of the Charter of the United Nations stresses that all member States shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice shall not be compromised.⁶⁴ Certain exceptions to the general prohibition on the use of force are contemplated in the Charter itself and involve the use of force in Self-Defence, and Security Council authorization of force, on the basis that the Council determines it necessary for the maintenance or

⁶² "Fighting Terrorism for Humanity: A Conference on the Roots of Evil": 2003. Press Release SG/SM/8885. <http://www.un.org/News/Press/docs/2003/sgsm8885.doc.htm> "I believe that there is no trade-off to be made between human rights and terrorism. Upholding human rights is not at odds with battling terrorism: on the contrary, the moral vision of human rights — the deep respect for the dignity of each person — is among our most powerful weapons against it."

⁶³ Human Rights Committee, General Comment No. 6: Right to Life (Article 6) [1994], UN Doc. HRI/GEN/1/Rev. 6 (2003) at 127, para 3.

⁶⁴ Article 2(3), the United Nations Charter.

restoration of international peace and security.⁶⁵ "Article 51 contemplates self defence only 'if an armed attack occurs against a Member of the United Nations.' As affirmed by the ICJ (The International Court of Justice), 'States do not have a right of... armed response to acts which do not constitute an armed attack'. Moreover, "Article 51 of the UN Charter provides that:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security."⁶⁶

Therefore, the only organ which decides when and who should use force is the Security Council, and any use of force outside this authority constitutes a breach of international law and is a disregard of the United Nations.

IV- The "War on Terror" and International Law

Specific aspects of the so-called "War on Terrorism" launched after the attacks against the United States on 11 September 2001 amount to an armed conflict as defined under IHL. The war waged by the US-led coalition in Afghanistan that started in October 2001 is an example. The 1949 Geneva Conventions and the rules of customary international law were fully applicable to the international armed conflict. Persons detained in relation to an international armed conflict involving two or more states as part of the fight against terrorism – the case with Afghanistan until the establishment of the new government in June 2002 - are protected by IHL applicable to international armed conflicts. Captured combatants must be

⁶⁵ Duffy, Helen. Ibid. Pages 148-9

⁶⁶ United Nations Charter- Article 51

granted prisoner of war status (POW) and may be held until the end of active hostilities in that international armed conflict. Civilians detained for security reasons must be accorded the protections provided for in the Fourth Geneva Convention. This debate was, and still is, a problem for the Department of State when dealing with the legal status of prisoners in Guantanamo.

V- The United Nations' Work against Terrorism and the Role of the Security Council

In his report "A More Secured World: Our Shared Responsibility", the Secretary-General affirmed that terrorism attacks the values that lie at the heart of the Charter of the UN, respect for human rights, the rule of law, rules of war that protect civilians, tolerance among peoples and nations, and the peaceful resolution of conflict.⁶⁷ Moreover, in the Secretary-General High level panel threats, challenges and changes, there is an obligation to distinguish between situations in which a state claims to act in self-defense, situations in which a state is posing a threat to others outside its borders, and situations in which the threat is primarily internal and the issue is the responsibility of the State to protect its own people. In this context, Chapter VII fully empowers the Security Council to deal with every kind of threat that states might confront. But even if the force can be legally used does not mean that it should be used.

⁶⁷ Annan, Kofi A. Ibid.

A- International and Regional Instruments Related to the Prevention and Suppression of International Terrorism: The 12 International Conventions

The first major step in the modern era in outlawing terrorism under international law was made through the Convention for the Prevention and Punishment of Terrorism, developed by the League of Nations in the 1930s, but it never came into force. However, a number of conventions were developed during the 1960s and 1970s to address specific types of violence such as aircraft hijacking, kidnapping of diplomats and the taking of hostages. Currently, there are 19 global or regional treaties pertaining to the subject of international terrorism. For example, the Convention on the Suppression of Unlawful Seizure of Aircraft, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons and Diplomatic Agents, and the International Convention for the Suppression of the Financing of Terrorism.⁶⁸

Those conventions are only legally binding to States Parties to them. There are two kinds of international conventions on terrorism. Firstly, there are international conventions which are open to ratification to all states and most are penal in nature with a common format. Typically they first, define a particular type of terrorist violence as an offence under the convention; two, require signatory States to penalize that activity in their domestic law; three, identify certain bases upon which the Parties responsible are required to establish jurisdiction over the defined offence;

⁶⁸ Measures to eliminate international terrorism. Report of the Secretary-General. July 2000. Fifty-fifth session. [Http://www.un.org](http://www.un.org)

and four, create an obligation on the State in which a suspect is found to establish jurisdiction over the convention offence and to refer the offence for prosecution if the party does not extradite pursuant to other provisions of the convention.

Secondly, there are regional multilateral terrorist conventions, such as the Council of Europe Convention on the Prevention of Terrorism (2006); the Inter-American Convention against Terrorism (2002); and the Organization of African Union Convention on the Prevention and Combating of Terrorism (1999).

B- Instruments at the National Level: The Counter Terrorism Committee and the UNODC

On the national level, the UNODC's (The United Nations Office on Drugs and Crimes) operational activities focus on strengthening the legal regimes against terrorism. This involves providing legislative assistance to countries which enables them to become parties to, and to implement, the universal anti-terrorism conventions and protocols and the Security Council Resolution 1373 (2001). Specific national action plans have also been developed jointly with governments and Legislative drafting committees. These committees serve in studying the provisions of the instruments, as well as implementing the legislation, which includes the provisions of the 12 universal legal instruments relating to terrorism and the requirements of Security Council resolution 1373 (2001).

As for resolution 1373, it establishes that the Counter-Terrorism Committee (CTC) is to monitor the implementation of the resolution by all States and to increase the capability of States to fight terrorism. It has become the United Nations' leading body to promote collective action against international terrorism and increase the capability of States to comply with terrorism-related conventions and protocols.

C- Security Council Resolutions regarding Terrorism and the work of the General Assembly against terrorism.

Two Security Council Resolutions also establish a collective framework for action. In resolution 1269 (1999), the Security Council called upon all States to take appropriate measures, in conformity with the relevant provisions of national and international law, including international standards of human rights.⁶⁹ To strengthen the framework for international and national action, particularly following the 11 September 2001 attacks, the Resolution 1373 measures include criminalizing the collection of funds for terrorist acts and freezing the assets of terrorists; refraining from providing any support to entities or individuals involved in terrorist acts; denying safe haven to terrorists; preventing the State's territory from being used by terrorists or supporters of terrorists, etc.

In its turn, the General Assembly passed numerous resolutions on the issue of human rights and terrorism. For example, A/RES/57/219 specifically focuses on the need to protect human rights and fundamental

⁶⁹ SC/RES/1269 (1999). <http://www.un.org/terrorism>

freedoms while countering terrorism.⁷⁰ The resolution requests the High Commissioner for Human Rights to examine the question of the protection of human rights and fundamental freedoms while countering terrorism. The General Assembly has formed many other resolutions like the International Convention for the Suppression of Acts of Nuclear Terrorism, and the International Convention for the Suppression of the Financing of Terrorism and taken measures to prevent terrorists from acquiring weapons of mass destruction. Moreover, in its report of the 2005 World Summit, the General Assembly calls upon States to refrain from organizing, financing, encouraging, providing training for or otherwise supporting terrorist activities, and taking appropriate measures to ensure that their territories are not used for such activities.⁷¹

Regarding human rights, the Security Council stated in resolution 1456 (2003) that "States must ensure that any measure taken to combat terrorism complies with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugees, and humanitarian law."⁷² Human rights law aims to strike a fair balance between legitimate national security concerns and the protection of fundamental freedoms and acknowledges that states must address serious and genuine security concerns, such as terrorism. The balance is reflected in the International Covenant on Civil and Political Rights (ICCPR) as well as in regional

⁷⁰ Adopted for the first time by the General Assembly on 18 December 2002.

⁷¹ 2005 World Summit . <http://www.un.org/summit2005/documents.html>

⁷² S/RES/1456 (2003). <http://www.un.org>

instruments.⁷³ Therefore, respect for human rights, fundamental freedoms and the rule of law are essential tools in the effort to combat terrorism.

VI- The Legal Framework of the “War on Terrorism”

A- The United States of America Violation of International Law, Human Rights Standards and the Geneva Conventions

Many of the measures adopted by the U.S. government after the September 11 attacks could be seen as violations of the provisions of international human rights and humanitarian law. These violations include the arbitrary and secret detention of non-citizens, secret deportation hearings for persons suspected of connections to terrorism, the authorization of military commissions to non-citizen terrorists, a failure to abide by the Geneva Conventions in the treatment of detainees held in US military custody in Cuba and elsewhere, and the military detention without charge or access to counsel of U.S. citizens designated as "enemy combatants." Moreover, the United States has refused to recognize the applicability of the Geneva Conventions or the principles of International Human Rights Law with regard to the Afghan war or al-Qaeda detainees held at Guantanamo or elsewhere. The United Nations Human Rights Commission and the European Union have asked to close Guantanamo.

⁷³ 'Terrorism and Human Rights'. Office of High Commissioner for Human Rights. <http://www.unhchr.ch/terrorism/index.html>

The US and its western allies have been accused by a leading human rights organization of a "shameful silence" over abuses carried out in the Middle East and North Africa, presumably in the fight against terrorists. The report claims that since 11 September, the US has toned down its criticism of human rights abuses by Russia in Chechnya and played up alleged links between Chechen rebels and Osama Bin Laden's al-Qaeda terror network.⁷⁴

Amnesty International is concerned that the 'War on Terror' may become an excuse to violate or to deny human rights, as reflected through the photographic evidence of the torture and ill-treatment of detainees in Abu Ghraib prison and in Haditha, Iraq by US soldiers, causing widespread national and international concern.⁷⁵

Thomas G. Weiss says that human rights have not so much retreated from American foreign policy as they have been eclipsed by a focus on terrorism since September 11.⁷⁶ Washington's tolerance for systematic human rights violations, and even state terrorism, when responding to terrorism, has been facilitated by the tendency to see anti-terrorism less as a material interest in U.S. foreign policy than as a struggle against what is called by the US State of Department "axis of evil". The US is committed rhetorically to human rights and democracy, but in practice these objectives have been overshadowed in a growing

⁷⁴ 'War on Terror' 'Curbing Human Rights'. 2002.

<http://news.bbc.co.uk/1/hi/world/americas/1763641.htm>

⁷⁵ United States of America. Report 2005. Amnesty International – Working to protect Human Rights Worldwide. <http://web.amnesty.org/report2005/usa-summary-eng>

⁷⁶ Weiss, Thomas. 2004. *Wars on Terrorism and Iraq- Human Rights, Unilateralism, and U.S. Foreign Policy*. Routledge, page 101

number of cases. Perhaps the most disturbing example of the administration's attitude toward human rights was the Central Intelligence Agency's (CIA) reported use of 'stress and duress' interrogation techniques at a U.S. air force in Bagram, Afghanistan, an act which constitutes 'cruel, inhuman and degrading treatment' and is prohibited by the US-ratified Convention against Torture.⁷⁷

B- The "War on Terrorism" Effects on the International Order

In September 2001, President Bush stated that: "We will direct every resource at our command, every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war to the disruption and defeat of the global terror network".⁷⁸ Nevertheless, the Bush Administration has demonstrated a unilateralist approach to most foreign policy issues, most notably the human rights. After September 11, the administration has reduced its support for international human rights issues such as criminal justice, democracy promotion, and welfare rights. Ramesh Thakur wrote in the International Herald Tribune, "But Washington cannot construct a world in which all have to obey universal norms and rules, while it can opt out whenever, as often, and for as long as it likes."⁷⁹

The Bush Administration initially argued that the 1949 Geneva Conventions did not apply to any of the detainees in relation with

⁷⁷ Robinson, Mary, "Shaping Globalization: The Role of Human Rights." Fifth Annual Grotius Lecture, American Society of International Law, April, Washington, D.C., 2003.

⁷⁸ J. Harris, 'President Outlines 'War on Terrorism, Demands Bin Laden be Turned Over', *Washington Post*, 21 September 2001.

⁷⁹ Weiss, Thomas. *Ibid.* Page 81.

September 11 attacks, whereas Article 5 of the Third Convention of 1949 requires an independent tribunal decide the status of detainees in contested cases.⁸⁰ Washington continues to view human rights as 'international' mostly as direct application to the U.S. domestic experience abroad and is lax with international human rights standards; it undercuts U.S. leadership for human rights, as described by Thomas Weiss.⁸¹

The Bush Administration has made a strong opposition to the International Criminal Court (ICC).⁸² For example, in December, the Congress approved a provision in a government spending bill mandating the withholding of certain economic assistance to governments that refuse to grant immunity for US nationals before the International Criminal Court. Moreover, the Administration threatened to shut down the UN peacekeeping unless U.S. participants in operations authorized by the world organization were exempted from ICC jurisdiction. The Bush policy advisors prefer to undercut the ICC by seeking a special exemption for all U.S. citizens- even at the cost of impediments to U.N. peacekeeping, and an imperiled Court for the prosecution of those like Saddam Hussein.

The world has become a worse place since September 11 and the United States bears some responsibility for the deterioration, says Thomas Weiss.⁸³ With this new war, the U.S. seems less willing to expend its resources on behalf of the human rights and humanitarian concerns. The pattern of abuse in the Bush Administration's own treatment of terrorist suspects suggests that the Administration sees international human rights

⁸⁰ Weiss, Thomas. Ibid. Page 84.

⁸¹ Weiss, Thomas. Ibid. Page 91.

⁸² 'The 'War on Terror' must not be an excuse to deny Human Rights'.

<http://www.amnestyusa.org/waronterror/index.do>

⁸³ Weiss, Thomas. Ibid. Page 109.

standards as an inconvenient obstacle to fighting terrorism that is readily sidestepped rather than as an integral part of anti-terrorism effort.⁸⁴

The Bush Administration's conduct of the war was closely scrutinized for its compliance with international humanitarian law. First, the Pentagon continued to use cluster munitions, near populated areas. Second, the Bush Administration was less effective in preventing private Iraqis from seeking summary vengeance against other Iraqis and has been disappointing in proposing 'Iraqi-led' tribunals. The reasons include: First, the administration seems to fear that an international tribunal might scrutinize the conduct of allies of even the United States itself. Second, the administration hopes to apply the death penalty whereas the international tribunals do not impose it.

Unilateralism seems to be the general policy of the United States government. For instance, where the world has signed on to the Nuclear Non-Proliferation Treaty, Washington exempts itself from NPT clauses requiring nuclear disarmament. In other words, it disdainfully dismisses international law as a minor inconvenience and declares the UN to be irrelevant unless supportive of what Washington desires.

VII- Conclusion

An anti-terrorism policy that ignores human rights may be an incentive to more terrorist acts. Thomas Weiss says that the fight against terrorism must endeavor to build strong international norms and institutions on human rights, not provide a new rationale for avoiding and

⁸⁴ Weiss, Thomas. *Ibid.* Page 120.

undermining them.⁸⁵ There is a contradiction in what the US says and does: in the National Security Strategy of the United States, President Bush has said “Governments must fight corruption, respect basic human rights, embrace the rule of law, etc. He adds in defining the principles of the United States strategy that: “We will speak out honestly about violations of the nonnegotiable demands of human dignity using our voice and vote in international institutions to advance freedom... seeking solidarity and cooperation from other democracies while we press governments that deny human rights to move toward a better future.”⁸⁶ However, Washington policy has been described as unilateral and undermining the human rights in its ‘War on Terrorism’.

A coherent legal strategy for combating terrorism requires a complementary and mutually reinforcing set of measures – from tightening international cooperation in the prevention, prosecution and suppression of terrorist activities, to long-term cooperative schemes to remedy or at least attenuate their root causes.⁸⁷

Terror produces terror, as observers have long noted. Bin Laden and his supporters indeed pose a threat, but that threat doubles when it is countered in kind. From here, many issues need to be prioritized in order to fight terrorism. We should start by defining an acceptable, internationally negotiated and legally binding definition of terrorism. Second, we need to understand that terrorism is the greatest threat of all,

⁸⁵ Weiss, Thomas. Ibid. Page 128.

⁸⁶ The National Security Strategy of the United States of America. September 2002. The White House. Washington. [http:// www.whitehouse.gov/nsc/nss.pdf](http://www.whitehouse.gov/nsc/nss.pdf).

⁸⁷ Abi Saab, Georges. 2002. ‘There is no need to reinvent the law’. The Global Policy Forum. <http://www.globalpolicy.org/intljustice/general/2003/0902change.htm>

and the importance of international cooperation in the field of counter-terrorism.

It is a paradox that even the United Nations Security Council faces difficulties in the fight against terrorism because one of its permanent members considers that the continuation of military action is in its national interest. Ramesh Thakur has written in his paper "The War on Terrorism and The United Nations" that while sometimes the U.S. will be the most welcome mediator and peacemaker, usually the UN forum is more authoritative and more broadly acceptable for conflict resolution efforts. Washington therefore has a vested interest in strengthening both the principle of UN-centered multilateralism – promoting the norm that the UN should be heard and obeyed as the voice of the international community – and the capacity of the UN forum to undertake conflict resolution initiative.⁸⁸

The main contradiction of the so-called "War on Terror" is that it has systematically undermined or ignored the international security norms and organizations. We cannot undermine the role of international institutions and the rule of law while trying to fight or eliminate terrorism.

⁸⁸ Thakur, Ramesh. Ibid.

CHAPTER IV: THE UNITED STATES FOREIGN POLICY

I- Analysis of US Foreign Policy regarding the Middle East

The campaign against terrorism was explicitly announced by the American President in his speech to Congress on September 20, 2001, just 9 days after the New York and Washington attacks.⁸⁹ Bush proclaimed: "Every country, in every continent, should now take a decision: either you are with us, or you are against us." Later, Bush extended the "War on Terrorism" against Iran and Iraq, countries which represent a threat to the United States because of their intention to develop weapons of mass destruction. In his speech on January 2002, the American President considered that: "such states --Iraq, Iran, and North Korea-- and their terrorist alliances constitute the axis of evil".⁹⁰ This terminology has created instability in the Middle East region in parallel with the two wars waged on Afghanistan and Iraq.

Unlike other major US foreign policy areas, the Middle East is deeply embedded in American domestic politics. It involves interaction between different key structures where the President of the United States is the key actor in shaping the policy, while the State Department, the Senate, and the House of Representatives help outline the policy; and other actors like Political Parties, the Opinion Makers', and the Lobbies

⁸⁹ "President George W. Bush's address to a Joint Session of Congress Concerning September 11 terrorists' attacks on America", September 20, 2001(<http://www.september11news.com/PresidentBushSpeech.htm>)

⁹⁰ State of the Union Address by President George W. Bush, US Capitol, Washington D.C., White House Press Release <http://www.whitehouse.gov/news/releases/2002/01/20020129.html>.

have their own role. In the two years following the September 11 attacks, the Administration of George W. Bush has launched three wars: (1) the war in Afghanistan to effect regime change', removing the Taliban and their al-Qaeda collaborators; (2) the larger 'War on Terrorism' to disrupt Islamist networks and cells around the globe, from Germany to Indonesia to the United States itself, using law enforcement and intelligence capabilities; and (3) the invasion and occupation of Iraq. In the interim, the President came up with another front in the new fight: the terrorism practiced by Palestinian Islamist organizations against Israel and as a response, he doubled the Administration' support for Israel by embracing Israeli Prime Minister Ariel Sharon as a '*man of peace*' and a fellow struggler against the common terrorist enemy.

With the large American troops in Afghanistan and Iraq and the declaration of a "generational commitment to helping the people of the Middle East transform their region", it is clear that the United States' strategy has changed from its traditional stance of upholding the regional status toward a proactive, interventionist policy.⁹¹ In his speech, President Bush committed the US to the goal of actively promoting liberal democracy and free market economic reforms throughout the region.⁹²

Robert Kagan wrote: it was a policy driven by two imperatives: security in the post 11 September 2001 era and an ideological sense of moral mission whose origins can be traced to the very beginnings of the

⁹¹ Rice, C. 2003. *Remarks Delivered at the National Association of Black Journalists Convention*, 7 August 2003. <http://www.washingtonpost.com/ac2/wp-dyn/A30602-2003Aug7>.

⁹² Bush Speech, 6 November 2003

American Republic.⁹³ Louise Fawcett says that the greater Middle East became the testing ground for the new American project and within it the Arab World was “ground zero”- the source of what the US Administration insisted was the new danger, one even worse than the old Soviet threat.⁹⁴ Unless they are preemptively liquidated, the “Islamist terrorists”, as called by the United States Department of State, would then be able to strike the American heartland. In other words, in the view of the American Administration, the Middle East is a breeding ground for terrorism.

The American Administration, in its National Security Strategy, defines its position toward terrorism in terms of its struggle against an ideology, a political coalition or a state. From this point emerges a disagreement regarding groups that should be identified as terrorist. This disagreement involves the two points which denounces the tradition of the “*just war*”, or “*jus ad bellum*” and “*jus in bello*”, a formal expression to classify the war. We can realize that the neo-conservative strategy in countering terrorism in the region has generated global, strategic, and international law implications. The United States is trying to persuade the Arab States to follow its policy and has threatened them with sanctions if they do not accept this deal.

The new task of American foreign policy was not only to use force proactively but also to reshape the domestic environment of the several ‘failed states’ in the Middle East whose educational system, religion, and economic stagnancy fostered anti-American terrorism.⁹⁵ In fact, the US

⁹³ Kagan, Robert. 2003. *Of Paradise and Power: America and Europe in the New World Order*. New York: Knopf, pages 85-8.

⁹⁴ Fawcett, Louise. 2005. *International Relations on the Middle East*. Oxford, page 299.

⁹⁵ Fawcett, Louise. *Ibid.* Page 299.

policy in the region fell along two dimensions: the short-term strategy of building a security plan for the Middle East, and the long-term strategy approach of reforming the domestic politics, economics, and culture of the region through Liberal and Realist means in order to reduce or entirely eliminate 'Islamist extremism' in the region. Therefore, assuming a pro-American Iraq, the remaining points were Iran and Saudi Arabia to fit in America's security architecture.

In parallel, with regards to the Palestinian-Israeli conflict, the Administration argued that a regime change in Iraq could facilitate a solution to it. However, despite Bush's credible commitment in principle to a Palestinian state alongside a secure Israel, he was unwilling to pressure the Israeli government to stop settlement activities and ease Israeli pressures on the Palestinian population. President Bush was highly persuaded by Prime Minister Ariel Sharon's argument that Palestinian resistance was part of the terrorism inflicted on the US in September 11. In his televised nation address, President Bush compared the terror perpetrated by the Palestinians and the terror perpetrated in Iraq and Afghanistan with the ultimate terror perpetrated by al-Qaeda against the United States.⁹⁶

The neoconservatives believe that the USA, by virtue of its military power, is in a position to be the sole architect of regional security. Louise Fawcett says that perhaps this is a correct assumption, but it ignores indigenous ideas of regional 'security architecture'; it dismisses the struggle of emerging countries to shape their own security structure

⁹⁶ Bush Speech. 7 September 2003.

independently.⁹⁷ Another dimension of the neoconservative project was to win the 'battle for hearts and minds' in the Middle East. In the National Security Strategy, President Bush committed himself to transforming the political systems of the Middle Eastern countries towards some sort of democracy and economic liberalism. However, through forcible regime change, the Administration supposed that getting rid of subversive regimes in Afghanistan and Iraq would lead the 'thirsting populations for liberation and freedom' into democracy. However, near the end of Bush term in 2004, the process of democratizing Afghanistan and Iraq was proving to be far more difficult than expected and there was no sign of democratization. However, as Louise Fawcett says that if anything, the regional insecurities engendered by America's War on Terrorism has made the neighboring regimes more repressive.⁹⁸

The NSS was an appropriate U.S. response to September 11, but by invading Iraq, the United States lost its focus on the primary goal of directly countering terrorist threats. The NSS states:

"We will disrupt and destroy terrorist organizations by direct and continuous action using all the elements of national and international power."

Its immediate focus is those terrorist organizations of global reach and any terrorist or state sponsor of terrorism which attempts to gain or use weapons of mass destruction (WMD) or their precursors. The strategy also declares a war of ideas to win the battle against international terrorism using effective public diplomacy to promote the free flow of information and ideas to uphold the hopes and aspirations of freedom in societies ruled by the 'sponsors of global terrorism'. It elucidates that the

⁹⁷ Fawcett, Louise. Ibid. Page 303.

⁹⁸ Fawcett, Louise Ibid. Page 303

war on terrorism is not a clash of civilizations. It does, however, reveal the clash inside a civilization, a battle for the future of the Muslim world. This is a struggle of ideas and this is an area where America must excel, as the NSS states.

The "National Security Strategy of the US," formalizes these three elements of the "Bush Doctrine": preemptive strike, the promotion of democracy, and military supremacy. It was widely reported in the Western press that the so-called Bush Doctrine had strong roots in the American neoconservative thinking and movement. It has been formulated as a means to preserve U.S. security, but at the same time, this strategy represents a tool to consolidate the American vision of the world and to sanctify American values and interests around the globe. It states:

"Our freedom, our cities, our systems of movement, and modern life—are vulnerable to terrorism."

Therefore, it is the United States' responsibility to eliminate terrorists and threaten 'unfriendly regimes' since it is the world's superpower. This means reversing the previous U.S. policy of only responding selectively to humanitarian and military crises. With the bias of this equation of terrorists and tyrants as a source of danger, in effect, the Bush Administration has prepared the ground for a mandate of military action. In this way, the enemy is no longer defined. It could be whoever is able to be a terrorist or to acquire weapons of mass destruction. "The United States relies henceforth on the preemption doctrine instead of dissuasion, and the proactive toward proliferation instead of non-

proliferation” to counter those enemies”, as expressed by Mary Kaldor.⁹⁹

The strategy of Washington aims at forbidding the materialization of such threats with attacking their potential enemies by pre-emptive actions:

“because it is a question of common sense and self-defense, the United States intervenes even before the threat materializes... we do our best to bring the hope of democracy, development, liberal markets and liberal exchange to the four corners of the world.”¹⁰⁰

The NSS, echoing the president’s speech at West Point on June 1, 2002, sets three tasks: “defend the peace by fighting terrorists and tyrants; preserve the peace by building good relations among the great powers and extend the peace by encouraging free and open societies on every continent.” The Bush NSS differs in several ways from its recent predecessors: it is proactive; its parts, for the most part, interconnect; Bush’s analysis of how hegemony works and what causes terrorism is based on serious academic thinking. The Bush Administration sees no contradiction between power and principles; and finally, the new strategy is candid.

The NSS has eight pillars that constitute the plan of action of the United States of America in the War against Terrorism: champion aspirations for human dignity; strengthen alliances to defeat global terrorism and work to prevent attacks against the United States and its friends; work with others to defuse regional conflicts; prevent its enemies from threatening America, its friends, its allies with weapons of mass destruction; ignite a new era of global economic growth through free markets and free trade; expand the scope of development by opening

⁹⁹ Kaldor, Mary, “*American Power: From “Compellance” to Cosmopolitanism?*” *International Affairs*, 79:1, 2003, pp. 1-22.

¹⁰⁰ *National Security Strategy*, the White House.

societies and building the infrastructure of democracy; develop agenda for cooperative action with other main centers of global power; and make America's national security institutions meet the challenges and opportunities of the twenty-first century.

Among the most important elements of President Bush's first National Security Strategy (NSS) is its focus on failed states, as said by the Administration seemingly has few plans to provide much counterterrorism assistance to failing countries. The NSS states that:

"Where governments find the fight against terrorism beyond their capabilities, we will match their willpower and their resources with whatever help we and our allies can provide."

Susan Rice affirms that these states pose serious challenges to U.S. interests in terms of refugee flows, trafficking in illicit weapons, peacekeeping and humanitarian assistance, and lost trade and investment opportunities.¹⁰¹ In his letter introducing the NSS, President Bush elaborates:

"The events of September 11, 2001, taught us that weak states, like Afghanistan, can pose as great a danger to our national interests as strong states."

According to Bush, the threats are also represented by the countries possessing weapons of mass destruction or who seek to have such weapons. Seven countries have been successively designated as sponsors of terrorism by the Department of the State and they are: North Korea, Cuba, Iran, Iraq, Libya, Sudan and Syria.

The National Security Strategy of the United States calls for using every tool: military power, better homeland defenses, law enforcement, intelligence and vigorous efforts to cut off terrorist financing. It expresses that the nation will use the opportunity today to extend the benefits of freedom across the globe. The cornerstone of the new policy is to have

¹⁰¹ Rice, E. Susan. 2003. *The New National Security Strategy: Focus on Failed States*. page 223

the possibility to stop 'rogue states' and terrorists before they become able to threaten or use weapons of mass destruction against the United States or its allies.

The Bush Administration has noted that its Nuclear Posture Review (NPR) is a part of the Administration's broader effort to transform the United States military to better meet the security challenges that United States is likely to face in the future. The Bush Administration has described a new model of deterrence and has affirmed that the Cold War strategy is not appropriate to deter new adversaries. Offensive nuclear weapons will continue to play a role in the United States deterrent strategy, but they will be joined by missile defenses and conventional strike forces which would enhance deterrence by denying an aggressor's ability to attack the United States. Deterrence is only one of four goals that will be addressed by the United States nuclear forces. The NPR uses terminology from the September 2001 Quadrennial Defense Review, which states the purpose of possessing nuclear weapons is fourfold: 1) assure allies and friends of the United States commitment to their security; 2) dissuade competitors from challenging United States with nuclear weapons or other asymmetrical threats, and 3) deter aggressors, and 4) defeat enemies by destroying a range of targets if deterrence fails. Therefore, the NPR calls for a "New Triad," which would incorporate new offensive nuclear and conventional strike systems, ballistic missile defenses, and a revitalized nuclear weapons infrastructure. It claims that the New Triad will move the United States and Russia beyond the condition of Mutual Assured Destruction (MAD), in which each side is capable of delivering an overwhelming nuclear attack, ostensibly to deter

nuclear war. It suggests that the U.S. must develop new nuclear weapons capabilities to defeat "hardened and deeply buried targets" in states that are party to the Non-Proliferation Treaty including Iran, Iraq, Libya and Syria.¹⁰² A completely different approach has been taken regarding non-State parties to the NPT such as India, Pakistan and Israel with who US has developed certain kind of complicity.

Nevertheless, the continued reliance on and preservation of the U.S. nuclear arsenal is contrary to the 1968 Nuclear Non-Proliferation Treaty (NPT), which obliges nuclear weapons states to work for the total elimination of nuclear weapons in exchange for non-nuclear weapons states' commitment to refrain from acquiring such weapons. But the NPR would lead to new nuclear capabilities, the possible resumption of nuclear testing, and plans to use nuclear weapons against non-nuclear states believed to have the capability to build weapons of mass destruction. Now, with the new approach promoted in the NPR, the international community will have increased reason to question whether the U.S. is committed to implement its disarmament obligations under Article VI of the Treaty on the Non-Proliferation.

II- The Axis of Evil

One striking consequence of the post-September 2001 environment has been the rhetorical creation of, and reorientation of US foreign policy toward opposing, the axis of evil, which was introduced into

¹⁰² Nuclear Posture Review: What It Says...and What It Means. *The Churches' Center for Theology and Public Policy*. <http://www.nrdi.org/nuclear/FinalNPR.htm>

public discourse by the President Bush in his state of the Union Address on January 29, 2002. The inclusion of states such as Iraq, Iran and Syria in an 'Axis of Evil' by the Bush Administration in the spring 2002 did little to reduce the growing perception in Muslim communities that the real target of the "War on Terrorism" was Islam. Benjamin Barber and Steven Simon in their book, *Jihad vs. McWorld*, states that "President Bush is then on a two-century American roll when he calls against the "Axis of Evil", calling for a worldwide war against the "evil ones" in the name of the greatest nation, full of the most decent people, on the face of the earth, whose every action is to be seen not as that of a "conqueror" but that of a "liberator."¹⁰³

Some would ask whose axis of evil and why not Libya, "rogue" enemy of the US which is as volatile and authoritarian as the new axis powers. Why not Vietnam, which had actually defeated the US but had become a trade partner; or why not China, which represents the most powerful communist regime in the world? Benjamin Barber says that it can't be the connection to terrorism that led to the notion of 'axis of evil' because North Korea has none and the Administration never was able to prove that Iraq was linked to al-Qaeda at all neither it possess Weapons of Mass Destruction.

The "axis of evil", compounded by the nuclear issue, has further complicated the conflict between reformers and conservatives in Iran in their tactics- especially in how to deal with the USA. Bush's exact statement was as follows:

¹⁰³ Barber, Benjamin. 1996. *Jihad vs. McWorld*. New York: Ballantine Books.

[Our goal] is to prevent regimes that sponsor terror from threatening America or our friends and allies with weapons of mass destruction...North Korea is a regime arming with missiles and weapons of mass destruction, while starving its citizens.

Iran aggressively pursues these weapons and exports terror, while an unelected few repress the Iranian people's hope for freedom. Iraq continues to flaunt its hostility toward America and to support terror... States like these, and their terrorist allies, constitute an *axis of evil*, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger.¹⁰⁴

On May 6, 2002, the United States Under Secretary of State John R. Bolton added three more nations to be grouped with the already mentioned "rogue states" in a speech widely reported as an expansion of the original axis of evil: Libya, Syria, and Cuba.¹⁰⁵ The criteria for membership in this group was: "state sponsors of terrorism that are pursuing or who have the potential to pursue weapons of mass destruction (WMD) or have the capability to do so in violation of their treaty obligations."

The new strategy predicts war where intimidation fails, a succession of armed interventions in country after country, from Iraq's axis of Evil partners like Iran and North Korea, to countries where shadowy terrorist relationships are hidden. In short, it predicts a war made permanent by a perverse strategy that targets inappropriate but visible national stand-ins in place of appropriate but invisible terrorist enemies. Terrorists sponsored by these three regimes have not directed their activities against the territory or military of the US. From human rights perspectives, these states were the world's leading human rights violators. A strong case can be made that North Korea and Saddam Hussein's Iraq belonged to any "top ten" list. Rather than recognize the

¹⁰⁴ Axis of Evil'. http://en.wikipedia.org/wiki/Axis_of_Evil.html

¹⁰⁵ "Beyond the Axis of Evil". http://en.wikipedia.org/wiki/Axis_of_Evil.html

positive, Washington has chosen to single out Iran for special attack. It has sacrificed opportunities to pursue convergent interests most notably in Afghanistan and Iraq. As in the creation of the axis of evil, the justification for the war in Iraq was covered together out of a variety of disparate concerns: weapons of mass destruction (WMD), terrorism, regime change, a history of hostility, and regional security. The threat of WMD seems to have been overstated. Iraq was no serious threat to its neighbors, having been effectively hobbled by the Gulf war and a decade of international sanctions and monitoring.

Nevertheless, there have been a number of criticisms of the term. One of them is that unlike the Axis powers, the three nations mentioned in Bush's speech have not been coordinating public policy, and therefore the term *axis* is incorrect. For example, Iran and Iraq fought the bloody Iran-Iraq War. Additionally, it is argued that each of the three have some special characteristics which are obscured by grouping them together. Most controversial was the inclusion of Iran into the "axis of evil". On the other hand, many critics in Muslim nations have defined their "axis of evil" as being composed of United States, Israel and Britain.¹⁰⁶

III- United States Policy towards the Middle East

The United States presently maintains an extensive and continually growing presence in the Middle East, with diplomatic, military, commercial and cultural dimensions. The region contains long-identified vital US national interests, and security commitments toward several key states,

¹⁰⁶ 'Axis of evil'. http://en.wikipedia.org/wiki/Axis_of_evil.html

and the Arab world today is more divided politically and its component states are more likely to act and react to events in a more differentiated and individualized fashion according to narrowly defined state interests than at any time in the past half-century. In the view of the Bush administration, Islam is stereotyped as a threat to democracy without distinguishing it from terrorism or corrupt leaders who use the ideals of Islam to their own ends. Thus, US foreign Policy has been criticized for not taking this distinction into account and also hypocritically supporting terrorist regimes in the past for its own political gains and only now doing something about it.

The NSS resulted in a shift in US foreign policy from deterrence to preemption, generally referred to as “the Bush Doctrine”. The concept of “Preventive war”, driven by fear and uncertainty, replaced the analytical logic of self-defense [“we have been attacked] with a new subjunctive logic: someone may be preparing to attack us. Since that date, the United States has been fighting a war against terrorists of global reach where the enemy is not a single political regime or person or religion or ideology.

The US believes that if the Middle East is left to grow in bitterness and misery, while radicals stir the resentments of millions, then that part of the world will be a source of endless conflict.¹⁰⁷ On the brink of the Anglo-American invasion of Iraq, the Arab leaders found it is urgent to appease

¹⁰⁷ President Discusses War on Terror at National Endowment for Democracy. 2005. Ronald Reagan Building and International Trade Center Washington, D.C. October 6.

their populations sensible to the second Palestinian Intifada, and tend to calm their national frustrations by setting in the front the link between the Palestinian and Iraqi questions¹⁰⁸. But the neo-conservatives think differently: Barry Rubin affirms in an article that "the hate of the Arab and Muslim to the United States is not only a response of the latter's policy in the region but in fact the US policy has constituted a problem since long ago. This feeling is a product of interesting manipulation by different groups within the Arab societies to distract the attention of the public from more serious internal problems."¹⁰⁹ Similarly, Michael S. Doran responds to critics calling for an active and efficient engagement by Bush to isolate the Arab-Israeli conflict instead of focusing on Saddam Hussein issue. Doran says that these critics "do not understand that even though Palestine should 'be central' in the symbolism of Arab politics, it is marginal. In fact, as in 1991, the road for a peaceful situation passes by Baghdad."¹¹⁰

Many researches demonstrate that the Palestinian conflict continues to be a priority for the Arab populations, whether Muslims or not, and also an important element to evaluate the American policies. A survey conducted in October 2002, posing the question how they perceive American values, more than 80% of Arab Muslims from the Middle East have expressed their admiration of the American conception of democracy and liberty. However, when the same samples of people

¹⁰⁸ Picard, Elisabeth, "L'Irak dans les représentations nationalistes arabes", in Hosham and Hamit Bozarslan (eds). *Communautes, Pouvoirs et Violences*, Paris, Karthala, 2003, p. 116.

¹⁰⁹ Barry, Rubin, "The Real Roots of Arab Anti-Americanism", *Foreign Affairs*, 81:6, 2002, p. 73.

¹¹⁰ Doran, Michael S., "Palestine, Iraq, and American Strategy", *Foreign Affairs*, 82:1, 2003, pp. 19-33.

were questioned on whether they accept the American policy in the Middle East, less than 10% have answered affirmatively.¹¹¹

The pre-emptive doctrine and the desire to overthrow Saddam Hussein have led the neo-conservatives to promote democracy elsewhere. In their turn, the Arab regimes have recovered the discourse of political reform, not only as a response to the American demands, but also as a result of their fear from the repercussions of their anti-American attitudes.¹¹²

The Administration of George W. Bush is incontestably much more in favor of Israeli interests than any other in several decades. After September 11, a new increasing identification of the United States with Israel has been operated among the neo-conservatives: the war against the terrorism waged by Washington is the same as the one led by Tel Aviv against suicide attacks. To the Americans, the preemption is a legal strategy in order to assure one's security.

In their turn, the pre-emptive attacks require a good share of hegemony and unilateral logic in military terms.¹¹³ Even though the Bush Administration calls for the creation of a balance of power and for "alliances favoring the human liberty", the body of NSS is explicit: that "our forces become sufficiently powerful to dissuade the potential adversaries in order to construct a military edifice equal of superior to the American

¹¹¹ "Muslim Opinion Polls, the Economist, 19-25 October 2002, p. 43. Under this title, The Economist comiles the result of a series of studies conducted by the following companies: Zoghby International, National Society of Public Opinion Studies, Gallup, World Values Survey, and NFO Middle East.

¹¹² Droz-Vincent, Philippe, "Le dilemme des régimes arabes après l'intervention américaine en Irak », Politique Etrangère, n. 3-4, 2003, pp. 553-556

¹¹³ Some analyses consider however that the unilateral logic of the United States could not be maintained, and in fact it reinforces the cooperative relationships with Europe and Japan (John Ikenberry, "American Grand Strategy in the Age of Terror", Survival, 43:4, 2001, pp. 19-34).

power”.¹¹⁴ In this respect, the president has finally approved the controversial recommendations enclosed in the Defense Planning Guidance and presented by Paul Wolfowitz in 1992. With this preventive action, we can better understand its consequences on the doctrine of the employed forces described in the Nuclear Posture Review (NPR).

The other innovation in the American strategy concerns the objective of eliminating the causes of terrorism. It is then a question of individuals within an increasing resentment facing the absence of representative institutions in their societies, the religious fanatics being the only outlet to their frustrations and dissidence. This aspect has also been discussed in the think-tanks and between in resonance with the intellectual debate of academics that are close to neo-conservatives. For example, in the beginning of 2003, Fouad Ajami affirmed that the “motivation behind a new American action in Iraq should be that of modernizing the Arab world...” He considers that the « reforming recommendation » of a big power such as the United States should replace the « anarchism, defect, and fear” present in the region.¹¹⁵ These figures indicate that the ultimate objective of the United States strategy should be, in consequence, to spread democracy and Pax Americana in the Middle East.¹¹⁶

¹¹⁴ In his speech ahead of the Military Academy of West Point (01/06.2002), Bush has expressed his intention of preventing that such challenge to the American power can not materialize <http://mondediplomatique.fr/cahier/irak/a9681>.

¹¹⁵ Ajami, Fouad, “Iraq and the Arab’s Future”, *Foreign Affairs*, 82:1, 2003, pp. 2-18. “The Native Informant”, *The Nation*, April 28, 2003.

¹¹⁶ An example of the vertus defense of the Pax American is Thomas Donnelly’s reflections. “The Underpinnings of the Bush Doctrine”, American Enterprise Institute, February 1st, 2003 http://www.aei.org/publications/pubID.15845/pub_detail.asp.

The principal problem for the American neo-conservatives and their advisors was not only the supposed support of Saddam Hussein for terrorist organizations or the possession of weapons of mass destruction (two reasons which they have strived to prove). According to a top official of the Department of State, it should also fight the authoritarian regimes in the Middle East which neglect the creation of employment for the young people, who are potentially susceptible to be attracted and recruited by Osama Bin Laden.¹¹⁷ As a result, in the American view, these countries should be opened up to democracy, if necessary by force. As a matter of fact, the adoption of this idea of the Middle East as being a center of weapons of mass destruction proliferation and terrorism shows clearly to which extent the neo-conservatives have been from the beginning imposed on Washington.¹¹⁸ In this logic, Egypt, Saudi Arabia, and even Syria, would have lost their interest as pivot states to maintain the balance of powers in the Middle East, and would not be concerned by Washington' critics. In this perspective, terrorism must become obsolete as slavery and piracy. We are tempted to conclude that the strategy laid out by the Bush Doctrine represents a change in the history, it is the first big strategy since

¹¹⁷ Speech of Richard Haas, chief Director- the elaboration of the Department of the State foreign policy, ahead the Council of Foreign Relations, "The USA should promote democracy in the Muslim world", Washington, December 04, 2002, <http://www.usinfo.state.gov/francais/procheorient/f2120905.htm>.

¹¹⁸ This should not mean that the "modernization" of the Middle East must be a project shared in the same terms with all members in the Bush Administration. Two points of views oppose within the American government. The Department of State and the CIA consider a regime change in Iraq as a success to return the regional stability threatened by Saddam Hussein. However, the Pentagon, supported by influential groups in the Congress, by the Vice President, and the National Security Council has adopted an ideological vision by which this change become the spearhead of the democratization in the region. Isam Al-Khafahi, "Deux Visions antagonistes de l'après de Saddam Hussein ». *Le Monde Diplomatique*, January 2003.

the one elaborated by George Kenaan, during the first days of the Cold War.¹¹⁹

But beyond the words that we chose to qualify this new strategy, it is evident that September 11 has united the particular policies of every region in a global and undifferentiated strategy, in a manner of package deal, systematic idealistic vision of change, by which every party is dependent on the other in a "theory of dominos". Certainly, with the American strategy in the 20th century, the idealist movement has always been present. What it is new in the Bush Doctrine lies specifically in its association with the idealistic democracy regarding the new perceptions of threats, and the absence of a coalition between the principles and powers (national interest).¹²⁰

Behind this big strategy of democratization and modernization of the Arab and Muslim world, we find that the principle objective is to acquire supplementary Petrol reserves from foreign sources. This priority has been detailed for the first time in a report of the National Energy Policy Development Group, published on May 17, 2001. Written by Vice-President Dick Cheney, this document establishes a strategy destined to respond to the increasing demands for petrol in the United States for the following 25 years: protecting the American territory, its citizens, and institutions from an attack, anticipating the emergence of Iran as a hostile and a dominant power in the Gulf region and protecting Iraq from Iranian ambitions; protecting the fuel resources from internal sabotage or from external attacks in order to integrate Iraq in the international market or

¹¹⁹ Gaddis, "A Grand Strategy", *Foreign Policy*, no 3, 2002, pp.50-57.

¹²⁰ Leffler, Melvyn P. "9/11 and the past and future of American Foreign Policy". *International Affairs*; 79:5, 2003, pp. 1045-1063.

energy and to maintain an American and a world access to these resources.¹²¹ As a result, the war on terrorism is destined to protect the access to petrol, notably in the Gulf and Caspian Sea, as well as minimizing the weight of Saudi Arabian petrol and assuring that the giant Iraqi petroleum reserves do not fall under the exclusive control of other petroleum companies belonging to other countries.

Both the National Security Strategy and the Nuclear Posture Review do have implications in the Middle East. Recently Mohamed El-Baradei, Director General of the International Atomic Energy Agency affirmed that

"The writing is on the wall: the Middle East is fertile ground for proliferation concerns. Despite progress in obtaining greater transparency on the nuclear programmes of Iran, Iraq and Libya, a deep sense of insecurity remains. The symptoms are everywhere in the region: the Arab-Israeli conflict continues to fester. Regime change is talked of as the most efficient route to democracy. The situation in Iraq, and its regional security implications, remains far from certain. Tensions with the rest have increasingly become subtly –and not so subtly- associated with Muslim culture."¹²²

The National Security Strategy states that "The great strength of this nation must be used to promote a balance of power that favors freedom." However, the balance of power is, of course, a central aspect of realist and neorealist international relations theory. Kenneth Waltz has written that "Balances of power tend to form whether some or all states consciously aim to establish and maintain a balance, or whether some or all states aim for universal domination."¹²³ The new national security strategy modifies the notion of a balance of power with the addition of the phrase "that favors freedom." In Waltz's terms it is a "distortion" or

¹²¹ Sadowski, Yahya. "Vérités et mensonges sur l'enjeu pétrolier ». *Le Monde Diplomatique*, April 2003 ; Michael Renner, « Post-Saddam Iraq : Linchpin for a New Oil Order ». *Foreign Policy Report*, January 2003. <http://www.foreignpolicy-infocus.org/pdf/reports/PROil.pdf>.

¹²²

¹²³ Robert O. Keohane, 1986. *Neorealism and its Critics*, Columbia University Press, page 118

"reification" of the theory.¹²⁴ Although the Strategy document seeks to associate itself with "balance of power" it gives no attention to the problem of seeking to extend a prevalence of power indefinitely, including the obvious prediction drawn from *balance of power theory* that some states will find persuasive reasons to counter-balance against U.S. domination. Therefore, the document hypocritically appropriates the term "balance of power", then distorts its meaning, and finally fails to deal with balance of power theory's most important implications for the strategy.

The views of legal scholars and international jurists regarding preemption are failing to mention that preemptive war *is* considered to be illegal. The Bush strategy also seems to invoke a distinctly *non*-realist element of what Alexander Wendt has called "the Kantian culture of friendship."¹²⁵ we can note this in the language of "lasting alliances [among] civilized nations [that] share a commitment to protecting basic human rights and guaranteeing political and economic freedom." What seems to be suggested here is a future regime of collective security for right-thinking, right-acting nations.

Nonetheless, the document of the NSS ultimately fails in several important respects as said by Charles Knight: 1) the statement of values and the review of material conditions are far too generalized to build a coherent set of interest statements or guidelines for allocation decisions; 2) the authors do not provide an analytical structure for their proscriptions that would allow for reasoned discussion of objectives, priorities, and

¹²⁴ Robert O. Keohane, *Ibid.* Page 119

¹²⁵ Alexander Wendt, 1999. *Social Theory of International Politics*, Cambridge University Press, page 298-307

allocation decisions -- those being the essential elements of an articulated strategy.¹²⁶

El-Baradei remarks on the question: "In the end any enduring peace in the Middle East will only be achieved through an inclusive and comprehensive approach to security, which should include a ban on weapons of mass destruction, limitations on conventional armaments and appropriate security and confidence building measures. Any attempt to achieve security for one country to the expense of insecurity for others will ultimately fail."¹²⁷ On February 22, 2002 State Department spokesman Richard Boucher said the United States would not use nuclear weapons against a non-nuclear state unless the state attacked the United States or its allies in conjunction with a nuclear state. The U.S. is moving toward a new doctrine that both continues to emphasize Cold War-style nuclear anticipation and opens the option of making a first strike against non-nuclear adversaries.

To address effectively the threats to U.S. national security spawned by failed and failing states, the United States needs to move beyond rhetorical acknowledgement of the problem toward a more strategic approach characterized both by preventive action and innovative responses to state failures in progress. In US foreign policy in the Middle East neither the ethical multilateralism of the Europeans nor the ideological unilateralism of the American Enterprise Institute has been in evidence. Rather, the second suggests a "tactical multilateralism". The

¹²⁶ Knight, Charles. Essential Elements Missing in the National Security Strategy of 2002.

¹²⁷ El-Baradei, Mohamed. February 2004. "Time is Ripe to Act on Middle East Weapons." <http://www.iaea.org/NewsCenter/Statements/2004/ebFT20040203.html>

Administration did not go to the UN to deliberate whether or not disarmament of Iraq was among its goals, nor even as a means of deciding whether war, the threat of war, or some alternative like inspections the appropriate strategy for disarming Iraq. Rather the US had essentially decided to go to war with Iraq prior to going to the UN and took a tactical decision that collective authorization would enhance legitimacy of US actions and thus facilitate their implementation.

IV- Conclusion

Charley Reese wrote that "'Terrorism is a political act, a response to U.S. foreign policy. It is an act of war waged by people too weak to have a conventional army or one large enough to take on the United States.'" ¹²⁸ President's Bush National Security Strategy of September 2002 is as much about democracy and freedom and human dignity as about fighting terrorism, and claims to pre-emptive self-defense.

The US is generating its own opposition in the Middle East. There exists public opposition to the US methods of manipulating governments in the region, including those which are willing to work with the US toward a democratic transformation. For there to be any hope of peace and stability in the Middle East, American policies must be based on regional perspectives and relationships. As President George H.W. Bush's National Security Advisor, General Brent Scowcroft, wrote in November 2004 in the Washington Post,

¹²⁸ *Face it: U.S. foreign policy contributes to acts of terrorism," August 18, 1998)*

"... We face the need for simultaneous actions to avoid failed states while reducing the incentives to violence and instability that threaten American and friendly states throughout the region. Iraq, Israel-Palestine, Iran and terrorism are parts of a whole and can only be satisfactorily engaged as such. To cut through this Gordian knot will require not only a new approach but the deep, sustained commitment of the United States and a significant investment of the President's attention."

The challenges in the Middle East are more real today than a year ago. The unity of Iraq is not assured and its insurgency risks further destabilization of its neighbors. The recent terrorist bombings in Jordan and Islamic extremism in Saudi Arabia and elsewhere in the region continue to pose dangerous threats to regional stability. Many Arab states are concerned that Iran is emerging as the big regional winner. Trust and confidence in the United States has been seriously eroded. Its policies are a source of significant friction not only in the region but in the wider international community. Its purpose and power are questioned. It is at the same time both a stabilizing and a destabilizing force in the Middle East.

Henry Kissinger wrote in the Washington Post in August 2005 that the United States needs:

"A political initiative inviting an international framework for Iraq's future. Some of our allies may prefer to act as bystanders, but reality will not permit this for their own safety. Their cooperation is needed, not so much for the military as for the political task, which will test, above all, the West's statesmanship in shaping a global system relevant to its necessities."¹²⁹

The United States should be able to engage in a direct dialogue with Iran without sacrificing any of its interests or objectives. As Abbas Milani, Director of Iranian Studies at Stanford wrote in the Wall Street Journal on October 31 that the time for a new grand bargain with Iran's people has arrived. US Senator Chuck Hagel says that one of America's greatest 21st century challenges is not to lose the next generation of the world ---

especially the next generation of Muslims. This is a generation that is prepared to embrace the politics of change and reform. We cannot afford to lose this generation --- in the Middle East and around the world. ¹³⁰

Dictatorship and oppressive regimes in many countries and in particular in the Middle East might be defeated in the short-term but they will give birth to more terrorism in the region as long as the Arab-Israeli conflict is not resolved, and as long as the USA manifests itself as the only superpower. Benjamin Barber says that "Preventive war and democracy are fundamentally incompatible. The first question requires unilateralism. The second demands cooperation, law, and a readiness to be open and transparent. America must choose- preemptive war or democracy. It cannot have both."¹³¹ Therefore, preventive democracy must look elsewhere for recipes that will end terrorism and promote both safety and freedom". Unless the US learns to see the war on terrorism in this broader analytical context, and to appreciate the crucial role of soft power, it will find victory elusive.

¹³⁰ US Foreign Policy and the Middle East, 2005. The Panama News, Vol. 11, No. 22 Nov. 20- Dec. 3, 2005. http://www.thepanamanews.com/pn/v_11/issue_22/opinion_04.html

¹³¹ Barber, Benjamin. Ibid. Page 29

CHAPTER V: IRAN

I- Brief Description of Iranian Foreign Policy

Throughout its modern history, more precisely since the end of World War I, Iran's leadership have reacted to political events in a more or less consistent manner. When communist Russia was established in 1917, Iran sought to build alliances with opposing powers. However, after the collapse of the Ottoman Empire, Great Britain emerged as its great ally, and the stage was set for Iran to modernize in a Western fashion. When British power was superseded by that of the US, the latter became Iran's closest ally. And when the Soviet Union collapsed, removing one of the principle threats to Iran's national security, Iran was presented with a golden opportunity to extend its sphere of influence well beyond its northern borders.

Since Iran's establishment, two factors have driven it into confrontation with its neighbors, with the superpowers, and with a host of governments in the Muslim and broader world: revolutionary Islam and Persian nationalism. These two sources are still strong today in Iran, particularly among key sectors of the elite but their overall influence on Iran's foreign policy has declined. Nevertheless, Iran's foreign policy was dramatically reversed following the Revolution. After World War II, Iranian leaders considered their country to be part of the Western alliance system. On the other hand, decisive historical events, such as the

Constitutional Revolution of 1906 and the Islamic Revolution had many causes but one common grievance: the interference of Western powers.

The idea of historical injustice affects the Iranian state of mind and its perception of wider threats. Since the foundation of the Islamic Republic in 1979, Iranian foreign policy has expand from two coexisting sources, namely, a perpetually turbulent regional environment, and the demands of a Theocratic policy with its own unique system of checks and balances and complex decision-making. After all, the Iranian geopolitical route has been demonstrated in the two main arenas: the Persian Gulf and the Central Asia and Caucasus region—warranting a new assessment of Iran’s foreign policy and priorities.

The policies of President Ahmadinejad’s government have strong domestic origins. Since the death of Khomeini, Iran has fluctuated between reform and radicalism and remains a society in a severe state of flux. International polls from Pew and Zogby reveal that Iranians are extremely pro-American relative to many countries in the region.¹³² However, Ahmadinejad stands astride this national dichotomy: he is supporting a manifestly anti-Western regime while simultaneously buying into the products and values of Western societies. With national backing, he is more able to conciliate voices in his government, now worried about his strategy with the EU and US. The President of Iran is walking a fine line between overly aggravating reactions abroad and rooting up support at home.

¹³² Bames, Hugh and Bigham Alex. 2006. *Understanding Iran: People, Politics, and Power*. The Foreign Policy Center. <http://www.docuticker.com/2006/04/understanding-iran-people-politics-and.html>

The severing of ties with the United States was regarded not only as essential for expunging American influence from the country but also was considered a prerequisite for implementing their revolutionary foreign policy ideology which consisted of two concepts: export of revolution and independence from both the East and the West. Iranian security policy defies simple explanation. Religion, nationalism, ethnicity, economics, and geopolitics all are important factors influencing Iran's goals and tactics in its relationship with the outside world. If anything, Iran's foreign policy is becoming more complex. The Islamic Republic is under severe pressure to change its policies toward Israel and the United States. Restrictions on relations with both countries remain one of the strongest remnants of the revolutionary legacy of Iran's ideology.

International terrorism has been a prominent feature of Iran's foreign policy since the revolution in 1979 that brought Ayatollah Khomeini to power, according to the United States Department of State. At the root of this policy is a desire to extend the fundamentalist interpretation of Islamic law by exporting the Islamic revolution in Iran to other Muslim countries and cleansing the Middle East of all Western influence.¹³³ A corollary issue is the conflict between Iran's need for Western assistance to repair its devastated economy and its repugnance to complicity with the West. Bush Administration officials have to chart a difficult course between advocating a no-concessions policy and displaying a willingness to negotiate. Given the limitations on our knowledge, the many competing

¹³³ Hoffman, Bruce. 1990. *Recent Trends and Future Prospects of Iranian-Sponsored International Terrorism*.

priorities and distractions we face in the world, and the grave political risks involved, the Administration adheres to its hard-line policy.¹³⁴ The direction of Iran's foreign policy is hardly consistent: At times, the revolutionary imperative dominates; at other times, concerns over ethnic fragmentation or economic relations predominate.

In the past, Iran actively supported political violence as part of its foreign policy, frequently trying to create local proxies to carry out its wishes and to spread its revolutionary credo. In addition, the Islamic Republic has used political violence to assassinate regime opponents and demonstrate its commitment to the worldwide Islamic cause. Certain characteristics of the Islamic Republic drive its foreign policy, affecting both its overall objectives and the manner in which it pursues them. More than twenty years after the Islamic revolution, Islam remains the characteristic that receives the most attention, with Persian nationalism often cited as a competing source of Iran's inspiration. However, the importance of Islam and nationalism has diminished, and evolved, as Iran's revolutionary enthusiasm has given over to the pragmatic concerns that all states must take into account. Geopolitics has reasserted its importance, and economics has grown from a foreign policy irrelevance to a leading factor. Ethnicity and other communal considerations also drive Iran's foreign policy, leading the Islamic Republic to adopt far more conservative policies than its Islamic and nationalist ethos might otherwise dictate.

¹³⁴ Jenkins, B.M. 1990. *Getting the Hostages Out: Who Turns the Key?*

Nevertheless, according to Shaul Shay, Iran is currently facing several serious challenges that the US has posed:

1. The US which has labeled Iran one of the countries in the Axis of Evil, demands that it cease its support of terror and its projects for acquiring weapons of mass destruction.

2. Pressure on Syria to stop its aid to Hezbollah

3. Pushing Iran to cooperate in order to establish the peace process in the Middle East from the Israeli perspective.¹³⁵

On the other hand, Iran is obligated to contend with these challenges at a time when its geo-strategic environment has shifted: US forces are deployed in Afghanistan on Iran's eastern border, and western borders, and the US influence is steadily increasing in the Muslim republics north of Iran like Kazakhstan, Turkmenistan, Azerbaijan, etc and the border between Pakistan, Iraq and Iran is far less than secure.

II- Regional Policy of Iran

Iran is folded in by intersecting conflicts and transnational threats – a regional arc of crisis. It is the only non-Arab Shia'a Islamist state in the Middle East. The political situation in Azerbaijan, Tajikistan, Afghanistan and Iraq threatens its security. A nuclear Russia resides to the north, holding together unstable southern regions. From the west, the EU may one day appear on its doorstep with Turkey becoming part of it, a country already mistrusted as a US surrogate. From the east, there is a weak

¹³⁵ Shay, Shaul. 2005. *The Axis of Evil: Iran, Hizbullah and the Palestinian Terror*. Transaction Publishers, page 241

nuclear Pakistan conflicting with India over Kashmir while trying to contain a large number of militant Sunni fundamentalists. And finally from the south-west, the US army fights in Iraq, while a nuclear Israel has openly declared a first strike policy against Iran. Iran's policies, in the words of former Minister of Defense Admiral Ali Shamkhani, are driven in large part by "deterrent defense."¹³⁶

With extended maritime borders and seven neighbors by land, Iran has a potentially difficult role in ensuring its own defense. Illegal migration, drug dealing, and smuggling magnify the problem of border security. The foreign policy implications of revolutionary Islam, geopolitics, nationalism, ethnicity, and economics differ considerably.

As for Russia, relations have improved despite Moscow's brutal war against Muslims in Afghanistan and two wars against Muslim Chechens. The relationship is businesslike rather than based on shared interests or warm inter government relations. Iran and Russia's interests may overlap in regard to wanting regional stability, opposing U.S. hegemony, and conducting a mutually beneficial arms trade, but the two are more likely to be rivals on other fronts: they both seek to prevent U.S. influence in the Caucasus from growing but are far from agreeing on their respective roles.

As for China, Iran sees the later as an important political partner and as a source of weapons systems. China, with its UN seat and resistance to U.S. hegemony, was one of the few major powers willing to

¹³⁶ Ettela'at International, January 9, 1997.

maintain strong and cordial relations with Tehran even during the more heady days of the revolutionary regime.

Since the revolution, Iran has had an uneasy relationship with Turkey. Iran, for its part, avoided close relations due to Turkey's ties to the West and affirmed secularism. Both share common, or at least not conflicting, goals in Central Asia and in Iraq. In practice, Iran has abandoned its demands that the Gulf States stop supporting Western troops and is now seeking to use military cooperation to reassure the Gulf States. It still regards Saudi Arabia as an ideological rival, in Central Asia and in West Asia, and as a close ally of the United States.

Iran and Syria have close relations that are entirely geo-strategic in origin. For the two decades after the revolution, both nations rejected the West, discarded peace with Israel, and opposed Saddam Hussein's regime in Baghdad. Moreover, the 'Alawi regime in Syria is hated by some Sunni radicals, as is Iran's Shi'a regime. So far, Iranian and Syrian interests have operated in relative harmony, but Iran's policy toward Lebanon will depend heavily on the status of Syrian-Israeli relations.¹³⁷

As for Palestine, for the past two decades Islamic Iran has supported the Palestinian cause as the means to assert its claim to Muslim leadership. Iran's rejection of a diplomatic solution as necessarily adverse to Muslim interests, its depiction of the United States as the evil behind Israeli strategy, and its implacable opposition to any compromise have been a means for Iran to widen its support among Muslims beyond its otherwise limited Shi'a community. Iran has supported Palestinian

¹³⁷ Norton, "Walking Between Raindrops," p. 99

organizations, for both opportunistic and ideological reasons, despite assurances from President Khatami to the United States, Arafat, and others.

III- Iran's Policy regarding groups considered as terrorists by the US Department of State

Iran's policies on cross-regional issues, such as support for coreligionists abroad and their attempts to proliferate, are shaped by domestic factors, the international context and security institutions of the specific countries. After the Islamic revolution, Tehran actively supported radical groups, particularly radical Shi'as, in many Muslim countries. In Iraq, Lebanon, Bahrain, Saudi Arabia, Afghanistan, and elsewhere, Iran helped organize radical Shi'a groups, encouraged them to fight against their governments, and at times armed and trained them. Tehran forged particularly close ties to the Lebanese Hezbollah. After the Persian Gulf War, it also stepped up ties to radical Sunni groups. Playing on growing disgruntlement toward the United States, Tehran established ties and provided limited financial support to Hamas, Palestine Islamic Jihad, and other radical Sunni movements. Most of these organizations are regarded as 'terrorist' by the US Department of State.

Paul Pillar says that Iran has been the most active state sponsor in recent years, with its terrorist-related activity taking three forms. One is the extraterritorial assassination of Iranian oppositionists. A second is the provision of money, training, weapons, and other assistance to terrorist

groups that oppose Israel, the Arab-Israeli peace process, or the established order in a number of countries in the Middle East, North Africa, and Asia. A third type of activity- one that would not by itself make Iran a state sponsor but is perhaps the most worrisome for the US is regular Iranian surveillance of US installations and personnel overseas, which would facilitate any future Iranian terrorist attacks against those targets.¹³⁸

Iran helped found, organize, and train Hezbollah initially to spread its Islamic revolution. However with time, strategic reasons have become predominant with a decrease in religious fervor in Iran. Hezbollah became the strongest militia in Lebanon. Hezbollah and Iran worked together to bomb the Israeli embassy in Argentina, killing 29 people. In July 1994 they attacked the Jewish Community Center in Buenos Aires, killing 86. Iran provided Hezbollah with military support, training, financial backing with more than \$100 Million a year, organization aid and other means like running schools, clinics, TV and Radio stations, and hospitals, etc...In the mid 1980s, Nizar Hamzeh estimates that Iran was financing 90% of Hezbollah's social programs. Iran exercised tremendous influence over Hezbollah through its financial and military support. Hezbollah proved a loyal proxy for Tehran for many years and in 1985 the movement pledged its absolute loyalty to Iran's leader Khomeini.

Established in 1982 with Iranian help and inspiration as part of the Khomeini regime's efforts to export the "Islamic revolution" beyond Iran's boundaries, Lebanon constituted a preferred target due to the large Shiite

¹³⁸ Pillar, Paul R. 2003. *Terrorism and US Foreign Policy*. Brookings, pages 159-160

population. Its ideology is based on the principles of Iran's Islamic revolution in the center of which was the demand for activism via a violent struggle (Jihad), with the aim of ousting the "tyrannical ruler". The Palestine Islamic Jihad drew its inspiration from the success of the Islamic revolution in Iran. It adopted suicide attacks as a modus operandi and continues to be the Palestinian organization closest to Iran from ideological and operative points of view.

However, in recent years, Tehran has become less active in its support for radical Islamists. The fate of Shi'a communities outside Iran is no longer a major concern of Iran's leadership. Tehran rarely plays the Islamic card in Central Asia and has thrown its lot in with the anti-Taliban Northern Alliance in Afghanistan. In the Arab world, contacts with the Islamists remain, particularly in Lebanon and with pro-Syrian Palestinian groups. Tehran has cut ties, or at least reduced the visibility of relations with, Islamic radicals in the GCC, Egypt, Jordan, Sudan, and North Africa. Iran's ties to radical Palestinian groups, however, remain strong and may be growing stronger. Ties to Hamas have grown in part because U.S. pressure has led supporters in Arab countries, particularly in the Persian Gulf, to reduce their contributions, making Hamas more willing to work with Tehran. Bruce Cumings says that Iran has little influence in the distant Mediterranean and its connections with Hamas and Jihad are indirect, tenuous, and insignificant. The charge that Iran is sabotaging

Oslo became obsolete once the Intifada restarted in September 2000 and cannot be accused of sabotaging a nonexistent peace process.¹³⁹

IV- Iran's Policy regarding the US

Iranian foreign policy has always been circumscribed by a very particular triangle. The United States is on a collision track with Iran. The main casualty could well be the democratic movement in Iran. Ever since the Islamic Revolution of 1979, two separate themes have shaped the US media coverage of Iran. The first has been the prospects of improved relations between the two countries. The revolution had changed Iran from a close ally policing the Persian Gulf for the United States into an intractable foe threatening to export revolution through the Middle East. The 1997 election of President Mohammad Khatami raised hopes for a détente but these hopes were dashed in 2002 when President Bush named Iran together with Iraq and North Korea as his 'axis of evil'. Moreover, Bush has accused Iran of harboring secret programs to develop nuclear weapons.¹⁴⁰

With its development of nuclear weapons, Iran represents a clear danger to USA strategy in the Middle East and was identified as the third member of the "axis of evil," along with Iraq and North Korea and is considered as a high-risk state under the global nuclear status. Iran, the non-Arab Muslim country, envisions itself as the true world leader of political Islam. Continuing U.S. sanctions and refusal to accept Iran as a

¹³⁹ Cumings, Bruce and Abrahamian Ervand. 2004. *Inventing the Axis of Evil: the Truth about North Korea, Iran, and Syria*. The New Press, page 108.

¹⁴⁰ Cumings, Bruce and Abrahamian Ervand. Ibid. Page 94.

legitimate state infuriates Iran's leadership. To Iran, the United States is a cultural threat to Islamic civilization; it finds it difficult to have normal relations with states that disagree with it; Independence and good relations with the United States are often incompatible. U.S. policy in relation to sanctions and especially technology denial is an example of U.S. hypocrisy and unwillingness to share power with other states. The U.S. military presence in the Persian Gulf is a provocation and should be reduced. In general, Iran's leaders are likely to view any U.S. actions, even those intended as conciliatory gestures, with suspicion.

The US declaration of war against global terror forced it to examine its position toward Iran, which traditionally has been considered a state that supports terror. On the one hand, as a neighbor of Afghanistan that was hostile towards the Taliban regime, Iran could serve as a significant ally in the war against terror. On the other hand, Iran constituted a bitter and constant adversary vis-à-vis the US, and appeared at the head of the State Department's list of states that support terror. Iran has reservations vis-à-vis the US war on Afghanistan and Iraq because such wars could lead to a prolonged American military presence along Iran's borders and pose a potential threat to Iran and the more than two million Afghan refugees who already live in Iran.

However, Iran's greatest fear was undoubtedly the unprecedented international legitimization of the war against terror, which the US had declared while the definition of terror organizations and states that support terror remained in US hands, with all the inherent repercussions. As expressed by Shaul Shay in his book *The axis of Evil*, it appears that the

Iranian response to war on Afghanistan was “Do the job quickly and leave the region”¹⁴¹. However, the US remains in Afghanistan and Iraq, but it has been bogged down. The US presence on Iran’s Eastern and Western borders has additionally focus serious challenges that the US has posed: the US is demanding from Iran that it ceases support of “terror” in these countries and beyond and its projects for acquiring WMD. It also accuses Iran of providing safe haven for members of al-Qaeda. In addition, the US has been pressuring Syria, Iran’s strategic ally, to end support of Resistance groups and put a stop to its aid to Hezbollah.

Iranian and U.S. views of what constitutes a terrorist group differ. Iran does not consider financial support of Hamas or other radical Palestinian groups’ irresponsible or out of bounds, perhaps because the Gulf States and their citizens provide considerable support for these groups with little public U.S. criticism. Some Iranian leaders prefer to use this issue as leverage against the United States. Iran does not believe that the United States can find a “smoking gun” that will link it directly to those who commit terrorist acts. By working through front groups or the Lebanese Hezbollah, Iran seeks to maintain denial of responsibility.¹⁴² Iran’s relationship with Europe has always been better than its relationship with the United States. Good relations with Europe are vital for Iran’s economic development.

The American war on terrorism poses a significant threat to Iran, to the status of the Iranian sponsored organization “Hezbollah”, and to

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¹⁴² Impact on Foreign Policy Chapter Six. <http://vivisimo.rand.org/vivisimo/cgi-bin/query>

Palestinian organizations such as Hamas, The Jibril Front, and others. Condoleezza Rice and George Bush labeled Iran as a potential "recipient" of US plans to expand "democracy" in the Middle East. Undoubtedly, the Iranian "new insecurity" argument is fueled by the Bush Administration's anti-Iran policy under the rubric of the "axis of evil," announced by Washington's open-ended post-11 September war on international terrorism.

The U.S. policy that sought to influence Iran with penalties, but without incentives, has failed. Washington has been unable to induce change in the Islamic Republic in the three areas of concern to U.S. policymakers: sponsoring terrorism, acquiring missiles and weapons of mass destruction, and opposing the Arab-Israeli peace process. Opponents of change in Tehran have counterparts in the U.S., where calls for a different policy have also been unpopular. As Iranian society and the regional environment change, Washington must formulate an approach that relies on inducement for change and sanctions for non-compliance. Its ultimate payoff, beyond a historic reconciliation, could be the emergence of a stable, independent, democratic Iran, ready to play a responsible role in the region and in the world.¹⁴³

In this context, the 'axis of evil' speech threatens to reverse the process. Although it intends to support 'Iranian citizens, who risked intimidation and death on behalf of liberty, human rights, and democracy,' the speech has had the exact opposite consequences. It has created a

¹⁴³ *Survival*. Vol. 40, No. 3, Autumn 1998.) *Engaging Iran: A U.S. Strategy*. S. Chubin, J. D. Green. 1998.

mood of the 'country in imminent anger,' conjuring up ghosts of the past, especially the 1953 coup and of two centuries of Western imperialism.¹⁴⁴ Nevertheless, the axis of evil came to describe Iran as 'repressed by an unelected few' and 'major exporter' of terrorism. President Bush declared that the 'United States of America will not permit the world's most dangerous regimes to threaten us with the world's most destructive weapons'.¹⁴⁵ Bruce Cumings expressed that: In the USA view, the Iranian Revolution destroyed the Nixon doctrine that has pointed the shah to be the guardian of America's strategic as well as oil interests in the Gulf region. In Kissinger's words, the Shah supported the US on every major foreign policy issue and in return the US gave the Shah help in starting a nuclear program.

V- Conclusion

By working through proxies, Iran was able to achieve its own interests of intimidation against states supporting Iraq without paying the consequences that more direct involvement might entail. Middle East expert Michael Eisenstadt argues that Iran's primary reason for supporting terrorism is that it advances Iran's agenda without provoking military retaliation. Iran suffered diplomatically, economically and Hezbollah has moved away from its most ambitious objectives, though in essence it remains a revolutionary movement. The Iranian relationship with Hezbollah shows both the impressive gains a state can make by sponsoring a terrorist group and the considerable cost it may pay. Its

¹⁴⁴ Cumings, Bruce and Abrahamian Ervand. Ibid. Page 95

¹⁴⁵ Stevenson, Richard and Hulse Earl, "Bush tells Israel It Has the Right to Defend Itself", *New York Times*, October 7, 2003, A1, A13.

support for Hezbollah and other terrorist groups hurt Iran's efforts to end its isolation and furthered the clerical regime's image as aggressive and dangerous.

The international community and the USA shall deal effectively and with patience in the case of Iran in order to avoid more clashes in the region and solve its nuclear proliferation programs under the framework of the law and the United Nations. The United States faces two severe problems in dealing with Iran and terrorism. The first is the difficulty of dealing with the legacy of the past because of the harm inflicted on US citizens in the 1970's. The more immediate problem for the United States and the international community is nuclear terrorism and how to deal with Iran's proxy support for pro-Palestinian groups that oppose Israel. Also another pressing issue involves the peace process and the possibility to make resource to terrorist attacks against civilian targets.

Iran insists that its support of the "forces of national liberation" is not terrorism, but its support follows the intensity of the Israeli-Palestinian conflict. For some, a regime change would be the only solution and a successful prompting of a revolt would bring a crushing response from the conservative forces that would at least temporarily halt the democratization movement. During nearly a quarter century of Islamic revolutionary rule, Iran has changed and continues to change: it has shifted its focus to financing, training, and supporting proxy organizations whose actions provided some measure of deniability for Iran but could not overcome suspicion of Iranian involvement, if not actual control.

US efforts to isolate the clerical regime and punish it economically proved problematic. Although Iran and the US differed on Iran's regional ambitions and pursuit of WMD, two of the primary US concerns that led to US pressure --Iran's disrupt of "the Middle East process" and its support for terrorist groups-- were linked to Tehran's support for radicalism in general and Hezbollah in particular. Bruce Cumings has stated that outright US hostility, instead of weakening the regime, is more likely to strengthen the die-hard conservatives and US policy, invariably carried under the banner of spreading democracy, will once again end up undermining democracy.¹⁴⁶

¹⁴⁶ Cumings, Bruce and Abrahamian Ervand. *Ibid.* Page 147.

CHAPTER VI- SYRIA

I- Introduction

Since 1973, Syria has been an inevitable focus for the ongoing American endeavors to promote a change in the region towards a peaceful trajectory under Pax Americana. This is true with regards to resolving the Arab-Israeli conflict and more broadly to shaping the overall balance of power in the Middle East. In this context, and under the leadership of Bashar al-Assad, Syria has become even more relevant for US policy in the context of the post-September 11 'War on Terror'. Moreover, Syria's centrality to the US agenda in the region stems in part from its strategic location, in the heart of the Middle East as a whole.

At the beginning of his second term, President Bush made Syria a focus for the next phase in his Administration's global 'War on Terror'. For the American Administration, Syria falls into the particularly problematic category of states that simultaneously sponsor terrorist activities, pursue the development of weapons of mass destruction, and repress their people. In the last years, Damascus has opposed many aspects of the Administration's global 'War on Terror'. To illustrate this, President Bashar al-Assad opposed the US military campaign to overthrow Saddam Hussein in 2003 and acted to undermine the pursuit of US objectives in Iraq. This has made Syria a challenge for US policymakers seeking to chart a course of global counterterrorism efforts and develop a 'Grand Strategy' for the greater Middle East.

The Assad regime's position to confront US Middle East policy is based in the assessment that the 'defense of Syrian interests must

respond to US hegemony in the region. According to Syria, the United States has the same regional interests as Israel and for the last thirty-five years, the American policy has aimed at ensuring Israel's ability to strengthen its hegemony over the Middle East. The regime has long been concerned by a worst-case scenario where Syria is dominated by pro-American interests and docile with respect to Israel.

Nevertheless, the assassination of former Lebanese Prime Minister Rafiq Hariri has brought US and international attention to the issue of Syrian hegemony in Lebanon. Moreover, Bashar is judged to have made missteps that cost Syria its ability to protect its interests in Lebanon, and therefore, he is weakened. Syria would seem destined to be no more than a minor player, relatively easy for greater power inside and outside the region to marginalize and ignore.¹⁴⁷

II. Brief description of Syrian Foreign Policy

Syria has long been a focus for US efforts to stabilize the Arab-Israeli arena. In his conduct of Syria's foreign policy, Hafiz al-Assad developed a 'Grand Strategy' for Syria, a strategy that still conditions his son's foreign policy choices and options. The components of the Syrian foreign policy are: setting up and defending Syria's position in Lebanon, defining Syria's position in the Arab-Israeli ground, guaranteeing Syria's role in the regional balance, and managing Syria's correlation with the United States.

¹⁴⁷ Leverett, Flynt. 2005. *Inheriting Syria- Bashar's Trial by Fire*. Page 1.

Syria used many tools to protect its interests in Lebanon. First, the deployments of Syrian troops in Lebanon block the latter from pursuing an independent policy on security matters and foreign affairs. Preventing the Lebanese government from extending its full control over the Lebanese territory deemed vital for Syrian interests. Second, Syria deployed an extensive apparatus of its intelligence officers throughout Lebanon which allowed the regime to influence all sectors and aspects of the Lebanese political, economic, and social life. Third, to bolster its role as the only authority in Lebanon, Syria maintained strong ties with Hezbollah to preserve its terms after the Taif Agreement. Finally, by taking advantage of the Lebanese political system, Syria made the Lebanese politicians understand that without Syrian cooperation, they cannot meet their objectives.

In the context of the Arab-Israeli conflict, the Syrian regime realized the fact that negotiations with Israel are the only means to return the Golan. However, in the past, President Hafiz al-Assad sought to compel Israel to enter into negotiations through the threat or actual use of military force, and by forming an alliance with Egypt in the early 1970s and with the Soviet Union through most of the 1980s. Nevertheless, Syria later shifted its strategy toward a greater emphasis on other modes of force like the increased use of terrorist operations by proxy organizations as a source of influence in the Arab-Israeli arena. By the end of the Cold War, establishing peace with Israel became Syria's best option, but it has failed to achieve a breakthrough the last two decades.

Managing the regional balance of power and avoiding diplomatic marginalization was a vital factor for a settlement with Israel. Therefore, President Hafiz al-Assad sought to maintain the support of moderate states to preserve his country's position toward Israel. Second, he established mutual ties with states that were challenging from a US foreign policy perception. Syrian leaders, Hafiz al-Assad and his son Bashar sought to keep other parties from negotiating individual peace treaties with Israel. They shored up relations with Egypt, the Arab Gulf States, and Iran.

By promoting relationships with states like Iran, Syria seeks to strengthen its position against the United States and Israel, as well as other actors in the region, which are contrary to its interests. The level of diplomatic exchanges between Syria and Iran has increased since the beginning of the US war on Iraq. Current international pressure on Iran over its nuclear activities and on Syria over its position in Lebanon has rendered closer strategic cooperation between Tehran and Damascus a mutual necessity. On the regional and international level, both Tehran and Damascus saw the continuation of their alliance as a useful way of maximizing their autonomy and asserting themselves in their respective spheres of influence.

The Syrian-US relationship has swayed between cooperation and confrontation in accordance with both countries' perception of regional developments. However, in the wake of the American war on Iraq in 2003, this relationship was on a collision course and a debate in the US was begun. Many Americans have advocated imposing sanctions on Syria for

apparent misbehaviors: (1) Syria's opposition to the US war on Iraq; (2) its harboring of Iraqi fugitives, weapons and assets; (3) its aiding of Iraq by opening its border to military smuggling; (4) for its ongoing state sponsorship of terrorism by backing organizations such as Hezbollah, Hamas, the Islamic Jihad, etc., classified by the US State of Department as 'terrorist organizations'; and (5) for maintaining "an authoritarian, anti-democratic regime that prohibits free expression and tortures members of the opposition and which election results are known in advance".¹⁴⁸

III. Regional Policy

Syria perceived regional politics in bipolar terms, dividing the Arab world into two camps: the rejectionists' front of Syrian allies, and those who advocated concessions to Israel. Damascus has long viewed its neighbors in Lebanon and Jordan as somehow less legitimate entities than Syria. This mindset has led Syria to reject proposals to exchange embassies with Lebanon ever since Syrian and Lebanese independence in 1946 and to its readiness in the eighties to engage in activities destabilizing to Jordan. Simultaneously, while asserting that Arab Unity must be the primary goal of all Arabs, Damascus keeps a close eye on Syria's national interests. When Hafez al-Assad, Syria's President from 1970 to 2000, disagreed with Palestinian leader Yasser Arafat in the seventies, he did not hesitate, despite wide Arab World support for Arafat, to set up a rival Palestinian civil and military leadership. On another front, al-Asad found it expedient to cooperate with Shiite Iran beginning in 1982, in supporting the creation and subsequent training and funding of the

¹⁴⁸ Cumings, Bruce, Abraham, Ervand and Ma'oz, Moshe. Ibid. Page 159.

Shiite Hezbollah militia in Lebanon. President Bashar al-Assad would continue to play the Iraq and Iran cards as a signal to the United States and Israel of the costs of ignoring Syria's diplomatic needs. He has been working to keep up regional and international support for Syria's stance on negotiations with Israel.

Today, many factors appear to increase pressure on Syria: the fall of the Baathists regime in Iraq; Iran's steps to address concerns about its nuclear program; and Libya's surprise decision to forsake its WMD efforts and seek normal relations with Washington. Yet, unless the Israeli-Syrian conflict is resolved, whatever progress these developments might represent toward transforming the region will be both incomplete and reversible. Syria's regional challenges include establishing hegemony in Lebanon, defending that hegemony against both Israel and the US, and putting down serious challenges to the regime within Syria from Sunni fundamentalists and ambitious family rivals. Syria's policy toward the superpowers and its Middle Eastern neighbors, as well as much of its domestic politics, continue to be affected profoundly by the Arab-Israeli conflict. Recovering the Golan Heights from Israel was the specific motive of Syria's policy, but it was only a part of a broader ambition of regional hegemony. Therefore, Syria's goal was to prevent Jordan, the Palestine Liberation Organization (PLO), and Lebanon from formalizing Syria's isolation by entering into piecemeal settlements with Israel, while Syria simultaneously undermined Egypt's separate peace with Israel.

In reality, Syria was unable to implement the ideas of Arab unity and to find a solution to the Arab-Israeli conflict. Its role was

interventionist and reactive vis-à-vis other Arab states, and was subject to many threats, mainly the Israeli and Turkish threats. To Syria, Lebanon has been historically and ideologically considered as the western part of Syria. It was important economically, for trade, and Syrian laborers, politically because of its ties with the United States and Europe, and strategically because of its borders with Israel. On the other hand, Palestine was valuable for Syria ideologically and politically as a major issue of Pan-Arab nationalism. Syria supported Iran logistically and diplomatically while providing facilities for Iran's air force at Syrian airports. It has done so to prepare a coordinated military offensive under suitable global and regional circumstances.

IV-Syria's policy regarding groups considered as terrorists by the US Department of State

According to official US government statements, Syria has not been directly involved in an incident of international terrorism since 1986. Instead, it has focused on less direct modes of support for groups that the regime can describe as prosecuting guerilla campaigns of 'national liberation' to derive tactical leverage from its ties to terrorist organizations.¹⁴⁹ One of the challenges in the US-Syrian relationship has been Syria's sponsorship of groups which Washington considers as 'terrorists'. Both countries disagree what constitutes terrorism. "We are in

¹⁴⁹ Leverett, Flynt. 2005. Ibid, page 11.

disagreement with US policies, because the US has different policies on the issue of terrorism” stated President Bashar al-Assad.¹⁵⁰

Damascus considers that Washington deliberately blurs the distinction between terrorism and legitimate acts of national resistance. It classifies as legitimate resistance any organizations connected with the Arab-Israeli conflict for example Hezbollah, the Palestinian Islamic Jihad and Hamas, and several radical secular Palestinian factions, such as the PFLP-GC. Those groups are considered by the US State of Department as ‘terrorist groups and organizations’.

Eversince the September 11 events, and as the American onslaught against Iraq has gained momentum, fear has been growing in Syria concerning the ramifications of the “global war against terrorism. Accordingly, Syria continues to follow its strategy of “defiance”, which, in practice, positions it in the “camp of the evil”, as considered by the USA. Within this framework, Damascus continues: (1) to back, support and facilitate “terrorist activities” and the American Administration’s war against terrorism is unable to cause it to change its approach whether in relation to Hezbollah or to Palestinian groups; (2) to work on a proliferation program as a strategic armband as a central component of the balance of deterrence equation. This is carried out in coordination and cooperation with North Korea and Iran; (3) to disturb reform in Lebanon through hindering the definition of boundaries between Lebanon and Syria and via the continuous smuggling of weapons to Hezbollah and the

¹⁵⁰ Al-Assad outlined Syria's foreign policy and positions. *Syria-Regional, Politics*, 10/8/2003. <http://www.arabicnews.com/ansub/Daily/Day/031008/2003100819.html>

Palestinian camps; and (4) to take an aggressive and defiant tone towards the United States, by recently comparing US policy toward Iraq to 'Hitler's Policy', as stated by the Syrian Minister of Information on November 19, 2005.

Therefore, terrorism has been used as an instrument of foreign policy tool by Syria and has changed over the years as a consequence of developments in Syria, in the inter-Arab arena, in the Arab-Israeli conflict, and in the relations between Syria and Western countries, principally the United States. In the last two decades, the Asad regime has provided various levels of support to an array of terrorist organizations, including the Kurdistan Workers Party and Japanese Red Army and to a range of secular and Islamist Palestinian rejectionists and Hezbollah.¹⁵¹ The regime has viewed its connections to these groups as a source of leverage and pressure for pursuing a range of strategic and tactical goals, mostly in the Arab-Israeli arena and in preventing Syria's diplomatic marginalization. On the other hand, in post-war Iraq, Washington has accused Syria of allowing infiltration of Jihadis from Syria and other Arab and Muslim countries to target American and other coalition forces, and pressed Syria to return official Iraqi bank balances.

V. US policy toward Syria

The Bush Administration came to office with no inherited operational framework for policy toward Syria. A year later, in the aftermath of the September 11, 2001 terrorist attacks, President Bush

¹⁵¹ Leverett, Flynt. Ibid. Page 10.

launched the 'War on Terror'. Syria, even though it offered the United States intelligence cooperation against Al Qaeda and related groups, did nothing to reverse its own terrorist ties. In the context of a global 'War on Terror', Syria's status as a state sponsor of terrorism pursuing WMD capabilities has become a source of problem from the US perspective. Moreover, in light of the ongoing U.S. involvement in Iraq and mounting tensions between Israel and Syria, it seems clear that tense relations with Damascus complicate the pursuit of broader U.S. interests in the region.

Syria has been a focus for US efforts to stabilize the Arab-Israeli arena. US policy toward Syria in the Arab-Israeli context has fluctuated between efforts to facilitate Israeli-Syrian agreements and attempts to isolate and pressure Damascus to change its terms and tactics for achieving a peaceful settlement. For the United States, Syria has been a long-standing factor in assessments of the regional balance of power. However, Syria has opposed the favorite direction of US administration with regard to this conflict. Concerns about possible strategic marginalization prompted Syria to act to prevent what Damascus interpreted as steps by the US and Israel to encourage its regional isolation. For example, its alliance with Iran after the 1990s, and its entente with Iraq have threatened the integrity of both the Clinton and Bush administration. Moreover, as President Bush declared the 'War on Terror', President Bashar opposed the war and simultaneously authorized actions that worked against US pursuit or its objectives in Iraq.

Following Saddam's removal, Washington and Damascus faced the question of whether they would come to a mutually beneficial

understanding about Iraq's future and how to establish a more stable region. However, the United States was confronting many challenges in the post-war on Iraq and Bashar's regime has important interests in this war that are rooted in Hafiz al-Asad long strategy of avoiding Syria's marginalization in the region and preserving Iraq as a source of economic benefit. The inability to establish and sustain a US-Syria' cooperation over Iraq has been a serious element in the deterioration in US-Syrian relations during Bashar's term. Perhaps, what is more challenging is Syria's standing in the global 'War on Terror'. After September 11, the classification of Syria as a state sponsor of terror pursuing Weapons of Mass Destruction and as a member of the 'axis of evil' put President Bashar at odds with the Bush administration. In the context of the global 'War on Terror', while Damascus was cooperating with the US against al-Qaeda, its own indirect involvement with terrorist activity was proving increasingly problematic for Syria's standing in Washington.

The White House stated that "Syria can play an important role in a key region of the world, but it cannot expect to be accepted as a responsible power or treated as one as long as it continues to use terrorism as an instrument of its foreign policy."¹⁵²

The strongest signal that Washington was changing its policy towards Syria by Bush's designation of Syria as part of the "axis of evil", and his championing of the cause of ending the Syrian occupation of Lebanon. While the designation of Syria as a state sponsor of terrorism brings the automatic imposition of specific US sanctions on Damascus,

¹⁵² Syria- Relations with the United States. US Library of Congress.
<http://countrystudies.us/syria/67.htm>

Syria has never been placed under trade and economic sanctions. However, the September 11 attacks and the prosecution of the global 'War on Terror' have made undesirable Syrian behaviors increasingly problematic from a US standpoint. In the context of this 'War on Terror', Syria's prominence is almost self-generating. It falls into that particularly troublesome category, identified by the Bush administration, of states with terrorist links simultaneously maintaining or pursuing WMD capabilities. Therefore, this designation became a source of increasing friction between the US and Syria.

To increase its pressure on Syria, the American Administration has sought new ways like using Lebanon, a vital interest for Syria, as a pressure point. The United States has found it difficult to have a partner willing to support a resolution condemning Syria's position in Lebanon. However, when France became angered with Bashar's handling of Lebanese Prime Minister Hariri, it wanted to move the international community criticism of the move and quickly won US backing for what became Resolution 1559. This resolution is considered to be a diplomatic defeat for Bashar especially that the US and France have won China, Russia, and Algeria's support of the measure.

VI- Conclusion

Syria was, and still using terror and views it as an efficient and important tool to strengthen the ruling regime in Damascus, to advance its political and strategic goals, to deepen Syria's control over Lebanon and enhance its standing in the inter-Arab arena. Above all, Syria considers it

to be an effective way to promote its strategic goals in regard to the Arab-Israeli conflict, be it on the Israeli-Syrian track, the Israeli-Lebanese track or the Israeli-Palestinian track. On the other hand, President Bashar is aware of Syria's weaker geo-strategic situation- surrounded by pro-American regimes: Turkey, Iraq, Jordan and Israel.

Syria has been unsuccessful in its efforts to prevent a substantial deterioration in its relations with the United States. Since the end of the Iraq war, President Bashar has sought to compensate for the lack of positive engagement with Washington. In this turn, the Bush Administration has failed to develop a genuine strategy for changing problematic Syrian behaviors and resolving the outstanding bilateral differences between Washington and Damascus. The United States still lacks a general framework for engaging Syria in constructive negotiations, apart from the Middle East peace process. The United States might gain if it removes Syria from the list of states sponsors of terrorism, provided that Syria expels terrorists from its territory, renews counterterrorist cooperation with the United States against Al Qaeda, and broadens that cooperation to include Syria's own terrorist links. Taking Syria off the list would allow American economic aid to flow to the country for the first time in decades and substantially increase assistance from international financial institutions.

It will be difficult for a US Administration to indefinitely continue a course that does not address and resolve the challenge to US interests posed by problematic Syrian behavior, given the ongoing 'War on Terror' and the elevated importance of the Middle East as the principal

battleground in that war. Thus, the US will have to come to grips with the problem of formulating a coherent Syrian policy. Their choices must be grounded in a genuine assessment of Syrian intentions, motivations, and constraints.

Due to the lack of any success in getting Syria to modify its problematic behavior, particularly with regard to terrorism, the Bush Administration continues to resist a strategy of conditional engagement with Damascus. Simultaneously, Syria is looking for new strategic allies like Turkey, as a close ally of the United States, therefore as an intermediary to the Bush administration. Also, Syria's current talks with Russia and China are likely to expand its network and alliances. However, the absence of a positive engagement with Washington remains the worst diplomatic liability for Bashar.

In conclusion, the reforms of President Bashar are obviously insufficient from the American point of view. As far as its regional policy is concerned, it is a vested US interest to bring Syria into the fold, in parallel with the Palestinians and to enhance America's position in the Middle East. It is vital to settle Syria and Palestinian conflicts with Israel. Establishing a strategic network of stable and pragmatic Arab regimes, among them Syria and willing to cooperate with the United States to combat terrorism will remain a US long term-strategy in the region. Syria must be able to be one of the key players in the Middle East peace process. Its support for Resistance movements in Lebanon, Palestine and other Arab countries give it the sufficient strategic power to maintain this status.

CHAPTER VII- HEZBOLLAH

I- Introduction

Over the last two decades Hezbollah has become the most influential Islamic movement in the Middle East and international politics. Hezbollah, the Lebanese political-military organization founded in the mid-1980s, is one of the most sophisticated Islamist organizations in terms of its structure and functions. Its double front that includes military and political branches has created confusion among policymakers. There are allegations that the Party is an umbrella for radical Shiites ideologically aligned with and funded by Iran.¹⁵³

External pressures on Hezbollah have increased after September 11, 2001. The Party was labeled by the Bush Administration as a terrorist organization "with global reach" and therefore it is considered a legitimate target in the "War on Terrorism". Hezbollah has been considered as even more dangerous than al-Qaeda by CIA Director George Tenet and Deputy Secretary of State Richard Armitage¹⁵⁴ and also as the "A-team of terrorists".¹⁵⁵ The war in Iraq and the subsequent Anglo-American occupation of the country have further tightened the pressure on Hezbollah.

¹⁵³ Moran, Michael. March 2006. "*Terrorist Groups and Political Legitimacy*". Council on Foreign Relations. <http://www.cfr.org/publication/10159>

¹⁵⁴ Hezbollah Rebel without a Cause? ICG Middle East Briefing Paper, 30 July 2003. Quoted in Los Angeles Times on 17 April 2003. CIA Director George Tenet testified before the Senate Armed Services Committee in February 2003 that "Hezbollah, as an organization with capability and worldwide presence, is [al-Qaeda's] equal, if not a far more capable organization."

¹⁵⁵ Deputy Secretary of State Armitage said, "Hezbollah may be the A-team of terrorists, and maybe al-Qaeda is actually the B-team"

Today, Hezbollah holds twenty-three seats in the Lebanese Parliament. Naboulsi Hussein, Director of Foreign Media in Lebanon says "Hezbollah is Hezbollah, there's no change in its definition. It's a political, religious Party created as a reaction to Israel's invasion [of Lebanon] in 1982. Politically it's represented in both cabinet and parliament, and considered by all to be a legitimate Party. But if you're against Israel, the U.S. administration labels you as they want."¹⁵⁶

The Party is engaged in talks with other political parties inside Lebanon and simultaneous questions about its future role are being raised. Therefore, it is under increasing pressure from other parties in Lebanon to disarm and renounce violence. However, realizing the danger of leading an active war, the Party chose not to put its survival at risk and did not want to complicate its relations with the Lebanese and Syrian governments, to whom they made clear that Hezbollah is a Resistance not a terrorist organization. It is evident that a war against the United States is too much for Hezbollah.

In the year 2000, Hezbollah defeated the Israeli Army in South Lebanon, after having suffered many casualties in that period. In view of the situation, Israeli Prime Minister Ehud Barak ordered Israeli troops to unilaterally leave the security zone. For millions of Arabs, this turned Hezbollah into heroes. For many Palestinian militants waging the current *Intifada* (uprising) against Israel, Hezbollah became the inspiration.

¹⁵⁶ Sites, Kevin. *The Two Faces of Hezbollah*. <http://hotzone.yahoo.com/b/hotzone/blogs2026>

As part of its global War on Terrorism, the USA has threatened Lebanon with economic sanctions if the Party's bank accounts are not frozen, and hinted at more 'direct action' to enforce its anti-terrorist campaign against Hezbollah. However, Hezbollah leaders tried to overcome this problem by developing simultaneous strategies and tactics with the Lebanese authorities and some Lebanese groups.

II- Structure and Organizational Framework

Hezbollah has transformed itself from a radical, clandestine militia to a moderate, mainstream political Party with a resistance wing in the 17 years since 1982 when its activities against Israel began. Underlying Hezbollah policies resides a claim of faith and a literal interpretation of God's words as expressed in the Koran. This has resulted according to Judith Palmer Harik in the pursuit of objectives 'sanctioned' by Islam such as waging war against the usurpers of Muslim lands and serving the public and their community, and has made Hezbollah an opponent on the battlefield and in the political arena.¹⁵⁷ The Israeli invasion of Lebanon in 1982 has promoted the fortunes of Hezbollah by providing a politico-military environment that legitimized the Party and gave a rationale for its presence.

Hezbollah's internal structure reflects its dual nature- military and political- and is of necessity marked by heightened concern with hierarchy, discipline and, above all, secrecy. It sustains a wide network of institutions embedded in Lebanese society. Structurally, the Party is

¹⁵⁷ Harik, Judith Palmer. *Hezbollah- the Changing Face of Terrorism*. Page 1.

headed by a collective leadership. Therefore, the structure assumes the shape of a hierarchical pyramid coinciding with the territorial division of the Lebanese governorates, in particular the ones that have a majority of Shiites. It consists of leadership, political and administrative entities, and military security organs, along with a number of service subunits within each apparatus. The Consultative Council (Majlis-al-Shura) is elected by the Central Council (Majlis-al-Markazi) for a period of three years.¹⁵⁸ The Consultative Council, in turn, elects a secretary-general, his deputy, and chairs of five councils of the Party's executive administrative apparatus. This Council is charged with overall administration, planning, and policy making. In the mid-1990s, Hezbollah established the Jihad Council, reflecting its ideological commitment to Jihad. This council assesses the circumstances and decides on the strategies and tactics of Jihad.

Hezbollah is based on three pillars: (1) Islam is the last and most comprehensive of heavenly messages. (2) Jihad, a term which signifies endeavoring and making every effort to battle against the enemy. To illustrate, martyrdom and Jihad operations conducted by the Islamic Resistance in Lebanon have marked many objectives and achievements, the most prominent of which are the following: (i) compensation for military imbalance and infliction of painful losses on enemy ranks (ii) the Israeli command's reassessment of its military approach in Lebanon (iii) the surge of patriotic commitment across the region, the outbreak of the Palestinian Intifada and the restoration of hope for a comprehensive liberation and (iv) the exposure of the Israeli soldier as one who hides in

¹⁵⁸ Nizar, Ahmad Hamzeh. 2004. *In the Path of Hizbullah*. Syracuse University Press, pages 44-5.

the safety of his military machines, afraid of direct military conflict ; and (3) *Jurisdiction of the Jurist-Theologian* which means an authority that guards the nation of Islam, protects its structure, and secures the means for cultural, societal, and political development .¹⁵⁹

After the 2000 parliamentary elections, the Party established the Parliamentary Council to tighten its discipline and strengthen effectiveness among its representatives in the parliament. Therefore, Hezbollah enjoys a highly effective regime of internal discipline and concealment. External influence whether from Syria or Iran, is extremely difficult to assess.

To release its prisoners detained in Israel, Hezbollah included a deal with the Israeli authorities through the mediation of Germany. On January 29, 2004, and after three years of negotiations, the Party has succeeded in releasing 430 Arab prisoners; most of them are Palestinians, as well as the bodies of 60 Lebanese soldiers, and German prisoner Stephan Smyrek, accused of planning attacks on the Israeli Embassy in Bonn. In return, Hezbollah handed over the bodies of three Israeli soldiers who were kidnapped in October 2000 and of Israeli businessman Elhanan Tennenbaum.¹⁶⁰

III- Brief Description of Hezbollah's International Policies

i- Relations with the US: Since its establishment in 1982, Hezbollah perceives contemporary US foreign policy and positions as ultimately directed towards supporting the existence of the Israeli entity. In

¹⁵⁹ Qassem, Naim. *Hizbullah, the Story from Within*. SAQI, pages 33-55

¹⁶⁰ The Prisoner Swap between Israel and Hezbollah. January 29, 2004.
<http://www.ajiac.org.au/updates/Jan-04/300104.html>

fact, the Party believes that the strong US rhetoric and aggressive approach toward Syria and Iran may already be producing a backlash since Washington appears to be asking regional players to take its side in the “War on Terror.”

The US categorized the Islamic Resistance in Lebanon as a form of terrorism, defined by Naim Qassem, one of Hezbollah's founders, as ‘a common word employed to refer to any contradiction to US policy.’¹⁶¹ To Hezbollah, the United States has supported two Israeli aggressions on Lebanon, on July 1993 and on April 1996. Hezbollah’s stance has therefore been at odds with US policies in the Middle East. Its stance is clear:

‘The Party is well aware of US motives in the region.... The US realizes the fundamental quality of Hezbollah’s principles, as manifested through resistance... as such the encounter between the Party and the US would not add anything new to the acquaintance of each side with the other’s view, and would not alter the stance on either side’.¹⁶²

Nevertheless, even though Hezbollah considered US policies as unwarranted towards it, and supported Israel’s hostility and occupation of Lebanon and elsewhere, its posture has always been the same at the political level, revealing the US political mistakes in the Middle East.

The US ‘War on Terror’ after September 11 and the war in Afghanistan and Iraq have pressed Hezbollah further into a reactive strategy regarding the new political arena created by the United States in the region. However, on October 12, 2001, President Bush released an additional list of individuals, including Hezbollah’s members and included

¹⁶¹ Qassem, Naim. Ibid. Page 246.

¹⁶² Qassem, Naim. Ibid. Page 249.

Hezbollah in a Specially Designated Global Terrorist (SDGT).¹⁶³ Moreover, the American officials charged that Hezbollah's activities constitute 'terrorist' acts and have actually made two specific charges against Hezbollah: first that top operatives from Hezbollah are planning more terrorist attacks against the United States; and second, that Hezbollah has trained members of the Palestinian Islamist groups Hamas and Islamic Jihad, both of which were classified as terrorist groups by the Bush administration. As a response, Hezbollah officials opened a debate with the US Administration. To illustrate, Sayyid Hassan Nasrallah challenged the US Administration to provide evidence that Hezbollah's activities went beyond resistance to Israel.¹⁶⁴

Despite the increased tensions between the United States and Hezbollah, in particular after the Syrian Accountability and Lebanese Sovereignty Restoration Act which endorsed sanctions against Syria for supporting 'terrorism', Hezbollah maintained a calculated response to the US pressure. Hassan Nasrallah said,

'The American Administration's problem with us is that the Party fights Israel. If we stopped fighting the Israelis there is a great possibility that the US administration would take us off the terrorist organization list. He added, 'we don't want a war with America, but if any person attacks us we will answer him in the same way and it is our right to defend ourselves.'¹⁶⁵

US officials have accused Hezbollah of sending fighters to Iraq for the war, a charge that the Party along with Syria and Iran has rejected. Before the Al Qaeda's September 11 attacks, US officials have accused Hezbollah of killing around 300 Americans in overseas strikes often with

¹⁶³ The list includes Hezbollah's special overseas operations, Imad Mughniyyah and two members Hassan Ezzedine and Ali Attwah. It also includes Hezbollah's Secretary General Sayyid Hassan Nasrallah and his predecessor Shaykh Subhi al-Tufayli.

¹⁶⁴ Nizar, Ahmad Hamzeh. Ibid, page 136.

¹⁶⁵ Sayyid Hassan Nasrallah, interview for CNN, Jan. 24, 2003, 8:00 P.M.

Iran's help. In 2001, U.S. authorities indicted 14 men in the deadly 1996 bombing of a U.S. military housing complex in Saudi Arabia known as Khubar Towers, saying they were members of Hezbollah.¹⁶⁶ Today, U.S. officials accused Hezbollah of having active cells on four continents, where operatives raise money, recruit and frequently make surveillance tapes of U.S. embassies and officials, provided with cover by Iranian diplomats. However, in the context of the global War on Terror, the fact that Hezbollah evolved into a political and social organization makes it a difficult target in America's War against Terrorism.

ii- Relations with Europe: European influence has declined over the last two decades, with the US projecting itself as the world's unilateral power. France and Britain seem to follow US policy in the region. The United Kingdom strategy in the region and in particular towards Hezbollah seems to be the same as the Americans. As for the rest of Europe, the choice was made for the European Union, whose direct presence was not practically effective in the region. The EU does list senior Hezbollah terrorist Imad Mughniyah, but it does not list Hezbollah itself. However, a resolution is said to be currently making its way through the U.S. House of Representatives calling on the EU to include Hezbollah on its terrorist list.

Hezbollah's relationship with Europe became possible given that no direct aggression against a European country was organized. Hezbollah perceives that the role that Europe has adopted vis-à-vis the

¹⁶⁶ Prior to Sept. 11, Hezbollah could claim credit for taking more American lives in a single attack than any other terrorist organization. In October 1983, a truck laden with explosives smashed into the multinational force barracks in Beirut, killing 241 American Marines. The next year, a suicide bombing at the U.S. embassy in Beirut killed 17 Americans, including many of the embassy's CIA staff.

group is a means that counterbalances the US overindulgence and unilateralism. It is beneficial because this portrays a differentiated Western role, one that takes into account the Arab and Palestinian reality even though the Europeans "terrorist organizations" list contains Hamas and Islamic Jihad. For Hezbollah, this relationship would still be beneficial and could promise growth through time. Europeans consider their relationship with Hezbollah as a relief from the responsibility of fully backing the US in its support for Israel.

iii- Relations with CANADA: Hezbollah has operated in Canada for at least a decade and due to the country's sizeable Lebanese immigrant population, Canada has been not only an important source of Hezbollah fundraising and recruitment, but an integral component of the Party's network in the Western Hemisphere. The government's justification for Hezbollah's omission from Canada terrorists' list centered around the argument that its conventional military and political assets, education centers, media outlets, and social welfare network in Lebanon were administratively separate from a so-called "external security apparatus," headed by Imad Mughniyah, a member of Hezbollah.¹⁶⁷ However, on December 2002, Canada added Hezbollah to the list. In a statement condemning the ban on Hezbollah, Lebanese Foreign Minister Mahmoud Hammoud directly accused Canada of giving up to the American pressure.

¹⁶⁷ Foreign Affairs Minister Bill Graham in October said, "contains lawyers ... doctors ... teachers. It contains social workers, all of whom are doing work. And we're not going to label as terrorists people without clear proof that they are actually engaged in terrorist activities."
<http://www.wsws.org/articles/2002/dec2002/can-d18.shtml>

iv- Relations with the Security Council: the Security Council has adopted many resolutions that require the disarmament of Hezbollah. The most important of these resolutions are SC RES 1559 (2004), and recently SC RES 1680 (2006). However, both Hezbollah and the Lebanese government have failed to implement these resolutions.¹⁶⁸ Until today, no reports have been made by UN observers in position with the Lebanese-Israeli frontier that Hezbollah attacks specifically aimed at maiming or killing Israeli citizens or to spread terror.

IV- Hezbollah's Policy in the Middle East

In the Middle East, Hezbollah is viewed as a legitimate resistance force all over the Arab and Muslim world. Ayatollah Khamenai puts Hezbollah's role in the region in perspective:

"Hezbollah is the front line of the Islamic world in its fight with the Zionist enemy. The liberation of occupied Palestine is the rime goal for the Jihad against the Zionist entity..."¹⁶⁹

To show its commitment to the Palestinian cause, Hezbollah has translated its regional role into a role model that is not only involved in supporting the struggle of the Palestinians but is totally involved in the Intifada as well. The Party has provided military training, social welfare services, and logistic support, in particular to the Palestinian Islamic Jihad and Hamas, to ensure the continuation of the resistance in the West Bank and Gaza.

Its increasing role in Lebanon's politics has led it to move away from its fierce loyalty to Iran. The movement abandoned Fadlallah's once

¹⁶⁸ S/RES/1559 (2 September 2004) urged Syria's withdrawal from Lebanon and the disbanding of militias.

¹⁶⁹ Muhammad Baqir al-Sadr, *Nash'al Shi'ia wal-Tashaya'* (The emergence of the Shii'te and Shi'ism) (Beirut: Al-Ghady Publication, 1999), 113-28.

enthusiastic declaration that Hezbollah should defend the Iranian revolution at all costs. In the 1990s, General Secretary Nasrallah indicated that if Iran's interests and Lebanon's interests came into conflict, Hezbollah would favor those of Lebanon.

Although Hezbollah positioned itself at the forefront of fighting Israeli and US plans in the region, the Party's reaction to the Iraqi situation has not been to urge resistance against the Americans. In reality, Hezbollah's leader Sayyid Hassan Nasrallah did not call for Jihad against the Americans when the United States was preparing to invade Iraq. Instead, he rejected the US war and proposed an initiative for reconciliation between Saddam and the Iraqi Shiite opposition. Sayyid Hassan Nasrallah has presented three major points. First, he called for no one to offer help to the Americans because such help would not be against Saddam, but against the Ummah. Second, the initiative called on the Arab League or the Islamic Conference Organization to sponsor a national reconciliation conference. Third, Hassan Nasrallah gave a call for elections by the Iraqi people.

Therefore, this initiative neither called for the Jihad against Americans nor supported Saddam. Before the American invasion began Hezbollah escalated the stream of its battle of words against the US war in Iraq.

'We tell the United States, don't expect that the people of this region will welcome you with roses and jasmine. The people of this region will welcome you with rifles, blood, and martyrdom operations. We are not afraid of American invaders, and we will keep saying 'death to America',

Nasrallah said during the commemoration of Ashura.¹⁷⁰

¹⁷⁰ Nasrallah's Speech on Ashura, *Al-Intiqad*, March 14, 2003, pages 13-14.

Upon its foundation, Hezbollah saw a possibility of achieving its goals through the backing of Iran. The Party's relationship with Iran was forged to make use of this innovative experience in the region and to secure support for the cause of confronting the Israeli occupation. Hezbollah's relationship with Iran was successful for many reasons: (1) both parties met within one framework of international leadership legitimacy; (2) they both share the same Islamic principles with regard to the system of government; (3) and finally because Iran supported all liberation movements especially those aimed at fighting Israel.¹⁷¹

As for its relationship with Syria, Hezbollah has first concentrated on security issues, facilitating the movements of activists and handling emerging problems. However, the relationship developed towards the end of Amal-Hezbollah clashes and Syria began to appreciate the Party's Jihad struggle and declared its support to it.¹⁷² Therefore, To Hezbollah, this relation is considered as the cornerstone for facing major regional obligations.

As for Iraq, a Lebanese official with close contacts to Hezbollah explained:

"Hezbollah has no direct active role in Iraq, but it enjoys a huge number of assets there, Shiites with whom it has maintained ties over the years. It has no need to send its people. They are there already."¹⁷³

Moreover, Hezbollah claims that it forbids its fighters entry into Iraq for any reason, and that no Hezbollah units or individual fighters have entered Iraq to support any Iraqi faction fighting America. For Hezbollah,

¹⁷¹ Qassem, Naim. Ibid. Page 236.

¹⁷² After the wining of eight seats in the Bekaa region, and during a meeting with the late Basil-al-Assad, the latter congratulated the Party, saying: "you now have officially recognized parliamentary representation. America's pretext for accusing you of terrorism is now void, for the people's choice has spoken in your favor. Qassem, Naim. Hizbullah, the Story from Within. SAQI, page 248.

¹⁷³ ICG telephone Interview, Beirut, June 2003.

the US strategy to reshape the Middle East began in Baghdad, and that is where it should be stopped.

Nevertheless, Hezbollah's policy toward other Arab regimes aims at encouraging all means of integrating support for resistance.

'Whoever takes up the slogan of liberating Arab regimes as a prerequisite for liberating Palestine is on an erroneous track and is only complicating the task of liberation',

says Naim Qassem, a founding member of Hezbollah in 1982.¹⁷⁴

We come to understand the importance of the relationships between Iran and Hezbollah, Syria and Hezbollah, and between Syria and Iran because these relations represent real support for all cooperating parties and strengthen their ties against the United States and its major allies. There is no doubt that Hezbollah's future role in the region as well as in Lebanon will be determined by Iran because the present Syrian regime seems unable to exercise the influence of the past due to the increase of Anti-Syria elements and the fragmentation of the Syrian political elite. The Party will continue its support to the Palestinians and remain a role model for them, but its main task is to defend Lebanon's national sovereignty through its guerilla warfare and substantial armory.

Hezbollah seems to be adopting a wait-and-see approach, withstanding the US presence in Iraq, heightening its efforts to appease the Israeli-Palestinian conflict, and intensifying pressure on Iran, Syria and radical groups throughout the region, in the hope that events in Iraq over time will redound to Iran's and Syria's benefit or complicate American plans for the region.

¹⁷⁴ Qassem, Naim. *Ibid.* Page 245.

V- Hezbollah's Policy regarding Groups considered as Terrorists by the US Department of State.

Until today, no proof has been found to link Hezbollah to Al-Qaeda organization. In regards to Palestinian groups, Hezbollah completely agrees with them on the use of force against Israel, destined to its destruction. The Party also takes every opportunity to encourage Hamas and the Islamic Jihad, two groups which are considered as 'terrorist' by the US Department of the State.

Hezbollah connects with Islamic fundamentalist groups as well as Arab and Muslims in its efforts to support the Palestinian revolt, which will lead to the destruction of the 'Zionist infidels' and the return of the Palestinians to their homeland. According to terrorism analysts¹⁷⁵, it is believed that Hezbollah includes at least 15,000 operatives in cells in the U.S., Canada, Argentina, Paraguay, Brazil, Belgium, Britain, France, Germany, Spain, Switzerland, Indonesia, Malaysia, and throughout Africa, but there is no evidence of this yet. Several terrorist acts have been linked to Hezbollah, the most prominent are the following: Bombing of Jewish Community Center in Buenos Aires killing 96 (1994); Bombing outside U.S. Embassy annex in Beirut killing 24 (1984); Car bombing of U.S. Marine Barracks in Beirut killing 241 U.S. servicemen (1983) and many others.

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VI- Conclusion

In conclusion, since the September 11 events and the launching of the US campaign on international terrorism, the new profile for the terrorist enemy became any irregular force with global reach that threatens America's interests or those of its allies, in particular Israel, Pakistan and other countries. As far as the Israelis are concerned, the Americans were drawn into an alliance against the Intifada.¹⁷⁶ Hezbollah's role in the Intifada was categorized by the United States and its allies as terrorism. If the American Administration could influence the Lebanese government, then President Bush could add another victory against 'terrorism' in the region.

Although views differ on their precise weight, Iran and Syria without any doubt play important roles through the material and political support they provide. Iran's political and ideological influence is particularly noteworthy. Hezbollah's long-term strategy will be affected by the relations between Iran and the United States and the evolution of the Arab-Israeli conflict. An extended conflict between Syria and Israel or Syria and the United States would polarize the region and provoke an increase in resistance activities. Moreover, a confrontation between Iran and the United States would cause a resurgence of militancy against the United States in Lebanon and the region. Meanwhile, the Lebanese government seems unable to overcome the challenges posed by Hezbollah without help from Syria and Iran. The future course of Hezbollah will depend on the ability of the Lebanese government to

¹⁷⁶ Harik, Judith Palmer. *Hezbollah- the Changing Face of Terrorism*. I.B. Tauris, page 193.

accommodate both Muslim and Christian interests under the Taif formula, and to bring some measure of economic prosperity to all social classes, regardless of sectarian affiliation.¹⁷⁷

However, Hezbollah was fast to realize that it is the weak link in the US strategy in the region; its leaders developed a plan of action with the full support of Syria and Iran that focused primarily on setting their organization as a legitimate Lebanese Party with a resistance wing and deputies in the Lebanese parliament. The battle over Hezbollah's label as terrorist or Resistance will continue to create debate in the region. The United States knows well that only Syria can pull the plug on Hezbollah, and unless Syria has something to gain, it will refrain from doing it. The United States' policy toward Hezbollah is believed therefore to settle old scores and to diminish from the pressure on Israel as it struggles with the Palestinian Intifada.

A shifting regional scene and strong international pressure appear to define Hezbollah's new position: the war of national liberation in the South, the struggle for Palestine and national resistance against the Western occupation in Iraq. For now, the most likely scenario is that Hezbollah will play for time and postpone any decisive shift on its policy. From its perspective, what it sees as the struggle between Islamism and Arab nationalism on the one hand, and US and Israeli domination on the other, is still under way, it is banking on American missteps and mounting casualties in Iraq, a growth in Iranian influence in that country, a breakdown in the fragile Israeli-Palestinian ceasefire, or all of the above to

¹⁷⁷ Nizar, Ahmad Hamzeh. *Ibid*, pages 150-1.

shift the balance of power always from Washington and recreate an environment in which Hezbollah can survive intact and perhaps even revert to a more active role.

Washington's definition of a foreign terrorist organization is not universally accepted. Arab governments and populations will continue to distinguish between groups that "resist" Israel and terrorist organizations. The US is likely to achieve the greatest and most sustainable impact on Hezbollah if it encourages its adjustment to a civilian political player simultaneously as it moves strongly toward resolution of the Israeli-Palestinian conflict, maintains pressure on Syria and Iran and works to get things right in Iraq.

CHAPTER VIII: CONCLUSIONS

The “War on Terrorism” is not a war in the legal sense of the term. The combatants are neither protected nor constrained by the International Humanitarian Law and States are fighting against networks of individuals without respecting the minimum standards of international law. This fight is conducted in a unilateral way by the United States of America and several countries (The Coalition of the Will); these countries are following the US in its fight against terrorism. Even so, the same countries and the rest of the international community are unable to agree on a definition of what constitutes terrorism.

Therefore, “the fight against terrorism” is invoked by Russia when fighting against Chechen rebels, by India and Pakistan when trying to justify the actions of armed groups in the conflict for Kashmir; by Turkey when trying to destroy the Kurd Resistance, and by Israel when trying to control Resistance and Palestinian movements in the Middle East conflict, among others.

The absence of an internationally agreed definition of terrorism allows any country to use this pretext arguing security reasons to limit or ignore the civil and political rights of the people, the freedoms of press and expression and, in a paradox, there is debate on whether or not States shall respect human rights in the fight against terrorism regardless of the existence of a consensus on considering human rights as universal values.

As a consequence of this misperception the international system and international organizations such as United Nations are weakened.

Perhaps, this “War on Terrorism” will represent the transitional period between the modern international system which emerged after the Second World War and the international system of the so-called Network Society. Meanwhile, and as a result of the unilateral approach applied in this fight, the structure of treaties, body treaties and international organizations built during more than fifty years are now “sitting on the limbo”. The price of the transition is being paid by ordinary people every day around the globe: the individuals are worthless, what is important is security. We can forget about the concept of human security and we must be vigilant, nobody knows where the next attack will be.

United States policy regarding terrorism is built on two pillars: the strengthening of security and the promotion of democracy. Up until now this policy has failed. The security situation has deteriorated instead of improving and as of yet there exists no clear link between democracy and the control of terrorism. More so, recent studies have demonstrated that the strengthening of democracy in the Middle East has brought Islamic governments into power.

In addition it has been demonstrated that the main cause of terrorism is the perception in the Middle East that there is an existing dominant foreign power which has been imposed upon them. Utmost in importance is the link and homogeneity between US and Israeli interests. However, instead of solving the Palestinian-Israeli conflict, it is being globalized.

As for the thesis statements of this research: I consider valid the affirmation that the main target of War on Terrorism should be the “Global

Jihad". Unfortunately, it is not like this. All along this research, it has been evident that The United States uses the War on Terrorism as an instrument of foreign policy in the Middle East. So, the identification of "terrorist groups" by the United States Department of State is a political tool to control groups that oppose Israeli interests and it is perceived as a mistake by the people of the region. Effectively, the Global Jihad should be the main target of the War on Terrorism the day that this war follows an international agreement, this will be achieved once an agreement is reached on a legally binding definition of terrorism and on establishing an international mechanism to coordinate, control and plan the actions of the international community against this flagellum.

The second thesis statement, affirms that the implementation of unilateral security policies has already damaged the security environment in the Middle East and it is a permanent source of regional instability. The wars in Iraq and Afghanistan have proven it. Instead of controlling terrorism, we are witnessing the multiplication of terrorist acts and the expansion of after-effects of the war on neighboring countries. This problem reflects the interrelationship of the Middle East problematic and the impossibility to isolate terrorism in the region without firstly resolving the Palestinian-Israeli problem. In this context, the neoconservatives in power in the United States of America seem to have lost the forest by the trees, that is to say, to loose the global dimension of the problematic of the Middle East.

The National Security Strategy of the United States of America contains a new "conception" of security and also specific ways to

implement it. It is not yet time to assess whether or not this new conception is feasible and realistic and the extent up to which it is working. One of the main risks of implementing this new conception of security is that it seems to be a negative element in the international system. For instance, in what concerns discussion on disarmament and international security, there exists the international disarmament and non-proliferation regime which is in an evident process of disintegration due to the implementation of the new paradigm. But the issue has arisen the United States is diminishing the international system without giving a coherent and rational model to substitute it.

Therefore, an alternative solution could be the strengthening of the international system, to give control of the war against terrorism to the United Nations, to improve international cooperation, information sharing, and to establish mutually beneficial mechanisms to conduct the war. Until now, it is not clear that the United States is ready to do so. We are talking about the creation of a specific and comprehensive action oriented strategy against terrorism. As we affirmed at the beginning of this research, the moment may be opportune for the creation of bilateral and multilateral security regimes.

The international policy against terrorism, should respect human rights and international law. Recently, the Supreme Court of the United States of America ascertained that the existence and practices of the Guantanamo Bay prison are outlawed. There is also a growing demand from the international community to close this prison and to ask the United States to respect international law. A coherent legal strategy for combating terrorism

requires a complementary and mutually reinforcing set of measures. The in-depth problem is that nobody should be allowed to violate international law regardless of the arguments to justify this violation and that the fight against terrorism should be a legal fight.

Another dimension is the ideological misperception that identifies terrorism with the Middle East. As long as this misperception exists, Middle East countries will be impeded to focus on the solution of their problematic. The only way for Middle East countries and its people to find practical solutions to these problems, is the so called nation building process, and perhaps and ultimately the secularization of Middle East society.

A coherent legal strategy for combating terrorism requires a complementary and mutually reinforcing set of measures – from tightening international cooperation in the prevention, prosecution and suppression of terrorist activities, to long-term cooperative schemes to remedy or at least attenuate their root causes.

Terror produces terror, as observers have long noted. Bin Laden and his supporters indeed pose a threat, but that threat doubles when it is countered in kind. From here, many issues need to be prioritized in order to fight terrorism. We should start by defining an acceptable, internationally negotiated and legally binding definition of terrorism. Second, we need to understand that terrorism is the greatest threat of all, and the importance of international cooperation in the field of counter-terrorism.

It is a paradox that even the United Nations Security Council faces difficulties in the fight against terrorism because one of its permanent members considers that the continuation of military action is in its national interest. Washington therefore has a vested interest in strengthening both the principle of UN-centered multilateralism – promoting the norm that the UN should be heard and obeyed as the voice of the international community – and the capacity of the UN forum to undertake conflict resolution initiative.

The main contradiction of the so-called War on Terror is that it has systematically undermined or ignored the international security norms and organizations. We cannot undermine the role of international institutions and the rule of law while trying to fight or eliminate terrorism.

The US is generating its own opposition in the Middle East. There exists public opposition to the US methods of manipulating governments in the region, including those which are willing to work with the US toward a democratic transformation. For there to be any hope of peace and stability in the Middle East, American policies must be based on regional perspectives and relationships.

The challenges in the Middle East are more real today than a year ago. The unity of Iraq is not assured and its insurgency risks further destabilization of its neighbors. The shakiness of the Assad regime in Syria, the recent terrorist bombings in Jordan, and Islamic extremism in Saudi Arabia and elsewhere in the region continue to pose dangerous threats to regional stability. Many Arab states are concerned that Iran is emerging as the big regional winner. Trust and confidence in the United States has been seriously eroded. Its policies are a source of significant

friction not only in the region but in the wider international community. Its purpose and power are questioned. It is at the same time both a stabilizing and a destabilizing force in the Middle East.

The United States should be able to engage in a direct dialogue with Iran without sacrificing any of its interests or objectives. As Abbas Milani, Director of Iranian Studies at Stanford wrote in the Wall Street Journal on October 31 that the time for a new grand bargain with Iran's people has arrived. US Senator Chuck Hagel says that one of America's greatest 21st century challenges is not to lose the next generation of the world --- especially the next generation of Muslims. This is a generation that is prepared to embrace the politics of change and reform. We cannot afford to lose this generation --- in the Middle East and around the world.

Dictatorship and oppressive regimes in many countries and in particular in the Middle East might be defeated in the short-term but they will give birth to more terrorism in the region as long as the Arab-Israeli conflict is not resolved, and as long as the USA manifests itself as the only superpower. Benjamin Barber says that preventive war and democracy are fundamentally incompatible. The first question requires unilateralism. The second demands cooperation, law, and a readiness to be open and transparent. America must choose- preemptive war or democracy. It cannot have both. Therefore, preventive democracy must look elsewhere for recipes that will end terrorism and promote both safety and freedom. Unless the US learns to see the war on terrorism in this

broader analytical context, and to appreciate the crucial role of soft power, it will find victory elusive.

By working through proxies, Iran was able to achieve its own interests of intimidation against states supporting Iraq without paying the consequences that more direct involvement might entail. Middle East expert Michael Eisenstadt argues that Iran's primary reason for supporting terrorism is that it advances Iran's agenda without provoking military retaliation. Iran suffered diplomatically, economically and Hezbollah has moved away from its most ambitious objectives over through in essence it remains a revolutionary movement. The Iranian relationship with Hezbollah shows both the impressive gains a state can make by sponsoring a terrorist group and the considerable cost it may pay. Its support for Hezbollah and other terrorist groups hurt Iran's efforts to end its isolation and furthered the clerical regime's image as aggressive and dangerous.

The international community and the USA shall deal effectively and with patience in the case of Iran in order to avoid more clashes in the region and solve its nuclear proliferation programs under the framework of the law and the United Nations. The United States faces two severe problems in dealing with Iran and terrorism. The first is the difficulty of dealing with the legacy of the past because of the harm inflicted on US citizens in 1970's. The more immediate problem for the United States and the international community is nuclear terrorism and how to deal with Iran's proxy support for pro-Palestinian groups that oppose Israel.

Iran insists that its support of the “forces of national liberation” is not terrorism, but its support follows the intensity of the Israeli-Palestinian conflict. For some, a regime change would be the only solution and a successful prompting of a revolt would bring a crushing response from the conservative forces that would at least temporarily halt the democratization movement. During nearly a quarter century of Islamic revolutionary rule, Iran has changed and continues to change: it has shifted its focus to financing, training, and supporting proxy organizations whose actions provided some measure of deniability for Iran but could not overcome suspicion of Iranian involvement, if not actual control.

US efforts to isolate the clerical regime and punish it economically proved problematic. Although Iran and the US differed from Iran’s regional ambitions and pursuit of WMD, two of primary US concerns that led to US pressure-Iran’s disrupt of the Middle East process and its support for terrorist groups- were linked to Tehran’s support for radicalism in general and Hezbollah in particular. Bruce Cumings has stated that outright US hostility, instead of weakening the regimes, is more likely to strengthen the die-hard conservatives and US policy, invariably carried under the banner of spreading democracy, will once again end up undermining democracy.

Syria was, and still is using terror and views it as an efficient and important tool to strengthen the ruling regime in Damascus, to advance its political and strategic goals, to deepen Syria's control over Lebanon and enhance its standing in the inter-Arab arena. Above all, Syria considers it

to be an effective way to promote its strategic goals in regard to the Arab-Israeli conflict, be it on the Israeli-Syrian track, the Israeli-Lebanese track or the Israeli-Palestinian track. On the other hand, President Bashar is aware of Syria's weaker geo-strategic situation- surrounded by pro-American regimes: Turkey, Iraq, Jordan and Israel. He might have incentives to cooperate with the USA to combat terrorism provided Washington extends economic aid and investment, removes Syria from the list of countries supporting terrorism, and helps it to regain the Golan Heights.

Syria has been unsuccessful in its efforts to prevent a substantial deterioration in its relations with the United States. Since the end of the Iraq war, President Bashar El Assad has sought to compensate for the lack of positive engagement with Washington. In turn, the Bush Administration has failed to develop a genuine strategy for changing problematic Syrian behaviors and resolving the outstanding bilateral differences between Washington and Damascus. The United States still lacks a general framework for engaging Syria in constructive negotiations, apart from the Middle East peace process. The United States might gain if it removes Syria from the list of state sponsors of terrorism, provided that Syria expels terrorists from its territory, renews counterterrorist cooperation with the United States against Al Qaeda, and broadens that cooperation to include Syria's own terrorist links. Taking Syria off the list would allow American economic aid to flow to the country for the first time in decades and substantially increase assistance from international financial institutions.

It will be difficult for any US Administration to indefinitely continue a course that does not address and resolve the challenge to US interests posed by problematic Syrian behavior, given the ongoing 'War on Terror' and the elevated importance of the Middle East as the principal battleground in that war. Thus, the US will have to come to grips with the problem of formulating a coherent Syrian policy. Their choices must be grounded in a genuine assessment of Syrian intentions, motivations, and constraints.

Due to the lack of any success in getting Syria to modify its problematic behavior, particularly with regard to terrorism, the Bush Administration continues to resist a strategy of conditional engagement with Damascus. Simultaneously, Syria is looking for new strategic allies like Turkey, as a close ally of the United States, therefore as an intermediary to the Bush administration. Also, Syria's current talks with Russia and China are likely to expand its network and alliances. However, the absence of a positive engagement with Washington remains the worst diplomatic liability of Bashar El Assad.

In conclusion, the reforms of President Bashar are obviously insufficient from the American point of view. As far as its regional policy is concerned, it is a vested US interest to bring Syria into the fold, in parallel with the Palestinians and to enhance America's position in the Middle East. It is vital to settle Syria and Palestinian conflicts with Israel. Establishing a strategic network of stable and pragmatic Arab regimes, among them Syria and willing to cooperate with the United States to combat terrorism will remain a US long term-strategy in the region. Syria

must be able to be one of the key players in the Middle East peace process. Its support for Resistance movements in Lebanon, Palestine and other Arab countries give it the sufficient strategic power to maintain this status.

Since the September 11 events and the launching of the US campaign on international terrorism, the new profile for the terrorist enemy became any irregular force with global reach that threatens America's interests or those of its allies, in particular Israel, Pakistan and other countries. As far as the Israelis are concerned, the Americans were drawn into an alliance against the Intifada. Hezbollah's role in the Intifada was categorized by the United States and its allies as terrorism. If the American Administration could influence the Lebanese government, then President Bush could add another victory against 'terrorism' in the region.

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