

## This Too Shall Pass: A Response to Kagan's *Power and Weakness*.

By Rebecca M. Bratspies\*

"It occurs to me that I am America *I am talking to myself again*"<sup>1</sup>

Robert Kagan's essay *Power and Weakness*<sup>2</sup> is a masterful articulation of the neo-conservative vision.<sup>3</sup> That said, it is surely the essay's fabulous timing, rather than its content, that has set the international law community abuzz. The vision itself is not new--it has been circulating for at least a decade.<sup>4</sup> What has changed are the

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\* Visiting Associate Professor of Law at Michigan State University-Detroit College of Law. She would like to thank Professor Russell Miller and Dr. Peer Zumbansen for organizing the *German Law Journal's* Symposium on the "New Transatlantic Tensions and the Kagan Phenomenon." She would also like to thank Michigan State University-DCL for financial support.

<sup>1</sup> Allen Ginsburg, *America*, published in HOWL AND OTHER POEMS, The Pocket Poet Series #4 p. 32 (1980)

<sup>2</sup> Robert Kagan, *Power and Weakness*, 113 POLICY REVIEW (June/July 2002) <<http://www.policyreview.org/JUN02/kagan.html>> (visited 14 August 2003). All citations are to the printer friendly version available on this website.

<sup>3</sup> The Bush Administration is larded with neo-conservatives including: Paul Wolfowitz, Donald Rumsfeld, Richard Perle, I. Lewis Libby, Elliot Abrams, Zalmay Khalilzad and Vice-President Dick Cheney. For the past decade, the most prominent voices of neo-conservatism have included the Weekly Standard Magazine, and two Washington "think tanks:" the Project for a New American Century, and the American Enterprise Institute. Many of the Project for a New American Century's founders, and American Enterprise Institute members and fellows, including Cheney, Rumsfeld, Wolfowitz, and Libby, now occupy top government positions. The central thesis of the neo-conservative ideology they espouse is a belief in American exceptionalism. This belief manifests as contempt for multilateralism and a belief that, in light of America's overwhelming unipolar power, the United States cannot allow itself to be tied down by international agreements that diminish its freedom of action. Instead, neo-conservatives argue that the United States should vigorously use its vigorously to reshape the world by doing all it can to impose democracy on other countries--including by force if necessary. Neo-conservatives thus envision a benevolent hegemony backed by an American willingness to use decisive military force, with or without allies. For a tour of neoconservative ideology, see, Bruce Murphy, *Neoconservative Clout Seen in U.S. Iraq Policy*, Milwaukee Journal Sentinel, (April 6, 2003); James Allen, *A Classicist's Legacy: New Empire Builders*, New York Times (May 4, 2003).

<sup>4</sup> Indeed, one incident from the first Bush administration highlights how long these ideas have been in circulation, and how little traction they had gained before September 11, 2001. In 1992, Policy Paul Wolfowitz and Lewis Libby, then obscure pentagon political appointees, drafted the Defense Planning Guidance on America's military posture to the world. (hereafter "1992 DPG") See Patrick Tyler,

circumstances. With the Bush Administration choosing unilateralist paths on many important international issues, and, in particular, waging an aggressive war in Iraq against express and unwavering opposition from most of the world— including our Cold-War allies France and Germany; our post-Cold War strategic partners Russia and Mexico; not to mention Canada, China, and the population of most of the world<sup>5</sup>— Kagan’s essay offers a seemingly “neutral” and non-ideological justification for American actions. With its oft repeated focus on the “natural” consequences of what Kagan calls “power,” *Power and Weakness* presents a world in which America has no choice but to act as it did in Iraq, or for that matter, with regard to the International Court of Justice. More importantly, Kagan offers a world where America cannot and ought not be swayed by world opinion,

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Pentagon Drops Goal of Blocking New Superpowers, *New York Times*, (May 23, 1992). As initially drafted, the document committed the United States to blocking the emergence of any future global competitor, and explicitly indicated that the United States would adopt a course of unilateralism. *Id.* Essentially the document proposed *pax Americana* with the United States establishing permanent military dominance over much of Eurasia. In response to a public outcry (both domestic and international) the final version of the document softened this language beyond recognition, and instead indicated that the United States was committed to its allies and partners, and that diplomatic and economic tools were on a par with military power. *Id.* In short, the country squarely rejected Kagan’s unilateralist approach. Despite this rejection, Wolfowitz’s draft version of the 1992 DPG lived on. For example, the draft 1992 DPG was embraced as the starting point for the Project for a New American Century’s 2000 report entitled *Rebuilding America’s Defenses*, available at <http://freedom2008.com/blog/archives/PNAC/PNAC.pdf>, coauthored by among others, six key defense and foreign policy officials now serving in the Bush administration. With the advent of the second Bush administration, came the elevation of a group of neo-conservatives to positions of power. For example, Wolfowitz is now Deputy Secretary of Defense. These officials have revived the 1992 DPG, and have relied on *Rebuilding America’s Defenses* as the blueprint for this Administration’s unilateralist foreign policies. American unilateralism is thus a deeply ideological policy choice of the current administration, rather than the “natural” outgrowth of the world as it exists.

<sup>5</sup> The United States, Great Britain and Spain withdrew a United Nations Security Council Resolution authorizing the use of force in Iraq after France, Russia, Germany, Mexico and Pakistan made it clear that they would vote against the resolution. In addition to diplomatic opposition, there were worldwide protests objecting to the war. For a sampling of the various protests, see, e.g., *Egypt Protest*, *Voice of America* (March 6, 2003) (reporting that over 1 million protested in Cairo); Tony Pugh, *Washington Thronged by Antiwar Protestors*, *Phila. Inq.* (March 16, 2003); *Antiwar Protestors Take to the Streets*, *Eur. Wall St. J.* (March 21, 2003); Brian Whitmore, *Europe Sees Wave of Antiwar Protest*, *Boston Globe* (March 21, 2003); Caroline Alphonso, *Antiwar Protests Erupt Across the Globe*, *Globe & Mail* (March 21, 2003); *Antiwar Protestors Rally in Germany and Italy*, *L.A. Times* (March 25, 2003); Jeremy Wagstaff, *Jakarta Antiwar Protest Draws over 100,000, Stays Peaceful*, *Asian Wall St. J.* (March 31, 2003); *Thousands of People Reported Staging Anti-war Protest in Bulgaria*, *BBC* (March 31, 2003); *Antiwar Protests Intensify in Japan as Iraq War Begins*, *Asian Pol. News* (March 25, 2003). These protests occurred in “coalition of the willing” states as well as in states opposed to the war. See, e.g., James R. Haggerty, *UK Leaders Argue in Line with US Stance on Iraq but British Public Disagrees*, *Wall St. J.* (Feb. 18, 2003) (reporting more than a million antiwar protesters in Rome, a million in London, 660,000 in Madrid and half a million in Berlin); *At Least 200,000 Protest in Australia*, *L.A. Times*, (Feb. 17, 2003); Beth Carney, *Britons March Against the War*, *Boston Globe* (March 23, 2003); Robert Tomsho, *Civil Disobedience Snarls Several American Cities, Big Rallies in Spain, Greece*, *Wall. St. J.* (March 21, 2003)

especially not as voiced by the European Union. This normalization of the current administration's ideology may be comforting to true believers, but is entirely unpersuasive to those outside the fold. A reader who does not easily swallow Kagan's narrow conceptions of "power" and "weakness" will not be moved by his subsequent characterization of how "weak" and "strong" parties "inevitably" interact. Thus, although his essay has provoked a great deal of discussion, it ultimately adds little in the way of insight.

In *Power and Weakness*, Kagan advances a very particular vision of "power"—who has it, who values it and who does not. Though he never bothers to define what he means by power, he clearly subscribes to Mao Zedong's belief that "power grows from the barrel of a gun." Power involves something Kagan calls "strength," another term he does not define. Despite the lack of definitions, his meanings are crystal clear. For Kagan, both strength and power are based on military capability, and nothing else. Kagan asserts that strength, and therefore power, is something that America has, and that Europe lacks. It is this lack of military capability that Kagan calls "weakness."

According to Kagan, this dichotomy between "weak" Europe and "strong" America drives most of the current social and political disputes between the United States and Europe. For him, a European vision of international law, and its role in solving international disputes is "a natural [that word again] consequence[] of the transatlantic power gap,"<sup>6</sup> and of Europe's "psychology of weakness."<sup>7</sup>

In making this argument, Kagan identifies what he proclaims as the "inevitable" mindset of America's post-Cold War status as the lone superpower—the propensity to use its overwhelming military strength.<sup>8</sup> He then projects this mindset back in time, and casts it as the decisional framework during the Cold War. While a fervent belief in military superiority was certainly one strand of Cold War thought, it was no more than that—one part of a larger, much more complicated debate. Kagan does concede that during the Cold War many Americans shared what he calls the "European" conviction that détente was the proper approach towards the Soviet Union, but only as a passing note. He makes no mention that a majority of Americans viewed nuclear war as an unwinnable lose/lose prospect despite United States military superiority,<sup>9</sup> and instead believed that the very fact of those

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<sup>6</sup> Kagan, p. 4

<sup>7</sup> Kagan, p. 4

<sup>8</sup> Kagan, p. 3

<sup>9</sup> During the cold war, mutually assured destruction meant that a nuclear war could have no winners.

weapons made the world more dangerous rather than less so.<sup>10</sup> Instead, Kagan moves right back into his argument that cooperation is the tool of the weak and never looks back. Lost in his ahistorical vision is any inkling that choices were made then, and continue to be made today, let alone how deeply ideological those choices were.

Indeed, much of the *Power and Weakness* seems an attempt to bury ideological underpinnings—to project the neo-conservative vision as somehow post-ideological and beyond the petty squabbling of politics. In *Power and Weakness* consequences flow “naturally” from an *a priori* status as “strong” or “weak.” Thus, for Kagan, it is only Europe’s military weakness that has produced “a powerful European interest in inhabiting a world where strength doesn’t matter, where international law and international institutions predominate. . . .”<sup>11</sup> Although not quite Panglossian, (Kagan does not claim this is the best of all possible worlds, merely that it is the only possible world) this characterization is intended to create an impression of inevitability—as though the Hobbesian United States and the Post-Modern Europe he describes are the only possible alternatives.

To that end, Kagan repeatedly blurs the distinction between American actions grounded solidly within the framework of international institutions and law with an American capacity to take unilateral actions in disregard of international law. For example, Kagan identifies the 1989 invasion of Panama, the 1991 Gulf War, and interventions in Somalia, Haiti, Bosnia and Kosovo as support for his contention that the end of the cold war left the United States “free to intervene practically wherever and whenever it chooses.”<sup>12</sup> In doing so, he writes as though each of those actions reflected American unilateralism.

Quite to the contrary! The first Bush administration took great care to act within the United Nations framework during the first Gulf War, and the Clinton administration did not act unilaterally in Somalia, Bosnia and Kosovo (where dragged kicking and screaming might be a better description of United States

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<sup>10</sup> For example, in 1984 large majorities of Americans were “convinced that it is time for negotiations, not confrontations” with the Soviet Union. See, *The people, the debt and Mikhail*, 47 Bulletin of Atomic Scientists (November 1991) available at <http://www.thebulletin.org/issues/1991/n91/n91krass.html>; see also, Dainiel Yankelovich, and John Doble, *The public mood: Nuclear weapons and the U.S.S.R.* 63 FOREIGN AFFAIRS 33-46 (1986); Greg Diamond and Jerald Bachman, *High School Seniors and the Nuclear Threat, 1975-1984: Politics and Mental Health Implications of Concern and Despair*, 15 International Journal of Mental Health 210-241 (1985); Bernard M. Kramer, S. Michael Kalick, and Michael A. Milburn, *Attitudes toward nuclear weapons and nuclear war: 1945-1982*, 39 Journal of Social Issues 7-24 (1983).

<sup>11</sup> Kagan, p. 6.

<sup>12</sup> Kagan, p. 3

involvement.) Hardly a compelling case for Kagan's "unipolar moment," particularly given the questionable degrees of success attributable to these various interventions. This matters quite a bit. By characterizing all these actions as evidence for his theory about how "strong" America "naturally" acts, Kagan finesses the overwhelmingly ideological choices the current administration has made with regard to international law and institutions.

Putting aside the dubious accuracy of his characterizations, to accept Kagan's portrayal, one must first accept that military force is the *only* form of power Kagan's analysis admits no room for the power of ideas—the will to freedom and the longing for justice. This is one of his biggest mistakes. Kagan's view of "power" fundamentally misreads the lessons from the breakup of the Soviet Union. Until the day of its demise, the Soviet Union maintained an awesome military might.<sup>13</sup> Facets that play no role in Kagan's "weakness" calculus—a lack of economic power, ideological power and social legitimacy -- led to its demise, rather than any lack of what Kagan calls "power." In short, the Berlin Wall came down, not because of any inherent Kaganesque "weakness" or opposing American "power," but because of what Václav Havel called "the power of the powerless"<sup>14</sup>—a non-violent cooperative form of power that has brought down many dictatorial regimes around the world.<sup>15</sup>

Kagan uses this platform of what he calls "European weakness" as justification for his assertion that the United States must unilaterally assume the role of international sheriff enforcing peace and justice through the muzzle of a gun.<sup>16</sup> Such a vision is a flat rejection of the rule of law. A self-appointed sheriff is a vigilante. Kagan seems to have forgotten the founding principle of democracy: the power to lead can only be granted, it cannot be seized. Indeed, democracy seem to be no more than an inconvenience for Kagan. Unilateralism, by contrast, avoids the

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<sup>13</sup> For example, in 1989, the Soviet armed forces were the world's largest military establishment, with nearly 6 million troops in uniform, 1,400 intercontinental ballistic missiles (ICBMs), 300 launch control centers, twenty-eight missile bases, and the largest submarine ballistic missile force in the world. In addition, the Soviet Union was spending an estimated US\$1 billion annually on scientific research into advanced technologies with potentially great ASAT and ABM applications, including ground-based laser, particle beam, radio frequency, and kinetic energy weapons. See, Library of Congress, Soviet Union—A Country Guide, available at <http://memory.loc.gov/frd/cs/sutoc.html>.

<sup>14</sup> VACLAV HAVEL, THE POWER OF THE POWERLESS: CITIZENS AGAINST THE STATE IN CENTRAL-EASTERN EUROPE (1990). The essay *The Power of the Powerless* was written in 1978.

<sup>15</sup> Not only did the form of power Havel describes end dictatorial regimes of East Germany, Hungary and many other eastern European states, it is also closely related to the Philippines people power, Ghandi's drive to free India, and countless past and present democracy struggles around the world.

<sup>16</sup> Kagan, p. 6

messy inconvenience of persuading others to one's course of action and working to build common ground—or worse, making compromises. Unspoken is Kagan's assumption that if Europe had more weapons, it would line up precisely where Kagan puts the United States. In fact, a re-armed Europe is his preferred solution to the current cross-Atlantic tensions.<sup>17</sup> He admits no possibility that Europe chose to have fewer weapons, not because it embraced weakness but because was hewing to a different vision of power.

This overly narrow conception of power is a fundamental flaw in *Power and Weakness*. It prevents Kagan from engaging with the obvious alternative to his analysis-- the possibility that a European belief in international law may be the cause, rather than the effect, of what he views as a widening "power" gulf between the United States and Europe. Once we acknowledge that military might is not the only source of power, that there is also power in a well-educated, healthy citizenry committed to the ideas of democracy, then the choices Kagan ascribes to Europe and the United States suddenly look very different. Rather than European reliance on international law being a product of military weakness, Europe's relative lack of military capability may instead be the result of a decision to cultivate other forms of domestic and international power. The mere fact that Kagan has no room for power of this stripe, and in fact contemptuously dismisses it as weakness, cannot satisfy this objection. The mere naming of certain forms of power as weakness does not actually make it so.

Kagan's description of the European and United States response to Saddam Hussein reveals how many assumptions one must swallow in order to accept his thesis. He makes an analogy to two men in the woods with a bear—one armed with a knife and the other with a gun.<sup>18</sup> For Kagan it is inevitable and "natural" that the man with the knife will "lie low and hope the bear never attacks"<sup>19</sup> and that the man with the gun will shoot the bear.<sup>20</sup> In short the man with the knife is really "the man without a gun." He has no choice but to "put out of [his] mind that which [he] can do nothing about."<sup>21</sup> Kagan plainly believes that the only difference between the two men is that one has a gun-- if the men traded weapons, he assumes they would trade behaviors as well. In Kagan's world, there is a "natural" state of affairs, and everyone sees the same threats.

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<sup>17</sup> Kagan, p. 12

<sup>18</sup> Kagan, p. 8.

<sup>19</sup> Kagan, p. 8.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

Nowhere in the analogy or the subsequent discussion of European and American responses to Saddam Hussein, does Kagan even admit the possibility that the first man may have gone into the woods with a knife precisely because he is not afraid of bears. Those of us who live in the Western United States know that most bears, most of the time, pose no threat to humans. One can have a healthy respect for the violent potential that a bear represents while still feeling no need to attack or fear every bear in the forest. Under those circumstances a gun would be superfluous, and a desire to eradicate bears might suggest a dangerously violent temperament, not to mention an unkindness towards animals.

Kagan then claims that because of the United States' power, Iraq poses more of a threat to it than to the rest of the world. In other words, the mere fact of having a gun makes the first man more vulnerable to a bear? Such a reading not only defies logic, it also undercuts Kagan's entire justification for having a gun in the first instance—to protect against bears. Kagan spends pages demonstrating his view that it is American power that acts as a guarantor of safety. He then claims that because the United States has more power, it is more vulnerable to petty dictators like Saddam Hussein. The way out of this dilemma, according to Kagan, is through America's unfettered use of the overwhelming power that created the unique vulnerability in the first place. This recipe for perpetual violence is completely unacceptable.

While Saddam Hussein's brutal regime had few admirers, in Europe or elsewhere, it was a failure of American diplomacy—something thing Kagan dismisses as weakness—that splintered the 60-year-old European and American alliance that we commonly refer to as "the West." Americans and Europeans have an overwhelming common interest in seeing democracy, peace and prosperity spread through the Middle East and the rest of the world. Rather than drawing on that common interest to build an ever-stronger alliance of mutual support, the United States' coupled high-handed pressuring tactics with a series of unsubstantiated and ever-changing justification for war<sup>22</sup> in a manner that alienated our friends and

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<sup>22</sup> In his *State of the Union* speech, President Bush clearly accused Saddam Hussein of posing an imminent threat to the United States by stockpiling chemical and biological weapons in defiance of the United Nations. 2003 *State of the Union Address*, available at <http://www.whitehouse.gov/news/releases/2003/01/20030128-19.html>. These weapons allegedly included: over 25,000 liters of anthrax; more than 38,000 liters of botulinum toxin; 500 tons of sarin, mustard and VX nerve agent; upwards of 30,000 munitions capable of delivering chemical agents. He also accused Saddam Hussein of seeking significant quantities of uranium, and attempting to purchase high-strength aluminum tubes suitable for nuclear weapons production. The President was repeating allegations that various administration officials had been making for almost a year. See, *The Bush Administration on Iraq's Weapons of Mass Destruction Capabilities August 2002-July 2003, compiled by the Carnegie Endowment for International Peace*, available at <http://www.ceip.org/files/projects/npp/resources/iraqintell/adminquoteshtml.htm> The nuclear allegations were rapidly discredited by the Director General of the International Atomic Energy

empowered our enemies. Surely no one mourns the Baath regimes demise,<sup>23</sup> but if “regime change” was purchased at the expense of a permanent rift between the United States and its closest allies, will the war have made the world safer or more dangerous? The Bush Administration’s open contempt for the United Nations Charter and its dismissal of any need to conform American conduct to international humanitarian or legal standards-- the logical outgrowth of Kagan’s ideas of power—set a troubling precedent that will surely come back to haunt us.

Kagan is also wrong about weakness. Weakness, like power, is a nuanced proposition, not merely a state of “unpower” that grows from a lack of military might. After all, it is only Kagan’s bellicose assumption that the person with the gun is better prepared to confront a bear. A gun might provide protection against a bear, but perhaps not. Much rests on the skill of the person wielding the weapon. Guns have been known to give a false sense of security to inexperienced marksmen.

In fact, I would offer Kagan an alternative story—that told to me by a safari guide. The safari guide leads groups of tourists on photo-safari’s through the African plains. He guide is armed, but only as a safety precaution. He brings tourists to various watering holes, and if the conditions are safe, permits the tourists to get out of the car to walk among the animals. A certain kind of visitor always wants to go closer to the lions. The guide usually responds “ Sure, we can go closer, but first I am going to leave the gun here in the car.” The tourists protest “we are not going close to the lion without the gun” but the guide responds “well, I’m not shooting that lion. Keep that in mind before you approach an animal that might turn dangerous.”

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*Agency as based on forged documents. See, Dr. Mohamed ElBaradei, The Status of Nuclear Inspections in Iraq: An Update, available at <http://www.iaea.or.at/worldatom/Press/Statements/2003/ebasp2003n006.shtml>; Senator Requests FBI Probe of Forged Iraq Documents, USA TODAY (March 14, 2003). In his March 7, 2003 presentation to the Security Council, Dr. ElBaradei also refuted aluminum tubes allegation. Id.; see also, Dana Milbank and Walter Pincus, Bush Aides Disclose Warnings From CIA: Oct. Memos Raised Doubts on Iraq Bid, WASHINGTON POST (July 23, 2003) (indicating that three months before the State of the Union Address, the CIA had warned the White House that those very nuclear weapons allegations were unsubstantiated.). The other weapons allegations proved to be old information recycled in alarmist accents. See, Joseph Cirincione and Dipali Mukhopadhyay, Follow the Threat Assessments, Carnegie Endowment for International Peace (July 03, 2003), available at <http://www.ceip.org/files/nonprolif/templates/article.asp?NewsID=5022>. Indeed, months of diligent searching in post-war Iraq has failed to uncover any such weapons. President Bush also specifically stated that the United States had evidence of links between Saddam Hussein and al Qaeda. Those allegations have never been substantiated, and in fact, most experts agree that Saddam Hussein did not have links to al Qaeda.*

<sup>23</sup> For a discussion of this question, see, Jurgen Habermas, *Interpreting the Fall of a Monument*, 4 GERMAN LAW JOURNAL 7 (1 July 2003) <<http://www.germanlawjournal.com>>.

There is a lesson here. Kagan must be careful that his embrace of force as the answer to elusive threats does not turn into overconfidence. Hubris is also weakness, and it leads one down the path towards nemesis.

Hypothetical bears aside, Kagan's analysis highlights the dangers of universalizing what he claims as the American perspective as though it were the only possible American perspective. In fact, this perspective is hotly contested within the United States. *Power and Weakness* reads as a refusal to recognize that there are choices about investment in military as opposed to social spending, and that those choices may be grounded in differing conceptions about what poses a threat to safety, and about what actions are likely to maximize security. Interestingly, Kagan accuses Europe of dangerously universalizing its own experience<sup>24</sup> but refuses to recognize that tendency in himself. This refusal rests squarely on Kagan's belief that there is one "natural" and "inevitable" answer. Anyone who deviates from this "natural" and therefore "right" answer, must be weak.

Similarly, in the world Kagan describes, it is unimaginable that the United States might choose a different path while it possesses unmatched military power. That Kagan cannot, or will not, allow for alternative visions of power is deeply troubling. He allows no space for Americans to hold differing perspectives. To reject the "natural" and "inevitable" outcome of power, as apparently only "a small segment of the American elite" does,<sup>25</sup> would be at best foolish and at worst seditious. Kagan's analysis thus provides disturbing fodder to those who would tag those Americans who disagree with recent choices that the country has made, not only with regard to Iraq, but also the Kyoto Protocol, the International Criminal Court, and the ABM Treaty (to name only a few) as unpatriotic or "with the terrorists."<sup>26</sup>

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<sup>24</sup> Kagan, p. 7

<sup>25</sup> Kagan, p. 18.

<sup>26</sup>In a September 20, 2001 address to a joint session of Congress, President Bush announced: "Every nation, in every region, now has a decision to make. Either you are with us or you are with the terrorists." The full text of this speech is available at <http://www.whitehouse.gov/news/releases/2001/09/20010920-8.html>. The President subsequently repeated this statement many times. See, e.g., Remarks by the President to the George Marshall ROTC Award Seminar on National Security, Virginia Military Institute, April 17, 2002, available at <http://www.whitehouse.gov/news/releases/2002/04/20020417-1.html>; Remarks by the President In Announcement on Financial Aspects of Terrorism, November 8, 2001, available at <http://www.whitehouse.gov/news/releases/2001/11/20011107-4.html>; Remarks on Improving Counterterrorism Intelligence, February 14, 2003 available at 2003 WL 13972993. Although this so-called Bush Doctrine was initially directed at foreign policy, Administration officials rapidly began using that same rhetoric domestically. White House spokesperson Ari Fleischer told Americans to "watch what they say." When civil libertarians began to protest the curbing of constitutional rights, Attorney General John Ashcroft offered a forbidding rejoinder: "To those who scare peace-loving people with phantoms of

Finally, and perhaps most problematically, Kagan's characterization of Europe and the United States reads like an unconvincing reprisal of the now-discredited claims of *sui generis* "Asian Values." During the 1980s and 1990s Lee Kwan Yew of Singapore, Le Peng of China and Mahathir Mohammad of Malaysia spearheaded a series of political and cultural claims that political freedom and individual liberty were Western concepts alien to the peoples of Asia. Instead, the claim was that "Asians" had a unique value system based on cooperation within a hierarchical social order and that the very act of questioning human rights abuses in Asia was therefore cultural imperialism.<sup>27</sup> Largely an attempt to justify authoritarian regimes, this argument found great resonance with neo-conservatives, and was prominently featured in Samuel Huntington's *The Clash of Civilizations*.<sup>28</sup> These essentialist claims for "Asian Values" included almost verbatim the arguments Kagan now makes with regard to Europeans. But, where Kagan characterizes Europeans as "approach[ing] problems with greater nuance and sophistication. They try to influence others through subtlety and indirection,"<sup>29</sup> Asian Values proponents would reserve those identical characteristics for Asians. Indeed, replace the word "Europeans" with "Asians", and Kagan's argument could have been made by Singapore's Lee Kuan Yew himself. The most interesting thing about

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lost liberty, my message is this: Your tactics only aid terrorists." The USA Patriot Act, which gave the government extensive new powers to spy, interrogate and detain those suspected of aiding terrorism, adds a further troubling dimension to this rhetoric labeling dissent as a form of treason.

<sup>27</sup> See, e.g., Kishore Mahbubani, *The Pacific Way*, 74 FOREIGN AFFAIRS (Jan/Feb 1995); Fareed Zakaria, *Culture is Destiny: A Conversation with Lee Kuan Yew*, 73 FOREIGN AFFAIRS 109-26 (Mar/Apr 1994); Koh, "Does East Asia Stand for Any Positive Values?" INTERNATIONAL HERALD TRIBUNE, December 11-12, 1993. For an excellent response debunking these claims for "Asian Values", see, Kim Dae Jung, *Is Culture Destiny? The Myth of Asia's Anti-Democratic Values: A response to Lee Kuan Yew*, 73 FOREIGN AFFAIRS 189-94 (Nov/Dec 1994) (Kim Dae Jung later became the President of South Korea); see also, Martin Lee, *Testing Asian Values*, New York Times, January 18, 1998); Amartya Sen, *Human Rights and Asian Values: What Lee Kuan Yew and Le Peng Don't Understand About Asia*, 217 NEW REPUBLIC (July 14, 1997). Sen accuses "Asian Values" proponents of selectively revising history to suit their political objectives and of ahistorically extrapolating backwards from the present to support their claims. Kagan is similarly selective in his use of the past to support his vision of the present and his plan for the future. Indeed, much the same way Asian Values advocates tried to ignore the fact that the democratic governments of Thailand, South Korea, Taiwan and the Philippines squarely rejected their contentions that "Asian Values" should trump human rights and constitutional guarantees, Kagan ignores the many strains of American thought that reject his vision for a unipolar world.

<sup>28</sup> Samuel P. Huntington, *The Clash of Civilizations*, 72 FOREIGN AFFAIRS (Summer 1993). In this article, Harvard Professor Samuel P. Huntington articulated his vision of the post Cold War world—a vision that focused on the global ramifications of persistent cultural divisions. Huntington projected that Confucian civilization and Islamic civilization would increasingly be in conflict with the West and would thus be a major source of global instability. The article was later turned into a book entitled THE CLASH OF CIVILIZATIONS (1996).

<sup>29</sup> Kagan, p. 2.

Kagan's essentialist simplifications is that a decade ago, the advocates of Asian Values were attributing exactly the opposite characteristics to Europe and Europeans.<sup>30</sup> They were wrong and so is Kagan. The pigeon-holing that classifies Europeans as post-modern and Americans as proud of their military prowess is as foolishly simplistic as earlier attempts to classify Asians as group-oriented and Westerners as individualistic. In short, we have heard this nonsense before, and it too shall pass.

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<sup>30</sup> See e.g., Bilahari Kausikan, *Asia's Different Standard*, 92 FOREIGN AFFAIRS 21 (Fall 1993); Fareed Zakaria, *Culture is Destiny: A Conversation with Lee Kuan Yew*, 73 FOREIGN AFFAIRS 109-26 (Mar/Apr 1994). For an excellent scholarly exploration of the claims for Asian Values, see Chaihark Hahm, *Law, Culture and the Politics of Confucianism*, 16 Colum. J. As. L. 253 (2003).